

**AGENDA
REGULAR DRAINAGE MEETING
MARCH 6, 2019
11:30 A.M.**

1. Open Meeting
2. Approve Agenda
3. Approve Minutes
February 27, 2019 Regular Drainage Meeting

Documents:

[2_27_2019 - DRAINAGE MINUTES.PDF](#)
4. Approve Claims For Payment
Pay Date of Friday, March 8, 2019

Documents:

[PAYABLES-DRAINAGE PUBLICATION.PDF](#)
5. Discuss, With Possible Action, IRUA Utility Permits

Documents:

[2019-02-06_HARDINCODDTRUSTEES.PDF](#)
[8759 - REVIEW OF IRUA SUBMISSION.PDF](#)
6. DD 131 - Landowner Concern Regarding Reclassification

Documents:

[RE DD 131 RECLASS - ANNA BROER WEIS.PDF](#)
7. DD 148, 146 And 165 - Approve Plans And Specifications And Set Hearing Date
March 20, 2019 Hearing Date at 1:00 PM
8. DD 56 - Discuss, With Possible Action, Landowner Concern
Reclassification Options
9. Other Business
10. Adjourn Meeting

REGULAR DRAINAGE MEETING

2/27/2019 - Minutes

1. Open Meeting

Hardin County Board of Supervisors Chairperson, Renee McClellan, opened the meeting. Also present were Supervisors, Lance Granzow and BJ Hoffman; Contractor/landowner, Kevin Sheldahl; Lee Gallentine and Zeb Stanbrough with Clapsaddle-Garber Associates (CGA); Drainage Clerk, Tina Schlemme.

2. Approve Agenda

Granzow moved, Hoffman seconded to approve the agenda as presented. All ayes. Motion carried.

3. Approve Minutes

Hoffman moved, Granzow seconded to approve the minutes of the February 13, 2019 regular drainage meeting and the February 13, 2019 DD 25 and DD 1 bid letting. All ayes. Motion carried.

4. DD 56 - Discuss, With Possible Action, Landowner Concerns

Sheldahl presented a district map with a different route option than CGA's Engineer's Report suggests. He believes it to be more beneficial and less expensive to the landowners to separate the district further to the west and run a tile north to the ditch. Hoffman moved, Granzow seconded for CGA to create a Supplemental Engineer's Report to present at the March 27, 2019 hearing. All ayes. Motion carried.

5. DD 25 Lat 3 & DD 1 - Award Bid

Hoffman moved, Granzow seconded to award the bid to McDowell and Sons for the Lateral 3 RCP in the amount of \$248,936.30 (DD 1 \$54,005 and DD 25 \$194,931.30). All ayes. Motion carried.

6. DD 143 - Set Rescheduled Landowner Meeting Date And Time

Granzow moved, Hoffman seconded to reschedule the landowner meeting for Tuesday, March 12, 2019 at 5:30 pm at the Radcliffe Legion. All ayes. Motion carried.

7. Approve Utility Permit #2019-1 With Aureon

Hoffman moved, Granzow seconded to approve Utility Permit #2019-1 with Aureon. All ayes. Motion carried.

8. Other Business

DD 22 - Schlemme updated the Trustees that Engineer, Heather Thomas, forwarded some information from contractor, Gehrke Inc. They plan on starting late May or June due to the wet soil conditions and would like an extension from September 1 to December completion. The Trustees agreed that they will continue with the same process and not grant an extension until it gets closer to that date and an effort has been shown to meet the original completion date.

Outlets - Schlemme informed the Trustees that the Code of Iowa states "When the board deems it necessary it may repair or reconstruct the outlet of any private tile which empties into a drainage ditch of any district and assess the costs in each case against the land served by the private tile line." Gallentine stated in the past the district has always paid to replace the tile outlets, even with the code section, because it gets difficult to determine who's tile outlet it is. Schlemme asked if the Trustees would like to continue with this process. Granzow stated if they charge the landowner for outlets, then they may not want to install it and it's best for the district due to erosion, etc. to have them replaced. The Trustees agreed to continue with replacing outlets as needed during projects and paid for by the drainage district.

The Trustees discussed that next week (March 6) they will have their regular meeting at 11:30 before the noon and 1:00 district meetings. It was also discussed that they may not meet on March 13 due to ISAC.

9. Adjourn Meeting

Granzow moved, Hoffman seconded to adjourn the meeting. All ayes. Motion carried.



Hardin County

Drainage Claims with Pay Date of 3/8/2019

Description	Vendor	Amount
DD 86 REPAIR	Clapsaddle-Garber Assoc	1,711.70
DD 26 L4 WO 82 INVESTIGATION	Clapsaddle-Garber Assoc	1,134.35
DD 22 CONTRACTOR COORD & NEW SINKHOLE	Clapsaddle-Garber Assoc	451.00
DD 14 WO 70 REPAIR	Clapsaddle-Garber Assoc	1,837.20
DD 72 REPAIR	Clapsaddle-Garber Assoc	1,216.55
DD 146 PLANS AND SPECS	Clapsaddle-Garber Assoc	1,309.55
DD 21 RECLASSIFICATION	Clapsaddle-Garber Assoc	577.40
DD 48 INVESTIGATION	Clapsaddle-Garber Assoc	490.50
DD 9 SCANNING	Clapsaddle-Garber Assoc	304.90
DD 25 WO 1 PLANS & SPECS	Clapsaddle-Garber Assoc	2,892.00
DD 25 L3 WO 226 REPAIRS	Clapsaddle-Garber Assoc	2,534.60
DD 38 WO 231 INVESTIGATION	Clapsaddle-Garber Assoc	1,867.75
DD 52 LEGAL	The Davis Brown Law Firm	580.00
DD 123 WO 188 REPAIR	Clapsaddle-Garber Assoc	1,043.68
DD 131 RECLASS PUBLICATION	Times Citizen	194.11
DD 148 ENG RPT	Clapsaddle-Garber Assoc	516.80
DD 148 PLANS & SPECS	Clapsaddle-Garber Assoc	2,685.50
DD 165 WO 232 PLANS & SPECS	Clapsaddle-Garber Assoc	1,639.40
DD H-F 1 TOTAL REMOVAL OF WILLOWS	Clapsaddle-Garber Assoc	1,334.73
DD 55-3 L9 WO 224 REPAIR	Clapsaddle-Garber Assoc	904.45

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We Flow That Extra Mile!

February 6, 2019

Hardin County Drainage District Trustees
Hardin County Auditor's Office
1215 Edgington Avenue, Suite 1
Eldora, IA 50627

RE: Variance Request
Drainage District Permits: 2017-1, 2018-1, 2018-2, 2018-6 and 2018-7
Iowa Regional Utilities Association

Over the past two years Iowa Regional Utilities Association (IRUA) has filed five Drainage District Utility Permit Applications with Hardin County. Each permit has been filed to complete work related to installation of drinking water mains at various locations across the southern portion of Hardin County. Each permit number and date of issuance is described in the following table:

Permit Number	Permit Approval Date
2017-1	05/10/2017
2018-1	05/02/2018
2018-2	05/02/2018
2018-6	05/16/2018
2018-7	05/16/2018

As installation of these new water mains has progressed, IRUA has endeavored to work with Hardin County and its designated representative, Clapsaddle-Garber Associates, Inc. (CGA), to protect and document the district tile infrastructure, as we do with all of the other Counties that we work with.

On August 27, 2018, IRUA staff received an email from CGA with directives relating to various permitted drainage district crossings. IRUA then received invoices from CGA for the firm's services relating to the above permits.

On October 1, 2018, IRUA received a cease and desist notice from the County's attorney, Davis Brown Law Firm. The letter generally referred to the directives of the August 27, 2018 email from CGA.

On October 5, 2018, IRUA's attorney, Frank Smith Law Office, responded to the County attorney's letter.

On December 19, 2018, IRUA attended a Hardin County Drainage District Trustees meeting to more efficiently discuss the basis of the Utility's concerns, which is the uniquely restrictive and expensive permit language of the Hardin County Drainage District. IRUA expresses appreciation for the Board's

time and consideration during the meeting. At the conclusion of the discussion, the Trustees indicated a willingness to consider a permit variance application from IRUA.

Hardin County's representative, CGA, was selected and appointed because it provides the County with the services of a Professional Engineer licensed in the State of Iowa to monitor, track, document and record the progress of permittees for the County. IRUA has staff and resources to perform these same services internally, including the ability to certify the information to the County sealed by a Professional Engineer licensed in the State of Iowa.

IRUA has prepared the enclosed Information and Variance Request Worksheet summarizing the Utility's response to the comments of CGA's August 27, 2018 email.

Included with the Worksheet, IRUA has prepared a package consisting of GPS coordinates that we acquired of the district drainage infrastructure at each permitted crossing. The GPS coordinates we acquired have been overlaid on an aerial map for reference of where the information is in the real world. IRUA is happy to furnish electronic files of these GPS coordinates for Hardin County's use. Also included at each crossing is a steel post monument set over the tile at the point of crossing. Where it was not possible to install the monument directly over the crossing, the post has been stamped with an offset dimension to be used as reference to the actual crossing point. A sample image of the monuments installed is enclosed with this cover letter. IRUA can submit photographs of each monument installed at each crossing at the request of the Trustees. Finally, included with the completed work packet is a signed Professional Engineer's seal certifying the information to the Drainage District Trustees. IRUA requests that Hardin County accept this information in lieu of employing and dispatching its representative. For items where no variance request is noted, it is IRUA's opinion that this request does not need to be submitted by formal variance as the permit's requirements only state that "The Drainage District Trustees may appoint a representative to inspect and approve..." (Permit Requirement 10).

There are some items that do require a formal variance request. The enclosed Information and Variance Request Worksheet requests this variance for CGA's comments regarding:

- Permit #2017-1
 - D.D. No. 152 (D.D. No. 55: Div. 2)
 - D.D. No. 26
 - D.D. No. 14 (D.D. No. 123)(D.D. No. 26)
 - D.D. No. 11
- 2018-1
 - D.D. No. 26
- 2018-6
 - D.D. No. 11
- 2018-7
 - D.D. No. 152 (D.D. No. 55: Div. #2)

Finally, the following comments are in response to specific tile crossings noted by CGA in their August 27, 2018 email:

- DD 20 – Permit #2017-1: IRUA requests this comment be clarified or withdrawn. The construction corridor covered by Permit #2017-1 did not encounter DD 20 infrastructure.

- DD 21 – Permit #2017-1: IRUA requests this comment be clarified or withdrawn. The construction corridor covered by Permit #2017-1 did not encounter DD 21 infrastructure.
- DD 56 – Permit #2018-2: IRUA requests this comment be clarified or withdrawn. The construction corridor covered by Permit #2018-2 did not encounter DD 56 infrastructure.
- DD 152 – Permit #2018-2: IRUA requests this comment be clarified or withdrawn. The construction Corridor covered by Permit #2018-2 did not encounter DD 152 infrastructure.

To be clear, IRUA is not pursuing permit variances to alter the Utility's work product. Serving rural and agricultural communities is the foundation that IRUA is built on, and in the interest of our members, we certainly respect the importance of protecting drainage district infrastructure. As a result, we respect the intent of the language that Hardin County has integrated into its drainage district utility permits. However, IRUA is confident that we can provide a solution that accomplishes the intent of the permit's unique language while keeping Hardin County cost competitive with other drainage districts.

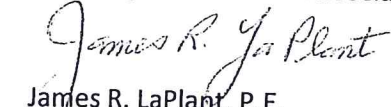
It is IRUA's hope that the Trustees find that this information achieves the same level of service and quality that would be accomplished through the County's designated representative. If acceptable, it is IRUA's intent that we utilize this same template for drainage district utility permits moving forward.

Enclosed please find a check for \$3,549.95. This is an amount matching CGA's invoices through January 2, 2019, less finance charges. If the proposed information packet and variance requests are approved by the Trustees, please cash the check and use the funds to reimburse CGA for their invoices. If the requested variances are not approved, please return the check to IRUA at your earliest convenience.

IRUA has appreciated working with Hardin County Staff and Leadership. As noted in the meeting, IRUA is just in the early stages of expanding and responding to requests for our services to the residents and communities of Hardin County. Working together to clarify this process now will benefit all parties to maintain an efficient working relationship moving forward. Further, we feel that the ultimate beneficiary of this arrangement will be the citizens and constituents of Hardin County, who will otherwise be held accountable for paying the costs of the District's unique drainage district permitting structure.

Please respond with the Board's decision at your earliest convenience, and do not hesitate to contact IRUA should there be any questions or comments. Feel free to direct correspondence concerning this matter to IRUA Engineering Manager, Matt Mahler, P.E.: 1351 Iowa Speedway Drive, Newton, IA 50208; 641-792-7011; mmahler@irua.net.

Sincerely,
Iowa Regional Utilities Association


James R. LaPlant, P.E.
CEO/Engineer

General Review Comments:

1. The coordinates provided do not identify if they are for the district tile, waterline, or waterline locates. Coordinates are needed for both district tile and waterline/waterline locates.
2. All of the sheets provided only show partial coordinates (i.e. X and Y) and don't show the elevation or Z coordinate.
3. Sizes and material of district tile at crossings should be identified.
4. The clearance between the waterline and the district tile needs to be specifically stated at each crossing.
5. The clearance between the waterline and the flowline of the district open ditch needs to be specifically stated at each crossing.
6. Pictures of installation and on-site data gathered are provided in all of CGA's reports. I don't know if the District Trustees want these from IRUA also or not.
7. The engineering seal and signature only covers that the fact that the submittals were prepared by the engineer and nothing else. It does not cover or state that for each crossing, the crossing is in accordance with all permit requirements or states individual exceptions instead of general ones.
8. What professional errors and omissions insurance coverage does IRUA maintain. I don't believe general liability covers professional negligence if submittals are incorrect.
9. All district main open ditches are labeled as streams on the maps. They need to be corrected.
10. For permits that are requesting to be withdrawn, provide drawings to verify that waterlines are not in the same location as district facilities.
11. No photos were submitted of signage installed.

Specific Review Comments:

1. District 56 (permit 2017-1 and 2018-2) drawing (9-87-22) appears to not be correct. Based on our survey shots, encasement for pipe being installed was **over** the district tile and not under. Also, when we were on-site the district tile had 1'± of soil and rock in it at broken location that was assumed to have washed in during the month that IRUA left tile open. This needs removed. Finally, based on our survey shots there is not 1' of clearance between top of repaired district tile and bottom of encasement.
2. District 152 (permit 2017-1 and 2018-2) drawing (16-87-22) showed that the waterline was bored under the tile. However, based on our site visits, entire site was disturbed, there was no boring equipment on-site, a trencher was on-site, no boring mud was present in the excavation, and the soil under the tile/above the waterline was very soft. Based on this, our assumption is that instead of using a boring machine, contractor excavated on each side of the tile and shoved the waterline through.
3. District 56 (permit 2017-1 and 2018-2) drawing (9-87-22) appears to cross Lateral 22, but said crossing it is not shown. This is especially concerning since the Main tile of DD 56 was damaged during waterline construction.
4. District 14 (permit 2017-1) drawing (34-88-22) appears to be missing a crossing of the Main at the intersection of Co Hwy D41 and Co Hwy S27.
5. Following district tiles identified as not found:
 - a. DD 11 Lat B (permit 2017-1 and 2018-6) at intersection of Co Hwy S27 and Prairie Ave.
 - b. DD 20 Second Main tile (permit 2017-1) just west of the intersection of Co Hwy D41 and D Ave.
 - c. DD 11 Main (permit 2017-1 and 2018-6) at driveway for house at 402 Prairie Ave.
 - d. DD 11 Main and Laterals (permit 2017-1 and 2018-6) in Town of BuckeyeThese district tiles do exist and some have been located in the past. CGA can stake out the locations of some on DD 11 and DD 20. However, we were not contacted to do so.
6. Additional specific comments may be forthcoming after information requested in General Review Comments is submitted.

From: Lee Gallentine <LGallentine@cgaconsultants.com>
Sent: Friday, March 01, 2019 10:14 PM
To: Tina Schlemme
Subject: Re: DD 131 Reclass - Anna Broer Weis

Tina,
Thanks for relaying the question. To answer it, the Reclassification Commissioners didn't adjust the boundary of the Drainage District, but used it as originally mapped. I would suggest that this be put on next week's agenda so that the District Trustees can decide if they want us to go out and perform a topographic survey to verify the area (similar to DD 1). Just let me know if you have any questions.
Thanks,
Lee

Sent from my U.S.Cellular® Smartphone

----- Original message -----

From: Tina Schlemme <TSchlemme@hardincountyia.gov>
Date: 3/1/19 4:16 PM (GMT-06:00)
To: Lee Gallentine <LGallentine@cgaconsultants.com>
Subject: DD 131 Reclass - Anna Broer Weis

Lee-
Tim Broer was in today with questions regarding the reclassification hearing. His daughter, Anna Broer Weis, has land on the edges of the district. He stated that some of that land drains the opposite direction as there is a hill there. I didn't know if the commission looked closely to the topography, but I told him I'd let you know his concerns.

Parcels 892109100006 & 007, 892109300004, 005, 006 & 007

Thanks!
Tina

TINA SCHLEMME
REAL ESTATE AND DRAINAGE CLERK

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