

AGENDA

Regular Drainage Meeting

Wednesday, February 09, 2022, 9:30 A.M.

This meeting will be held electronically and in-person.

To access the meeting call: 1-(312)-626-6799, when prompted enter meeting

ID code: 820 7567 2007

You can also access the meeting online at:

<https://us02web.zoom.us/j/82075672007>

1. Open Meeting
2. Approve Agenda
3. Approve Minutes

Documents:

[01-12-2022 DRAINAGE MINUTES.PDF](#)

4. DD 102 - Discuss W Possible Action - Engineer's Letter

Documents:

[DD 102 ENGINEERS LETTER - LATERALS.PDF](#)

5. Discuss W Possible Action - New Work Order Requests
6. Other Business
7. Adjourn Meeting

REGULAR DRAINAGE MEETING
Tuesday, January 12, 2022, 9:30 A.M.
This meeting was held electronically and in-person.

1/12/2022 - Minutes

1. Open Meeting

Hardin County Drainage Trustee Renee McClellan opened the meeting. Also present were Trustee Lance Granzow; Lee Gallentine of Clapsaddle-Garber Associates; Kathy Stockdale; Raymond Stockdale; Michael Pearce, Network Specialist; 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 McClellan to approve the minutes of Regular Drainage Meeting dated 12/15/21. Second by Granzow. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve the claims for payment with pay date of 01/07/22 and 01/14/22. Second by Granzow. All ayes. Motion carried.

DD 14-	Draft Of Engineering Report	Clapsaddle-Garber Assoc	\$1,771.40
DD 56-	Prep&Attendance Of Hearing/Change Order	Clapsaddle-Garber Assoc	\$1,932.00
DD 56 -	Work Related ROW Aquisition 44719	Clapsaddle-Garber Assoc	\$471.97
DD 121-	Construction Survey and Observation	Clapsaddle-Garber Assoc	\$10,702.15

DD 118-232	Payment To Other Gov. Assessment	Hamilton Co Auditor	\$73.35
DD Big 4 Main	2021 Post Drainage Assessments	Franklin Co Auditor	\$11.11

5. DD 128 WO 279 – Discuss W Possible Action – Change Order #5

Gallentine stated this is for Dean Bright's property. Gallentine stated this is the Change Order to put in the private tile in the bottom of the waterway. Granzow stated private tile. Gallentine stated the district tile is off to the side, the private tile went in the middle of the waterway to dry that up. McClellan stated this was the second time this has been brought up. Gallentine stated that Jacob got him the paperwork and has it all signed. Gallentine asked the Trustees to look at the very back page where the map is. Granzow asked who was paying for the private tile. Gallentine stated the district was. Gallentine stated but moving forward it will be private tile. Gallentine stated that if you look at the picture the red line is the district tile, the yellow line is the new one they put in, and the blue line is the private tile that they outlined it in. Gallentine stated that they ended up going with single wall on the private, when they got to the upstream end he put in a header. Gallentine stated it was not connected to the district tile because Jacob brought up, and Gallentine agreed, once you do that this tile is now the lowest and will be surcharged. Gallentine stated if we put in a header, then all of the sudden it will intercept any ground water flow but then it isn't taking the entire flow from the tile from above. Gallentine stated overall, this price with single wall ended up being cheaper than what he quoted us for with the dual wall. McClellan asked what Gallentine said the blue line was, private or district. Granzow stated it will be private. Gallentine stated that was correct. Granzow stated it drains a tile that was already going to it. Gallentine stated that was correct. Gallentine stated that it was the only tile they intercepted when they were filling in that waterway. McClellan stated there was two private tile and one district tile. Gallentine stated that was correct. Granzow asked Gallentine if Dean has seen the map. Gallentine stated he has not sent it to him. Gallentine stated he was aware of the work that is being done. Granzow asked if Dean is aware that it will become private tile. Gallentine stated that he thought Granzow and he had talked about that the one day they were out there, but he did not know for certain. Granzow stated he did not remember talking about it becoming private tile. McClellan stated she remembered it being talked about at the meetings that it would become private tile. Gallentine stated at this point this is essentially changing it to get it into the contract, if you want to approve it and then talk to Dean you sure can. Gallentine stated either way it has to get into the contract whether it ends up being private or district tile. Gallentine stated the Trustees can talk to Dean about the changes first. Gallentine stated that the next item on the agenda the Trustees will have to talk to Dean about anyway. Granzow asked if we just needed to enter it in the contract and we do not need the words private

tile as part of this contract, right? Gallentine stated that it was in the Change Order listed as private tile. Granzow asked if we could strike that for now as we enter it. Gallentine stated that was fine. Granzow stated and we could change the contract to state possible private tile. Granzow asked if that makes more sense, that way we have the option to go either or. Gallentine asked if they would just like to talk to Dean. Granzow stated he was better off if they table this until they talk to Dean. Granzow stated he did not remember that part of the conversation. Granzow stated he remembers they did the yellow one because they could not get the red one down there because it was too wet. Granzow stated the yellow one was put in because we were in a drought. Granzow stated the purple one was done to offset the water coming from the other side. McClellan stated that it did not seem like that long ago that Gallentine brought it up to us that they were going to install a private tile. Granzow stated he did not hear the word private; he heard a tile. Gallentine stated we need to make sure the landowner is aware whether we said it to him originally when we were out there or not, we need to make sure he is aware. Granzow stated he could be fine with it, and he may not. Gallentine stated he is fine to table it. Gallentine asked if the Trustees wanted to discuss the Change Order with Dean or if they wanted him to. Granzow stated that he would let Gallentine talk to Dean, and he would call me if he had more questions. Gallentine stated that sounds good.

Motion by McClellan to table Change Order #5. Second by Granzow. All Ayes. Motion carried.

In additional discussion on the motion, Granzow stated that we are tabling Change Order #5 until Gallentine speaks with Dean, so the landowner is aware of the tiles. Gallentine stated he can do that.

All Ayes. Motion carried.

6. DD 128 WO 279 – Discuss W Possible Action – Completion Letter

Gallentine stated that the Trustees cannot act on this until the Change Order is approved. Gallentine stated this is essentially a Completion Letter stating that Handsacker has completed the work on this contract, and this is the final pay estimate from what they are owed. Gallentine stated that he recommends the Drainage District contact landowners where construction occurred to make sure they do not have any damage claims. Gallentine stated he can talk to Dean about that when he discusses the Change Order with him.

Motion by McClellan to table the Completion Letter with direction for Gallentine to speak with the landowner. Second by Granzow. All ayes. Motion carried.

7. DD 102 - Discuss W Possible Action - Landowner Request For Update On The Status Of Reclassification

Gallentine stated they are very close to having the reclassification done. Gallentine stated that it has been way too long, he does not have any excuses. Gallentine stated he anticipates it being done within a month pending the availability of the other Commissioners. Granzow asked who the Commissioners were on this reclassification. Gallentine stated it's either Prochaska or Johnson and Walters. Gallentine stated that being said, there is one lateral on DD 102 that we recommend be abandoned. Gallentine stated it was a very short lateral that spans two tracts that are both owned by the same person. Granzow asked if that was the one that goes from the top field into the pond? Gallentine stated it was somewhere else, if he remembers right, it is either lateral 9 or 14. McClellan asked if that would turn into private tile. Gallentine stated that he does not see any reason not to. Gallentine stated that it only serves one landowner, and they are going to pay for all of it so why not just let them do it. Granzow stated why not let them put a tile in instead of us paying to have you decide a tile for them. Gallentine stated it does not make any sense to have it be a district tile. Gallentine stated if you would ever reclassify the lateral, it makes no sense because one tract is 100% and the other is a minimum benefit. Gallentine stated one guy is still paying for all of it. Gallentine stated that he would get the Trustees more details on that. McClellan asked if the landowner is aware of that yet. Gallentine stated he was not. Granzow asked who wanted to contact Perry and give him an update. Kuechenberg stated that she would. Gallentine stated that the report should be done within a month. Gallentine stated that he believes it should still give her time to get it approved before assessments go out. Kuechenberg stated ok, perfect. Gallentine stated Kuechenberg should check with Smith, she knows when she started working on assessments. Kuechenberg stated she believed Smith started assessments shortly after the election for private Trustees.

8. Discuss W Possible Action - \$5,000 Drainage Minimum Repairs Authorization

Granzow asked Kuechenberg if this was to grant her authorization of repairs up to \$5,000. Kuechenberg stated that was correct. Kuechenberg stated it was on the Drainage Calendar as a reminder, it ended on 12/31/21. Kuechenberg stated on May 05, 2021, there was a motion to authorize the Drainage Board Chair to approve drainage repairs up to \$5,000 with notice of work requested, provided to all three Trustees by the Clerk with direction to bring it back to the Drainage Meeting for official approval. Kuechenberg stated there was another motion to sunset the drainage repair approval by Drainage Board Chair on 12/31/21 to revisit it at that time.

Granzow stated he was ok with it being the same way. McClellan asked if this was for the Board Chair. Granzow stated basically, Kuechenberg can go to the Chair and say, "hey, the guys are out there working right now, can they go ahead and fix this." McClellan stated she was thinking it was up to the Drainage Clerk to make that call. Gallentine stated he thinks when we went to the \$5,000, they wanted the Chair to be involved also. Granzow stated it was \$1,500 and then \$5,000 with the Chair's permission. Gallentine stated with as little drainage work that we've done in the last year with the weather he does not know if it has been used. Kuechenberg stated she did not think so. Kuechenberg stated it looks like it was at \$2,500 and it went to \$5,000. Kuechenberg stated that does not include the CGA's observation fees. Gallentine stated that it has been so dry we've have not had very many work orders turned in. Granzow asked McClellan if we should try this for another year and sunset it again. McClellan stated that sounds good to her. McClellan asked if we should leave it at the \$5,000. Granzow stated we should leave it as it states and sunset it in another year.

Motion by McClellan to extend the \$5,000 Minimum Repairs Authorization for another year. Second by Granzow. All ayes. Motion Carried.

9. Discuss W Possible Action - New Work Order Requests

Granzow asked if we had heard anything back from Craig Duncan. McClellan stated she asked that a few weeks ago and we have not heard anything. McClellan asked Gallentine if he has heard anything back from him. Gallentine stated he has not heard from him. McClellan stated she just did not want this to drag out until it is time to go in the field again. McClellan stated she remembered how upset he was last time. McClellan asked if Gallentine tried a number of times. Gallentine stated he has reached out to him quite a few times with no response.

10. Other Business

Stockdale was inquiring about sending a letter out to the private drainage districts informing them of the counties process with utility companies and ask if they would do the same. Gallentine stated there is two sides to this. Gallentine stated there is a drainage district tile and private AG land with private tile. Gallentine stated right now, the letters of intent have been signed by the Board of Supervisors are for the private side for the AG restoration. Gallentine stated that District Trustees might also want us to watch that while we are out there, but that is a separate deal. Gallentine stated that private District Trustees need to engage CGA, and the pipeline utility would need to get permission and easement to cross their facility. Gallentine stated during that process they would discuss what fees are incurred when crossing the drainage tile. McClellan asked if that is what they, the Board of Trustees, would go through with them. Gallentine stated correct. Stockdale asked if they would have to do that with private districts. Granzow stated they would have to follow a permit to cross every one of those. Stockdale stated she did not think they've done those. Granzow stated that he did not think they know. Stockdale stated she did not think they knew either.

McClellan asked if they were talking farmers private tile or district. Stockdale stated she was referring to district. Gallentine stated when it comes to the district level whether it is a supervisor or private landowner district the title is Trustee. Gallentine stated they have the same amount of authority. Gallentine stated the letter of intent has been signed so far by the Supervisors. Granzow asked if they would need a letter of intent to CGA as well to represent the drainage districts. Gallentine stated if they want. Gallentine stated we have an ongoing relationship as drainage district, he assumes it goes for the utility permit process. McClellan stated that they did not. Stockdale stated that she thought they've done it for some of them but not for Navigator. Gallentine stated they've done it for Navigator too. Granzow stated through the permitting process we already have CGA. Granzow stated but not every private Trustee has the permitting process we have so they would have to adopt that. Gallentine stated they do not. Gallentine stated the private Trustees need to be aware when any pipeline company wants permission to cross their district tile. Gallentine stated now is the time to talk to them and say, "ok you can do it, but we need x amount of dollars to cover us or whoever to go out and watch this to ensure that it gets done correctly." Stockdale asked if they would almost need a lawyer. Granzow stated that our policy is already drawn up, they can adopt the same one. Gallentine stated that the Supervisor District Trustees already a permit process. Gallentine stated he recommends looking at that. Stockdale asked if that was what she already had. Granzow stated that is what I asked Kuechenberg to hand you after the one meeting. Stockdale stated the one that you were just proposing. Kuechenberg stated that she gave Stockdale both the resolution and the current permit. Stockdale stated she thought she only got one of them. Kuechenberg stated that she thought she gave Stockdale both of them, if not she will get the other one after the meeting. Stockdale stated she got a permit application in there. Kuechenberg stated that our policy is attached to that. Stockdale asked ok, she'll take a look at it. Stockdale asked if each drainage district should have that. Granzow stated he would recommend it. Granzow stated they can adopt it; they would have to vote on it to adopt it. Granzow stated that they can hire Gallentine as their Drainage Engineer, or they can hire whoever they want. Stockdale asked how that worked if they hired Gallentine. Granzow stated their district would have to pay for it and then they can be reimbursed back by the pipeline as part of their permitting process. Gallentine stated that it didn't need to be them, it did not need to be an Engineer. Gallentine stated the

Trustees do not have to have anyone out there watching it if they do not want it. Gallentine stated that he would not recommend it. Gallentine stated that you have a hundred-year-old system. Stockdale asked if Gallentine would be at the Navigator meeting next week. Stockdale asked if she could have him speak as she asks questions. Stockdale stated she thinks that everyone needs to hear this stuff. Gallentine stated he would answer questions as he is asked. Gallentine stated that he does not know where the pipelines are at but there is a lot of ground to cover by the both of them and a lot of easements to get acquired. Gallentine stated they also have to a lot of land to cross before they do anything. McClellan asked if these were supposed to be going on at the same time. Gallentine stated he did not know. Granzow stated as our Drainage Engineer, he would request that he represents our districts as to permitting processes. Gallentine stated that he was planning on it. Gallentine stated he has already talked to Summits attorney about that, he is aware of the permitting process. Stockdale asked if he is aware that he needs to go through the individual drainage districts. Gallentine stated Summit is, but he has not had the chance to speak with Navigator's attorney.

Granzow asked if there has been a lot of feedback how people were asking, he does not know if it was Summit or Navigator but they're not responding back. Gallentine stated they're big projects, there are a lot of moving parts. Granzow stated that was his answer, but the people still wanted him to be aware. Granzow stated they're not getting their questions answered when they're signing easements. Stockdale stated that was correct. Gallentine stated in summary, there are two facets to it: (1) the privately owned and maintained tile covered by the county Supervisors, and (2) district owned and maintained tile which is maintained by the Trustees. Stockdale stated or by the Supervisors. Gallentine stated "no", "the Trustees are either Supervisors or landowners." Stockdale stated ok. Gallentine stated right now in this meeting, these folks are not acting as Supervisors they're acting as District Trustees. Gallentine added, they switched hats during half time, and no one saw it. Stockdale stated that she tried to read it in the code. Gallentine stated that the code is jumbled. Stockdale stated she knew that once private took over that they had control. Granzow stated the following is a statement that they have: (1) pipeline easement 50 ft., (2) temporary easement of 50 ft., (3) crop damage all has a dollar value. Granzow stated that he finds two things interesting, it says that reconstruction may be wider than 50 ft. in certain areas in small print and their language relating to access easement. Granzow stated that an access easement is a free and unobstructed nonexclusive easement to-through-on-over-under-and across landowners. Granzow stated over the property of landowner and adjacent to the easement, the easement pipeline easement and access easement shall be permanent. Granzow stated the access easement is not defined. Granzow stated that if they're allowed to eminent domain it is like handing the keys over to the property because they're not paying for that part of the easement. Stockdale stated for her they're going to probably have to put a culvert in and build another road right next to their road. Stockdale stated in order for them to get to work they would have to build a place. Granzow stated that according to this, they can drive right through your field. Stockdale asked if it was any part of her field. Granzow stated if he read that right. Stockdale stated only if you sign the easement. Gallentine stated that was correct, only if the easement is signed. Granzow stated if you don't sign the easement, he wonders what eminent domain would allow. McClellan stated if they use eminent domain are they required to pay you like they do through the easement. Stockdale stated she thinks you negotiate if they go through eminent domain. Gallentine asked if the County Compensation Board is involved. Stockdale stated that's what she read. Granzow stated he heard two things: (1) it's county appointed, and (2) its state appointed. Gallentine stated he did not know. Gallentine stated he has never been involved in an eminent domain proceeding and he hopefully never will. Granzow stated so we have a Condemnation Board that consists of about 28 people, and they choose 7 of them out of that. Granzow stated then that board of realtors, farmers, and businesspeople sit together. Stockdale asked if they've looked at their list to see if they're all current. Granzow asked you mean if they're all alive. McClellan stated that they have a couple of vacancies. Stockdale stated that is what she thought. Granzow asked if he heard a volunteer. Granzow stated that there needs to be so many types of people and then they would choose from there. Granzow stated that he was also told that the stated appoints them. Granzow stated that maybe the state appoints off of our list. Granzow stated he never got clarity on that. Granzow stated, so those were some of the concerns if they're pulling eminent domain does that mean they get to do all of these other things too. Gallentine stated not that he would want them or have an opinion on whether they should be able to use eminent domain, but if they're crossing that big of length and with that many landowners, he does not know how they would get them all voluntary. Gallentine stated just off of the law of averages.

Stockdale stated just to make you guys aware, we have been talking to a lawyer. Stockdale stated if there was a rupture, did you guys know that the landowner could be held responsible. Stockdale stated all of the companies said they would take the blame, but this lawyer has dealt with a bunch of these where they turn the blame back on the farmer by telling them they caused it by crossing with their heavy equipment. Stockdale stated they will claim it is the landowner's fault. Stockdale stated she is checking with her insurance because many of them will not cover that. Stockdale stated because it is going through a conservation land and everything else, the landowner may be responsible. Gallentine stated that his simple rule of lawsuits is if there is a lawsuit everybody will get sued and they will hopefully get money out of anyone they can. McClellan stated the County has thick pockets, but the landowners do not, they don't want to lose their farm over it. Stockdale stated some of the insurance things say if it is a pollution type thing landowners will not be covered. Stockdale stated she is going in to talk to her insurance person. Gallentine stated that is the thing, if there is rupture you have pollution issues, death, and injuries. Stockdale stated her thought, even today was, if that pipeline goes through and we have a county tile that has

water in the tile and that carbon meets that water, what happens? Stockdale stated it would explode. Gallentine stated he did not know it's been a long time since he has taken chemistry. Gallentine stated he thinks they will be operating at 1200 psi. Gallentine stated it is pretty high. Stockdale stated that it would reach 4 1/2 miles. Stockdale stated these were her main concerns. Stockdale stated thank you for listening. Gallentine stated he hopes he provided some clarity. Stockdale stated she has been doing a lot of research. McClellan stated the insurance thing is good to know. Stockdale stated for their own protection they are hiring a lawyer. Stockdale stated he has fought pipelines. McClellan asked if she could ask who. Stockdale stated it was Brian Jordy out of criminal law in Nebraska, she could ask if he could cover county. Granzow stated we have our own Drainage Lawyer. Gallentine stated it is good to know the players in the game. Stockdale asked if anyone knew that there was a fourth pipeline proposed. Gallentine stated he didn't know there was a third. Stockdale stated there is a third in southern Iowa. Stockdale stated the 4th one they just announced this week was ADM in Cedar Rapids going to Illinois. Gallentine stated that did not surprise him. Stockdale stated she thinks there is a natural gas one that goes through by her house too. Stockdale asked if it was the natural gas if you sign the easement, they can put up to five pipelines in that easement. Gallentine stated no, a lot of those older easements allow multiple pipelines that were allowed to go anywhere on the field. Gallentine stated people learned a lot from those types of things to watch out for that. Stockdale stated that she thinks in the lease at the meeting most of the of it would be 6-8ft pipeline. Stockdale stated in the easement agreement they say it can be up to 24, they do not specify what you will have on your land. Gallentine stated most documents that are drafted are drafted in favor of the person who drafted them. Gallentine stated that it was not surprising. Stockdale stated they can sell it to any country, they have a lot of ties with China. Granzow asked if there were any other questions, he should probably wrap things up. Stockdale thanked everyone for their time. Granzow stated that we will get letters sent to private Trustees. Stockdale stated their meetings were all on Saturday. Gallentine stated that was for elections. Kuechenberg stated that elections were on the 15th of January. McClellan asked when they brought in the results. Kuechenberg stated that they bring everything in on Tuesday the 18th. Granzow asked if Kuechenberg had the Trustee's emails. Kuechenberg stated she has 4 out of 16. Kuechenberg stated if she has their emails, she will send that information out. McClellan stated Kuechenberg could just email the ones she has and send cards to the others. Granzow stated and say for your information, if you would do that, please. Kuechenberg stated she talked with a few of them already. Kuechenberg stated they wanted to know what we had in place as far as policies go. Kuechenberg stated she sent them our current policy and the draft of Resolution, informing them that the County Drainage Lawyer was reviewing the Resolution. Granzow asked when the was last time Kuechenberg spoke with Mike Richards. Kuechenberg stated the last time she spoke with him was the 16th of December when he told her he would review the documents next. Stockdale asked if Mike Richards was the same one, she had spoken with. Granzow stated no, she spoke with the county attorney. Stockdale stated the county attorney did not know anything about the draft. Kuechenberg stated that he is not our Drainage Lawyer. Granzow stated our Lawyer is based out of Des Moines. Granzow asked Kuechenberg to send him an email asking for an update. Kuechenberg stated she would. Granzow stated he would like it ASAP. Granzow stated we're running out of time on this. Stockdale stated they were bringing things up with the legislature on eminent domain. McClellan asked to curb it or? Stockdale stated to put like a threshold of not using it for private enterprises. Granzow stated he thought they already had that. Granzow stated he thought eminent domain was only for public use. Gallentine stated public benefit. Stockdale stated it says public use. Stockdale stated if you look at the original it would say public use, benefit, or good. Stockdale stated it depends on the terminology of which one you use as to how they can prove they can use it. Gallentine stated it probably benefit vs ownership. Stockdale stated they're trying to put a threshold that you have to get as many people signed before you can use eminent domain. Granzow stated it is usually 80/20. Stockdale asked Granzow where he heard that from. Stockdale stated she keeps hearing that but does not know where to find the source. Granzow stated he has always heard it too. Stockdale stated that it is not in law. Gallentine stated you might want to look in case law. McClellan stated you might want to look at Iowa Falls case for annexation. Gallentine stated there may have been a court case that ruled that. Stockdale stated she would love if it was 80/20. Stockdale stated she wondered if it was different for cities if they use a different percent. McClellan stated that it could be, it's a totally different use. Granzow stated he has just heard it off and on throughout the years. Stockdale stated she wonders if the city is aware of everything going on because they own some land down by HWY 20 where the Navigator goes through. Gallentine stated they will be contacted like every other landowner. Stockdale stated that is where they want to annex on, isn't it? Granzow stated they have things underground all over. Granzow stated that it is just another utility farm. Granzow stated that he cannot answer what they will do. Stockdale stated she did have the answer as to why they never go around roads and ditches. Granzow stated in case they ever wanted to widen the road. Stockdale stated that and if they need a bigger space to go in and it's bigger than what the right of way is. Granzow stated they do not want it near there in case they need to expand to a three lane. Stockdale thanked the Trustees for their time. Granzow stated that he did not help much. Stockdale stated that all of her questions have been answered. Granzow stated that he's glad. Granzow stated that hopefully we helped clarify so that when Stockdale talks to the utility companies she knows a little bit more. Stockdale stated that she thought other counties need to be aware of that because there are other counties that have the private drainage districts too, right? Granzow stated that the Resolution came from them. Stockdale stated she meant as far as hiring someone to oversee it. Kuechenberg stated that they all have their own Drainage Engineers. Stockdale asked if the other one was ISG. Granzow stated he is not sure, we like working with the one we know. Stockdale stated she was glad that they work with CGA because ISG was the one they had for the Dakota Access Pipeline. Stockdale stated he was in it for the money. Gallentine stated that Granzow liked to call him up on his cell phone with Drainage

questions. Granzow stated but his interest is also in the Drainage Districts, he is also a Drainage Engineer. Granzow stated if you protect one, you protect the other.

Kuechenberg stated she had an employee of Joel Steiner's stop in and ask about our contractor policy. Kuechenberg stated Custom Fencing does minimal to large tile repairs, but they are interested in working with the county. Kuechenberg stated she gave him her card and our contractor policy and kind of explained it a little bit. Granzow asked if they sent in their insurance yet. Kuechenberg stated she has not received that yet. Gallentine stated that was the biggest thing that kills everybody is the insurance requirements. Gallentine stated even if they have insurance, they do not have workers comp. Gallentine stated we welcome all contractors, the more the merrier. Gallentine stated right now we do not have a huge amount. Granzow stated to have them fill out the paperwork and thank them for their interest. Granzow stated once the paperwork is done, we'll be in touch and add them in our lottery. Kuechenberg stated she kind of explained what the lottery was to the best of her knowledge. Granzow stated when we go through lottery either Gallentine or Kuechenberg would call the contractor next in line, Adam Seward is the only one doing work right now, if the contractor in line cannot make it happen then we would go down the list and call the next one. Granzow stated you would just keep rotating through the lottery, so Williams, McDowell, Seward, Handsacker, Gehrke. Gallentine stated the problem is, the last time he talked to McDowell he said he was too busy and Gehrke stated, "if we find someone who can do that work, he has four pages of work that they cannot fill, please let me know who they are." Gallentine stated no I'm not telling you because I need them. Granzow stated so the contractors always get moved up a channel each time we make a phone call. Gallentine stated if a project is larger like DD 121 sometimes, we would ask those contractors for pricing. Gallentine stated a lot of that small stuff goes through the lottery. Granzow stated make sure you tell him that, so he does not get scared. Granzow stated if he would like to reach out to other counties, I know they have the same issue finding contractors that meet the insurance requirements. Gallentine stated that is correct. Granzow stated Franklin County is having that issue, he knows for sure. Gallentine stated he knows that 5-10,000 is a lot of money to spend but for contractors there is a lot bigger and better projects to do. Gallentine stated one contractor told him that he likes doing those repairs, but the problem is if it takes him four hours, he still has to pay those guys for the other four hours, they would rather send them on a project where they know it would take them the full 8 hours.

McClellan stated she wonders if Gallentine should call Eric, Craig Duncan's son, maybe something happened to him. Gallentine stated he would try Craig again if they do not have a problem with it. Kuechenberg asked if they wanted her to try calling Craig. McClellan stated she did not know; she did not want it getting into spring and have the same conversations that we had last time. Granzow stated he was going to call Eric right now at the meeting. Eric answered the phone. Granzow stated that we're calling because we have been trying to reach his father about a drainage project he contacted us about. Granzow asked if there was a reason that he was not answering. Eric stated that he does not know, he is home. Granzow stated that we have been calling him all fall. Gallentine stated he left him a couple of messages. Eric stated that his dad might not be responding because the last time he heard he's had enough of it because we were giving him the runaround. Eric stated that he was probably going to do it himself. Granzow stated we told him we were going to do the repair when the crops were out. Granzow stated he never contacted us, so we tried contacting him with no response from him yet. Eric stated the last time he talked to his dad about it his dad informed him that the Trustees told him to fix it on his own. Granzow and McClellan stated they never said that. Granzow stated he did not want us out there when the crops were in the field. Eric stated that was right. Eric stated he would give him a call and let him know that we called. Granzow stated this was more of a concern call because we were unable to get a hold of him. Eric stated he would call him and have him call us. Granzow stated ok. Granzow stated we probably would have had that project wrapped up this fall. Granzow stated he hates to put him in the middle, but they were concerned when they have not heard back from his father. McClellan and Granzow thanked Eric for his time. Gallentine stated it sounds like it is already fixed. McClellan stated she thinks he is right. Kuechenberg asked what district this was for. Gallentine stated he did not remember; it is an open work order. Kuechenberg stated she would look it up and make a note in there. Granzow stated he bets it is not fixed. McClellan stated, you don't think so. Granzow stated he did not. Granzow stated he thinks Craig is just upset with us. Gallentine stated he distinctly remembers he told us he would call us when the crops were out because he wanted us out there the next day. Gallentine stated he told him he could not guarantee when he can get a contractor out there, especially within one day. Gallentine stated he told Craig we would do the best we can. Granzow stated so he took that as I will just do it myself. Granzow stated and we have to discover because we do not think the problem is in the field. Granzow stated well, he thought it was in the road and we thought it was somewhere in the field.

DD 56- Gallentine stated DD 56 with Gehrke, they are going to have a preconstruction meeting next week. Gallentine asked the Trustees if they would like to participate in that. McClellan asked what that one was. Gallentine stated that was the one where we are putting in the deep tile. Gallentine stated the meeting is talking about when they will get paid and what their schedule will be. Gallentine stated it is more of an execution of the project meeting than anything. Granzow stated he did not think we need to be involved in that. Granzow stated I know they think we are the project managers, but this has nothing to do with the management side of it. Gallentine stated it sounds like Gehrke is hoping to start in February. Granzow stated he would like to hear more about that

once they get it all figured out. Gallentine stated he would let the Trustees know once he gets an exact date. Gallentine stated the pipe manufacturer is having trouble getting steel. Granzow stated they did say it wouldn't be until spring anyways. Gallentine stated Jeremy is really hoping to start late February early March.

11. Adjourn Meeting

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



Construction/Survey | Boundary/Survey | Ag Drainage | Land Development
Aviation | Architectural Site/Civil | Streets & Transportation
Construction Administration | Municipalities & Governmental
Natural & Water Resources | Water/Waste Water | SWPPP
Testing/Lab/Observation | Planning | Right of Way | Structural Design

February 7, 2022

District Trustees
Attn: Michelle Kuechenberg, Drainage Clerk
1215 Edgington Ave., Suite 1
Eldora, IA 50627

RE: Drainage District 102
Hardin County, Iowa – 6762.8

Dear Trustees:

I am writing this letter to discuss with you some items that we discovered during the reclassification process for the above mentioned Drainage District. There are several laterals consisting of short runs of small diameter tile that only serve a few landowners. At the time that this Drainage District was established and these laterals constructed, they probably were a significant undertaking to drain existing tile or connect to unreached landowners. With the ease of tiling due to advancements in machinery, I feel that these laterals could be easily and more economically maintained as private tile by the landowners served by them.

As such, I recommend abandoning the following laterals as district facilities:

- Lateral 3 consisting of approximately 200' of 6" diameter tile on 2 landowners.
- Lateral 4 consisting of approximately 150' of 6" diameter tile on 1 landowner
- Lateral 9 consisting of approximately 650' of 7" diameter tile on 1 landowner.
- Lateral 11 consisting of approximately 400' of 6" diameter tile on 2 landowners.

I am not aware of the specific code section in Iowa Code that would need to be followed, but I have seen the procedure initiated in another county through a petition signed by landowners. I would recommend that you seek a legal opinion as how to proceed. Once that has been determined, please let us know the results as we do not plan to include these laterals in the pending reclassification report.

Sincerely,

CLAPSADDLE-GARBER ASSOCIATES, INC.

Lee O. Gallentine, PE & PLS

ENGINEERS | LAND SURVEYORS