

# REGULAR DRAINAGE MEETING

6/5/2019 - Minutes

1. Open Meeting

Hardin County Drainage District Board of Trustee Chairperson, Renee McClellan, opened the meeting. Also present were Trustees, Lance Granzow and BJ Hoffman; Landowners Sheryl and Tom Roberts; Drainage Clerk Becca Junker; Former Drainage Clerk Tina Schlemme; Lee Gallentine with Clapsaddle-Garber Associates (CGA) via conference call.

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 May 29, 2019 regular drainage meeting. All ayes. Motion carried.

4. Approve Claims For Payment

Hoffman moved, Granzow seconded to approve the claims for payment with the pay date of Friday, June 7, 2019. All ayes. Motion carried.

Vendor	Description	Amount
Clapsaddle-Garber Assoc	DD 22 - Professional Fees	\$2,622.65
Times Citizen	DD 9 - Notice of Public Hearing Publication	\$46.06
Prochaska, Dennis	DD HF 5-75 - Classification Commission	\$186.00
Chris M Vanness	DD HF 5-75 - Classification Commission	\$181.50

5. DD 9 - Acknowledge Supplemental Engineer's Report For The Main

Gallentine informed the Trustees that this Supplemental Engineer's Report was requested by a neighbor (Kevin Johnson). This report would essentially turn all the properties to the West of the railroad tracks into their own district.

Hoffman and Gallentine agreed that this is a viable option to consider on the 19th at the hearing. Roberts then mentioned that back in August there was a notation that this problem could have been caused by the fiber optics. Gallentine explained that there is a ribbon near the hole where it looks like there are fiber optics. However, he does not know if the benefit is worth the cost to investigate into if that is what caused the problem. Gallentine explained that is a decision the Trustees would need to make, and it can be addressed at the meeting at the hearing on June 19.

Granzow moved, Hoffman seconded to acknowledge the supplemental engineer's report for the main. All ayes. Motion carried.

6. DD 9 - Discuss, With Possible Action, Reclassification

Granzow asked Gallentine how the reclassification hearing went for DD 67 on June 4, 2019. Gallentine explained that Union Pacific did file a written objection on behalf of the landowners (Midwest Railroad Properties) to the reclassification but the Trustees of that district went on to approve the reclassification as is. There is now a 20 day period where the railroad can file an appeal in district court, if they do not file the appeal then it is official and that's how things get paid for and if they do it's on the courts schedule. There was talk that the railroad might not appeal because if they do, it will set the president in court where if they do not file it will still set a president, but it will continue to be on an individual basis.

In Gallentines opinion, he would address the reclassification during the hearing that is set for June 19

because at this point if a reclassification is ordered his first question would be what option the District is doing because all three would look different in a reclassification. Granzow then said he wouldn't have a problem ordering the reclassification pending on the choice that is made on June 19. Gallentine replied that they could do that because there are a lot of the basics that are the same so CGA could get started on that if they would like.

Granzow moved, Hoffman seconded to order a reclassification on DD 9 based on the outcome of the public hearing on June 19, 2019. All ayes. Motion carried.

7. DD 124 - Approve Work Order #259

Hoffman moved, Granzow seconded to approve Work Order #259 for a blowout and for CGA to investigate and report back to the Trustees with their findings. All ayes. Motion carried.

8. DD 52 - Discuss, With Possible Action, Updates To Project

Junker informed the Trustees that she requested an update and Daniela Talmadge from Davis Brown Law had sent an email saying that she has been trying to contact Shawn Peil for the past month and he has not returned any of her calls. Granzow then asked if the voicemail that was formed into an email constitute as approval. Granzow said that in the voicemail Peil was under the assumption that no response from him meant the project was going to be completed. Junker was instructed to ask the attorney if that would constitute as approval so that the project can move along.

9. Discuss, With Possible Action, Iowa Drainage District Association Membership

Granzow moved, Hoffman seconded to decline the Iowa Drainage District Association Membership. All ayes. Motion carried.

10. Other Business

**DD 9, Work Order 258** - Roberts wanted to make sure there was an open work order for the removal of the trees within 50 feet of the district tile. Junker informed them there is and that work order number is 258 and Adam Seward is the contractor assigned to the tree removal. Hoffman informed the landowners that Seward has told him that he was planning on coming out and getting started today weather depending.

10.I. August 21st Meeting

Granzow moved, Hoffman seconded to cancel the August 21st Regular Drainage Meeting if it coincides with the Trustees Regular Board Meeting. All ayes. Motion approved.

11. Adjourn Meeting

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