

REGULAR DRAINAGE MEETING
Wednesday, November 10, 2021 9:30 AM
This meeting was held electronically and in-person.

11/10/2021 - Minutes

1. Open Meeting
Hardin County Chairperson BJ Hoffman opened the meeting. Also present were Trustee Renee McClellan; Trustee Lance Granzow; Mike Pearce, Network Specialist; Greg Larsen, Landowner; Robert Nazario, Landowner; and Michelle Kuechenberg, Drainage Clerk.
2. Approve Agenda
Motion by McClellan to approve the agenda. Second by Granzow. All ayes. Motion carried.
3. Approve Minutes
Motion by Granzow to approve the minutes of Regular Drainage Meeting dated 10/27/21. Second by McClellan. All ayes. Motion carried.
4. DD 56 WO 3 - Discuss W Possible Action - ROW Easements - Landowner Update

DD 56 - WO 03 - Kuechenberg stated that Greg Larsen called last week and wanted an update on DD 56 WO 03 right of way easements. Kuechenberg stated that she reached out to Lee Gallentine with CGA for an update. Kuechenberg stated Gallentine informed her that the easements have been signed and dropped in the mail, when CGA gets them, Gallentine will record them with Hardin County, and we can move forward. Kuechenberg stated that Greg also wanted to know if he is exposed to extra prices because it took a while to get the easements in place. Larsen stated he assumes we've given the contractor a partial release. Larsen asked what type of release have we given the contractor. Granzow asked, release as far as. Larsen asked if the contractor had a full release or notice to proceed so he can go out and start working. Granzow stated no, the final easement has not been recorded yet. Larsen stated the reason he was asking is because he would like to know if the landowner's are being exposed to additional costs by holding the contractor off this long. Granzow stated that the contractor was told that ahead of time when we gave them a down payment. Granzow stated he forgot what the down payment was, but he thinks it was between \$5,000-8,000. Granzow stated that we would have to look at the extension and giving them an extension because of it being held off. Granzow stated that we committed to the project already and paid \$5,000 or 8,000. Larsen stated that he does remember that. Granzow stated that locked the prices in, that's why they made that decision to pay ahead of time. Granzow stated that if we did not get the leases or easements, we probably would've forfeited that, but we wanted to keep those prices locked in. Larsen asked, "so we're not looking for any price accelerations for their material, labor, or anything?" Granzow stated that you should not, that was part of the agreement we made. Granzow stated the only thing we would be looking at would be an extension on them. Larsen stated that was his main concern. Larsen asked if they were going to attempt and start up here this fall yet. Granzow stated that they've not been released yet. Hoffman stated that once we get that last one recorded and released then we can let them know they can start as soon as possible. Hoffman asked if this was a Gehrke project. Granzow stated that it was. Hoffman stated that as soon as we find out, we will let Jeremy know and get them out there as soon as they can. Larsen stated that his main question was answered. Larsen stated he just wanted to make sure they were not exposed to additional costs with the delay. Granzow stated that he's sure Gehrke might ask for it. Hoffman stated that we were pretty clear initially that we were signing up at that time to protect ourselves against inflation both in labor and materials. Larsen asked if there will be a landowner meeting before construction begins. Larsen stated that it kind of seems useless at this point. Larsen asked if there will be another one. Granzow stated there will be more meetings coming down the line, but it would be after construction. Granzow stated that we would have completion hearings and stuff like that. Larsen stated that originally there would be a landowner meeting to give a final release if it was a go or a no go on the project. Larsen stated that it seems that it was extended enough that we're so committed. Larsen stated it is not worth having a landowner meeting. Granzow stated that he thought we did that at the last one. Granzow stated that if they could get the easements, the project was ok to move forward. Granzow stated that the easements were the deciding factor on the project. Granzow stated that he believes that was the final decision but correct him if he's wrong. Granzow stated he does a lot of these. Larsen stated, "ok, that was." Granzow stated he thinks so. Granzow stated if it was a no go, we would possibly do another meeting. Granzow stated, "you're right, we're committed 100% after we put that down payment down." Granzow stated, "you're correct, because we didn't know what the easements were going to be." Granzow stated the easements came in reasonable. Granzow stated these easements could've come in ten times the amount, Granzow added, then we would've had another meeting. Larsen stated that you might just want to note that in your minutes, there's other landowners that are probably sitting there waiting for a landowner meeting notice. McClellan stated we might have to go back and check through the minutes and see if there is a note on that specifically. McClellan stated that she was thinking that it was going to be based on what the prices were. Granzow stated that if and how much. Kuechenberg stated she would check back in the minutes. Hoffman stated, "if you want to give Kuechenberg a couple of days and then touch base with her the first of next week then we can verify what the decision was on that landowner meeting previously. McClellan asked Kuechenberg to email the Trustees when she finds an answer. Kuechenberg stated that she would check back through the old minutes and see if there was a decision made to go forward with another landowner meeting once they had easement updates. McClellan stated it would've been at that last landowner meeting. Larsen stated the last he remembered was there would be another landowner meeting once they understood the cost of the easements. Larsen stated he did not think a landowner meeting would mean much at this point. Larsen stated that we were on track to go now. Larsen stated that there might be other people who are remembering as I did. Larsen stated that was minor. Larsen stated he

just wanted to make sure they were covered in terms of additional costs. Hoffman stated thank you Mr. Larsen.

5. DD Big 4 Main WO 322 - Discuss W Possible Action

DD Big 4 Main - Kuechenberg stated that she received a call from the tenant of this property, Brad Hall. Kuechenberg stated that Hall reported a suckhole located on the SE corner of the parcel in Buckeye township. Kuechenberg stated that Hall marked the spot with a pallet, it is visible from the HWY. Kuechenberg stated that Hall did not give her specific information like the parcel number or section/range. Kuechenberg stated that Hall gave her the landowner's name, township, and brief description of the problem/location. Granzow asked what the landowner's name was. Kuechenberg stated the landowner's name was Holly Weisberg. Kuechenberg stated Holly owns two parcels right next to each other in that area. Kuechenberg stated that she narrowed it down to the one parcel, closer to the HWY, based off of the description she was given. Kuechenberg stated that Hall was very specific that the suckhole was not located in the open ditch, if you look at the map on Beacon there is a section in the SE corner of the parcel that doesn't appear to be open ditch. Kuechenberg stated that the map she marked is the approximate area of where she believes the suckhole is located. Kuechenberg stated that Hall believes the tile is collapsed beneath the surface.

Motion by McClellan to have CGA go out and investigate. Second by Granzow.

In additional discussion on the motion, Hoffman asked Kuechenberg to share Brad's contact information with CGA. Kuechenberg stated she would. Granzow stated to make Brad aware that if it is a private tile, he, rather Holly, will be responsible for the cost. Kuechenberg stated she would give Brad a call.

All ayes. Motion carried.

6. DD 148 - Discuss W Possible Action - Open Ditch Brush Spraying - Invoice And Payment

Hoffman stated that Kuechenberg provided the invoice for DD 148 Open Ditch Brush Spraying in the amount of \$1650. Hoffman stated that after last week's discussion, he accepts a motion to pay the invoice.

Motion to pay the invoice by McClellan. Second by Granzow.

In additional discussion on the motion, Granzow asked where the money was coming out of. Granzow asked if it was coming out of the same account, they always pull money out of, Rural Svcs.

All ayes. Motion carried.

7. Discuss W Possible Action - IDDA Registration

Hoffman stated that Kuechenberg provided us with the annual meeting registration form. Granzow asked Kuechenberg if she was going. Kuechenberg stated that she was going. Hoffman stated that he's got his filled out. Hoffman stated that he will give that to Kuechenberg after the meeting. McClellan asked Hoffman where he found the information. Hoffman stated he would print a copy for her. Granzow asked where the meeting was at. McClellan stated that it was in Fort Dodge. McClellan asked Kuechenberg if she had the date. Kuechenberg stated that it was December 3rd. Kuechenberg stated that she attached a copy of the registration to the agenda if they would like to print it off and fill it out. Kuechenberg stated that it is \$60 for members.

8. DD 22 - Discuss W Possible Action - Private Tile Connections

DD 22 - Kuechenberg stated that this was something Lee Gallentine with CGA sent her to add to the agenda before he went on vacation. Kuechenberg stated that Granzow reached out to him about this. Kuechenberg stated that she didn't know if item number nine on the agenda was the same thing or not. Kuechenberg stated that Gallentine didn't really say much about this, Kuechenberg was assuming Granzow had more info. Granzow stated that Jeremy Moss contacted him when he was up in DD 22 doing some private tile and he wanted to know what policies we had in place to hook up private tile to district tile because he doesn't want any arguments. Granzow added that Jeremy would like to do it by the book. Granzow stated that all we have is a recommendation that you use those collars or clips. Granzow stated that everyone has a right to connect to the tile. Granzow stated that Jeremy just wanted to make sure it's recorded in the minutes that he is ok to tile without it. Granzow stated that Jeremy wants to do it the way we recommend, he just wanted us to be aware that he is doing it.

Motion by McClellan to have Granzow contact Jeremy and verify the process and the standards appreciated. Second by Granzow.

In additional discussion on the motion, Hoffman stated he appreciates the fact that Jeremy reached out and made the phone call to Granzow to ask permission instead of asking for forgiveness. McClellan agreed. Granzow stated that Jeremy wanted it recorded in the minutes.

All ayes. Motion carried.

9. DD 22 WO 176 - Discuss W Possible Action - Maintenance Bond Warranty Expiration Reminder

DD 22 - Hoffman stated that he believes this is just a reminder that the maintenance bond warranty is expiring. Hoffman asked Kuechenberg if she knows when that expires. Kuechenberg stated that the warranty expires April 09, 2022. Kuechenberg stated that it was a two-year warranty. Kuechenberg asked if the Trustees wanted her to send a post card or a letter to the landowners in DD 22 to see if they've experienced any issues with the work. Granzow stated he would like Kuechenberg to send out a postcard.

Motion by Granzow to have Kuechenberg send out a post card to the landowners in DD 22. Second by McClellan. All ayes. Motion carried.

10. DD 128 WO 279 – Discuss W Possible Action – Contractor Update

DD 128 – WO 279 - Kuechenberg stated that Jacob noted that he has completed the work in DD 128 on Dean Bright's property. Kuechenberg stated that Jacob had concerns about the willow trees growing around the intake of the tile main. Kuechenberg stated that they pulled out quite a few with the excavator, however, there are a fair amount further down. Kuechenberg stated that the tile was plowed with a minimum depth of 3.75'. Kuechenberg noted that they removed trees, rock, and leftover debris. Hoffman stated that Jacob called him the day after they got everything done out there, Hoffman thinks they went above and beyond. Hoffman stated that Jacob said there was debris that someone came out and instructed them to remove while they were there working. Hoffman stated that Hands on Excavation went above and beyond what they needed to do. Hoffman stated with the other trees, we should throw it to the lottery and have those removed sooner than later. Hoffman stated that we'll be out there again. Granzow agreed. Granzow stated the reason Jacob did that and that was brought up was because it was so wet and this was all cleaned out prior to his work being done, the willows are already coming back and there is no way you can maintain it. Granzow stated the above and beyond, as far as cleanup goes, he thought that was in the original contract. Hoffman stated some of it. Hoffman stated that there was some other stuff, he thinks junk and trash down there too that they were asked to remove. Hoffman stated that Jacob wasn't complaining, he was just telling Hoffman what they all did. Hoffman stated that Jacob did not want any bad blood, so he went above and beyond to take care of it while they were on site. Hoffman stated that he would like to get those other willows out, maybe when the ground is a little firmer. Granzow stated that you can mow/spray right now. Granzow stated that they need to stay maintained otherwise all of this is for nothing right away. Granzow asked Kuechenberg to contact Adam. Hoffman stated lottery but probably Adam. Granzow asked if Adam was the only one doing the spraying for open ditches. Hoffman asked if we wanted him to remove them or cut and spray. Granzow stated that we should have Adam spray. Granzow stated that the willows are 6 or 7 feet tall now.

Motion by Granzow to send Honey Creek out to maintain the willows. Second by McClellan.

In additional discussion, Hoffman stated he would like Adam to do it prior to spring. Granzow stated prior to spring. Hoffman stated that sooner than later would be best.

All ayes. Motion carried.

11. **Other Business**

Hoffman asked Robert Nazario if he had anything for other business. Nazario stated that he knows now that he is not in a drainage district. Hoffman stated that was good. Hoffman stated that is a good way to find out rather than finding out when you get an assessment. McClellan stated that does happen. Hoffman stated that we get a lot of people coming through here stating they did not know they were in a drainage district. Nazario stated he has seven acres, and he is not in one.

Granzow stated that we sent them out for beavers in Big four and quite a few were killed. Granzow stated that one was retrieved so far. Granzow stated that they have been shooting them with 22's and when they go down, they're losing the beavers. Granzow stated that there are a mess of beavers there. Granzow stated that Austin backed off until trapping season started because he did not want to get in trouble and lose his furbearing license. Granzow stated that he has contacted the DNR since then. Granzow stated that we need to get a hold of Nate Carr and have an email stating that we, as the Trustees, can send people out. Hoffman asked if we could invite him to a meeting. Granzow stated that Carr is the only one that can prosecute. Granzow stated that they understand drainage and all of this stuff. Granzow stated he has not talked to Nate yet, he just contacted the DNR. Granzow stated they understand as an owner, it's a nuisance. Granzow stated that we are the owner of the district, we should be able to get nuisance tags to send people out to do our business. Granzow stated that Austin got three beavers already but only retrieved one. Granzow stated that Austin is very motivated and having fun trapping for us but is afraid to get in trouble. Granzow stated that if we can get the permission from the DNR to go out not in season, he would be happy. Granzow stated that we pay \$100 a tail. Nazario stated obviously he will have to traverse private land to get back there. Granzow stated that we have easement. Granzow stated that we have 100' on both sides of the open ditches that our trappers have permission through us to go trap beavers. Nazario stated maybe he will find a new hobby when he is retired. Granzow stated that we're looking for people. Hoffman stated that he would get Kuechenberg Nate Carr's contact information. Granzow stated that if we can get permission from Nate than we're good to send our guys out. McClellan asked if beavers can be trapped or if they usually do not go in traps. Granzow stated that you can trap beavers. Granzow stated that you use conibear traps. McClellan stated that if he's shooting them and they go down in the water and they don't come back up he's out his \$100. McClellan asked why he doesn't trap them. Granzow stated you're right, he is still having fun. Granzow stated he just wanted to bring that up and see if we can invite Nate here and express our concerns. Hoffman stated that maybe he might know some people that are interested in helping us out too. Granzow stated that we just need to get the problem taken care of. Granzow stated that you have to get rid of the beaver before you get rid of the huts, if you get rid of the hut, the beaver will rebuild. Hoffman stated that maybe we can go out there and destroy one of them to get the others active. Granzow stated that's what he is doing, he kicks one open, as soon as they hear the water running, they come out. Kuechenberg stated sheriff McDaniel's gave her contact information for a trapper, Nick Brooks. Kuechenberg stated he is very interested and highly motivated to start trapping for us. Kuechenberg stated that she hasn't received any calls about beavers lately, but Nick told her to keep him in mind if she does. Granzow stated good, put him on the list.

12. **Adjourn Meeting**

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