

MINUTES
DD 1 LANDOWNER MEETING
OCTOBER 12, 2016 – 11:30 A.M.

Hardin County Board of Supervisor Chairman, Lance Granzow, opened the meeting. Also present were Supervisors, Ronn Rickels and Renee McClellan; Landowners, Jerry Kramer, Marvin Kramer, Gordon Taylor, Ken Reece, Dean Bright, Dwight Schuneman, Charles Butler, Jon Kies, Arnold Luiken, Michael Roll, Mark Keninger and Jack Rogers; Lee Gallentine with Ryken Engineering; Drainage Clerk, Tina Schlemme.

Rickels moved, McClellan seconded to approve the agenda as presented. All ayes. Motion carried.

After introductions, the meeting was then turned over to Schlemme who explained at the previous meeting landowners had asked for legal opinion regarding the classification options as stated in Code of Iowa 468.184. The attorney has replied that those options are indeed a possibility and that a petition would need signed by 1/3 of the landowner and 1/3 of the value of land and land improvements. Schlemme further stated that there are 37 landowners in the district, so 13 signatures would be required for the petition. A petition had been submitted with 10 signature but 9 landowners, so it did not meeting the requirements. Granzow asked if anyone else wanted to sign the petition, in which Keninger said he would, but they would need more.

Landowners questioned Code of Iowa 468.184(7), which states a method of assessment of total amount assessed divided by the number of acres in the district could be adopted by either hearing or election and doesn't state the 1/3 rule. It was confirmed that the petition stated 'Total assessed cost divided by total acres', not value. Another landowner stated he had spoken with the Jim Hudson Law Firm in Pocahontas and they have used this method on a new district there. The landowners then asked if they could have another week to get more signatures.

It was discussed whether the 1/3 of value meant assessed or taxable. Gallentine explained that it states land and land improvements. The Trustees agreed that legal opinion would need to be obtained if a petition would be required to assess by acres and if so, if the 1/3 of landowners and 1/3 of the value of land and land improvements rule would be needed.

McClellan moved, Rickels seconded to reconvene the meeting for Wednesday, October 26, 2016 at 11:30 A.M. in the lower level conference room of the Hardin County Courthouse. Schlemme is to contact Drainage Attorney, Mike Smith, to attend the next meeting and to answer the mentioned legal questions. Schlemme is to send postcards to landowners to inform them of the new meeting. All ayes. Motion carried.

Rickels moved, McClellan seconded to adjourn the meeting. All ayes. Motion carried.