

**DRAINAGE DISTRICT 25  
LANDOWNER MEETING  
10/09/2019 - MINUTES**

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1. Open Meeting

Hardin County Drainage District Board of Trustee Chairperson, Renee McClellan, opened the meeting. Also present were Trustee Lance Granzow, previous Drainage Clerk, Becca Junker and new Drainage Clerk, Denise Smith. Landowners; Leonard Penning, David Fincham, Denny Beckman, Denny Friest, Kevin Nessa, Leland Coburn, and Contractor Steve McDowell of McDowell and Sons, Mike Marquess attorney for Matt DeSchamp, Contractor Matt DeSchamp and Lee Gallentine with Clapsaddle-Garber Associates (CGA).

2. Approve Agenda

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

3. Introductions/Attendance

Introductions were made and attendance verified.

4. Explanation Of Project/Cost

In previous meeting it was presented by Gallentine that there are 2 tiles going under the UPRR track in DD 25, one is private tile and one is district tile. The private tile lies above the district tile, and both are currently 10" clay tile. The district tile has a large cavity/void missing above the tile and there are a couple of small sinkholes developing. Current project permitted work includes replacing the 10" district tile crossing the tracks with a 12" tile at a cost of \$52,195.00.

The options previously discussed were:

1. Proceed per the original plans and offset the drainage district tile from the private tile.
2. Proceed per the original plans and offset the drainage district tile from the private tile but install an 18" tile under the railroad.
3. Remove the private tile and in return place 18" tile throughout the whole of the two 10" tiles.

Option #3 was discussed, if we went up to one 18" casing, which would be equivalent to the two 10" lines, costs go up by an additional \$25,605.00, which is in addition to the original cost of \$52,195.00. Total cost would be \$77,800.00. Granzow expressed concerns that the original 10" landowner tile would collapse and need eventual addressing anyway, so the 18" would address that issue. Both the private and district tile would utilize the 18" crossing then outlet back into both tiles. No reclassification would be needed.

5. Comments/Discussion

The costs of how this would be assessed were discussed. Kevin Nessa expressed concerns that costs should be assessed to those on the upper side of the crossing as it benefits them directly. Granzow stated that the \$52,195.00 would be assessed to the district and the additional \$25,605.00 would be assessed to those above the crossing as it benefits them directly. The private and district tiles would utilize the same 18" crossing and would then outlet to both tiles again. Granzow stated that we will use topography to determine assessment to those on the top side of crossing.

Granzow requested clarification from the landowner as to how they would like to proceed.

Gallentine stated that permits would need to be updated with the railroad. McDowell stated that work could not proceed until updated permit was granted. Gallentine recommended having the Attorney reach out to the Railroad as they make quicker headway with the Railroad. It was unclear whether existing permit could be updated or if a new permit would be needed. This may delay work until possibly next year while waiting on permit.

Granzow stated if we go forward with the 12" tile as it is permitted now, that if it needs addressed in the future, costs would be higher as it would be a whole new project which would incur additional costs. Coburn and Nessa agreed they were willing to accept costs and needed the outlet, as situation would not get better as existing tiles are 100 years old. It was agreed that although this may prolong the process it was the best choice. Granzow noted that this is a one time expense for this crossing and everyone on the topside understands that, all three landowners agreed (Fincham, Coburn, Friest).

District tile east of the tracks still needs to be televised and evaluated, and based on evaluation it may be replaced. What they have seen so far looks pretty good. That process will continue regardless of what happens with the crossing, weather delays may be expected. Fincham wants holes repaired this fall, McDowell says he will fill holes as soon as televising is done. A change order will have to be made with a estimated completion date in the future, to be updated when new permits are acquired.

Junker asked how attorney fees should be split in the future, McLellan expressed that Gallentine has dealt with the attorneys and can direct them how to split fees.

Friest asked how assessment would affect those with in-town lots in Garden City, Granzow said he would have to look at classification on those lots, it would most likely be assessed at the minimum \$5.00 per lot.

6. Possible Action

Motion by Granzow to approve going to the up-sized 18" tile for the crossing, directing Gallentine to work with attorneys to get permits, get assessment splits to all on the upper side of the crossing per topography. Seconded by McClellan. All ayes. Motion approved.

7. Other Business

8. Adjourn Meeting

Meeting adjourned.