DD 56 LANDOWNERS MEETING
Wednesday, July 8, 2020 10:00 AM
Emergency Operations Center
This meeting was held in person and electronically due to Covid-19 concerns.

7/8/2020 - Minutes

1. Open Meeting
   Hardin County Drainage District Chairperson Lance Granzow opened the meeting. Also present were Trustee BJ Hoffman; Trustee Renee McClellan; Landowners Matt Topp; Carole Topp; Sharon Larson; Greg Larson; Sue Armstrong; Rose Topp; Brad Fjelland; Jack Runge; Mike McCartney; Mike Bostrum; Kevin Sheldahl; Brian Krause; Dan Kumrow; John Kuhfus; Terry Swenson; Les Meier; Brian Appelgate; Lynn Holecheck; Marjorie Krause; Kathy Kolden; Mike Fjelland; Michael Pearce, Network Specialist, and Denise Smith, Drainage Clerk.

2. Approve Agenda
   Motion by McClellan to approve the agenda. Second by Hoffman. All ayes. Motion carried.

3. Introductions/Attendance
   Introductions were made and attendance verified.

4. DD 56 - Discuss Improvement Options & Reclassification

   Granzow stated we are here to discuss improvement options and reclassification, we have been through all the options at the previous meeting, Granzow turned the discussion over to Gallentine. Gallentine asked if we would like to discuss all the options we have been over previously, or are there options we can pull off the table. Granzow stated we could skip the things that have been pulled off the table and start with a brief explanation.

   Gallentine discussed the original Engineer's Report, there was a request for improved drainage in DD 56 that dated back to spring of 2018, CGA was requested to go out and do some investigation to see what can be done to improve the drainage of DD 56. Gallentine stated we looked at the entire length of the system all the way from the outlet at the open ditch of DD 26 all the way to the upper end. Gallentine stated the district was established from about 1914 to 1918, it is notable there was some repairs early on in the 1920's, 30's and 40's, which isn't necessarily typical of these districts, many had a period after installation where repair didn't happen right away, so that is unusual for this district. Other than that not much has been done with the tile in this district, as it was constructed originally. All totalled there were over 100 repairs in the last 90 years, and those started in the 10-15 years following construction. Gallentine continued, in addition CGA did calculations on the drainage coefficient this tile, if all the water that fell in this district was forced to go through the tile, and there wasn't any surface drainage, the drainage coefficient varies from .03" per day to .22" per day, so at .22" that is about a 1/4" of drainage per day, if a 1" rain fell in the district and all the water went through this tile, it would take 4 days to drain.

   Gallentine stated obviously the tile supplements surface drainage, but when we do private tile now we talk about a 1/2" coefficient or a 1" coefficient, but this district's main tile gives you a .03" to .022" coefficient. Based off the history of repairs and small drainage capacity CGA is in agreement and feels if you want more capacity and better drainage, there is room for improvement. The original Engineer's Report lists 7 different improvement options. One is we essentially take the main tile and sever it, splitting the district into two in the middle and we run a separate outlet to the the main channel on DD 26, the cut gets a little deep to do that but with modern machinery it can be done. CGA also ran an option of putting in a single new tile, large enough with a drainage coefficient of 1/2" to 1", and we remove the old tile. CGA did an option that puts in 2 new tile, pull out the old tile to get the 1/2" to 1" coefficient. CGA also ran an option of adding a new tile next to the old tile where both tile would work together, but then you still have to do repairs on the old tile. Gallentine stated the last option they considered was to take out the old main tile and put in an open ditch, once we get to a certain pipe size, it gets cheaper to move dirt than it is to put in pipe, obviously the open ditch option has implications for farming and land use too.

   Gallentine stated costs were all over the board for these options, some were very high and probably very unrealistic for what landowners can afford financially, but it is what we would expect to see based off different bid lettings. Gallentine stated from the initial hearings the costs ranged anywhere from a little over $1,000,000 for the bypass or cut off up to about $10,000,000, so there is a wide range, from what Gallentine recalls of the original hearing there was not much of an appetite for the higher cost options, which is totally understandable. Gallentine stated it did appear that people were still interested in cutting the district into two pieces, especially if we relocated where the cutoff was and we head a little farther east based on the lay of the land, and shifted it slightly west based on Kevin Sheldahl's experience in tile repairs in the area. Sheldahl helped come up with some options in

the supplemental report which has some different options than the original report. Gallentine stated he briefly went over the original report quickly as some people have heard this info several times now, and asked if there were any questions on the original report.

It was asked if the repairs made early on were because the tile was installed wrong. Gallentine stated the records don't really say, the early records are more of a bill with a dollar amount, it is probably due to incorrect installation or inferior products. Gallentine asked for other questions on the original report, no additional questions were presented.

Gallentine went on to discuss the Supplemental Report, which seemed to have more interest, every option in the Supplemental Report involves splitting the district into two districts, the original report had that only as one option, the supplemental report has that on all three options. The Supplemental Report divides this into three improvement options, and is a bit more refined. The first option we suggested was an Upper Main Outlet with Single Tile Up-sizing, this would cut the district in half and install a new outlet for the upper half of the district. Gallentine referenced the map (which is the same for all three options) which shows the blue line which goes up is the main open itch that exists for DD 26, the red line is the bypass suggested by Sheldahl, the green line would be an improvement to the existing tile. There are two parts to these options outlined in the report, one is installing the cut off the second is also improving the tile upstream, we didn't go far upstream as the entire tile goes, because as Sheldahl noted, this is one of there as that seems to be the worst, and where the capacity seems to be the worst and where main issues are.

Gallentine stated for the first option we would install the cut off which is the red, for the green area, Single Tile Up-sizing, we would pull out the existing tile and put in one tile of a larger size. For the second option, Dual Tile Up-sizing, we pull out the existing main tile and put in two tile to give you the the equivalent capacity, the advantage of that is you get more soil coverage. The last option we would still install the cut off and with Parallel Tile Up-sizing we would install the new tile next to the old tile that when combined together would give you the drainage capacity, it is possibly cheaper initially but in the long run you will be faced with higher maintenance costs because you still have the new tile coupled with a 100 year old system you still have to maintain. Gallentine stated these were the three options listed in the supplemental report that people seemed possibly more interested in seeing. Granzow asked if there are any questions. It was asked if there was an option where we just installed the red line cutoff and we don't do the green line as an option. Gallentine stated that is not officially in the report although we discussed it.

It was stated by a landowner that if the west side is split, the east district would see some benefit by losing some of the load on the main tile, and people in the south eastern part of the west district would gain some performance by the supplemental, the people in the west half who will pay for 70% of the cost will really have no improvement, perhaps we can just put the outlet in as the first project, and come back at a second stage and upgrade the entire western district. Gallentine stated could we install the red line as a second outlet, split the district in half see how that performs and then eventually put in the green tile or the whole main new, we don't have that as an option in the supplemental report, but there was interest in that and Gallentine did run a cost for this. Gallentine stated if that is what people want to do, and the Trustees want to consider that, we can do that since it is a paired back version of these, you can always just do a portion or less than the report says. Gallentine stated you can read through the options but one thing he wanted to stress was jurisdictional wetlands, historically the improved drainage will impact jurisdictional wetlands, the NRCS treats jurisdictional wetlands just like confidential medical records, CGA can not access them, the Trustees can not access them, the only people that can get copies of jurisdictional wetland records are the landowner or the tenant. Gallentine highly recommends if the project moves forward, go to the NRCS and get your wetland determination, send a copy to the district so we know where they are at, and we can work around them with any potential designs, otherwise you violate improving drainage in a wetland, it can endanger your farm benefits not only for this district but every farm you farm on, Gallentine stated it is a very serious thing and he can't emphasize that enough, talk to your NRCS representative if the project moves forward.

Gallentine stated we have each of these options of different construction methods, and for each option we also have a 1/2" and 1" coefficient. Gallentine reviewed the costs of each option. If we install the cutoff and put in one single tile in the area that is green, with a 1/2" coefficient the cost is $1,367,445 for the district costs, the road crossing which is payed for by Secondary Roads the cost is $54,697. These are costs we would expect to see based on previous lettings, Gallentine is not the contractor, so this is not a guarantee by any means. If you do the same design for a 1" coefficient, you are $1,872,642 for district costs and road crossing costs are $64,041. If you go with the cutoff with two new parallel tile with a 1/2" coefficient costs are at $1,894,818, road crossing $64,975. If you go with the 1" coefficient for this option costs are $2,433,147, road crossing costs are $75,253. If we do the cutoff and leave the old tile in place and put a new on next to it so we combine their two coefficients, a 1/2" coefficient is $1,2818,07, road crossing is $46,288. For a 1" coefficient on this option costs are $1,800,735 and road crossing is $59,369.

Gallentine stated there has been interest in just doing the bypass, and nothing else, a rough cost for that would be about $850,000, this would include the engineering fee, the construction observation, the bid letting, the design,

the contractor, the materials. What these costs don't include is interest, legal fees, county admin fees, crop damages, other damages, previous repairs, engineering fees to date, wetland mitigation fees, right of way acquisition, reclassification fees, if the project moves forward it would cover the engineering and contractors. Gallentine stated there are a lot of numbers here, and he understands the current economic climate, and asked if there were questions on the different options or costs.

It was asked by a landowner what type of tile would be used. Gallentine stated what we based our estimates on was a polypropylene, it is not dual wall, it is triple wall when you get that big, with rock bedding. Gallentine stated he bid it low, because sometimes you will get a sales guy that wants to be competitive and concrete can sometime still beat plastic, so he would bid both to see what they come in at.

It was asked by a landowner, if the surface water would keep coming the way it is, or if something would be done with the surface water to make it go north. Gallentine stated we would not do anything with the surface water itself, this would solely be subsurface water. A landowner asked if an intake would be placed in the road ditch so it would take some of the surface water, Gallentine stated if we put an intake in, the water can go into the intake where it can but we will not manipulate the ground to direct water to the intake. Gallentine stated typically most intakes have a 2' great in town, but you can go as big as you want, if for some reason we put an intake in the road ditch, we can size it rather large, but we will not go out and try to cut off any surface water and push it that way.

Granzow stated we are looking at the three options, and $850,000 for the outlet only. It was asked what kind of coefficient was on the outlet only option. Gallentine stated at this point we would have to look at it, you could probably achieve either coefficient, depending on the grade it was installed at, it would be the same size pipe, we would just adjust the grade. It was asked by a landowner if the $850,000 would be a 1/2" coefficient or a 1" coefficient. Gallentine stated it was probably closer to either, we could make the grade steeper to achieve the higher coefficient. Kumrow asked if the $1,071,000 that we talked about that in the last meeting was for the cutoff option. Gallentine stated yes, and that is why he ran through the options on the original report quickly, as some of the options are so expensive, it seemed there was little interest in them. Granzow asked if we are going forward, keep in mind, water is flowing currently. Gallentine stated, yes water is flowing, it is just draining at a capacity that it was designed for, which is a .03" to .22" per day. Hoffman stated we don't have to do anything by code as water is still running, Hoffman wants to make sure for everyone here and the record, that he knows commodity prices are bad, cattle prices are bad, Hoffman does not want to spend your money unless he absolutely has to, and there is nothing saying we have to pull the trigger on this tomorrow. Hoffman asked if this report was good for 10 years. Gallentine stated that the report is good for 10 years, if 5 years from now you want to move forward with this, we would just have to look at the report and freshen up some costs. Hoffman wanted to make it clear, that he did not want to spend anyone's money today, because legally if it is flowing that is all the Trustees have to make sure of, now if there is a consensus among the landowners we can do that. Hoffman stated, he has worked with some of you before, and we have done balloting and acted on the popular vote of the landowners, it is important for everyone to understand that Hoffman does not want to spend anyone's money in a poor agricultural climate.

It was asked how many years payments could be spread over and at what interest rate they would be charged. Smith stated you can spread you payments out with a waiver over 10 years with a 5% interest rate, or the Trustees could opt to go longer. Smith stated once we have narrowed down some options, she can put together a spreadsheet for what numbers would look like for landowners. Smith stated the letter that was sent out included options from the original and supplemental reports and there are so many options it its difficult to break them down in an easy to read format, if you are interested in a particular option you can see Smith after the meeting and she can provide you with that information. Granzow stated he was not in favor of paralleling an old tile unless the landowners are interested in this option, as the old tile will fail eventually, Hoffman and McClellan concurred.

It was asked by a landowner if we parallel the old tile, and issues arose, would we keep fixing it and kicking the can down the road until someone decides to address this later. Gallentine stated there are two types of projects, repairs and improvements, repairs keep the same type of drainage capacity. An improvement increases the drainage capacity. There is always the option to do nothing as long as the water is still flowing, and this is solely an improvement as we are trying to increase capacity. Sheldahl asked at what point is the pressure on that line going to start creating problems. Gallentine stated if we keep paying repair costs, they will keep going up, at some point down the line we will have spent more in repairs than the cost here today, we just don't know when that will be, it might be 5 years from now or 10 years from now but eventually we will spend more in repairs. It was asked by McCartney, that this drainage district was designed with just .03" to .22" coefficient. Gallentine stated that was the capacity it was designed for, Gallentine stated he does not know the motivation of some of the old engineers, but based on reports Gallentine has read from that time, a lot of the drainage systems were installed for the public health, which meant draining standing water to prevent mosquitos, malaria, and cholera issues, not necessarily crop production year after year, and so if it drained out in 10 days, that is all they really cared about, they didn't really envision pattern tiling as we know it today, as ever occurring, they may have run an intake over to a pond, but that was it, it was a whole different mindset. Gallentine stated that was what the old reports talked a lot about, the public health, general benefit, general welfare, that kind of thing. McCartney stated you have to realize back

then land use was a lot different, if you had a perpetual pond you would put it in pasture and put some cows on it, now we are trying to row crop it all.

Granzow asked if there were any questions at this point. No questions were presented.

Gallentine stated we had also generated a Reclassification Report, which talks about if a project moves ahead and we split the district into two, and what that would look like. Gallentine stated we can talk about that but if no one wants to do any projects, it is a moot point. Hoffman asked if we would like a show of hands. Granzow stated we can. Hoffman stated he would let Gallentine explain the percent of benefit. It was asked if the vote was based on land ownership. Gallentine stated the only decision that really matters is the Trustees, they are the initial voting body, if they poll the landowners it is still up to the Trustees to vote. Hoffman asked if they were talking about an apportioned vote, is it a vote per acre or does a person have the same power for 40 acres as they would for one acre. Granzow stated if there were any remonstrances that would break out the number of land acres, as we look at it we still need to make a decision, if the landowners vote it is still just a consensus.

Larson asked if there is no appetite for a project, is the question just do we want to do nothing, or do we want to split the district then flush out the options for the split district. Hoffman stated the algorithm looks like do something or do nothing, if there is an overwhelming majority that want to do something, then we go into the weeds and determine the options. Granzow stated no, we can not split the district out until the district is already split, and we put the pipe in and everybody would pay on that split, we can't split the district prior, you are one district. Gallentine stated these numbers are what they would be like the preliminary version until the tile is in the ground, it really doesn't matter until assessments come out. Sheldahl stated if we split it before then the other half would have to pay for all of it and that would not be right. Gallentine stated no that is not how the assessment came out. Granzow stated you have to put the tile in before you split it, and your assessment would go to two parties and now you have two different districts. Gallentine stated it is one of those things that came up, the district was established before the tile went in the ground yet there wasn't any district facility yet, Gallentine thinks you couldn't split the district until the tile is in the ground and the assessment is ready to go out, so you would have two districts paying on the project. Sheldahl stated that way everyone in both districts would pay for it. Gallentine stated that is correct. Granzow stated why would I split it if the west side got a new outlet and the east side needs built again, they would have that argument that we still have a 100 year old tile, and we just paid for a new tile for everyone else. Gallentine stated the east side would be paying for relief of pressure, because you have now moved your upper end where there is no load. Granzow stated if we split it, it is 100% for the people on the east side for what is remaining, Gallentine stated that would be true of the west side as well. Granzow stated we can do it, and asked how people are comfortable with voting. Hoffman stated he would be comfortable with more dialogue. Granzow stated we can ask for a show of hands, who is comfortable doing an improvement. Six people raised their hands as interested in an improvement, seven people raised there hand for leaving it the same. Granzow stated we have a lot of people here that don't feel comfortable expressing how they feel, Gallentine stated we could consider land area. Hoffman stated that would be difficult with an excel spreadsheet. Gallentine stated that you may have an acreage owner push it one way or another, versus someone who has 400 acres. It was discussed that it was too late for a remonstrance to move forward as that would have had to be filed before the last hearing. Gallentine stated a remonstrance is where you have landowners who own 70% or more of the land in a district state they are against the project, if filed before the hearing, the remonstrance would have been read, and the project would die and nothing would move forward, we have had a few of those in the past. Gallentine stated it is not easy to get a remonstrance to get landowners who own 70% or more of the ground in the district to agree on anything.

Granzow stated he is open for more dialogue if we have only 14 people of the 24 gathered here saying anything one way or the other. Larson stated we looked at all the options, the best option for them based on cost seemed to be splitting the district, Larson asked for Gallentine's thoughts. Gallentine stated long term on this is subjective, it is different if you are 80 years old and own some ground rather than if you are 30 years old and own some ground, if you are 30 there is probably a decent chance that you can pay for the repair and still see some of the benefit, if you are 80 you might see some benefit on the back end, but Gallentine was unsure of how many years that would be, long term is subjective to each landowner. A landowner commented that your land value is going to increase if this moves forward. Gallentine stated it should, but by the time the 80 year old sells it, their kids will care more than them, that person's family will benefit, which is common in drainage, a landowner may say that they want their grandkids to have better drainage than they did. Larson asked if the drainage district is more manageable in it is current state as DD 56, or is it more manageable splitting it into two smaller districts. Gallentine stated his opinion is if you can take any pressure off that overloaded tile, you are going to have less repairs, notwithstanding that is still 100 year old tile, so there is no knowing how long this 100 year old tile will last, but if you take the pressure off that will help.

Kuhfus stated there are 6 people here who voted for doing nothing, so there are some landowners here who voted no as a family. Kolden stated we as a family all individually own land, so we each individually have a vote. Discussion became heated between landowners, and Granzow stated right now we are at a consensus, we are not here to have an argument, and if this discourse can not remain civil, Granzow will adjourn the meeting.

Granzow stated water is flowing, and we are here for the landowners benefit, not the Trustees. Granzow stated we the Trustees are her because you the landowners choose not to represent your own districts. Granzow stated yes we do check into the questions you do have, and Granzow stated lets get back to civility and move forward. It was stated by a landowner that this was not something that can be created, there has to be some kind of rule on how we move forward. Gallentine stated he had explained the rule - that the District Trustees are the deciding party, they are the ones to make a decision, so whether it is these three Trustees or landowners who have been elected, that is who makes the decision, they can choose to poll you, they do not have to do that, so in absence of a rule, they are doing something they don't have to. a Landowner stated in absence of a rule there needs to be some kind of continuity in the process. Hoffman stated he loved the newspaper, and read where the Des Moines Public School Board decided to spend $19,000,000 on a soccer complex and not let any Des Moines School District taxpayers vote on that, Hoffman thinks that is horrible, and does not want to treat landowners the way the Des Moines School Board treats their constituents, so Hoffman believes we can figure out a means to do this as there are no written rules on how to do this. Hoffman wants to recognize everyone best, if that means we adjourn and reconvene in a week and come back in a way to systematically vote, but we have to keep the emotions under control, and find a civil way to do this. Hoffman stated between the clerk and the Trustees can find a way to apportion a voting method. Hoffman stated there is no Iowa Code that spells out how to do this and Hoffman does not want to be a ruler, he wants to represent you, Hoffman stated the Trustees and the clerk would be happy to provide the petitions for the landowners to become their own Trustees, and can make these decisions, but you elect your leaders. It was stated by a landowner he just wanted the rules explained for landowners to vote. Granzow stated there are none, we asked for a show of hands, and that was the rule at that moment, a question was asked of individual owners, this landowner called a family out, and the question was asked are the Trustees representing each person or individual landowners, Granzow stated we try to represent individual landowners, and assumes everyone here would not vote twice if they don't have two parcels. Granzow stated he will not tolerate an argument in here. Granzow stated he is just looking for consensus. Hoffman stated we can easily send out a paper ballot to each parcel and that can be the rule if that is what we the Trustees feel is best and if that is what they want is representation, Hoffman wants to best represent you and does not want this to tear people apart. Hoffman stated let's be civil and figure out if that is what landowners want is for us to send out a paper ballot to each parcel, and have it sent in by August 1st, Hoffman is ok with that, we just want to know how we can best represent everyone civilly.

Gallentine stated that is why we suggested a simple hand vote, because if 20 people say yes and one person says no, then our answer is pretty clear, or vice versa. Hoffman stated that has worked well in the past. A landowner suggested a paper ballot would be better. One landowner stated he did not vote at all, as he has one vote for the trust and one for himself, and those votes are split, if he were to do it again he stated let's do a paper ballot right now, which would eliminate the show of hands and issues. Granzow stated let's break this down to just the people who are here and asked if there were any written comments received prior to this meeting. Smith stated we have received no new written comments since the last hearing. Granzow has one written comment that came in yesterday. Granzow stated let's go around the room, and vote. Smith stated she needs clarification on what we are choosing before we even look at any other options, are we choosing to move forward with an improvement or do nothing. Granzow stated let's vote by owner's count and do a paper ballot and vote to move forward with an improvement or do nothing, we will do this by owner count, not by acre or people count. Hoffman asked if the Trustees would allow Koldon and Mike Fjelland to have a verbal vote as they are attending by phone. Granzow stated yes, they may vote with a verbal vote. Granzow stated if the parcel is represented by a trust, a corporation, a partnership or a single owner, or how the ownership is written, that will be one vote for each entity or group of parcels you represent.

Granzow directed Smith to verify which owners the people in attendance are representing and deliver paper ballots around the room. Gallentine assisted Smith in verification and distribution. Kolden asked what was being passed out, Granzow stated Smith was going around the room and verifying which owner each person was representing and handing out ballots, Gallentine stated he wants to make sure we are doing this correctly and used Sheldahl as an example, Sheldahl owns 9 parcels with his brothers, and owns no other land with anyone else, so Sheldahl would get one vote. McClellan stated we are only voting right now to move forward and do something or do nothing. Kolden stated, she owns land so she gets one vote, her sister owns land and she gets one vote, her brother owns land and he gets one vote, and Radland farms gets one vote, and that is the four of us, and we each get one vote, Kolden stated for everyone else, if they own as a corporation or they own as an individual they might get two, Kolden stated we are casting 4 votes as we have 4 different owners. Gallentine stated those 4 owners are on one parcel, do you own that parcel together or are all the parcels separate. Kolden stated we each own land individually, the only thing we own together is Radland Farms, and Mike is voting for those parcels. McClellan stated she would like to see the vote done here in person to do something or do nothing, and then later have Smith send out ballots based on the amount of acres owned later by mail. Paper ballots were distributed.

Granzow stated the ballot question is yes we want to move forward with the improvement or no, we we want to do nothing. Smith asked for Kolden's verbal vote for parcels owned by Kathy Kolden and Robert Kolden, Kolden's

vote was "No". Smith asked for Mike Fjelland's vote for the Radland Farms parcels. Mike Fjelland replied "No". Granzow asked for any other written comments. No other written comments were presented at this time. Smith collected the paper ballots. McClellan read the votes along with the number of parcels those votes represented. Smith and Gallentine both tallied the votes separately. Smith stated the vote count was 17 votes for "Yes" move forward with and improvement and 10 votes for ""No" do nothing at this time, the votes represent 100 parcels in all, with 77 parcels represented by the "Yes" move forward option, and 17 parcels representing the "No" do nothing at this time.

Granzow stated so now know where we stand, with the largest amount of votes being "yes", let's talk about the methods for improvements. Granzow asked Gallentine for a review of options. Gallentine stated there are 3 options that involve the red cutoff and some green on the map, the fourth option would be to just do the red cutoff. Granzow stated he is just for the red cutoff, and would like to know where the others are on options, but for now let's talk about the red cutoff, and we can come back to the other options. Hoffman and McClellan stated they would like to just discuss the red at this point. Granzow stated there are three options for just the cut off, and each has the 1/2' coefficient or the 1" coefficient. Granzow stated either way it would be $850,000 a similar size pipe it just depends on the pitch, Gallentine stated if you are going to spend the money you may as well go for the greater coefficient. Gallentine recommended going with the 1" coefficient, especially with tile that deep, it is not like you will want to dig it up later and replace it.

Granzow asked if anyone is interested in looking at doing the green line options, and is just looking for a show of hands right now, or is anyone interested in just doing the red line. It was asked if this would require creating two districts. Gallentine stated since they are drained to two different spots and you would have two different facilities, you would need two different methods for payment, because it isn't equitable to have someone on the far east side, long term to pay for a different outlet. Gallentine states that for the initial construction it makes sense, because we are taking the pressure off the top end but after it is initially built, why should the east side pay for that outlet, similarly, why should the west side pay for it if they don't use it. Gallentine stated even if you don;t separate it into two districts, you would have to have two separate payment schedules within the district, a main one and main two but you really need to have it separate for payments. It was asked if this means it would be capped and split. Gallentine stated yes it would be capped and then runs to the north. McCartney asked if Sheldahl wanted the green line. Sheldahl replies he would to have the green line but also understands it is not going to happen. McCartney's stated if we voted to do the green line, the east side should not have to pay for the green line, the compromise would be the east side would not have to pay for the west's 100 year old tile line repairs, and the east would have a new tile line and no repair bills, so why would I pay for the green line, and maybe that is a compromise in the future. Gallentine stated maybe you would like to do the red line now and split the districts, then in the future the people in the west want the green line, they can do it and they can pay for it.

Granzow stated that is why we just wanted to see the redline at first, and then we can split the district and move forward from there, that may be the best answer for this district. It was asked how much the main costs. Sheldahl stated that a lot of the tile coming into the green area, so on that corner on down the tile and the main actually stops flowing and it won't drain for 7 or 8 days, just simply because of the volume of water coming in from all those tile outlets down there, and so everyone on the top end gets absolutely no drainage for about 10 days, because it is so loaded in that area, the green line would help because about a thousand acres drains into that 1/2 mile stretch from the north and from the south. Gallentine asked if Sheldahl was willing to do just the red line at first to see if that helps. Sheldahl stated we need to start somewhere, we can't just do nothing. McCartney asked that if we vote on the red line are we going to divide a district, because McCartney wants a definition now, so in the future we don't say we want the green line.

Gallentine would highly recommend the district gets split with the cut off. Granzow stated he would follow Gallentine's recommendations, if we are going to do this, we will split it with the red line, the discussions we have had lead him to believe this would be the best option. Hoffman, stated a motion would include splitting the district. Granzow stated the Reclassification Report is already done and in order. Gallentine stated the reclassification has been done, and the recommendations were the cost for the cut off be split equally between the two districts fifty-fifty, if we install the cut off any deeper, which was the discussion, the commissioners felt that the cost to install it for the deeper 2' of additional depth should solely belong to the west as they will be the ones getting the benefit from it, as the east side is cut off either way. That costs could be written in as an alternate on the bid.

Hoffman asked if we had voted on the reclassification yet, Smith stated the reclassification report has been acknowledged but not accepted yet, so it can be voted on today. Granzow stated before we do the reclassification, let's make sure we read any public comments, because if they object to this is the time they have to comment. Granzow stated moving forward we are just talking about the red line, and per the recommendation of the Engineer, we will split the districts, and this will end up in a motion, Gallentine asked if we would be doing the red line to a 1" coefficient. Granzow stated yes, we would use the 1" coefficient, also they may want to drop the red line lower to help the west portion of the new district at the expense of the new west district. Gallentine stated we can bid that as a separate bid item for additional depth so you know exactly what that cost is, and they can choose

that at that time. Granzow stated we also have a Reclassification in front of us, and asked if everyone has had a chance to look at that report, and if there any disagreements with that reclassification report before we approve it. Granzow stated if we approve it is done, Granzow asked if landowners wanted to do the classification now or work on the red line. Gallentine stated that at the end of the day, whether it is east or west, everyone understands the costs will not go away, and we have to pay for the project somehow. Kumrow asked if the if the Reclassification schedule he received in the mail would be the same costs as we are discussing on doing just the red line. Smith stated the Reclassification Report was based on the $850,000 option which would be split the cost equally between the two districts, $425,000 to the east and $425,000 to the west. It was asked if the extra 2' of depth would be assessed to the west. Gallentine stated yes, it would be a separate bid item that the contractor has to fill out to tell us how much that extra 2' cost, so that we don't have to guess what that cost would be. It was asked by a landowner why did we pick the extra 2' for the depth. Gallentine stated that was the number kicked out at the hearing, do we want a percentage of grade.

Granzow stated we will send CGA out at the cost of the west half, but we can't do that until after the motion to split the district, and let Gallentine tell us the maximum depth we can go. Sheldahl stated if we can get by with a foot and a half, why go to 2'.

Motion by Hoffman to split District 56 into two portions, DD 56 East and DD 56 West. Second by McClellan. Granzow asked for any additional discussion on the motion, hearing none, Granzow called for the vote. All ayes. Motion carried.

Motion by Hoffman to adopt the red line plan to a 1" coefficient with the potential of dropping down at the expense of the new west district as an alternate bid to be determined at the bid awarding. Second by McClellan. Granzow asked for additional discussion on the motion, hearing none, Granzow called for the vote. All ayes. Motion carried.

Hoffman asked if anyone wanted more time to discuss the reclassification, or are we ok to adopt that today otherwise we can wait and put it on the Regular Drainage Agenda. Granzow stated if we adopt the reclassification this is the new classification we will be going with. If you have ground that does not fall in this drainage district or you think you are over classified, and you did not look at it, it is on you and not the Trustees, if you would like a week to review it to determine if you think it is correct, or dispute it now or tell us to wait a week, it will move forward. Sheldahl asked how do you go about determining the classification if we have one of the highest classifications and yet it doesn't;t drain, how is that figured. Gallentine replied the Reclassification Commission works is , we take into account the soil types which we take off the USDA website, those soil types may be well drained, poorly drained or very poorly drained, then we also look to see how close the parcel is to the district facility, so if it is right on the district main, they will pay more than someone farther away from the district main, because the thought is someone farther away from the district main may have their own private stuff and maintain it. Gallentine stated the soil types that are poorly drained or very poorly drained need more artificial drainage to make those soil types be more productive, it takes into account slope, the steeper the ground is sloped, the better it drains typically than flat ground. We talk about the combined factor, which means the highest combined factor will be the 100% benefitted parcel, that is typically the parcel that is closest to district tile and has the worst soil, which may be Sheldahl's field in that case, that would be the 100% benefitted parcel, comparing everyone to them using that same factor, then after that it is a matter of taking that times the number of acres, and we can figure the cost of the apportionment. Sheldahl asked if the coefficient of the main comes into play, Gallentine stated the coefficient of the main really does not come into play, the assumption is the district facility is adequate to handle it, it is often questioned, someone might say well I am right on the main and it overflows because it is not big enough, I shouldn't pay more, I should pay less because I am taking on everyone's water. Gallentine stated when this get's adopted, it will be in effect until the next reclassification is adopted, the last one was in effect for the last 100 years, so it is assumed that the main is functioning correctly and it will get used again if another project happens. Gallentine stated the other thing about a new classification that is tough is that if I feel my parcel should go down, it is almost a matter to explain why someone else's should go up to compensate, I just can't go down without someone else's going up because at the end of the day the district still has to pay the whole bill.

Granzow stated we have had instances where we ended up taking acres off because landowners can prove they drain a different direction to a different outlet. Gallentine stated we have had people produce tile maps, and say there is no outlet for the district on the map, but the landowner has tiled over here, and his outlet is over here, in those cases their benefit was reduced, and that was the Trustees choice to do that. Gallentine stated the other thing he would say about reclassification is that the Commission that draws up the reclassification consists of Gallentine and two landowners in the county who aren't interested in the district, we draw it up initially, the Board of Supervisors have the option to approve it, modify it or send it back to the Commission and after they approve, you as landowners have the right to appeal it to the district court within 30 days if you still don't agree, so it really is a three step process of review and oversight. Kuhfus asked how many acres were in the west half, Gallentine replied the proposed west district has 1,504 acres, and that is at the bottom of each sheet, the east side has 2,162 acres.

Hoffman motioned that no action be taken today and the Reclassification Report be placed on the agenda next week for adoption, then everyone has a week to contact the Supervisors or the Clerk with questions, concerns or complaints. Second by McClellan.

In additional discussion on the motion Granzow stated it has been moved to table this until next week, so you have time to get back to us with any questions or concerns, Smith is probably the best one to get back to, and it will be on next week's agenda for approval or disapproval depending on the information that has been given. Granzow asked for comments. Kumrow asked if we receive an estimate from the contractor, who is responsible to see that the estimated price is the price hat we pay. Gallentine stated CGA is actually watching the contractor do the work, Gallentine stated there are chances that something unforseen can happen, that could lead to a change order, Gallentine stated CGA does not control when a contractor requests a change order, no change orders can happen unless they are agreed to by the district Trustees. Gallentine went on that if CGA is watching the contractor in the field, the Trustees also have the authority to approve the change order or not, so it is between CGA and the Trustees to ensure that is how the project goes down, change orders don't always have to be an increase change order, they can be a deduction, it doesn't happen often but it does happen.

Kuhfus stated he was not so concerned with the costs, but the project in DD 22 was a mess, McCartney stated they dumped frozen dirt on top of the tile, Kuhfus stated he does not want that. Gallentine stated he does not want that to happen either. It was asked what the time-line would look like for this project if the reclassification was approved. Gallentine stated we are looking at a winter bid letting because contractors are out busy now, in the January, february, march range and allow them to build it over next summer, and then the completion date would be the end of next year. Gallentine noted there would probably be crop damages with that, which would be an extra cost, but traditionally if CGA tells a contractor that work must be done before planting or after planting, his costs go through the roof, so unfortunately crop damages are just a part of the project. It was asked if the additional depth would be based on the new est district's main tile being a 1/2" coefficient or a 1" coefficient. Gallentine stated the coefficient is a function of size and slope, so we would probably figure out how deep we need to make it to put more slope on the main tile to get the difference between the 1/2" and 1" coefficient, we would figure out the optimal between the two then you get to 1/2" or 1" by changing the size of the tile. Granzow stated it was a 2009 project Kuhfus referred to that went through a lawsuit and settlement that was redone, Granzow stated we have implemented policies to prevent that from happening now and CGA will be on site for the entire project. Kuhfus stated that is what he would like to avoid, Granzow stated he recalled they recovered the cost of the original project. Gallentine stated that he recalled the settlement equalled the total dollar amount of the original project but obviously reconstruction was different price than the original construction because they were two different designs. McCartney asked if they have the research for the new drainage coefficient for the east half of the district, Gallentine stated he would look for the resulting coefficient, if it is not in the report it will be determined later.

Granzow stated we have a motion that no action be taken today and the Reclassification Report be placed on the agenda next week for adoption, then everyone has a week to contact the Supervisors or the Clerk with questions, concerns or complaints, while Gallentine looks up that information we will go ahead and vote on the motion. All ayes. Motion carried.

It was asked that this would involve a pretty deep cut to obtain the coefficient, we will be paid for crop damages done during next year's construction, but what about the following year. Granzow stated easements need to be purchased and it would be put or designed into those easements, but he is not sure whose ground we are going into, that would be negotiated. Gallentine stated that would not be unusual to have multi year crop damages on that deep of a cut. Granzow stated we have gone three years out on one project. Gallentine stated once the red line is installed, the drainage coefficient on the east district would range anywhere from 3" at the west side of the east district down to 1/4" coefficient at the outlet, so you went from a 0.03" to a .2" coefficient, so you are still not at a 1/2" or a 1" but you gain seven times what you had to start with.

5. Comments/Discussion
   Granzow stated we have pretty well covered everything today and thanked all of the attendees for their participation, this is difficult for the Trustees to make these decisions without the landowners involvement. Gallentine thanked all of the attendees as well for this and all of the previous meeting involvement.

6. Possible Action

7. Other Business
   No other business.

8. Adjourn Meeting
   Motion to by Hoffman to adjourn. Second by McClellan. All ayes. Motion carried.