

**REGULAR DRAINAGE MEETING**  
**Wednesday, December 2, 2020 9:30 AM**

**This meeting was held electronically and in-person due to Covid-19 concerns.**

12/2/2020 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson Lance Granzow opened the meeting. Also present were Trustee BJ Hoffman; Trustee Renee McClellan; Lee Gallentine of Clapsaddle- Garber Associates (CGA); Michael Pearce, Network Specialist; and Denise Smith, Drainage Clerk.

2. Approve Agenda

Motion by Hoffman to approve the agenda. Second by McClellan. All ayes. Motion carried.

3. Approve Minutes

Motion by Hoffman to approve the minutes of Drainage Meeting dated 11-25-20 and Drainage District 11 Landowner Meeting dated 11-18-20. Second by McClellan. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve the claims for payment with pay date of Friday, December 4, 2020. Second by Hoffman. All ayes. Motion carried.

DD 9 WO 229 - Pay Estimate Number 1 Gehrke Inc. \$101,221.56

DD 55-3 WO 251 - Indemnification Agreement on Pond The Davis Brown Law Firm \$550.00

5. DD 55-3 WO 201 - Discuss W Possible Action - Investigation Summary

Gallentine stated this is on Lateral 12 of DD 55-3, this was a railroad issue, the blue dot on the map represents where we had restricted drainage under the railroad, there were a few trees in the railroad right of way, this was the work order that took us the longest time to get approval from the railroad to work in the right of way, this was to jet underneath the right of way and the railroad did allow us to jet under there. The contractor was out there a couple times jetting and a couple times televising, the end result is that we believe there are two tile that cross the railroad tracks. We are not 100% positive which one is the district tile as they are pretty close to the same elevation, but one we did manage to get through televising and it is flowing, there are some defects on it and the main one is that we have a joint that is offset where the cast iron pipe goes underneath the rails, where that cast iron pipe meets the clay tile is offset on the downstream side by a quarter pipe joint. Other than that there is not a whole lot wrong with it, it is flowing. Recommendations are that the trees that are out there are retreated to make sure they don't grow any more, there is cottonwood trees out there, on the west side and mulberry over on the east side, were cut down, there was a decent amount of roots in there but the tile is flowing. If you want to worry about the offset join you can, but at this point Gallentine does not know if it would be worth the cost, it would be well over \$50,000, you would have to put in a whole new crossing with a steel pipe and liner, you would have to offset the crossing by 150' because this is right where a culvert is, you would be doing a significant amount of costs for what you are doing.

Granzow asked about the offset, when you say it is a quarter off, is that quarter of the pipe or a quarter off the lip. Gallentine stated if you view the second to the last page, there is a photo. McClellan asked where this district is located. Gallentine stated it is between Radcliffe and Hubbard, so the offset shown in the photo, is offset so that the downstream pipe which is the clay tile is lower than the cast iron, so it is not obstructing flow, it is not like it has to hop up to get it downstream. It actually goes down, it is an 8" pipe so you are actually offset a couple inches. Granzow asked if there was any way we could dig to that and put a

concrete collar on it. Gallentine stated he does not think so, the iron pipe is only 26' long so the ends of it would have to be pretty close to if not into the foreslope of the tracks, Gallentine does not know if the railroad would let you do that, but he can certainly ask. Granzow wondered if a sinkhole would form there. McClellan stated she would leave it as is for now. Granzow agreed. Gallentine stated the other image shows the other side of the pipe that goes from the clay to the cast iron and those pipes line up just fine. Granzow stated he is fine with it. Gallentine stated the contractor, Adam Seward, has been out there once and done some treating on the stumps, we don't know if he fully killed them though, we would recommend he go out there and retreat the stumps, and do them again now or in the spring and check them again 6 months later, to try and make sure we get the trees killed. McClellan asked for clarification on the tree roots in the images. Gallentine stated those are the roots remaining after the tile was jet cleaned.

Motion by Hoffman to utilize Gallentine recommendation on the tree issue on DD 55-3 Work Order 201 as presented. Second by McClellan.

Smith asked if the Trustees would like Gallentine to contact the contractor or would you like me to do that. Hoffman stated the Clerk should contact the contractor. Smith asked if the Trustees would like the trees cut or just treated, Granzow stated if Seward is allowed to cut the trees in the railroad right of way, we would like them cut, if Seward is not allowed to cut them in the railroad right of way, we would just like to treat the trees. Hoffman stated have Seward drill them and treat them then.

Gallentine noted one other thing and referenced the photos, there is a piece of this tile that has been replaced with single wall tile at one time, you can see it is starting to deform slightly that may lead to a premature failure, Gallentine is not sure if the Trustees want to do anything with it now or wait until it fails, Gallentine stated he is not sure how single wall tile got put in there, we just found it that way. Granzow asked if the single wall tile was in the railroad right of way as well. Gallentine stated it is pretty much outside of the railroad right of way but it would be right on the edge of the right of way. Granzow stated to take note if it and if we have to go back in we would take note of it in that spot. Gallentine stated he is not completely sure if the contractor got all of the holes filled back in but Jerry Hindman called in and stated they hadn't been, you would probably want the Clerk to check in with Seward to see if he filled those in or if Hindman needs to. Smith stated she can do that.

All ayes. Motion carried.

## 6. Other Business

Smith stated the Trustees had directed her to reach out to Mike Richards for dates of availability on the DD 55-3 Lat 9 pond on Scott Thompson's property, Richards has gotten back to us with dates of availability to meet with us, Thompson and possibly Thompson's attorney. Richards' dates of availability are December 23, 20, or January 6th, January 13 or January 27th, 2021. Smith stated you had indicated you would like a brief closed session with Richards before our meeting with Thompson. Hoffman stated he does not want to push this off, but we are not going to move any dirt or anything, and knowing we need to make sure we are readily available for the transition in the Auditor's office, Hoffman would like to push this off until later in January. Granzow asked for the dates in January, Smith stated January 6th, January 13th or January 27th. Hoffman stated January 27th would be his preference. Granzow stated that was fine. Smith asked if the Trustees had a time preference. Granzow stated whatever would fit into our calendar on that date. Smith asked if the Trustees would like an 11:00 am meeting, Hoffman stated that would be ideal, and we can keep the Drainage Meeting at 9:30 following the regular Board of Supervisors meeting. Smith asked if the Trustees would like a few brief minutes with Richards first and have Thompson in at 11:15. Granzow stated he would like 10 to 15 minutes with Richards, McClellan agreed. Hoffman stated we could just have a closed session and then bring in Thompson when we are ready, if we have to have two closed sessions, the first being one for us for legal strategy and the second closed session for dealing with Thompson, Hoffman asked would the meeting with Thompson have to be in closed session. Hoffman asked if I was another land owner in that district wouldn't I be entitled to be engaged in that discussion. Granzow stated he did not think the meeting with Thompson would be in closed session unless in the meeting we are talking about money, real estate, funding or buying/purchasing. Hoffman stated the only closed session we really need is legal strategy prior to meeting with Thompson, 11:00 would work then we could meet with Thompson immediately following.

Private Trustee Elections - Smith stated she is preparing packets for Private Trustee elections, that date for the 2021 election will be Saturday, January 16, 2021, then we will need to canvass the following Tuesday, as the Monday following January 16th is Martin Luther King Jr. Day, and Smith thought we were closed, so we will shoot for Tuesday, January 19th for Canvass of the Trustee Election, Smith stated she will get those packets out in the mail this week.

DD 167 - Gallentine updated that Adam Seward is working down on DD 167 on a work order submitted by David Bernard, that has been around for a little while longer because it is replacement of 100' of tile and repair of some sinkholes/ blowouts. Gallentine stated it seems that the work is going fine but that a few of the blowouts may not need repairs, it appears that after they have done some cultivation in the field they have sealed themselves back over. Gallentine stated that when we found them they were more of a pressure situation, not necessarily collapses, maybe they won't need fixed at all.

7. Adjourn Meeting

Motion by McClellan to adjourn. Second by Hoffman. All ayes. Motion carried.