

REGULAR DRAINAGE MEETING
December 4, 2019 1:00 PM
Following DD 72 Landowners Meeting

12/4/2019 - Minutes

1. Open Meeting

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

2. Approve Agenda

McClellan moved to approve the agenda. Hoffman seconded. All ayes. Motion carried.

3. Approve Minutes

Hoffman moved to approve the minutes to Regular Drainage Meeting dated 11-27-2019. McClellan seconded. All ayes. Motion carried.

4. Discuss W Possible Action - Drainage Utility Permit Process

County Attorney Darrell Meyer was invited to attend today's meeting to discuss the Drainage Utility Permit Application as it pertains to wind turbine ordinances. Attorney Meyer had requested the draft of wind turbine language provided by Jessica Sheridan at the October 30, 2019 Regular Drainage Meeting, Smith provided this to Attorney Meyer. Smith stated Attorney Meyer was doing research for the Board of Supervisors and was interested in having a conversation with drainage engineer Lee Gallentine and the Board of Supervisors acting as Drainage Trustees. McClellan noted that Meyer was in court today and his proceedings have run longer than anticipated and he is unable to join us today.

Motion by Granzow to table this topic until Attorney Meyer is available. Second by McClellan. All ayes. Motion carried.

5. DD 22 - Discuss W/ Possible Action - Request For Authorization To Repair Ryerson Septic Lines

DD 22- Smith received an email from Heather Thomas at CGA, Thomas is requesting the Trustees to authorize Gehrke, Inc. to repair septic lines on the Ryerson property with an estimated cost of \$3,680. The contractor will investigate the laterals to determine consistent spacing to reinstall the two laterals that were excavated out; it is estimated that each lateral will be 60 feet or less and will be bed in 1 inch clean rock. Thomas is requesting authorization as a motion for now and will draw up a formal change order and states the cost is firm, Thomas had spoken with the Trustees about this previously and the local Hardin County contractors are declining to give any bids on septic repair at this time. Thomas is on the job site today and can be reached by phone if needed.

Granzow stated the Sanitarian needs to review this request. Jessica Sheridan of Hardin County Environmental Health was able to join the meeting. Gallentine stated the septic system leach field lies over the top of the district tile, and when Gehrke dug to repair the tile line they dug through the septic leach field lines. Sheridan stated the septic system should be 10' away from any tile lines. Gallentine stated the tile line is 30" concrete tile. Sheridan asked if it is watertight tile. Gallentine responded no the district tile is not a gasketed joint, it is tar sealed on the bottom 2/3rds of the joint and the top 1/3rd is open to drain groundwater, and that this septic system had been in place for years before they started district tile construction.

Granzow stated we need a letter from the DNR to proceed, that this is a district tile, not a perforated drainage tile. Gallentine stated you can't just shut off someone's septic. Sheridan will verify with Corey Frank, her DNR contacts. Sheridan steps out to make a phone call. Sheridan returns, and asks Gallentine

how deep the district tile lies. Gallentine stated between 10' and 11' deep. Sheridan stated that should be fine because we only have to have 3' of vertical separation between the district tile and the septic leach lines. Granzow stated maybe Sheridan should do a site visit. Sheridan stated that Gehrke will need to come in and file a septic permit, and they can contact her for that. McClellan asked if Sheridan can do that today. Sheridan said there may be soil testing required. Smith will share Heather Thomas of CGA's contact information with Jessica Sheridan to facilitate this conversation with the contractor. Granzow does not have an issue with the cost, and would allow up to \$4,000 for the repair work to be done by Gehrke in order to allow for the cost of the septic permit or backfill issues.

Hoffman motioned to approve Gehrke to repair the septic lines on the Ryerson property with costs not to exceed \$4,000.00. Granzow seconded. All ayes. Motion carried.

6. DD 86 - Acct 6789.3 - Discuss W/ Possible Action

DD 86- Gallentine has submitted the DD 86 Engineer's report. DD 86 is the district located by Monarch Pond and Dago Lake, and has the tree roots that have gone in and plugged the tile by the railroad. The Engineer's Report for the Main Tile is ready and the next step would be to hold a Landowner's Hearing. Hearing needs to be 40 days out in order to prepare and send notices.

Motion by Granzow to acknowledge the receipt of the DD 86 Engineer's Report dated December 3, 2019 and to hold Landowner's Hearing on January 22, 2019, at 11:00 AM at the Courthouse in the Large Conference Room, with Regular Drainage Meeting to follow. Hoffman seconded. All ayes. Motion carried.

7. DD H-H 118-232 - Discuss W/ Possible Action - 2018-9 Aureon Utility Observation Report

Should be labeled as BIG 4- Smith noted that she received an email from James Sweeney of CGA after agenda was posted that this permit should be labeled as BIG 4 DD, not H-H 118-232 as originally submitted. Smith will make sure that it gets re-labeled in the files. Gallentine stated this is a utility installation, boring fiber optic lines in under the main open ditch in the BIG 4, they located and bored at 11.6' below the open ditch. Gallentine states that as long as their depth is accurate we should be fine, and sees no reason not to approve.

Motion by Granzow to approve the Aureon Utility Permit Observation Report. Hoffman seconded. All ayes. Motion carried.

8. Discuss W Possible Action - Open Ditch Brush Control

Open Ditch Spraying Bid submitted by contractor Adam Seward. Hoffman reviewed the bid and asked what the previous year's location list looked like and what previous bids were from 2016. Smith stated the location list is the same as what was provided to contractor's by the Drainage Clerk, our last bid in 2016 from B&W was \$117,000 but he always came in under budget and the one we received from Joe Harrah was right about the \$77,000 mark, comparable to Seward's quote for 2020. Smith noted that Seward did state that the 2020 chemical price lists are not available yet so quote uses 2019 prices, and 2020 prices may vary slightly.

Granzow stated he thinks we just need to hire him at the rates Seward submitted, chemical costs will be what they will be for any contractor in 2020. Hoffman stated the rates show work broken down very well, it shows work done as hike in, float in etc. Gallentine states most contractors just take in an atv and spray from the top, Gallentine stated floating in would give you much greater access to the whole bank.

Granzow noted we never officially sent out bids for this work this year because we determined that the cost for each DD was less than \$50,000, and asked if we officially accepting this quote or using this as a reference for hiring an in county contractor. Gallentine stated that this would be your in county rate list. Hoffman noted that the work in any one district is less than \$50,000 so it was not required to be bid. Hoffman stated asked if this could all be approved as one motion because they will be billed to individual DD's and accepting the quote to accept each line item separately. Granzow noted that are dealing with an in county contractor.

Smith requested that Seward note each DD number on invoices and be sure to bill separately for easier record keeping. Hoffman requests Seward to provide his chemical rep, for future reference, and to be able to check and verify the chemicals used for due diligence.

Hoffman motioned to approve the quote provided by Adam Seward, considering each line item to be billed separately for each district, for open ditch spraying/brush control in 2020. Granzow seconded. All ayes. Motion carried.

9. DD 55-3 LAT 9 - Discuss W Possible Action

Smith stated there was a reminder in the drainage calendar set for December 5th to look at the DD 55-3 Lat 9 minutes from 12/05/2018 to see if there are any other projects in the works to re-look at boundary differences and if there are none to set the calendar again for another year out. Gallentine stated that this was when Dubberke's didn't feel the number of acres was right and they brought this forward within a year of when we reclassified the district. Gallentine stated that it was noted at the time we should look at it again if we had a project going, if we didn't have a project going then we would set the reminder again for another year. Granzow stated this would not affect anything unless a new project came up or bills came due.

Minutes from December 5, 2018 state: "Gallentine updated the Trustees that they performed a site visit and used lidar elevation data to determine the drainage district boundary as requested by landowner, Randy Dubberke. Based on information, the boundary lines vary a small amount for a total of less than an acre difference. The Trustees agreed that the landowner's request was answered that the additional land does not flow into his and if action was taken, it would actually add to his assessment and take some away from his neighbor, Granzow. Gallentine stated that the land in question by Dubberke is draining northeast to the creek. The Trustees agreed that this concern should have been addressed last year at the time of the reclassification hearing. They agreed that any differences will be addressed at the next large projects. Schlemme to call and explain situation to Dubberke's."

McClellan asks how do we set this up to red flag if a project comes in. Smith stated if it were not a current work order and project is closed out, there would not be a way to enter it in Tyler. Smith can put a flag in the DD file and in the minutes, add to calendar. Gallentine suggested a column could be added to the assessment.

Gallentine stated no large projects now, Granzow stated to reschedule when a large project comes up.

10. Other Business

DD 52 - WO 215, Seward has gone in and removed trees, but the WO has not been assigned to contractor. Gallentine asks if we need to go to contractor lottery on this one. This WO is on Tracy Below's property and McDowell's had been in over a year ago and gotten the plug out but left the hole open over the tile until such time that the trees were removed, Seward has now removed the trees, but Gallentine asked if it can go back to lottery. Granzow asked if it can go back to McDowell. Gallentine stated that McDowell is so backed up he hasn't done much on drainage projects in months, and when Gallentine spoke last with McDowell, McDowell stated he would not be able to get back to drainage work anytime in the near future.

Granzow stated he would give McDowell a courtesy call, and if he is unavailable Gallentine can take it to lottery. Gallentine stated he would call McDowell first, and spoke with Gehrke on another work order that the landowner had requested Gehrke, Gehrke replied it would not bother him to have Gallentine give it to someone else as they are backed up as well. The consensus among Trustees was that would be ok to take these to lottery.

Gallentine stated Seward has finished up one work order and started on another, and is happy to have a contractor working on drainage again. Gallentine stated Seward is doing a good job, showing up and asking questions and making sure he has his supplies in order. Gallentine is giving Seward older work orders in chronological order of date issued. Granzow suggested to assign them to him in the same area if and when possible.

DD 128 - Gallentine called Dean Bright to make sure that he was fine with the revision that Handsaker had done and he was ok with the general concept of what Handsaker did, but Bright reports Handsaker needs to come back and smooth the ground out. Gallentine told Bright he wants to make sure Bright is happy with the work done because Bright will be responsible to maintain the waterway, and all the district will be responsible for is the tile. Gallentine asked if Trustees were ok to proceed with the change order, and CGA would not release the contractor until the ground looks the way Bright wants it to and is satisfied with the work.

Trustees said they were fine with the change order as long as Dean Bright understands he is responsible for waterway maintenance. Gallentine stated he will get the change order drawn up and will submit it to the Trustees.

IRUA Invoices- Smith has been working on the minimum assessment project and the Trustees had directed Smith to hold the invoices on the IRUA issue until such time as the minimum assessment project was completed. The project will take a while longer, Smith asked for direction as the invoices are aging, and if they should be paid, how should they be coded. Invoices total less than \$1,000. Granzow stated to code them under Drainage to the Supervisors Budget, he states there is money available for some tile work, and they can use it for these invoices. Smith is still working on the project as time allows.

DD 25 - McClellan asked for an update on holes that needed backfilling by Contractor McDowell on David Fincham's property. Smith reported that she had spoken with Fincham and Contractor McDowell has come and backfilled all the holes on Fincham's property. Fincham will submit a claim for crop damages soon, Fincham inquired if the crop damages payment could be split between himself and his tenant. Gallentine stated it can be split between landlord and tenant if the landowner so chooses, Fincham just needs to note how he would like it split on his claim form.

DD 25 RR Permit- Gallentine emailed the RR asking for a status update and the RR has honed in on the depressions in the railroad ballast, They had emailed Gallentine previously asking for pictures, Gallentine told them he did not have pictures. RR replied we are waiting to see what repairs need to be done to the depressions. Gallentine a did get a call from a UPRR rep on-site who said these depressions are less than a foot deep and have been here for awhile, Gallentine agreed, and the UPRR guy stated he thought he was to be looking at sinkholes, Gallentine stated they looked like depressions to him, and term sinkhole is poor terminology, but they are really just a depression in the rock ballast that could be filled with a 5 gallon bucket of rock. UPRR will report back to his supervisors with this information. Gallentine will forward pictures of depressions to the Trustees and provide any further updates.

11. Adjourn Meeting

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