

**REGULAR DRAINAGE MEETING**  
**Wednesday, September 8, 2021 9:30 AM**

**This meeting was held electronically and in-person.**

9/8/2021 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson BJ Hoffman opened the meeting. Also present were Trustee Renee McClellan; Trustee Lance Granzow; Lee Gallentine, Clapsaddle-Garber Associates; Pauline Lloyd; Matt Rezab, Times-Citizen; Michael Pearce, Network Specialist; and Denise Smith, Clerk.

2. Approve Agenda

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

3. Approve Minutes

Motion by McClellan to approve the minutes of Drainage Meeting dated 07-28-2021. Second by Hoffman. McClellan - Aye; Hoffman - Aye; Granzow - Abstained. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve claims for payment with pay date of Friday, September 10, 2021. Second by Granzow. All ayes. Motion carried.

DD 26 WO 266 ENG SVCS 7/31/20-8/31/21	Clapsaddle-Garber Assoc	\$178.60
DD 52 WO 215 ENG SVCS to 8/31/21 - RE Tree Removal	Clapsaddle-Garber Assoc	\$517.00
DD 56 WO 3 - ROW Perm. Easement Purchase Parcel 4	Michael Bostrom	\$100.00
DD 56 WO 3 - ROW Perm. Easement Purchase Parcel #2	Michael Bostrom	\$100.00
DD 56 WO3 ROW Perm/Temp Easement Purchase Parcel 2	Radland Farms Inc.	\$23,773.05
DD 56 WO3 ROW Perm/Temp Easement Purchase Parcel 4	Radland Farms Inc.	\$24,919.80
DD 56 WO 3 - ENG SVCS 7/30/21-8/27/21 ROW Acq work	Clapsaddle-Garber Assoc	\$2,820.05
DD 56 WO3 ROW Perm/Temp Easement Purchase Parcel 3	Michael Bostrom & Candy Bostrom	\$33,320.40
DD 100 WO 248 ENG SVCS 1/31/20-8/27/21	Clapsaddle-Garber Assoc	\$208.20
DD 128 WO 127 ENG SVCS 5/28/21-8/27/21	Clapsaddle-Garber Assoc	\$342.40
DD 143 WO 261 ENG SVCS 1/29/21-8/7/21	Clapsaddle-Garber Assoc	\$140.40

## 5. DD 121 WO 295 - Discuss W Possible Action - Contractor Interest &amp; Landowner Estimate

Smith stated when we had last met with Drainage District 121, you had asked us to come back with an estimate for landowners on costs with a breakdown by parcel. Smith stated we have that document here for you today, if Pearce can open that up we can look at that. Smith stated she went with the high end of the estimate, we had talked between \$40,000 and \$60,000 on that one, so this is just a breakdown of costs that will go out to landowners this week, and Gallentine was going to come back to us with possible contractor interest level on that. Granzow asked Gallentine, looking at that do you see anything that is really out of line. Gallentine stated this one is really tough as you can see most of your benefitted acres are zero, so it is really tough to compare if your benefitted acres are zero so it is really tough to tell if you are comparing ten acres or a 40 acre parcel, without diving into that part, and Gallentine stated he imagined if you went back far enough the old, old classification may have had acres in it, it may not have, it may have dropped out. Gallentine stated he will say the one for Romar Ag Corps did seem a little steep, the original was for \$1,400 and there is only one more higher and that was Lehmeier and that was for \$1,700, those two seem fairly steep that are approaching \$1,500 or higher and you only have four that are at that \$1,000 level, everyone else is down around the rest of that, without delving into the map that is what I can tell you, if you want me to I can. Granzow stated that is what we are looking for, to see if it doesn't need to be reclassified and if it makes sense to reclassify it if you dive down into it. Gallentine asked if the Trustees wanted him to cover contractors, Granzow stated sure. Gallentine stated he talked to McDowell and Gehrke and Honey Creek, there was interest by all 4 of them however everyone except Honey Creek is booked through the fall, Gehrke, Williams and McDowell had interest and wondered if it could be a winter project and get it done before next spring, depending on weather over the winter. Gallentine stated he did not talk to Hands On because we have the issue up at DD 128 that he still hasn't finished up. Smith stated at Dean Bright's. Gallentine stated there is interest from local but 3 of the 4 say they can't touch it until winter. Granzow stated he prefers doing it when the weather is good. Hoffman stated that way we take out the variables. Gallentine stated he hasn't talked to anybody else. Hoffman asked what Granzow's recommendations were. Granzow stated he would say wait until the crops are out and then get it done. Hoffman stated we can get it out to whomever is free. Smith asked if the Trustees would like her to get this out to landowners in the mail this week. Hoffman stated okay. Gallentine asked if the Trustees would like him to get a price from Honey Creek. Hoffman stated sure, if we can at least get a rough estimate, Gallentine stated if we have told them \$40,000 to \$60,000 he does not want it to come in way more than that. Hoffman stated with material prices right now fluctuating day to day.

Gallentine asked if the Trustees want him to offer it to all of the contractors, with the specification that this is the completion date, and if they choose not, they choose not. Hoffman stated it has to be a fall completion date, yes. Gallentine stated he was just doing informal conversations with them and if they say they have a hard deadline they may shift some things, Gallentine does not know. Granzow stated he does not have a problem with Gallentine offering it to anybody at this point, if they are going to start this fall. Gallentine asked with completion by December 1. Granzow stated if they say they can't start it until a winter project, obviously we have someone available to start now. Gallentine stated so December 1. Granzow asked how long do you think it will take. Hoffman stated if we get a 6" rain next week and how long it drains. Gallentine stated it is a little bit unfair to get Seward out there, because he doesn't quite have the men the others do, if Gehrke shows up it will be ants on a mound. Granzow stated we could still hit frozen ground. Gallentine stated it is possible, do you want make in November 1, you tell me. Hoffman stated let's see what their reaction is. Granzow stated December 1, Granzow is okay with December 1. Gallentine stated he wasn't going to make it December 1st. Hoffman stated let's see how we look with December 1. Gallentine stated he would get some prices. Hoffman stated thank you for all the leg work on those.

## 6. DD 56 WO 3 - Discuss W Possible Action - ROW Easements / Possible Landowner Meeting Dates

Smith stated the easements have been recorded in the Recorder's Office, the easement payments are included in today's claims. Smith stated she just needed to know if the Trustees had any interest in setting a landowner meeting date or if the Trustees want to wait until this last easement purchase comes through,

we are waiting on one more. Hoffman stated he would rather wait and be safe than sorry, and asked if Gallentine thinks this is intentional feet dragging on this one. Gallentine stated easements are not always a huge priority in everyone's world, this is the out of state landowner. Granzow stated he assumes the tenant signed it and we are just waiting on the landowner. Gallentine stated yes, this is on that one ground that is not cropped, it is just grass, the very north one up by the drainage ditch, we are just waiting. Hoffman asked Smith to put it on next week. Smith stated yes. Granzow asked if this was the guy that didn't really care to be paid at all. Gallentine stated kind of, this was the guy that had some concerns about erosion and cattle waterer and electric fence, he took a little bit longer.

#### 7. Discuss W Possible Action - Drainage Utility Permit Discussion

Smith stated we will do some reach out to the current utility permit holders, Smith has not had a chance to get to that this week, Smith was not sure if the Trustees had any carryover from their conversation this morning, if you have received any new information that you think would be pertinent to the drainage permits. Hoffman stated he did not have anything else.

#### 8. Discuss W Possible Action - New Work Order Requests

Smith stated we have no new work order requests this week so we can move on.

#### 9. Other Business

Granzow stated they are talking about the pipeline possibly coming through, looking at the Engineer's service, Granzow talked with Gallentine a little bit while you guys were out, Granzow would prefer for Gallentine to stand up and do a presentation as well, as Granzow is concerned about drainage. McClellan asked on the same day as that Covid thing. Hoffman asked that we request that Gallentine or an Engineer from CGA attend the meeting on the 13th on behalf of the Drainage District Trustees. Hoffman would accept a motion to request that. Granzow asked if we want to do the motion today or do we want to wait for that. Hoffman stated we can put it on for next week. Gallentine stated the meeting is the 13th, which is next Monday. Granzow stated then I want him there now.

Motion by Granzow to direct Gallentine to attend the Carbon Pipeline Meeting on Monday, September 13, 2021 and report back to the Trustees the meeting's events. Second by McClellan. Hoffman asked for any further discussion on the motion. Hearing none, Hoffman called for the vote. All ayes. Motion carried.

Hoffman asked Rezab to stay because he thinks there needs to be differentiation between the Board of Supervisors and Drainage Trustees, so saying that, he is BJ Hoffman, Drainage Trustee, and in an instance like this, drainage has a little more teeth than what we can do as Supervisors. Hoffman stated when Evan Delval was here from ISG, and Hoffman asked Gallentine to come on today for the meeting so he could see that. When Hoffman met with Delval at the ISAC Conference, he led Hoffman to believe that this was a very special skill set and certification that was needed and so Hoffman is not here to discredit Delval but we have here a local Engineer that is employed by local engineering company Clapsaddle-Garber Associates, is based in the county and employs a lot of people locally. Hoffman's question is can you do the same thing, that this engineer is proposing. Gallentine stated yes and we have, Heather Thomas just finished up one a year or two ago down in Clark County if Gallentine remembered correctly and Ryken had done them in the past, on gas pipelines through Hardin County and Franklin. Hoffman stated this isn't a matter of discrediting anybody but he would like to keep the business local and that involves CGA and their strong knowledge of what is in the County and their relationship with landowners and with our County, and the strong knowledge of the Drainage Code, and Hoffman stated we got an answer and there is something to be said for the relationships that are built between Gallentine, his staff and our landowners, especially in our Drainage Districts. Hoffman stated he has a working relationship with our County Engineer, so Hoffman thinks there is a lot of value there. Hoffman also thinks from a development standpoint, keeping the money in County, and Hoffman does not know how many people you have on your payroll, but keeping the money in Hardin County, we can keep as much money as we can in Hardin County. Gallentine stated to tell you the truth, he does not know how many people we have living in Hardin County any more either because we have people working in our Marshalltown office, living in Hardin County too. Hoffman stated and Cedar Falls. Gallentine stated yes we have multiple offices. Hoffman stated he just wants to be respectful of the job,

and if it is something that can be done with local, knowledgeable individuals, we should probably look at that. Hoffman stated the difference he would assume, the price difference when you are talking about having somebody live in a trailer on a job site, if they already live here, in Hardin County, Hoffman would hope that the savings would be passed on, another company is going to have to pay lodging, per diem, location pay, that that is something that CGA already has in place. Hoffman stated all of those things were going through his mind when he met Delval at the conference a few weeks ago. Hoffman stated those are his concerns. Granzow asked what are the rates of each one of them. Hoffman stated he does not know and does not recall seeing on the engagement letter that was proposed, Hoffman does not recall seeing it, but he thinks it would be something we need for both.

Hoffman asked Gallentine right now on construction projects we have an observer and Hoffman thinks this work will be up a level from that, is that correct. Gallentine stated yes, it would probably be a Senior Construction Observer is what we have, and you should already have our rates. Smith stated we do. Gallentine stated there is no doubt that when they are working, and we need to have staff there, but with any construction project there is down time, being local we don't have to be onsite during that down time, we can hop over to something else. Hoffman stated let's just say your Senior Construction Observer, working out of the Ackley Office, for the majority of Hardin County portion is within a 30 minute drive, to the farthest district in the south. Granzow stated that is even within a 30 minute drive. Hoffman stated so we are not paying for all this down time, so you are not going to be passing the expenses. Gallentine stated looking at the map, it looks like they have one ethanol plant in the County signed, and looking at the map it looks like it is the one by Cleves. Hoffman stated POET decided not to participate. Gallentine stated that is 5 minutes away. Hoffman stated if we have a downpour with lightning and stop working, his construction engineer clocks out and back in Ackley in 5 minutes, okay lightning is out of the area and comes back in an hour and a half, clocks back, in rather their engineer is likely going to stay there and stay clocked in while Hoffman is not sure, he would like some clarity on who pays for it Hoffman stated the pass through sounds kind of interesting. Granzow stated as he explained we get paid first and then it rolls to them, usually it doesn't work that way, we pay the bill and then ask for reimbursement. Hoffman stated that is something with Attorney Meyers and Auditor Pieters we can work on, and see what that process looks like. Granzow asked if we should send out RFP's. Hoffman stated he does not know what that process looks like. Gallentine stated really it is your call what you would like us to do. Hoffman asked if his payment system makes sense, is that something that makes sense. Gallentine stated the way he understands the payment system is he invoices the Supervisors, the Supervisors seek reimbursement from the pipeline company and then you guys pay him. Gallentine stated that is how we did the wind farms in Franklin County and that was at the recommendation of their attorney so we didn't appear to be paid directly by the company, it was clear who we were working for, obviously as a consultant firm, it is a lot easier as you guys meet every week than it is to try and chase people down, we got into that a couple times on utility permits where the company doesn't want to pay.

Hoffman asked if Granzow had any questions at this moment, Hoffman doesn't know if an RFP, we have their rates, we have always tried to keep business local, whether it is buying seed, chemicals or patrol cars, there is something to be said for the knowledge, maybe if we send out an RFP. Granzow stated he is comfortable working with what he knows. Hoffman agrees. McClellan stated when he was speaking her immediate thought was well they do drainage too, McClellan didn't know what all you guys did, it would probably cost more, but McClellan would prefer to hire them for part of it, but would like CGA doing the drainage part of it. Hoffman had a hard time believing they were the expert and no one else could do it. Hoffman stated Cherokee County didn't use them for one of the pipeline projects and regretted it. Gallentine stated they sent out the letter of intent and requested that they be signed so they could staff appropriately, that tells Gallentine that they currently don't have the staff and he does not know how many counties you can get to where you have to hire staff, Gallentine stated we have staff we have had for 15 or 20 years. McClellan stated on the farmers trust CGA. Hoffman stated when you see that truck pull in the driveway. McClellan stated you know a lot of them, if there has to be work done and conversations between farmers and engineers, they are going to trust someone. Hoffman stated with our Drainage Trustee hat on, we are protecting the best interests of our landowners, that trust there, and that goes a long ways, CGA has tapped brakes, pumped brakes and pulled the emergency brakes on projects and protected the landowners where, we have seen that, and sometimes it makes the contractors not happy and sometimes it makes the landowners not happy, but they are doing their due diligence, and Hoffman wants to keep that relationship, and protect their best interest going forward. McClellan asked if Hoffman was asking Gallentine to do a presentation at their regular Board meeting. Hoffman stated no. Gallentine stated if you want he can provide a letter of intent also. Granzow stated he thinks we need a letter of intent from CGA also. Gallentine stated

we will have someone at the meeting Monday either way.

Hoffman stated his other thing, and this goes back to labor shed as well, Hoffman would assume they are not going to start in one little spot, they are going to leapfrog having enough observers, if you could go to Iowa State's school of Engineering and ask for two recruits that are going to graduate in December, Hoffman is guessing that is a pretty steep thing right now, so getting help that is qualified and not just a PE on their stamp, is probably going to be more difficult. Hoffman stated it builds the trust and the confidence in what we already have, if Gallentine would like to build a letter of intent, Hoffman would appreciate that. Hoffman stated the reason he wanted Rezab to be here is because this is a completely different facet than the Supervisors side of things, it is important that the public realize the different hats, and as you look at the map behind you, all of the colored areas are drainage districts. Gallentine stated he would like to point out if we are going from Cleves, if we are going northwest through the whole county, Hoffman stated actually it will go across and down, Gallentine stated any of those colored areas are drainage districts. Hoffman stated it will come over here and back down, Granzow stated it is a V. Gallentine asked if it also goes up into Franklin. Granzow stated yes it is a V. Gallentine stated you will be crossing through a lot of those drainage districts.

Hoffman stated Lloyd could go ahead. Lloyd stated her concern is the Iowa River, at one point in time they almost have to be going through the Iowa River, almost twice, Gallentine stated yes, Lloyd stated that is concerning for her. McClellan asked if they will go under the river, then through it. Hoffman stated on September 13th at noon, you can join Matt and I. Lloyd stated she thought Gallentine might know. Gallentine stated that is for ag not necessarily for natural resources type of thing. McClellan stated DNR will probably have something to say about it. Gallentine stated, yes DNR will have something to say about it, there was quite a bit of hoops they DOT had to go through to put that bridge across there with the endangered species, the same type of thing. Granzow stated there is time-lines and drilling. Gallentine stated he does not think the eagles will be a big issue, as Gallentine stated he does not think they are an endangered species, but the mussels still are. Hoffman stated that is a big area for native American artifacts as well. Lloyd asked if they would be disturbing anything like that. Gallentine stated he does not even think they know at this point, they don't have that pinned down yet, they don't have their easements pinned down yet, they don't have an exact route so it is hard to tell what they are going to disturb or not, but obviously they are going to have to cross the river some where. Granzow stated they drew a line and that is all we know. Rezab asked if there have already been voluntary easement contracts signed for this or not. Granzow stated we can't tell you if they are signed or not. Hoffman stated he can tell you that he has had constituents call him as a Drainage Trustee as very concerned, because the easement and contract is 40 to 50 pages, so it is very simplistic in the initial parts of the contract and then it gets very technical. Rezab asked if we had any idea what they are trying to compensate people, Granzow stated they didn't say according to the person that called Granzow. Hoffman stated the County does own ground, so we, Engineer Roll, got a notice, September 13th is the magic date. Rezab stated he will probably not write about it until that time, because he has tried to contact Summit directly multiple times with no response, and Rezab stated he didn't know if they had seen his story today that was out today Granzow stated he did. Rezab stated all he knows is in that story, he got a little more information today. Gallentine stated if he could put this out there, he did not know how much publicity they could put out before those public meetings in each county. Gallentine stated we will gladly be there on behalf of the drainage districts on Monday and that is why we will be getting a letter of intent in the hole. McClellan asked what time that meeting is. Hoffman stated 12:00 noon at Timber's Edge. Granzow stated thank you for reporting local.

Smith stated she received an email from Perry Christophel from South Fork Land Management, he is a new in-county contractor who has submitted his rates and certificate of insurance, Smith will share that with the Trustees and Gallentine in an email.

DD 3 meets on Monday at 10:00 AM, Smith stated they have some pretty hefty road crossing costs in that report as well. Hoffman asked if CGA did that report as well, so Smith will keep the Trustees updated after that one. Gallentine stated he did, and he spoke with Engineer Roll, and Gallentine thinks there is some flexibility there in timing and also maybe we can whittle the crossings down and save a little, it just depends on what the NRCS will allow.

#### 10. Adjourn Meeting

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