

REGULAR DRAINAGE MEETING

07/17/2023 Minutes

1. Open Meeting

Hardin County Chairperson Lance Granzow. Also present were Renee McClellan, Trustee; BJ Hoffman, Trustee; Ann Larson, Drainage Clerk; Lee Gallentine of Clapsaddle Garber Associates; Adam Seward of Honey Creek Land Improvement, LLC; Taylor Roll, County Engineer

2. Approve Agenda

Motion by McClellan to approve the agenda. Second by Hoffman. All Ayes. Motion carried.

3. Approval of Minutes – None

4. Approve Claims for Payment-

DD 9 permanent repair of blowout in RR Clapsaddle-Garber Assoc 305.00; DD 20 report of possible plugged tile Clapsaddle-Garber Assoc 560.90; DD 42 Repair of blowouts on main Clapsaddle-Garber Assoc 300.00; DD 48 Repair of bank on main open ditch Clapsaddle-Garber Assoc 2,762.70; DD Big 4 Main Repair quote for washout of culvert Clapsaddle-Garber Assoc 726.00; DD Big 4 Main Quote packet for r49935 861.40hole Clapsaddle-Garber Assoc 907.50; DD Big 4 Main quote packet for bank washout Clapsaddle-Garber Assoc 2,617.50; Meeting and General Drainage CGA Invoice 49935 861.40

Motion by Hoffman to approve the claims for payment. Second by McClellan. All Ayes. Motion carried.

5. Discuss With Possible Action – New Work Order Requests

Drainage Assessments approval 2023. Hoffman made a motion to approve the 2023 Drainage Assessments as presented. Second by McClellan. All Ayes. Motion carried.

DD 20 Iowa Regional Utilities Association Utility Permit. Gallentine stated that he was not aware of this permit. Hoffman made a motion to table the DD 20 IRUA utility permit. Second by McClellan. All Ayes. Motion carried.

DD 45 Iowa Regional Utilities Assoc. Utility Permit. Gallentine stated that this is in a Drainage District, but they are not crossing any district facilities.

Motion by Hoffman to acknowledge IRUA Utility Permit for DD 45. Second by McClellan. All Ayes. Motion carried.

Interstate Power & Light (Alliant Energy) Utility Permit. Gallentine stated that this permit does not cross a drainage district. Hoffman made a motion to acknowledge the Interstate Power & Light Utility permit. Second by McClellan. All Ayes. Motion carried.

DD 18-Aureon (Iowa Network Services) Utility Report. Gallentine stated that this is an open ditch. Gallentine stated that they never officially located their transmission line. Gallentine stated that they essentially took their plans and wrote the depth on there. Gallentine stated that their depths cleared the requirements. Gallentine stated there was no signage. Gallentine asked for approval to waive the signage permit.

Motion by Hoffman to approve the Utility Report for DD 18 with waiving of the signage permit. Second by McClellan. All Ayes. Motion carried.

DD 48- Aureon (Iowa Network Services) Utility Report

Gallentine stated that this is an open ditch. Gallentine stated that their depths cleared the requirements. Gallentine stated there was no signage. Gallentine asked for approval to waive the signage permit.

Motion by Hoffman to approve the Utility Report for DD 48 with waiving the signage permit. Second by McClellan. All Ayes. Motion carried.

DD 41- Aureon (Iowa Network Services) Utility Report

Gallentine stated that this is a tile district. Gallentine stated they did not uncover the tile. Gallentine stated there were standpipes on each side of the roadway so we could get the tile depth off the standpipes. Gallentine stated that based off the depth of the utility that they provided, they cleared the requirements. Gallentine stated that there is no signage in place. Gallentine stated that they didn't tell them the exact horizontal location and he assumed it to be in the road ditch, bottom, or the shoulder. Gallentine stated it was not on the back slope, Hoffman made a motion to approve the Utility Report for DD 41 without signage. Second by McClellan. Discussion: Granzow stated at the engineer's recommendation. All Ayes. Motion carried.

DD 17- Aureon (Iowa Network Services) Utility Report. Gallentine stated that they did not uncover the tile. Gallentine stated that there were no intakes around to figure out the depths of the tile. Gallentine stated all they had to go off was the original profile. Gallentine stated they could

somewhat pin down the elevation of the tile based off the original profile. Gallentine stated that their bore depth stated they were 27 foot deep on the west end and 19 foot deep on the east end. Gallentine stated that that means they are either 8.5 feet below the tile or they went through the tile. Gallentine stated that he recommends that we have Aureon expose the tile and the utilities, so that they can get an exact depth.

Motion by Hoffman to have Gallentine contact Aureon and have CGA expose the tile and utilities and bill Aureon directly. Second by McClellan. All Ayes. Motion carried.

Request to update Engineer's Report for DD 86 based on recent legislative changes. Gallentine stated that DD 86 is south/west of Iowa Falls, ends down by the ethanal plant. Gallentine stated that a few years ago they did an engineer's report because in the railroad right away there is a bunch of trees, and the tile is plugged with roots. Gallentine stated that with the recent legislation change, the maintenance and repair of the tile would be the railroad's expense. Gallentine stated that his original report stated it was district cost, because that's what was the law at the time. Gallentine stated he thought it might be prudent to update the engineers' report to reflect the correct allocation of cost, according to the new law, and have a hearing again so the landowners are aware and see if there's more traction for that project. Gallentine stated that because of the significant shift in costs, the landowner's opinion may change. Granzow stated we should send a postcard out to landowners stating yes or no to the project. Gallentine stated all that would be needed is to update the cost on the original engineer's report. Gallentine stated there should be a public hearing. Gallentine stated that there is one other private trustee district, with the same situation and their attorney advised them to update the engineers report and hold a new hearing. Gallentine stated, that way everyone is fully notified and then you can decide whether to move forward or not.

Hoffman made a motion to update the engineers report and then schedule the public hearing. Second by McClellan. it. Discussion: Larson asked if there is a time that we need to schedule the hearing. Gallentine stated not to schedule the meeting until we receive the engineer report. All Ayes. Motion carried.

DD 3 Midland overhead, 10 ft requirement in Drainage Districts. Gallentine stated that he had looked at their proposed language and Gallentine had originally thought that we were mainly talking about the distance requirements but found that Utility Permit was heavily edited from a legal standpoint. Gallentine stated that Midland had even changed the name of the fee they are required to pay. Gallentine stated that he is not comfortable with reviewing it. Gallentine stated that he thought we needed to send this to Mike Richards to be reviewed. Hoffman made a motion to send our current utility permitting documentation and proposed revisions from Midland to Mike Richards for legal review. Second by McClellan. Discussion: Granzow asked Gallentine if he was going to put his comments along with what is sent to Richards. Gallentine stated that he had already added his comments in the email he sent to Larson. Gallentine stated that there had been a lot edited. All Ayes. Motion carried.

Present and discuss Schneider GIS Utility Permit process. Roll stated that Jessica Sheridan had started processing their permits through Beacon and Roll had tried a couple and liked the process. Roll stated that the current site they are using for the permits does not notify them when the permit is approved. Roll stated that Beacon is

combining the permit process with drainage. Larson stated that Beacon is working on setting up the permit process to filter to the correct department. Roll stated that the drainage permits would also be sent to Gallentine.

Honey Creek Land Improvements increase in charge for Spraying and additional work found while spraying. Hoffman questioned what our policy was in the case that a contractor is out working, and they happen to come across another issue in the district. Hoffman stated he does not want anyone out drumming up business, but I also don't want to pay a loadout fee twice. Gallentine stated that he thought in the past, if a situation like this occurs, that the trustees had authorized the drainage clerk to approve work to be completed up to a certain dollar amount. Granzow stated he thought it was originally \$1500.00 but thought they had raised it to either \$2000.00 or \$5000.00. Adam Seward stated that he was charging a 30% inflation due cost of chemical and having to use twice the chemical due to brush growing deeper and stronger roots. Seward stated they have had to resort to cutting more than they have had to in the past. Seward stated that some of the brush and trees in BIG 4 had only wilted after being sprayed and were not dead. Seward stated that they ended up having to cut them out. Seward stated that some of the districts have gone as long as nine years without any spraying being done, due to the previous contractor not being aware that they were awarded the job and intern the spraying did not get done for 3 years. Seward stated that there were some drainage districts that they were not able to complete three years ago. Seward stated that he and Larson are working on putting together a rotation schedule for the districts. Seward stated that he has run across some 48-to-60-inch trees. Gallentine stated that Seward needs to contact him when they come across trees that big because those trees were possibly left there for a reason, either the landowner requested that they are left there or possible shade for livestock. Seward had a landowner that requested a large tree not to be treated or cut. Seward stated that he informed the landowner to contact Larson and have that area be taken off an area to be sprayed. Gallentine stated that it was ok to leave the tree, but the rest of the ditch still needs to be sprayed to stop other small trees from growing. Gallentine stated that Seward put together a list of the large trees and between him and Seward they could decide if these are trees that need to be cut or ones that need to be left alone. Hoffman made a motion to acknowledge Honey Creeks fee schedule. Second by McClellan. Discussion: Hoffman stated that he hoped other contractors would bring their fee schedules in sooner than later to make sure the landowners are aware of the increase in cost. All Ayes. Motion carried.

Referring to extra tree cutting needing to be done while spraying. As far as the process goes, Seward stated that he has been contacting Larson and sending pictures of the work that needs to be done. Gallentine stated that the trustees could possibly allow Honey Creek to cut out the excess trees up to a certain dollar amount. Hoffman asked how much extra Seward thought it would cost for an hours' worth of cutting out the trees and treating the stumps on a 20 X 60-foot section. Seward stated that it could be anywhere from \$500.00 to \$1500.00. Granzow asked Seward what dollar amount he was requesting. Seward stated \$5000.00 with Larson's approval. Gallentine stated there should be two thresholds, one at Seward's discretion and a higher amount at Larson's discretion. Hoffman made a motion allowing Seward to perform additional work in open ditches up to the amount of \$2000 and if the amount is over that, then Larson is allowed to authorize an additional \$3000.00 for a total of \$5000.00 with a

reexamination at second district meeting in November. Second by McClellan. All Ayes. Motion carried.

DD 6 Possible landowners meeting on December 4, 2023, regarding damaged tile and tree removal. McClellan made a motion to hold a landowner meeting on December 4, 2023, at 9:45 a.m. regarding tile damage and tree removal in DD 6. Second by Hoffman. All Ayes. Motion carried.

6. Other Business

Possible approval of Company Cell phone for Drainage Clerk. Hoffman made a motion to approve a company cell phone for Larson. Second by McClellan. All Ayes. Motion carried.

Discuss parcel/landowner issues in DD 68(Waiting to hear from Lee) Gallentine stated that he does not have any prepared at this time and he will have it done for next week's drainage meeting.

Discuss what account to pay General invoicing and IDDA dues. The Board agreed to have the invoices paid out of the Legal Fund and then reimburse the amount when funds are available in the drainage fund.

7. Adjourn Meeting.

Hoffman made a motion to adjourn the meeting. Second by McClellan. The meeting was adjourned at 10:15 a.m.