

DD 14 Public Hearing On Engineer's Report

Wednesday March 30, 2022, 10:00 A.M.

This meeting was held electronically and in-person

3/30/2022 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson BJ Hoffman opened the meeting. Also present were Trustee Lance Granzow; Trustee Renee McClellan; Lee Gallentine of Clapsaddle Garber Associates; Michael Pearce, Network Specialist; Jack Runge; Al Urhammer; Ron Vierkandt; Jim Vierkandt; Luke Vierkandt; Adam Seward Honey Creek Land Improvement; and Michelle Kuechenberg, Drainage Clerk.

2. Approve Agenda

Motion by McClellan to approve the agenda. Second by Granzow. All ayes. Motion carried.

3. Introductions/Attendance

Introductions were made and attendance verified.

4. DD 14 - Discuss W Possible Action - Landowner Request For Televising District Tile

Hoffman stated we had a written request from Mr. Runge to request televising district tile. Hoffman stated this request was to make sure before we invest in a whole lot of money in either of the two options for repair or improvement that we know what the big picture is. Hoffman asked Jack if he had anything to add to that. Runge stated from his perspective neither one of the options would have an immediate return for him, rather long term. Runge stated Gallentine gave him a \$10,000 Christmas present several years ago when we had NRCS situation. Runge stated his issue is in section 24 and 27 where the tile flattens out. Runge stated when 26 was done he got a letter from NRCS stating he would have to quit farming .21 acres because he did not prove the wetland, the quick solution would be just going the mitigation ground, but you had to buy an acre which was going for \$10,000 dollars at the time. Runge stated Gallentine wrote a report and sent it to NRCS stating the improvement on 26 had no effect as far northeast as Runge was. Runge stated he just wanted to lay it on the table, there has been a lot of issues in the last two years and even the last 2 generations with tile in sections 24 and 27, before he can feel good about supporting the Engineer's report, he wants to know if he can get water. Runge stated he outlined what he would like televised. Runge stated he has complained for years he has water going out of an intake, down the corner, 3 ft out of the ground there is nothing coming out of the intake. Runge stated he really hoped when the rock pile was removed from the main that was going to improve his drainage, but it did not. Runge stated he would really like to know what that loop looks like. Hoffman asked Granzow if he had any questions or concerns. Granzow stated he would like to hear from the landowners. Granzow asked if anyone else had any comments or concerns. Gallentine stated they have done some televising, but it is not at the upper end, it is all down at the lower end where the report is concentrated on. Gallentine stated he does not know anything about the condition of the upper end where Runge is asking about. McClellan asked where we are talking. McClellan asked the details of Runge's request. Runge asked Kuechenberg if she could give a copy of the request to Gallentine. Kuechenberg stated she would. Kuechenberg handed a copy of the request to Gallentine. Runge stated he does know Ronnie televised D41.

Runge stated he would like to go from the corner of section 26 going into the ditch, kitty corner and across S27, down along the north side of D41 looping into Ronnie Vierkandt's property into the corner, and south of D41 60-70 feet. Runge stated that would give them a clear picture of what is going on in that area. Vierkandt stated that it still bubbles up on neighboring parcels, the problem is below him somewhere. Hoffman stated it sounds like the request is substantiated, we can get to the bottom of things. Gallentine asked if they were talking about televising about a quarter mile of district facilities if he is looking at that right. Runge stated it would be 1/8 of a mile to D 41, probably 1/8 of a mile west, then 500 feet south. Runge pointed to the map where he would like the district facilities to be televised. Vierkandt stated water is coming out of the intake on that route. Vierkandt stated all of the years they have never had any problems in that section 34, he recalls that the county has only been out there a few times. Gallentine stated he recalls the problems in 34 being in the lower 3 acres or so. Runge stated the one time he thought he was going down the tile. Gallentine asked what size tile is in Vierkandt's 80. Vierkandt stated there is a 14 in Luke's 80, he does not know from there on down. Runge stated there might be a 12 in his corner. Vierkandt stated he thinks it is bigger than a 12 going across the other 80. Vierkandt asked if Urhammer knew, he has been down there when they were digging it up plenty of times. Urhammer stated it could be 18. Gallentine stated it must stay at 14 or 15, for our repair the biggest we are putting in is 15.

Gallentine stated as far as televising it is up to you folks, we do not know anything about the condition of the tile in that area. Gallentine stated CGA does not have record of anything in that area really. Granzow stated he does not have any complaints of televising in that area. Hoffman stated looking at the classification we have a large percentage of the owners at this meeting. Runge stated right or wrong he is representing another individual.

Motion by Granzow to start televising where the main exits the field in section 26 traveling on the east side of S27, the north side of D41, moving into section 27 then continuing into section 34. Second by McClellan. All ayes. Motion carried

5. DD 14 - Discuss W Possible Action - Engineer's Report On Repairs & Improvements To Main Tile Of DD 14

Hoffman stated he is going to guess that we hold off on any action until we get the results of the televising back. Hoffman stated while everyone is here, we can still go through the report and discuss the options so he will give the floor to Gallentine. Gallentine stated he will go through the report but does not think it is necessary to read it word for word, most of the people in attendance have been through these hearings in the past. Gallentine stated they were requested by the district Trustees to make a report for possible repairs or improvements in DD 14. Gallentine stated their study was limited to the lower 2,900 feet of the tile, there are maps in the report they can flip to for a clear picture. Gallentine pointed to the lower 2,900 feet on the map, starting at the outlet where it is connected to DD 123. Gallentine stated this is roughly Ronnie Vierkandt's south property line. Gallentine stated a little bit of history on this district, it was established around 1909-1910. Gallentine stated it is a little bit different than other districts because we have history of repairs in 1915-1917 era, right after the installation it sounds like they were having issues with the tile (faulty workmanship/tile). Gallentine stated we started getting repairs then a gap, there might be something there, we just do not have a record of it, from the 1950-2000s there is 40 repairs in section 34, 21 of those all of which were in the first five years of construction. Gallentine stated it goes to tell you that whatever happened there was not according to plan. Gallentine stated a lot of the drainage districts do not have that issue when looking through their history. Gallentine stated in 2020 they did some televising, about 1900 feet in section 34, they found 26 locations where the tile was starting to squat down. Gallentine stated we call those a partial or imminent collapse, if it cracked that is another thing, it can still support itself on the sides. Gallentine stated CGA is not sure if those are due to the age of the tile, a continuation of the original installation issues, or a combination of both. Gallentine stated either way if something is not done the main tile will have poor drainage performance. Gallentine stated upstream landowners will continue to have poor drainage, ponding, and risk of sinkholes. Gallentine stated all told you will just have reduced drainage capacity as you keep moving forward. Gallentine asked if there are any questions to this point.

Gallentine stated for solutions they're proposing a couple of different options. Gallentine stated for repair options, trying to maintain the original design/drainage compacity we will be putting in the same size pipe for example: if there is a 14-inch pipe, we will put in a 15. Gallentine stated if we want to repair this, we are looking at the following options: (1) replace the lower 500 feet of tile with same or similar size tile in the same location or a 20-foot offset, and (2) this option is essentially the same as above, but the length is longer, rather than replacing the lower 500 feet this option would replace the lower 2,900 feet. Gallentine stated a few assumptions: (1) we would put in the same size that is currently manufactured, (2) the only portion of repair would be in the red on the maps provided in the report, (3) they would use rock bedding and backfill (he does not mean full depth, but they would bed the bottom half in rock if it is concrete pipe or if it is plastic we would fill it all the way up to the top of the pipe for stability), (4) we would try and match the slopes and grades with the original design as part of the repair. Gallentine stated the whole intent of a repair is that it would not significantly increase any drainage compacity out there. Gallentine stated the original tile was designed for .1 inches per day. Gallentine stated if all of your drainage had occurred just through this tile, a one-inch rain would take 10 days to drain out. Gallentine stated we all know if flows overland and does everything else besides just flow through this tile, but this gives you an idea at it's current compacity. Runge asked what can be done to improve that? Gallentine stated he will talk about that next. Gallentine stated historically repairs have been viewed as not impacting jurisdictional wetlands, but we always recommend if any district project moves forward repair or improvement to go talk to the NRCS. Gallentine stated CGA cannot talk to the NRCS on the landowner's behalf, they will not get any information. Gallentine asked if anyone had any questions on the repairs. Granzow asked what the cost of each would be? Gallentine stated the cost of replacing the lower 500 feet is estimated to be \$62,400. Gallentine stated the lower 2,900 is estimated to cost \$288,000. Gallentine stated that cost includes labor, materials, equipment, engineering, designs, bid letting, and construction observation. Gallentine stated this cost does not include interest, legal fees, administrative fees, crop damage, or any other fees.

Gallentine stated if you want to increase drainage compacity you could essentially do the same routes 500 feet or 2,900 feet with larger pipe. Gallentine stated they threw a 24-inch pipe in there, that would increase the drainage compacity to .34 inches per day (tripling the drainage compacity). Vierkandt asked why they would do that because it wouldn't pay for the top. Gallentine stated that is a good question, he's been to several drainage hearings and always says if you buy an old house do you fix first or the foundation. Gallentine stated he has seen it done both ways. Gallentine stated he will say this, if you lower the tile, you will have to start at the bottom. Gallentine stated he knows it does not get them to a ½ inch drainage coefficient which everyone likes to have, but it sure triples compared to what they currently have. Gallentine stated NRCS would view this as an improvement and will probably view it as having an impact on jurisdictional wetlands. Gallentine stated if we choose this route could you please talk to the NRCS to and get their determinations and send them back to us before the design or during the design of construction and not after the fact. Gallentine stated if you wait too long, they send notices not just on the farm in question but on everything you farm and that can just be ugly. Granzow asked if the laterals would be separated out. Gallentine stated the costs of everything for the 500 feet would be \$73,650 to triple the compacity for an extra \$11,000. Gallentine stated for the lower 2,900 feet it would be \$353,250 tripling the compacity for \$70,000 more. Gallentine asked if there are any questions on what is being proposed. Runge stated just so Ronnie is clear, he is not proposing doing work where he is at, he just has questions and concerns about the tile. Gallentine stated you just want to make sure you have access to this if it does happen. Runge stated yes, he would hate to spend 43% of \$350,000 to have water still blowing out of his intake when he's just paid for the neighbor to have a full new outlet for their farm. Gallentine stated he can guarantee if you spend this much money one day there will be water blowing out of his intake, we've had some crazy rain. Gallentine stated he guarantees it will fail sometime because we cannot build it big enough for everyone. Runge stated he understands that. Runge stated he is not proposing that we start making improvements in section 27 and 34 on the top end, he just wants to see what the tile looks like. Gallentine stated he understands it is a different kind of scenario, a lot of them you're locked in, here, elevation wise you're not locked in we have depth that we can take advantage of. Runge stated there is tremendous fall from section 34 to probably the middle of 34 where it flattens out. Gallentine stated that is something is worth mentioning, that .34 inches a day with a 24 inch is assuming we stay on the same grade with what is there we just lower it. Gallentine stated if we wanted to, and you're ok with the depth of this thing, we could change the depth of this grade to steepen it. Gallentine stated if you stay at a low elevation at the outlet and you stay existing elevation further up and just put a steeper grade will give you more drainage compacity. The Trustees asked the landowners if they would like Gallentine to start looking into this option. Runge stated he would like to know what the results of televising are before he votes on something like this. Hoffman asked if the landowners would like CGA to start looking into that option, in the meantime between today and the day someone televises CGA can start working on the proposals on other options. Gallentine stated on some districts it does not make sense because you only have a foot of cover, here you have a foot and half of cover. Gallentine stated you guys tell me, do you already have enough cover up here already on this tile? Runge stated he has never had a blow out up there other than right up on that intake. Ron Vierkandt stated if you would have asked me right before I got here, I probably could have told you. Vierkandt asked how deep the intake was right at Luke's driveway. Gallentine stated if it was a shallow tile, you guys would probably say you hit that all of the time. Gallentine stated that may be a possibility is we change that grade instead of hitting that .34, maybe we can get something bigger. Runge stated he has the original drawing of this, when he looked at it there is a 36-foot fall, the grade is something this district has vs other districts. Runge stated we have grade in this district to make it better, it would be foolish not to utilize that. Gallentine stated on the original profile the first 300 feet is at 1/10th grade.

Granzow asked if anyone is interested in doing the repair at all or are we looking at improvements? Hoffman asked Runge what his thoughts were. Hoffman stated at 43% he does not want to dismiss anyone else, but he wants to see what the majority landowner would like to do. Vierkandt asked if we would need a reclassification. Gallentine stated we can talk about that. Granzow stated an improvement might trigger that anyway. Granzow stated he just wants to know if they are not talking repairs, we should get that off of the table. Runge stated he thinks that is off of the table. Vierkandt stated he thinks so too, they are getting too expensive. Gallentine stated once you get passed that lower 300 foot that is really flat, you have anywhere from $\frac{3}{4}$ to $\frac{9}{10}$ of a foot of fall every 100 feet, you're right this is a pretty steep district once you get going on it. Gallentine stated that is something we can tweak for sure, we talked a little bit about classification.

Gallentine stated if the District Trustees were to go ahead with the repair we would not have to reclassify, unless they feel that the current classification is inequitable. Gallentine stated if an improvement moves forward these laterals have not been separated so they have their own classification, one would have to happen. Gallentine stated since we are improving the main, he does not know if we would have to separate the laterals that is really a legal question. Gallentine stated right now if something happens everyone in the district would pay their portion of the bill, if you reclassified you would have a separate schedule for lateral 2 only the people within the watershed of lateral 2 would pay and that is a code requirement. Gallentine stated more and more districts are going to that because it feels a lot more equitable. Gallentine stated they've also ran into during the reclassification process in other districts laterals being really short where the landowners would want to abandon those and fix them themselves. Gallentine stated the cost for the district to maintain 150 feet of 6-inch tile is probably not necessary if you could do it yourself or call someone else. Gallentine stated that would probably not be the case for this district, most of the laterals are longer. Jack Runge stated he owns all of the ground lateral one goes through. Gallentine stated there might be some potential to abandon that lateral then. Runge stated if there is he agrees with that. Gallentine stated at the time the district was established they made sense based off of what they could do and maintain on their own. Granzow stated he is assuming there were a lot more landowners involved. Gallentine pointed to the map in the Engineer's report and stated the dash on the map was in there before the district was established the district adopted the tile. Gallentine asked if there were any questions up to this point.

Granzow stated what he is hearing is we were looking at an improvement, but we want to send Gallentine back to the table to get a different slope instead of what is presented to us. Gallentine asked if anyone saw any need to go bigger than a 24-inch tile? Granzow asked if it would hurt to throw a 30 inch? Gallentine stated he does not know the cost of that. Granzow asked everyone if they would like to see the cost of that. Gallentine stated it was their call, what you determine to do in this project if something moves forward will dictate the next 100 years, I mean we are talking about what they did in 1909. Vierkandt stated he would like to do better for his great grandkids than what his great grandfather did for him. Hoffman stated with the technology and what was available at the time that was the best they could do. McClellan stated they probably did not have 30-inch tile back then. Gallentine stated they did. Gallentine stated I guess the better question here is would you guys be interested in knowing what it would take to get a 1-inch coefficient. Runge stated he is afraid of what it would cost. Gallentine stated it would improve drainage by upsizing or dropping it. Granzow asked how much money it would take for CGA to come back with answers to a 1-inch coefficient vs. 1/2 inch coefficient downsizing. Gallentine stated it would not take much, maybe \$1,000. Granzow asked for \$1,000 do you guys want to know? Runge stated you would be limited by the new main that was put in. Gallentine stated maybe the better thing is if you would let us loose to see what we could accomplish if we just decided to tweak the grade and the size and see what optimizes things. Runge stated so many districts do not have the option of fall out. Gallentine stated you have the option of fall out and you have improved outlet that is deeper. Runge stated they had some issues when they started getting deeper with what they had to work with, so they brought the tile different ways then came up to level off. Runge stated that is basically what they did in 34 because it would be silly not to maintain an even grade from the new main to wherever far we go, utilize the fall that is available. Gallentine stated the extra depth, you're right that goes to fall but it also goes to the fact that we could maybe hit that flow line and put in a bigger pipe, but the top of that tile is not any higher elevation than it is right now. Some districts run into the problem where they have a 24-inch tile and they want to upsize to a 48-inch tile, well we only have a foot of cover so we can't do it. Granzow stated so you want to maximize the flow is what he is asking. Runge stated he does not know if he would call it flow but he would call it fall. Runge stated he wants to keep the grade even you start having the blowout issues when it is not.

Gallentine stated we are at the recommendation part of the report, we recommend the report is approved which the Board has already done. Gallentine stated we recommend that you adopt one of the recommendations of our report and go to a bid letting but I think with the televising you might want to hold off on that. Gallentine asked how the Board of Trustees would like to proceed. Hoffman stated he would like to see it televised and he would like to reconvene in person probably in June. Hoffman asked if it would be permissible or ok once we get the information from Paul we can share the report as long as someone has their email. Hoffman stated from there we will find out from the landowners when they would like to reconvene. Gallentine stated he will say this based off of what we did with other meetings, if you close and adjourn and you do not have a set date you will have to resend notices and republish. Granzow asked if they have a date in mind. Hoffman stated we have June 1st and June 8th. Kuechenberg stated the first and the eighth are available. Hoffman asked the landowners if they would like to plan for the 8th just to be safe at 10 a.m. Runge asked if they should write that down now or if the Drainage Clerk will send a letter out. Gallentine stated he would write it down. Kuechenberg stated for everyone that did not hear that was June 8th at 10:00 a.m. Gallentine stated the issue gets to be if they adjourn, they have to resend letters out certified, right? Kuechenberg stated we would have to send letters out again and publish the notice of public hearing in the newspaper again. Gallentine stated for such a small district he does not know if it is really worth that extra expense. Hoffman asked if everyone had an email on file with our Drainage Clerk as we get data, we could send that to. Some of the landowners stated they did not have an email. Hoffman jokingly stated we could send smoke signals up there.

Motion by Granzow to recess the meeting until June 8th at 10:00 a.m. in the Large Conference Room with the added information and the results of the CCTV. Second by McClellan. All ayes. Motion carried.

6. Comments/Discussion

7. Possible Action

8. Other Business

Gallentine thanked the landowners for the discussion and stated they have a lot of history that he does not have. Ron Vierkandt asked when they can require or ask the Trustees for a reclassification? Hoffman stated the landowners can ask for a reclassification anytime, but he would probably tell them to wait to see what the improvement looks like. Hoffman stated he would also suggest that the landowners discuss what they would like to do with the laterals whether they're separated, abandoned, or remove them that way we can tell CGA what we would like to do in the reclassification process. Granzow stated he would wait for the televising. Gallentine stated the landowners can ask for abandonment of the laterals at any time, it does not have to be a part of a project or in the reclassification process. Gallentine stated it is a petition process and a meeting. Hoffman asked the landowners if they wanted the petitions to look at between now and then they can follow Kuechenberg upstairs and she can hand them the information needed. Gallentine stated it is ½ of landowners who own 60% of the ground. Kuechenberg stated that was correct. Granzow stated if they want to turn it into us right away, we can have it in a motion next week. Gallentine stated if it makes sense. Gallentine stated they can do what they want, the district will gladly maintain anything the landowners want. Luke Vierkandt asked what the process with the NRCS was, if he just needed to call and ask if he had wetlands on his property. Gallentine stated, yes, you can just tell them that the drainage district is thinking about doing an improvement in DD 14 and ask where the jurisdictional wetlands are. Luke asked if he was asking for just on his land in a specific spot? Gallentine stated you might want to get it for all the ground in the district, some people do, and others do not. Granzow stated anything you are a tenant or a landowner on you can do that on. Gallentine stated they might look at the file and say they already did one that is recent enough they do not need to get it again. Gallentine stated when you get it, please send it to us. Luke Vierkandt asked if that was preventative maintenance on their part where they should just get it looked at within the next month anyways. Hoffman stated he would get an answer sooner than later. Gallentine stated Runge's is probably already done. Runge stated they called his prior converted, it went from a wetland to prior converted. Gallentine stated there are different classes of wetlands, there are some that are prior converted that were tiled out and as long as you're growing a crop on them you have a right to drain them, but you do not have a right to improve drainage. Ron Vierkandt asked if that is what this would be called. Gallentine stated when you start upsizing drainage, we may have to have a discussion with NRCS. Granzow asked if 1986 was the cutoff year. Gallentine stated that was correct. Granzow stated if you have prior tile in before 1986, you're entitled to that amount then they hold you to that.

9. Adjourn Meeting

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