

REGULAR DRAINAGE MEETING
Wednesday, April 28, 2021 9:30 AM
This meeting was held electronically and in-person due to Covid-19 concerns.

4/28/2021 - Minutes

1. Open Meeting
Hardin County Drainage Trustee Chairperson BJ Hoffman opened the meeting. Also present were Trustee Lance Granzow; Trustee Renee McClellan; Lee Gallentine, Zeb Stanbrough, James Sweeney of Clapsaddle-Garber Associates (CGA); 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 McClellan to approve the minutes of Drainage Meeting dated 03-31-21. Second by Hoffman. All ayes. Motion carried.
4. Approve Claims For Payment

Motion by McClellan to approve payments with pay date of Friday, April 30, 2021. Second by Granzow. All ayes. Motion carried.

DD 14 WO 290 - Legal Services -Review/Attend Mtg Dentons Davis Brown PC \$810.00
5. DD 120 - WO 298 - Discuss W Possible Action - Engineer's Report On Improvements To Main Tiles

Gallentine stated James Sweeney actually signed this report but he had a few other things this morning so he is not sure if he would be joining us, this is up there with Kent Picht & Kevin Vierkandt to do an improvement. CGA drafted the report and the second page details the large cost, so we need to hold a hearing on the report. Gallentine stated so you can see the second option is the least expensive, so Gallentine is not sure if that will gain much traction.

METHOD	DRAINAGE COEFF.	DISTRICT CONSTRUCTION COST	ROAD CONSTRUCTION COST
Full Single tile Upsizing - Improvement (1/2")	1/2"	\$1,101,309.00	\$26,490.00
Full Single Tile Upsizing - Improvement (1")	1"	\$1,356,471.00	\$30,452.50
Partial Tile Upsizing - Improvement (1/2")	1/2"	\$701,523.00	\$28,697.50
Partial Tile Upsizing - Improvement (1")	1"	\$840,903.00	\$30,452.50

Gallentine stated so we can set a Public Hearing at least 40 days out. Granzow stated let's look at July looking at costs. Gallentine stated since it was just mainly two landowners having issues, it may not get much traction, actually it wasn't even a landowner it was a tenant but Gallentine believes the petition was signed by a landowner, Smith stated it was, it was signed by Picht, and there are 22 different landowners in this district, it is not a large one. Gallentine stated you do not have to set the date this week if you want to think about it. Granzow asked for available dates in July, and would put it past June the way the weather is. McClellan stated is there a way to send out a letter to everybody explaining this or are we too lengthy. McClellan stated she thinks it is not going to fly in her opinion. Gallentine stated he tended to agree it is a long shot. McClellan stated maybe we could send out a postcard with a check yes/no box if you want to proceed with a hearing. Gallentine stated he did not know if Code says you have to have a hearing. Smith stated typically yes, we usually have a hearing forty days out, we could do a letter with a postcard enclosed with a poll to see if landowners are interested in even having a hearing and hearing about it. Gallentine stated if they are not the report can be shelved and it is good for 10 years. McClellan stated she thinks it will be a waste of time looking at the costs. Gallentine stated he thought it was a long shot to start with and when he sees these costs he still thinks so, and we have good crop prices right now and some of the guys may use that to try and make up for the years when it wasn't so good.

Motion by McClellan to have the Clerk send out a letter of explanation and a postcard poll to decide if they want to hold a public hearing or not. Second by Granzow. All ayes. Motion carried.

6. DD 9 WO 229 - Discuss W Possible Action - Completion Reports On Upper Main Tile Diversion

Gallentine stated this was for the project up on the Roberts farm, that Gehrke did last year, and Zeb Stansbrough drafted up the completion report. Gallentine stated for this project you are ready to schedule the completion hearing whenever you want and then at that hearing you will receive any claims for damages and we will go over the project, and issue final payment to Gehrke. Hoffman asked if Mr. Roberts wintered elsewhere and if he was back yet. Gallentine stated he thinks he does but has not talked to him since last year, and has not spoken to his tenant either, Scott Renaud. McClellan asked what timeline the Completion Hearing needed to be held at. Smith stated the Completion Hearing needed to be held a minimum of 10 days out past the mailing and publication date. Gallentine stated the Completion Hearing window is really short. Granzow stated he is back in July again. Hoffman stated maybe we hold these Completion Hearings back to back, so maybe scheduling in July would be ok. Gallentine stated maybe you could wait to schedule until you get answers back on the other one. Granzow stated that sounds like a good call. Hoffman asked if we wanted to do that, and asked how many landowners were in this district. Smith stated there are 9 total landowners. Hoffman asked if we wanted to do another poll asking landowners when they would like to have this one. Granzow stated not really, we may get too many answers. McClellan asked if we wanted to just wait until we get the postcards back from DD 120. Gallentine stated he recommend making sure the gentleman that owned land to the west, Mr. Sailer is notified, Smith stated he is on the list of landowners to be notified.

Motion by Granzow to table setting a date for the DD 9 Completion Hearing until we get the replies back from the DD 120 landowners. Second by McClellan. All ayes. Motion carried.

7. DD 128 - WO 279 - Discuss W Possible Action - Contractor Update

Gallentine stated this is on DD 128, Granzow and Gallentine went out and met with the landowner on this at Dean Bright's. This is the project where Handsaker is the contractor, and there is an open ditch along Dean Bright's place, there was never any tile in there, we designed a replacement to fill in the ditch and put a tile in there, and when Handsaker showed up we said let's not fill this whole thing in, let's make it passible, and plow a tile in, instead. Gallentine stated what we settled on is even today it has been really wet, you will get mud on your shoes walking through there today and if you stand in one place for more than a couple of minutes and lift up your foot, you will see standing water at the surface. Gallentine stated he thinks what is going on is Handsaker plowed in the tile and they plowed it in offset of the waterway, which is fine, but when the waterway didn't totally get filled in, now the waterway is lower than the tile, and Gallentine thinks we are not going to get the bottom of this thing dried out, unless if we put another tile down the middle of the waterway. McClellan asked why the tile was offset from the bottom. Gallentine stated because we were going to fill it in completely in the beginning and then it wouldn't matter anyway. Granzow stated instead of spending a lot of money moving dirt they opted to do a waterway, and it is seriously mud, even if you go out there today, Gallentine stated they have horses out there, and even they are sinking in this mud. Granzow stated it will never be a groom-able waterway and it will fill up with willows which are already starting to grow out there, Hoffman stated that will ruin everything we have already done. Granzow stated that will destroy it all and there is no way to mow it because you can't put a tractor out there. Gallentine stated maybe an atv if you are lucky. Granzow stated maybe an atv on it, a track machine possibly. Gallentine stated right now if it rains that will be swampy.

McClellan asked if new tile will be installed. Gallentine stated using bid prices, if you put a new tile down the middle of the waterway, you will use about \$10,000 to do it using bid prices. McClellan stated she thinks it is well worth the money. Hoffman asked if you would use the lottery or send Handsaker's back out. Granzow stated he would be 100% honest with you, the way they left that he would not send them back out unless they are going to clean it up afterwards. Gallentine stated there was quite a bit of debris. Granzow stated he has pictures rubble, concrete, Granzow does not even know if they can plow a line in, because they might have buried a bunch of stuff there. McClellan stated she thinks we should make them go back out there because why should we have another contractor clean up their mess. Gallentine stated he is a little bit like McClellan, you reap what you sow a little bit, Gallentine talked with Handsaker who said we need to get it plowed so we will do what we have to do so it is your call who you have do it. McClellan stated she thinks Handsaker should be the ones to do it. Granzow stated Bright was asked and Bright said he was fine with whomever you get to do it as long as I am not the one paying for it. Gallentine stated that is what he said. Granzow stated it was I am not writing the check. Gallentine stated that is what he said and does not know how to interpret that, whether he means personally or the district. Granzow stated he took it as personally, Bright is not the one hiring him, the district is. Hoffman stated until he gets his assessment, Granzow stated he was fine with that was how he interpreted that. Gallentine stated it is the Trustees call on how they want to send out there, but he does get a little like McClellan in thinking Handsaker left it that way and maybe they should go out there and fix it and realize hey this is affected, but Gallentine will be fine with whoever is selected. Granzow stated if you go out there and try to walk through, it is through chunks. Gallentine stated wire, pieces of wire, trees.

McClellan asked if this was Gallentine's estimate. Gallentine stated that is the original bid price for trenching in tile not plowing it in, so that was Handsaker's original bid price but that was four years ago. McClellan asked if this was spooned in. Gallentine stated it was plowed in, and we have looked at the videos and we have not seen any deformities where they plowed it in, it is just higher than the bottom of the tile, if it easier for that water to go down than it is to go through the tile, that is what it is going to do.

Motion by McClellan to have Handsaker's to go out and install the second tile. Second by Granzow.

In additional discussion on the motion, Granzow asked are hiring them or are we sending them back out to finish a job to

resolve, Gallentine stated we are still under contract with them. Hoffman called for the vote.

All nays. Motion failed.

Motion by Granzow to have the contractor go back out and resolve this issue. Second by McClellan. All ayes. Motion carried.

8. DD 128 - WO 2020-4 - Discuss W Possible Action - Utility Crossing Summary Update

Gallentine stated this is Lateral 1 just south of Bright's place, where Heart of Iowa crossed it and Alliant crossed it and no one could find it, we got the map from Gehrke that showed the private tile and so Heart of Iowa went back out and did a bunch of vacuuming in the fore-slope of the road trying to find it. Gallentine stated they did not find the tile in the fore-slope of the road, we did find in the back-slope of the road, we did find Gehrke's tile outlet, which looks like it is just kind of going into the road ditch, but in between the two, there is a sinkhole where there is a fiber optic line and you can hear water trickling. McClellan stated she noticed those holes in the back of the ditch. Gallentine stated what e thinks needs to be done is whatever is out there it is probably in pretty poor condition, he thinks just like lateral 3 to the north, and the Trustees need to send it to the lottery system and go out and do some investigation, because this tile jogs north and we are not sure how far and then it jogs back to the east, as long as they are out there let's start at the sinkhole, see if we can find the tile, and see if we can locate it and see if we can figure out the exact route, but at this point he thinks Alliant has given it a pretty good try.

McClellan stated so when you are saying more or less, just about where it is going, do they have to video that or do they just dig. Gallentine stated no we bring our tile locator out unless the contractor has one, it is just shoved in and then electrified. As long as they are out there on Lateral 3 which you have already authorized a while ago, let's just go ahead and do Lateral 1. Heart of Iowa said when they couldn't find it, fine, they went ahead and put it in the road embankment so they are going to be above the ditch bottom and we know we are not hitting it. Alliant was one of those things where they just installed and we are doing it after the fact, we said hey, where are you at, and they said oh we forgot. Granzow asked how far down they are, if they were 6' down, they exposed it. Gallentine stated he did not know if it was 6' down, it was probably more like 4' down. Granzow stated it was down there a ways. Gallentine stated in that area they dived down because they were concerned about it, if you look at the west side it looks like a 20' but if you look at the east side it drops off pretty good. Granzow stated you also saw a piece on the road that was starting to break away. Gallentine stated yes there was a little dip in the road, Granzow asked if that was where the tile could cross. Gallentine stated maybe, we recommend sending this to the lottery, we know it is not all going to be a district expense but it is not clear cut, and we already have someone out there for Lateral 3.

Motion by Granzow to send this out to the lottery system for investigation of Lateral 1. Second by McClellan. All ayes. Motion carried.

9. Discuss W Possible Action - 2021 Drainage Assessments

Smith stated attached you will find a sheet of all the districts ready to assess for 2021 assessments, you have already approved our Joint District's assessments with DD Big 4 Main and DD Big 4 Lat 4, but I have included them with the list so that the list is complete, those have been sent on to Franklin County, we have added DD 148, DD 165 and DD 67, those are Private Trustee districts but Smith wanted the Trustees to be aware of those as well. Smith stated we have two joint districts with Hamilton County as well on there, those are the exact amounts that Hamilton requested so that is the amount we are going to assess, there won't be any dollar rounding on those districts. Hoffman stated so the sum of \$595,776.16. Smith stated that is correct.

Motion by McClellan to approve the 2021 Drainage Assessments. Second by Granzow. All ayes. Motion carried.

10. Other Business

Smith stated she has a possible new work order for the Trustees and will have that on the agenda for next week.

Hoffman asked about the lottery system, how are we doing on work orders - are we caught up on those or how are we doing work wise, and what is the turn around time on this work we are sending out. Gallentine stated he has not hear much from Justin Ross and is not sure if we have all of his information on rates yet, Seward has one from last year that is down in that Hardin-Marshall county district, other than that we may only have one other open work order, it is really caught up, he did a great job last fall. Gallentine talked with Paul Williams of Ackley, he has been doing some stuff up in Franklin, and he will not be doing anything with tile for at least two weeks because he has so much municipal work to do in town. Gallentine stated we are really caught up on work orders right now, this is probably the best he has ever seen it, and he will attribute that to Seward because Seward has no problem every day if he has a work order, he is going out and doing something.

Hoffman stated looking at some of the Federal relief money , there will be some additional funding for broad band installation and Hoffman spoke with Brian at Heart of Iowa and so we are waiting for our guidance on our money and Hoffman knows there was an editorial in the Iowa Falls Times Citizen this morning about how to spend that money, but one of the things, the Governor signed the broadband bill that will be \$350,000,000 over three years, how will much of that will really hit the rural infrastructure that we need is really up in the air. Hoffman stated he had a really good discussion with Brian about how we are going to prioritize this broadband funding gets distributed, do we use the data from the schools that says hey we had to use the hotspots

in these parts of the state and these places had great infrastructure, that was one suggestion. One of the things Hoffman stated he discussed with Brian, and told him he would bring it back to the Trustees was could we consider for any broadband installation in the DRainage Districts that we would take County money and the County and the Drainage Trustees could use some of that stimulus money to offset their utility permit fees and some of the engineering oversight costs, that would help them, get broadband to underserved areas, where they are having to pay some of those other engineering, oversight and observation fees, so that was just Hoffman and Brian brainstorming. Hoffman stated we are going to have about \$3,600,000 in the next two years, and we have talked about some projects, but Brian is worried that the small tele-co's are going to be the odd man out, the Mediacoms and those companies are probably all the ones that are going to get all that business and now you have MetroNet coming in to the Iowa Falls area, a big company out of Ohio, where during the pandemic, this money is supposed to remedy some of those issue, and the local tele-co's are the ones that have stepped up and the school districts where they had to send hot spots to them so it is pretty apparent where the need is, so if we can help the local tele-co's like Aureon, Heart of Iowa or the Radcliffe or Hubbard Phone Co-op's get higher speed broadband into those higher need areas, we could waive or we pay some of those engineering fees to prompt them to keep moving is something Hoffman would like to talk about later. McClellan stated, just throwing this out, one of the things we could do is just waive those permit fees for certain things. Hoffman stated someone will have to pay CGA, and so Hoffman was wondering if we could do some of that from this pot that we are going to get, because Granzow and Hoffman believe we are going to get hit up, and prompted by members of our community for handing out to social programs, Hoffman would rather contribute to something that will cure long term problems, and the broadband and internet access is definitely one of the things Hoffman would rather invest in a solution than invest in enabling, in true infrastructure.

Granzow stated so you have got that and before you present it let's put a dollar amount together as to how much you would be willing to present for, because Granzow can give you a bill of \$3,000,000, am I going to get 10% of it. Hoffman stated once we get the Treasury guidance, do we say of our \$1,800,000 this year and the \$1,800,000 next year, do we take off \$50,000 to put in the first \$50,000 of engineering and permit fees and when that first \$50,000 in permit fees is gone, it's gone. Granzow stated he thinks you should still allocate a little bit to everybody, so if one person takes all of the pot you are done. Hoffman stated he can not make Heart of Iowa do something they don't want to do, and Hoffman can't tell Hubbard hey you better hurry up and do this, or Radcliffe phone company, it is kind of one of those things where if you set the dollar amount, depending on the scope of the project, Gallentine's fees could be from what dollar amount to what dollar amount. Gallentine stated anywhere in the \$1,000 to \$2,000 range, Gallentine asked if he could offer a suggestion. Hoffman stated absolutely. Gallentine stated you amy want to weight it somewhat so that this fund is available to those utilities who are current on their permits, for instance, Gallentine always uses Heart of Iowa as the poster child of cooperation, but they are also the poster child of that they paid the most, like Aureon, they put everything in as as-built's and their contractor was going to come out and look at them and we still haven't heard from them. Gallentine stated he would hate for Aureon to file a bunch of new permits and get free money when they haven't been in compliance until now, and then have Heart of Iowa have to still pay when they have been in compliance. Granzow stated he is ok with that and was going to throw in that they pay the fees and at the end of the year we refund to those, Hoffman stated to those that are complete and to the standard of the utility permit, Granzow stated yes, because you already have the answer of who all has done it. Hoffman stated and it is done to our standard. Granzow stated then we can refund a certain percentage, Granzow stated he thinks you need to break down the percentage of how you are going to spend this money, it is a lot of money to say I wan this or this, let's break it down into categories as to how we want to spend this money. Hoffman stated his priority would be single family residential dwellings, that would be his preference. Granzow stated that would be for this, he was talking about the whole broad range, you have Conservation, Sheriff's Office, we have so many entities that we deal with, let's break down the percentage of money that way, and then what is left we can look at.

Hoffman stated he sees the wishes, the needs, the wants, the must haves and break it down by that as well. Granzow stated right, then let's see what we have leftover, maybe we can allocate some funding back, it might only be 10 cents on the dollar but it is still better than nothing. Hoffman stated brian agreed it is those fees that they are trying to provide a service and the Mediacoms of the world, they really don't need the financial support that the Heart of Iowa and Radcliffe phone companies do. Hoffman stated Senator Sweeney and Speaker Grassley, one of their online things, like Huxley Phone Company is always on there, and someone in Franklin County, they are very concerned that they are going to get left out in this, and the people that truly need the broadband are the people in the rural areas, urban areas it is a matter of being able to pay for the service, it is in your apartment in Des Moines, you just don't have \$80 a month for high speed internet. Hoffman stated now if you go outside of Alden, there is nothing there, so giving people the conduit to get in the area and if they want to pay for the residential service fee, great, that would be something that Hoffman could see someone spending their stimulus check on, I am going to spend my \$1,500 and have Brian run internet service to my house. Gallentine stated in Des Moines it is not a question of whether you can have it, it is which provider do you want and how much do you want to pay for it, rural areas you don't even have the option. Granzow stated he has an option of one, and there is not a lot across, it is not bad service, it is just a different cost. Hoffman stated he wanted to plant that if it is something we want to work on, once we get guidance from the Department of the Treasury, ISAC is supposed to be getting that information to Hoffman when they have it, and Hoffman will try to incentivize getting these internet issues taken care of, but a lot of that has to do with the drainage because a lot of those shortfalls are in those drainage districts. Hoffman stated he can't believe has had internet to his house for 15 years, long before he was a Supervisor. Michael Pearce stated it helps that Heart of Iowa is based out of Union and they started providing service in the Union area. Hoffman stated they went past his place and on to Albion, Laurel and Haverhill, he was on the route to take that fiber from the road all the way up to Hoffman's house is quite the run. Granzow stated any subscriber already had it done at their cost, and if you didn't have it done, now you have to pay to pay to have it done.

Gallentine stated when CGA was merged and we brought in the Ackley office, we wanted fiber in that office, and that is in town, for connectivity and the way they run the servers, and the only game in town was Century Link to run it from their office to our office was \$30,000 and we had to sign a 3 year contract and that is what they paid to get it done, that was the only fiber option

for us. Hoffman stated now there are other options. Gallentine stated we went right by City Hall, and the next year City Hall wanted to hook up, they said oh yeah, sure, no fiber charge for hookup. Hoffman stated he would have never thought that broadband and drainage would come together but this is a place where it can, it was good to have a great phone call with Brian at Heart of Iowa to get on the same page. Gallentine stated he always says Heart of Iowa are the poster child because they are 100% compliant as far as Gallentine is aware of, everybody else is differing levels of that, but they have also paid for that too.

11. Adjourn Meeting

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