

AGENDA
REGULAR DRAINAGE MEETING
Monday, June 24, 2019
9:00 AM

1. Open Meeting
2. Approve Agenda
3. Approve Minutes
- June 12, 2019 Regular Drainage Meeting

Documents:

[6_12_2019 - DRAINAGE MINUTES.PDF](#)

4. DD 148 - Canvass Election

Documents:

[CANVASS OF DD 148 6-24-19.PDF](#)

5. DD 22 - Discuss, With Possible Action, Work Order #176 Concerns
6. DD 124 - Discuss, With Possible Action, Contractor Update
7. DD H-F 1 - Discuss, With Possible Action, Owner Approval

Documents:

[OWNER CONSENT.PDF](#)

8. Discuss, With Possible Action, IRUA

Documents:

[2019-02-06_HARDINCODDTRUSTEES.PDF](#)
[8759 - RCOMMENDATIONS CONCERNING REVIEW OF IRUA SECOND
SUBMISSION.PDF](#)

9. DD 102 - Schedule Wetlands Presentation
10. Other Business
11. Adjourn Meeting

REGULAR DRAINAGE MEETING

6/12/2019 - Minutes

1. Open Meeting

Hardin County Drainage District Board of Trustee Chairperson, Renee McClellan, opened the meeting. Also present were Trustees, Lance Granzow and BJ Hoffman; Lee Gallentine with Clapsaddle-Garber Associates (CGA); Drainage Clerk, Becca Junker.

2. Approve Agenda

Hoffman moved, Granzow seconded to approve the agenda as provided. All ayes. Motion carried.

3. Approve Minutes

Granzow moved, Hoffman seconded to approve the minutes of the June 5, 2019 regular drainage meeting. All ayes. Motion carried.

4. Approve Claims For Payment

Hoffman moved, Granzow seconded to approve the claims for payment with the pay date of Friday, June 14, 2019. All ayes. Motion carried.

Description	Vendor	Amount
DD 1 - ENG SRVS 3/1/19 - 5/31/19	CGA	\$ 118.20
DD 100 - ENG SRVS TO 5/31/19	CGA	\$ 310.75
DD 128 -Prof Srvs 4/26/19 - 5/31/2019 Construction	CGA	\$3,895.60
DD 143 - ENG SRVS TO 5/31/19	CGA	\$ 539.00
DD 148- Notice of Election	Times Citizen	\$ 48.98
DD 38 - Professional Services 4/26/19 - 5/31/2019	CGA	\$ 854.40
DD 55 Div 3 - Prof Srvs 4/26/19 - 5/31/2019	CGA	\$ 274.90
DD 55 DIV 3 LAT 9A - SRVS 1/25/19 - 5/31/19	CGA	\$ 650.10
DD 55 Div3 - Prof Srvs 4/26/19 - 5/31/2019	CGA	\$ 199.50
DD 56 - Prof Srvs 4/26/19 - 5/31/2019 Reclash	CGA	\$ 209.70
DD 5-75 - Prof Srvs 4/26/19 - 5/31/2019	CGA	\$ 559.00
DD 78 - ENG SRVS TO 5/1/19	CGA	\$ 465.25
DD 86 - ENG SRVS TO 5/31/19	CGA	\$ 837.45
DD 9 - Prof Srvs 4/26/19 - 5/31/2019	CGA	\$4,112.30
DD 9 - Prof Srvs 4/26/19 - 5/31/2019	CGA	\$3,806.55
DD Big 4 - Prof Srvs 4/26/19 - 5/31/2019	CGA	\$ 184.30
DD Big 4 - Prof Srvs 4/26/19 - 5/31/2019	CGA	\$ 197.20
DD Big 4 - Prof Srvs 4/26/19 - 5/31/2019	CGA	\$1,962.90

5. DD 52 - Discuss, With Possible Action, Signed Consent To Remove Trees

Hoffman moved, Granzow seconded to acknowledge and take action on the signed consent to remove trees.

Gallentine then asked if this should be put to lottery or given to Adam Seward for the tree removal. Granzow asked who was left on the lottery that is actively working and Gallentine replied Seward and Williams once in a while. Hoffman said Williams probably will not want to remove trees, Gallentine agreed and said Seward is the logical contractor to do the tree removal. Gallentine then asked if CGA needs to go out and flag the trees that need to be removed and McClellan and Granzow agreed that flagging them would best so that Seward has a clear starting point and stopping point.

Gallentine asked if CGA was to contact Seward once the trees are flagged or is Junker is to contact him. Hoffman said when CGA goes out to flag maybe it would be best for them to contact Seward so that he is there when they are flagging. Trustees all agreed it would be best for CGA to contact Seward.

Gallentine then asked for clarification on what to do once the trees are cut down, if they are to treat the stumps or planning on grubbing the stumps out. Granzow asked if Gallentine has a requirement for how short to cut the trees so that a batwing mower can go in over top of them if need be or if the plan is to continue spraying them. Gallentine returned the question to the Trustees because there is a lot of stuff out within those trees he doesn't know if it is even possible to get a batwing mower in there.

All ayes. Motion approved.

6. Other Business

DD 9 - Engineer's Report Hearing is to take place within next weeks (6/19/19) regular drainage district meeting, starting at 1:00pm.

7. Adjourn Meeting

Hoffman moved, Granzow seconded to adjourn the meeting. All ayes. Motion carried.

CANVASS OF 2019 DD 148 ELECTION OF DRAINAGE DISTRICT TRUSTEES

The 2019 Drainage District 148 election of drainage district trustees was canvassed by the Board of Supervisors, BJ Hoffman, Renee McClellan and Lance Granzow with Drainage Clerk, Becca Junker, present on Monday, June 24, 2019 at 9:00 A.M.

We, the undersigned members of the Board of Supervisors for Hardin County, hereby certify the following to be a true and correct abstract of the votes cast in this county at the 2019 Drainage District 148 election of drainage district trustees held on the 18 day of June, 2019, as shown by the tally lists returned from the election precincts.

Drainage District 148 Trustee. There were 39 votes cast as follows:

Josh Ainley received 1 Vote(s)
James Barling received 4 Vote(s)
Paul Enslin received 4 Vote(s)
Bill Halter received 1 Vote(s)
Kent Holmgaard received 1 Vote(s)
Bill Ibeling received 10 Vote(s)
Dave Keninger received 3 Vote(s)
Harold Muller received 2 Vote(s)
Brandon Pieper received 3 Vote(s)
Kenny Smith received 10 Vote(s)

Chairperson

Board of Supervisor

ATTEST:

Board of Supervisor

County Auditor

Becca Junker

From: TRitland@farmersnational.com
Sent: Thursday, June 20, 2019 11:15 AM
To: Becca Junker
Subject: Re: [EXTERNAL EMAIL] DD H-F 1

You can go ahead and do the work. If they do it soon the corn might be short enough but we don't want any crop destruction.

Thanks

Sent from IBM Verse

Becca Junker --- [EXTERNAL EMAIL] DD H-F 1 ---

From: "Becca Junker" <BJunker@hardincountyia.gov>
To: tritland@farmersnational.com
Date: Thu, Jun 20, 2019 10:52 AM
Subject: [EXTERNAL EMAIL] DD H-F 1

Good morning,

Thank you for taking the time to call this morning and discuss the letter that was sent out. Attached are maps to hopefully help with what field the Trustees are talking about. If not, you can go to <https://beacon.schneidercorp.com/?site=HardinCountyIA> and search for parcel number 892007100004 and get a better understanding of where this field is.

Please let me know if you have any questions or concerns!

Becca



BECCA JUNKER

DRAINAGE CLERK

HARDIN COUNTY

1215 EDGINGTON AVENUE

ELDORA, IOWA 50627

AUDITOR'S OFFICE

OFFICE: 641.939.8113

FAX: 641.939.8245

[HTTP://WWW.HARDINCOUNTYIA.GOV](http://www.hardincountyia.gov)

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Grundy Center, IA 50638
Ph: 319-824-5920
Fax: 319-824-6045

www.irua.net

We Flow That Extra Mile!

February 6, 2019

Hardin County Drainage District Trustees
Hardin County Auditor's Office
1215 Edgington Avenue, Suite 1
Eldora, IA 50627

RE: Variance Request
Drainage District Permits: 2017-1, 2018-1, 2018-2, 2018-6 and 2018-7
Iowa Regional Utilities Association

Over the past two years Iowa Regional Utilities Association (IRUA) has filed five Drainage District Utility Permit Applications with Hardin County. Each permit has been filed to complete work related to installation of drinking water mains at various locations across the southern portion of Hardin County. Each permit number and date of issuance is described in the following table:

Permit Number	Permit Approval Date
2017-1	05/10/2017
2018-1	05/02/2018
2018-2	05/02/2018
2018-6	05/16/2018
2018-7	05/16/2018

As installation of these new water mains has progressed, IRUA has endeavored to work with Hardin County and its designated representative, Clapsaddle-Garber Associates, Inc. (CGA), to protect and document the district tile infrastructure, as we do with all of the other Counties that we work with.

On August 27, 2018, IRUA staff received an email from CGA with directives relating to various permitted drainage district crossings. IRUA then received invoices from CGA for the firm's services relating to the above permits.

On October 1, 2018, IRUA received a cease and desist notice from the County's attorney, Davis Brown Law Firm. The letter generally referred to the directives of the August 27, 2018 email from CGA.

On October 5, 2018, IRUA's attorney, Frank Smith Law Office, responded to the County attorney's letter.

On December 19, 2018, IRUA attended a Hardin County Drainage District Trustees meeting to more efficiently discuss the basis of the Utility's concerns, which is the uniquely restrictive and expensive permit language of the Hardin County Drainage District. IRUA expresses appreciation for the Board's

time and consideration during the meeting. At the conclusion of the discussion, the Trustees indicated a willingness to consider a permit variance application from IRUA.

Hardin County's representative, CGA, was selected and appointed because it provides the County with the services of a Professional Engineer licensed in the State of Iowa to monitor, track, document and record the progress of permittees for the County. IRUA has staff and resources to perform these same services internally, including the ability to certify the information to the County sealed by a Professional Engineer licensed in the State of Iowa.

IRUA has prepared the enclosed Information and Variance Request Worksheet summarizing the Utility's response to the comments of CGA's August 27, 2018 email.

Included with the Worksheet, IRUA has prepared a package consisting of GPS coordinates that we acquired of the district drainage infrastructure at each permitted crossing. The GPS coordinates we acquired have been overlaid on an aerial map for reference of where the information is in the real world. IRUA is happy to furnish electronic files of these GPS coordinates for Hardin County's use. Also included at each crossing is a steel post monument set over the tile at the point of crossing. Where it was not possible to install the monument directly over the crossing, the post has been stamped with an offset dimension to be used as reference to the actual crossing point. A sample image of the monuments installed is enclosed with this cover letter. IRUA can submit photographs of each monument installed at each crossing at the request of the Trustees. Finally, included with the completed work packet is a signed Professional Engineer's seal certifying the information to the Drainage District Trustees. IRUA requests that Hardin County accept this information in lieu of employing and dispatching its representative. For items where no variance request is noted, it is IRUA's opinion that this request does not need to be submitted by formal variance as the permit's requirements only state that "The Drainage District Trustees may appoint a representative to inspect and approve..." (Permit Requirement 10).

There are some items that do require a formal variance request. The enclosed Information and Variance Request Worksheet requests this variance for CGA's comments regarding:

- Permit #2017-1
 - D.D. No. 152 (D.D. No. 55: Div. 2)
 - D.D. No. 26
 - D.D. No. 14 (D.D. No. 123)(D.D. No. 26)
 - D.D. No. 11
- 2018-1
 - D.D. No. 26
- 2018-6
 - D.D. No. 11
- 2018-7
 - D.D. No. 152 (D.D. No. 55: Div. #2)

Finally, the following comments are in response to specific tile crossings noted by CGA in their August 27, 2018 email:

- DD 20 – Permit #2017-1: IRUA requests this comment be clarified or withdrawn. The construction corridor covered by Permit #2017-1 did not encounter DD 20 infrastructure.

- DD 21 – Permit #2017-1: IRUA requests this comment be clarified or withdrawn. The construction corridor covered by Permit #2017-1 did not encounter DD 21 infrastructure.
- DD 56 – Permit #2018-2: IRUA requests this comment be clarified or withdrawn. The construction corridor covered by Permit #2018-2 did not encounter DD 56 infrastructure.
- DD 152 – Permit #2018-2: IRUA requests this comment be clarified or withdrawn. The construction Corridor covered by Permit #2018-2 did not encounter DD 152 infrastructure.

To be clear, IRUA is not pursuing permit variances to alter the Utility's work product. Serving rural and agricultural communities is the foundation that IRUA is built on, and in the interest of our members, we certainly respect the importance of protecting drainage district infrastructure. As a result, we respect the intent of the language that Hardin County has integrated into its drainage district utility permits. However, IRUA is confident that we can provide a solution that accomplishes the intent of the permit's unique language while keeping Hardin County cost competitive with other drainage districts.

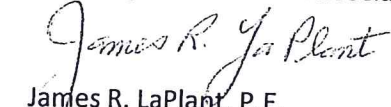
It is IRUA's hope that the Trustees find that this information achieves the same level of service and quality that would be accomplished through the County's designated representative. If acceptable, it is IRUA's intent that we utilize this same template for drainage district utility permits moving forward.

Enclosed please find a check for \$3,549.95. This is an amount matching CGA's invoices through January 2, 2019, less finance charges. If the proposed information packet and variance requests are approved by the Trustees, please cash the check and use the funds to reimburse CGA for their invoices. If the requested variances are not approved, please return the check to IRUA at your earliest convenience.

IRUA has appreciated working with Hardin County Staff and Leadership. As noted in the meeting, IRUA is just in the early stages of expanding and responding to requests for our services to the residents and communities of Hardin County. Working together to clarify this process now will benefit all parties to maintain an efficient working relationship moving forward. Further, we feel that the ultimate beneficiary of this arrangement will be the citizens and constituents of Hardin County, who will otherwise be held accountable for paying the costs of the District's unique drainage district permitting structure.

Please respond with the Board's decision at your earliest convenience, and do not hesitate to contact IRUA should there be any questions or comments. Feel free to direct correspondence concerning this matter to IRUA Engineering Manager, Matt Mahler, P.E.: 1351 Iowa Speedway Drive, Newton, IA 50208; 641-792-7011; mmahler@irua.net.

Sincerely,
Iowa Regional Utilities Association


James R. LaPlant, P.E.
CEO/Engineer



June 18, 2019

Drainage District Trustees
Attn: Becca Junker – Drainage Clerk
1215 Edgington Avenue
Eldora, IA 50627

RE: Engineer's Opinion – IRUA Permits
Hardin County, Iowa

Dear Trustees:

The purpose of this letter is to issue my opinion concerning the above per your request at the regular April 10, 2019 drainage meeting. I have reviewed both IRUA's first two submittals and their March 4, 2019 letter. I would like to start by stating that we strongly feel that the "history" of the 2017 and 2018 permits that IRUA drafted in their March 4, 2019 letter is one-sided, incomplete, and not accurate. However, in an effort to bring the outstanding permits to a close I will not spend time arguing over the past and instead focus on moving forward. If the District Trustees find it informative to know CGA's recollection of events concerning the 2017 and 2018 permits, please let me know.

In my opinion, the key purpose of the permits and the corresponding Iowa Code requirement is to protect the district facilities (i.e. district tile and district open ditches) and their drainage capacities. The best way that I know to do that is to:

1. Horizontally and vertically locate the district facility and verify that they are not conflicting with each other.
2. If damage has occurred to the district facility, verify that the resulting repairs were done in a manner that will ensure full drainage capacity and prevent premature failure of the district facility.

With that in mind, I went back through my previous review comments and have attached a revised copy of the same. You will see that I have color coded them as to my opinion of their importance:

- Red are highly important and are recommended to be completed.
- Yellow are also important and required on all CGA project for drainage districts. However, they could be waived at the District Trustees discretion.
- Green are permit requirements, but have been waived in the past by the District Trustees. I see no reason not to waive them for IRUA also.

Also, I would like to address Drainage District 11 in the Buckeye specifically. IRUA has indicated in their March 4, 2019 letter that "...most tiles running beneath the City of Buckeye are in excess of nine feet." I have reviewed the original profiles for the Main tile, Lateral A tile, Lateral B tile, Lateral C tile, and Lateral D tile of Drainage District 11. These profiles reveal installation depths of a varying nature

Clapsaddle-Garber Associates, Inc.

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www.cgaconsultants.com

from 2'± to 11'±. I have also reviewed our survey data from both previous excavations and intake depths on the Main tile, Lateral B tile and the Lateral C tile. These indicate tile installed depths ranging from 4'± to 9'± with the majority of our data showing installed depths of 4'± to 5'±. IRUA has requested a waiver from permit requirements within Buckeye in order to minimize impact on the Buckeye community. As we have stated in the past, many of the locations of the drainage facilities within Buckeye have been surveyed and could be staked out by one of our crews for IRUA resulting in reduced excavation. It is my opinion that reduced or restricted drainage would have far more of a dramatic "impact" on the citizens of Buckeye than some holes in their yard. Based on the above, it is my opinion that IRUA's blanket waiver request should be denied.

In closing, I would like to remind everyone involved that the Drainage District Trustees are not imposing unique requirements on utility companies by requiring verification that the district facilities under their control are not negatively impacted. The District Trustees are simply applying the authority given to them by Iowa Code 468.186. This should not come as a surprise to utility companies as is has been required of them also by Iowa Code 468.186 for a number of years.

I appreciate the opportunity to provide these opinions to you and ask that you let me know if you have any questions.

Respectfully submitted,
Clapsaddle-Garber Associates, Inc



Lee O. Gallentine, Vice President

General Review Comments:

1. The coordinates provided do not identify if they are for the district tile, waterline, or waterline locates. Coordinates are needed for both district tile and waterline/waterline locates.
2. All of the sheets provided only show partial coordinates (i.e. X and Y) and don't show the elevation or Z coordinate.
3. Sizes and material of district tile at crossings should be identified. <Some still missing.>
4. The clearance between the waterline and the district tile needs to be specifically stated at each crossing. <Although some (not all) tile depths are stated, the clearance is not stated for any of the crossings.>
5. The clearance between the waterline and the flowline of the district open ditch needs to be specifically stated at each crossing.
6. Pictures of installation and on-site data gathered are provided in all of CGA's reports. I don't know if the District Trustees want these from IRUA also or not.
7. The engineering seal and signature only covers that the fact that the submittals were prepared by the engineer and nothing else. It does not cover or state that for each crossing, the crossing is in accordance with all permit requirements or states individual exceptions instead of general ones. <New submittal has engineering seal removed and there still is no statement that each crossing is in accordance with the permit requirements.>
8. What professional errors and omissions insurance coverage does IRUA maintain. I don't believe general liability covers professional negligence if submittals are incorrect.
9. All district main open ditches are labeled as streams on the maps. They need to be corrected. <Done.>
10. For permits that are requesting to be withdrawn, provide drawings to verify that waterlines are not in the same location as district facilities.
11. No photos were submitted of signage installed.

Specific Review Comments:

1. District 56 (permit 2017-1 and 2018-2) drawing (9-87-22) appears to not be correct. Based on our survey shots, encasement for pipe being installed was **over** the district tile and not under. <Done.> Also, when were on-site the district tile had 1'± of soil and rock in it at broken location that was assumed to have washed in during the month that IRUA left tile open. This needs removed. Finally, based on our survey shots there is not 1' of clearance between top of repaired district tile and bottom of encasement.
2. District 152 (permit 2017-1 and 2018-2) drawing (16-87-22) showed that the waterline was bored under the tile. However, based on our site visits, entire site was disturbed, there was no boring equipment on-site, a trencher was on-site, no boring mud was present in the excavation, and the soil under the tile/above the waterline was very soft. Based on this, our assumption is that instead of using a boring machine, contractor excavated on each side of the tile and shoved the waterline through. <Wording has been changed to "installed" with no additional details of installation methods. The only method allowed by the permit without replacement of the tile is boring.>
3. District 56 (permit 2017-1 and 2018-2) drawing (9-87-22) appears to cross Lateral 22, but said crossing it is not shown. This is especially concerning since the Main tile of DD 56 was damaged during waterline construction. {This tile needs located and clearance verified.}
4. District 14 (permit 2017-1) drawing (34-88-22) appears to be missing a crossing of the Main at the intersection of Co Hwy D41 and Co Hwy S27. <Crossing is now shown, but it indicates that tile was "DAMAGED REPAIRED WITH PVC". This type of repair is not allowed without a variance.>
5. Following district tiles identified as not found:
 - a. DD 11 Lat B (permit 2017-1 and 2018-6) at intersection of Co Hwy S27 and Prairie Ave.
 - b. DD-20 Second Main tile (permit 2017-1) just west of the intersection of Co Hwy D41 and D Ave. <Now shown.>
 - c. DD 11 Main (permit 2017-1 and 2018-6) at driveway for house at 402 Prairie Ave.
 - d. DD 11 Main and Laterals (permit 2017-1 and 2018-6) in Town of BuckeyeThese district tiles do exist and some have been located in the past. CGA can stake out the locations of some on DD 11 and DD 20. However, we were not contacted to do so.
6. The tile materials stated appear to be incorrect on the following (based on records from previous projects):
 - a. DD 143 Original Main (permit 2017-1 – Crossing 2) is not HDPE, but is concrete.
 - b. DD 143 Supplemental Main (permit 2017-1 – Crossing 1) is not HDPE, but is concrete.
 - c. DD 123 Original Main (permit 2017-1 – Crossing 2) is not HDPE, but is concrete.
 - d. DD 123 Supplemental Main (permit 2017-1 – Crossing 1) is not clay, but is HDPE.
 - e. DD 123 Supplemental Lateral 1 (permit 2018-2 – Crossing 3) is not clay, but is HDPE.
7. The tile sizes stated appear to be incorrect on the following (based on records from previous projects):
 - a. DD 56 Main (permit 2017-1) original tile was 28" and repair was 30".
 - b. DD 123 Original Main (permit 2017-1 – Crossing 2) is not 30", but is 36".
 - c. DD 123 Supplemental Lateral 1 (permit 2018-2 – Crossing 3) is not 14", but is 15".

8. The following crossings were not indicated as being installed below the tile per the permit requirements and would require a variance:
 - a. DD 31 Main (permit 2018-2 – Crossing 1) indicates water line was “trenched over”.
 - b. DD 14 Main (permit 2017-1 – Crossing 3) does not indicate where water line was installed after tile was damaged.
 - c. DD 56 Main (permit 2011-1) indicates water line is “in encasement trenched over tile”.
9. Additional specific comments may be forthcoming after information requested in General Review Comments is submitted.