

REGULAR DRAINAGE MEETING

8/8/2018 - Minutes

1. Open Meeting

Hardin County Board of Supervisors Chairman, BJ Hoffman, opened the meeting. Also present were Supervisors Lance Granzow and Renee McClellan; Lee Gallentine, Matt Garber and Heather Thomas with Clapsaddle-Garber Associates (CGA); Drainage Clerk, Tina Schlemme.

2. Approve Agenda

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

3. Approve Minutes

Granzow moved, McClellan seconded to approve the minutes of the July 25, 2018 regular drainage meeting, the July 25, 2018 landowner meeting for DD 167, the July 25, 2018 bid letting for DD 22 and the August 1, 2018 landowner meeting for DD 22. All ayes. Motion carried.

4. Discuss, With Possible Action, Future Project Specifications

Discussion was had regarding the specifications for rock bedding on future projects. Garber stated with standards changing, the municipal method of installation will typically be required. Thomas stated it can be dependent on the soil types and the factors of each project. Gallentine added that during the past lawsuit, both engineering expert witnesses, Renaud and Etler, stated that ag installation method should not be allowed and that they felt the stricter standards that apply to municipal facilities should be applied to drainage district facilities. Gallentine continued that a recent legal opinion from Attorney Mike Richards regarding which installation guideline should be used stated that the Trustees should follow the engineer's professional guidance and the engineer's professional liability insurance would be activated for any failure by the engineer. It was agreed that going forward CGA will include costs and options for both ag and municipal installation in their engineering reports. The landowners and Trustees will determine which method to use at the time of the hearing. The Trustees also asked that Schlemme research engineering rates of other firms to be sure we are paying a competitive price.

5. DD 22 - Discuss, With Possible Action, Possible Project Change Order

The Trustees agreed that no action would be needed as it was just discussed that this project follows the municipal method and rock bedding would be required for the entire project.

6. DD 26 Lat 4 - Discuss, With Possible Action, Updates To Project

Schlemme stated that landowner, Paul Peterson, has requested the current project be put on hold. Thomas stated that she has completed some calculations but no formal report has been created. She estimated approximately \$1,200 has been charged but not billed and to complete the report would cost an additional \$3,000. She stated that the tile is flowing and working at this point. Granzow moved, McClellan seconded to place the project on hold and not do a report until landowners request. Schlemme is to inform the landowners via email of the change. All ayes. Motion carried.

7. DD 25 - Discuss, With Possible Action, Updates On Project

It was discussed that Attorney, Mike Richards, had communicated with UPRR regarding the current project, but no response has been received.

8. DD 52 - Discuss, With Possible Action, Repair Summary For Work Order #215

It was discussed that Attorney, Mike Richards, submitted a legal opinion that the Trustees could remove the trees in the Piel Manufacturing property due to the fact they are obstructing the flow of the tile. Even though the trees are not technically in the right-of-way, they are obstructing the tile, therefore, the Trustees can try to reach an agreement with Piel Manufacturing to remove them for an agreed sum of damages. If Piel Manufacturing will not voluntarily agree to the terms of a removal, the Trustees can file a petition and force the destruction of the trees. The Trustees agreed that the removal of the trees is necessary and that Gallentine should contact Piel Manufacturing to remove the trees.

9. DD 77 - Approve Change Order #1

Granzow moved, McClellan seconded to approve Change Order #1 with Hands On Excavating to increase the project \$30,911.50 to a total of \$180,428.35 to replace the entire main tile instead of just performing spot repairs. All ayes. Motion carried.

10. Other Business

None.

11. Adjourn Meeting

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