

REGULAR DRAINAGE MEETING

Wednesday November 17, 2021, 9:30 A.M.

This meeting was held electronically and in-person.

11/17/2021 - Minutes

1. Open Meeting

Hardin County Trustee Renee McClellan opened the meeting. Also present were Trustee Lance Granzow; Trustee BJ Hoffman; Lee Gallentine of Clapsaddle-Garber Associates (CGA); Mike Pearce, Network Specialist; Robert Nazario; 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 11/10/21. Second by McClellan. All ayes. Motion carried.

4. Approve Claims For Payment

DD 14 - District History Scanning rep. of tile	Clapsaddle-Garber Assoc	\$2,056.90
DD 56 WO 03 ROW Acquisition - Invoice 44461	Clapsaddle-Garber Assoc	\$2,687.86
DD128 WO279 Construction Observation Invoice 44463	Clapsaddle-Garber Assoc	\$1,614.20

Motion by Granzow to approve the claims for payment with a pay date of Friday, November 19, 2021. Second by McClellan. All ayes. Motion carried.

5. DD 52 - Discuss W Possible Action - Drainage Classification Listing Update

Kuechenberg stated that we discussed this drainage classification listing with landowner, Lynn Brinkmeyer. Kuechenberg stated that she added this listing to the Trustees agendas so they could see it better. Kuechenberg stated that when Brinkmeyer attended one of our meetings in October, Brinkmeyer was asking why there was \$0 assessments in this classification listing and why the funeral home, that is right next door to her property, is not listed in the assessment. Kuechenberg stated that she did look into those items and has an update for the Trustees. Kuechenberg stated that Gallentine was right, the \$0 assessments belong to properties that were split. Kuechenberg stated that she is not sure why they're even showing on the classification listing because those numbers became inactive when the property was split, and the new numbers were given. Kuechenberg stated that if you look at George Faust's parcel on page 1 of the classification listing, that is the first \$0 assessment, the parcel was split into Faust's parcel ending in 10 (\$29.26) and Alex Mery's parcel ending in 11 (\$9.02). Kuechenberg stated that the other \$0 dollar assessment that was on the classification listing was for Albert Meister. Kuechenberg stated that one of the properties it was split into was ending in was 6004 for \$35, she did not print out the correct paperwork so she cannot say what the other parcel is. Granzow asked if he sells lot A that has the assessment and he keeps lot B that has \$0, is that able to do that or will it always stay together. Kuechenberg stated that

drainage would always stay together. Kuechenberg stated that when she spoke with Jolene about this, when she goes in to split parcels, it doesn't let her finish the process until she would change the drainage over with it. Kuechenberg stated that one parcel became another parcel and that's what it's showing on the listing. The \$0 dollar parcel is inactive and no longer shows up. McClellan asked what the first one was with Al Meister. McClellan stated Kuechenberg only said 6004. Kuechenberg stated that 6001 was the \$0, it became 6022. Kuechenberg stated she thinks she might have said 6004 the first time. McClellan stated that she doesn't get this, why are there so many of the same. McClellan stated that there was 1,2,3 of the Auditor's 6th plat that are identical. McClellan stated that there are three of the 6th plat lot 2. Hoffman stated that he thinks it is a duplicate. Hoffman stated that the numbers over to the right are all the same. McClellan stated that there are three different charges. Hoffman stated that they're all the same. Hoffman stated that it looks like a duplicate, that should only be one. Granzow asked if he was getting charged \$105 or is he getting charged \$35. McClellan asked and the same with the one above, is he getting charged 3 times or just once. Granzow stated and the one that he's at \$0, is being assessed for the \$35 ones. Kuechenberg stated it might be how the properties were split but she would look into it. McClellan stated but it's all the same across the board. Hoffman stated the \$51.85 would be divided into 3. Hoffman stated that it is highly unlikely that it would be \$155 dollars. Granzow stated that he guesses the question is, when the total is at the end, are those duplicates part of the total? Granzow stated that they're all identical. Granzow asked if they're added up to get to the total, \$3,721 he's paying three times the money. Granzow stated there is something wrong here. McClellan stated that she doesn't know, she doesn't understand it either. Granzow stated that Gallentine is over there quiet. Gallentine stated that he is just listening because he has not looked at this classification, but he thinks that everyone has very good questions. Gallentine asked if Al is paying three times on each of those parcels or is he only paying once. Gallentine stated that even if he is just paying once, it just doesn't look right. Granzow stated that if he is paying once the grand total would be off. Gallentine stated that would be correct. McClellan stated that Grannner's up there are the same way, there is three of them. Granzow stated that he thinks we need to check into that. McClellan stated that she doesn't understand this. Gallentine stated that what he is understanding is that it sounds like the parcel that Al has that is assessed for \$0 actually got combined with another parcel, is that right. Kuechenberg stated that was right. Granzow stated that was in the triplicate. Gallentine stated that if that is in the triplicate, that leads to another question. Gallentine stated that why is it a triplicate. Hoffman asked if it changed the entire assessment. Granzow stated that if it did, the total is what your after, it sets it backwards if they're paying triple on the same thing. Hoffman stated you might want to ask Darrell if we should go through and take out all the duplicates and then put another sheet in the workbook and compare the new assessment totals and put it side by side to see who overpaid and underpaid. McClellan stated she doesn't know, unless there is a reason it is this way. McClellan stated that she doesn't know what that would be. Granzow stated that it doesn't make sense to him why it would be that way either. Hoffman stated that for a couple of those, like for Roger and Sheila Granner, there are three charges for \$101 dollars that's \$303 dollars. Hoffman stated that if you divide that in 3, you would be the highest assessed property owner. Hoffman stated that actually not, but second to Schnormeir. Hoffman stated that he thinks that this needs to be taken really careful look and do some comparisons and then ask Darrell and Mike Richards about how to remedy it. McClellan stated that unless maybe Denise would know an answer. Hoffman asked Kuechenberg to start with Denise. McClellan stated that maybe it just has to do with these being a short version of a legal description and there's more to it. McClellan stated that she would like to get that answer. Granzow stated that he thinks we need that answer first. Gallentine stated that if it's just something to where it was entered into the modern computer version incorrectly you guys could probably remedy that. Gallentine stated that if it is something where we are tweaking parcels or moving parcels, you might be in reclassification territory. Granzow stated that we should send Kuechenberg back to the drawing board and come back next week.

Kuechenberg stated that there was one more thing to that she and Denise were not really sure

about with this one. Kuechenberg stated that we would have to pull the bigger plat maps and take a look at it. Kuechenberg stated that for Mark and Kathryn Boeke's funeral home, if you look at district 52 on Beacon, 501 east Maple is within DD 52 boundaries, but it is not being assessed in DD 52, rather it is only being assessed in DD 55 Div. 1. Granzow asked which one is the bigger one. Gallentine stated that everything in 52 should be assessed in DD 55 Div. 1 because it is a sub district. Kuechenberg stated that it is not even in 52 at all on Tyler. Gallentine asked if she was missing a parcel all together. Kuechenberg stated that was correct. Granzow stated that was brought up as well. McClellan asked if it should be in both of the districts. Gallentine stated it should be. Kuechenberg stated that she and Denise were going to pull the maps later on this afternoon. Granzow stated that with everything he is seeing is that we should almost do a reclassification. Granzow stated that it would eliminate the triplets. Hoffman stated that if we do it now, he thinks we're showing our due diligence as Trustees. Hoffman stated that all it would take if he was a property owner is that we overcharged them. Hoffman stated that they're going to be upset. Granzow stated that for one we should figure out why or if we were triple charging. Granzow stated that he thinks a classification is a good way to fix that. Hoffman asked if when a reclassification is ordered if that would go through parcel by parcel from a paperwork standpoint too. Gallentine stated that what we'll do is take the current GIS property lines and then we'll dump the map on top of that and make sure every parcel is accounted for and it is in the classification somewhere. Granzow stated that if that eliminates three of them. McClellan asked if we would just reclassify this one or if we would do the whole thing. McClellan stated that if this was just a subdistrict, wouldn't we want to do the whole thing? Gallentine stated that you're not the Trustees for 55 Div. 1 so you cannot order that. Kuechenberg agreed. Hoffman stated that we could have Kuechenberg spend time on this job and I guarantee she would acknowledge that, or we could run it up the pole to Darrell and he says he's not sure, Mike Richards is going to bill you enough money. Hoffman stated that at what point do you say if we just would've stopped and just gone to reclassify and save all of that time. Granzow stated that we have missing parcels from this assessment. Hoffman stated that he would be pretty upset that if he found out later down the road that I was charged triple the amount. Hoffman stated he could only imagine the amount of work that it would cause Kuechenberg and the Treasurer to issue all of those refunds. Hoffman stated that if we clear this up once and for all, he doesn't think anyone would want a three-dollar refund, but someone that has been charged \$105 dollars or \$385 maybe a different story. Granzow asked how much a classification on this one would cost. Hoffman asked if this was a \$10,000 or 12,000 reclassification. Gallentine stated that he hesitates to comment because he thinks he through a number out the last time Brinkmeyer was present, and he hates to contradict himself. Gallentine stated that he would have to look back through the minutes. Granzow stated that he is ok just guessing for his thought process. Granzow stated that he just wants to know if we need to pull landowners in to tell them what we are doing. Gallentine stated the problem is, he thinks it has at least three laterals. Gallentine asked if we were separating the laterals. Hoffman stated that at this point with some of the issues that were brought up that were unclear it might not be a bad idea either. Granzow stated that it would be a good idea to have a landowners meeting so they can now what we're doing and why. Gallentine stated that he doesn't recall doing any work on the Main on 52, it has always been on Lateral 3. Hoffman stated that he would entertain a motion to set a landowners meeting. McClellan stated she was ok with that. Granzow stated just tell me when. Hoffman stated he doesn't care if it is in December or not, but we might get a better turn out if it is in January. Hoffman stated that the other thing is there are a lot of city people. Hoffman asked if we should have it in Hubbard. Granzow stated that it was asked that we do it in Hubbard. Granzow stated that we should probably look at the golf course. Granzow asked Kuechenberg if she can look it up to see what times are available. McClellan asked Kuechenberg if she could get a couple of times for the golf course. Hoffman asked Kuechenberg if she would just feel out and call Monty Boeke to get a date and options. Kuechenberg stated that she would do that. Granzow stated that you could do that or the school. McClellan stated that they would probably prefer the golf course, and the school would probably prefer that too so we're not trekking through there.

Motion by Hoffman to instruct Kuechenberg to call and book the golf course. Second by McClellan.

In additional discussion on the motion, Hoffman thanked Kuechenberg for looking at all of these numbers, he knows that it is probably a little overwhelming. Granzow stated that when he is asking Kuechenberg questions, he knows she won't have the answers right now. Kuechenberg stated that she didn't notice the other numbers were tripled on there. Kuechenberg stated that she just looked into the items that Lynn had asked about. McClellan stated that she has never looked at them closely either. Granzow stated don't let me try and confuse you, he didn't expect answers right of way. Kuechenberg stated sure.

All ayes. Motion carried.

6. DD 56 WO 3 - Discuss W Possible Action - ROW Easement Purchase Agreement

Gallentine stated that we received the last easement signed from landowners. Gallentine stated that we have all of the easements signed by landowners and he believes we have tenant agreements with everybody. Granzow stated that we had a question last week as to inflation of costs and rates increase. Granzow stated that is not an option, correct? Gallentine asked as far as the easements go? Granzow stated as far as the Gehrke's Construction. Gallentine stated that the last time he talked with Gehrke about a few months ago, he questioned him on that. Gallentine stated that Gehrke told him the supplier has not brought it up with me yet. Granzow stated that we paid the money ahead of time to lock it in. Gallentine stated that he agreed, he's just telling them that's the information that was relayed to him. Hoffman stated, so you have not heard anything on that yet. Granzow stated that our answer was that we paid that money ahead of time to lock the costs in. McClellan stated they could've purchased the supplies back then. Granzow stated that he's assuming that they might have fuel cost increases or labor increases and he can question us on that, but it should be a contract bid. Granzow stated the only thing would be the extension. Gallentine stated that he reminded Gehrke of all of those. Gallentine stated that he was just relaying the conversation he had with Gehrke. Granzow stated that we had this conversation with a landowner last week at our meeting. Gallentine stated that at this point, he can't remember, once we had all those easements and how much they were going to cost, were we going to have another landowner meeting to relay that information, so they had a better idea. Granzow stated that he asked that question as well. McClellan stated that she thinks we did. Kuechenberg stated that she looked back in the minutes it depended on the cost of the easements and if they were able to obtain them at a reasonable cost for the district. McClellan asked Kuechenberg if there was ever a dollar amount that they specified. Kuechenberg stated there was no dollar amount specified in the minutes. Granzow stated that he doesn't know that we need a landowners meeting, he thinks we can send a letter of explanation that the easements came in good and we're moving forward. Hoffman stated that if we get a big response from the letter, we can have a meeting to discuss where we are at. Granzow stated that we should probably inform them in the letter if there has been a price inflation. Hoffman agreed. McClellan asked what are we going to send in there if it's kind of questionable? Granzow stated that the Gehrke's are saying no, no, no we have to do this. Granzow stated that we locked it in. Hoffman asked if they should just have Kuechenberg call Jeremy to find out. Granzow stated that she can. Gallentine stated that he can call Jeremy too. Hoffman stated that we can have Gallentine call Jeremy. Granzow stated that if he suggests a cost increase, I definitely think we should have a landowner meeting to relay that information. Gallentine stated that if he's looking at a cost increase and we have a landowner meeting he's going to suggest to Jeremy that he's there to explain that increase to the landowners. Gallentine stated that he does not want to explain his cost increase to the landowners. Granzow stated and they're bonded. Gallentine stated that he will talk to Jeremy.

7. DD 121 WO 295 - Discuss W Possible Action - Landowner Request For Update

Kuechenberg stated that she just threw this on the agenda because she received a call from Tom Gilmore in DD 121. Kuechenberg stated that Tom will be leaving to his winter home, and he just wanted an update on where we're at with this project because once he leaves, he has no way of knowing when they will be working on the property he farms. Kuechenberg stated that she talked with Adam, and he said he has half of the materials ready to go for this project, he is waiting on the rest of them and hoping they will be here later this week. Hoffman stated that he thinks that we have an early December deadline for this project. Kuechenberg stated that she did relay that information to Adam. Kuechenberg stated that there is a December 01, 2021, completion date for this project. Gallentine stated that December 01 should be the completion date. Hoffman stated that it sounds good. Granzow stated that if materials cannot come in, we have to then look at an extension or something else.

8. Discuss W Possible Action - New Work Order Requests

Kuechenberg stated that she does not have anything for new work orders. Gallentine stated he did not have anything either, it's been pretty quiet. Gallentine stated that he's waiting on these easements for Gehrke and there has not been any new work orders. McClellan asked Gallentine if he ever got a hold of Craig Duncan. Gallentine stated that he called him, and he never called back. Gallentine stated that he will call him again. Granzow stated that he knows the crops are out. Gallentine asked if the Trustees wanted him to try and line something up and go out there without talking with him. Gallentine stated that he preferred not. McClellan stated that we better talk to him.

9. Other Business

Kuechenberg stated that she spoke with Nate Carr with the DNR yesterday, November 16, 2021. Kuechenberg stated that Carr is unavailable to make Wednesday meetings. Kuechenberg stated that Wednesday's just do not work for him but if there is a time in the future where his schedule opens up and he can attend via zoom or phone call he would get a hold of Kuechenberg and let her know. Kuechenberg stated that Carr is new to the position. Kuechenberg stated she relayed our trappers concerns to him, if they're trapping out of season for us they're concerned they will lose their furbearer's license. Kuechenberg stated that Carr wanted to know when we were trapping. Kuechenberg stated we normally get calls about beavers anywhere from early September through February. Kuechenberg stated so we would only need permission for September and October. Kuechenberg stated that trapping season for beavers started November 06-April 15, 2022, according to the DNR's website. Carr informed Kuechenberg that if we reached out to him outside of trapping season that he would give verbal or written communication, whatever we prefer, to us or the trapper that we hired for the job. Kuechenberg stated that Carr does prefer trapping over shooting. Granzow stated that we just care about the tail that we do not care about the fur. Kuechenberg stated that Carr was very specific that the trapper cannot keep the furs if they're trapping outside of season, but they can take the tail as our policy states. Kuechenberg stated that Carr questioned what we needed the tail for, and she explained that we require our trappers to bring in the beaver tail as proof that they took care of the problem in the district so they will be compensated. McClellan stated so they can't shoot them, but they can trap them, she asked if these were traps that kill them. Nazario stated that you cannot harvest their fur or anything. Nazario stated that you can extinguish them. Granzow stated that Carr was just saying they cannot be sniped outside of season. McClellan asked if the trap actually kills them. Kuechenberg stated that he said he prefers that they're trapped. Kuechenberg stated that when she asked if the hired guys for beaver control could shoot them, Carr stated that they could, but he prefers that they trap the beavers. Kuechenberg stated that Carr replied that any experienced person with their furbearing license would probably prefer to trap the beavers too. Granzow stated that the easy answer is when you shoot them, they don't get the tail, it goes under. Kuechenberg stated that she did not know that. Granzow stated that they die, it's just they dive and die. Granzow stated that the trappers can't retrieve the \$100 if they do not provide a

tail. McClellan stated that unless you dive in after them. Granzow stated that trapping is still the best way to collect their money. Kuechenberg stated that Carr did say it was ok. Kuechenberg stated that she did ask him if they had things like nuisance tags and to his knowledge, they do not have that. Kuechenberg stated that Carr is going to look into it. Granzow stated and he prefers that we get Carr's confirmation in writing. Kuechenberg stated ok. Kuechenberg stated that Carr told her that was fine, he would just send out a text message. Gallentine stated that he thinks this is good because historically we have always whenever you need to get rid of them, you get rid of them. Gallentine stated that it's been understood as AG, so it is kind of exempt, so it's nice to get an actual policy or statement from someone in authority. Nazario stated that they cannot say they can't recall never saying that. Granzow stated that's why he would like it in writing. Granzow stated that the person that's actually trapping feels better because now they have something. Granzow stated that in season they can keep the furs and out of season they can't. Kuechenberg stated that was correct. McClellan asked when the season started for beavers. Granzow stated that it started in November.

Kuechenberg asked if the Trustees wanted her to follow up on an email from John Torbert stating that he believed Drainage Districts were disclosed on title opinions. McClellan asked about the email. Hoffman stated that John thought there was already provisions and disclosing on the abstract and title. McClellan stated that would be a question for Dave Rubow. Kuechenberg stated she would talk to Dave and see if he can confirm that. Kuechenberg stated John thought drainage districts were identified in the title opinion. Kuechenberg stated that she does not know anyone that has recently purchased in a drainage district. Kuechenberg stated that she does not live in one herself, so she does not know about that. Hoffman stated that when his farm was transferred to him a couple of years ago, it was not disclosed. Hoffman stated that he knew about it but there was nothing on the disclosures. Hoffman stated that he knows the three of us are going to Ft. Dodge conference maybe it is something that we could also ask there. Gallentine asked if it was next Friday that was the meeting. Hoffman stated that it was December 03.

10. Adjourn Meeting

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