

**AGENDA**  
**REGULAR DRAINAGE MEETING**  
**Wednesday, May 27, 2020 9:30 AM**  
**Large Conference Room**

**County Buildings are closed to the public due to Covid-19 concerns, this meeting will be open to the public via conference call only. The meeting 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 meeting ID code: 662 016 552**

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

Documents:

[05\\_20\\_20 - DRAINAGE MINUTES.PDF](#)

4. Approve Claims For Payment

Documents:

[PAYABLES-DRAINAGE PUBLICATION 05\\_29\\_20.PDF](#)

5. DD 131 WO 275 - Discuss W Possible Action - Repair Summary

Documents:

[DD 131 WO 275 - REPAIR SUMMARY 05\\_19\\_20.PDF](#)

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

Documents:

[HARDIN COUNTY WIND TURBINE ORDINANCE APPROVED BY ZONING COMMISSION\\_20200417.PDF](#)  
[UTILITY PERMIT APPLICATION ACROSS DRAINAGE DISTRICT.PDF](#)

7. DD 52 WO 215 - Discuss W Possible Action - Crop Damage Claim 2020-4

Documents:

[CROP DAMAGE CLAIM 2020-4 - HONEY CREEK QUOTE FOR RESEEDING 05\\_21\\_2020.PDF](#)  
[DD 52 - CLAIM FOR DAMAGES 2020-4 TRACY BELOW.PDF](#)  
[DRAINAGE CLAIM FOR DAMAGES 2020-4 TRACEY BELOW W QUOTED COST.PDF](#)

8. DD 55-3 WO 201 - Discuss W Possible Action - Permit Extension

Documents:

[CONSENT LETTER - RAILROAD.PDF](#)

9. Discuss W Possible Action - IRUA Correspondence / Invoice
10. Other Business
11. Adjourn Meeting

**REGULAR DRAINAGE MEETING**  
**Wednesday, May 20, 2020 9:30 AM**  
**Large Conference Room**  
**This meeting was held electronically due to Covid-19 concerns.**

5/20/2020 - Minutes

1. Open Meeting  
Hardin County Drainage Trustee Chairperson Lance Granzow opened the meeting. Also in attendance were Trustee BJ Hoffman; Trustee Renee McClellan; Lee Gallentine of Clapsaddle-Garber Associates; and Denise Smith, Drainage Clerk.
2. Approve Agenda  
Motion by McClellan to approve the agenda. Second by Hoffman. All ayes. Motion carried.
3. Approve Minutes  
Motion by McClellan to approve the minutes to Drainage Meeting dated 05-13-2020. Second by Hoffman. All ayes. Motion carried.
4. Approve Claims For Payment

Motion by McClellan to approve claims for payment with pay date of Friday, May 22, 2020. Second by Hoffman. All ayes. Motion carried.

DD 154 - For Prof Svcs After 1/31/20 to 5/05/20	Clapsaddle-Garber Assoc	\$ 117.60
DD 52 WO 215 - Prof Svcs After 1/31/20 to 5/5/20	Clapsaddle-Garber Assoc	\$ 1,561.60
DD 22 WO 176 - Prof Svcs After 3/21/20 to 4/18/20	Clapsaddle-Garber Assoc	\$ 1,871.05
DD 22 WO 176 - Crop Damage Claim 2020-5	Terry Swenson	\$ 1,716.00
DD 22 WO 276 - Parts,Labor, Equipment	Honey Creek Land Improvement, LLC	\$ 4,377.20
DD 102 WO 265 - Attend Hrg & Mtg on Rock Bedding/ Wetland	Clapsaddle-Garber Assoc	\$ 501.00

Motion by McClellan to recess shortly while Gallentine deals with a computer issue. Second by Hoffman. All ayes. Motion carried. Motion by McClellan to come out of recess. Second by Hoffman. All ayes. Motion carried.

5. DD 25 Lat 3 & DD 1 Main Tile - Discuss W Possible Action - Change Order No. 3

DD 25 Lat 3 & DD 1 Main Tile - Gallentine stated this is the change order for adding tile to the south portion of the district, essentially giving that deeper district tile an outlet to the main, it was discussed at a landowner meeting recently. Gallentine received the signed copy of the change order with pricing from contractor McDowell, Gallentine noted that this excavation is deeper than the rest of the tile, so the price per foot changed from \$38 per foot to \$47 per foot because of the additional depth. Concern was expressed by the Trustees over the cost increase per foot. Gallentine stated the depth of the tile changed in this area, the depth on the rest of the project is in the 3' to 5' deep range, the tile through this area since we are offsetting from the railroad is in the 7' to 10' deep range. McClellan stated that the previous estimate range was in the \$274,000 range and this is \$319,000 price range. McClellan asked if we have notified landowners of the price change, Gallentine stated we did have landowner meeting over the proposed change in tile route. Smith stated when we did the landowner meeting the cost discussed was at the \$38/ft price, and at that time we discussed approximately 1,300' of additional tile. Gallentine stated that the actual footage is 1,257' of tile. Granzow asked if the contractor is in line with these numbers, or if Gallentine felt the numbers were inflated. Gallentine stated that the increase itself is quite a bit at \$9 per foot, but tile at \$38 a foot is pretty cheap, \$47 a foot is more like what they expected to see on the original bid letting.

Gallentine stated the reason that the old tile is in the railroad right of way is because it is low ground, the change in tile route would be cutting through a hill, therefore the additional depth. Granzow asked if there was a cost savings if we don't have to duplicate some of the tile. Gallentine stated essentially we reduced another portion of the contract by about 200', and hopefully when we get an outlet on Alvin Clark's land east of the railroad tracks, we won't have to replace that at all, and that would be an additional savings.

Motion by Hoffman to approve Change Order Number 3 as presented. Second by McClellan.

In further discussion on the motion, all of the Trustees agreed they do not like the price increase, but understand something must be done to restore the drainage. Gallentine stated the contractor is within reason on his original price per foot, the items previously bid will stay at the original contract price, this increase is only for the additional deeper tile.

All ayes. Motion carried.

6. DD 31 WO 278 - Discuss W Possible Action - Repair Summary

DD 31 WO 278 - Gallentine stated this is on Kielsmeier's property, where Kielsmeier reported two blowouts, the blowouts were investigated via the lottery system. Broken clay tile was found as well as a previous repair that was made without concrete collars, the new repair was made with dual wall pipe, concrete collars and rock bedding. Gallentine does not have any additional actions at this time unless more issues are reported, this appears to be two isolated incidents.

Motion by McClellan to acknowledge the repair summary for DD 31 WO 278. Second by Hoffman. All ayes. Motion carried.

7. DD 68 WO 293 - Discuss W Possible Action - Investigation Summary

DD 68 WO 293 - Gallentine stated this was reported by Nick Hoversten, and CGA went out to investigate and report back. Hoversten had reported a sinkhole by the road ditch beside 110th St.. The sinkhole matched Hoversten's description, CGA recommends digging around the sinkhole to see what is discovered and repair accordingly. McClellan asked if this was located in the road ditch, Gallentine stated it was in the road ditch. Hoffman stated Engineer Roll had all hands on deck between projects near New Providence and Hubbard right now, and wondered how long it would be before Secondary Roads could get to the sinkhole.

Motion by Hoffman to put WO 293 into the contractor lottery for repair. Second by McClellan. All ayes. Motion carried.

8. DD 124 - WO 259 - Discuss W Possible Action - Investigation Summary

DD 124 - WO 259 - Gallentine stated this work order had been around since last year and was wrapped up over the winter, it was reported by Steve Kjormoe. CGA found the Lateral 1 tile is very shallow in this area, CGA found some single wall tile that was crushed, it may have only 1' to 1-1/2' of cover over the tile. The repair was made with dual wall pipe, rock bedding and concrete collars, Gallentine stated it may not have been the best repair for the shallow depth but they don't make 10" concrete tile. Gallentine stated it is in a waterway, so it would not hurt to follow up with the landowner and make sure the dirt is shaped ok and reseeded. Gallentine stated due to the lack of dirt cover on the tile, CGA recommends an Engineer's Report to possibly relocate the tile.

Motion by Hoffman to acknowledge the DD 124 WO 259 Repair Summary from CGA. Second by McClellan.

In further discussion on the motion, Gallentine stated the tile is flowing now. It was discussed by the Trustees that at the last landowners meeting, landowners expressed they just wanted to make repairs and/or maintenance at the minimum expense, and so no further action will be taken by the Trustees at this time.

All ayes. Motion carried.

9. DD 128 WO 279 - Discuss W Possible Action - Investigation Summary

DD 128 WO 279 - Gallentine reviewed that Dean Bright had submitted this request on a wet area on his field, the main was excavated about 12' away from the wet area, they also looked at the intake downstream from Bright's acreage, and the main appears to be flowing well. CGA could not find anything wrong with the main in the area, it could possibly be repaired or fix the issue by installing a private tile going up into the area, or by installing another lateral but it was discussed that the district landowners may not want to pay for a district lateral. Landowner Dean Bright spoke with contractor Seward and CGA observer on site and is aware of the findings, but it may be beneficial to send Bright a copy of the investigation summary.

Motion by Hoffman to acknowledge receipt of the DD 128 WO 279 Investigation Summary from CGA, and instruct Smith to send a copy of the Investigation Summary on to landowner Dean Bright. Second by McClellan. All ayes. Motion carried.

10. DD 158 WO 285 - Discuss W Possible Action - Investigation Summary

DD 158 WO 285 - Gallentine stated this an intake in the road ditch that was reported to have issues. CGA investigated and found there was sediment in the intake and water is going out of the intake overland beneath the road in a road culvert. CGA recommends the tile be excavated beside the road so that the tile can be televised and see what is going on beneath the road, if it is a collapse or restriction. CGA assumes it is small enough it can be handled by the lottery system.

Motion by McClellan to acknowledge receipt of the DD 158 WO 285 Investigation Summary and add it to the lottery system for repair. Second by Hoffman. All ayes. Motion carried.

11. DD Big 4 WO 292 - Discuss W Possible Action - Investigation Summary

DD Big 4 WO 292 - Gallentine reviewed that the landowner Nick Hoversten reported there is an intake sucking dirt on the road ditch on D25. CGA went out and looked at it and it is part of Big Four District, but there is not a District tile where the landowner reports this erosion. CGA recommends that this be referred to Secondary Roads, as this is not a District issue. When CGA spoke with Hoversten he reported there are some issues on the open ditch of Big 4, CGA went and looked at

those, there are some wash outs, and some tile outlets that are broken, eventually those could cause some erosion and siltation, but the way Big 4 flows, Gallentine is not worried about siltation because it has such a high flow rate, but may be more worried about erosion. Gallentine stated he was unsure if this was a widespread issue or not, and it was up to the Trustees if they would like further investigation. The Trustees did not want to pursue further investigation at this time.

Motion by McClellan to acknowledge receipt of the DD Big 4 WO 292 Investigation Summary and to direct Drainage Clerk Smith to contact the County Engineer regarding repair. Second by Hoffman. All ayes. Motion carried.

12. DD H-F 2 WO 286 - Discuss W Possible Action - Investigation Summary

DD H-F 2 WO 286 - Smith provided an update, Smith shared the Investigation Summary on this joint district with Franklin County, and it is on the Franklin County agenda for review as Franklin is the control county in this joint district. Smith stated when she receives the minutes from Franklin County's review of the work order she will share them with the Trustees.

13. Discuss W Possible Action - IRUA Correspondence

IRUA Correspondence - Smith stated that she had received an email back from attorney Mike Richards regarding the request by the Rolph family for rural water service through the IRUA. Attorney Richards stated we should reply to the request with language that states that the IRUA may perform this limited work to connect only with Rolph's property. Not withstanding the foregoing, we note that the cease and desist order is still in effect, and continue to require compliance with all District regulations.

Hoffman motioned to direct Drainage Clerk Smith to send correspondence with the verbiage provided by the legal counsel to the Rolph family and copy the IRUA on the the correspondence, so that the Rolph family can obtain clean drinking water.

In further discussion on the motion, McClellan asked what the further language in Richards email discussing the cease and desist order stated. Smith replied the cease and desist order would technically not be violated by this request for service, as the Rolph's property lies within the boundaries of a drainage district, but this service connection would not cross or impact any district tile.

Second by McClellan. All ayes. Motion carried.

14. DD Big 4 Main - Discuss W Possible Action - Tree Removal

DD Big 4 Main - Smith had a request come in for clarification on tree removal in DD Big 4 Main, Smith stated a lot of the discussion on tree removal happened before her time as clerk, Smith reviewed all of the minutes and there had been discussion with landowner Michael Inks at that time, regarding his trees, but there were no notes regarding Cleveland's trees, tree maintenance/tree removal. Cleveland has 151 acres that border the main open ditch, Smith asked for clarification if these trees can be removed by the landowner or is this something a contractor would need to remove. Cleveland reports trees 8' to 10' tall, and he stated they are too big to be sprayed and would likely need to be cut. Granzow stated Cleveland is more than welcome to remove trees at his expense, if he would like the district to remove the trees, those costs would be assessed to the whole district. Gallentine stated he would request that Cleveland cut the trees, treat the stumps against regrowth and does not leave the bank in disrepair. There was discussion that it was unfortunate that the trees were not sprayed and killed before they got to this size, and there may be other districts that may have regrowth due to issues with previous spray contractor.

Motion by McClellan to direct Drainage Clerk Smith to notify Jim Cleveland he may cut and remove trees and treat stumps for regrowth at his expense. Second by Hoffman. All ayes. Motion carried.

15. Other Business

DD 143 - Gallentine provided an update on an issue reported by Calvin Hiland, in which the contractor came in last year and made a repair on their own that did not meet district standards. Gallentine stated he had emailed UPN that they needed to comply with a permit and we have heard back from them that they have not filed a permit yet, but they are discussing requirements for repair, so he was glad they had an open line of communication.

DD 55-3 Lateral 12 - Gallentine provided an update on DD 55-3 Lat 12 where we are going to jet beneath the Union Pacific railroad tracks and do some televising. The contractor was lined up to do that work today, and we received an email after 5:00 pm last night from one of the UP's subcontractors that handle this type of work, and there are still 4 items that they want submitted before the contractor can begin work. Gallentine emailed contractor Seward to see if he would like Gallentine or the Drainage Clerk to get involved to see if he can get this resolved. Gallentine stated that the railroad's permit expires on June 10, 2020 so we need to have the work done by them. It was discussed that CGA and Clerk Smith were very helpful in getting things turned into the railroad and in working with Seward, this is not a contractor issue but a railroad issue, as they have many requirements and hoops to go through to get final approval for work to begin. Gallentine stated we are jetting, and not even digging under the right of way or the tracks, and we are still required to call in to have their crossing signals located, even though we will be nowhere near a crossing, and will not be affecting anything in their right of way except when we jet, but that is still one of their requirements.

Smith stated part of the issue we had was with a Contractor Right of Entry Agreement we submitted with Seward to the UP, when the form was submitted Smith received a reply that due to Covid-19, the UP staff member to which this was submitted will not be in the office for the remainder of the week, and that any required permitting processes and approval times may be extended due to Covid-19. Smith called their 800 number to try to reach out to someone else who could help us and was sent to a voicemail system, Smith also reached out to Norma Reynolds who was our previous contact with the railroad, both by phone and email, this email came back as undeliverable as she is no longer in the UP real estate department. Smith stated we are trying to do all we can to support the contractor and make sure this is a successful project. Gallentine stated it did not help that when Seward initially spoke with the railroad, the railroad had mixed this project up with the DD 25 project and the RR provided Seward with the wrong folder number which is used to track all work on a project, and so the RR was talking with Seward about this other project and the RR had completely muddled their own process. Gallentine stated he cannot fault the contractor or the clerk for the delay in any way. Hoffman stated this is definitely frustrating for all involved. Smith stated she spoke with Seward this morning and he had built an access road for William's televising equipment to get into the site, and had parked all of his own equipment on the site before they left yesterday, so they would all be ready to go first thing this morning, so it was disappointing for all to be delayed.

16. Adjourn Meeting

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



# Hardin County

Drainage Claims with Pay Date of 5/29/2020

Description	Vendor	Amount
DD 14 WO 290 - CCTV & Tile Repair, Parts, Labor	Williams Excavation LLC	3,595.08
DD 33 WO 278 - Tile repair, parts, labor, equip.	Honey Creek Land Improvement, LLC	17,578.48
DD 167 WO 208 - Prof Svc 4/25/20 to 5/19/20 RepSum	Clapsaddle-Garber Assoc	660.95

**Total Regular Payables:** 3,595.08  
**Total Stamped Warrants:** 18,239.43



# Drainage Work Order Request For Repair Hardin County

**Date:** 10/14/2019

**Work Order #:** WO00000275

**Drainage District:** DDs\DD 131 (51146)

**Sec-Twp-Rge:** 17-89-21      **Qtr Sec:** SW NE

**Location/GIS:** 89-21-17-200-002

**Requested By:** Greg Huebner

**Contact Phone:** (515) 290-2083

**Contact Email:** \_\_\_\_\_

**Landowner (if different):** \_\_\_\_\_

**Description:** DD 131 - Greg Huebner called in to report a large blowout on main line of 131 directly east of his building site, about 100 yards out from building site. He reports blowout is large - 8' - 10' across, Greg requests repair.

**Repair labor, materials and equipment** \_\_\_\_\_

\_\_\_\_\_

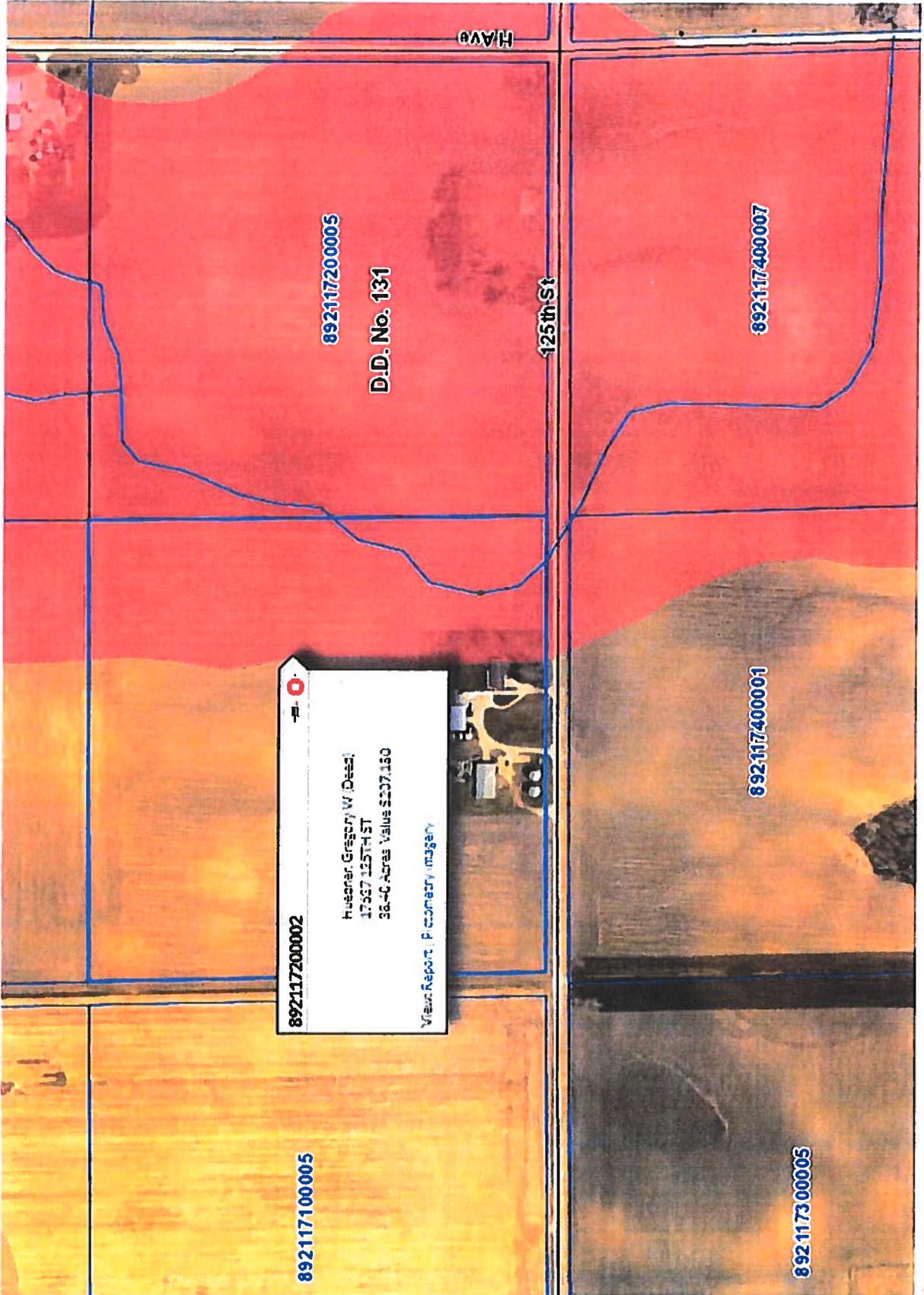
\_\_\_\_\_

**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:** \_\_\_\_\_



892117200002  
Huevar Gregory W (Deed)  
17557 125TH ST  
36.40 Acres Value \$207,180  
View Report | Property history

892117100005

892117200005

D.D. No. 131

125th St

HAYH

892117400001

892117400007

892117300005

## Drainage District:

#131

## Investigation/Repair Summary:

- Per the recommended actions in the Investigation Summary, excavated at the blowout/sinkhole in the SW¼ NE¼ of Section 17, Township 89 North, Range 21 West.
- Upon excavation, found a misaligned/collapsed connection between a 6-inch concrete private tile and the 15-inch VCP Main tile, with the soil around the connection having been washed away.
- Repaired the Main tile with 15-inch dual wall HDPE, rock bedding and backfill, and ¾ concrete collars at each end. Repaired the private tile and connection with 6-inch single wall HDPE, and rock bedding, with internal couplers and ¾ concrete collars at each of the connections. The excavation was then 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:

None at this time as the Main tile appears to be round and not cracked in the upstream and downstream direction.



## Tabulated Contractor Time and Materials

Date	Totals	3/23/2020	3/4/2020
Workman (hrs)	14 3/4	8	6 3/4
Mini Excavator (hrs)	7 1/2	4	3 1/2
Skidloader (hrs)	7 1/2	4	3 1/2
1" Clean Bedding Rock	Yes		
Concrete Collars	Yes		
15" Dual Wall HDPE Tile (ft.)	6		6
6" Single Wall HDPE Tile (ft.)	4		4

CONSTRUCTION ENGINEERING  
OBSERVATION REPORT

DATE: 03/23/2020

PROJECT NUMBER: HARDIN DD WO # 275  
6916.2 DD#131

DAYS OF WEEK: 

S	<b>M</b>	T	W	T	F	S
---	----------	---	---	---	---	---

COUNTY, ROUTE, ROAD: 218'± WEST OF 1/4-1/4 FENCE'S  
WEST OF HAVE & 166'± TO 171.5'

SHEET NO. 1 OF 3

LOCATION: LOCATED IN DD#131 IN SW 1/4 NE 1/4  
17-89-21

MID 30'S TO MID 40'S  
CLOUDY WITH LIGHT WINDS

JOB# 6916DD131H.SURVEY

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

9:15 A.M. ADAM CALLED OBSERVER THAT THEY WILL BE ON  
SITE AROUND 11 A.M TO WORK ON THIS REPAIR.

9:45 A.M. OBSERVER LEFT OFFICE FOR REPAIR.

10:05 A.M. OBSERVER ARRIVED AT REPAIR LOCATION WITH CREW  
NOT ON SITE YET.

10:13 A.M. PICTURE # 3130 & PICTURE # 3131 SEE PICTURE FOR DETAILS.

10:14 A.M. PICTURE # 3132 SEE PICTURE FOR DETAILS.

10:35 A.M. OBSERVER SET GPS BASE ON HARDIN COUNTY GPS # 8022  
MIDDLE OF FIELD DRIVE JUST NORTH OF FIELD EDGE ON SOUTH SIDE OF CONWYCT3  
HARDIN ROAD ON 1ST FIELD DRIVE EAST OF HH AVENUE.

11:00 A.M GPS BASE SET UP AND CHECKED INTO GPS # 4 1/2" Ø TROWER ROD  
FLUSH ALONG FIELD EDGE 7.0'± NORTH OF NORTH EDGE OF FIELD  
DRIVE IN SW QUADRANT OF 110TH ST & HAVE.

11:10 A.M OBSERVER BACK AT REPAIR LOCATION. CREW NOT ON SITE  
YET. OBSERVER TRIED TO PROBE TILE IN HOLE AND  
COULD ONLY HIT SOMETHING ON NORTH SIDE OF TRENCH  
AND IS SMALL. OBSERVER SHOT & ROAD & FENCE LINE TO EAST.

11:50 A.M. JEFF AND TAKEUCHI TB145 MINI EXCAVATOR ARRIVED  
ON SITE.

12:20 P.M. JEFF AND TAKEUCHI TB145 MINI EXCAVATOR HEADED  
OUT INTO FIELD TO TILE BLOWOUT

12:52 P.M. PICTURE # 3133 SEE PICTURE FOR DETAILS.

12:55 P.M. PICTURE # 3134 & 12:59 P.M. PICTURE # 3135 SEE PICTURE FOR DETAILS.

12:58 P.M. OBSERVER CALLED LEE THAT REPAIR IS ON A PRIVATE TILE  
NOT THE MAIN WITH 3-6" CONCRETE SECTIONS SANK DOWN 2" TO 3".  
DURING CALL ADAM INFORMED ME THAT THERE IS A BAD CONNECTION

12:45 P.M. ADAM ARRIVED ON SITE WITH BAGS OF CONCRETE FOR

I Certify that the work described in this report was incorporated into this contract unless otherwise noted. 3/4 COLLARS.

Observer's Signature: Dean Penning Date Prepared: 03/23/2020

Reviewed by: \_\_\_\_\_ Engineer  Date Reviewed \_\_\_\_\_

CONSTRUCTION ENGINEERING  
OBSERVATION REPORT

DATE:

03/23/2020

PROJECT NUMBER:

HARDIN DD W0# 275

DAYS OF WEEK:

S  M  T  W  T  F  S

COUNTY, ROUTE, ROAD:

6916.2 DD#131  
218'± WEST OF 1/4-1/4 FENCE N  
WEST OF HAVEN 2166' TO 171.5' S

SHEET NO.

2 OF 3

LOCATION:

NORTH OF 2125 STREET E-W  
LOCATED IN DD #131 IN SW 1/4 NE 1/4 17-89-21

MID 30'S TO MID 40'S

CLOUDY WITH LIGHT WINDS

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

JOB # 6916 DD 131 H. SURVEY

THAT ADAM SAID WAS AN 18" TILE LATER FOUND TO BE A 15" CLAY TILE MAIN WITH LAST SECTION OF 6" CONCRETE

TILE HAVING A VOID BELOW IT.

STICK MUST HAVE BEEN IN JOINT AND NOT ON FLOWLINE.

1:03 P.M. PICTURE # 3136 SEE PICTURE FOR DETAILS.

1:13 P.M. OBSERVER CALLED LEE THAT CREW WILL REMOVE EXISTING

CLAY TILE MAIN AT TEE AND REPLACE WITH DW HOPE NONPERF

TILE. CREW WILL HAVE 4" PLUS OF BEDDING ROCK UNDER

TILE WITH BEDDING ROCK TO 12" ABOVE AN 2 3/4 CONCRETE

COLLARS. CREW WILL DRILL HOLE IN HOPE TILE AND TIE IN

WITH 6" HOPE ADAPTER TRIMMED TO INSIDE WITH 6" SW HOPE TILE

TO 6" CONCRETE TIE IN WITH 6" INTERNAL HOPE COUPLER & 3/4" CONCRETE

COLLAR ON BOTH TIE ENDS AND CONCRETE OVER ENTIRE 6" HOPE SW TILE FOR

STRENGTH. LEE SAID THAT WILL WORK.

1:15 P.M. ADAM LEFT SITE TO GET DW HOPE TILE FOR REPAIR.

1:33 P.M. PICTURE # 3137 SEE PICTURE FOR DETAILS

2:01 P.M. PICTURE # 3139 AND PICTURE # 3140 SEE PICTURE FOR DETAILS.

2:20 P.M. AFTER REMOVING CLAY TILE, CREW FOUND THAT CLAY TILE IS 15" INSTEAD OF 18" (STICK MUST HAVE BEEN BETWEEN JOINTS WHEN IT WAS MEASURED).

2:30 P.M. ADAM WAS BACK ON SITE WITH 18" NONPERF HOPE TILE THINKING IT WAS 18" CLAY.

2:40 P.M. ADAM LEFT SITE TO GET SKID LOADER.

2:59 P.M. PICTURE # 3142 & PICTURE # 3143 SEE PICTURE FOR DETAILS.

3:00 P.M. PICTURE # 3144 SEE PICTURE FOR DETAILS.

3:30 P.M. ADAM ARRIVED BACK ON SITE WITH SKID LOADER.

3:40 P.M. ADAM LEFT TO GET 15" DW HOPE NONPERF TILE WITH JEFF STILL CLEANING UP AROUND REPAIR AREA.

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

Observer's Signature:

Dean Penny

Date Prepared:

03/23/2020

Reviewed by:

Engineer

Date Reviewed

CONSTRUCTION ENGINEERING  
OBSERVATION REPORT

DATE: 03/23/2020

DAYS OF WEEK: 

S	M	T	W	T	F	S
---	---	---	---	---	---	---

SHEET NO. 3 OF 3

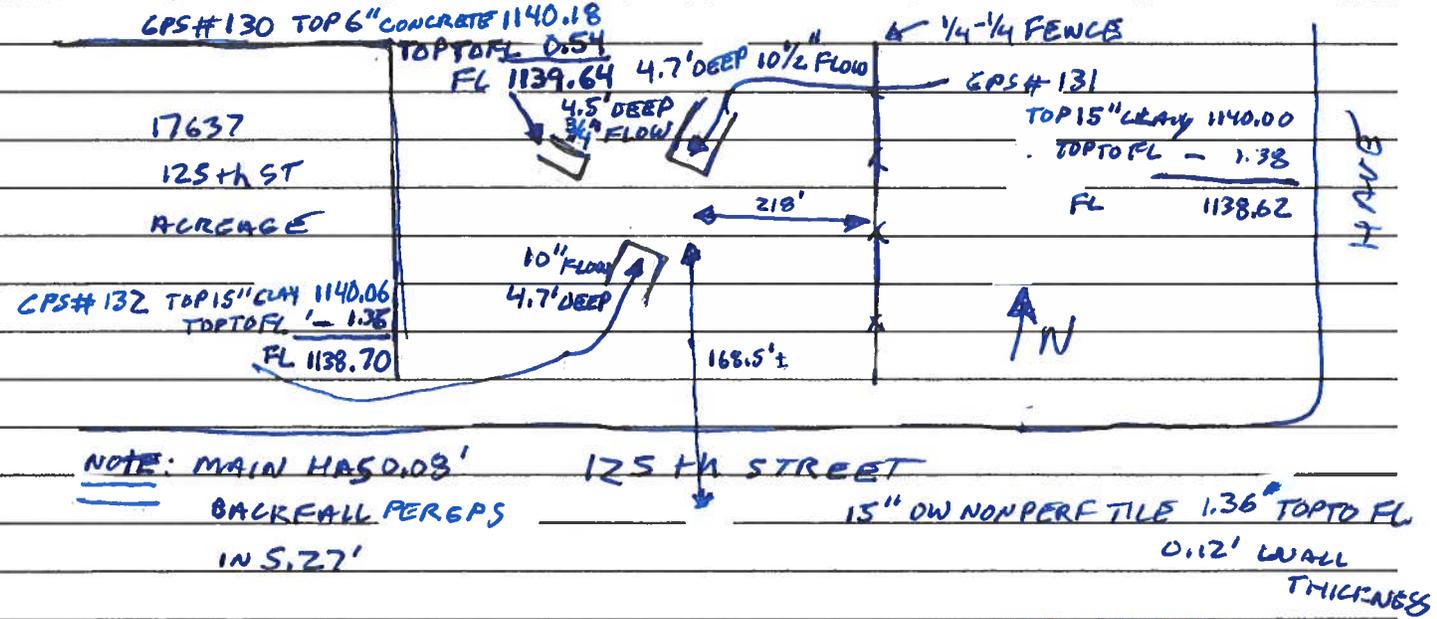
PROJECT NUMBER: HARDIN DD WOFF 275  
6916.2 DD#131  
COUNTY, ROUTE, ROAD: 218'± WEST OF 1/4-1/4 FENCE'S  
WEST OF HWY 8166 TO 171ST  
LOCATION: NORTH OF 125 STREET E-W  
LOCATED IN DD#131 IN SW 1/4 NE 1/4 17-89-21

MW 30'S TO MW 40'S  
CLOUDY WITH LIGHT WINDS  
JOB # 6916.2 131 H. SURVEY

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

4:00 P.M. CREW DECIDED NOT TO INSTALL ANY TILE TODAY  
SINCE THEY DO NOT HAVE ROCK ON SITE. OBSERVER  
SHOT HARDIN COUNTY GPS MONUMENT # 8023 SINCE  
JOB ONLY HAD ONE COUNTY MONUMENT ON IT.

4:30 P.M. OBSERVER TORE DOWN GPS AND LEFT SITE.  
OBSERVER CALLED LEE THAT CREW IS WORKING TOMORROW  
AND THAT OBSERVER HAS AN ONLINE WEBCLASS FOR  
TOMORROW AND WILL NOT BE ABLE TO OBSERVE CREW

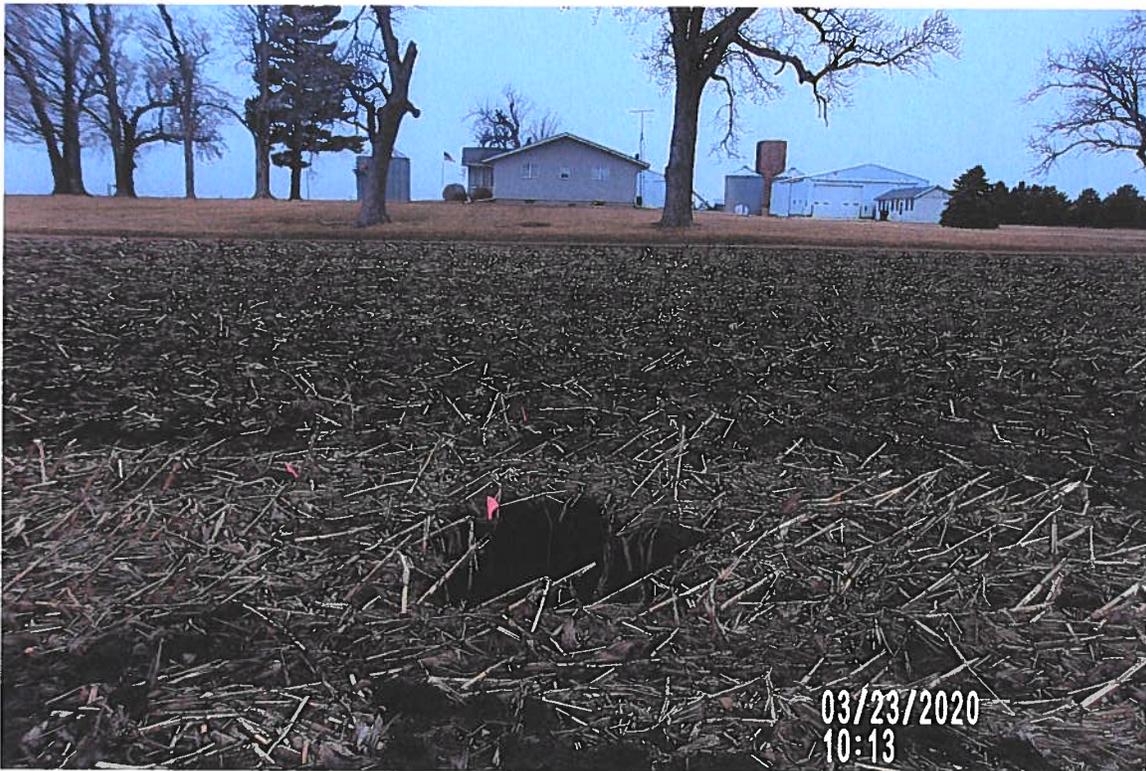


NOTE: MAIN HAS 0.03' BACKFILL PER GPS IN S. 27'  
125th STREET  
15" OW NONPERF TILE 1.36" TOPTOFL  
0.12' WALL THICKNESS

QUANTITIES OPERATOR ADAM MOVING IN EQUIPMENT AND SUPPLIES  
OPERATOR JEFF 4 HOURS  
TAKEUCHI TB145 MINE EXCAVATOR, 4 HOURS

I Certify that the work described in this report was incorporated into this contract unless otherwise noted.  
 Observer's Signature: Dean Penny Date Prepared: 03/23/2020  
 Reviewed by: \_\_\_\_\_ Engineer  Date Reviewed: \_\_\_\_\_

PICTURE# 3130 LOOKING SOUTH . TOWARDS 125TH STREET  
AT 5.0' Ø X 3.0' DEEP TILE BLOWOUT



PICTURE# 3131 IS LOOKING WEST TOWARDS HOUSE @ 17637  
125TH ST AT 5.0' Ø X 3.0' DEEP TILE BLOWOUT

PICTURE # 3132 IS LOOKING SOUTH DOWN INSIDE  
5.0'φ X 3.0'DEEP TILE BLOW OUT WITH TILE NOT  
EXPOSED YET.



PICTURE # 3133 IS LOOKING EAST INSIDE TILE BLOW OUT  
SHOWING 3 SECTIONS OF 6" CONCRETE TILE THAT SANK  
DOWN 2"-3".

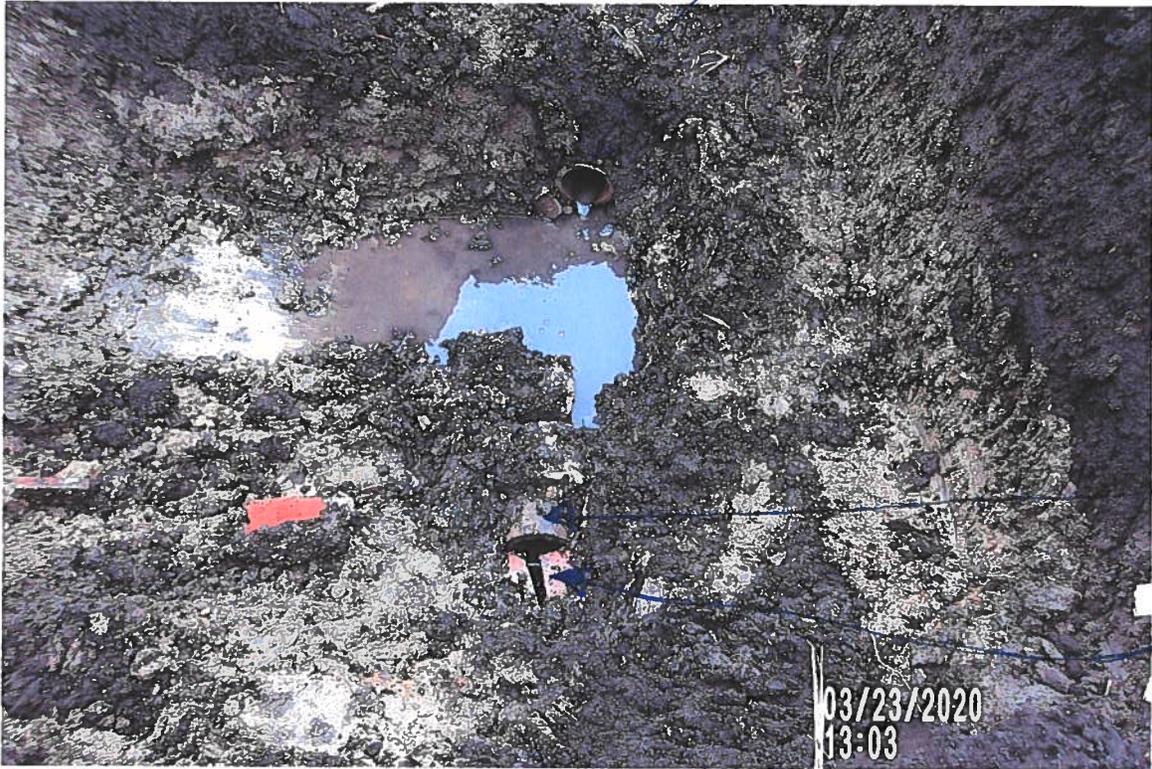
PICTURE # 3134 IS LOOKING EAST IN TILE BLOWOUT WHERE  
3 SECTIONS OF 6" CONCRETE TILE SANK DOWN.



PICTURE #3135 IS LOOKING SOUTH IN TILE BLOWOUT  
AFTER 3 SECTIONS OF 6" TILE WERE REMOVED. ONE  
SECTION OF TILE WAS ALMOST COMPLETELY FULL OF MUD.

PICTURE# 3136 IS LOOKING WEST INSIDE TILE BLOWOUT

6" CONCRETE PRIVATE TILE



VOID UNDER  
6" CONCRETE  
TILE BUTTED  
TO HOLE IN  
15" CLAY  
15" CLAY TILE  
WITH 1" WIDE  
JOINT COVERED  
WITH JUST  
CLAY TILE  
CHUNKS



PICTURE# 3137 IS LOOKING SW SHOWING 1" WIDE JOINT  
WITH JUST CLAY CHUCKS OVER JOINT ON MAIN JUST  
SOUTH OF 6" CONCRETE TILE TIE IN.

PICTURE # 3139 IS LOOKING NW SHOWING MAIN TILE HOLE  
IN MAIN BEFORE REMOVAL FOR 6" CONCRETE TILE IN

6" CONCRETE TILE



GPS# 130 TOP 6" CONCRETE  
TILE

GPS# 131 TOP 15" CLAY TILE



GPS# 132  
TOP 15" CLAY  
TILE

PICTURE # 3140 IS LOOKING NW SHOWING 2 SECTIONS OF  
CLAY TILE MAIN REMOVED TO REPLACE FOR 6" CONCRETE  
TILE TIE IN.

PICTURE# 3142 IS LOOKING UASTREAM FROM GPS#131  
(1.33' TOPTOFL)  
TOP OF 15" CLAY TILE TILE IS IN GOOD SHAPE  
WITH 10 1/2" OF FLOW



↑  
N



↓  
N

PICTURE# 3143 IS LOOKING DOWN STREAM FROM GPS#132  
TOP OF 15" CLAY TILE 1.36' TOPTOFL . TILE IS IN GOOD  
SHAPE 10" FLOW

PICTURE # 3144 IS LOOKING UPSTREAM INSIDE 6" CONCRETE  
TILE WITH MUD IN FLOW LINE 2 SECTIONS UPSTREAM.  
FROM GPS# 130 TOP 6" CONCRETE TILE 0.54' TOP TO FL



TILE IS  
IN GOOD  
SHAPE



03/23/2020  
15:00

CONSTRUCTION ENGINEERING  
OBSERVATION REPORT

DATE:

3-24-20

PROJECT NUMBER:

6916,2

DAYS OF WEEK:

S M T W T F S

COUNTY, ROUTE, ROAD:

DD 131

SHEET NO.

1 OF 1

LOCATION:

HARDIN Co N 125<sup>th</sup> ST W OF HWY

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

11:45 ARRIVED ON SITE 1 MAN WAS UNLOADING TRUCK  
1 MINI EXCAVATOR ~~WAS~~, 1 TRUCK, 1 SKID LOAD WAS ON  
SITE,

12:00 2ND MAN ARRIVED W/ CONCRETE

~~2:30~~ DONE POURING COLLARS CREW USED 24 BAGS  
OF CONCRETE MIX

3:15 CONC IS SET UP, CREW IS GOING TO PUT 1'± OF ROCK  
OVER REBAR, AND HAUL OFF THE FICE, OLD TILE,  
AND FILL IN HOLE

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

Observer's Signature:

*Chris L...*

Date Prepared:

3-24-2020

Reviewed by:

Engineer

Date Reviewed

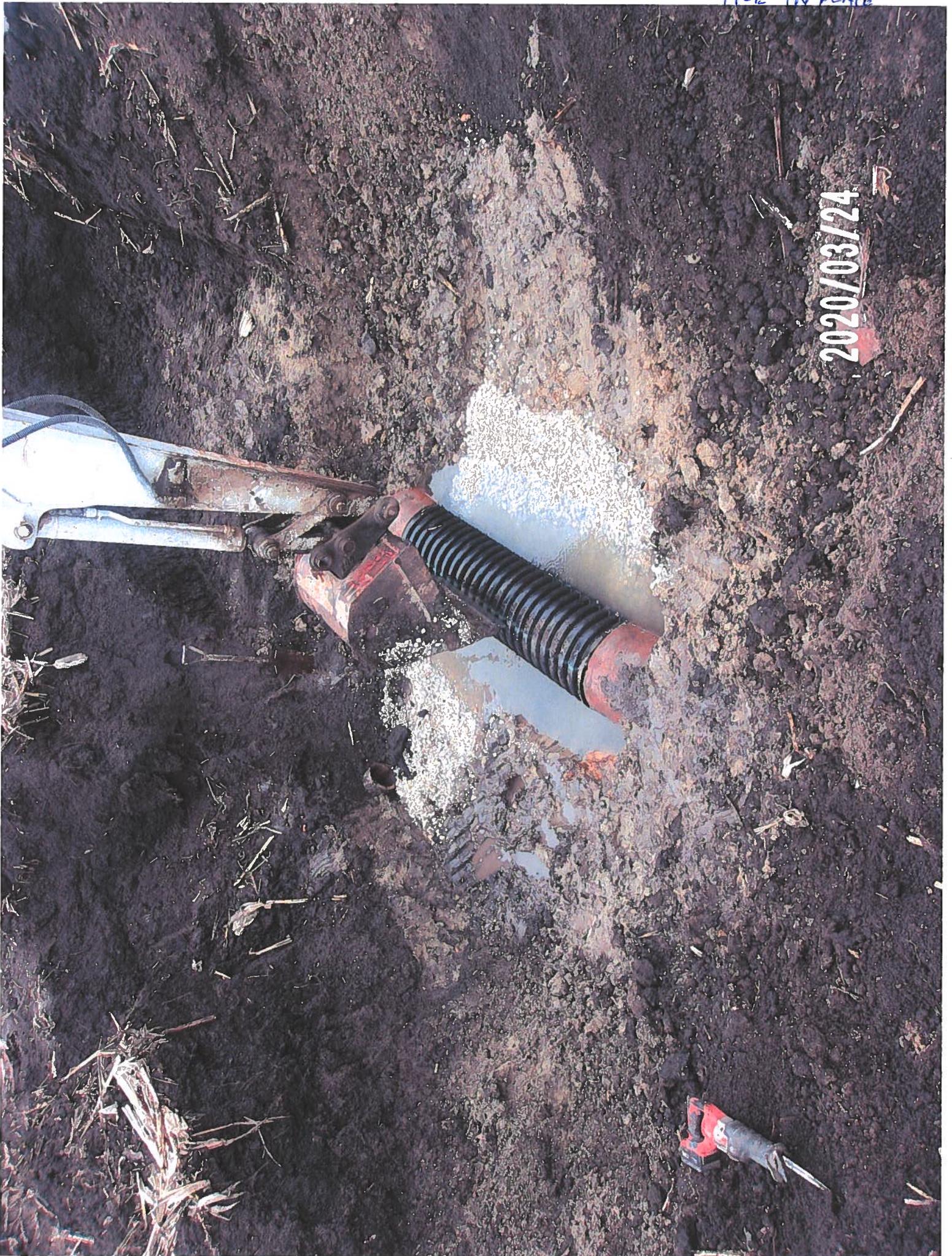
HOLE AT START OF DAY



2020/03/24

TILE IN PLACE

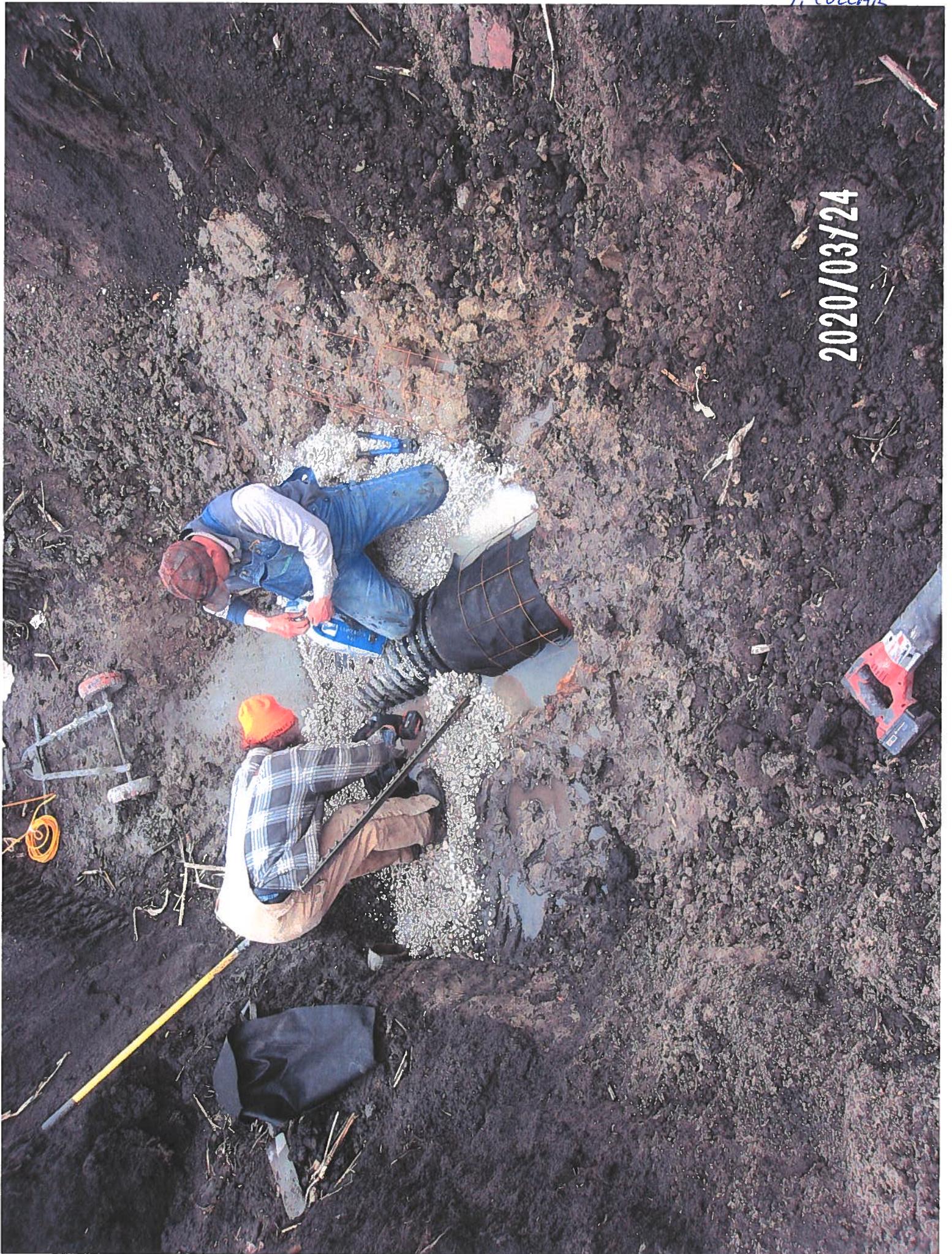
2020/03/24



2020/03/24



2020/03/24



T' COLLAR

2020/03/24



6" COLLAR

2020/03/24



CODDARD DONE BEING

POURED

2020/03/24



END OF DAY STARTING BACK  
FILLING

2020/03/24



6916 DD131 H 2020-3-23 DP

- 1,3659158.436,4964209.084,1164.725,6" HICK INTK
- 2,3659803.127,4964200.688,1169.198,FNL E
- 3,3659810.167,4964194.931,1166.556,FL DITCH TREES N
- 4,3660997.476,4964095.530,1174.963,CPT 1/2IR
- 5,3659782.333,4964178.335,1171.251,GRAV
- 6,3659779.197,4964192.249,1166.124,GS
- 7,3666244.429,4953341.469,1130.202,GPS 8020
- 8,3660715.611,4964165.393,1169.023,6"HICK INTK
- 9,3660721.554,4964154.122,1175.525,SH
- 10,3660698.370,4964154.543,1175.512,SH
- 11,3660710.118,4964155.967,1169.080,TILE 1'W
- 12,3660710.737,4964157.380,1168.596,TILE TO INTK
- 13,3660171.265,4964178.675,1167.939,FL DITCH @END TREES
- 14,3659777.875,4964181.677,1171.127,SH
- 15,3659794.014,4964193.153,1165.832,6"HICK INTK NEW
- 16,3659794.252,4964184.023,1164.285,8"CLAY 3'W
- 17,3660553.531,4964158.271,1175.158,SH START TREES
- 18,3660986.937,4964147.605,1176.415,SH END TREES
- 19,3659777.587,4964188.145,1166.500,TOE
- 20,3659778.618,4964196.603,1166.014,TOE
- 21,3659778.550,4964200.250,1168.677,TB
- 22,3659777.548,4964213.140,1168.810,GS
- 23,3659782.126,4964181.595,1162.826,FL 8"CLAY
- 24,3660120.006,4964167.747,1172.758,FO
- 25,3660079.058,4964168.041,1172.591,FO
- 26,3660079.439,4964172.837,1172.418,SH
- 27,3660146.568,4964170.649,1172.594,SH
- 28,3660146.579,4964166.686,1172.900,FO
- 29,3660191.815,4964164.713,1173.115,FO
- 30,3660191.428,4964168.960,1172.834,SH
- 31,3659793.853,4964184.483,1163.609,TOP 8X8X8 T
- 32,3659801.906,4964185.966,1163.641,TOP HDPE JOINT
- 33,3659796.549,4964185.209,1164.381,GRAV
- 34,3659787.321,4964183.052,1164.557,GRAV
- 35,3659806.457,4964186.250,1164.780,GRAV
- 36,3659817.224,4964186.472,1164.290,GRAV
- 37,3659821.910,4964186.113,1163.688,TOP HDPE JOINT
- 38,3659831.879,4964186.007,1163.775,TOP HDPE COUPLER
- 39,3659842.061,4964185.411,1163.820,TOP HDPE JOINT
- 40,3659862.212,4964184.361,1163.861,TOP HDPE JOINT
- 41,3659872.351,4964183.695,1163.660,TOP HDPE JOINT
- 42,3659882.110,4964183.301,1163.758,TOP HDPE COUPLING
- 43,3659902.462,4964183.853,1163.870,TOP HDPE JOINT
- 44,3659912.583,4964183.829,1163.828,TOP HDPE COUPLING
- 45,3659911.732,4964183.934,1165.326,GRAV
- 46,3659922.771,4964183.531,1163.880,TOP HDPE JOINT
- 47,3659932.454,4964183.191,1164.053,TOP HDPE COUPLER
- 48,3659942.909,4964182.614,1163.973,TOP HDPE JOINT
- 49,3659952.878,4964182.197,1163.969,TOP HDPE COUPLER
- 50,3659963.220,4964181.841,1164.000,TOP HDPE JOINT
- 51,3659983.357,4964181.263,1163.956,TOP HDPE JOINT
- 52,3659993.392,4964181.251,1164.034,TOP HDPE COUPLER
- 53,3660003.450,4964180.857,1164.065,TOP HDPE JOINT
- 54,3660013.541,4964180.556,1164.096,TOP HDPE COUPLER

## 6916 DD131 H 2020-3-23 DP

55,3660032.849,4964179.983,1164.013, TOP HDPE JOINT  
56,3660043.897,4964179.416,1164.168, TOP HDPE JOINT  
57,3660053.794,4964179.414,1164.166, TOP HDPE COUPLER  
58,3660063.923,4964178.896,1164.130, TOP HDPE JOINT  
59,3660073.944,4964178.585,1164.217, TOP HDPE COUPLER  
60,3660084.144,4964178.570,1164.170, TOP HDPE JOINT  
61,3660094.290,4964179.022,1164.255, TOP HDPE COUPLER  
62,3660104.260,4964178.951,1164.284, TOP HDPE JOINT  
63,3660114.186,4964178.584,1164.281, TOP HDPE COUPLER  
64,3660124.329,4964178.411,1164.364, TOP HDPE JOINT  
65,3660134.352,4964178.152,1164.375, TOP HDPE COUPLER  
66,3660144.532,4964177.474,1164.436, TOP HDPE JOINT  
67,3660160.559,4964169.033,1172.289, SH CONC COLLAR  
68,3660541.983,4964158.687,1166.001, TOP 5"CLAY  
69,3660552.627,4964158.660,1166.148, TOP 8"HDPE  
70,3660562.610,4964157.815,1166.150, TOP 8"HDPE  
71,3660573.182,4964158.183,1166.274, TOP 8"HDPE  
72,3660582.937,4964157.997,1166.331, TOP 8"HDPE  
73,3660602.829,4964157.847,1166.818, TOP 8"HDPE  
74,3660622.009,4964156.943,1167.960, TOP 5"CLAY  
75,3660613.353,4964157.500,1166.924, TOP 8"HDPE  
76,3660664.040,4964156.156,1167.514, TOP 8"HDPE  
77,3660673.926,4964156.317,1167.678, TOP 8"HDPE  
78,3660687.401,4964155.089,1168.229, TOP 5"CLAY  
79,3660683.795,4964155.568,1167.571, TOP 8"HDPE  
80,3660693.988,4964155.607,1167.674, TOP 8"HDPE  
81,3660705.025,4964154.841,1168.423, TOP 5"CLAY  
82,3660704.275,4964155.557,1167.783, TOP 8"HDPE  
83,3660713.569,4964154.184,1168.666, TOP 5" T WEST  
84,3660714.568,4964154.234,1168.510, TOP 5" T EAST INTK  
85,3660713.465,4964115.555,1170.841, RIM BEEHIVE  
86,3660713.196,4964153.141,1169.457, GRAV@CONC COLLAR  
87,3660713.528,4964155.626,1168.115, 8X8X8 T WEST  
88,3660715.502,4964155.752,1167.879, 8X8X8 T EAST  
89,3660726.354,4964155.308,1167.909, TOP 8"HDPE  
90,3660732.967,4964153.835,1168.645, TOP 5"CLAY  
91,3660716.669,4964169.155,1168.700, TOP 5"CLAY TO EAST  
92,3660747.473,4964154.383,1168.152, TOP 8"HDPE  
93,3660762.682,4964152.941,1168.669, TOP 5"CLAY  
94,3660716.690,4964167.713,1169.441, FL DITCH@8"HICKINTK  
95,3660756.026,4964154.095,1168.184, TOP 8"HDPE  
96,3660779.550,4964152.488,1168.656, TOP 5"CLAY  
97,3660776.199,4964153.880,1168.229, TOP 8"HDPE  
98,3660786.529,4964153.384,1168.347, TOP 8"HDPE  
99,3660796.866,4964153.135,1168.454, TOP 8"HDPE  
100,3660805.865,4964151.639,1168.842, TOP 5"CLAY  
101,3660844.656,4964150.942,1169.004, TOP 5"CLAY  
102,3660826.747,4964152.414,1168.736, TOP 8"HDPE  
103,3660836.975,4964152.086,1168.682, TOP 8"HDPE  
104,3661027.241,4964576.664,1167.358, FL STEEL INTK  
105,3660882.256,4964149.887,1169.239, TOP 5"CLAY  
106,3660867.667,4964151.490,1168.929, TOP 8"HDPE  
107,3660895.324,4964149.387,1169.283, TOP 5"CLAY  
108,3660877.518,4964151.428,1169.075, TOP 8"HDPE

6916 DD131 H 2020-3-23 DP

109,3661022.766,4964106.710,1174.696,PK IN CMP  
110,3660906.360,4964148.844,1169.385, TOP 5"CLAY  
111,3660897.877,4964150.313,1169.096, TOP 8"HDPE  
112,3660914.181,4964148.629,1169.347, TOP 5"CLAY  
113,3660922.454,4964148.309,1169.406, TOP 5"CLAY  
114,3660907.309,4964150.265,1169.241, TOP 8"HDPE  
115,3660919.427,4964145.248,1176.123, GRAV FO LOCATE  
116,3660917.589,4964150.219,1169.331, TOP 8"HDPE  
117,3660930.417,4964148.071,1169.421, TOP 5"CLAY  
118,3660962.194,4964147.611,1169.526, TOP 5"CLAY  
119,3660947.922,4964148.755,1169.609, TOP 8"HDPE  
120,3660957.956,4964148.522,1169.680, TOP 8"HDPE  
121,3660968.052,4964148.256,1169.778, TOP 8"HDPE  
122,3660992.422,4964146.488,1169.703, TOP 5"CLAY  
123,3660978.103,4964148.095,1169.781, TOP 8"HDPE  
124,3660992.122,4964146.114,1169.717, CLAY-HDPE JOINT  
125,3653372.447,4962727.331,1144.755,GS S SIDE BLOWOU  
126,3653377.963,4962727.527,1144.669,GS N SIDE BLOWOU  
127,3653427.962,4962946.731,1154.313, FNL N-S  
128,3653240.983,4962949.420,1146.536, FNL N  
129,3653206.715,4962729.630,1148.069,CL 125TH ST  
130,3653376.251,4962725.130,1140.177,Tile TOP 6" CONC 0.54'TOPTOFL  
131,3653378.090,4962729.138,1140.001,Tile TOP 15" CLAY 1.38 'TOPTOFL  
132,3653372.864,4962729.828,1140.057,Tile TOP 15" CLAY 1.36 'TOPTOFL  
8022,3666160.310,4968629.670,1166.150,GPS 8022  
8022\_GNSS,3666160.310,4968629.670,1166.150,Autonomous Setup  
8023,3651643.392,4969838.856,1101.611,GPS 8023

**ORDINANCE NO. 29**

**AMENDMENT NUMBER 4**

**ARTICLE XXIII. NON-COMMERCIAL WIND ENERGY CONVERSION SYSTEM PERMITTED USES AND COMMERCIAL CONDITIONAL USE WIND ENERGY CONVERSION SYSTEM STANDARDS.**

**Section 1. PURPOSE.**

The purpose of this Article is to provide a regulatory means for the construction and operation of large and small wind energy facilities in Hardin County, subject to reasonable restrictions, which will preserve the public health, safety, and welfare. Hardin County adopts these provisions to promote the effective and efficient use of the County's wind energy resource.

Findings. Hardin County finds and declares that:

1. Wind energy is an abundant, renewable and nonpolluting energy resource of the County and its conversion to electricity may reduce dependence on nonrenewable energy sources and decrease the air and water pollution that results from the use of conventional energy sources.
2. The generation of electricity from properly sited wind energy facilities, including small systems, can be cost effective and in many cases existing power distribution systems can be used to transmit electricity from wind-generating stations to utilities or other uses, or energy consumption at that location can be reduced.
3. Regulation of the siting and installation of wind energy facilities is necessary for the purpose of protecting the health, safety, and welfare of neighboring property owners and the general public.
4. Wind energy facilities represent significant potential aesthetic impacts because of their size, lighting, and shadow flicker effects, if not properly sited.
5. If not properly sited, wind energy facilities may present risks to the property values of adjoining property owners.
6. Wind energy facilities may be significant sources of noise, which, if unregulated, can negatively impact adjoining properties.
7. Without proper planning, construction of wind energy facilities can create traffic problems and damage local roads.
8. If not properly sited, wind energy facilities can interfere with various types of communications.

**Section 2. DEFINITIONS.**

**Facility Owner** shall be the entity or entities having an equity interest in the wind energy facility, including their respective successors and assigns.

**Facility Operator** is the entity responsible for the day-to-day operation and maintenance of the Wind Energy Facility.

**Feeder Line** shall mean any power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind turbines to the point of interconnection with the electric power grid, in the case of interconnection with the high voltage transmission systems the point of interconnection shall be the substation serving the wind energy conversion system.

**Dwelling Unit** shall mean structures which are meant to and capable of being used for human habitation such as a house, apartment, or other place of residence.

**Non-Dwelling Unit** shall mean structures which are not meant to be used for human habitation such as a garage, storage shed, grain bin, animal confinement buildings, etc.

**Rotor Diameter** shall mean the diameter of the circle described by the moving rotor blades.

**Total Height** shall mean the highest point, above ground level, reached by a rotor tip or any other part of the Wind Energy Conversion System.

**Tower Height** shall mean the total height of the Wind Energy Conversion System exclusive of the rotor blades.

**Commercial WECS (C-WECS)** shall mean a wind energy conversion system of equal to or greater than 100 kW in total name plate generating capacity.

**Meteorological Tower** shall mean, for purposes of this regulation, a tower which is erected primarily to measure wind speed and directions plus other data relevant to siting a Wind Energy Conversion System. Meteorological towers to not include towers and equipment used by airports, the Iowa Department of Transportation, or other applications to monitor weather conditions.

**Non-Commercial WECS** shall mean a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of less than 100 kW and which is intended to primarily reduce on-site consumption of utility power.

**Wind Energy Conversion System (WECS)** shall mean an electrical generating facility comprised of one or more wind turbines and accessory facilities, including but not limited to: power lines, transformers, substations, and meteorological towers that operate by converting the kinetic energy of wind into electrical energy. The energy may be used on-site or distributed into the electrical grid.

**Wind Turbine** shall mean any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy through the use of airfoils or similar devices to capture the wind.

**Section 3. "A", AGRICULTURAL DISTRICT; "R-1", SINGLE-FAMILY RESIDENTIAL; "R-2", MULTI-FAMILY RESIDENTIAL; "R-3", MOBILE HOME PARK DISTRICT; "C", COMMERCIAL DISTRICT; "M", MANUFACTURING DISTRICT.**

**PERMITTED USES:**

Non-Commercial WECS, subject to the following standards:

1. Tower Height: Parcels smaller than one (1) acre are not recommended for the placement of WECS and must seek a Conditional Use Permit. For property sizes between one (1) acre and two (2) acres the Total Height shall be limited to eighty (80) feet. For property sizes of two (2) acres or more, there is no limitation on tower height, except as imposed by FAA regulations.
2. Setback: No part of the wind system structure, including guy wire anchors, may extend closer than ten (10) feet to the property boundaries of the installation site.

3. Noise: Non-Commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring inhabited dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe windstorms.
4. Engineer Certification: Applications for Non-Commercial WECS shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the applicable regulations and certified by a licensed professional engineer shall also be submitted. This analysis is frequently supplied by the manufacturer.
5. Compliance with FAA Regulations: Non-Commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
6. Compliance with National Electric Code: Applications for Non-Commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.
7. Utility Notification: No Non-Commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

#### **Section 4. CONDITIONAL USE PERMITS FOR NON-COMMERCIAL WECS AND C-WECS STANDARDS.**

- Non-Commercial WECS may be constructed as a principal or accessory use as outlined in **Table 2**. Non-Commercial WECS that are constructed as an accessory use to a principal permitted use and meet the setback (**see Table 1**), height (**see Section 3.I.1(a)**), and power output requirements (**see definition of Non-Commercial WECS**) of this section, shall not require a Conditional Use Permit approval, and shall only require building permit approval. All Non-Commercial WECS that are constructed as a principal permitted use, or Non-Commercial WECS that do not meet the setback, height, or power output requirements of this section, shall require Conditional Use Permit approval as set forth in **Section 4, General Requirements**.
- C-WECS shall be permitted as a Conditional Use within any district where the use is listed and allowed. (**See Table 2**)
- No C-WECS, or addition of a Wind Turbine to an existing C-WECS, shall be constructed unless a Conditional Use Permit has been issued to the Facility Owner or Facility Operator approving construction of the facility under this ordinance. Permit application of the expansion shall be based on the total rated capacity, including existing facility but excluding like-kind replacements.
- Any physical modification to an existing and permitted WECS that materially alters the size and/or type of Wind Turbines or other equipment shall require a permit modification under this Ordinance. Like-kind replacements shall not require a permit modification.

#### **1. GENERAL REQUIREMENTS**

The requirements of this Ordinance shall apply to all WECS proposed after the effective date of this Ordinance. WECS for which a required permit has been properly issued prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance; provided, that any such pre-existing C-WECS, which does not provide energy for a continuous period of twelve (12) months, shall meet the requirements of this Ordinance prior to recommencing production of energy. Also, no modification or alteration to an

existing WECS shall be allowed without full compliance with this Ordinance. The Hardin County Zoning Director shall be responsible for creating a Conditional Use Permit Application for WECS to ensure substantial compliance with this ordinance.

**General Requirements for C-WECS:**

- a. **Color and Finish.** Wind Turbines shall be painted a non-reflective color. Blades may be black in order to facilitate de-icing. Finishes shall be matte or non-reflective. At C-WECS sites, the design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the C-WECS to the natural setting and existing environment. Exceptions may be made for meteorological towers, where concerns exist relative to aerial spray applicators.
- b. **Tower configuration.** All wind turbines, which are part of a C-WECS, shall be installed with a tubular, monopole type tower. Meteorological towers may be guyed.
- c. **Lighting.** C-WECS sites shall not be artificially lighted, except to the extent required by the FAA or other applicable authority. Lighting, including lighting intensity and frequency of strobe, shall adhere to but not exceed requirements established by Federal Aviation Administration permits and regulations. Red strobe lights are preferred for night-time illumination to reduce impacts on migrating birds. Red pulsating incandescent lights should be avoided. Exceptions may be made for meteorological towers, where concerns exist relative to aerial spray applicators.
- d. **Signage.** All signage on site shall comply with Hardin County Sign Standards. The manufacturer's or owner's company name and/or logo may be placed upon the compartment containing the electrical generator, of the WECS. Wind turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the C-WECS sites.
- e. **Feeder Lines.** All communications and feeder lines, equal to or less than 34.5 kV in capacity, installed as part of a C-WECS shall be buried according to Hardin County Engineer unless set forth in other applicable requirements.
- f. **Waste Disposal.** Solid and hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site in a time period as established by the Hardin County Health Department and disposed of in accordance with all applicable local, state, and federal regulations.
- g. **Minimum Ground Clearance.** The blade tip of any Wind Turbine shall, at its lowest point, have ground clearance of no less than seventy-five (75) feet.
- h. **Signal Interference.** The applicant shall minimize and mitigate any interference with electromagnetic communications, such as radio, telephone or television signals caused by any WECS.
- i. **Federal Aviation Administration.** All C-WECS shall comply with FAA standards and permits.
- j. **Electrical Codes and Standards.** All C-WECS and accessory equipment and facilities shall comply with the National Electrical Code and other applicable standards.
- k. **Safety.**

- I. All wiring between wind turbines and the C-WECS substation shall be underground. If the developer can demonstrate the need for an overhead line and the acceptance of landowners for this line, such option may be approved conditionally by the Board of Adjustment upon recommendation from the County Engineer.
- II. Wind turbines and meteorological towers shall not be climbable up to 15 feet above ground level.
- III. All access doors to wind turbines and meteorological towers and electrical equipment shall be locked when not being serviced.
- IV. Appropriate warning signage shall be placed on Wind Turbine towers, electrical equipment, and C-WECS entrances.
- V. See **tables 1 and 2** for setback requirements. These setbacks and separation requirements shall apply to all wind turbines and meteorological towers; provided that the Board of Adjustment upon request of the land owner and recommendation by the Zoning Commission, after giving notice and opportunity for objection from any entity entitled to notice under the procedures contained below herein, may reduce the standard setbacks and separation requirements if the intent of this Ordinance would be better served thereby.
- VI. For all C-WECS, the manufacturer's engineer or another qualified engineer shall certify that the turbine, foundation and tower design of the C-WECS is within accepted professional standards, given local soil and climate conditions.
- VII. For all guyed towers, visible and reflective objects, such as plastic sleeves, reflectors or tape, shall be placed on the guy wire anchor points and along the outer and innermost guy wires up to a height of eight (8) feet above the ground. Visible fencing shall be installed around anchor points of guy wires. The property owner must sign a notarized acknowledgement and consent form allowing construction of the turbine and guyed wires without fencing as required in this Ordinance to be presented to the Commission and Board of Adjustment.
- VIII. Landowners shall be given notice and opportunity to object to any variance request regardless of any agreement or waiver to the contrary.
  - I. **Noise.** Audible noise due to C-WECS sites operations shall not exceed sixty (60) dBA for any period of time, when measured at any dwelling, school, hospital, church, public library, long-term care facility, and early care and education facility existing on the date of approval of any conditional use permit from the property line. In the event audible noise due to C-WECS operations contains a steady tone, such as a whine, screech, or hum, the standards for audible noise set forth in subparagraph a of this subsection shall be reduced by five (5) dBA. In the event the ambient noise level (exclusive of the development in question) exceeds the applicable standard given above, the applicable standard shall be adjusted so as to equal the ambient noise level. The ambient noise level shall be expressed in terms of the highest whole number sound pressure level in dBA, which is succeeded for more than five (5) minutes per hour. Ambient noise levels shall be measured at the exterior of potentially affected existing residences, schools, hospitals, churches, public libraries, long-term care facility, and early care and education facility. Ambient noise level measurement techniques shall employ all practical means of reducing the effect of wind generated noise at the microphone. Ambient noise level

measurements may be performed when wind velocities at the proposed project site are sufficient to allow wind turbine operation, provided that the wind velocity does not exceed thirty (30) mph at the ambient noise measurement location. In the event the noise levels resulting from the C-WECS exceed the criteria listed above, a waiver to said levels may be granted by the Board of Adjustment upon recommendation by the Commission provided that the following has been accomplished:

Written consent from the affected property owners has been obtained stating that they are aware of the C-WECS and the noise limitations imposed by this Ordinance, and that consent is granted to allow noise levels to exceed the maximum limits otherwise allowed; and

If the applicant wishes the waiver to apply to succeeding owners of the property, a permanent noise impact easement shall be recorded in the Office of the Hardin County Recorder which describes the burdened properties and which advises all subsequent owners of the burdened property that noise levels in excess of those permitted by this Ordinance may exist on or at the burdened property.

- m. The Facility Owner shall designate and provide as part of the application, and shall maintain at the office of the Director, the name and contact information of a local agent (local meaning a person whose residence is in Hardin County, Iowa, or a business with its primary place of business or its registered agent located in Hardin County, Iowa, as listed with the Iowa Secretary of State). The Facility Owner shall authorize the local agent to accept service of legal notice and be served legal notice and can be a first point-of-contact by the public.

## **2. Avoidance and Mitigation of Damages to Public Infrastructure:**

### **a. Roads.**

- a. The applicant shall identify all county, municipal, or township roads to be used for the purpose of transporting C-WECS, substation parts, cement, and/or equipment for construction, operation, maintenance, and decommissioning of the C-WECS and obtain applicable weight and size permits from the impacted jurisdictions prior to construction.
- b. At applicant's cost, the applicant shall conduct a pre-construction survey, in coordination with the appropriate jurisdictions to determine existing road conditions. The survey shall include photographs and a written agreement to document the condition of the public road. The applicant is responsible for ongoing road maintenance and dust control measures identified by the Hardin County Engineer during all phases of construction.
- c. The applicant shall be responsible for restoring or paying damages as agreed to by the applicable road authority sufficient to restore the identified road(s), bridge(s), and associated infrastructure to preconstruction conditions. Financial security in a manner approved by the County Attorney shall be submitted covering 130% of the costs of all required improvements.

- d. A separate road agreement which clearly lays out the rights and obligations of the county and applicant with respect to the construction, maintenance, and use of county roads in connection with development and removal of the C-WECS will be required prior to the start of construction and shall be made a condition to the site plan review and approval of the C-WECS permit.

**b. Drainage.**

- a. The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation, maintenance and decommissioning of the C-WECS. For each C-WECS permit application that includes an area with a public drainage system, the applicant shall provide and maintain a security deposit in the amount of \$50,000.00 to be held in escrow by Hardin County and to be used by Hardin County at its discretion to make repairs during the productive life of the C-WECS.
- b. To complete such repairs, the applicant shall consult with the County Engineer and if recommended by the County Engineer hire appropriate contractor(s) with the approval of the County Engineer, with said costs to be paid from the security deposit.
- c. Regarding an application that is within a drainage district, the applicant must apply for a Wind Turbine Drainage District Utility Permit and include the approved permit with their application for C-WECS.

**3. Discontinuation and Decommissioning**

The Facility Owner shall provide to the Director proof of energy production every three (3) months per Commercial Wind Turbine. A C-WECS shall be considered a discontinued use after twelve (12) months without energy production, unless a plan is developed and submitted to and approved by the Director within that time outlining the steps and schedule for returning the C-WECS to service within six (6) months of approval. All discontinued C-WECS and accessory facilities shall be removed to six (6) feet below ground level or to the level of the bedrock if less than six (6) feet below ground level within twelve (12) months of the discontinuation of use. Each C-WECS shall have a decommissioning plan on file as part of the permit application, outlining the anticipated means and cost of removing C-WECS at the end of their serviceable life or upon becoming a discontinued use. The cost estimates shall be made by a professional engineer licensed in the State of Iowa and approved by the County Engineer. The plan (required under Section 5.2(n) below) shall also expressly agree to provide at the County's request, no more often than annually, the financial resources available to pay for the decommissioning and removal of the C-WECS and accessory facilities which shall include cash reserves, profit/loss statement, assets and liabilities, and signed guarantees from any lender holding an interest in the C-WECS or in any assets pledged as securities by the Facility Owner or assigns. Financial security in a manner approved by the County Attorney shall be submitted covering 130% of the costs of decommissioning. The County reserves the right to verify that adequate decommissioning terms are contained in the landowner easement.

## Section 5. PROCEDURES.

1. A Conditional Use Permit Application must be submitted for each individual applicable Wind Turbine with the applicable fee. This does not prohibit joint proceedings, including notices, public hearings, reviews and approvals as appropriate. The Director is hereby authorized to establish the content and form of the Conditional Use Permit Application consistent with this ordinance.
2. In addition to submittal requirements defined for Conditional Use Permit Applications, all applications for WECS shall include the following information in form and substance approved by the Director:
  - a. The name(s) and address of the project applicant.
  - b. The name of the project owner.
  - c. The legal description of the site where the development is planned.
  - d. A description of the project including number, type, name plate generating capacity, tower height, rotor diameter, and total height of all wind turbines and means of interconnecting with the electrical grid.
  - e. Site layout, including location of property lines, wind turbines, electrical wires, interconnection points with the electrical grid, all related accessory structures, and all areas to be used for staging during construction or for maintenance, including distances and drawn to scale.
  - f. Engineer's certification(s) as required in these supplemental standards.
  - g. Documentation of land ownership or legal control of the property.
  - h. The latitude and longitude of individual wind turbines.
  - i. A USGS topographical map, or map with similar data, of the property and surrounding area, including any other WECS within 10 rotor diameters of the proposed WECS.
  - j. Existing Resources Inventory. This should include assets and liabilities and executory energy contracts.
  - k. An acoustical analysis.
  - l. Approved FAA Permit Application.
  - m. Location of all known communications towers/facilities within two (2) miles of the proposed WECS.
  - n. Decommissioning plan.
  - o. Description of potential impacts on all nearby WECS and other wind resources on adjacent properties.
  - p. Identification of significant migratory patterns and nesting areas for birds within two (2) miles.
  - q. Proof of liability insurance.
  - r. The Facility Owner/Facility Operator shall be responsible for obtaining and submitting to the Director, at the time the Conditional Use Permit Application is made, showing the names and last known addresses of the owners of all property **within 5,280 feet (1 mile)** of the perimeter of the total project development site containing wind energy device(s). Prior to the approval for such Conditional Use Permit, notice shall be given by the Director by ordinary mail to all adjacent property owners and owners of property within 5,280 feet (1 mile) of the proposed site(s) for which the conditional use is requested.
3. The WECS applicant is responsible in notifying the following state or federal agencies of their planned project and allowing said entities 120 days to do a preliminary review. Documentation of notification by certified mail to these agencies, and any reports from the agencies must be provided to the county 30 days prior to the Board of Adjustment first public hearing on the matter. If the

entity does not act within 120 days, the plan may be deemed approved by the entity. It is recommended that any issues be addressed prior to the public hearing.

- Army Corps of Engineers
- Bureau of Land Management
- U.S. Fish and Wildlife
- U.S. Department of Agriculture (Local FSA and NRCS)
- Environmental Protection Administration (EPA)
- Federal Communications Commission (FCC)
- National Weather Service
- Iowa Pipeline Association

4. The WECS applicant is responsible in notifying the following boards, commissions, and bodies of their planned project and allowing said entities 120 days to do a preliminary review. The WECS application must have attached to it written approval or denial from each and every board, commission, and body listed below. An incomplete application will not be considered. A completed application will contain written verification of approval or denial from each and every board, commission, and body listed below. Such approval or denial shall be on a form provided by the Director. No application will be approved without the written approval of all the below-listed boards, commissions, and bodies. In the event of a denial, by a board, commission, or body listed below the applicant and applicable body, commission, or body listed below shall make a good faith effort to resolve the reason for the denial. An aggrieved applicant can then seek relief from the Board of Adjustment.

- Hardin County Conservation Board
- Hardin County E911 Service Board
- Hardin County Emergency Management Commission
- Private and Public Hardin County Drainage District Trustees
- Hardin County Drainage Clerk
- Hardin County and local EMS Fire and Rescue
- Hardin County Engineer's Office
- Hardin County Firemen's Association
- Hardin County EMS Council
- Hardin County Solid Waste Commission
- Hardin County Board of Health
- Iowa River Trail – Hardin Commission
- Pioneer Cemetery Commission
- Iowa Falls Airport
- Eldora Airport
- Ackley Airport
- Radcliffe Airport
- South Fork Watershed Alliance

**Section 6. RECORDING REQUIREMENT**

The applicant shall be responsible for recording with the Hardin County Recorder’s Office, within 60 days of completed construction of each C-WECS structure, documentation sufficient to identify by longitude and latitude and depth of all structures and underground utilities comprising each C-WECS, for deed and abstracting purposes.

**Section 7. FEES.**

The building permit fee and conditional use permit fee per tower shall be set by the Hardin County Board of Supervisors. This fee is due upon submission of application for a WECS project. Please see attached fee schedule.

**Section 8. SEVERABILITY CLAUSE.**

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**Section 9. EFFECTIVE DATE.**

That this ordinance shall be effective immediately upon adoption and publication as provided by law. By enactment, the previous Article XXIII of Ordinance No. 29 (Hardin County Zoning Ordinance) is hereby repealed.

**TABLE 1****Setback Requirements for Non-Commercial WECS, C-WECS, and Meteorological Towers**

	Non-Commercial WECS	Commercial WECS	Meteorological Tower
Property Lines**	2 X Total Height	2 X Total Height	2 X Total Height
Dwelling Units†	Greater of Manufacturer's Recommended Safety Setback Distance or 3 X Total Height	Greater of Manufacturer's Recommended Safety Setback Distance or 3 X Total Height	Greater of Manufacturer's Recommended Safety Setback Distance or 3 X Total Height
Non-Dwelling Units†	2 X Total Height	2 X Total Height	2 X Total Height
Public Right-of-Way**	2 X Total Height	2 X Total Height	2 X Total Height
Communication or Electrical Lines	2 X Total Height	2 X Total Height	2 X Total Height
Cemeteries	2 X Total Height	2 X Total Height	2 X Total Height
Other WECS	NONE	(1.1 X Total Height of Turbine 1) + (1.1 X Total Height of Turbine 2)	NONE

\*Distance may be satisfied in whole or in part through acquisition of an easement from adjacent property owner

\*\*Including above ground utility such as railroad and power lines

† A waiver could be obtained from affected property owners to lower this setback requirement to no less than 1.1 X the Total Height

**TABLE 2****Zoning District Regulations for Use of Non-Commercial WECS, C-WECS, and Meteorological Towers**

	Non-Commercial WECS	Commercial WECS	Meteorological Tower
Agricultural (A)	A	CUP	CUP
Commercial (C)	A	CUP	CUP
Conservation-Greenbelt (G)	X	X	X
Manufacturing (M)	A	CUP	CUP
Mobile Home Park (R-3)	A	X	X
Multi-Family Residential (R-2)	A	X	X
Single-Family Residential (R-1)	A	X	X
Wilderness Preserve (W)	X	X	X

CUP – Requires a Conditional Use Permit, A – Allowed, X – Not allowed



# HARDIN COUNTY

1215 EDGINGTON AVE., SUITE 1  
ELDORA, IA 50627  
(641) 939-8108

## HARDIN COUNTY DRAINAGE DISTRICT UTILITY PERMIT APPLICATION

Applicant:

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

Applicant Contact:

\_\_\_\_\_  
Name (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

Utility Type:

\_\_\_\_\_

Drainage District(s) Crossed:

\_\_\_\_\_

Facilities Crossed (specific tile, open ditch):

\_\_\_\_\_

Description of Work:

\_\_\_\_\_

*(Location plan of  
proposed utility must  
be attached.)*

\_\_\_\_\_

\_\_\_\_\_

Pursuant to Code of Iowa Section 468.186, approval is hereby requested for the right, privilege and authority to construct, operate and maintain utilities on, over, across or beneath established Hardin County Drainage Districts, subject to the attached Requirements for Construction On, Over, Across or Beneath Established Drainage District. Failure to comply with said requirements shall be ground for revocation of the permit by the Hardin County Board of Supervisors.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

Submit Form and Location Plan To:

Hardin County Auditor's Office  
Attn: Drainage Clerk  
1215 Edgington Ave, Suite 1  
Eldora, IA 50627  
Fax (641) 939-8225  
[drainage@hardincountyia.gov](mailto:drainage@hardincountyia.gov)

*For Office Use Only*

Application Approval:

By: \_\_\_\_\_  
*Board of Supervisor Chairman, Acting as Drainage District Trustee*

Date: \_\_\_\_\_

**APPROVED PERMIT #:** \_\_\_\_\_



## REQUIREMENTS FOR CONSTRUCTION ON, OVER, ACROSS OR BENEATH ESTABLISHED DRAINAGE DISTRICT

Upon issuance of a permit for utilities on, over, across or beneath established Hardin County Drainage Districts, the applicant shall be governed by these requirements and shall comply with all conditions contained herein.

1. The Applicant shall furnish the Drainage District, or its representative, plats showing the exact location of the proposed construction. If it is found that such locations are in conflict with the present or proposed facilities and that a more desirable location is possible, the Applicant shall review such possible alignment changes. **No construction is to commence with the drainage facility without an approved application.**
2. Applicant shall comply with Iowa One-Call requirements prior to commencing any work.
3. The Drainage District shall provide Applicant access to maps or other information regarding the location of all known drainage district facilities so that reasonable care may be taken by Applicant to avoid un-necessary damage to said drainage district facilities.
4. The Applicant shall hold the Drainage District harmless from any damage that may result to the Drainage District facility because of the construction or maintenance of the utility, and shall reimburse the Drainage District for any expenditures that the Drainage District may have to make on said Drainage District facilities resulting from Applicant's construction and installation of utilities, or their subsequent repair or modification.
5. The Applicant shall take all reasonable precaution during the construction of said utility to protect and safeguard the lives and property of the public and adjacent property owners and shall hold the Drainage District harmless from any damages or losses that may be sustained by adjacent property owners on account of such construction operations. Further, Applicant agrees to replace, repair or reimburse all damages to private property occasioned by Applicant's installation of subsequent modification or repairs.
6. The Drainage District assumes no responsibility for damages to the Applicants property occasioned by any construction or maintenance operation of said Drainage District facilities, subsequent to Applicants installation.
7. A copy of a certificate of insurance naming the County/Drainage District as additional insured for their permit work shall be provided to the County Auditor prior to installation. The limit of liability under the insurance policy shall not be less than \$1,000,000 per occurrence.
8. The Applicant agrees to give the Drainage District twenty-four (24) hours (Saturday and Sunday excluded) notice of its intention to commence construction on any lands within the jurisdiction of the Drainage District. Said notice shall be made in writing to the County Auditor or to the designated Drainage District representative.
9. The Applicant agrees to place permanent, visible markers or monuments at locations where utility crosses Drainage District facilities. These monuments or markers shall identify the owners name, address and phone number.
10. The Drainage District Trustees may appoint a representative to inspect and approve all construction across Drainage District facilities as part of this permit. All compensation, wages, mileage and other expenses for this representative will be paid by the Applicant. It will be the responsibility of the Applicant to make all contacts with private parties (adjacent owners/operators) to determine the location of private drainage facilities. Said representative will also inspect all crossing of Drainage District facilities and may, if required, observe the crossing of private drainage facilities, and shall have the authority to require the Applicant to excavate and expose the crossing of any Drainage District facility where the representative believes it prudent to visually examine Applicants crossing of the Drainage District facility. Further, said representative has the authority to suspend construction and installation by the Applicant within any Drainage District jurisdiction by verbal order to the contractor at the site and a telephone call to Applicants contact person listed on page 1 within six (6) hours of the verbal order.



11. The construction and maintenance of Applicants installation shall be carried on in such a manner as to not interfere with or interrupt the function of said Drainage District facilities without the express written consent of the Drainage District Representative. In the event it becomes necessary to temporarily stop the flow of water, the following shall be completed by the Applicant:
  - a. If the crossing involves a tile line, the replacement of tile with approved materials, in the manner approved by the Drainage Districts designated representative, shall be performed as rapidly as possible. If the approved method of repair is impossible and the volume of water flowing in the tile is sufficient to create the possibility of crop loss or property damage, the Contractor will be permitted to temporarily block the tile line to prevent the flow of this tile water into the pipeline, or tile line ditch. In the event this tile line is so temporarily blocked, the Contractor will be expected to provide sufficient pumping equipment to pump the impounded tile water across the construction ditch to the undisturbed tile line. Such temporary blockages of said Drainage District tile lines will be removed as rapidly as possible and any tile repairs caused by this blockage will be immediately repaired at the Applicants expense.
  - b. If the crossing involves an open ditch that is carrying sufficient flow of water to make it necessary to place a temporary dam across said open ditch, such temporary dams may be constructed only upon approval from the Drainage District designated representative. The maximum elevation of this impounded water shall be determined by the designated Drainage District representative and all excess water must be allowed to flow across the construction ditch through either a closed metal culvert pipe or by pumping. All temporary dam structures are to be removed as soon as the crossing is completed. The construction and removal of these dams shall be in such a manner that the smooth and efficient function of the drainage ditch is not impaired, with all costs and damages borne by Applicant.
12. The Applicant will at any time subsequent to the commencement of construction, and at Applicants sole expense, reconstruct or replace its installation as may be necessary to conform to new grade or alignments resulting from maintenance or construction operations by the Drainage District in connection with any of its drainage facilities. Applicant agrees to do this within forty-five (45) days of receipt of written request from the Drainage District, or such longer time period as the Drainage District may specify, without cost to the Drainage District. Such reconstruction or realignment of Applicants improvements shall be made in accordance with and approved by the Drainage District or its designated representative. If the Applicant is unable to comply within the time period specified above, the Drainage District may cause the work to be done and the Applicant will pay the cost thereof upon receipt of a statement of such costs.
13. **CROSSING OF OPEN DITCH FACILITIES.** Utility crossings shall be constructed as follows, as directed by the designated representative of the Drainage District:
  - a. Passage of installation in a horizontal plane five feet (5') below design grade of drainage ditch, as established by the Drainage District representative.
  - b. The above depth to extend to a point two (2) times the design base width of ditch either side of centerline of drainage ditch (measured along the centerline of utility) unless the existing base width is greater than the design bases width. If the existing base width is greater than the design with, the depth is to extend to a point two (2) times the existing width.
  - c. The rate of slope for transition from normal utility laying depth of crossings of drainage ditches shall not be steeper than 4:1.
  - d. If such ditch crossings occur at points of outlets of Drainage District or private tile lines or within twenty-five feet (25') of said outlets, such outlets must be relocated to a point not less than twenty-five feet (25') from such crossings. Such relocations shall be at the expense of the Applicant and as directed by the representative of the Drainage District.



14. CROSSING OF DRAINAGE DISTRICT TILE LINES. Utility crossings shall be constructed as follows, as directed by the designated representative of the Drainage District:
- a. All proposed installations must be placed under the existing Drainage District tile lines. These requirements may be waived only upon the review by and approval of the designated representative of the Drainage District. Such waiver must be in writing.
  - b. A minimum of one foot (1') clearance below existing Drainage District facilities must be maintained.
  - c. At all crossings of Drainage District tile lines with the proposed utility, one of the following must be used:
    - i. Replace Drainage District tile with reinforced concrete pipe of same or larger diameter than existing tile. Concrete pipe to be 2,000 D strength (Iowa Department of Transportation approved) with standard tongue and groove joints. Pipe to have a minimum of three (3) bolt-type connectors at each joint.
    - ii. Replace Drainage District tile with cathodic protected corrugated metal pipe. Diameter of corrugated metal pipe to be a minimum of two inches (2") larger than outside diameter of tile line being replaced. (Specifications regarding gage, cathodic protection and other details to be subject to review and approval.)
    - iii. Dual wall plastic with specific approval of Drainage District representative.
    - iv. Bore new utility installation; maintain existing tile in an undisturbed state.
  - d. The length of tile to be replaced by any of the above alternates is as follows:
    - i. Eight-inch (8") tile and smaller: Six feet (6') either side of centerline of proposed installation, measured at right angles to the centerline of installation.
    - ii. Ten inch (10") tile and larger: Ten feet (10') either side of centerline of proposed installation, measured at right angles to the centerline of installation.
  - e. At all crossings of Drainage District tile lines where the Drainage District and private tile lines are damaged by the construction, maintenance or repair of Applicants installation shall be repaired as directed by the Drainage Districts designated representative.
15. This permit is subject to existing regulations and statutes of the State of Iowa and future regulations, which may be promulgated or enacted.
16. This application is subject to revocation by Hardin County, if in its judgment it is necessary for legitimate purposes. In such event, written notice shall be provided to permit holder.
17. Applicant agrees to pay all other legitimate costs, fees and expenses associated with its crossing of the Drainage District facility, including but not limited to, publication costs, engineering costs and legal service costs. Said costs will be paid within thirty (30) days of the mailing of the statements to the Applicant.
18. Applicant agrees to provide a copy of as-built plan of the utility route and location, showing route changes that may have taken place during construction.
19. Applicant agrees to include a copy of these requirements to all bidding specifications; or if the construction and installation contract has been let by the time this permit is approved, Applicant agrees to provide a copy of these requirements to the contractor and to advise them that they are bound by the terms of these requirements.

**HONEY CREEK LAND IMPROVEMENT, LLC**  
**29824 Hwy D65**  
**Union, IA 50258**  
**918-418-0506**  
**razorback1977@hotmail.com**

# INVOICE

Date: 5/21/20

Bill To:  
 Hardin County Drainage  
 1215 Edgington Ave  
 Courthouse – Eldora, IA 50627

## RESEEDING QUOTE

Date	Description	Hours/ Quantity	Rate	Amount
	SEED \$140 PER ACRE			
	DRILL \$150 PER HR			
	LABOR \$50 PER HR			
	GROUND PREPARATION \$75			
	TIME IT WILL TAKE IS ROUGHLY 45 MINUTES			
	AREA WILL BE ROUGHLY 35 ACRES			
		3.5 ACRES	\$140	\$490
		45 MINS	\$200	\$150
	THIS ESTIMATE IS FOR ROUND UP READY ALFALFA			
	<b>TOTAL</b>			<b>\$715</b>

**Make all checks payable to Honey Creek Land Improvement, LLC**

***Thank you for your business!***

***Honey Creek Land Improvement, LLC***

***29824 Hwy D65 Union, IA 50258 Phone: 918-418-0506***

***email: razorback1977@hotmail.com***

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 # 2020-4 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, IA 50122

Phone 641-485-3396

Email Address  
traceybelow@gmail.com

Landowner (if different) Shaun Piel – 9768 Magnolia Blossom Drive Tampa, FL 33626

Claim Type:  Crop Damage

Crop Year Fall 2019-Spring 2020 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: \_\_\_\_\_

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

Monetary Payment

Repair of Damages

**Tracey Below Requests payment be made to landlord Shaun Piel. Payment to be based off contractor estimate of reseeding 3.5 acres of alfalfa. Honey Creek Land Improvement has provided a quote for reseeding in the amount of \$715.00.**

Claimant Signature \_\_\_\_\_ Date \_\_\_\_\_

## For Office Use Only

Unit Value \$ \_\_\_\_\_/bushel Unit Value \$ \_\_\_\_\_/bushel

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

Total Amount Approved \$ 715.00

Approved Signature \_\_\_\_\_ Date \_\_\_\_\_





AUDIT 293470

**CONSENT LETTER**

June 10, 2019  
Folder: 03141-19

**FILED**  
JUN 14 2019  
HARDIN COUNTY AUDITOR

Tina Schlemme  
*Deputy Auditor / Payroll*  
**Hardin County Board of Supervisors**  
1215 Edgington Avenue, Suite 1  
Eldora, Iowa 50627

Ms. Schlemme:

Please refer to Hardin County Board Of Supervisors, (hereinafter the "Utility") application for a maintenance on a drainage tile at Mile Post 128.84, on the Mason City Subdivision, at or near Radcliff, Hardin County, Iowa requesting approval from Union Pacific Railroad Company (hereinafter the "Railroad Company) to inspect, root clean, and jet the existing lateral tile. Attached hereto is a Railroad Location Print marked **EXHIBIT A**, each attached hereto and hereby made a part hereof, which illustrate the location and specifications of the subject project.

This letter will serve as notification that the Railroad Company approves of your above stated intentions.

It is understood and acknowledged that the Utility shall reimburse the Railroad Company for all expenses incurred by the Railroad Company for employment of flagmen, inspectors and other employees required to protect the right of way and property of the Railroad Company from damage arising out of and/or from the work on the utility line. The Utility shall reimburse the Railroad Company for such expenses within thirty (30) days after presentation of bill for such expenses.

**This consent for work will expire one (1) year from the date hereof. If the work is not completed by the date herein you must contact the Railroad Company and request an extension of this Consent Letter.**

If a contractor is to do any of the work performed on or about the Railroad Company's property, then Utility shall require its contractor to execute the Railroad Company's form Contractor's Right of Entry Agreement, **EXHIBIT B**. Utility acknowledges receipt of a copy of Contractor's Right of Entry Agreement and understanding its term, provisions and requirements, and will inform its contractor of the need to execute the Agreement. Under no circumstances will Utility's contractor be allowed on or about the Railroad Company's property without first executing the Contractor's Right of Entry Agreement.

In order to protect the operations of the Railroad Company as well as for safety reasons, it is imperative that the Utility notify our field representatives at the following offices:

<p><b>Railpros Flagging</b> <a href="mailto:up.info@railpros.com">up.info@railpros.com</a> (877) 315-0513 x 116</p>	<p><b>Zachery L. Chaney</b> MGR I SIGNAL MNTCE Phone: 402-690-8287 <a href="mailto:zlchaney@up.com">zlchaney@up.com</a></p>
---	---

no less than ten (10) days in advance of any construction on, along, or across the Railroad Company's right of way and/or tracks.

The Railroad Company has authorized the installation of fiber optics cable facilities on its property in certain areas. Prior to using the Railroad Company's property covered herein, you must contact the Railroad Company at **1-800-336-9193** to determine if a fiber optic cable is buried on the subject property. When you or your representative enters the Railroad Company's property, a copy of this letter must be available at the site to be shown on request to any Railroad Company employee or official.

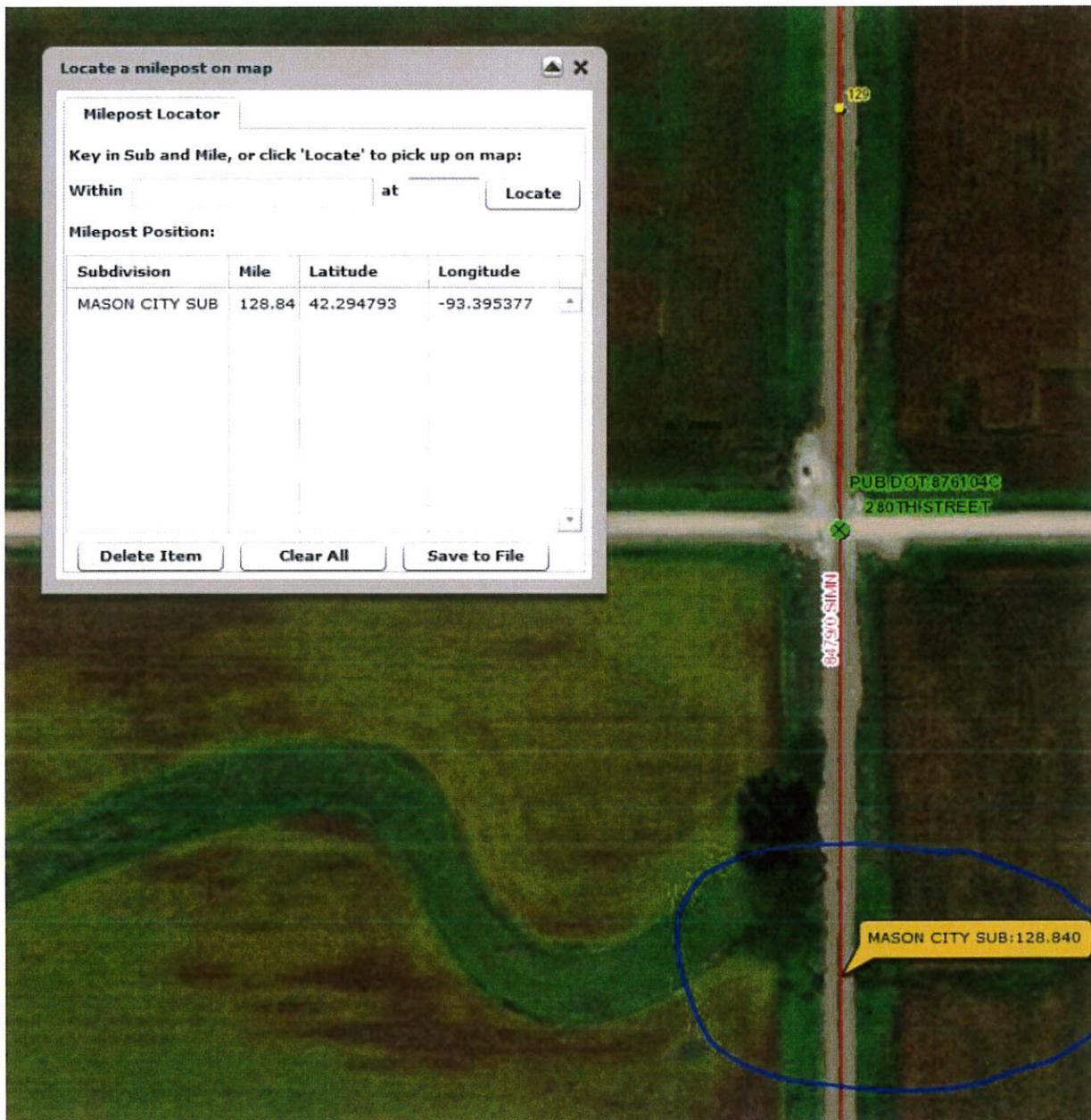
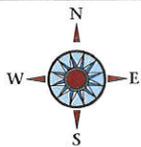
If you have any questions or concerns pertaining to this permit, feel free to contact Norma Reynolds at (402) 544-8571 or [njreynolds@up.com](mailto:njreynolds@up.com).

Sincerely,



Norma J. Reynolds  
*Mgr II Real Estate Contracts*

# RAILROAD LOCATION PRINT



Locate a milepost on map

Milepost Locator

Key in Sub and Mile, or click 'Locate' to pick up on map:

Within \_\_\_\_\_ at \_\_\_\_\_

Milepost Position:

Subdivision	Mile	Latitude	Longitude
MASON CITY SUB	128.84	42.294793	-93.395377

## EXHIBIT "A"

### UNION PACIFIC RAILROAD COMPANY

MASON CITY SUBDIVISION  
RAILROAD MILE POST 128.840  
RADCLIFFE, HARDIN COUNTY, IOWA

Folder No. 3141-19

Date: June 10, 2019

#### WARNING

IN ALL OCCASIONS, U.P. COMMUNICATIONS DEPARTMENT MUST BE CONTACTED IN ADVANCE OF ANY WORK TO DETERMINE EXISTENCE AND LOCATION OF FIBER OPTIC CABLE.  
PHONE: 1-(800) 336-9193