

REGULAR DRAINAGE MEETING
December 11, 2019 10:30 AM

12/11/2019 - Minutes

1. Open Meeting

Hardin County Drainage District Board of Trustees Chairperson, Renee McClellan, opened the meeting. Also present were Trustee Lance Granzow, Trustee BJ Hoffman; Hardin County Economic Development, Angela De La Riva; Hardin County Attorney, Darrell Meyer; Landowners Curt Groen and Jean Groen; Times Citizen, Matt Rezab; and Drainage Clerk, Denise Smith.

2. Approve Agenda

Hoffman moved to approve the agenda, moving Other Business to the top. All ayes. Motion carried.

3. Approve Claims For Payment

Hoffman moved to approve the claims for payments with a pay date of December 13, 2019. Granzow seconded. All ayes. Motion carried.

DD 9 - WO 229 - Review of ROW vs Annexation, Davis Brown Law Firm, \$75.00

DD 22 - WO 176 - For Prof. Services After 10/19/19 to 11/16/2019, Clapsaddle-Garber Assoc., \$17,710.20

DD 25 - Pay Estimate No. 2 for repairs to main tile and Lat 3, McDowell & Sons Contractors, \$1,845.00

DD 55-3 - WO 251 - For Prof. Services - General Advice, Davis Brown Law Firm, \$412.50

4. DD 25 - Discuss W/ Possible Action, Submitted Crop Damage Claim

DD 25 - David Fincham has submitted his claim for crop damages with photos. McClellan stated the rate for soybeans should be provided through an insurance provider.

Motion by Hoffman to instruct CGA to verify the crop damage area in DD 25 for WO 209. Granzow seconded. All ayes. Motion carried.

5. DD 55-3 - WO 201 - Discuss W Possible Action

DD 55-3 - WO 201 Contractor Seward had been in speak with the Drainage Clerk on Monday to request to be put on the agenda to provide an update. Seward became unavailable today as he is working on WO's in the field.

6. DD 118-232 Dv 2 - WO 281 Discuss W Possible Action

7. Other Business

Granzow noted that he had asked Matt Rezab to join the drainage meeting that followed the earlier Board of Supervisors meeting so the the Supervisors might answer Rezab's questions acting as Drainage Trustees.

Matt Rezab of the Times Citizen inquired as to what are the specific worries of the Trustees regarding drainage and the proposed wind turbines with locations in the drainage districts. Granzow stated there are millions of dollars worth of drainage infrastructure under ground that we need to protect. The Trustees of the 50+ districts in the proposed areas, have concerns that this could be as difficult as working with the railroads, and like any other utility, the wind Turbines would have to apply for the proper drainage permits, but should the drainage permitting by the wind turbines not be required, he is concerned that the Trustees would not be able to challenge the wind turbine company. Hoffman, states that within a drainage district all

landowners are assessed based on their land's percentage of benefit from the drainage tiles, so if 10 landowners are in a drainage district and if one landowner has only 5% of benefit, and the soil is damaged or drainage is disrupted or interrupts other landowners crop productivity, then landowners in that district could apply for crop damages. It ends up that people that are not benefitting from the wind turbine could be held financially responsible for other people's crop loss. There is a lot of cost shifting that could happen. Hoffman goes on to state that a lot of the drainage district facilities were installed over 100 years ago, and mapping was not like it is today, so there are some facilities that are not mapped, and we find facilities that were discussed in the records, but never properly mapped. If damages occur to unmarked facilities it could be left sitting there with one or more years of crop damage and loss of productivity to farm ground. Hoffman is also concerned about emergency communication, Hardin County will be investing in a new emergency communication tower, and has great concerns about these wind turbines interfering with the new tower, and disrupting emergency communications that could cause dire effects if we are not able to communicate with our law enforcement, firefighters and first responders.

Matt Rezab asks if the Trustees are aware of any other counties that have had difficulties with communications as a result of wind turbine installation. Hoffman replied that a well known engineer in the area lost all antenna tv reception, the engineer filed a claim against the wind turbine company and that the wind turbine company paid him an annual stipend for cable tv, so the turbines can cause many types of communication disruption.

McClellan noted a lot of drainage districts on the north and west side of Hardin County are shared with other counties- Franklin, Hamilton, Wright, Story, so these wind turbines can impact not only our Hardin County residents, but residents of these other counties as well.

Rezab asked if there is a happy middle ground or some safeguards that can be put in place to erect these wind turbines, or is this a pretty tough spot right now. McClellan replied that we are not even at that point yet and that drainage and communications are her top concerns right now, there will be some tough hurdles for the wind turbine companies. McClellan noted that she is not saying the wind turbine companies won't follow our regulations but that it seems that the bigger the companies, that timeliness and enforcement is more difficult, we have worked with the railroads on projects and we are 3 years in on a project with no approval in sight. Granzow notes that those delays cause increases in engineering costs and legal fees to the districts, that are charged back to the district landowners.

Hoffman stated that these technologies are much more sophisticated than in some European countries, and as time goes on the wind turbine companies will fine tune their processes, they will become more efficient and effective and eliminate some of the variables.

Rezab asked if there are concerns about the fact that the turbine blades become waste after being run for 5 years.

Attorney Meyer noted that concern is addressed in the resolution. McClellan stated that they can't go to the landfill and there is nothing to be recycled in the blades. Landowner Curt Groen noted that they are seeing many truck fulls of decommissioned blades passing through Hubbard recently.

Attorney Meyer noted that each district within the proposed wind turbine project area would each have to assess their own risks associated with the turbines, and be mindful of what that risk is and to protect district facilities. Hoffman noted that Taylor Roll had a list of all landowners who had signed easements with the wind turbine company. Granzow was very concerned that there will be a lot of added cost to landowners who did not sign up for a windmill lease, and that the Trustees job is to protect our infrastructure. The Trustees noted that the east side of the county may have been a better location because there is very little drainage on the east side and some infrastructure already in place with the existing wind turbines. Granzow feels that the wind turbine companies should pay for any damages and that should be agreed upon up front. Hoffman raised concerns about the costs associated with decommissioning the turbine sites, and costs could easily exceed \$2,000,000 per site. McClellan stated the lifespan is 20 years, adding a new turbine would add another 20 years, and is very concerned about future decommissioning costs, she noted that some farmers would think only of that \$10,000 check from the wind turbine and don't realize that the damages caused or crop losses could exceed that payment. Hoffman noted that landowners who incur crop damages would then be essentially paying themselves for the damages in the added assessment to the

district.

Attorney Meyer asked if in the interest of planning purposes and openness, would the Trustees have a meeting with all the landowners in a district meet. Granzow stated he thought all of the other landowner trustees should come in for an open meeting, and any landowner can come in and a public hearing would be advisable. Hoffman asked if a straw poll would be possible, Granzow stated it would be an unofficial vote and wonders if landowners are well informed to pros and cons of turbines, Hoffman thinks Aureon may move on to less restrictive areas. Granzow does not care one way or another if they go up, but it is his job to protect district infrastructure. McClellan stated she cares and is concerned about the effects of the wind turbines. Granzow noted that districts can take control and have their own Trustees, and he does not want to see the issues similar to what we see with the railroad. McClellan is concerned about the decommissioning process would only remove the top 4' of concrete and replace only 4' of soil. Hoffman shared those concerns as well, stating that crop roots are often deeper than that 4' of soil cover.

8. Adjourn Meeting

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