

## REGULAR DRAINAGE MEETING

12/27/2023 Minutes

1. Open Meeting  
Hardin County Chairperson Lance Granzow. Also, present were Renee McClellan, Trustee, Ann Larson; Drainage Clerk, Lee Gallentine of Clapsaddle Garber Associates.
2. Approve Agenda  
Motion by McClellan to approve the agenda. Second by Granzow. All Ayes. Motion carried.
3. Approval of Minutes – 12/18/2023  
Motion by McClellan to approve the minutes. Second by Granzow. All Ayes. Motion carried.
4. Approve Claims for Payment - None
5. Discuss With Possible Action - New Work Order Requests
  - o DD 5 / DD 120 Observation Report. Gallentine stated that when they showed up at the site the natural drainage way/creek that the 1922 main tile discharged into, has been filled in through the field up to the acreage of the landowners that called in the complaint. Gallentine stated that they put in a 24-inch perforated tile, and they were just connecting to the clay district tile when they arrived. Gallentine stated that if there was a headwall there, it would have been torn out. Gallentine stated that any district tile that was down stream of this old railroad bridge has been removed and replaced with a new 24" Dual Wall HDPE tile via a 30" Dual Wall HDPE intake and 90-degree HDPE fitting. It appears that this new 24" Dual Wall tile runs from this location downstream to the east side of the acreage at 24241 CO HWY D15 and discharges about 30' north of where the existing channel was. Gallentine stated that Iowa Code states, landowners should not modify, remove, or change district facilities (in this case the 1922 main tile) without permission of the Drainage District Trustees as this can have detrimental effects on all landowners in the district. Gallentine stated that it does not appear that the landowner making these modifications contacted the Trustees. Gallentine stated that, although the new 24" HDPE is larger than the existing 1922 main tile, it is quite clear that it does not have the same capacity as the existing channel that was there prior to the landowner's modifications. Gallentine stated that the 1922 main tile will now have a restricted outlet instead of the free-flowing outlet that it previously had, and this results in the drainage capacity of the 1922 main tile being reduced. Gallentine stated, in his opinion, this modification is not legal. Gallentine stated that the 90-degree HDPE fitting in the 30" Dual Wall HDPE Intake will reduce the drainage capacity of the 1922 main tile. Gallentine stated that the contractors doing the work is Hayes Bros. Drainage out of Grundy County. Gallentine stated that the contractors seemed nervous while they were out there and kept asking CGA if they were doing everything correctly. Gallentine stated that he informed them that they were just there to document what was being done. Gallentine stated that Hayes Bros. stated that they had not done any of the removal or filling in of the channel.

Gallentine stated that it has always been assumed that the 1908 main tile discharges north of the railroad tracks and this was never an issue because the drainage structure under the railroad and the existing channel were lower in elevation to receive its discharge. However, with the modifications of the landowner, the exact location and elevation of the 1908 main tile needs determined so that the impact of the landowner modifications can be made. Gallentine stated that the outlet of the 1908 main tile needs to be found (with excavation if necessary) and determine what impact the landowner modifications have had on the tile. Gallentine stated that he suggests either have the landowner submit a copy of their design and permitting for the modifications that they performed, so they can be reviewed to determine what (if any) efforts they have taken to ensure that their modifications have the same drainage capacity as the existing channel or just make this a legal matter.

Motion made by McClellan to contact legal counsel DD 5/DD 120 to send a letter to landowners stating that they need to reinstate the capacity of the original outlet by spring and all damages accrued will be paid by landowner. Second by Granzow. All Ayes

6. Other Business

7. Adjourn Meeting

Motion by McClellan to adjourn. Second by Granzow. All Ayes. Motion carried. The meeting was adjourned at 9:55 a.m.