

DRAINAGE CONTRACTOR MEETING

Thursday March 3, 2022, 8:30 A.M.

This meeting was held electronically and in-person.

3/3/2022 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson BJ Hoffman opened the meeting. Also present were Trustee Renee McClellan; Trustee Lance Granzow; Lee Gallentine of Clapsaddle-Garber Associates; Michael Pearce, Network Specialist; Steve Weidemann (by phone), Weidemann Inc.; Paul Williams, Williams Underground Services; Adam Seward, Honey Creek Land Improvement; Jeremy Kolthoff, South Fork Custom Fencing; Joel Steiner; South Fork Custom Fencing; Tami Maas, Gehrke Inc.; Kim Faris, Faris Farms; Jacob Handsaker; Hands On Excavation; Lance Stolee, Hands On Excavation; 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 made and attendance verified.

4. Discuss W Possible Action - Policy Updates - Contractor Feedback

Hoffman stated he would like everyone to update their rate sheets and insurance forms. Hoffman stated that way everyone knows what we're supposed to be paying everyone and there is no confusion. Hoffman stated rate sheets can be updated as often as the contractor's see fit, Hoffman understands fuel and labor expenses can be very arduous. Hoffman stated we can only pay the rate each contractor has on file with us. Hoffman asked if anyone had any questions about the rate sheets.

Hoffman stated he would like to talk about some pending large scale projects in the County. Hoffman stated they are not set and stone so his first disclaimer, he is not an attorney and neither is Lee Gallentine with CGA, but if you look at the scope of these projects please consider equipment, staffing needs, and what is and isn't on your current calendar. Hoffman stated he would encourage everyone to be in contact with Summit Carbon Solutions and Navigator to see what their projects look like and the timeline/what they may need for services. Hoffman stated some of those services will be reliant on the Drainage Utility Application and Permit process. Hoffman stated he is not expecting anyone to go out and buy equipment until they know for sure the projects are going to happen and it is going to be in your best interest to do that. Hoffman stated by no means is Hardin County Drainage Trustees encouraging anyone to go out and spend ridiculous amounts of money but if you believe that is what you need to do to be a part of the upcoming project, feel free to do so on your own. Hoffman asked if there was any questions. No one had questions at the time.

Hoffman stated the next thing he would like to talk about is the scope of the projects coming in and he is going to allow Gallentine, if he is ok with it, to explain the two projects and what construction variables may be in place. Gallentine stated we have the two maps for the proposed liquified carbon dioxide pipelines. Gallentine stated he does not know if anyone is up to speed on the project but the plan is they're going to capture carbon dioxide at local ethanol plants and pressurize it between 1,300 and 2,100 psi until it is liquified to put in a pipeline. Gallentine stated they're going to collect everything underground, one project takes it west to North Dakota and the other project takes it east to Illinois. Gallentine stated essentially they inject it underground to porous sandstone then it stays liquified/sequestered forever. Gallentine directed his attention to the maps displayed on the screen of the proposed routes from Summit and Navigator. Gallentine stated these are there proposed routes going across Hardin County. Gallentine stated

one of them will go up to Pine Lake ethanol and hook up, the other one just goes across country and that is it. Gallentine stated they have to go through the Iowa Utilities Board, there will be a whole process involved there, as part of that for private tile, not district tile, they have to do an Ag Restoration plan of how they will restore the soil/tile. Gallentine stated what we are talking about today is for the Drainage District facilities, it is my understanding that they will have to get a permit for each tile that they cross. Gallentine stated the current permit is attached to the agenda. Gallentine stated what is going to apply is the last page that discusses pipelines. Gallentine stated he believes the District Trustees have it set up requiring pipeline companies to use local contractors to do those repairs on the district tile only. Gallentine stated that is why you are here to make sure your hourly rates are up to date and that you are aware of the project/compacity because it will be hard for the Supervisors as Trustees to say pipeline companies have to use local forces if only one contractor can dedicate one crew. Gallentine stated that would not be enough. Gallentine asked Hoffman if that covered what he was thinking. Hoffman stated it did. Hoffman stated he thinks it is important to go through the utility permitting process for the pipelines that was approved yesterday. Hoffman stated there are some special considerations on this project compared to our run of the mill work that need to be taken into account when you do your rates and stuff. Hoffman stated an example would be the concern of heavy equipment driving across some of these district facilities. Hoffman stated we want to be able to maintain the database of information to protect the drainage infrastructure and the people paying for it. Hoffman stated the one thing would be to add GPS capabilities to equipment to be able to track movement so anytime on the project there would be a map of data built showing your location. Hoffman stated down the line no one will be able to say, I'm going to use you Kim Faris as an example, that Kim drove a rock truck over a 100 year old clay tile 16 times and that is where it crushed. Hoffman stated we will have proof saying Kim was never on that job site. Hoffman stated GPS tracking was an idea of one of our local contractors and he thinks that will preserve the quality of litigation in future claims. Hoffman stated that will be one of the things that will be required for vehicles over 8,000 pounds. Gallentine stated on the back page it is item D. Gallentine stated essentially this came about with the talk of wind towers, typically when they do crane walks you watch them when they cross the district tile. Gallentine stated the question is always what do they do when you're not out there. Gallentine stated the permit requires GPS mapping of any vehicle greater than 8,000 pounds, that way there is no confusion on your path. Gallentine stated that would apply to any of the contractors out there if you work for the pipeline or the pipeline folks themselves. Handsaker asked if that is for all equipment that is out there. Gallentine stated all equipment. Gallentine stated he is not talking GPS machine control. Handsaker stated he understood. Gallentine stated if they can put it in your phone and stuff it shouldn't be too expensive. Handsaker stated it was not super cheap. Handsaker stated depending on how many machines you have set up and what type. Handsaker stated they looked at it for all machines and it was several hundred dollars a month. Handsaker stated you're probably looking at \$20-\$50 a piece of equipment per month. Hoffman stated thank you for weighing in Jacob, I didn't hear you introduce yourself. Hoffman stated he knows that the county went through Verizon for our equipment. Hoffman stated Verizon is very affordable. Hoffman stated it is a good way to protect you guys in the future and it will give the local landowners and those being assessed any fees a peace of mind that we actually care what is going on. Gallentine stated Jacob snuck in late so you did not miss him. Gallentine stated you guys control your hourly rate sheets, it isn't to say that you can't have a different hourly rate for your backhoe running this and a different rate for your backhoe being GPS tracked. Gallentine stated if you would like to set up your rates that way you can have two different rates.

Hoffman stated another area in the permitting process he would like to take a look at is the televising of facilities before and after construction. Hoffman stated that is an insurance policy hoping to preserve the integrity of the facility so those people that are financially responsible for the facilities are not being assessed damaged fees after construction is complete. Hoffman stated that is one of the things where Lee and I do not know how many crossings there will be because the route is indefinite or unsure right now but the crossings in that area will need to be televised. Hoffman stated he is not sure if it has been determined how much on each side of the crossing will be televised or how that process will work. Hoffman stated televising district facilities will be a huge part of any project that takes place within a drainage district.

Hoffman asked if anyone had any questions. Williams asked if we were going to pre televise or pre and post televise. Gallentine stated we will televise pre and post. Gallentine stated that is item A on the Utility Permit Application. Gallentine stated this is at the District Trustees discretion there will be pre and post televising. Gallentine stated he would assume you would want to do at least the right of way with minimum, permanent and temporary easements. Gallentine stated they should not be outside of that a whole lot. Gallentine stated he believes for private tile the state requires that you have to rod them to make sure they are clear. Gallentine stated there is a big difference between a free flowing tile unobstructed and one you can just run a rod up. Williams stated he saw one that way yesterday. Gallentine stated that is requirement

A.

Hoffman stated the other requirement; I think Lance, Renee, and I; really take pride in the fact that they all went to at least one if not 2 of the pipeline meetings. Hoffman stated Ellingson Corporation out of Minnesota is who Summit plans to use for their tiling needs. Hoffman stated he wants to make sure they know the Trustees went to bat for their local contractors in the fact that the Trustees know on occasion we have new contractors that go up to someone that has been a life long resident of Hardin County and introduces themselves and they're a little hesitant because their lifeblood is in that soil. Hoffman stated their lifeblood is in those drainage tiles whether it is private or district facilities so the Trustees want to make sure that they gave the local contractors the opportunity to have some financial gain from this. Hoffman stated he is sure that any contractor in the room would rather work 20 miles from home than have to work in other counties. Hoffman stated knowing that this is going to be good honest work and the pay will be there and probably a little more expedited than say if we have to have a closing hearing on a project 18 months after the project is done. Hoffman stated their intent with adding the local contractors having priority was not only to help the landowners and make sure we have quality work but also to make sure we maintain the relationship and respect from the landowners in their confidence and quality of work that is being done. Hoffman stated he believes the project will end up happening and if they do end up happening, our local contractors that pay wages, buy food, buy fuel from the county will be able to benefit from the project as well. Gallentine stated the way it was stated at meetings, for private tile, Summit Carbon is planning on using Ellingson Contractor, what they call local contractor, out of Minnesota. Gallentine stated when you are in a multi-state project who is local and who is not. Gallentine stated district tile. this permit would prevail with local contractors. Gallentine stated, Navigator, they indicated at their meeting that they are planning on using local contractors, even for private tile. Handsaker stated, Summit Carbon has said that too. Gallentine stated, ok, maybe through changes negotiations have happened. Handsaker stated at their meeting in Ames, Summit Carbon Solutions stated, "Ellingson was there tile guy, but if a landowner has a preference they would accept that." Gallentine after they have been around to enough meetings that probably has changed. Gallentine stated he went to the meeting for Hardin/Franklin and they said they were using Ellingson. Gallentine stated those were the first two meetings so he imagines after getting enough questions the sales pitch was tweaked. Gallentine stated either way, for district tile, this permit should prevail for local contractors. Hoffman asked Gallentine if he could think of anything else in the permit that we should discuss. Hoffman stated one thing he does want to talk to everyone about is once this project gets started, it will go pretty quick. Hoffman stated the professionals that will be doing a lot of work are former oil and gas pipeline people that had previously been working on oil and natural gas pipelines, and because of some unnecessary circumstances in our country today, they are being displaced. Hoffman stated they are very systematic and they move things very quick. Hoffman stated if you are going to commit to these projects please be aware that they work through rain or shine. Hoffman stated make sure your schedule is available and you're upfront and honest with any conflicts or changes that way there is no lack of respect on either side.

Gallentine stated the way the permit works is that the owner/developer, whatever you want to call them, has to let us know when they're crossing the district facilities. Gallentine they will have to meet the conditions of the permit. Gallentine stated from the sounds of it CGA will be out on site on the private side as the county inspectors for the AG restoration plans also. Gallentine stated they will be out there continuous either way. Gallentine stated he thinks BJ is right, we've all seen wind farms go up in the past, and I think pipelines schedules are probably a little more aggressive than wind farms so they will be out there 6-7 days a week sun up to sun down. Gallentine stated those guys are typically certified union employees and they're just working so they really hit it hard, hopefully we have enough compacity in the County to meet their requirements.

Hoffman stated one other thing he wants to make sure everyone does when they update their rate sheets is to give Michelle, our Drainage Clerk, a copy of their updated insurance form too. Hoffman stated he is sure that Navigator and Summit will want that information and it would be nice for Kuechenberg to be able to build packets. Hoffman stated if the insurance policy happens to have a lapsed date or a renewal date sometime within the project the Trustees would hope that they update that and get it to the Drainage Clerk as soon as possible. Hoffman stated he is sure they will not want the contractors out on the job site unless they're fully insured. Gallentine stated one more thing he can think of on the hourly rate sheets is if there is anything that is excluded, such as special safety training, the pipeline would require. Gallentine stated he wants everyone to think of those special costs and add it to their rate sheets, he knows it is really hard to

recoup those fixed costs if you go to something special like that. Gallentine stated, talking to a different contractor on a previous windmill project, the contractor told him he had to have his guys on site at 7:30 in the morning because they required a half hour of exercise then they would have to go to a different job because they were not working that day. Gallentine stated if they were going to work in that week they would have to be on site for the hour exercise. Gallentine stated he just want's everyone to be aware, it is not some of the traditional Iowa common sense type of thing that we are like lets get at it. Gallentine stated you will probably have to attend safety meetings.

Hoffman stated that is everything that he wants to cover if anyone has any questions or comments. Seward asked if they know how many railroad crossings we would be dealing with and who would assume that responsibility. Gallentine stated that is up to the pipeline/applicant, they have to deal with railroad crossings. Gallentine stated unless if they are crossing a district tile at a railroad, it is not our concern. Seward stated that Paul mentioned earlier that he would like to take on all railroad projects. Paul stated he did not. Seward stated he thinks he pawned that off on Paul a year or so ago. Seward stated BJ should make note that Paul is now in charge of all railroad. Hoffman stated he had a feeling someone would bring up our friends at the railroad today. Gallentine stated that would be another thing is that if you have to get into a railroad right of way as part of this project to get to the district tile, you may want to put that disclaimer on your rate sheet. Gallentine stated typically if CGA does a construction project they exclude any of that specialized insurance or any of that. Seward stated that is why he was asking, railroad insurance for that quarter is through the roof. Seward stated you would probably have to deal with 2-3 different railroads potentially. Seward stated that it can be a real drain for everyone involved, especially the clerk when there is more important things she could be doing. Gallentine stated the district does not need to deal with the access permit, the contractor does. Gallentine stated he understands it is more work but it is not like it is a district driven project, they're driving the project. Kolthoff asked if that meant we could work under them. Gallentine stated you will have to talk to them. Kolthoff stated because that is where we have to call in locates, if they go through something, he is wondering if locates have to be called every single time. Gallentine stated as a general life policy he would call in locates. Kolthoff stated he was just wondering if they go through 5 of them in a short period we could get them done and over with. Gallentine stated there is a lot of variables on their schedule and their timing. Gallentine stated both companies stated they would like to take care of all of the private tile issues ahead of time and they say that they would like to divert around/reroute so they do not have to deal with it during construction, it is nice in theory, in implementation that will be tough because the tile runs where the tile is for a reason. Gallentine stated a reroute can be problematic at best. Gallentine stated he has not imposed these route maps on a map to figure out which districts they're crossing because they are still a proposed route. Gallentine stated if you look at the map on the wall all of the colored areas are drainage districts in Hardin County. Gallentine stated they will be crossing quite a few of them. Weidemann asked who is responsible for televising pre/post as far as contacting and all of that good stuff. Gallentine stated the company that is constructed the pipeline pulls the permit, they are in charge of making sure that gets done. Gallentine stated to his knowledge we have one in County contractor that has televising capabilities. Weidemann asked if it is the contractors responsibility to get a hold of that, or is it separate. Weidemann asked who was responsible. Gallentine stated whoever pulls the permit. Gallentine stated it is no different than they're responsible us when they are going to cross the tile or notifying a local contractor to repair the tile if it gets damaged. Gallentine stated his goal would be to cross them without damaging any one of them. Gallentine stated he does not think that they will likely slow down enough for that unless if it is flowing enough their trench gets filled. Hoffman stated he would agree. Hoffman stated Lance, Renee, and I need to discuss at an upcoming meeting, Kuechenberg can put it on the agenda, how we will archive the data from televising whether we'll keep the data, CGA keeps it, or if we provide a copy to the developer and we keep a copy. Hoffman stated he thinks that is something we need to add to our policy at an upcoming meeting. Handsaker asked if CGA will have specs for crossing that pipeline. Gallentine stated it is already in there. Gallentine stated as far as how to cross it. Handsaker stated, right, as far as sandbags or what we're doing to support flow line and not reduce settling or xyz.

Gallentine stated if you look at page 4 of the permit it talks about district tile and how to repair them if they're crossed. Gallentine stated page 3 talks about open ditches. Paul stated without going into detail on page three and four are we just doing the same thing we are doing now. Gallentine stated he wouldn't say it is necessarily the same thing. Gallentine stated he will go over it real quick. Gallentine stated they maintain at least a foot clearance between the district facility and their pipeline. Gallentine stated the requirement is that they go below the district facility so if that tile needs to be repaired you do not have to dig past their pipeline to get to it. Handsaker asked who does all of the locating for depth on that, is the permit holder

responsible for that? Handsaker stated they will have to find the depth ahead of time. Handsaker asked if that would be pot-holing for the local guy? Gallentine stated he believes they have the option to use whoever they want because the permit reads that they should use local contractors for all work pertaining to televising and repair/replacement. Gallentine stated they have to clear it by a foot, if they damage the district tile they would have to replace it with either concrete pipe with tied joints so that there is a firm basis going across the trench or CMP. Gallentine stated his general preference is concrete, CMP is ok, but to be honest the galvanized coating is not what it used to be. Gallentine stated it does say that dual wall will be allowed with approval of district representative. Gallentine stated we probably will not, not for a pipeline going under them. Gallentine stated he gets concerned with sinking, he does not care how you do it. Gallentine stated the preference would be to bore, but he does not know if they will be willing to bore every tile. Hoffman stated he had a question for Handsaker. Hoffman asked if Handsaker preferred that we amend the permit language that exploration and location shall be performed by local contractors as well? Handsaker stated that would double the amount of work that they would have to do. Handsaker stated it would be good if they would be able to send a report to CGA or someone in their notice that they are going to cross that they tell us what that depth and the size of tile is so we are not showing up on site with the wrong information. Handsaker stated it would be nice to show up on site with the correct materials so we know we are not sitting there with water running in there hole. Handsaker stated we will have to stock a whole pile of concrete pipe. Handsaker asked if they made concrete pipe to 12. Gallentine stated he thinks 12 is the smallest, below that we would have to have CMP or require 12. Gallentine stated he thinks the first right of fusel sounds good, he would be surprised if you get that information if they pothole it. Gallentine stated based on the wind towers that he has worked on they've had the electrical contractor potholing and he had no clue what field tile was. Gallentine stated they gave him GPS coordinates and Gallentine had to tell him it is on the top of the hill, it is not even here. Gallentine stated the guy asked how he knew. Gallentine stated he told him he just does, there is nothing to drain here. Gallentine stated he would imagine you might get a little bit of that with the pipeline guys. Kolthoff asked if that would be documented the first time by Paul going through and televising. Gallentine stated someone has to find it the first time though, either you are going to hire Paul to go out there to find it and televise it or they can try and find it themselves. Paul stated he can do the same way he is doing with CGA right now, if he finds it, he can televise it every 50 ft or so. Gallentine stated he does not disagree, after it has been televised, we will know the size. Gallentine stated that initial finding someone has to do. Paul stated he feels like the county and CGA should have a copy of that for our own protection. Gallentine stated we will have to figure out a cloud based system where we can upload it. Paul stated he thinks he can email the reports. Gallentine stated the file size will be what bites you. Paul stated right, if CGA is going to be involved it would be easier. Paul stated he can just go to CGA office and pick up a USB drive and we can have it the same day. Gallentine stated he thinks we can work out a system. Kolthoff if they want to see where they are at and how deep it is, that is on them, isn't it? Gallentine stated we do not know if they want to dig through them and repair them after the fact or if they want to replace all of them with concrete before they start. Gallentine stated he does not know if they know, they have so many other things in the fire he does not know if district tile is their concern. Gallentine stated at some of the meetings when he starts talking about district tile they do not understand the difference between that and private tile. Granzow asked what the odds are of them just ignoring all of this and plowing through and being done. Gallentine stated he thinks as Trustees they have the upperhand to make sure that does not happen. Gallentine stated he does not think it is huge because he gave a copy to the State representative of our current copy of the utility permit and said, "that is great that they have an AG restoration plan but drainage districts have a right above and beyond that and in Hardin County they will have to do this." Gallentine stated he was ok with that. Gallentine stated the State Representative he spoke with works for the Attorney Generals office and he writes a general opinion to give to the Utilities Board. Paul asked if we could back up to the requirements. Paul asked if we could back up and talk about the requirements with concrete and tied joints. Gallentine stated the thought is with the concrete with tied joints you would go passed the width of the trench. Paul asked if we would still want a concrete collar on that. Gallentine stated, yes. Gallentine stated what Paul is talking about is when you have the concrete tile joining an old clay pipe we require a concrete collar.

Hoffman asked if there are any other questions. Hoffman stated he hopes everyone found this meeting helpful and can appreciate the fact that we want our local contractors to succeed. Hoffman stated he is sure we might have a little push back on this because we are picking winners and losers but we are going to pick winners from Hardin County that are invested in our community. Hoffman stated shame on the Trustees for picking winners that will keep the money in our schools and our grocery stores but he personally believes that is what is best for our contractors. Paul asked if there was a proposed start date for any of this? Gallentine stated Navigator was looking like 2023-2024 and Summit was looking like end of

2022 beginning of 2023. Gallentine stated when they have these informational meetings they can not negotiate or talk to any landowners prior to the meetings. Gallentine stated they really do not have an idea of how much support or resistance they are getting for obtaining easements. Gallentine stated both of them indicated that they are going to try and get voluntary easements they are trying not to use eminent domain. Gallentine stated going across 5 states, we all know how that's going to go. Gallentine stated that will be the biggest thing is getting the right of way and if they do not get the right of way voluntarily can they get the power of eminent domain and how quickly. Gallentine stated there has been quite a bit of opposition meetings that he has been at and a lot of local Hardin County opposition in general ranging from a disturbance in farmland, to they just do not believe in the merits of the project. Hoffman stated with that being said he wants to thank everyone who attended the meeting. Hoffman stated please get any materials you need from Kuechenberg. Hoffman stated if we have another meeting hopefully everyone will show up. McClellan asked if Kuechenberg had information for Weidemann's's. Kuechenberg stated she did. McClellan stated she would mail him a copy of the rate sheet. Kuechenberg stated she could do that. Gallentine stated one thing he will say is today the hot button issue is the two carbon pipelines but this permit process will apply to hazardous, liquid, or pressurized pipeline in the future. Gallentine stated he just wants everyone to be aware that it is not specific to carbon pipelines. Kuechenberg stated she received something in the mail yesterday from Summit detailing some upcoming informational meetings. Kuechenberg stated the one in Hardin County will be held in Eldora at coming up on March 11 at 11:30 a.m. to 1:30 p.m. in the Hardin County Fairgrounds youth building. Gallentine stated you said March 11th. Kuechenberg stated, yes, March 11th. Gallentine asked if that was for landowners or the public. Kuechenberg stated, according to the invite, it is open to the public. Kuechenberg stated they are serving lunch too. Hoffman stated there you go, you said lunch and everyone is really excited now. Gallentine stated he will not be able to make it to that one he has a conference. Gallentine stated if there is anything in Franklin County, Kuechenberg should let him know. Kuechenberg stated she can make copies and hand them out to everyone. Hoffman thanked everyone for coming.

5. Possible Action
6. Other Business
7. Adjourn Meeting

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