

REGULAR DRAINAGE MEETING

Wednesday, March 10, 2021 9:30 AM

This meeting was held electronically and in-person due to Covid-19 concerns.

3/10/2021 - Minutes

1. Open Meeting

Hardin County Chairperson BJ Hoffman opened the meeting. Also present were Trustee Renee McClellan; Trustee Lance Granzow; Lee Gallentine, Clapsaddle-Garber Associates (CGA); Michael Pearce, Network Specialist; and Denise Smith, Drainage Clerk.

2. Approve Agenda

Motion by McClellan to approve the agenda. Second by Granzow. All ayes. Motion carried.

3. Approve Minutes

Motion by Granzow to approve the minutes of DD 14 Landowner Meeting dated 02-17-2021. Second by McClellan. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve claims for payment with pay date of Friday, March 12, 2021. Second by Granzow. All ayes. Motion carried.

DD 9 WO 229 - Eng Svcs After 1/29/21 - 02/27/21 Clapsaddle-Garber Assoc	\$1,259.30
DD 11 WO 294 - Eng Svcs 11/27/20 - 03/04/21 Clapsaddle-Garber Assoc	\$517.00
DD 41 WO 299 - Eng Svcs After 12/26/20 - 2/27/21 Clapsaddle-Garber Assoc	\$383.80
DD 55-3 Lat 9 - Attend Closed Session Mtg on Pond The Davis Brown Law Firm	\$330.00
DD 56 WO 3 - Eng Svcs to 02/27/21 - ROW Acquis. Clapsaddle-Garber Assoc	\$1,074.00
DD 56 WO 3 - Eng Svc 1/29/21 - 2/27/21 ProjPlans Clapsaddle-Garber Assoc	\$10,445.30
DD 120 WO 298 - Eng Svcs 02/27/21 - Eng. Report Clapsaddle-Garber Assoc	\$4,672.80
DD 120 WO 298 - Eng Svcs 8/28/20 - 3/04/21 Clapsaddle-Garber Assoc	\$85.00

5. DD 17 - Discuss W Possible Action - Work Order Request # 308

Smith stated landowner John Wibholm submitted the work order request on this one, he reports a 12" main tile offset of the outlet, it is not draining well, he has standing water backed up into his parcel, it does outlet into his neighbor's parcel to the west. Wibholm is also a Trustee for DD 18 and he had another issue in DD 18 and these are very close together, he had Hands On out to investigate an area in DD 18, and they also dug into this one, the tile is open, Wibholm says the tile needs to be dug down for a length of 300' to 400' and re-laid, so Smith brought this to the Trustees to see what they thought of this one. Granzow asked if Hands On was still on site, Smith stated no, this would have been last week that she took the phone call. Gallentine stated and it is 300' or 400'. Smith stated Wibholm says he has water backed up at the fence line. McClellan stated she is not totally getting it, something is offset, something is too high or too low and it is not flowing, Smith stated it is not going through the outlet, and it was backing up in his field is what Wibholm relayed to Smith. McClellan asked why you would need to relay that much pipe, Gallentine stated the only thing he could think of was that it is offset horizontally unless there is not enough slope on that 300' or 400' feet, if we change the slope, it may be more of an improvement without looking at it. Smith stated he did not provide any photos. McClellan asked when this was put in, Hoffman stated last week. Smith stated the work order request was submitted just before the meeting last week, so Smith did not get it on last week's agenda. McClellan asked when was this 300' of tile feet put in. Gallentine stated it is original, we just ran into one last month in Franklin County with 2' tile and the one upstream end is 2' lower than the downstream end, Gallentine does not know how long it has been that way. Granzow asked if pressure could blow it out, Gallentine stated it did and it was all clay. Granzow stated maybe the ground shifted, Gallentine stated maybe it was a little bit of both, the ground shifted and it just wasn't laid right. McClellan asked if the Trustees would like to have Gallentine go out and check that out.

Motion by McClellan to send out CGA to investigate on DD 17 Work Order 308. Second by Granzow. All ayes. Motion carried.

6. Discuss W Possible Action - 2021 Drainage Assessments

Smith stated she has been bouncing some questions off Gallentine and has some questions for the Trustees, Smith referenced map images, one of the steps in her assessment process according to the instruction sheet is to go through and verify that all the parcels listed in the classification are within the boundaries of the district and to fix anything that needs to be fixed, there is not a lot of specifics on how that happens. Smith stated this small parcel highlighted in blue has been split off from the larger parcel that ends in 00005, those two parcels, somehow when the split happened the drainage didn't get moved to be reassigned to the new parcel numbers, Granzow stated they built a house. Smith stated yes, they built a house, but when that got split that didn't happen, so Smith's question to Gallentine initially was how do I add this back in if it should be within the boundaries of the district on the map, and Gallentine looked at the district map, Smith referenced the district map, and see that they should be included, and what Smith thinks happened was when the split was done, the parent parcel just fell off, so you can look at this section of the DD map, and Smith thinks that both of those two parcels would have some percentage of drainage, Gallentine's suggestion to Smith was that every Clerk might do it differently, but to try and take the original assessment portion for that parent parcel and figure the land usage for each, maybe 95% to the larger parcel and maybe 5% to the smaller parcel, but Smith stated what she is struggling with is, when she comes to the end of this and look at the original classification, Schlemme had it listed in the assessment bible as \$8,854.11, when Smith pulled the original notice, it was not that number, it was \$9,143.53 and Smith looked back through the file to see why we had a discrepancy, and there were some changes made that were court ordered in the 1920s, there was a dispute on the original assessment apparently the landowner filed a dispute so that his assessment was changed, so with that court ordered change, the total should be \$9,247.18, so Schlemme's notes say the original assessment was \$8,958.00, so Smith has four different numbers here and none of them match, Smith stated if she were to add this parcel's original assessment back to this \$8,854.11 we have for the current classification, it still does not add up to the original classification, or the original classification with the court ordered changes in the 1920s, or what Schlemme says was the original assessment in the drainage bible. Smith stated she is looking for some direction, Smith is not 100% sure how to proceed on this one, Smith reached out to another Drainage Clerk and talked with Hancock County, their Clerk suggested any corrections or changes to the classification should pass through the Board, so that is why Smith brought this to the Trustees, Smith does not feel comfortable making changes, if she thinks something has dropped off without their approval, but then Smith's next question is how does she go about doing that, Smith stated she is not sure the Auditor has had the training on real estate splits yet that would be needed, Smith can reach out to Tyler and figure out how to make that change in Tyler so those two new parcels get the drainage assigned but is concerned in doing that because the totals don't match, so that is Smith's concern, she is uncomfortable leaving it alone without the Trustee's permission if she should leave it alone, but is also uncomfortable with making any changes without the Trustees being completely aware of that.

Gallentine stated he thinks the parcels split should be pretty easy, you can just do it based off of area, so he does not think that is an issues, but when Smith stated she could not get the total to add back to anything that was previous, that Gallentine does not know what to tell you. Granzow asked what was court ordered, Smith stated the landowner had disputed his original classification which was \$1,091 and that it was changed to \$1,195 in the 1920s so it actually went up, Smith did not think he got the answer he was looking for, but no one else's went down that she could find, so the original classification, was \$9,143.53, this change in the 1920s took that to \$9,247.18, Granzow asked who the landowner was that disputed, Smith stated she would have to go back and look, it was someone's great-grandpa that did it, but when she looks at the total here on this sheet, our current one is \$8,854.11, so our numbers just don't add up, Smith stated she could review the minutes back to the origination of the district and had has spent a lot of time on this, and is just not sure how to proceed, Smith does not know if this district needs to be looked at for reclassification, or if we proceed on the current classification. McClellan asked how much is this off, Smith stated these parcels would be almost \$400, Gallentine stated on a \$9,000 deal, if you look percentage wise it is a decent percentage. Smith stated as she adds the original parent parcels amount back in it doesn't match. Gallentine stated the dollar amount is trivial. a lot of those old dollar amounts are trivial, it is just 4% to 5%. Smith stated this was last assessed in 2012 and Schlemme used the \$8,854.11 number, Granzow asked when it was assessed last, Smith stated 2012, maybe that would have been Jane. Granzow stated if

it was last assessed in 2012 and we are concerned about the classification, why don't we just order a new classification and be done. Smith stated that is entirely possible, if we do that, do we wait until next year to assess on this district. Granzow stated he would assess the parcel, just do the parcel split up front and then at some point we will notify them when something major happens and put it in the notes that this needs reclassified. Gallentine stated he thinks this is the district that Mesch owns land in, if you need a little bit of history. Granzow stated it is. Gallentine stated he does not think the laterals have been separated yet. McClellan stated just make it work for now. Smith stated she can do the parcel split. Granzow stated he agrees and does not have a better answer for now, if you are off \$400, maybe you want to cut that percent down by that much when you assess it so it gets back to where it should be, we want to assess them the right amount. Smith stated she wants to assess everybody that should be assessed but does not want to leave anyone out that should be in, if the map says they are supposed to be in, then they are supposed to be in. Granzow stated but we shouldn't overcharge them \$400 for space that doesn't exist. Gallentine stated it is just tough when she can't get back to the number that was used in 2012, it is one thing not to get back to the original that is 100 years old, but when you can't get back to what was used 8 years ago, that is just a tough one. Smith stated a lot of times Schlemme left a note if she made any changes, there would be a note in the assessment bible, but Smith does not see any notes on why these changes were made. Granzow stated that would be his opinion, take the percentages down so that when you assess it the dollar amount comes out right, that is his personal opinion. Hoffman stated the equity has to remain, but through what means, he does not want her to take the easy way out, but hold something up for months. Granzow stated he thinks a classification needs to be done, but it needs to be done when the work is being done. Hoffman stated there has to be a reason for it, this isn't a large enough reason. Gallentine stated that is the tough part, to pay for a re-class for a \$400 issue. Granzow stated he would rather overcharge them \$400 than to pay for a re-class. Hoffman stated that would be stepping over a dollar to save a nickel. Gallentine stated that is why he recommended bringing it to the Trustees. Smith thanked the Trustees for their input.

Motion by Granzow to update the parcel split to include the two parcels, include in the notice the District will need reclassified if future work is done and take the percentages down so that when you assess it the dollar amount comes out right. Second by McClellan. All ayes. Motion carried.

7. Other Business

IRUA - Smith stated she has an update on the IRUA for the Trustees, Raymond Spangenberg stopped in to coordinate tile locates on the Drainage Utility Permits, Smith provided Spangenberg with some district maps, and called Gallentine and had Gallentine in on the conversation. The IRUA will start at the western edge of their project and move eastward doing the locates, they have reached out to us. Gallentine and Smith have communicated back and forth with Spangenberg and Smith thinks Spangenberg has what he needs to get going. Granzow asked if the IRUA understands they are paying CGA. Smith stated yes they do, and she pointed that out in her last email to Matt Mahler and said all of those fees are the IRUA's and are not going to be paid by the District, those fees were in the original permit language that they signed, and Smith sent Mahler a quote of the original permit language that they signed. Granzow asked if Mahler responded. Smith stated no he did not. Gallentine stated truthfully when Spangenberg showed up he acted like he had nothing with him, Smith stated Spangenberg had a roll of maps showing their line of work on the project, but he had nothing else with him and acted like it was fresh and he hadn't seen the permit list before, Smith stated they came in and she was unaware they were coming. Gallentine stated he was trying to go through emails and Smith is going through emails, and Gallentine stated he knew we had a punch list of which districts had issues, and Smith found it which was very helpful, and it was out of the blue from June of 2019. Smith stated it was and she did provide Spangenberg a copy of the punch list as well so he has that as well. Gallentine stated Smith did a great job on the fly. Smith thanked Gallentine for his help as well.

DD 42 - WO 297 - Smith spoke with the tenant on that parcel, with the landowners permission, there are two tile in that district, we had discovered one private tile in really poor condition and one district tile, the private tile was left open by the contractor, and we were waiting on the landowner's response. Smith indicated in the letter to the landowner, and copied the tenant in on that as well, that there are two tile, the private was in poor condition and shared that going back to the 1970s there were letters back then that this was discovered then as well, Smith gave her a copy of those also, and gave her the options to connect on to district tile with her private tile or to have the private tile repaired, both of these would be by her contractor

at her expense or she could abandon the private tile and have our contractor fill in the hole, and Smith has requested feedback from her on how she would like to proceed, and when she has that feedback she will let the Trustees know. Granzow stated when you asked for feedback, you just wanted an email back correct. Smith stated yes, and just wants the landowner to let us know which choice she would like so we can get this wrapped up and her tenant can get in the field for planting in time.

8. Adjourn Meeting

Motion by Granzow to adjourn. Second by McClellan. All ayes. Motion carried.