

AGENDA
REGULAR DRAINAGE MEETING
Tuesday, November 10, 2020 9:30 AM
Large Conference Room

Due to Covid-19 health concerns, this meeting is 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 meeting by following the instructions below:

To access the meeting call: 1-(312)-626-6799, when prompted enter meeting ID code: 820 7567 2007

You can also access the meeting online at:

<https://us02web.zoom.us/j/82075672007>

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

Documents:

[10_28_20 - DRAINAGE MINUTES.PDF](#)

4. Approve Claims For Payment

Documents:

[PAYABLES-DRAINAGE PUBLICATION 11_13_20.PDF](#)

5. Discuss W Possible Action - Drainage Utility Permit Process
The Trustees have invited Drainage Utility Permit holders to the meeting to discuss issues with existing permits and how to create a path forward with new permits.

Documents:

[2018-11 CENTURYLINK UTILITY PERMIT.PDF](#)
[2018-11 CENTURY LINK UTILITY PERMIT APPLICATION.PDF](#)
[2018-11 CENTURYLINK UTILITY PERMIT PLANS.PDF](#)
[2018-11 CENTURY LINK MAP 10_27_2020.PDF](#)

6. Discuss W Possible Action - Drainage Utility Permit Process / Language

Documents:

[UTILITY PERMIT APPLICATION ACROSS DRAINAGE DISTRICT - LEGALS DRAFT 10-28-2020.PDF](#)

7. DD 38 WO 231 - Discuss W Possible Action - Update

Documents:

[DD 38 WO 231.PDF](#)
[DD 38 WO 231 WORK ORDER DETAIL 10_29_20.PDF](#)

8. DD 136 - Discuss W Possible Action - Drainage Utility Permit Application #2020-16 - Heart Of Iowa
DD 136 - Heart of Iowa - Bore in fiber optics in town of Cleves.

Documents:

[2020-16 HEART OF IOWA DRAINAGE UTILITY PERMIT APPLICATION
11_06_2020.PDF](#)
[2020-16 HEART OF IOWA DRAINAGE UTILITY PERMIT PLANS
11_06_2020.PDF](#)
[2020-16 HEART OF IOWA DRAINAGE UTILITY PERMIT MAP 11_06_20.PDF](#)

9. Other Business
10. Adjourn Meeting

REGULAR DRAINAGE MEETING
Wednesday, October 28, 2020 9:30 AM
This meeting was held electronically due to Covid-19 concerns.

10/28/2020 - Minutes

1. Open Meeting

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

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 of Drainage Meetings dated 9-30-2020, 10-14-2020 and 10-21-2020. Second by Granzow. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve to approve claims for payment with date of Friday, October 30, 2020. Second by Granzow. All ayes. Motion carried.

DD 14 WO 291 - Load of BI Dirt/Clay, Labor/ Equip	Honey Creek Land Improvement, LLC	\$ 1,720.00
DD 55-3 WO 201 - Equip/Labor/Jetting- RR Xing	Honey Creek Land Improvement, LLC	\$13,883.00

5. DD 26 Lat 4 - WO 28 - Discuss W Possible Action - Revisit Repair Summary

Smith stated there was a reminder on the Drainage Calendar to review this repair summary, this was the district that had a lawsuit and had funds returned to them, we have a calendar reminder set every October to look at this again. Smith stated we have not had any recent landowner input on this one, and Smith has not received any specific complaints or concerns, we have only had the one original work order and work order 82, which is now closed. Smith wanted to make sure it was brought before the Trustees for review as the district does have a positive balance of \$438,985, and to make sure we are doing our due diligence and reviewing this. Granzow asked what the original work was on this project. Smith asked Gallentine to address the original scope of work as that was before Smith's time as Clerk. Gallentine stated this balance was from funds returned to the district in the lawsuit, originally the landowners were keen to do a replacement but they wanted to see how the DD 22 project went, Gallentine stated he does not know if the Trustees would like to pursue a landowners meeting.

Granzow stated he would like to look at a landowners meeting for sometime in December possibly. McClellan stated that we would be getting into budgets and appointments into Boards and Commissions in December and asked if the Trustees thought there would be time to hold a landowners meeting. Granzow stated he thought we would have time, but it could be a moot point for the meeting or it could be the landowners opt for a project, either way we should try to get something put together, we targeted October for a reason but does not recall why, we do have that balance there, let's see what the landowners want if anything. Smith stated looking back at the minutes of April 2019, Paul Peterson requested the project be put on hold and not do a report until landowner's request, and that was the last notation Smith has in the minutes of talking about this, and a calendar reminder was set. If Smith goes back in the minutes to August 2018, a year prior to Peterson's comments, minutes stated that the tile was flowing and working at that point so a project could be placed on hold and not do a project until landowners request. Smith stated we have not received a landowners request, Smith just wanted to make sure the Trustees would have the opportunity to review it if that is what the Trustees would like to do. McClellan stated if there was a way we could send out a letter with a returnable postcard giving landowners some options. Hoffman stated, or a postcard that states call if you have concerns or issues. Hoffman hates to pay for a mailing out and a mailing, back, it would be easier to say if you have a problem, contact the Drainage Clerk. Hoffman stated that mailing can go out after the Election. Granzow stated a simple reminder of a postcard stating we have not had any complaints on this, we would assume everything is working fine, if you feel otherwise, just contact the Clerk. Smith stated she can put in the postcard that we have done an annual review of the repair summary, and previous minutes, if you have interest in any projects or concerns about how things are working, let the Drainage Clerk know. Granzow stated the postcard should reflect this will be the last reminder from the County sends out on this, it is on the landowners from this point.

Motion by McClellan to approve the mailing of a postcard to the landowners of Drainage District 26 Lateral 4 regarding Work Order 28 Repair Summary. Second by Granzow. All ayes. Motion carried.

6. Discuss W Possible Action - Drainage Utility Permit # 2018-11

Smith stated this was a Drainage Utility permit issued to Century Link, and Century Link did not respond to any of Smith's previous letters, and did not attend our meeting with utility providers on September 30, 2020, Smith had a note on the September 30th minutes to come back and revisit this in case the Trustees would like any additional action. Smith did send a cease and desist letter to Century Link and has not yet received a response. Smith stated she was not sure how long it would take that letter to filter through Century Link's system. Hoffman asked if this letter was sent Certified Mail, Smith stated she did not send this one via Certified Mail, it was sent First Class to the address Century Link provided on their original application, Smith does have an email address for the applicant, but has been told by one of the contractor's that Sean Hostetter isn't there any more, Smith could try that email address and see if we get a response. Hoffman stated just to cover yourself, and the Trustees, he would send them something, if you don't hear anything in another week, then send them something via Certified Mail. Hoffman asked what the other Trustees think. Granzow stated yes, McClellan stated that sounded good to her. Granzow stated we could put that on the next Drainage Agenda if need be. Hoffman instructed Smith to send the letter.

7. Other Business

DD 9 - Gehrke is laying pipe, up near Tom Roberts place, he does not know the exact amount of the footage, but there may be 1/4 to 1/3 of the pipe laid in the ground. Hoffman asked if the soil types were still good for our spoon installation. Gallentine stated yes so far the soil types look good.

Drainage Utility Permits #2019-5 and #2018-12 - Gallentine stated that the utility had applied for these two permits but after all the dust settled they really did not cross a district facility. CGA has a small amount of work in progress on the books for these two permits. Gallentine stated he was not sure who the Trustees would like these billed to, if the Trustees wanted them to go to the utility even though they didn't cross district facilities or if they should come to the Trustees. Gallentine asked for clarification on where these invoices should go. McClellan stated this is why we need a Drainage Utility Application fee, this could be paid out of an application fee that was collected. Smith stated she has emailed Mike Richards on that as well, and he will get back to us with a draft on the language, and he will get back to us with his availability for a Drainage Utility Permit / CWEC meeting in possible late November or early December. McClellan asked for Granzow's thoughts on the invoices. Granzow asked Gallentine to repeat the information. Gallentine stated there are two permits that these utilities applied for but they didn't end up crossing district facilities, so CGA has some time corresponding with the utilities getting the project set up, to find out the utilities really didn't cross the district facilities and they verified it, there was a couple hundred dollars of work on each invoice, and Gallentine just wanted clarity on who to invoice the work to, the utility or the district. McClellan stated her thought was the invoice would probably have to come here and then come out of the district's funds. Granzow stated he would have Gallentine bring those invoices back to the Trustees. Gallentine will forward those invoices to the Drainage Clerk and the Trustees can review them. Smith asked if the Trustees want those invoices paid with the next batch of claims, or would the Trustees like the two invoices on the agenda as a separate item for discussion. Granzow stated that it should be brought back as a separate agenda item.

DD 143 - Granzow stated Calvin Hiland had shared a concern with him about a pond being built in Radcliffe, Granzow went and looked at it and does not know if it affects our drainage district or not, but it is inside city limits. Granzow stated we as a county do not authorize that, it would be a city issue, but the question is how is that going to affect the drainage if that is going in right next to a drainage district, are they utilizing the water from our district to fill that pond, Granzow does not know. Granzow has that concern and also the concern of trees being cut down on Ionia St and that no trees have been cut and there is no progress showing on the tree removal, Granzow is not sure if trees have or have not been cut. Granzow stated there had been talk about putting a sleeve in the tile when the trees are cut, these are the concerns that Hiland presented to Granzow. McClellan stated that this had been presented to her as well, she had notes on this from a previous conversation with Hiland as well, he had spoken with her about these concerns as well. Hoffman stated Hiland had spoken with him as well over these concerns, Hoffman stated he was glad that Granzow went out to look at it, Hoffman looked at it as well, and would prefer to send CGA out to look at that and see if any district facilities are impacted. Granzow stated that would be the best way to verify all that. Gallentine asked where the pond was located at, Pearce shared the Beacon view of the location with the district tile referenced, the pond lies south of the end of Elizabeth St. in Radcliffe, Mayor Roll stated it was just north of the tractor pull if you know where that is. Gallentine stated he knows where it is at. Roll stated the owner is on their City Council, and she came to City Council to ask what she needed to do first for the pond, Roll stated City Council recommended the landowner talk with the DNR first, and she did. Roll stated someone had asked the landowner where she was getting the water from, Roll could not recall what she said, but was pretty sure the landowner was going to fill it up themselves. Hoffman shared a photo of the pond under construction. Gallentine stated we can go out there look at it and verify where it is in relation to the tile. Roll stated the landowner will have no problem talking to CGA. Smith stated if you look at the aerial view from Beacon, that Pearce will share on the screen, you can see where the tile runs just east of the pond, the blue line represents

district tile. Hoffman asked what are the regulations on this, can the landowner tap into that to fill their pond, what are the regulations on something like that. Gallentine will have to check the regulations, most people don't want to take water out of the tile, they want to put water into the tile, so that is a unique case. McClellan stated the landowner would have had to notify us, and would think she would have if they wanted to mess with a drainage tile. Gallentine asked if Roll knew what the intent of the pond was, was it just for recreation. Roll stated yes, it was recreation and something nice to look at. Gallentine asked if it would be stocked with fish similar to Thompson's pond. Hoffman stated when he spoke with Hiland, he made a complaint about this pond, Hoffman thought it was Thompson's pond that Hiland was referencing, we don't want to send mixed signals. Gallentine stated CGA would gladly go look at it and report back to the Trustees. Granzow asked Gallentine to give him the elevations of the pond as well, one of the things he commented to Hiland was it could work as a relief to the district if the City is backing up a little bit, the pond would be a relief to the upper ground, Gallentine stated depending on the elevations that is a possibility.

Granzow did discuss the trees with Hiland, Hiland's concern about the trees was that he wants the liner put in the tile which was quoted at \$400,000, Granzow did not remember, but Hiland's comment was if you procrastinate costs would just keep going up higher. Granzow did not recall why we kiboshed the liner, as Granzow thought we we had kiboshed the liner and were going to go with a concrete tile. Gallentine stated there is two sides to that, the cost may go up but if the City gets some trees to come down, the length of the liner may go down. McClellan asked how long does it take for those roots to die. Gallentine stated it depends on the type of tree, usually within a couple of years they should be decomposing and breaking up, they will die as soon as you kill the tree. McClellan stated Hiland wants it done soon. Granzow stated Hiland's concerns were that with a drought year like this, those roots always go for water, and the roots would have been expanding more in that tile. Hoffman stated he can't disagree with the science, McClellan concurred. Roll stated we have one landowner that complains out of a whole district of people so take it as you will. Hoffman stated he explained this to Hiland, and as Hiland explained it to Hoffman, the classification for someone across the street, may be a couple of hundred dollars now, compared to the golf course project which set someone back a hundred, yes it will cost more, and then Hiland explained it was going to cost him a lot more, and so would Handsakers, but maybe if people were aware the lining would be done, and people could budget for that and any assessments over \$1,000 could be paid over time. Smith stated that could be put on a 10 year waiver. Hoffman stated not that anyone wants to be put out on a 10 year waiver for anything, whether it is a dentist bill or a drainage project, but it is an option, and Hoffman agreed with Hiland to a point in that if you know it is coming you can start putting a ten dollar bill away every pay check. McClellan stated that Hiland had explained all of that to her as well.

Hoffman stated he would like to see some progress, Roll stated we have identified the trees that need to go, Gallentine provided Roll with a list. Hoffman asked when will the first tree be removed. Roll stated he did not know, he and city manager Chuck Raska had not set a time yet, Hoffman stated he would like to show that we are making some progress on this. Roll stated the derecho took out some of the trees. Hoffman stated we had joked badly in the past that one good windstorm would take care of the trees and we could get FEMA to come in and pay for it, but no such luck, but if we could show some progress that would help the situation. Mayor Roll stated we get our tree guy to come in once a year. Gallentine suggested if you have trees go down due to the derecho or you take some trees down, Gallentine recommended just sending the Drainage Clerk a note so that she can inform the Trustees and it can be noted in the minutes and that shows progress. Hoffman stated that way we can document it in the Drainage Minutes and keep a running total, and have your Council acknowledge it and send those minutes to the Drainage Clerk.

No other business.

8. Adjourn Meeting

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



Hardin County

Drainage Claims with Pay Date of 11/13/2020

Description	Vendor	Amount
Eng Svcs After 9/26/20 to 10/24/2020	Clapsaddle-Garber Assoc	381.60
Eng Svcs After 9/25/20 - 10/30/20	Clapsaddle-Garber Assoc	9,863.80
Eng Svcs After 8/28/20 - 10/30/20	Clapsaddle-Garber Assoc	408.60
Eng Svcs After 9/25/20 - 10/30/20	Clapsaddle-Garber Assoc	1,988.30
Eng Svcs 9/25/20 to 10/30/20	Clapsaddle-Garber Assoc	2,199.80
Eng Svcs to 10/30/20 Sinkhole Investigation	Clapsaddle-Garber Assoc	1,066.15
Eng Svcs After 8/28/20 - 10/30/20	Clapsaddle-Garber Assoc	389.80

Total Regular Payables: 381.60
Total Stamped Warrants: 15,916.45



HARDIN COUNTY

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

HARDIN COUNTY DRAINAGE DISTRICT UTILITY PERMIT APPLICATION

Applicant: Centurylink
Company Name

210 S 3rd St
Address

Ames Iowa 50010
City State Zip

Applicant Contact: Sean Hostetter (515) 322-0135
Name Phone

sean.hostetter@centurylink.com
Email

Utility Type: Communications

Drainage District(s) Crossed: D.D. # 3

Facilities Crossed (specific tile, open ditch): Lat 1, Lat 2, Main + Open ditch

Description of Work: Placing fiber optic cable in Row of 170th St
from O Ave to N Ave in the north Row
170th St
(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.

Nick Kulkin
Applicant Signature

10/18/18
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

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.



Drainage Utility Permit Application

Hardin County

Applicant: Sean Hostetter
Contact Email: sean.hostetter@centurylink.com
Contact Phone: (515) 322-0135
Utility Type: Communications
Drainage District: Drainage Districts \DD 3 (Trustee 51003)\DD 103 (Trustee 51003)

Description of Work: Century Link - Placing fiber optic cable in the north ROW of 170th St from O Ave to N Ave.

Century Link
210 S 3rd St
Ames, IA 50010

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 Districts. Failure to comply with said requirements shall be ground for revocation of the permit by the Hardin County Board of Supervisors.

Applicant Signature

Date

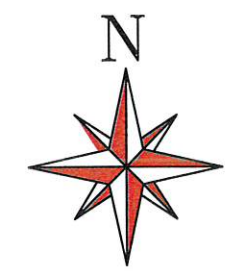
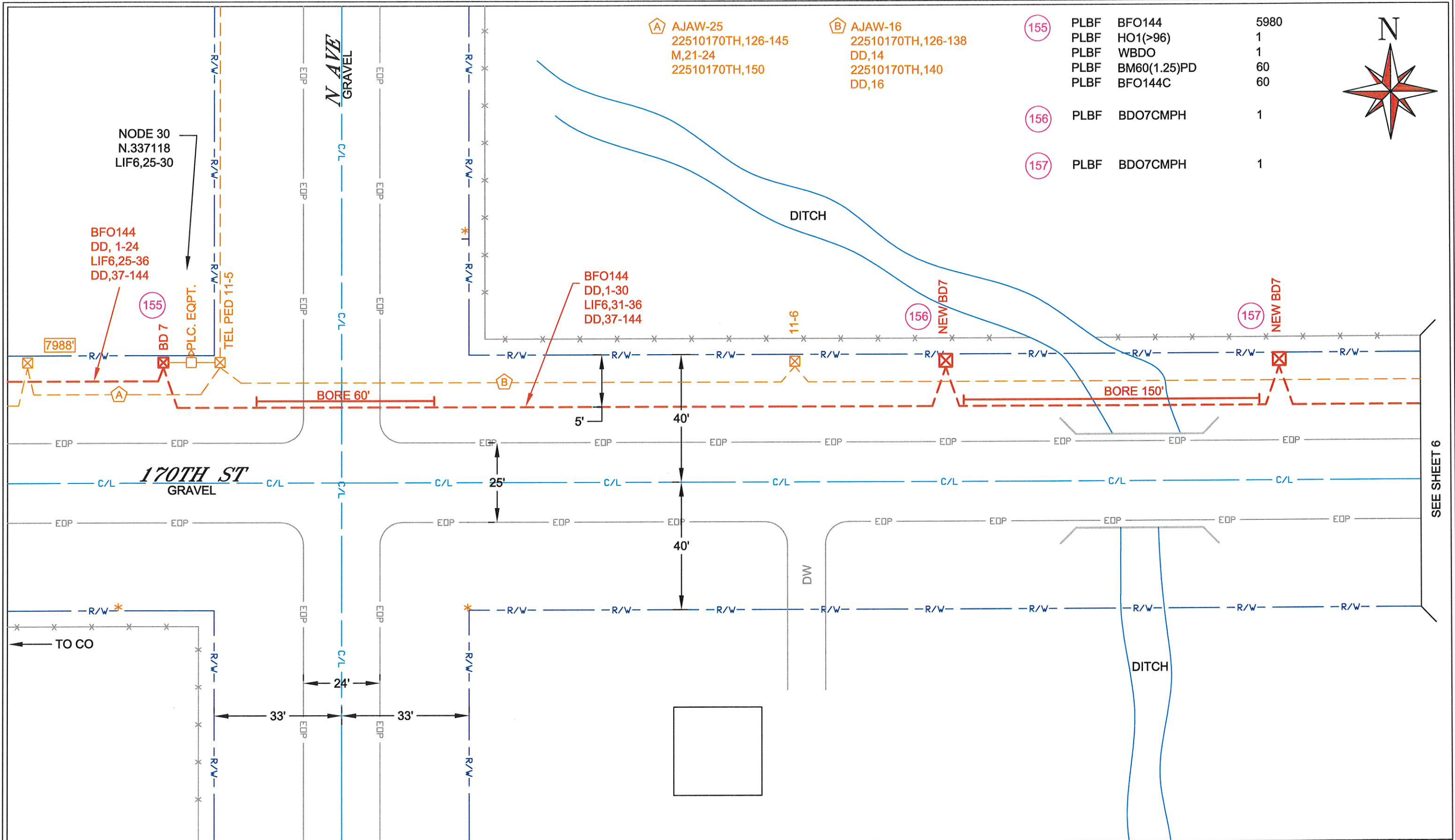
Submit Form and Location Plan To: Hardin County Auditor's Office
Attn: Drainage Clerk
1215 Edgington Ave, Suite 1
Eldora, IA 50627
Phone (641) 939-8111
Fax (641) 939-8245
drainage@hardincountyia.gov


For Office Use Only

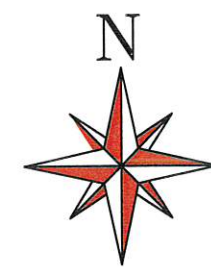
Application Approval:

By: _____ **Date:** _____
Board of Supervisor Chairman, Acting as Drainage District Trustee

APPROVED PERMIT #: 2018-11

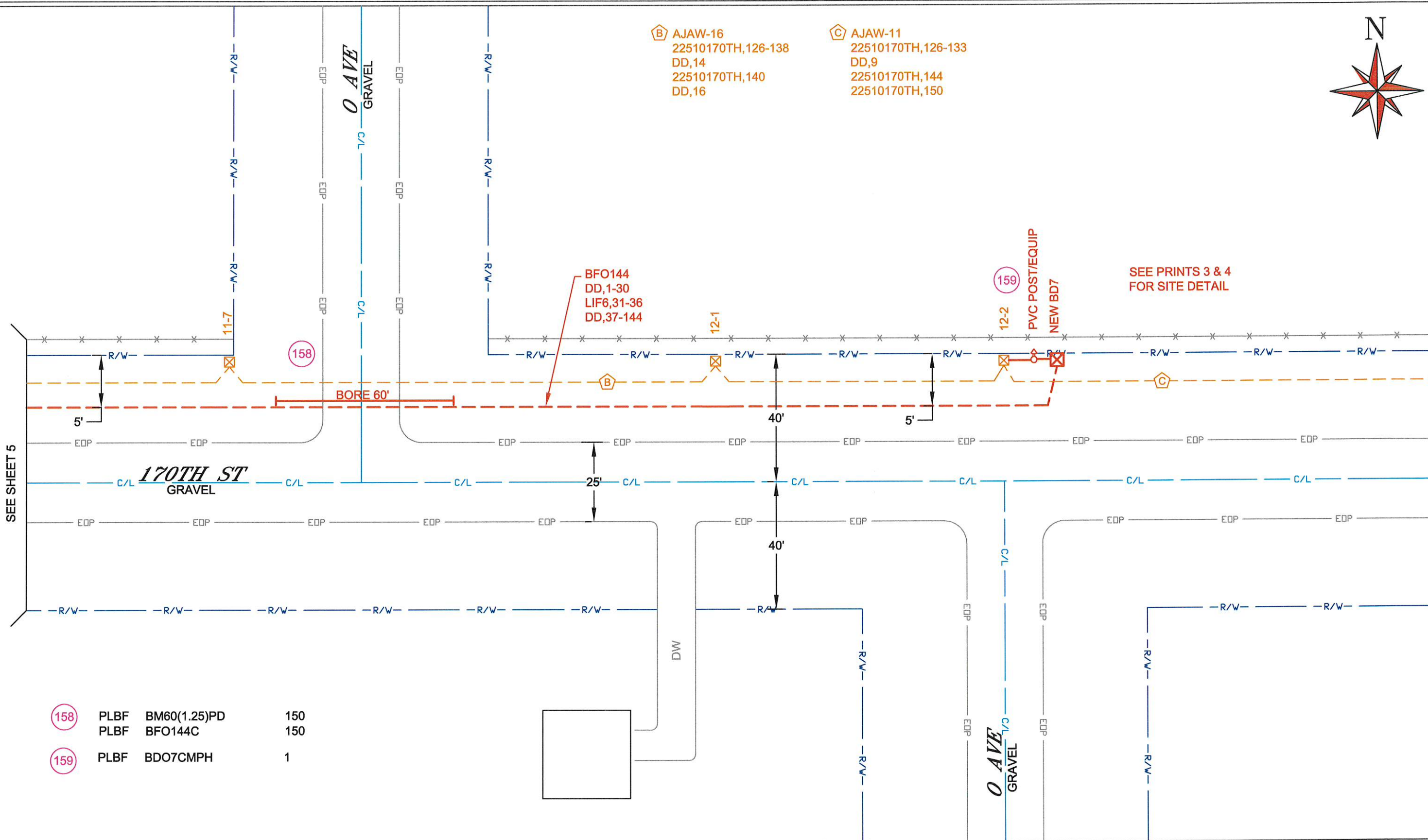


Project Description: IA - IWFL - PL - IWDLIACO-2018 FTTM CAF2		Engineering Contact	Name: SEAN HOSTETTER Phone Number: 515-263-7224	 CONFIDENTIAL - Disclose and Distribute Solely to CTL Employees Having a Need to Know
Project# N.244527	WC CLLI: IWFLIACO	Contract Engineer	Name: Company: KILLION COMMUNICATIONS (800) 301-6672	
Community Name: IOWA FALLS, IA		Construction Coordinator	Name: MATT PORTER Phone Number: 319-291-9899	Sheet 92 of 93
Exchange Key:	Remote Switch Exchange Key:	Print Date: 10/16/2018		



B AJAW-16
 22510170TH, 126-138
 DD, 14
 22510170TH, 140
 DD, 16

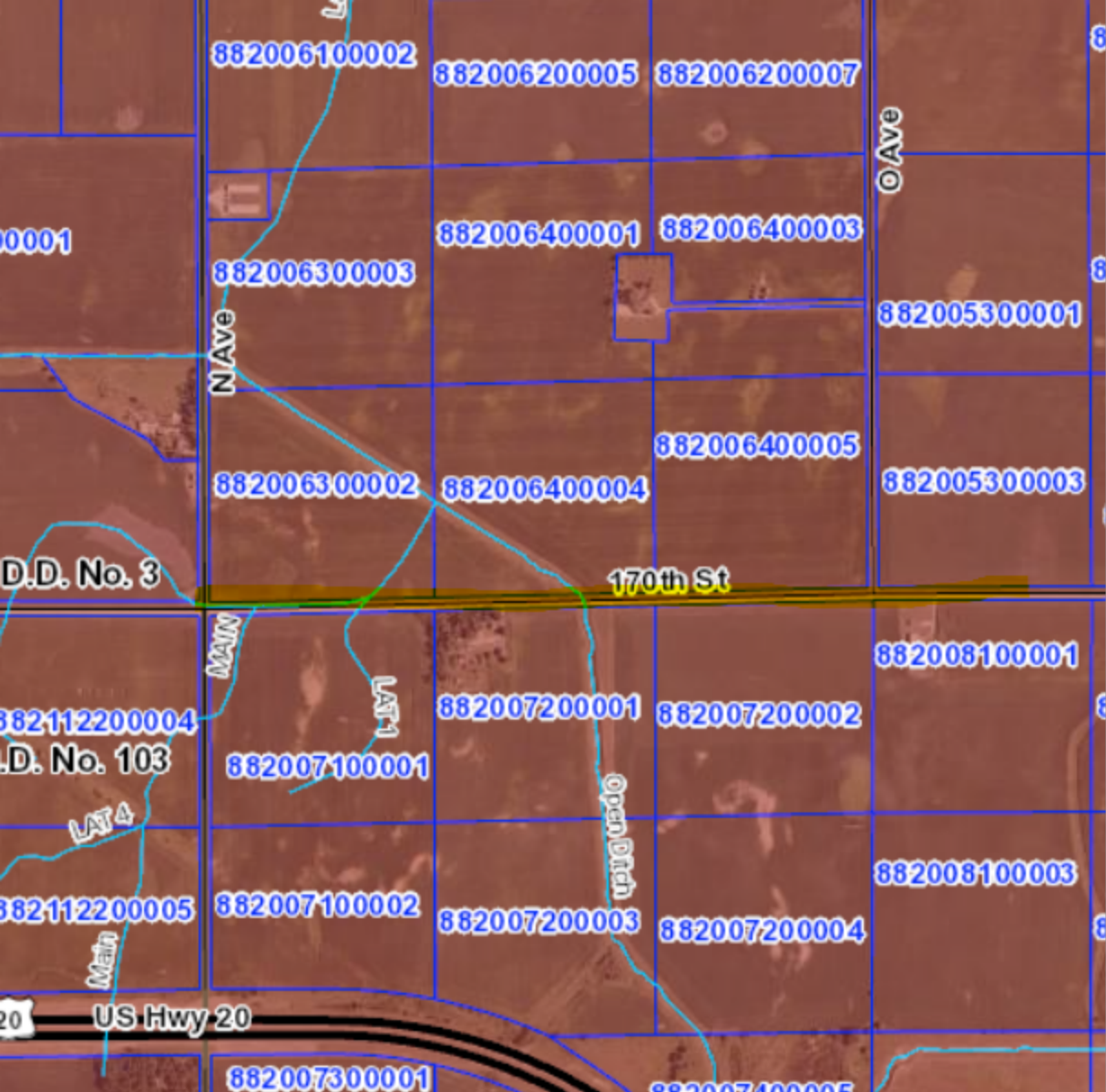
C AJAW-11
 22510170TH, 126-133
 DD, 9
 22510170TH, 144
 22510170TH, 150



SEE PRINTS 3 & 4 FOR SITE DETAIL

- 158 PLBF BM60(1.25)PD 150
 PLBF BFO144C 150
- 159 PLBF BDO7CMPH 1

Project Description: IA - IWFL - PL - IWDLIACO-2018 FTTM CAF2		Engineering Contact Name: SEAN HOSTETTER Phone Number: 515-263-7224	 CONFIDENTIAL - Disclose and Distribute Solely to CTL Employees Having a Need to Know
Project# N.244527	WC CLLI: IWFLIACO	Contract Engineer Name: Company: KILLION COMMUNICATIONS (800) 301-6672	
Community Name: IOWA FALLS, IA		Construction Coordinator Name: MATT PORTER Phone Number: 319-291-9899	Sheet 93 of 93
Exchange Key:	Remote Switch Exchange Key:	Print Date: 10/16/2018	





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

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.

SECTION I – Standard Requirements

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. Upon approval of the application, and prior to the commencement of any construction, the Applicant is required to pay a prepaid inspection fee made payable to County Treasurer's Office. The prepaid inspection fee shall be equal to \$2,000 per crossing of any of the Drainage District's facilities (by way of illustration, if an application includes a scope of work that would result in crossing over the Drainage District's tile in three (3) locations, the prepaid inspection fee would be \$6,000). Within thirty (30) days after completion of the installation, the Drainage District or its designee shall remit any unused portions of the prepaid inspection fee to the Applicant, along with a statement for services rendered. Inspection fees and cost in excess of the prepaid inspection fee are the responsibility of the Applicant.
3. Applicant shall comply with Iowa One-Call requirements prior to commencing any work.
4. 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.
5. 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.
6. 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.
7. 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 Applicant's installation.
8. 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.
9. 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.
10. 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.
11. 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.

12. 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.
13. 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.
14. 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.

15. 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.

16. This permit is subject to existing regulations and statutes of the State of Iowa and future regulations, which may be promulgated or enacted.

17. 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.

18. 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.



19. 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.
20. 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.

SECTION II – WIND TURBINE REQUIREMENTS

21. This Section shall apply to commercial wind turbine applicants as defined in Hardin County Ordinance 29, Article XXIII.
22. Section I above shall also apply, but to the extent the requirements of Section II herein are incompatible with those in Section I herein, those in Section II shall apply.
23. Prior to approval and issuance of a permit, applicant first shall obtain conditional approval from the Drainage District. The conditional approval shall be for each proposed site and shall require the applicant and the Drainage District to enter into an agreement containing the following terms: (1) At applicant's expense, and at District's direction and conditions, applicant shall televise the District Tile that may be impacted as determined by the District; (2) The applicant shall enter into a damages agreement with the District, per site, that: a. allocates to the applicant a percentage of fault for resulting damages to the Drainage District facilities; b. establishes damages based on replacement cost to the Drainage District; c. establishes a damages deposit; and d. requires the applicant to pay the Drainage District legal fees related to the agreement, including enforcement.
24. No permit shall be approved or issued without first entering a damages agreement as set forth in the previous paragraph. A permit will also include the following requirements:
 - A. At District's discretion, under the District's direction and conditions, and at applicant expense, applicant shall televise the District tile before and after a turbine's construction to review tile conditions;
 - B. Applicant shall use GPS to map crane walks and ingress and egress of all vehicles and equipment with a gross weight of 8,000 lbs. or greater, and shall provide this data to the District in a format approved by the District;
 - C. Applicant shall maintain a two hundred (200) foot setback from the outside of the turbine's footing to any District facilities, including open ditches, to allow for repairs to Drainage facilities;
 - D. At applicant expense, the District shall designate at its discretion an engineer/technician that the applicant shall allow to be present to observe any and all aspects of construction. These costs shall not be passed on to the landowner or District;
 - E. Wind turbine underground accessory facilities, feeder lines and cables shall be bored under District facilities at a depth approved by the District.
 - F. Applicant shall use the District engineer and local contractors approved by the District for all work pertaining to tile televising/inspection, repair and replacement. The District shall maintain a current price list for local contractors' services and rates and shall be provided at the applicant's request.
 - G. Any time a wind turbine undergoes changes, re-powering or re-blading, or any service to the turbine that requires a crane walk, the site will need to be re-televised as required in subparagraph "A" above, as well as new GPS mapping as required in subparagraph "B" above.
 - H. The District has the authority to enter upon the land and service any District facilities at any time, with or without the consent of, or prior notice to the applicant. The applicant is responsible for any cost increase experienced by the District for service and maintenance of District facilities due to a wind turbine and turbine accessory facilities and lines.
 - I. The applicant shall pay any legal costs, including reasonable attorney fees, incurred by the District related to any disputes or enforcement of these permit requirements.
25. The term "Applicant" shall mean the permit applicant, the applicant's agents, heirs, successors, assigns, and facility owners.



Drainage Work Order Request For Repair

Hardin County

Date: 10/29/2018

Work Order #: WO00000231

Drainage District: Drainage Districts \DD 38 (51063)

Sec-Twp-Rge: 15-89-22 **Qtr Sec:** NE

Location/GIS: 89-22-15-200-004

Requested By: Justin Huebner

Contact Phone: (641) 780-1423

Contact Email: _____

Landowner (if different): _____

Description: DD 38 Lat 4 - Water standing SW of hog buildings in SE NE 15-89-22. All crops are out except 15 acres under water. Would love to have it fixed right away to finish harvesting & could have a contractor out there in 2 days. Please call when going to be out.

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 Drainage
 Drainage Districts \DD 38 (51063)
 WO00000231

Work Order Detail

Begin Date: 10/29/2018
Status: Completed - Completed
Description: DD 38 Lat 4 - Water standing SW of hog buildings in SE NE 15-89-22. All crops are out except 15 acres under water. Would love to have it fixed right away to finish harvesting & could have a contractor out there in 2 days. Please call when going to be out.
Contractor: Willaims Excavating

Requested By: Justin Huebner
Email:
Phone: (641) 780-1423
Landowner:
GIS #: 89-22-15-200-004
Sec-Twp-Rge: 15-89-22 NE

Expenses:

Date	ExpenseCode	Vendor	Description	Amount
12/14/2018	Engineering	Clapsaddle-Garber Assoc	DD 38 WO 231 ENG SVCS TO 11/23	\$592.55
1/25/2019	Labor & Materials	Williams Excavation LLC	DD 38L4 WO 231 INVESTIGATION 5 HRS	\$1,870.00
3/8/2019	Engineering	Clapsaddle-Garber Assoc	DD 38 WO 231 INVESTIGATION	\$1,867.75
4/19/2019	Labor & Materials	Williams Excavation LLC	DD 38 Ongoing Repairs	\$7,425.00
4/19/2019	Labor & Materials	Williams Excavation LLC	DD 38 Silt Cleanout	\$746.00
4/26/2019	Labor & Materials	Williams Excavation LLC	DD 38 ONGOING REPAIRS	\$4,785.19
4/30/2019	Engineering	Clapsaddle-Garber Assoc	DD 38 SVCS TO 4/26/19 (PD 4/10/19)	\$2,113.05
5/1/2019	Labor & Materials	Williams Excavation LLC	DD 38 ONGOING REPAIRS	\$1,142.00
5/31/2019	Engineering	Clapsaddle-Garber Assoc	DD 38 Srvs 4/26/19 - 5/31/2019	\$854.40
6/28/2019	Engineering	Clapsaddle-Garber Assoc	DD 38 FINAL REPAIRS	\$308.70
2/14/2020	Engineering	Clapsaddle-Garber Assoc	DD 38 For Prof Svcs 6/21/19 to 1/31/20	\$153.00
Total:				\$21,857.64

Contract/Estimate:

Description	Amount
-------------	--------

Notes:

Note

10/29/20 - Had emailed and left voicemail 9-17-20, no response. Emailed and left voicemail again on 10/29/20. If no reply from Huebner, will agenda w recommendation to cloase WO on 11/10/20 Drg Mtg.

10/31/18-BOS approve. CGA to hire contractor to get water flowing.

11/14/18-Investigation Summary. Landowner does not have contractor available to start right away or originally suggested. BOS approve to assign to lotteyr system or lump with other projects for a contract.

1/16/19-Gallentine updated the Trustees that they found approximately 660 feet of 12" tile with 1 to 11 inches of sand in it. They recommend jet/vac clean to remove the sand/silt and allow dewatering of the tile. Once dewatered, they recommend excavation to determine the necessary tile repair. At this time, they believe it should be under the \$50,000 threshold, but will not know until they excavate. Hoffman moved, Granzow seconded to jet/vac clean and then excavate as discussed. All ayes. Motion carried.

3/22/19-Justin called and was wondering the status. Emailed Lee.

3/23/19-Lee says Paul Williams is only in county contractor with jet truck. Weathered turned bad and he wasn't able to get it done. Lee emailed Paul for update.

3/29/19: Paul Williams was out yesterday and today jetting tile. Removed majority of the sand downstream of the pond. As a result the pond is gone and the tile is now flowing. Williams is currently letting the site dewater and will be back later to preform tile repair and look upstream to see if additional tile needs jetted. Per Gallentine's email.

NEED TO UPDATE JUSTIN

5/13/19 - Justin Huebner (641-780-1423) called and said there is now water standing in the field just south of where Paul Williams had jetted the tile. He has 18A of corn planted and cannot plan anymore because of standing water. He is wanting this problem fixed as soon as possible so that he can finish planting.

Junker emailed the Trustee's & Gallentine to see if there was anything that could be done before Wednesday's meeting.



Hardin County Drainage

Drainage Districts \DD 38 (51063)

WO00000231

Work Order Detail

Begin Date: 10/29/2018
Status: Completed - Completed
Description: DD 38 Lat 4 - Water standing SW of hog buildings in SE NE 15-89-22. All crops are out except 15 acres under water. Would love to have it fixed right away to finish harvesting & could have a contractor out there in 2 days. Please call when going to be out.
Contractor: Willaims Excavating

Requested By: Justin Huebner
Email:
Phone: (641) 780-1423
Landowner:
GIS #: 89-22-15-200-004
Sec-Twp-Rge: 15-89-22 NE

Notes:

Note

5/15/19 - Justin Huebner called to report standing water in his field. After much discussion, Granzow moved, McClellan seconded to request the landowner to verify the tile is plugged and not flowing. If it is found that the district tile is not flowing, the district will pay for the excavator work and research to repair. CGA is to notify the landowner of this motion so that if it is district tile he is comfortable with calling Lee right away to repair. All ayes. Motion Carried.

6/19/19 - DD 38 Lat 4- Discuss, With Possible Action, Repair Summary For Work Order #231

Gallentine presented the repair summary, and if there is poor drainage in the future CGA can do more investigation. In the fall is was determined that the landowner can go out and dig to find out if it is drainage district tile. No action required.

10/23/19 Justin Huebner called in to report issues with Lat 4 tile. Neighbor's parcel had repairs to Lat 4 that were expected to resolve his issues downstream. Huebner still has 7-8 acres that are flooded out and not resolved by neighbor's repair. Verified with Huebner current wet spot locations are the same as noted in DD 38 Lat 4 Observation Report, dated 5-16-19. Gallentine stated upstream of him was dry and it looked like the tile did not go through some of the wet spots, and it was left that if it was District tile, the District would pay for repairs, if it was private tile the landowner would pay for repairs. Hoffman stated for us to find a contractor and get to him soon may be tough, and would extend to Justin that we can send CGA out to verify if it is District or private tile issues and determine who is liable for repairs, what repairs, if any, are needed. Huebner would need to schedule with CGA once tile is exposed, so CGA can determine if it is District or private tile.

10/23/19 Cont. Hoffman motioned for Gallentine to contact Justin to coordinate investigation of tile issues, Granzow seconded. All ayes. Motion carried.

11/1/19 Gallentine reached out to Justin Huebner to let him know that Justin can dig to investigate the cause of the wet spots in his field, it is district tile Justin needs to let Lee know so CGA can visit site while it is uncovered & recomend repairs & report back to trustees. If district tile is the cause, the DD will pay for the investigation. If found to be private tile. the Justin Huebner would pay for investigation himself. Per Gallentine e...

9/2/20 - Having received no response back from Huebner to Gallentine's 10/31/19 email, Gallentine asked if Trustees would like Clerk to send a letter to Huebner to ask about current status of this work order, and if Huebner determined if this was private or DD tile.

Motion by McClellan to direct the Drainage Clerk to contact Justin Huebner for an update on that project. Second by Hoffman. In additional discussion, Granzow stated we should ask Huebner if he is no longer willing to pursue this so we can close books on WO. All ayes. Motion Carried.

Letter & Email sent 9/4/20 w request of reply in 10 days of receipt of letter.



HARDIN COUNTY

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

HARDIN COUNTY DRAINAGE DISTRICT UTILITY PERMIT APPLICATION

Applicant: Heart of Iowa Communications Cooperative
Company Name

502 Main Street, PO Box 130
Address

Union IA 50258-0130
City IA State IA Zip

Applicant Contact: Jay Duncan (641) 486 - 2211
Name Phone

jduncan@heartofiowa.coop
Email

Utility Type: Fiber optic

Drainage District(s) Crossed: District 136

Facilities Crossed (specific tile, open ditch): tile

Description of Work: Bore in fiber optics in the town of Cleves.

*(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

11/6/2020
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

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.

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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.
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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.



SECTION II – WIND TURBINE REQUIREMENTS

20. This Section shall apply to commercial wind turbine applicants as defined in Hardin County Ordinance 29, Article XXIII.
21. Section I above shall also apply, but to the extent the requirements of Section II herein are incompatible with those in Section I herein, those in Section II shall apply.
22. Prior to approval and issuance of a permit, applicant first shall obtain conditional approval from the Drainage District. The conditional approval shall be for each proposed site and shall require the applicant and the Drainage District to enter into an agreement containing the following terms: (1) At applicant's expense, and at District's direction and conditions, applicant shall televise the District Tile that may be impacted as determined by the District; (2) The applicant shall enter into a damages agreement with the District, per site, that: a. allocates to the applicant a percentage of fault for resulting damages to the Drainage District facilities; b. establishes damages based on replacement cost to the Drainage District; c. establishes a damages deposit; and d. requires the applicant to pay the Drainage District legal fees related to the agreement, including enforcement.
23. No permit shall be approved or issued without first entering a damages agreement as set forth in the previous paragraph. A permit will also include the following requirements:
 - A. At District's discretion, under the District's direction and conditions, and at applicant expense, applicant shall televise the District tile before and after a turbine's construction to review tile conditions;
 - B. Applicant shall use GPS to map crane walks and ingress and egress of all vehicles and equipment with a gross weight of 8,000 lbs. or greater, and shall provide this data to the District in a format approved by the District;
 - C. Applicant shall maintain a two hundred (200) foot setback from the outside of the turbine's footing to any District facilities, including open ditches, to allow for repairs to Drainage facilities;
 - D. At applicant expense, the District shall designate at its discretion an engineer/technician that the applicant shall allow to be present to observe any and all aspects of construction. These costs shall not be passed on to the landowner or District;
 - E. Wind turbine underground accessory facilities, feeder lines and cables shall be bored under District facilities at a depth approved by the District.
 - F. Applicant shall use the District engineer and local contractors approved by the District for all work pertaining to tile televising/inspection, repair and replacement. The District shall maintain a current price list for local contractors' services and rates and shall be provided at the applicant's request.
 - G. Any time a wind turbine undergoes changes, re-powering or re-blading, or any service to the turbine that requires a crane walk, the site will need to be re-televised as required in subparagraph "A" above, as well as new GPS mapping as required in subparagraph "B" above.
 - H. The District has the authority to enter upon the land and service any District facilities at any time, with or without the consent of, or prior notice to the applicant. The applicant is responsible for any cost increase experienced by the District for service and maintenance of District facilities due to a wind turbine and turbine accessory facilities and lines.
 - I. The applicant shall pay any legal costs, including reasonable attorney fees, incurred by the District related to any disputes or enforcement of these permit requirements.
24. The term "Applicant" shall mean the permit applicant, the applicant's agents, heirs, successors, assigns, and facility owners.

