AGENDA

REGULAR DRAINAGE MEETING

Wednesday, September 30, 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:

09 23 20 - DRAINAGE MINUTES.PDF

4. 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:

UTILITY PERMIT APPLICATION ACROSS DRAINAGE DISTRICT.PDF

5. DD 82 - WO 301 - Discuss W Possible Action

Landowner Connie Eklund reports sinkhole with area of washout/erosion that continues into field.

Documents:

DD 82 WO 301 09_24_20.PDF DD 82 WO 301 MAP 09_24_20.PDF

- 6. Other Business
- 7. Adjourn Meeting

REGULAR DRAINAGE MEETING

Wednesday, September 23, 2020 9:30 AM

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

9/23/2020 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson Lance Granzow opened the meeting. Also in attendance were Trustee BJ Hoffman; Trustee Renee McClellan; Lee Gallentine of Clapsaddle-Garber Associates; Michael Pearce, Network Specialist; 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 of Drainage Meeting dated 9-16-20. Second by Hoffman. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by Hoffman to approve the claims for payment with pay date of Friday, September 25, 2020. Second by McClellan.

In additional discussion on the motion, Smith pointed out DD 25 Pay Estimate 5 is included with today's claims, and is also on the agenda as an item for the Trustees review.

All ayes. Motion carried.

5. DD 25 - WO 1 - Discuss W Possible Action - Change Order No. 7

Gallentine updated the Trustees that this is the project near Garden City, and this change order tweaks the contract so that it matches what was actually installed more closely. Overall this is a net decrease in the contract price of \$5,878.25.

Motion by McClellan to approve the Change Order Number 7 on the DD 25 and DD 1 Work Order #1 project. Second by Hoffman. All ayes. Motion carried.

6. DD 25 - WO 1 - Discuss W Possible Action - Pay Estimate No. 5

Gallentine stated this is a pay estimate for work contractor McDowell has done in the amount of \$143,781.84, this is the bulk we will end up paying McDowell's, there may be a few small items we will yet need to agree on but other than that all that will be left is retainage at the end of the completion hearing.

Motion by Hoffman to approve the Contractor & Engineer Signed Pay Estimate Number 5 as presented. Second by McClellan. All ayes. Motion approved.

7. DD 25 - WO 209 - Discuss W Possible Action - Claim For Crop Damages #2020-10

David Fincham stopped in with a claim for 2020 crop damages that he submitted, he had also visited with his insurance agent who provided Fincham with a document provided by his crop insurer that stated he had 2 acres of crop damaged during work on the tile main on this project. Smith stated she does not have a USDA Crop Insurance and Risk Report up yet with the cost of corn for 2020, Smith did not think that comes out until November 1st, Smith put this on the agenda for the Trustees to review and see if they would like to have CGA verify the acres. Smith stated this would be on the same parcel that we paid out claims for the 2019 crop year.

Motion by Hoffman to instruct CGA to verify crop damaged acres and report back to the Trustees their findings, so we can take further action after November 1st, 2020. Second by McClellan.

In additional discussion on the motion, Smith stated that Fincham had asked the Drainage Engineer to call him as Fincham thought there may be one existing private tile that was not hooked back in to the district tile, and Fincham was not sure that had been reconnected yet, Fincham noted Alvin Clark was the tenant. Gallentine stated he would reach out and call them and he has talked with Alvin about three times on that tile, and understands their concern. Gallentine stated that we have everything hooked up that we are aware of, and asked if Clark was aware of anything that wasn't hooked up, and Clark stated he wasn't aware of any but it had been pretty dry. Gallentine will reach back out to them.

All ayes. Motion carried.

8. DD 26 - Discuss W Possible Action - IRUA Service Request

Smith stated we have a request for an IRUA service connection to be made on land owned by Vern Schwartz, Schwartz had asked that this be put on the agenda. Smith provided a map that shows Schwartz's location, and Schwartz stated that there is a service connection available to him at the corner of E Ave. and 220th St and Schwartz is fine with having that run through his parcel nearer the corner to his homesite to have rural water hooked up. Smith stated if they are coming from the corner on the northwest of Schwartz's parcel, it does not look like they would have any impact or crossing on the open ditch nearby.

Granzow stated he spoke with Schwartz and IRUA is telling their clients that they cannot work in Hardin County, Granzow explained to Schwartz that it is the drainage districts that they cannot cross, but the request can be made by IRUA to the County Engineer and the Drainage Clerk, and they know the process, if it doesn't cross a district tile or facility, we usually don't have a problem with that. Granzow stated that he wanted to point out what IRUA is telling people, which is unfortunate. Granzow stated if it does not cross a facility then he does not have a problem with that as we have already received a legal opinion on this. Smith asked if the Trustees would like a letter directed to the IRUA with the caveat that they have to apply for a Drainage Utility Permit that Smith expects would be approved as they would not be crossing a tile, this permit would help clarify that even though they are not crossing a tile we are aware of their work in the district. Granzow stated he told Schwartz that the IRUA would have to apply for the permit and not the landowner himself, Schwartz asked it be added to the agenda but we do not have a utility permit to review at this time. Granzow stated his response to Schwartz would be to have the IRUA submit the permit application and if it does not cross facilities, we don't have a problem with that.

Hoffman stated if their work would come in close proximity to, over or above a district facility, we would need to know, we just have not had that effective communication in the past, Granzow stated he asked why Schwartz was trying to get the utility permit for the utility, they need to apply themselves, through the Engineer's Office and the Drainage Clerk/Trustees. Granzow sees no reason why it can't be approved but we have no permit in hand. Smith pointed out that would be correct if the utility comes in to Schwartz's land from the direction that he states. McClellan asked if Smith could send them a permit form and a letter.

Hoffman stated if we have educated the landowner it is in the IRUA's hands to file a permit, Hoffman has no problem with this as long as they follow the process.

Motion by Hoffman to direct the Drainage Clerk to send Vern Schwartz a letter that states the Trustees have no problem with the service connection but IRUA will have to file a Utility Permit application with the County Engineer and a Drainage Utility Permit Application with the Drainage Clerk and copy the letter to the IRUA noting the locations as Schwartz presented it. Second by McClellan. All ayes. Motion carried.

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

Smith provided an update on our meeting scheduled for next week, Smith has heard back from some of the utilities who will attend, Smith noted she has not heard back from everyone. Smith received a reply from Ryan Meints of Olsson Associates, they do the engineering for Aureon, Meints will attend out of curiosity as he wants to see what this process looks like but will not be representing Aureon in his attendance. Aureon has not replied to Smith's letter, and does not know if they will attend the meeting. Smith spoke with a representative from Alliant Energy, Bernie Alecks, Alliant has two open Drainage Utility Permits, one has reached out to us through Gallentine for some oversight on a crossing, but the second permit we got no notification of construction or request for observation of the crossing, Alliant will attend regarding the one permit. IRUA has responded and they will attend, they have four open drainage utility permits with us. Century Link has not responded, but Smith did get a response from Nick Killion of Killion Communications, Killion stated they did a crossing for Century Link in 2018 on 170th between N and O Ave's and reports no damage. and that Sean Hosteter, the Century Link rep that filed original permit is no longer with Century Link in that location, he was replaced by Robinson DePenning, so Smith had addressed the invitation to both DePenning and Hostetter just in case he was still there in some capacity, Smith has heard nothing back from Century Link and does not know if they will attend the meeting. Smith received a reply from Casey Huff at Midland Power, Midland has 10 open utility permits with us, Huff stated she has jury duty

scheduled for that week, Huff though it was this week, Smith pointed out that our meeting is next week, and is waiting on another reply from Huff. Huff did ask if another date was available, and Smith replied to Huff that she would update the Trustees with this information and let them decide. Smith stated UPN had done work in DD 143 in the north road tight of way, on HWY 175, where Unite Private Networks had a telecom line go through DD tile, this was reported in work order 261, UPN never filed a drainage utility permit application. Smith sent a letter to Charlene White of UPN stating that UPN never filed a drainage utility permit and we really need your attendance at this meeting to discuss that, Smith had sent White a letter in May also and received no reply, White wants to know if we would like an update on the completed scope of work or the scope of work on the repair they did poorly to the tile they damaged. Smith stated she was open to feedback to draft a response to White, Granzow asked if they did poor work on the repair. Smith stated they did work on the repair that was not acceptable to district standards, Smith stated Gallentine has been in contact with Price Electric that was the contractor that did the original installation and was involved in the repair. White would like clarity on how those repairs should be done, and Price had reached out to us to get on a drainage meeting agenda and we never got another response from Price to schedule that attendance. Smith states White will attend the meeting with Clark Lundy of UPN. Smith can give White some clarification and let her know her attendance will be appreciated or we can clarify that action on the 30th, White did attach a partially filled out drainage utility permit application, but does not cite the DD facility involved, and may want clarity before she completes the form.

Gallentine stated as far as what's an acceptable repair is spelled out right in the Drainage Utility Permit form, Smith asked Gallentine if this was the repair that UPN had provided Gallentine with pictures of showing fabric draped over the tile and then filled it in and wheel rolled over the site to compact the soil. Gallentine stated it was plastic rather than concrete and we never got answer as to if it was single wall or dual wall tile. Granzow states this may answer White's question. Smith asked if the Trustees would like her to send a reply to White stating that we want the form filled out for your original scope of work and we will discuss the repair on our meeting on the 30th. McClellan stated that would be acceptable.

Smith stated she will try to put together a spreadsheet for the Trustees before the meeting so that they can see what each utility has for open permits. Smith asked if any other utilities have reached out to Gallentine regarding ongoing construction or completed work with these permits. Gallentine stated he had not heard from any of the utilities other than Minerva Valley, and that has been some time ago and they would let Gallentine know when they get closer to DD facilities. Smith asked if that contact had been with Spud from Central Cable, Gallentine replied it was. Smith stated she did not send Minerva Valley Telephone a letter inviting them to this meeting as they are making some effort to reach out to the drainage engineer. Gallentine stated as far as he knew Minerva Valley was in compliance, Spud had reached out before hand, and Gallentine expects an update as they get closer to that DD facility.

Smith asked if there was anything else the Trustees need her to add for review prior to the September 30th meeting, drainage attorney Mike Richards will be in attendance, and Smith has provided the utilities with the zoom option for the meeting and really did not expect any local in-person attendance, that it would likely all be via zoom. Hoffman asked if RWE would be in attendance, Smith replied they would not as we do not have any Drainage Utility Permits that have been filed by RWE.

Granzow stated we do not have any further action at this time.

10. Other Business

DD 9 - Gallentine had updated the Trustees last week on the project near Tom Roberts' place that Gehrke would be starting in the next couple weeks. The day after last week's meeting Gallentine received an email from Gehrke that they will be more into the middle of October before starting work on this project as Gehrke got pushed back on a couple of things.

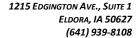
DD Big 4 Main WO 247 - Smith updated on this work order in which a bank was washed out about 350' yards east of C Ave. on the south fork of Big 4 Main. The Trustees had directed Smith to reach out to Hands On Excavation for confirmation of seeding/grading as CGA was not onsite when that work was completed. Jacob Handsaker reports the area was smoothed out and seeded, Handsaker has not been back on-site to see how the seed took hold but the dented in culvert has been repaired. Smith asked if this work order was bundled with other small projects or not, and Smith has checked on expenses and only has engineering fees received so far, we have not received any invoices from Hands On thus far. Gallentine stated that Hands On has done the work, and it is likely in the contractor's bookkeeping waiting to be invoiced. Smith stated she was just trying to clean up some of the older work orders, and asked if the Trustees would like her to leave it open for now awaiting invoices. The Trustees concurred this work order should remain open at this time.

DD 14 WO 290 - The Trustees had called for a landowner meeting on November 18, 20, Smith has created a tab on the website Drainage District Project page with a link to the Investigation Summary and the Investigation Report

so that the landowners can access that to see the photos in the reports of the poor condition of the tile. Landowner meeting notices are prepared and Smith will send those out on October 1st, as she did not want to send them too early to be forgotten.

11. Adjourn Meeting

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





HARDIN COUNTY DRAINAGE DISTRICT UTILITY PERMIT APPLICATION

Applicant:	Company Name			
	Address			
	City	State	Zip	
Applicant Contact:	Name		(Phone	
	Email			
Utility Type:				
Drainage District(s) C	Crossed:			
Facilities Crossed (sp	pecific tile, open ditch	n):		
Description of Work:				······
(Location plan of				
proposed utility must be attached.)				
proposed utility must be attached.) Pursuant to Code of I operate and maintain attached Requiremen	utilities on, over, ac nts for Construction (6, approval is hereby requeste ross or beneath established H On, Over, Across or Beneath E r revocation of the permit by th	ardin County Dra Established Drain	age District. Failure to comply
proposed utility must be attached.) Pursuant to Code of I operate and maintain attached Requirement	utilities on, over, ac nts for Construction (ts shall be ground fo	ross or beneath established H On, Over, Across or Beneath E	ardin County Dra Established Drain	ainage Districts, subject to the age District. Failure to comply
Pursuant to Code of I operate and maintain attached Requirement with said requirement.	utilities on, over, ac nts for Construction (ts shall be ground fo nature	ross or beneath established H On, Over, Across or Beneath E	ardin County Drain Established Drain ne Hardin County Date 's Office Suite 1	ainage Districts, subject to the age District. Failure to comply
Pursuant to Code of I operate and maintain attached Requirement with said requirement Applicant Sig	utilities on, over, ac nts for Construction (ts shall be ground fo nature cation Plan To:	Hardin County Auditor' Attn: Drainage Clerk 1215 Edgington Ave, S Eldora, IA 50627 Fax (641) 939-8225	ardin County Drain Established Drain ne Hardin County Date 's Office Suite 1	ainage Districts, subject to the age District. Failure to comply Board of Supervisors.
Pursuant to Code of I operate and maintain attached Requirement with said requirement Applicant Sig	utilities on, over, ac nts for Construction (ts shall be ground fo nature cation Plan To:	Hardin County Auditor' Attn: Drainage Clerk 1215 Edgington Ave, S Eldora, IA 50627 Fax (641) 939-8225	ardin County Drain Established Drain ne Hardin County Date 's Office Suite 1	ainage Districts, subject to the age District. Failure to comply

PAGE 1

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

APPROVED PERMIT #:	
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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. 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 a 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 (lowa 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.



Drainage Work Order Request For Repair Hardin County

Approved:		Date:		
For Office Use Only				
		Fax (641) 939-8245		
		Phone (641) 939-8111		
		1215 Edgington Ave, Suite 1 Eldora, IA 50627		
		Attn: Drainage Clerk		
Please reference wo	rk order # and send statement for services to:	Hardin County Auditor's Office		
Repaired By:		Date:		
·				
Repair labor, materi	als and equipment			
	soil turned over in years so only just discovered this in the spring and requests investigation/re			
	washout and erosion that continues into the field some time. Field has been in CRP for years, not	,		
Description:	DD 82 - Landowner Connie Eklund reports sinkhole in parcel #872117300004, sinkhole at DD tile just east of I Ave and south of field entrance. There is area of			
Description:		nolo in parcel #972117200004		
Landowner (if different):				
Contact Email:	coneklund@gmail.com			
Contact Phone:	(612) 554-7550			
Requested By:	Connie Eklund			
Location/GIS:	87-21-17-300-004			
Sec-Twp-Rge:	<u>17-87-21</u> Qtr Sec: <u>W1/2 SW1/4</u>			
Drainage District:	DDs\DD 82 (51111)			
Work Order #:	WO00000301			
Date:	9/24/2020			

