

AGENDA
REGULAR DRAINAGE MEETING
Wednesday, March 25, 2020 9:30 AM
Drainage Meeting to Immediately follow the 9:00 AM Board of Supervisors Meeting

County Buildings are closed to the public due to Covid-19 concerns, and due to restrictions of mass public gatherings over 10 people, as set forth by Governor Reynolds in the State of Public Health Emergency Disaster Proclamation, this meeting will be open to the public via conference call only. The hearing date and time will remain the same, you may call at that time to access the hearing by following the instructions below:

To access the meeting, call 1-(312)-626-6799, when prompted, enter the meeting ID code: 662 016 552

You can also access the meeting online at:

<https://zoom.us/j/662016552>

1. Open Meeting
2. Approve Agenda
3. Approve Minutes

Documents:

[03_18_2020 - DRAINAGE MINUTES.PDF](#)

4. Approve Claims For Payment

Documents:

[PAYABLES-DRAINAGE PUBLICATION 03-27-20.PDF](#)

5. DD 106 - Discuss W Possible Action - Landowner Request To Locate Tile
DD 106 - Landowner Mike McCartney requests permission to pothole and locate tile in DD 106.

Documents:

[DD 106 - MIKE MCCARTNEY MAP 1- 03_13_20.PDF](#)
[DD 106 - MIKE MCCARTNEY MAP 2- 03_13_20.PDF](#)

6. DD 160 - WO 283 - Discuss W Possible Action - Repair Summary

Documents:

[DD 160 - 6798 - REPAIR SUMMARY - 03_12_20.PDF](#)

7. DD 143 - WO 261 - Discuss W Possible Action - Investigation Summary

Documents:

[DD 143 - 6771.7- INVESTIGATION SUMMARY- 03_12_20.PDF](#)

8. DD 52 - WO 215 - Discuss W Possible Action - Claim For Crop Damages
DD 52 - WO 215 Claim for Crop Damages submitted by Tracy Below.

Documents:

[DD 52 - WO 215 WORK ORDER DETAIL.PDF](#)
[DD 52 MINUTES TO 3-18-20.PDF](#)
[DD 52 - CLAIM FOR DAMAGES 2020-4 TRACY BELOW.PDF](#)

9. DD 25 - WO 209 & 1 - Discuss W Possible Action - Claim For Crop Damages
DD 25 - WO 209 & 1 - Landowner Jason Martin has submitted a claim for crop damage,
review of additional information provided by Martin.

Documents:

[DD 25 - DRAINAGE CLAIM FOR DAMAGES JASON MARTIN 2020-02-19
REVISED.PDF](#)

10. Discuss W Possible Action - Wind Turbine Ordinance And Drainage Utility Permit
Language & Process
11. Other Business
12. Adjourn Meeting

REGULAR DRAINAGE MEETING
Wednesday, March 18, 2020 9:30 AM
Emergency Operations Center (EOC)

3/18/2020 - Minutes

1. Open Meeting

Hardin County Drainage District Chairperson Lance Granzow opened the meeting. Also present were Trustee Renee McClellan; Landowner Jason Martin; Angela De La Riva, Hardin County Economic Development Director, and Drainage Clerk, Denise Smith.

2. Approve Agenda

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

3. Approve Minutes

Motion by McClellan to approve the minutes to Regular Drainage Meeting, dated 3-11-20. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve claims for payment with pay date of Friday, March 20, 2020. All ayes. Motion carried.

DD 9 - WO 229 Publication- Rcvg Sealed Bids 1 of 2	Mid-America Publishing Corp	\$ 73.81
DD 9 - WO 229 Publication- Rcvg Sealed Bids 2 of 2	Mid-America Publishing Corp	\$ 49.74
DD 55-3 Lat 10 WO 284 Removal Beaver Dam Debris	Adam Seward	\$ 1,255.00
DD 25 WO 209 Drainage Claim for Damages 2020-2	David A Fincham	\$ 203.87
DD 25 WO 209 Drainage Claim for Damages 2020-2	Alvin C Clark	\$ 203.87
DD 167 - WO 208 Drainage tile repair, parts, labor	Honey Creek Land Improvement, LLC	\$21,640.45

5. DD 1 - Discuss W Possible Action - Claim For Crop Damages

DD 1 - Clifford Kitzman's claim for Crop Damages was discussed last week, and it was motioned to have CGA verify the damaged acres. While in discussion last week, contractor McDowell was present and he stated that they did run into some wet ground while hugging the fencerow during work on the ground Kitzman farms, and they did go out with equipment wider into the field on a couple of passes. So Gallentine sent back a recalculated area based on a width of 45' into the field by a length of 1300', this would amount to 1.34 acres and this is the revised amount that CGA verifies as damaged.

Motion by McClellan to approve the CGA verified total of 1.34 acres of crop damage on Kitzman's claim, and issue payment. Second by Granzow. All ayes. Motion carried.

6. DD 25 And DD 1 - Discuss W Possible Action - Change Order #2

DD 25 and DD 1 - As discussed in last week's meeting, CGA has provided an Engineer and Contractor signed copy of the Change Order #2 for acceptance and approval of the Trustees. This change order extends the completion date from April 1, 2020 to June 30th on DD 25 only, the DD 1 Completion Date remains April 1, 2020.

Motion by McClellan to accept and approve the Engineer and Contractor Signed Copy of Change Order #2. All ayes. Motion carried.

7. DD 52 - WO 215 - Discuss W Possible Action - Claim For Crop Damage

DD 52 - WO 215. Tracy Below has submitted a crop damage claim for parcels planted in alfalfa, NE of Hubbard on parcels owned by Piel Manufacturing. Work has been ongoing in the area, in which large sections of tree roots were pulled from the drainage tile, and trees were removed from the areas near the tile. Below's claim is for the years 2016, 2017, 2018 and 2019, and Below notes he can't plant alfalfa another year on the parcel as it would be toxic when planted too many years back to back on the same ground. Below stated the area had been flooded out for 2 years, then was torn up due to construction for two years. Smith requested direction, when reviewing the

USDA Crop Insurance tables, alfalfa is not listed, and Smith is not sure how yield would be measured - by the bale or by the ton. Granzow stated that it may be a question for CGA on units of yield measure, but claims can only be made for the years that the ground was disrupted by contractor work, so 2 or 3 of the years will not be allowed. Granzow stated that the owner of the parcels, Piel Manufacturing was part of the problem, as he did not want the trees removed, and it was discussed at that time, that no crop damage claims would be paid, as long as the trees were still on the property. Granzow stated the city wanted the trees to remain in place as it covered some unsightliness on the property. Smith stated if the original work order was completed and a completion hearing was held, any claims from the original work order should have been paid out before the completion hearing.

Motion by McClellan to have Smith review the minutes and the notes, and bring it back with a work order detail report and history on this project, and agenda this for next week for review. Second by Granzow. All ayes. Motion carried.

8. DD 55-3 Lat 10 - WO 284 - Discuss W Possible Action - Update On Beaver Dam

DD 55-3 Lat 10 - WO 284 - Smith updated the Trustees, that she had reached out to trapper Brad Mohr, to have him revisit the site and remove the remaining beavers. Contractor Adam Seward has submitted an invoice for removal of beaver dam and debris. Seward said we may need to revisit this with larger equipment after the beavers have been removed, as the dam was on an open ditch that was quite steep and deep, and the excavator he brought was not large enough to pull itself up and out of the ditch. Seward reported they hauled out two truckloads of debris.

9. DD 102 - Discuss W Possible Action - Set Date For Landowner Meeting For Wetland Bid Review

DD 102 - Steve Perry had contacted Trustee Hoffman and reports the Wetland bids are complete, and they would like to conduct a landowner meeting to discuss the rock alternative portion of the bid. Granzow stated we are not scheduling any new landowner meetings at this time due to Covid-19 concerns. Granzow suggested we do a mailing detailing the rock alternatives on the bid, and ask the landowners to select an option and return the postcard in the mail for the results to be recorded by the Drainage Clerk, and this would provide the landowners an opportunity to provide feedback.

Motion by McClellan to have Smith create a mailing to DD 102 landowners with the rock alternative options for landowners to make a selection and return to the Drainage Clerk. Second by Granzow. All ayes. Motion carried.

10. DD 106 - Discuss W Possible Action - Landowner Request To Locate Tile

DD 106 - Mike McCartney is requesting permission from the Trustees to pothole and locate a tile to determine if it is private or district tile in Stan Kulow's property. McCartney is having a drainage issue on the northeast corner of the property and he would like to locate it and repair it himself, to avoid the expense of engineer investigation and repair. McCartney states he has his own equipment. McCartney is seeking a letter from the Drainage Clerk, addressed to the NRCS, that he has permission to pothole and locate the tile. Granzow states NRCS will not allow McCartney to go and pothole the tile without a letter from the Drainage Clerk. Granzow stated if it is not a district tile, we do not have the authority to grant permission, if it is District tile, he would need to have CGA present anyway, and that is what McCartney is trying to avoid. Smith states there are 3 district tiles that run through the parcel. Granzow stated he has a hard time sending a letter to NRCS that we don't have authority to send if it is private tile, we could state we have no issue with a tile repair as long as it is private tile, otherwise it is out of our jurisdiction. McClellan stated how do we know if it is district or private tile when it is dug up without having CGA there to locate it to their GPS coordinates. Granzow stated we need more information to make a decision.

Smith stated Mike McCartney could be brought in via conference call to answer any questions the Trustees may have, in order to make a decision on preparing a letter.

Motion by McClellan to direct Smith to contact Mike McCartney and convey their concerns to McCartney, and revisit on the next agenda. Second by Granzow. All ayes. Motion carried.

11. Discuss W Possible Action -Wind Turbine Ordinance And Drainage Utility Permit Language & Process

Smith stated that attorney Mike Richards will only be available by conference call for our March 25th DD 143 hearing. It had been previously discussed on having a drainage work session immediately following the hearing. Smith inquired if the Trustees would like to proceed with a work session on the 25th, in light of recent events, or if the Trustees would like to pick another date for the work session. It was discussed that the drainage work session is needed, in order to move forward on the ordinance, however a date and time have yet to be selected due to the pressing Covid-10 concerns. This will remain an ongoing agenda item until such time as the Trustees have had the opportunity to discuss, and work through the Wind Turbine Ordinance and Drainage Utility Permit Language and Process.

12. Other Business

DD 25 - Landowner Jason Martin came in to discuss the Drainage Claim for damages that he submitted in February. Martin had submitted a claim for .5 acres of beans and 1.5 acres of corn damaged. When CGA did the verification on acres, CGA submitted .54 acres of beans damaged, and .14 acres of corn damaged, CGA's verified acres included only actual acres damaged by contractor equipment. In Smith's discussion via email with Lee Gallentine of CGA, Smith stated Martin reported he had about 3 acres that had flooded out in 2019 and it looked larger than the contractor damaged acres, so he reported those flooded acres. Gallentine stated in email, it would be up to the Trustees if they wanted to pay drowned acres vs acres just destroyed by contractor work. Granzow stated when we spoke about this in the meeting, we only spoke about construction acres, we did not speak about drowned acres. Granzow asked Martin why the acres were drowned. Martin stated there had been a pond there for a long time, and the acres he reported have been drown by the issues with the tile that goes under the railroad tracks south of Garden City, and this has been an issue for the last couple of years. Martin stated he did not report all of the drowned out acres, as there is probably 4 or 5 acres there. Martin stated when contractor McDowell came in there, he opened up the tile lines, and did not close the holes up, and the tile was under pressure and the water came up as geysers in the field, causing the ponding issues. Martin stated his pond got bigger as his field took on all the water from the upside of the RR track crossing, instead of staying in the ground and slowly working its way out through the tile and moving the water eastwards out of his field, Martin estimated his acres. Granzow stated he was glad that Martin came in and explained that it was not excess water because of potholes, as that was how we were interpreting that, and we don't do that. Martin stated it was better for him to come and explain this in person than to try and explain it on paper. Smith asked if Martin was on the west side of the tracks. Martin stated he was. Smith stated that in discussion at last week's meeting, it was brought up that the east side of the tracks was plugged, and we were seeking permission from Torgeson's to do some exploration on their property to determine where the tile was plugged, there are trees in the RR right of way on the east side and it is speculated that those tree roots are plugging the tile on the downstream side of Martin, and that we know the tile on the west is still surcharged and full of water. Martin asked how the crop price was figured. Smith stated we use the USDA's prices from the Common Crop Insurance Policy & Area Risk Protection Insurance tables, since this was for 2019 crops the prices used were from the 2019 Crop Year statement. Smith stated Martin had beans reported at \$9.00 per bushel and we actually paid it at \$9.25 per bushel, and Martin had reported corn at \$3.80 per bushel, and we paid it at \$3.90 per bushel, per USDA prices. The original claim was for \$1,308 and we paid out \$353.49. Granzow directed Smith to bring this back to next week's agenda for review, so that the difference between the original claim minus actual payment could be approved for payment with a motion.

Martin asked what the expected timeline for work on the project would be this year. Granzow stated the contractor has filed an extension until June 30, 20, and is having trouble getting the jack and bore company scheduled to come in, but the contractor hopes to have it done early this summer, and noted that we have to pothole further east and south of the tracks, trying to get the water out of district tile, so that they can begin the crossing itself. Granzow stated work will continue into summer so there will be work in the area when crops are in.

DD 143 Hearing - Discussion of the DD 143 hearing centered around how to best hold public meetings/hearings in light of Governor Reynolds restrictions on gatherings of 10 or more people due to the Covid-19 situation. It was discussed that we could allow participants to conference call in to the Hearing and use zoom online to bring in the Engineer and Drainage Attorney. Smith stated the conference call option may be easier for landowners who do not have internet or may have tech issues. Smith stated we could send out a postcard with the information to join by conference call or zoom. Smith has received four landowner signatures who state they would like to do nothing at this time. Granzow directed Smith to mail a postcard out to DD 143 landowners that the hearing will be held electronically via conference call and online using zoom due to Governor Reynolds restrictions on gatherings of 10 or more people.

DD 56 Hearing - Granzow directed Smith to mail a postcard out to DD 56 landowners that the hearing will be held electronically via conference call and online using zoom due to Governor Reynolds restrictions on gatherings of 10 people or more.

13. Adjourn Meeting

Motion by McClellan to adjourn. Seconded by Granzow. All ayes. Motion carried.

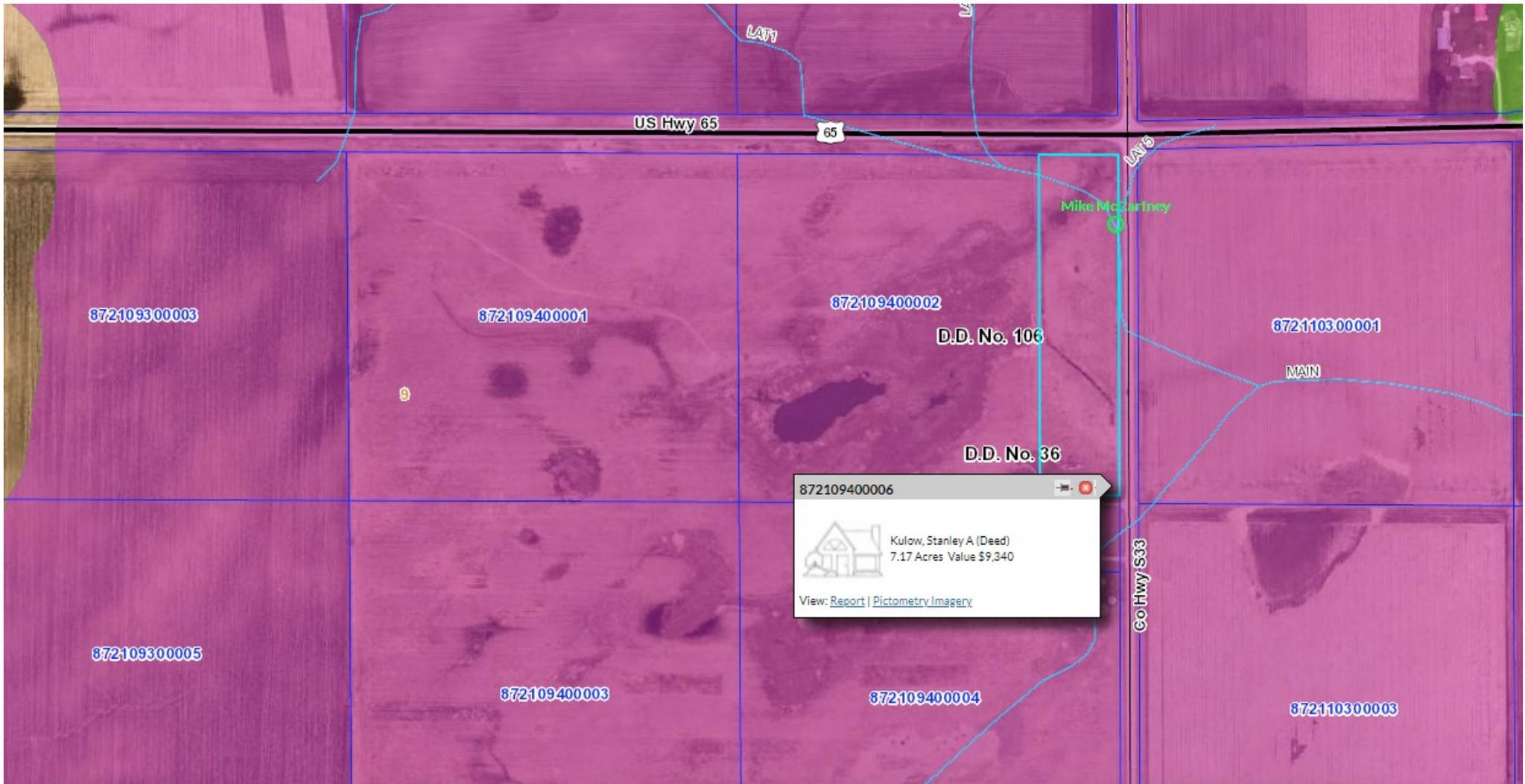


Hardin County

Drainage Claims with Pay Date of 3/27/2020

Description	Vendor	Amount
DD 1- WO 244 -Claim for Crop Dmg Kitzman/Hess	Hess 2017 Trust	768.49
DD 25 WO 209 & 1 -Revised Crop Dng Claim	Jason Martin	1,007.76
DD 33 WO 278- Haul 1" Clean Rock	Adam Seward	1,615.50
DD 33 WO 278-Parts, Labor, Equip.	Honey Creek Land Improvement, LLC	11,951.00

Total Regular Payables: 768.49
Total Stamped Warrants: 14,574.26



US Hwy 65

65

LATI

LATI

Mike McCarthy

872109300003

872109400001

872109400002

D.D. No. 106

872110300001

MAIN

9

D.D. No. 36

872109400006



Kulow, Stanley A (Deed)
7.17 Acres Value \$9,340

View: [Report](#) | [Pictometry Imagery](#)

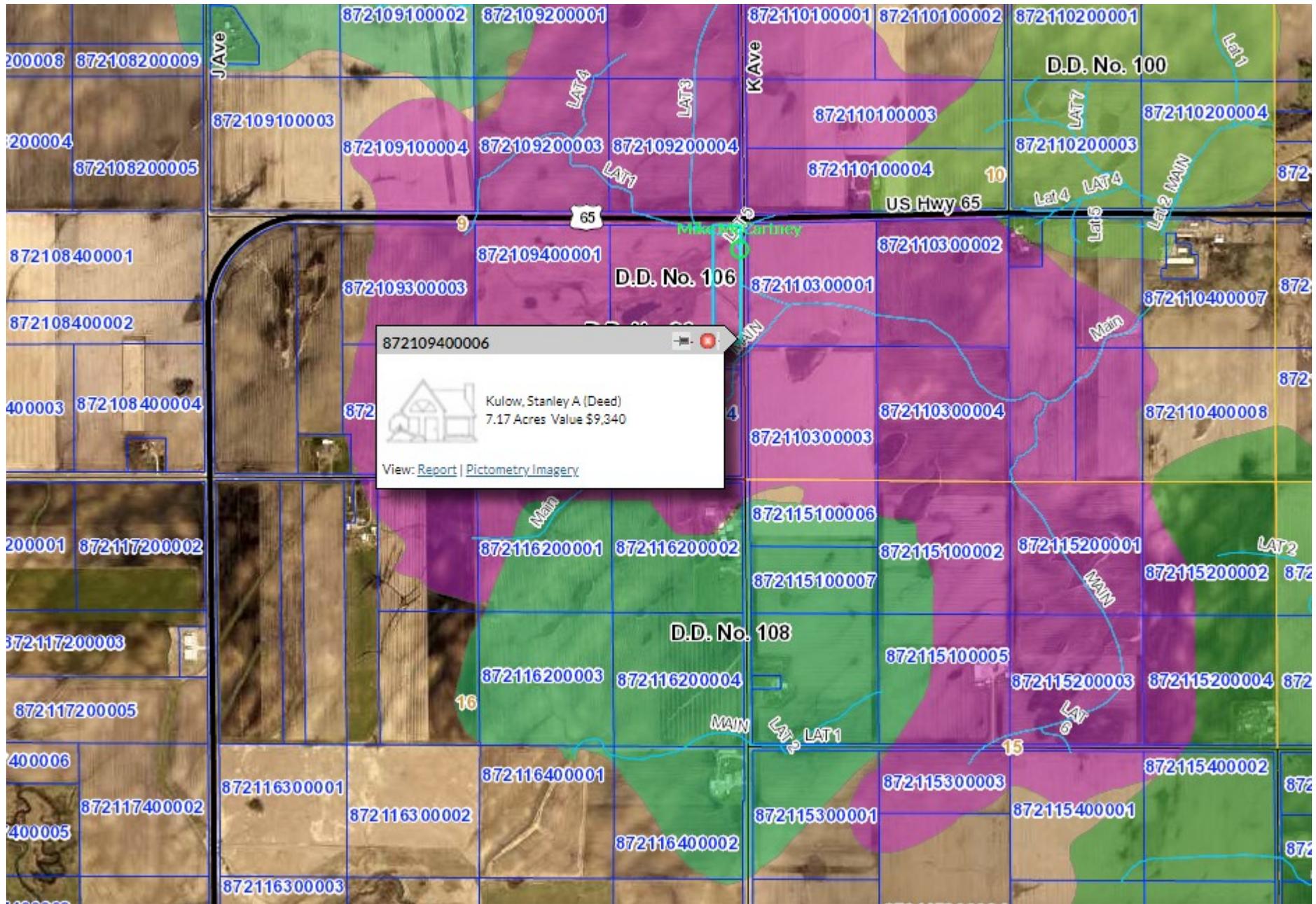
872109300005

872109400003

872109400004

Go Hwy S33

872110300003



872109400006



Kulow, Stanley A (Deed)
7.17 Acres Value \$9,340

[View: Report](#) | [Pictometry Imagery](#)



Drainage Work Order Request For Repair

Hardin County

Date: 12/31/2019

Work Order #: WO00000283

Drainage District: DDs\DD 160 (51177)

Sec-Twp-Rge: 11-89-19 **Qtr Sec:** SW NW EX RR

Location/GIS: 89-19-11-300-001

Requested By: Ken Smith

Contact Phone: (641) 847-2782

Contact Email: _____

Landowner (if different): Lawrence Ryken

Description:

Ken Smith reports plugged tile outlet where it meets the open drainage ditch and water is bubbling up out of the ground. Ken states that recently utility contractor replaced electric poles and left diggings in ditch plugging up the tile outlet and did not return to remove diggings.

Repair labor, materials and equipment _____

Repaired By: _____ **Date:** _____

Please reference work order # and send statement for services to:

Hardin County Auditor's Office
Attn: Drainage Clerk
1215 Edgington Ave, Suite 1
Eldora, IA 50627
Phone (641) 939-8111
Fax (641) 939-8245

For Office Use Only

Approved: _____ **Date:** _____



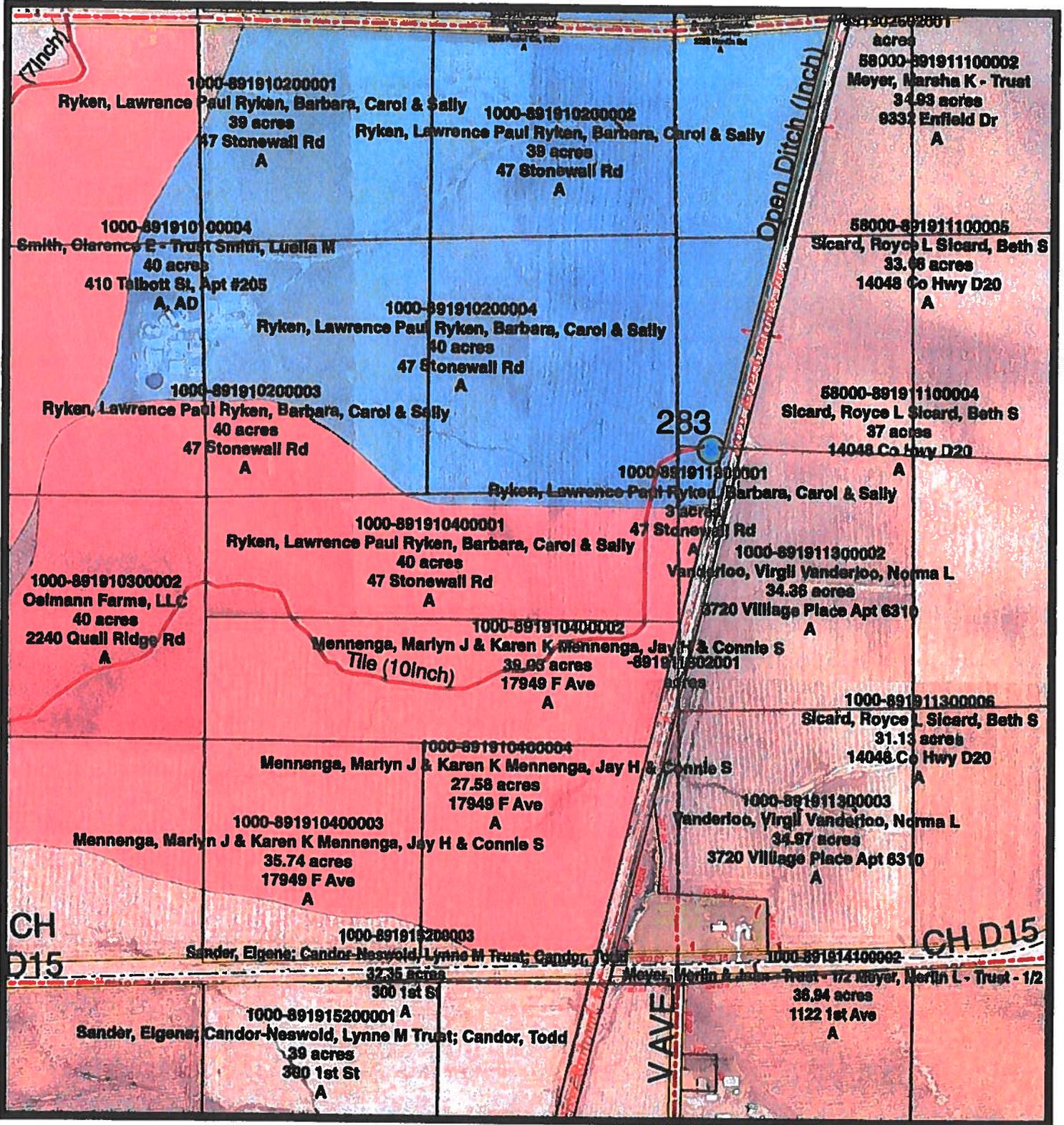
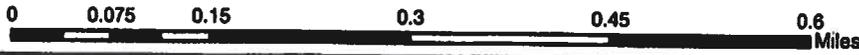
Drainage Tiles

- Lateral
- Main
- Open Ditch
- Private Tile

Hardin County Auditor's Office



Date: 12/31/2019



The Data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. Hardin County makes no warranties, express or implied is to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update. Cadastral Data represents land ownership, but does not define it. This Data does not replace a legal survey.

Drainage District:

#160

Investigation/Repair Summary:

- Landowner in the SW¼ NW¼ Section 11, Township 89 North, Range 19 West reported a plugged tile outlet where the Main tile outlets into the Main Open Ditch of D.D. 155.
- Visual observation found a potential blowout/sinkhole with water boiling out and flowing overland at approximately 70-feet upstream of a drainage juncture structure. This potential blowout/sinkhole was not fully visible due to the excess surface water present. The Main tile outlets into said drainage juncture, which was found to be in deteriorating condition itself. This then flows through a 30-inch CMP driveway culvert that was rusted and mangled at the point of discharge.
- By the time of exploratory excavation, surface signs of the possible blowout/sinkhole had disappeared. Upon excavation, the 15-inch Main CMP outlet tile was found to be completely rusted through. Said tile was removed until encountering 14-inch concrete tile, which collapsed upon excavation. Continued removing concrete sections until cracked, but round, tile was encountered. While removing said concrete sections, the blockage within the tile was also removed, and tile was able to freely drain.
- The Main tile outlet was repaired with 15-inch CMP tile, rodent guard, rock bedding and backfill, and ¾ concrete collars at connections. The stretch of tile that was removed to the upstream (south) of the CMP outlet was repaired with 15-inch dual wall HDPE tile, rock bedding and backfill, and ¾ concrete collars at connections. All excavations were filled with on-site soil.

Contractor Time and Materials (spent while CGA was on-site):

See attached Tabulated Contractor Time and Materials Sheet.

Additional Actions Recommended:

- Due to the deteriorated condition of the Main tile junction structure, and the mangled and rusted culvert downstream of such, CGA recommends a new outlet structure be considered. The adjacent CMP culvert needs to be either removed or replaced before it collapses and restricts drainage.
- The Main open ditch of D.D. 155 (downstream of the D.D. 160 outlet) appears to be in need of a cleanout due to the buildup of excess sediment (possibly as far north as 110th St.). CGA recommends an investigation be conducted to determine the scope and extent of sedimentation within the flowline of said open ditch to determine if a cleanout is needed.



Tabulated Contractor Time and Materials

Date	Totals	1/9/2020	2/11/2020
Workman (hrs)	12 3/4	3	9 3/4
Backhoe (hrs)	4 1/4	1	3 1/4
15" Dual Wall HDPE (ft)	38		38
1" Clean Bedding Rock	Yes		
Concrete Collars	Yes		
15" CMP Tile (ft.)	20		20

CONSTRUCTION ENGINEERING
OBSERVATION REPORT

DATE: 01/02/2020

DAYS OF WEEK:

S	M	T	W	T	F	S
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SHEET NO. 1 OF 1

PROJECT NUMBER: WO# 283
6798 DD#160
COUNTY, ROUTE, ROAD: HARDIN COUNTY DD#160
11-89-19 SW NW ^{W OF RR ROW} AND ^{W OF RR ROW}
LOCATION: WEST & ALONG FOUR RIVER RAILROAD, ENS.
SOUTH OF 10TH AVE 110TH & NORTH OF
COMING D-TS IN SW 1/4 NW 1/4

M 10 30'S CLOUDY WITH LIGHT
WINDS

DESCRIPTION OF WORK AND MATERIAL USED FOR EACH OPERATION, INCLUDING CONTRACTOR/SUB NAME, ITEM NO. AND LOCATION

11:00 A.M. OBSERVER ARRIVED ON SITE AND WALKED OUT TO PLUGGED TILE OUTLET
FROM 1ST FIELD DRIVE WEST OF RR TRACKS & NORTH OF 10TH AVENUE (110TH STREET)
ALONG WEST RR ROW. UNTIL OBSERVER FOUND DRAINAGE STRUCTURE ON SW SIDE
OF RR ACCESS DRIVE 75.0' & SOUTH OF FENCE LINE WEST. WATER WAS STANDING
IN STRUCTURE. 54.0' E SOUTH OF DRAINAGE STRUCTURE ON WEST RR. RIGHT
OF WAY FENCE REMAINTS FOUND 12' SW-NE & 6' SE-NW AREA DISTURBED
WITH A 16" Ø TILE BLOWOUT HOLE WITH WATER BOILING OUT & RUNNING IN
FIELD TO DRAINAGE WEIR (IN LINE WITH FENCE WEST) FOR OPEN DITCH.
DRAINAGE STRUCTURE HAS 10" CLAY TILE INLET IN SW CORNER OF STRUCTURE
IS COMPLETELY UNDER WATER BUT FLOWING & 15" CMP INLET IN SE CORNER.
STRUCTURE WATER LEVEL IS @ 11" WITH NOT MUCH FLOW. MOST LIKELY
TILE IS PLUGGED BETWEEN DISTURBED AREA & TILE BLOWOUT.
OBSERVER TOOK PICTURES AND DOCUMENTED ISSUES AND WATER LEVELS.
SEE ATTACHED PICTURES AND SKETCH FOR DETAILS.
OBSERVER REMOVED OLD RR TIE POST LAYING ACROSS CMP INLET
PIPE ON SOUTH SIDE OF 110TH STREET WEST OF RR TRACKS.
1:30 P.M. OBSERVER HEADED BACK TO OFFICE. ON OPEN DITCH
MAY HAVE TO CLEAN MUCK OUT OF FLOW LINES OF PIPES
AT ACCESS DRIVES, UNDER ROAD & DOWNSTREAM FROM DRAINAGE
WEIR IN LINE WITH FENCE TO WEST IN OPEN DITCH.

I Certify that the work described in this report was incorporated into this contract unless otherwise noted.

Observer's Signature: Dean Penning Date Prepared: 01/02/2020

Reviewed by: _____ Engineer Date Reviewed _____

PICT# 2603 IS LOOKING NE AT 16" Ø HOLE WHERE WATER BOILING OUT
3.5' SW OF LIME GREEN FLAG OR 147' ± SOUTH OF FENCE LINE WEST
& 12.0' WEST OF REMNANT FENCE LINE WEST (WEST RR ROW)



↑
N
BLOW OUT



↑
N

PICT# 2604 IS LOOKING NE SHOW WET AREA WEST OF WEST RR ROW
FENCE REMNANT & SOUTH OF FENCE LINE WEST.

PICT# 2605 IS LOOKING NORTH SHOWING WET AREA WEST OF WEST RR ROW & SOUTH OF FENCE LINE WEST



↑ N



↖ N

PICT# 2606 LOOKING WE AT 16" Ø HOLE WATER BOILING OUT IN FIELD WEST OF RR ROW

PILT# 2607 IS LOOKING NE OF 16" ϕ TILE BLOWOUT
SHOWING 12' N-S X 6' E-W DISTURBED AREA IN WEST
RR ROW FENCE REMNANTS & 129' \pm SOUTH OF



PILT# 2608 LOOKING NE AT 12' NE-SW X 6' SE-NW AREA
DISTURBED IN WEST RAILROAD ROW FENCE REMNANT,
(TILE BROKE?)

PICT# 2609 LOOKING SE AT RR ACCESS DRIVE FROM FIELD

N
↑



N
↑

PICT# 2610 IS LOOKING NE AT 2.5' NE-SW X 9.9' NW-SE
CONCRETE DRAINAGE STRUCTURE ON SW SIDE OF RR ACCESS DRIVE

PICT# 2611 IS LOOKING NE AT DRAINAGE STRUCTURE OUTLET
SHOWING IT IS IN POOR CONDITION.

(SE HALF OF STRUCTURE)



↑ N



↑ N

PICT# 2612 IS LOOKING NE AT DRAINAGE STRUCTURE (NW 1/2
OF STRUCTURE SHOWING IT IS IN POOR CONDITION,

PICT# 2613 IS LOOKING NW AT DRAINAGE STRUCTURE SHOWING IT IS IN POOR CONDITION

16" CLAY INLET WATER LEVEL 11" ABOVE FLOW LINE



PICT# 2614 IS LOOKING NE AT 30" CMP OUTLET IN DRAINAGE STRUCTURE WITH WATER LEVEL AT 21 1/2"

PICT# 2615 IS LOOKING NE AT OPEN DITCH FROM RR ACCESS DRIVE AND 30" CMP OUTLET. 75'± SW OF FENCELINE WEST



↑ N



↓ W

PICT# 2617 IS LOOKING SW SHOWING 30" CMP OUT LET ON NWSIDE OF RR ACCESS DRIVE ON NE SIDE OF DRAINAGE STRUCTURE WITH END CMP ALL MANGLED UP BUT FLOWING WATER LEVEL AT 20"

PICT# 2618 IS LOOKING SW AT 15" CMP INLET (WATER LEVEL AT 11")
IN SW CORNER OF DRAINAGE STRUCTURE.



2

N



PICT# 2619 TOP VIEW OF MANGLED 30" CMP OUTLET ON N.E. SIDE
OF RR ACCESS DRIVE

PICT# 2620 IS LOOKING WEST AT DRAINAGE WEIR JUST SOUTH
OF FENCE LINE WEST SW CORNER OF WEIR IS A 6" CLAY
PIPE OUTLET 1 1/2" FLOW



PICT # 2621 IS LOOKING NE OPEN DITCH NE OF FENCE WEST

PICT# 2622 IS LOOKING SW TOWARDS RR DRIVE ACCESS FROM
FENCELINE WEST



PICT# 2623 IS LOOKING WEST AT DRAINAGE WEIR JUST SW OF
FENCELINE WEST (MAY NEED CLEANED OUT)

PICT# 2623 IS LOOKING EAST FROM FENCELINE WEST
WITH WATER PONDING ON SOUTH SIDE OF FENCE IN FIELD



PICT # 2624 IS LOOKING EAST AT FENCELINE WEST SHOWING
WATER PONDING BEFORE DRAINAGE WEIR

PICT# 2626 IN LOOKING SW FROM RR ACCESS DRIVE
700'± NE OF FENCE LINE WEST, 36" CMP INLET
WATER LEVEL AT 17" WITH 7" MUCK IN FLOWLINE.

↓
W



↑
N



PICT# 2627 IS LOOKING NE FROM RR ACCESS 700'± NE
OF FENCE LINE WEST. 36" CMP OUTLET WATER LEVEL AT 18"
WITH 7" MUCK IN FL.

PICT # 2628 (WEST RR TRACKS & SOUTH OF 10TH AVE (110TH STREET))
IS LOOKING SW SHOWING 48" CMP INLET 0.85' ABOVE
TOP OF WATER & 36" CMP INLET WITH WATER LEVEL AT 15"

WITH 3" MUCK IN FLOWLINE. ALSO NOTE AT 15" UP ON 36" CMP
AN OLD RR TIE CHUNK WAS BLOCKING FLOW. OBSERVER CUT IT OUT
COULD FLOW
YET BUT
WAS RESTRICTED



PICT # 2629 IS LOOKING NE WEST OF RR TRACKS & NORTH OF 10TH AVE
(110TH STREET) SHOWING 48" CMP OUTLET 0.15' ABOVE WATER LEVEL &
36" CMP OUTLET WITH WATER LEVEL AT 17" WITH 5" MUCK IN FLOWLINE

PICT # 2630 IS LOOKING NE AT 36" CMP INLET WEST RR TRACKS
& SOUTH OF 10TH AVE 110TH STREET. SHOWING RR TIE REMNANT
THAT RUNNING ACROSS INLET PIPE AT 15" UP (STILL FLOWED).
OBSERVER CUT IT OUT

↑
N



01/02/2020
13:23

CONSTRUCTION ENGINEERING
OBSERVATION REPORT

DATE:

1-9-20

DAYS OF WEEK:

S M T W T F S

SHEET NO.

1 OF 1

PROJECT NUMBER: 6798
COUNTY, ROUTE, ROAD: DD #160
LOCATION: 1/2 MILE N. OF ROAD ON W SIDE RR

DESCRIPTION OF WORK AND MATERIAL USED FOR EACH OPERATION, INCLUDING CONTRACTOR/SUB NAME, ITEM NO. AND LOCATION

ARRIVED ON SITE @ 1:30, CREW ARRIVED ON SITE @ 1:45
3 MEN 1 TRUCK + 1 BACKHOE, CREW STARTED DIGGING 25'
S OF CONC STRUCTURE @ ACCESS DRIVE FOR RR.
@ 25' CREW FOUND A VERY CORRODED CMP FLOWING 1/2-1/4 FULL
CREW EXPOSED THE TOP OF THE CMP UNTIL THEY FOUND A
THE TILE SWITCHED TO CONCRETE THIS APPEARED TO BE WHERE
THE TILE WAS PLUGGED @ 50' ± S. OF STRUCTURE. ~~THE~~
PIPE IS NOW FLOWING @ FULL CAPACITY CREW (MCDOWELL)
SAID THEY WERE GOING TO FIX A TILE ISSUE THE FARMER
HAD AT 250' ± S, + 500' W OF OUTLET.
CREW WAS WORKING ON THAT WHEN I LEFT THE SITE @
2:40.

I Certify that the work described in this report was incorporated into this contract unless otherwise noted.

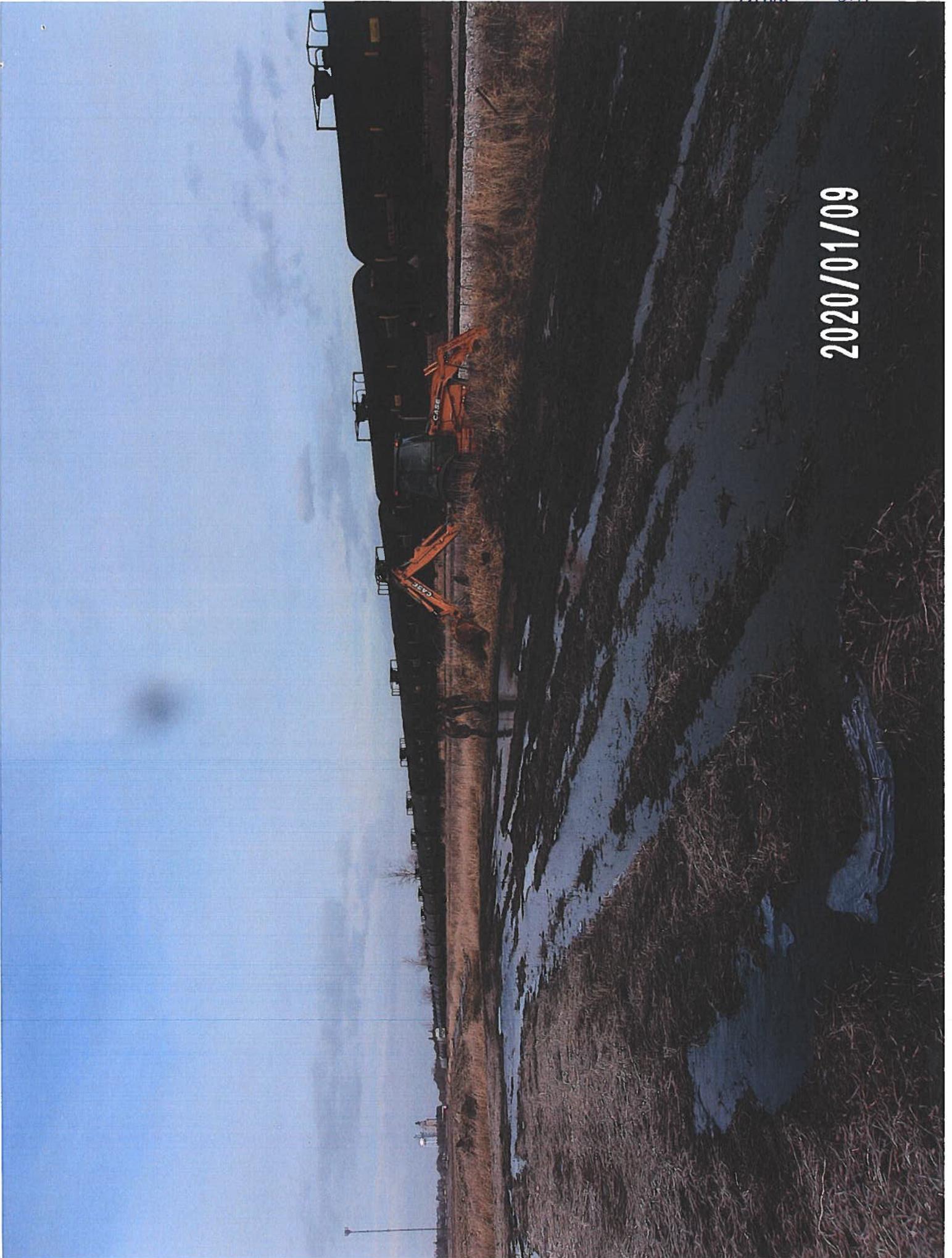
Observer's Signature: Chris [Signature] Date Prepared: 1-9-20

Reviewed by: _____ Engineer

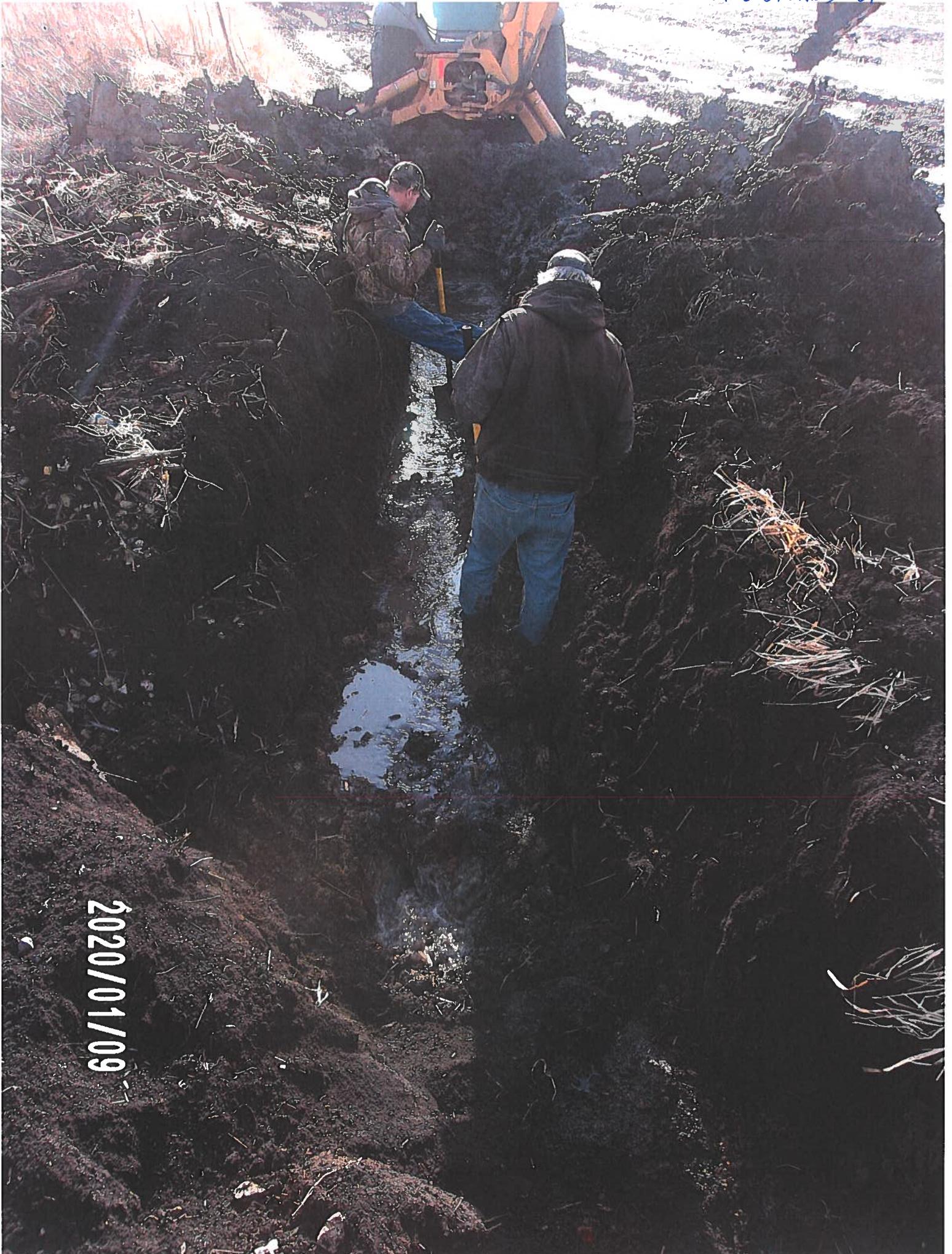
Date Reviewed _____

START OF DAY

2020/01/09

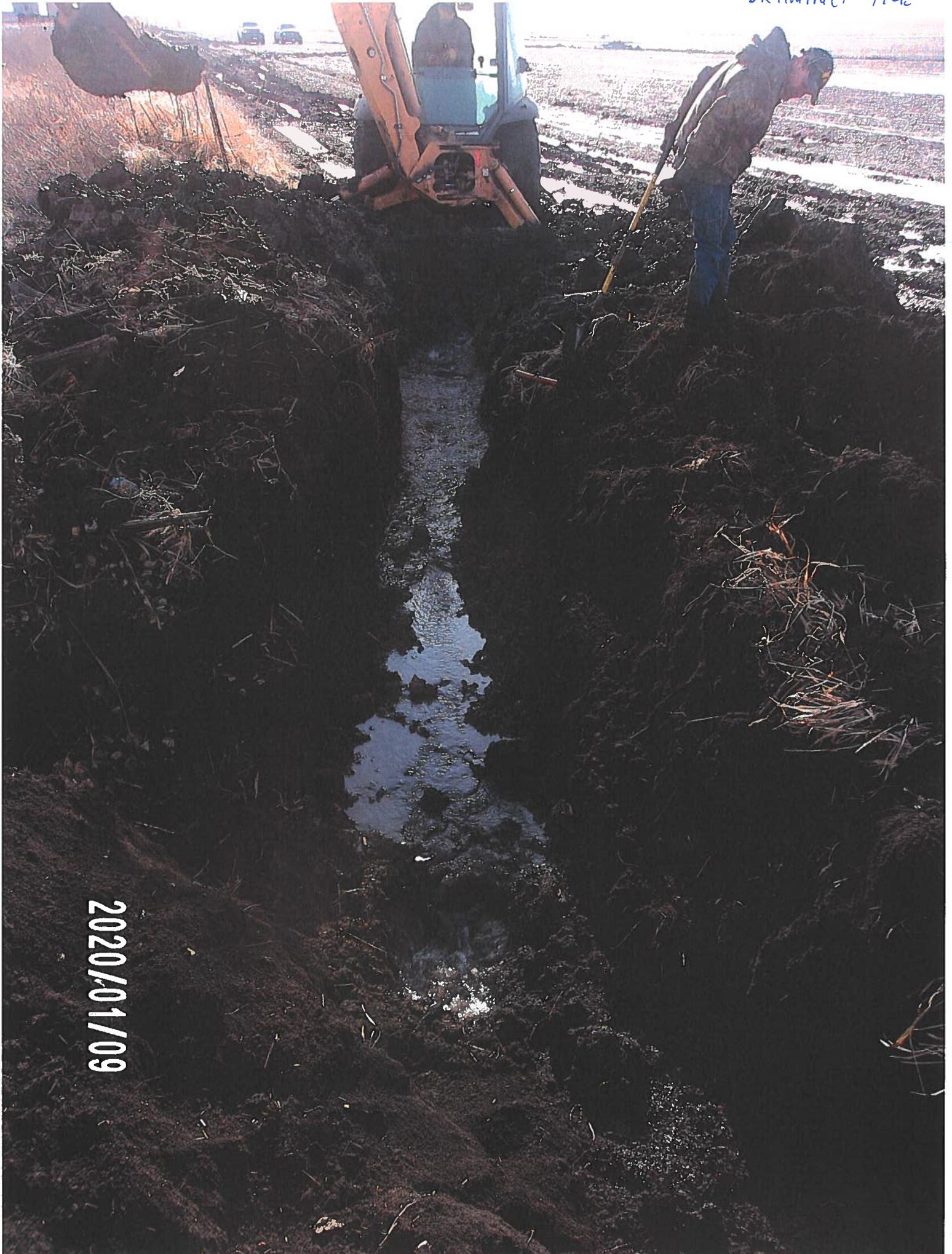


TILE OPENED JP



2020/01/09

DRAINING TIME



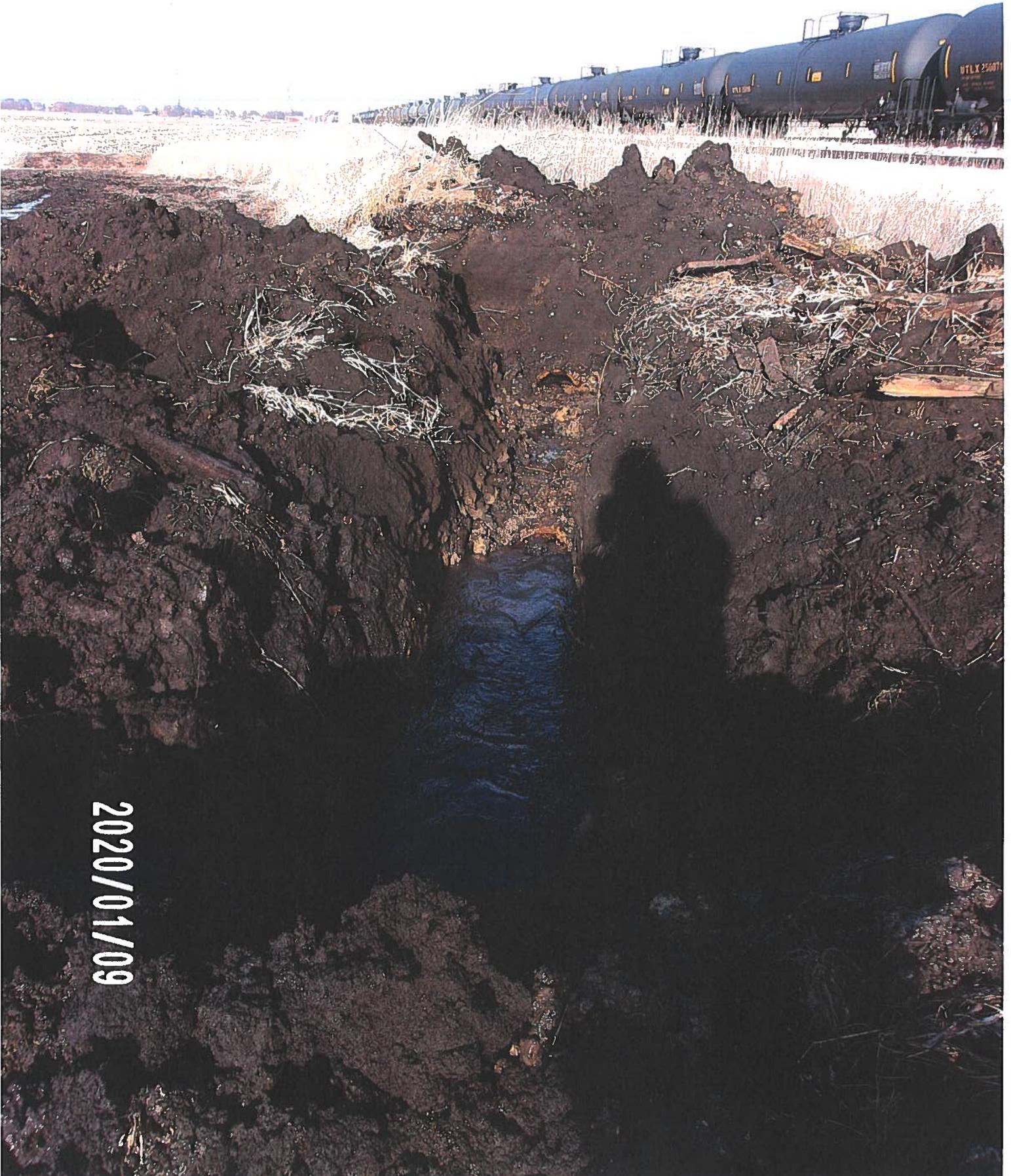
2020/01/09

CONC PIPE @ UPSTREAM



2020/01/09

LOOKING DOWNSTREAM
@ END OF DAY



2020/01/09

CONSTRUCTION ENGINEERING
OBSERVATION REPORT

DATE:

2-11-20

DAYS OF WEEK:

S M T W T F S

SHEET NO.

1 OF 1

PROJECT NUMBER:

6798

COUNTY, ROUTE, ROAD:

DD 160

LOCATION: W. OF RR + S. OF MIDSEC LINE SEC 10-89-19

DESCRIPTION OF WORK AND MATERIAL USED FOR EACH OPERATION, INCLUDING CONTRACTOR/SUB NAME, ITEM NO. AND LOCATION

9:30 SET UP BASE @ PT#2 (SET 1/2" x 2.0' IR IN SW QUAD OF FIELD DRIVE @ SW QUAD OF S 1/4 COR SEC 10-89-19)

10:00 ARRIVED ON SITE RELEASED JUH CREW (3 MAN - 2 BACKHOES - 1 TRUCK) JUST GOT DONE REMOVING RR DEBRIS FROM OVER TOP OF TILE + TOOK A COFFEE BREAK

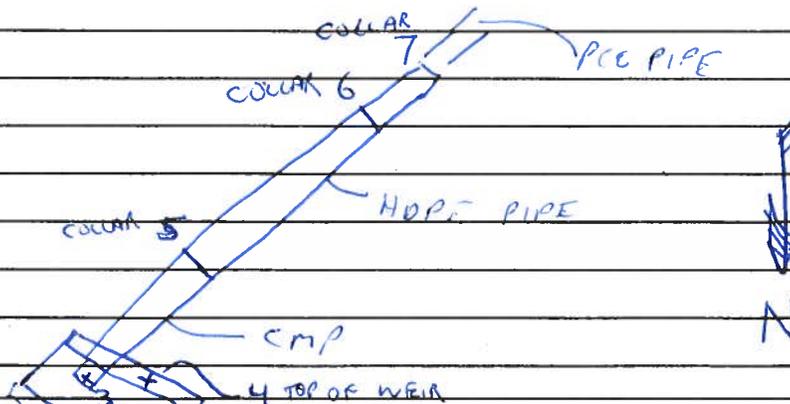
10:30 MAN CAME W/ A DUMP TRUCK OF ROCK + 2 MEN LEFT THE SITE.

10:45 1 MAN RETURNED W/ HDPE PIPE (Dual Wall)

12:00 CREW BROKE FOR LUNCH

12:30 CREW STARTED WORKING

1:15 CREW GOT LAST PIECE OF PIPE IN PLACE + CALLED FOR CONC. CREW LAYED 57.3' ± OF PIPE @ 1.36% ± PER GPS



I Certify that the work described in this report was incorporated into this contract unless otherwise noted.

Observer's Signature:

[Handwritten Signature]

Date Prepared:

2-11-20

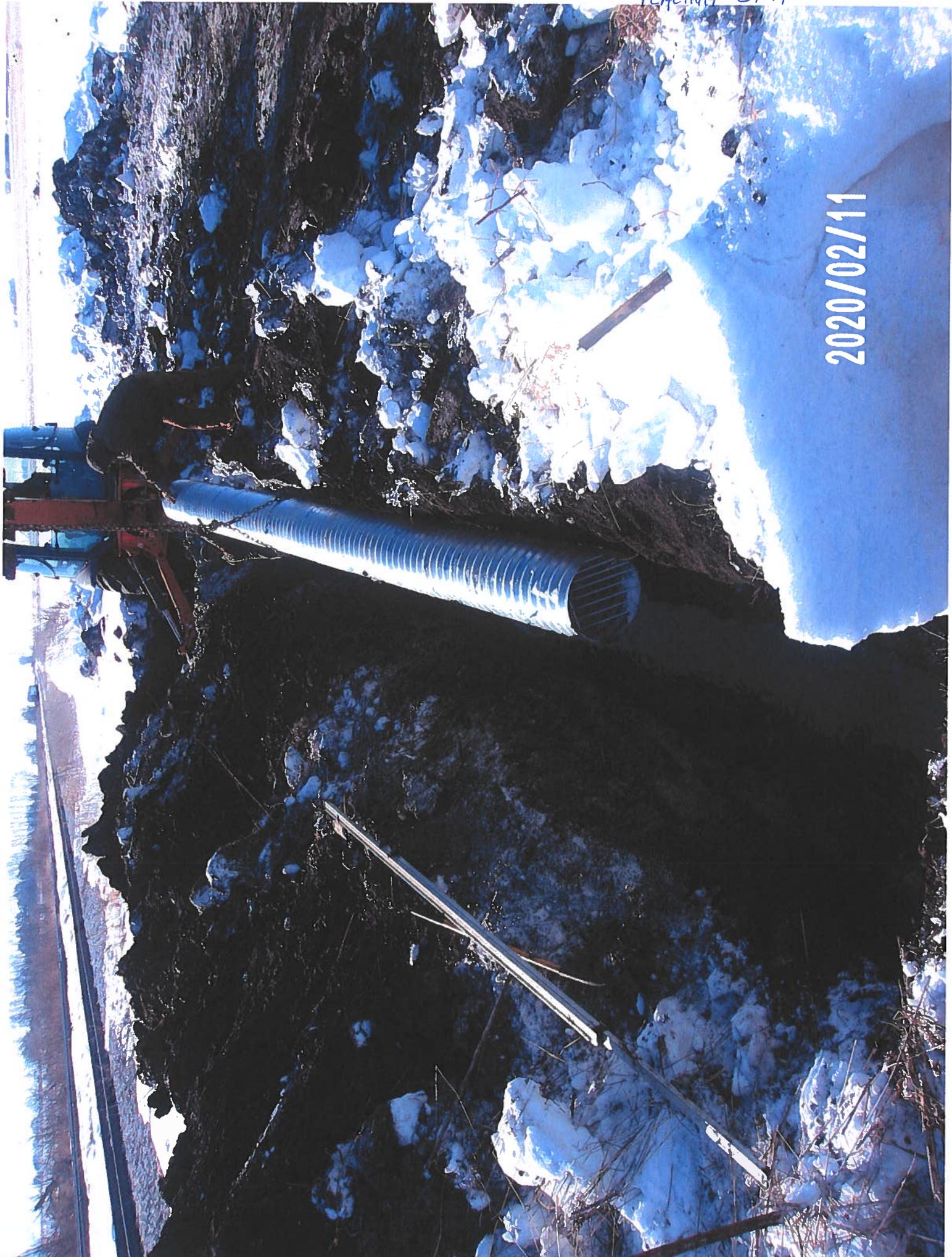
Reviewed by:

Engineer

Date Reviewed

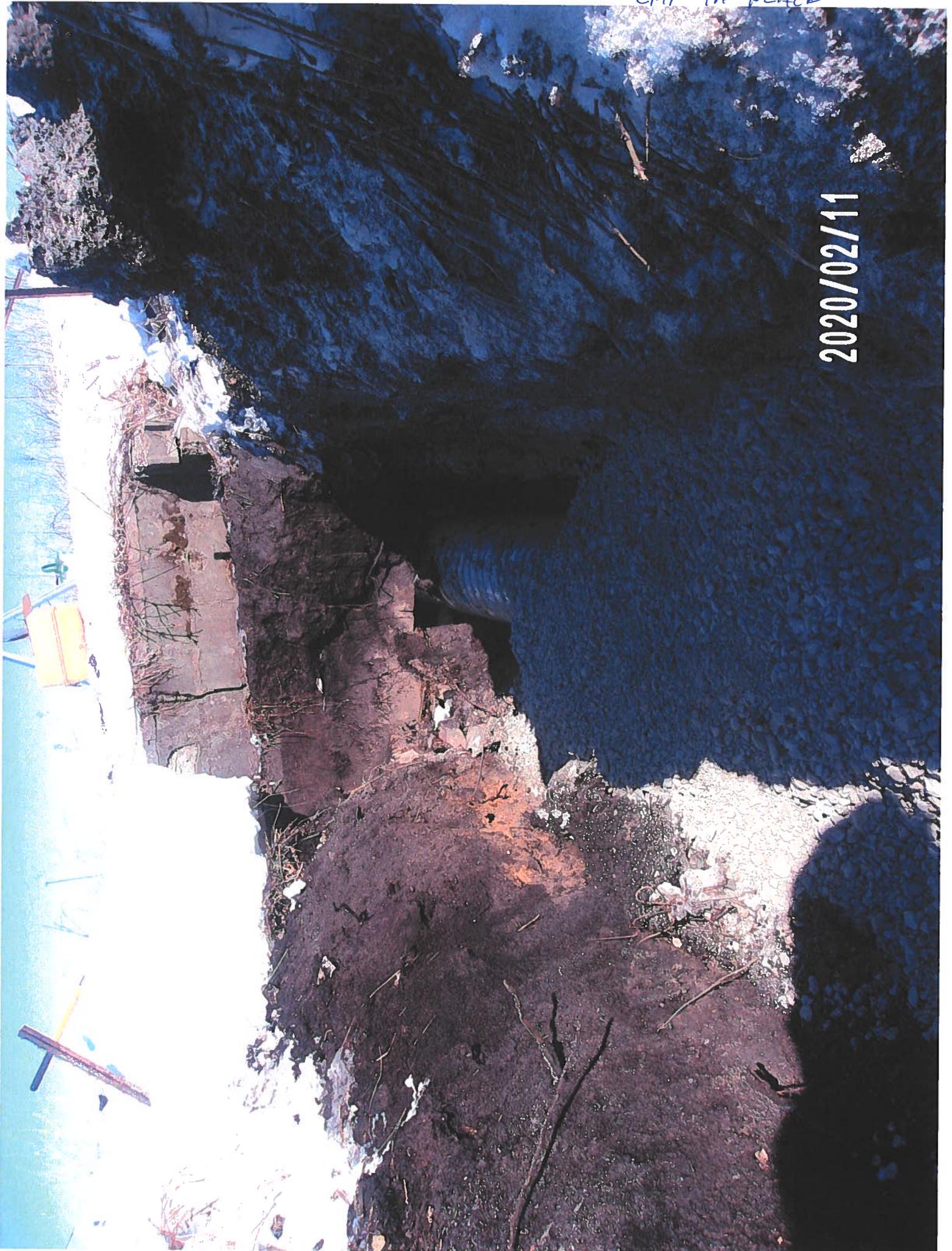
PLACING CMP

2020/02/11



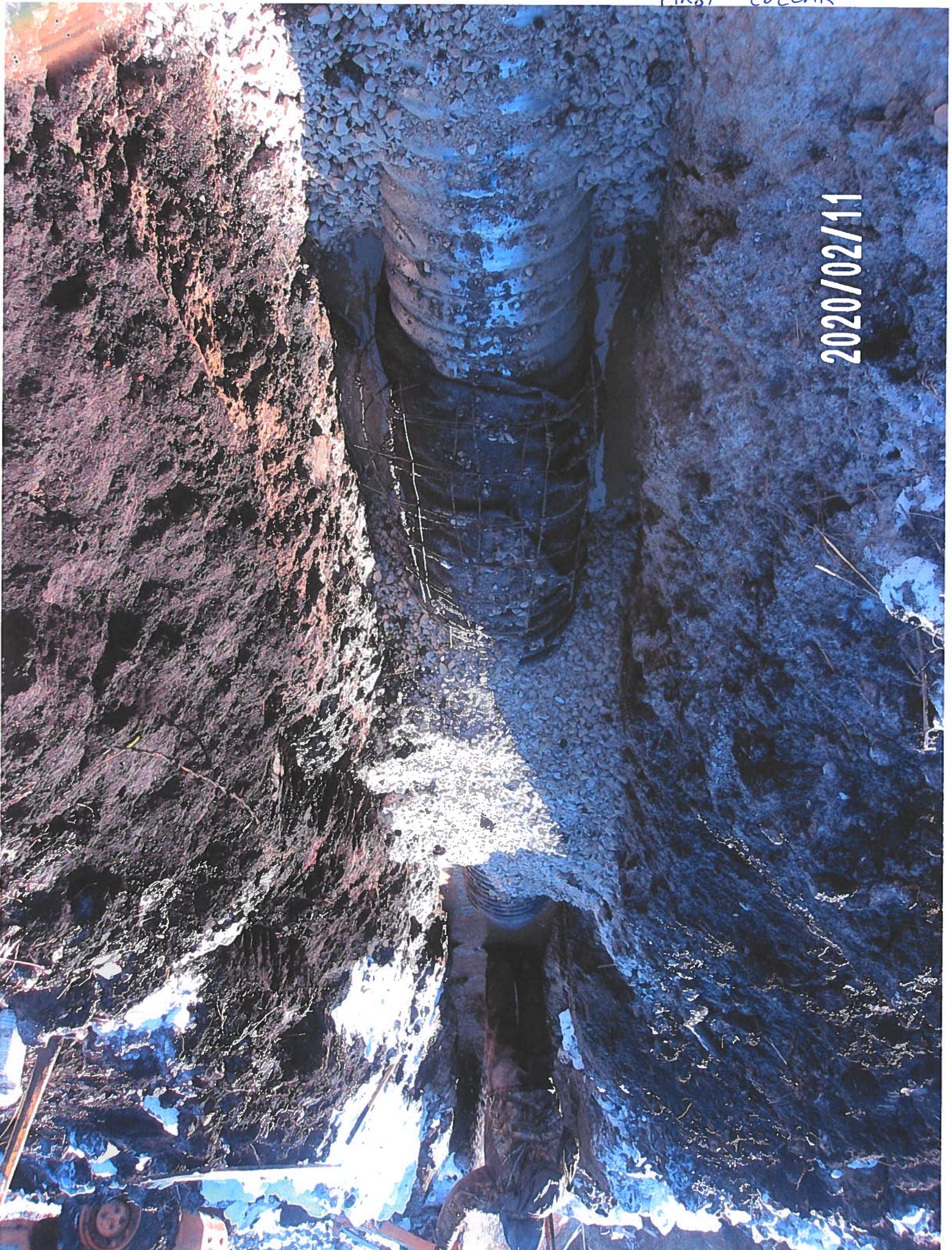
CMP IN PLACE

2020/02/11



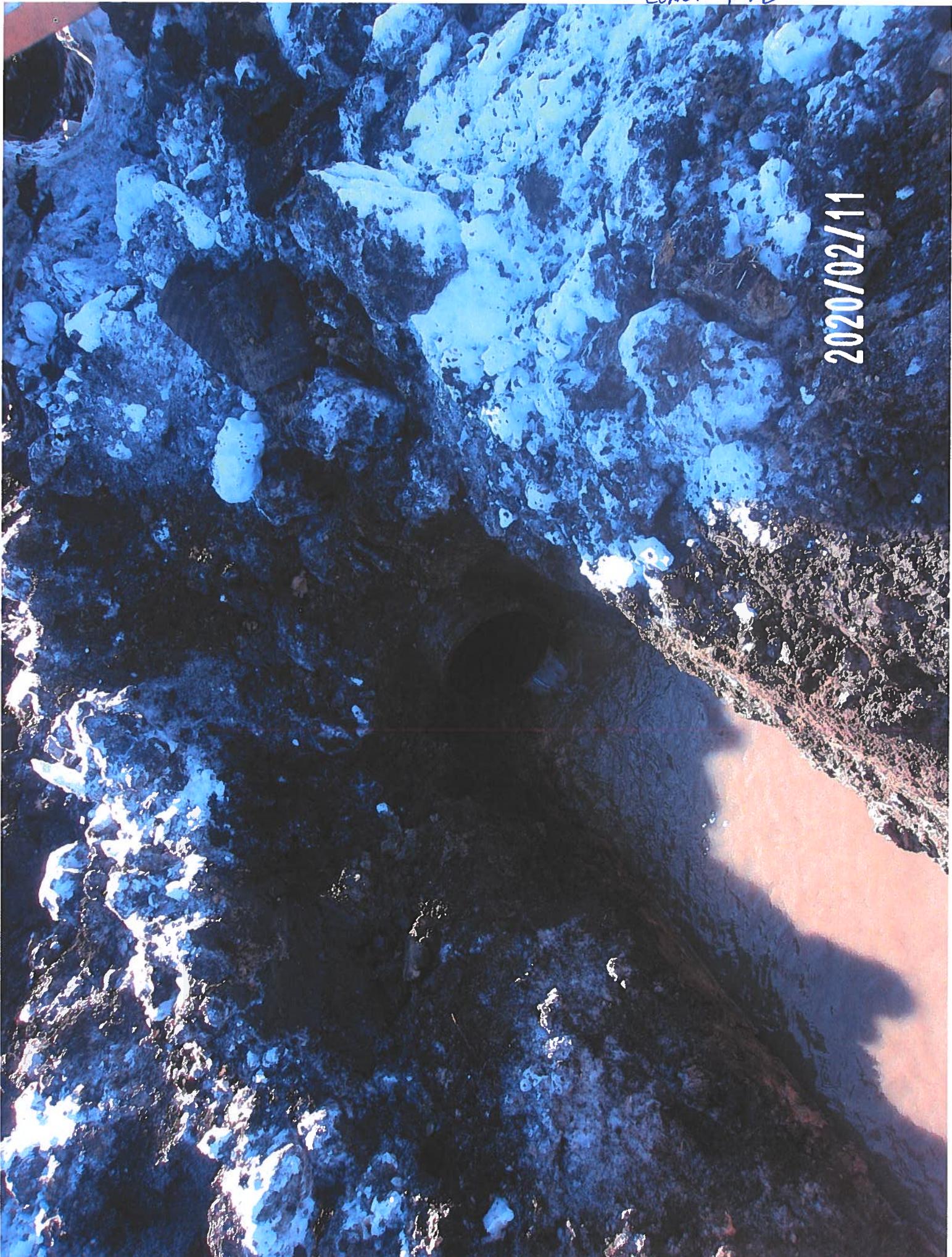
FIRST COLLAR

2020/02/11



CONC. PIPE

2020/02/11



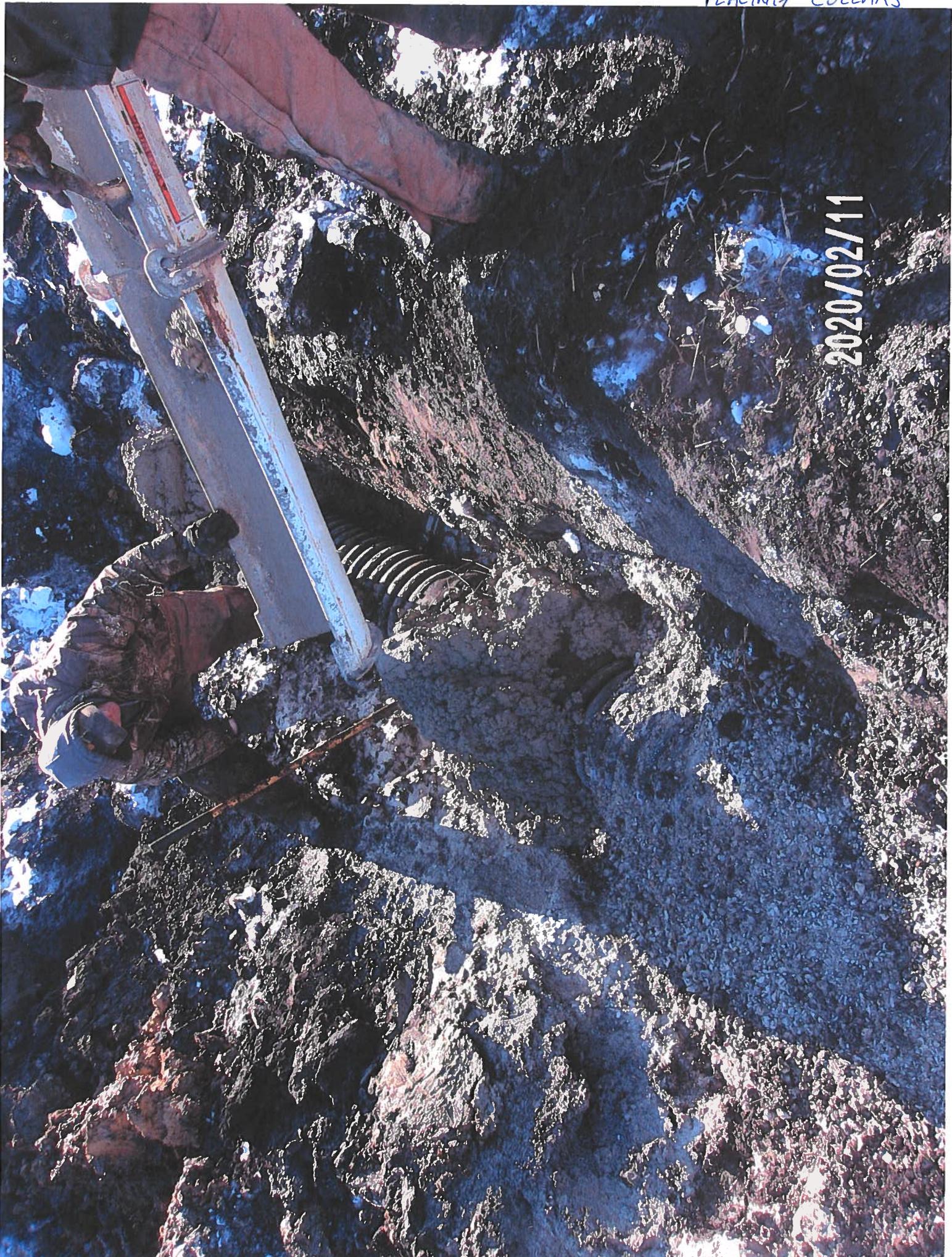
PLACING COLLARS

2020/02/11



PLACING COLLARS

2020/02/11



OUT LET



OUTLET

2020/02/11



1ST COLLAR

2020/02/11



CONC. @ HEADWALL

2020/02/11



STARTING TO BACKFILL



2020/02/11

ACCOUNTING OFFICE
 1710 EAST MAIN STREET
 MARSHALLTOWN, IOWA 50158
 PHONE: (641) 752-3696
 FAX: (641) 752-8644



CONCRETE INC.

SOLD TO:

MCDOWELL & SONS CONTRACTORS

110TH ST
 ACKLEY

TIME	FORMULA	LOAD SIZE	YARDS ORDERED	DRIVER/TRUCK	P.O. NUMBER	PLANT/TRANSACTION#
13:14:00	M40	1.50	1.50	FORTLING	61	08
DATE	LOAD #	YARDS DEL.	BATCH #	WATER TRIM	SLUMP	TICKET NUMBER
2/11/20	1	1.50	25602	0.00	4.00 in	25229

WARNING
IRRITATING TO THE SKIN AND EYES
 Contains Portland Cement. Wear Rubber Boots and Gloves. PROLONGED CONTACT MAY CAUSE BURNS. Avoid Contact With Eyes and Prolonged Contact With Skin. In Case of Contact With Skin or Eyes, Flush Thoroughly With Water. If Irritation Persists, Get Medical Attention. KEEP CHILDREN AWAY. See back for additional warning information.

CONCRETE is a PERISHABLE COMMODITY and BECOMES the PROPERTY of the PURCHASER UPON LEAVING the PLANT. ANY CHANGES OR CANCELLATION of ORIGINAL INSTRUCTIONS MUST be TELEPHONED to the OFFICE BEFORE LOADING STARTS.
 The undersigned promises to pay all costs, including reasonable attorney's fees, incurred in collecting any sums owed.
 All accounts not paid within 30 days of delivery will bear interest at the rate of 16% per annum.
 Not Responsible for Reactive Aggregate or Color Quality. No Claim Allowed Unless Made at Time Material is Delivered.
 A \$15.00 Service Charge and Loss of the Cash Discount will be Collected on all Returned Checks.
 Excess Delay Time Charged at \$70.00/HR.

PROPERTY DAMAGE RELEASE
 (TO BE SIGNED IF DELIVERY TO BE MADE INSIDE CURB LINE)
 Dear Customer: The driver of this truck in presenting this RELEASE to you for your signature is of the opinion that the size and weight of his truck may possibly cause damage to the premises and/or adjacent property if he places the material in this load where you desired. It is our wish to help you in every way that we can, but in order to do this the driver is requesting that you sign this RELEASE relieving him and this supplier from any responsibility from any damage that may occur to the premises and/or adjacent property, buildings, sidewalks, drive-ways, curbs, etc., by the delivery of this material, and that you also agree to help him remove mud from the wheels of his vehicle so that he will not litter the public street. Further, as additional consideration, the undersigned agrees to indemnify and hold harmless the driver of this truck and this supplier for any and all damage to the premises and/or adjacent property which may be claimed by anyone to have arisen out of delivery of this order.
 SIGNED
 X

Excessive Water is Detrimental to Concrete Performance
 H₂O Added By Request/Authorized By
 GAL X

WEIGHMASTER

NOTICE MY SIGNATURE BELOW INDICATES THAT I HAVE READ THE HEALTH WARNING NOTICE AND SUPPLIER WILL NOT BE RESPONSIBLE FOR ANY DAMAGE CAUSED WHEN DELIVERING INSIDE CURB LINE

LOAD RECEIVED BY:
 X

QUANTITY	CODE	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.50	yd	M40 4000WRC100RE		
1.00	EA	MINLOAD		
1.50	CY	TRUCKING		
1.50	CY	WINTERCH		
		MINILOAD CHARGE		
		TRUCK INCHARGE (NONPAXABLE)		
		WINTERSERVICCHARGE		

RETURNED TO PLANT	LEFT JOB	FINISH UNLOADING	DELAY EXPLANATION/CYLINDER TEST TAKEN	TIME ALLOWED
			1. JOB NOT READY 2. SLOW POUR OR PUMP 3. TRUCK AHEAD ON JOB 4. CONTRACTOR BROKE DOWN 5. ADDED WATER	
			6. TRUCK BROKE DOWN 7. ACCIDENT 8. CITATION 9. OTHER	
LEFT PLANT	ARRIVED JOB	START UNLOADING		TIME DUE
TOTAL ROUND TRIP	TOTAL AT JOB	UNLOADING TIME		DELAY TIME

ADDITIONAL CHARGE 1 _____
 ADDITIONAL CHARGE 2 _____
GRAND TOTAL ▶▶

1,10000.000,10000.000,1000.000,cpt ir 12
2,10000.000,10000.000,1000.000,Autonomous Setup
3,12876.789,12900.677,950.475,top 15 cmp
4,12875.863,12897.696,952.805,top pcc block weir
5,12858.673,12891.415,950.537,top 15 cmp 15 hdpe joint
6,12832.979,12877.248,950.843,top 15 hdpe joint collar
7,12826.370,12873.515,951.255,top 15 hdpe 14 conc joint collar
8,4878.165,7272.171,1058.917,gps mon 8072
9,4710.024,23269.728,951.698,gps mon 7002
10,20207.545,23197.344,929.412,gps mon 7001
11,20161.513,9938.421,982.822,gps mon 8073

the ~~notepad~~ notepad
app I use doesn't
have that functionality,
If you'd like, I can
switch apps to begin
doing this. Ones you've seen
are coming from field
guys using something else,
- No \Rightarrow It's ok as is

Thanks for
the explanation.



Drainage Work Order Request For Repair

Hardin County

Date: 6/28/2019

Work Order #: WO00000261

Drainage District: DDs\DD 143 (51157)

Sec-Twp-Rge: 29-87-22 Qtr Sec: _____

Location/GIS: 87-22-29-351-001

Requested By: Calvin Hyland

Contact Phone: _____

Contact Email: _____

Landowner (if different): Kendall Young Trust

Description: DD 143 : In landowner meeting on 4/24/19 Calvin Hyland informed CGA & Trustees that there was a sinkhole that had not been fixed.

Repair labor, materials and equipment _____

Repaired By: _____ Date: _____

Please reference work order # and send statement for services to: Hardin County Auditor's Office
Attn: Drainage Clerk
1215 Edgington Ave, Suite 1
Eldora, IA 50627
Phone (641) 939-8111
Fax (641) 939-8245

For Office Use Only

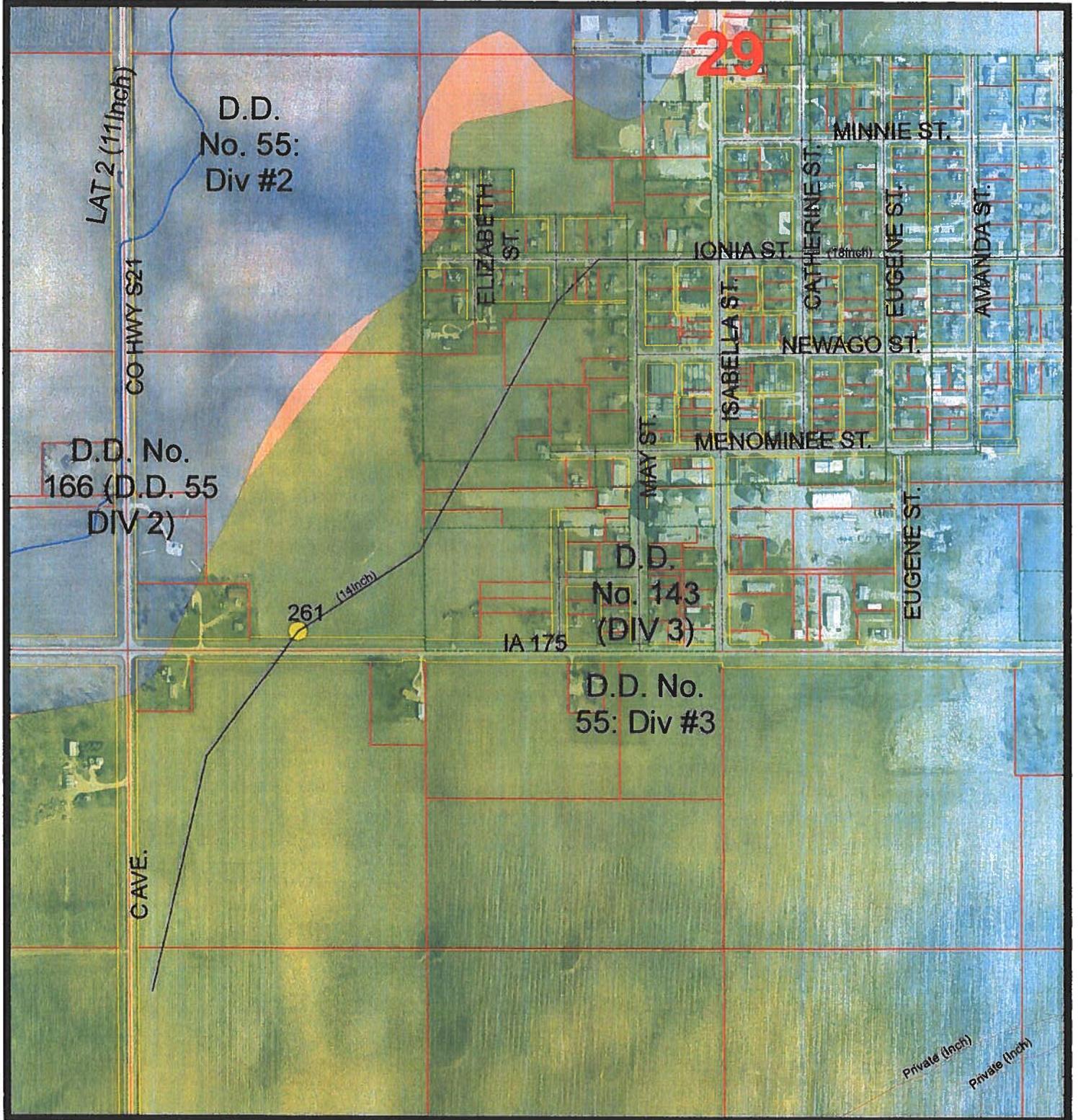
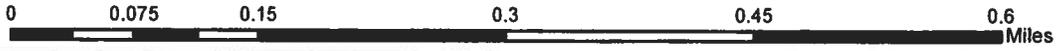
Approved: _____ Date: _____



Hardin County Auditor's Office



Date: 6/28/2019



The Data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. Hardin County makes no warranties, express or implied is to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update. Cadastral Data represents land ownership, but does not define it. This Data does not replace a legal survey.

Drainage District:

#143

Investigation Summary:

- Per the directive of the District Trustees, the owner of the fiberoptic cable penetrating the Main tile in the SW¼ SW¼ of Section 29, Township 87 North, Range 22 West was contacted and informed of the situation.
- Utility company completed a repair on the broken tile and submitted pictures. Said pictures show that the repair was completed (without informing CGA or Hardin county until after it was completed) by butting HDPE (unknown if single wall or dual wall) against the original VCP tile, fabric wrap and pieces of tile at the joint, and wheel-packed earthen backfill with the fiberoptic cable running over the HDPE tile.
- From the pictures submitted, it can be determined that the repair does not meet the established permit requirements for the following reasons (it may not meet permit requirements in other areas, too):
 - A visible marker or monument at the location where the utility crosses Drainage District facilities has not been documented.
 - The replacement of the broken tile was not completed with approved materials:
 - HDPE tile without rock bedding was installed instead of the required reinforced concrete pipe.
 - Fabric collars were installed instead of the required reinforced concrete collars.
 - The replacement of the broken tile was not completed with the approved manner:
 - The minimum clearance of 1-foot below the Drainage District facility was not maintained.
 - The minimum length of 10-feet of replacement tile to either side of centerline of the installed fiberoptic cable was not maintained.

Contractor Time and Materials (spent while CGA was on-site):

Not applicable.

Additional Actions Recommended:

CGA recommends the utility company be contacted and directed to remove the current repair and install the repair of the Main tile in an approved manner under the observation of CGA staff to ensure proper installation unless the District Trustees wish to waive the permit requirements.



James Sweeney

Subject: FW: DD 143
Attachments: DD 143 UPN Email.pdf; Ticket 551904575 (CGA #6771.2)_Ticket8479.pdf; 6771.2 - DD143 - Utility Break.pdf; Radcliff 2.jpg; Radcliff.jpg

From: Clark Lundy <Clark.Lundy@upnfiber.com>
Sent: Wednesday, September 11, 2019 8:17 AM
To: Lee Gallentine <LGallentine@cgaconsultants.com>
Cc: Charlene White <Charlene.White@upnfiber.com>
Subject: FW: DD 143

Lee,
Unite Private Networks damaged a tile in Harden County when placing a fiber optic line in 2015. Our contractor has completed the tile repair and I have attached picture of post repair. We were not aware that we needed to contact you before completing the repair so we apologize for the miscommunication.

Let me know if there are any questions or concerns on this.

Thanks
Clark

From: Clark Lundy
Sent: Tuesday, September 10, 2019 4:09 PM
To: Marcus Moulds <Marcus.Moulds@upnfiber.com>
Subject: FW: DD 143

Did you tell me this was completed?

From: Clark Lundy
Sent: Tuesday, July 30, 2019 8:11 AM
To: Jeff Hensley <Jeff.Hensley@upnfiber.com>; Marcus Moulds <Marcus.Moulds@upnfiber.com>
Subject: FW: DD 143

Please check this out and confirm it's UPN. We will need to get Price involved if it is.

Thanks

Clark

From: Becca Junker <BJunker@hardincountyia.gov>
Sent: Monday, July 29, 2019 2:47 PM
To: Charlene White <Charlene.White@upnfiber.com>
Cc: lgallentine@cgaconsultants.com
Subject: RE: DD 143

Good afternoon Charlene,

agent responsible for delivery, you may not copy or deliver this message to anyone. Please notify the sender as soon as possible and immediately destroy this message and its attachments in its entirety.







Hardin County Drainage

Drainage Districts \DD 52 (51078)
WO00000215

Work Order Detail

Begin Date: 7/3/2018
Status: Contractor - Contractor On Site or To Do Work
Description: DD 52 Lat 3 - Tracy Below spoke with County Engineer, Taylor Roll, that water is boiling out of the intake west of apartments. The area is under water and he is losing his hay crop. Please call him with updates and keep him in the loop.
Contractor: Adam Seward

Requested By: Tracy Below
Email:
Phone: (641) 485-3396
Landowner: Piel Manufacturing Co
GIS #: 87-21-33-276-004
Sec-Twp-Rge: 33-87-21 NE

Expenses:				
Date	ExpenseCode	Vendor	Description	Amount
8/24/2018	Engineering	Clapsaddle-Garber Assoc	DD 52 ENG SVCS TO 8/3/18	\$1,954.25
9/28/2018	Legal	The Davis Brown Law Firm	LEGAL FEES RE TREES	\$605.00
9/28/2018	Engineering	Clapsaddle-Garber Assoc	ENG SVCS 8/3-9/14	\$296.10
11/30/2018	Legal	The Davis Brown Law Firm	DD 52 LEGAL ADVICE FOR FILING PETITION	\$57.00
12/14/2018	Engineering	Clapsaddle-Garber Assoc	DD 52 WO 215 ENG SVCS 9/14-11/30	\$1,376.00
1/4/2019	Legal	The Davis Brown Law Firm	DD 52 LEGAL OPINION/PETITION RE TREES	\$397.00
3/8/2019	Legal	The Davis Brown Law Firm	DD 52 LEGAL	\$580.00
3/29/2019	Legal	The Davis Brown Law Firm	DD 52 LEGAL RE PIEL MANU	\$120.00
5/24/2019	Legal	The Davis Brown Law Firm	DD 52 LEGAL	\$140.00
6/25/2019	Legal	The Davis Brown Law Firm	DD 52 LEGAL RE SHAWN PIEL	\$40.00
8/16/2019	Engineering	Clapsaddle-Garber Assoc	DD 52 ENG SRVS	\$298.70
8/16/2019	Legal	Davis, Brown, Koehn, Shors &	DD 52 LEGAL	\$40.00
8/16/2019	Legal	Davis, Brown, Koehn, Shors &	DD 52 LEGAL	\$80.00
1/24/2020	Labor & Materials	Honey Creek Land Improvement	DD 52 -Tile repair, parts, labor	\$14,503.63
2/14/2020	Engineering	Clapsaddle-Garber Assoc	DD 52 For Prof Svcs 8/23/2019 to 1/31/2019	\$4,274.55
Total:				\$24,762.23

Contract/Estimate:	
Description	Amount

Notes:

Note

7/11-BOS approve WO and for CGA to pothole the area to investigate the plub.

7/11-Called Tracy and left msg that BOS approved work order. Somebody prob won't be out there yet this week. Any questions to call Lance.

7/25-Gallentine explained that the tile was plugged with Austree roots. At four of the holes, they found 12" non-perf tile at least 1/2 plugged with roots. They were able to remove the roots. At the fifth hole, the tile was completely plugged with roots and were coming in through the wall of the non-perf tile. Roots could not be removed without damaging the tile, so approximately 65 feet of tile was removed. Currently the tile is flowing but with 65 feet open. CGA recommends removing the Austrees and replacing the 65 feet of tile. Because these are outside the 50 foot right of way, they suggest seeking legal opinion. Schlemme to email Attorney, Mike Richards, to obtain legal opinion on options for tree removal. Richards should contact Gallentine for specifics if needed.

7/26-Emailed Mike Richards for opinion.

8/8/18-It was discussed that Attorney, Mike Richards, submitted a legal opinion that the Trustees could remove the trees in the Piel Manufacturing property due to the fact they are obstructing the flow of the tile. Even though the trees are not technically in the right-of-way, they are obstructing the tile, therefore, the Trustees can try to reach an agreement with Piel Manufacturing to remove them for an agreed sum of damages. If Piel Manufacturing will not voluntarily agree to the terms of a removal, the Trustees can file a petition and force the destruction of the trees. The Trustees agreed that the removal of the trees is necessary and that Gallentine should contact Piel Manufacturing to remove the trees.

8/20/2018-CGA sent letter/agreement to Piel Manuf.



Hardin County Drainage

Drainage Districts \DD 52 (51078)

WO00000215

Work Order Detail

Begin Date: 7/3/2018
Status: Contractor - Contractor On Site or To Do Work
Description: DD 52 Lat 3 - Tracy Below spoke with County Engineer, Taylor Roll, that water is boiling out of the intake west of apartments. The area is under water and he is losing his hay crop. Please call him with updates and keep him in the loop.
Contractor: Adam Seward

Requested By: Tracy Below
Email:
Phone: (641) 485-3396
Landowner: Piel Manufacturing Co
GIS #: 87-21-33-276-004
Sec-Twp-Rge: 33-87-21 NE

Notes:

Note

9/5/18-It was discussed that tenant, Tracy Below, would like damages for the alfalfa crop he has lost. It was explained to him that first year damages are not reimbursed, but Below stated with alfalfa there are recurrent year losses he will have. It was also discussed that he could plant a different crop for the next years. Granzow moved, McClellan seconded to reconsider the damages once the project is complete. All ayes. Motion carried.

9/26/2018-Piel Manuf has not responded. BOS instruct attny to file petition.

9/27/2018-Emailed attny

10/31/18-Gallentine updated the Trustees that the attny has requested the exact legal description of the trees to be removed. Trustees agreed CGA should perform a land survey for Davis Brown.

12/5/18-It was discussed that Attorney, Mike Richards, drafted a petition to be filed but asked if bond requirements per 468.9 had ever been waived or if the Trustees have ever filed a petition themselves under 468.139. The Trustees agreed that Schlemme should contact Richards and reply that the bond requirements are almost always waived.

12/6/18-Emailed Mike Richards.

1/16/19-Schlemme updated the Trustees that the attorney is questioning whether they should file the petition in district court or with the board of adjusters. After discussion, it was unclear who the board of adjusters were and if the attorney's assistant actually meant board of trustees. Schlemme is to obtain clarification and report back.

2/6/19-Schlemme updated the Trustees that Mike Richards has decided to file the petition with the County Auditor but was wanting a legal description of the district. Schlemme informed them that no such legal exists and is waiting to hear back from the attorney.

2/13/2019-Schlemme updated the Trustees that Attorney, Mike Richards, stated he has spoken with Shawn Piel, on behalf of Piel Manufacturing, and he has agreed to sign a consent to remove trees. There should no longer be a need for the petition to be filed once signed.

4/8/19- Email from Michael Richards--Waiting for the consent to remove trees to be returned signed with a witness rather than a notary.

Follow Up 5/3/19 if no response.

6/5/19 - Daniela from Davis Brown Law emailed confirming they received a copy of the signed consent from Sahwn Peil. (Attached in TCM)

6/5/19 - Gallentine emailed clarifying that next week the Trustees should be able to authorize the removal of the trees during the meeting. Mike Richards confirmed this.

6/12/19 - Hoffman moved, Granzow seconded to acknowledge and take action on the signed consent to remove trees.

6/12/19 - 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 awhile. 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.

6/12/19 - Junker informed Seward he was directed to remove trees.

7/10/19 - Junker told Seward when he is ready to start this project he needs to contact CGA to label the trees that need removed. Seward said he was hoping to get to this project soon.

8/19/19 - Seward told Junker he has gotten a few phone calls from landowners who want these trees removed. Junker told Seward he is to be contacting CGA whenever he is able to begin this project so they can go out and flag the trees that need removed. Seward left saying he would contact CGA.

12/4/19 DD 52 - WO 215, Seward has 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, McDowell had been in over a year ago & got the plug out but left the hole open over the tile until trees were removed. 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, & 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, if he is unavailable Gallentine can take it to lottery. Gallentine stated he would call McDowell first, The consensus among Trustees was that would be ok to take this to lottery.

**DRAINAGE DISTRICT #52
MINUTES**

June 12, 2013

Granzow moved, Lauterbach seconded to have the tile crew take a look at the plugged tile in Section 19-89-19 on North side of old abandoned railroad right of way and give their recommendation on if they can fix the problem and if they think the solid wall tile would be the best solution. All ayes. Motion carried.

June 19, 2013

Rickels moved, Granzow seconded to approve calling either McDowell's or Gehrke's to have them fix a plugged tile in the SE ¼ of Section 19-89-19. This is a deep tile with trees above ground located in abandoned railroad right of way. The tile crew is unable to do this project. All ayes. Motion carried.

April 30, 2014

Rickels moved, Lauterbach seconded to approve the drainage re-levies listed below:

<u>DISTRICT</u>	<u>\$ NEEDED</u>	<u>% LEVIED</u>	<u>\$ LEVIED</u>
DD 60	\$ 1,587.02	143.70%	\$ 3,596.55

All ayes. Motion carried.

November 29, 2017

DD 52 – Schlemme updated the Trustees that new Work Order Request #200 was just called in for ponding problems on the east side of Radcliffe on Co Hwy S33 just south of where lateral 3 begins. The owner was unsure if it was a tile problem or a road ditch problem. Secondary roads was notified to take a look at it first.

July 11, 2018

DD 52 - Approve Work Order Request #215

Granzow moved, McClellan seconded to approve Work Order Request #215 and for CGA to pothole the area to investigate the plug. All ayes. Motion carried.

July 25, 2018

DD 52 - Discuss, With Possible Action, Project Updates

Gallentine explained that the tile was plugged with Austree roots. At four of the holes, they found 12" non-perf tile at least 1/2 plugged with roots. They were able to remove the roots. At the fifth hole, the tile was completely plugged with roots and were coming in through the wall of the non-perf tile. Roots could not be removed without damaging the tile, so approximately 65 feet of tile was removed. Currently the tile is flowing but with 65 feet open. CGA recommends removing the Austrees and replacing the 65 feet of tile. Because these are outside the 50 foot right of way, they suggest seeking legal opinion. Granzow moved, McClellan seconded for Schlemme to email Attorney, Mike Richards, to obtain legal opinion on options for tree removal. Richards should contact Gallentine for specifics if needed. All ayes. Motion carried.

August 8, 2018

DD 52 - Discuss, With Possible Action, Repair Summary For Work Order #215

It was discussed that Attorney, Mike Richards, submitted a legal opinion that the Trustees could remove the trees in the Piel Manufacturing property due to the fact they are obstructing the flow of the tile. Even though the trees are not technically in the right-of-way, they are obstructing the tile, therefore, the Trustees can try to reach an agreement with Piel Manufacturing to remove them for an agreed sum of damages. If Piel Manufacturing will not voluntarily agree to the terms of a removal, the Trustees can file a petition and force the destruction of the trees. The Trustees agreed that the removal of the trees is necessary and that Gallentine should contact Piel Manufacturing to remove the trees.

August 22, 2018

Approve Claims For Payment

Granzow moved, Hoffman seconded to approve the claims for payment with pay date of Friday, August 24, 2018. All ayes. Motion carried.

DD 52 WO 215 ENG SVCS INVESTIGATION TO 8/3/18 Clapsaddle-Garber Assoc \$1,954.25

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.

January 22, 2020

Approve Claims for Payment

DD 52 - WO 215 - Tile repair, parts, labor, Honey Creek Land Improvement, LLC \$14,503.63

February 12, 2020

Approve Claims for Payment

Motion by Hoffman to approve claims for payment with pay date of Friday, February 14, 2020. All ayes. Motion carried.

DD52 WO215 - For Prof. Serv's 8/23/2019 to 1/31/20 Clapsaddle-Garber Assoc \$4,274.55

Hardin County Drainage Claim for Damages

Claim # 2020-5 District # 52 Work Order # 215

Township Tipton Section 33 Twp 87 Rge 21 Qtr Sec _____

Parcel Tax IDS 872133276001 _____

872133276002 _____

Name Tracy Below

Address 204 SOUTH STATE STREET

HUBBARD, IOWA 50122

Phone 641-485-3396

Email Address tracy below @ gmail. com

Landowner (if different) Shawn Piel/Piel Manufacturing

Claim Type: Crop Damage 2016

Crop Year 2017 Crop Year _____

Type of Crop ALFALFA Type of Crop _____

Acres Damaged 3.5 # Acres Damaged _____

Yield Per Acre _____ Yield Per Acre _____

Fence Damage

Outlet Damage

Other: FLOODED FOR 24 YEARS, THEN DROVE UP, AND OPEN FOR 24 YEARS

Desired Compensation - Please note if payment should be split between landlord/tenant. TOXIC FOR 2020

Monetary Payment

Repair of Damages

Other: MAKE PAYMENT TO TRACY BELOW

Claimant Signature Tracy Below

Date 3/16/20

For Office Use Only

Unit Value \$ _____/bushel Unit Value \$ _____/bushel

Crop Damages (Verified Acres X Yield X Unit Value) \$ _____ \$ _____

Total Amount Approved \$ _____

Approved Signature _____

Date _____

Hardin County Drainage Claim for Damages

Claim # 2020-02-19 District # DD 25 Work Order # 209 & 01

Township Concord Section 35-27 Twp 86 Rge 22 Qtr Sec 27

Parcel Tax IDS 86-22-27-100-004-WO 209 86 22 35

86-22-35-100-001-WO 01

Name Jason Martin

Address 17719 260th St

Hubbard, IA 50122

Phone 641-485-9330

Email Address jasonmar@netins.net

Landowner (if different) Dennis Starleaf, Lee Coburn

Claim Type: Crop Damage

Crop Year 2019

Crop Year 2019

Type of Crop Bean

Type of Crop Corn

Acres Damaged .5 Acres Reported (.54 CGA Verified)

Acres Damaged 1.5 acres (.14 CGA Verified)

Yield Per Acre 62 bu

Yield Per Acre 190 bu

Per Meeting Minutes of 3/18/20 – Trustees direct Smith to bring this back on next week’s agenda for review, so that the difference between the original claim minus actual payment could be approved for payment with a motion, original claim was for 1.5 acres of beans (\$1,115), and .14 acres was paid on beans (\$103.74), for a difference of \$1,007.76 to be reviewed / approved in meeting dated 3/25/20 and paid with claims on 3/27/20.

Desired Compensation – Please note if payment should be split between landlord/tenant.

Monetary Payment

Repair of Damages

Other: _____

Claimant Signature _____ Date _____

For Office Use Only

Unit Value \$ 9.25 /bushel

Unit Value \$ 3.90 /bushel

Crop Damages (Verified Acres X Yield X Unit Value) \$ 249.75 \$ 103.74

Total Amount Approved \$ 353.49 (Paid on 3/13/20) \$1,007.76 (paid on 3/27/20)

Approved Signature _____ Date _____