

**AGENDA
REGULAR DRAINAGE MEETING
JULY 31, 2019 AT 8:30 AM**

1. Open Meeting
2. Approve Agenda
3. Approve Minutes
 - July 10, 2019 Regular Drainage Meeting
 - July 10, 2019 H-F 5-75 Reclassification Report for Main Tile
 - July 17, 2019 DD 86 Landowner Meeting

Documents:

[7_10_2019 - DRAINAGE MINUTES.PDF](#)
[DD HF 5-75 RECLASS HRG 7_10_2019 - MINUTES.PDF](#)
[7_17_2019 - DRAINAGE MINUTES.PDF](#)

4. DD 22 - Discuss, With Possible Action, Project Update
 - Last weeks schedule:**
 - Tuesday: CGA will meet with Gehrke to stake out spot repairs and Gehrke will have their tractor/mower to gte access paths to the spot repairs.
 - Late Week: Gehrke will have pipe & materials delivered.

Start on spot repairs from the south end this week (July 29-August 2).

5. DD 9 - Discuss, With Possible Action, Legal Moving Forward
 - Certified mail was picked up July 16, 2019.
 - Two weeks following pickup will be July 30, 2019.
 - Landowner did not contact drainage clerk.

Moving forward:

- Mike Richard's said it will be cleaner to do annexation first and then reclassify.
- Should Davis Brown Law Firm begin the work for annexation and splitting of the district?

6. DD 9 - Discuss, With Possible Action, CGA Findings

Documents:

[AUDITOR-SCAN-20190725-093931.PDF](#)

7. Drainage Utility Permit #2018-9 - Discuss, With Possible Action, Resubmitted
 - Original permit approved was missing:
 - Big Four Main
 - DD 17
 - DD 41 (NOT DD 13)
 - DD Big 4 Lat C

Resubmitted permit includes the missing districts.

8. Other Business
 - 8.I. Regular Drainage Meeting 8/7/19
 - Becca will be out of office.
 - Cancel meeting or have Tina attend meeting?

9. Adjourn Meeting

REGULAR DRAINAGE MEETING
JULY 10, 2019

7/10/2019 - Minutes

1. Open Meeting

Hardin County Board of Supervisors Chairperson, Renee McClellan, opened the meeting. Also present were Supervisor, Lance Granzow; Landowner Tom Roberts; Lee Gallentine with Clapsaddle-Garber Associates (CGA); Drainage Clerk, Becca Junker; Former Drainage Clerk Tina Schlemme. Absent: BJ Hoffman

2. Approve Agenda

Granzow moved, McClellan seconded to approve the agenda as provided. All ayes. Motion carried.

3. Approve Minutes

Granzow moved, McClellan seconded to approve the minutes of the June 19, 2019 regular drainage meeting & DD 9 public hearing on the engineer's report, June 24, 2019 regular drainage meeting and June 26, 2019 regular drainage meeting.

4. DD 143 - Discuss, With Possible Action, Responsible Utility Company

Gallentine explained that CGA called one call and it appears that United Private Networks (UPN) and Radcliffe Telephone both have fibers in the area. After further investigation it was determined that Radcliffe Telephone is north of the tile and UPN is the fiber optic that is going through the drainage district tile.

Granzow moved, McClellan seconded to send a certified letter requesting a signature to UPN informing them that their fiber optics have cut through district tile. Pursuant to Code of Iowa Section 468.186, companies or individuals wanting to construct, operate and maintain utilities on, over, across, or beneath an established County Drainage District must request and receive an approved Drainage District Utility Permit which UPN never did. Therefore, the Trustees expect this tile to be fixed to Hardin County District Standard before winter as this is a road hazard. UPN can contact Lee Gallentine with CGA for clarification on what the District Standards are or the district can do the repair and assess the repairs to UPN. The Trustees requested a response from UPN one week from the date the letter is sent. All ayes. Motion carried

5. DD 128 & Big 4 - Discuss, With Possible Action, Signed Change Order #4

Gallentine explained that Hands On were on site in May of last year on Dean Bright's property. Once they were there Bright requested Hands On wait until fall because he had his crop in. To do that there needs to be a signed change order to extend the project until December 31, 2019.

Granzow asked when the contract was due by and Gallentine said June 1, 2019. Granzow went on to explain that Gehrke had heard that Hands On got an extension on this project and Granzow did not remember giving an extension on any project. Gallentine said that the original completion date was November 30, 2018 and there was an extension to May 1, 2019 and now he's asking for another one at the landowner's request. Granzow asked Gallentine if Hands On was given a premature extension and he replied and said that they did not, the extension was given in November of 2018.

Granzow moved, McClellan seconded to approve Change Order #4 for a time extension from May 1, 2019 to December 31, 2019. All ayes. Motion carried.

6. DD 102 - Discuss, With Possible Action, Wetlands Project

Gallentine explained that he thinks this is a great project and is a very good decision for the drainage district. He did have a few questions over some of the designs of the project but those questions are more for IDALS.

Granzow moved, McClellan seconded for Gallentine to forward his questions and concerns onto IDALS and then contact Junker to schedule a landowners meeting. Gallentine reiterated that he thinks this is a great project and his comments are not against the project, he just wants to make sure everyone is on the same page going forward. All ayes. Motion carried.

7. Other Business

DD 9 - Work Order 229 - Roberts addressed the fact that the route the Trustees moved to approve at the Public Hearing last week was originally going to be about \$35,000 more than the route that he has expressed he wanted to take. After he read the minutes from last week he noticed that on top of that price there is going to be an estimated \$10,000 in legal fees which will make it \$45,000 more than what he had wanted to spend. He expressed his frustrations that long term it might be worth the \$45,000 more but right now all he can see is a project and route that he does not want costing him more money than the route he wants to use. He understood that there is going to be a new reclassification done and that might change his percent benefited. He further explained that his tenants have 9,000 bushels of corn that he needs to get out, and he doesn't know how he will get to it at this rate. Gallentine explained that per the motion CGA is currently working on plans right now to bid as soon as possible. Gallentine told the Trustees that they can change their motion and he will stop working on the plans, but if they do that they need to hold a meeting or somehow let all the landowners know that a change has been made because all the other landowners seemed on board with taking this route which is why it was moved to begin with. Granzow said that Roberts could do a remonstrance but Gallentine explained that it is too late for that and it would have needed to be done before or at the hearing. McClellan then asked what the options are at this point. Gallentine responded if they want the project to stop they need to direct CGA to stop and then tell the other landowners that they've decided to stop this route and explain why. He said he didn't know what they could do as an alternate, Granzow then said the alternate could be leaving it as one district. Gallentine said they could but there would still have to be a reclassification and that the Trustees would need to reach out for legal advice on how that would work. He further explained that from his understanding the other landowners in the district wanted this option because it would give them their own outlet and better drainage.

Granzow circled around and asked Roberts if he wanted the Trustees to hold another Hearing to further discuss his concerns with all the landowners. Roberts replied that a few months ago the first thing he said was that he is not familiar with this process, but the trustees are, so he hoped they could make the right decision because he didn't know what that would be. He explained that he has learned a lot in the last few months but he wants to know if it's really worth \$45,000 to take this route. Granzow answered by saying at the hearing as a whole district, it was. Individually, maybe not but he has to look at the district as a whole and for them it is. By doing this option the district will get more capacity for only \$45,000 more. Gallentine then explained that he doesn't know what the price will be for the annexation and that is not within the report he presented so it could be more than \$45,000. It was then discussed that at the bid letting if the price is not what the district wants to pay the Trustees are able to reject all bids.

DD 9 - Work Order 258 - Seward asked for clarification on the distance he is supposed to be trimming, he knows 50 ft from the drainage tile, but he doesn't know where to stop. Granzow asked if CGA was supposed to be out telling him where to cut and Gallentine said that because it was just tree removal, CGA was not instructed to go out there at all. After reviewing the map of the work order and original map it was decided that he was to cut up to the property line. Junker sent Seward a map so that he would have a better understanding on where to cut.

DD 143 - Gallentine updated the Trustees that there was two spots CGA identified Radcliffe Telephone had gone through the tile and Tina sent a letter telling them that they needed to fix the tile. Dave Nelson called Gallentine yesterday to tell him that they have gotten one of these repairs done and wanted CGA to come out and take a look before they started on the next one. At the time of the call the tile had already been covered in rock and well documented with pictures. Gallentine presented the photos that Nelson took to the Trustees and asked them if they wanted CGA to go out while they finish the second repair. It was decided that it would not be necessary. Nelson also asked if he could have the line go over the tile of the second repair rather than under. Granzow said if that was documented within the minutes he doesn't see an issue with it. No motion.

8. Adjourn Meeting

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

PUBLIC HEARING MINUTES
RECLASSIFICATION COMMISSION REPORT FOR MAIN TILE
OF DRAINAGE DISTRICT H-F 5-75, JOINT DISTRICT

7/10/2019 - Minutes

1. Open Meeting
Hardin County Board of Supervisor Chairperson, Renee McClellan, opened the meeting. Also present were Hardin County Supervisor, Lance Granzow; Franklin County Board of Supervisor, Gary McVicker; Landowner, Scott Ellingson; Lee Gallentine with Clapsaddle-Garber Associates (CGA); Hardin County Drainage Clerk, Becca Junker; Former Hardin County Drainage Clerk Tina Schlemme; Franklin County Drainage Clerk, Breanna Knowles; Franklin County Board of Supervisor, Corey Eberling via conference call.
2. Approve Agenda
McVicker moved, Granzow seconded to approve the agenda as provided. All ayes. Motion carried.
3. Introductions/Attendance
Introductions were made and attendance verified.
4. Open Public Hearing
McClellan opened the meeting.
5. Verify Publications
McClellan verified the notice of hearing was published in the Times Citizen, Mid-American Publishing, Hampton Chronicle News, Hampton Chronicle News Press Releases, and Sheffield Press on May 29, 2019.
6. Explanation Of Reclassification

The hearing was turned over to Gallentine who explained the reclassification process as detailed in the commission reports for the main tile.
7. Written Or Verbal Comments/Discussion
None.
8. Close Public Hearing
McVicker moved, Granzow seconded to close the public hearing. All ayes. Motion carried.
9. Possible Action
Granzow moved, McVicker seconded to approve the Reclassification for the Main. All ayes. Motion carried.
10. Other Business
None.
11. Adjourn Meeting
Eberling moved, McVicker seconded to adjourn the meeting. All ayes. Motion carried.

DD 86 LANDOWNER MEETING MINUTES
JULY 17, 2019

7/17/2019 - Minutes

1. Open Meeting

Hardin County Board of Supervisors Chairperson, Renee McClellan, opened the meeting. Also present were Supervisors Lance Granzow and BJ Hoffman; Landowner John Nissley; Lee Gallentine and Zeb Stanbrough with Clapsaddle-Garber Associates (CGA); Drainage Clerk, Becca Junker.

2. Approve Agenda

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

3. Approve Claims For Payment

Hoffman moved, Granzow seconded to approve the claims for payment with pay date of Friday, July 19, 2019. All ayes. Motion carried.

DD 22- Construction Phase Clapsaddle-Garber Assoc 456.7

DD 78 - Investigation of ponding Clapsaddle-Garber Assoc 365.2

DD 86 - Inv. outlet structure, trees and siltation Clapsaddle-Garber Assoc 352.2

DD 9 - Hearing for Eng Rpt & Supp Eng Rpt for Main Clapsaddle-Garber Assoc 1118.8

DD 38 - Finalization of repair to lat 4 Clapsaddle-Garber Assoc 308.7

DD 52 - Communicating with Shawn Piel The Davis Brown Law Firm 40

DD HF 5-75 - Notice of Public Hearing Times Citizen 97.76

4. Introductions/Attendance

Introductions were made and attendance verified.

5. Explanation Of Investigation Report

Nissley explained he was representing Grove Revocable Trust, he went on to say that there was work done in this district a few years ago and he is concerned with the talk of another project. He went on to express his concerns over the investigation report saying, "friend of Monarch pond landowner reported", Granzow clarified that although the friend spoke, the owner was also present at the meeting. The meeting was turned over to Gallentine who explained his findings from the investigation report. Gallentine explained that there is already restricted drainage in the Main tile because of the trees. CGA's suggestion is to have all the trees within 50' of the Main tile downstream of Dago Lake be removed, following the removal of trees it is recommended to find out the condition of the tile. He went on to explain that his estimated cost for tree removal is between \$25,000- \$40,000, which is low enough that neither a hearing nor an engineer's report would be required.

Granzow then asked what it would cost to cut and dig the trees and replace the tile. Gallentine explained that it is in the railroad right of way so by the time the trees are removed, and the pipe is replaced it could easily be \$80-\$100 per foot plus the fees from the railroad. McClellan asked if Canadian National was easier to deal with and Gallentine explained that they have a new point of contact that he has not worked with yet. He further went on to say that there is no way to give a firm estimated cost without doing an engineer's report.

6. Comments/Discussion

None.

7. Possible Action

Hoffman moved, McClellan seconded to instruct CGA to further investigate and create an engineers report, prioritizing areas for concern by televising in reverse. All ayes. Motion carried.

8. Other Business

None.

9. Adjourn Meeting

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

7/18/2019

District Trustees
Attn: Becca Junker, Drainage Clerk
1215 Edgington Ave., Suite 1
Eldora, Iowa 50627



RE: Lateral 1 Tile in DD 9

Dear Becca:

Per the direction of the District Trustees at the 6-19-19 hearing, we have dove into the directive of “CGA to investigate the tile on Lateral 1 to determine what tile if any is in place and report back to the Trustees”. After reviewing the original Engineer’s Report and the original 1909 map of the District (copy attached), it appears that the 1956 map and the current GIS rendering are incorrect relative to the lengths of Lateral 1 and several other Laterals. The original documents show the Lateral tile in straight black lines which end with a pink dot. Past the end of the Lateral tile are wavy purple lines which are identified in the legend as ditch and not district facility. The lengths of the straight black lines agree well with those shown on the original district profiles. Based on this information, it is our opinion that any tile in existence upstream of the pink dots (including on Ioerger’s property) would be considered private and not district responsibility. Please relay this information to the District Trustees and let me know if they have any questions.

Sincerely,

CLAPSADDLE-GARBER ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Lee O. Gallentine", is positioned below the company name.

Lee O. Gallentine, P.E and P.L.S.
Vice President

Enclosures (1)
1909 Drainage District No. 9 Map