

REGULAR DRAINAGE MEETING
Wednesday, October 06, 2021 9:30 AM
Large Conference Room
This meeting was held in-person and electronically.

10/6/2021 - Minutes

1. Open Meeting

Hardin County BJ Hoffman opened the meeting. Also present were Trustee Renee McClellan; Trustee Lance Granzow; Lee Gallentine of Clapsaddle-Garber Associates (CGA); Darrell Meyer, County Attorney; Michael Pearce, Network Specialist; Denise Smith, Assessor's Clerk; and Michelle Kuechenberg, Drainage Clerk.

2. Approve Agenda

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

3. Approve Claims

Motion by Granzow to approve the claims for payment with pay date of Friday, October 08, 2021. Second by McClellan. All ayes. Motion carried.

DD 56 WO 3 Perm/Temp Easement/Four Winds Family	Four Winds Family Farm LP	\$16,570.00
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DD56 W0 3/PERM EASEMENT/TENANT	Ben Knutson	\$100.00
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4. DD 148 - Discuss W Possible Action - Open Ditch Brush Spraying

Hoffman stated the Board of Trustees would like to wait on DD 148 until Trustee Ken Smith is available for discussions. Denise Smith stated that Trustee 148 Ken Smith would be available for discussions as soon as harvest is done. Could be three to four weeks. Granzow asked if Meyer was going to get any type of opinion to Smith prior to that meeting. Meyer stated he would get opinion for him prior to meeting so he's not caught off guard. The Board of Trustees made a formal motion to the table until Ken Smith notifies Denise Smith that he is available and an opinion from Meyer is ready.

Motion by McClellan. Second by Hoffman. All ayes. Motion carried.

5. Discuss W Possible Action - Drainage Utility Permit Language / Pipeline Inspection

Smith stated that Trustees had talked that they'd liked to review the Drainage Utility Permit regarding pipeline language, Smith added it to the agenda so the Trustees could begin that process. Hoffman stated they'd like to enlist the help of Heather Thomas from CGA. Gallentine stated that Thomas's list was conclusive of how it is officially supposed to happen and how it really happens a lot of the times with landowners and concerns with tile on the private side. Gallentine suggested to forward comments to Mike Richards to see what he thinks and how he can craft the permit to deal with those or anticipate those issues. Granzow asked if we need to put in the permit if our engineer/drainage engineer is out there and they're not abiding by the utility permit it is an instant stop. Gallentine stated he's not so sure that isn't in your permit already, it's just no one will listen to you. Gallentine added most contractors don't bother calling to let you know the projects even happening. Hoffman asked how we differentiate when they're working out there on behalf of the county compared to as the drainage engineer. Gallentine stated it's based off what

we're observing. Granzow stated CGA would have those records, CGA would always be county and be observing over Drainage on top of it. Gallentine stated they wouldn't double bill. Hoffman stated for Drainage Districts you need the authority, its one thing if you have a flowing four-inch private tile and it's sucking some dirt, if you have a flowing thirty-six-inch tile and it's sucking dirt that's a bigger issue. Hoffman asked Gallentine if he's had any private tile owners reach out to him. Hoffman stated a handful of people had contacted him inquiring about the details of informational meetings he was wondering if private individuals were going to start approaching engineers wondering how it will impact their property. Granzow stated that there was a piece on the topic on channel thirteen, they were at the Ida County meeting and had a recording from the meeting, it's starting to regain awareness. Granzow stated Franklin County's meeting was next week. Hoffman stated he'd like to go and see if how they crafted things a little differently. Gallentine stated if they're relying solely on voluntary easements that's a lot of landowners to talk to and convince that that's an ok method, Gallentine said they'll see where it ends up going but he thinks that's a big mountain to climb. Granzow stated when the Utility board comes in and says we have to do these in order to do eminent domain, here's our checklist that we have to do. Granzow stated that's a bad way to start. Hoffman stated it gives you permission to utilize eminent domain. Gallentine recommended forwarding all of Heather's comments to Mike Richards, Gallentine doesn't think Richards would be able to craft a permit to deal with or anticipate every single one of those issues but that would help to get Richard's input.

Motion by Granzow to forward CGA comments to Mike Richards and engage him in crafting some language. Second by McClellan.

In additional discussion, Hoffman stated once Richard's has a draft, maybe we could set up a time to have Richard's attend one of our meetings via zoom and see if Heather would be available, that way we would have great clarity through the process.

All ayes. Motion carried.

6. DD 56 - WO3 - Discuss W Possible Action - ROW Easement Purchase Agreement

Gallentine stated there was two purchase agreements to discuss in today's meeting. Both are for Merlyn Hegland who is a contract purchaser for a couple of properties out there, they're in the amount of \$10 each. Gallentine stated just so we're acknowledging Hegland is on board and is aware of the easements so it's in on all consideration, if project moves forward, Hegland is entitled to crop damages that have been approved for future years. Hoffman stated this was the last series (of easements). Gallentine stated they will be recording three of the four easements today. Gallentine noted the ones where Hegland was the purchaser, he has signed off on the easement in addition the current owner, both parties acknowledged the agreement.

Motion by McClellan to approve the remaining Easement Purchase Agreement for Hegland. Second by Granzow. All ayes. Motion carried.

7. DD 121 - WO295 - Discuss W Possible Action - Project Update

Gallentine stated that there was an informational meeting regarding 800 feet of pipe that needs to be replaced. Gallentine stated they reached out to local contractors for quotes. Gallentine stated the anticipated completion date for this project was December 1, 2021, visiting with McDowell and Gehrke he learned they are unable to make that completion date work, Paul Williams could not get a quote from a supplier for material, Honey Creek Land Improvement estimated costs not to exceed \$54,500. Gallentine noted the estimate we had sent out to landowners was forty to sixty thousand. Hoffman noted that was just construction costs. Smith stated we sent a notice to landowners estimating costs at sixty thousand. Gallentine stated that was just construction costs. Hoffman stated the construction observation was all in addition. Pearce asked where the pipe is located. Hoffman stated this is DD 121 South of the County almost to St. Anthony. Gallentine stated there's about 800 feet in there that's next to a shallow waterway and has a bunch of tree roots in there. Granzow stated there was one guy from the Drainage District that showed up and said, "Yes let's do it." Hoffman stated there was another person after the fact that came in

and said, "Go ahead and do it." Smith stated a gentleman contacted them after the fact.

Motion by McClellan to approve the estimate from Honey Creek Land Improvement for the WO295. Second by Granzow.

In additional discussion, Gallentine asked the Trustees wanted them to draw up a full contract. Granzow stated not to exceed. Gallentine stated it's one of those amounts where its to small for a bid letting, yet it's bigger than your normal hourly, Gallentine just wanted to make sure they understand how the Trustees want it administered. Granzow stated they didn't need it if they have the estimate.

All ayes. Motion carried.

Hoffman asked if it was part of the normal process if all projects have observation anymore. Gallentine stated they just have a general agreement. Smith asked if the Trustees would like a postcard to be sent to the landowners notifying them of project update. Hoffman stated he'd rather the landowners have more information. McClellan asked how many landowners were in District 121. Smith stated it was not a very large district 24 pieces was what she sent out for the estimate. Granzow stated we should add contact information in there for landowners that would like to know more information.

Motion by Granzow to approve sending postcards to landowners in DD 121 to notify of approval of estimate. Second by McClellan. All ayes. Motion carried

8. DD 52 - Discuss W Possible Action - Landowner Assessment Concerns

Smith stated we received a letter in the mail that came with a tax statement to the Treasurers Office from Lynn Brinkmeyer. The letter was received October 01, 2021. Smith reads the letter: "These assessments make no sense. My close neighbors and I have vastly different charges. We can be the same distance from the work done and have extremely similar land slope and your determining factors, yet charges are different. I have 2 parcels, both \$81.00, yet my neighbor to the West was \$35. Either I should have a drastically reduced parcel assessment next to it or that parcel should be drastically raised. This is wrong. I see no assessment for 501 E. Maple St. either and much smaller assessments for properties closer to the waterway than I am. 1918 classification schedule is outdated! I watched the work being done – 2x – and am sure it was costly but make Piel's, who caused the problem, or their descendants should pay for it. And after the work I had water in 603 E. Maple basement 4x that I had previously. One time 100,000 gallons removed by Roto-Rooter. It ruined the floor covering and wood walls and paint and everything that was on the floor. No trouble before the work with drainage but after everything backed up into the basement. Mud, mud, mud! No one paid my expenses for cleaning, draining, and replacing and, let me say it again, it was all after your digging and replacing work. Will you reimburse me? (I have since sold the house at 603 E. Maple.) The drainage Trustees (Board of Supervisors) should go out and supervise the drainage area and update 1918. That's a disgrace to have a decision based on 103 years ago! Things do change, you know." Smith stated she had no phone number to give Lynn a call back. Hoffman stated we should send a letter inviting Brinkmeyer to a meeting. The Board of Trustees would like to know if Brinkmeyer intends on requesting a new classification. Hoffman stated if Brinkmeyer would like to request a reclassification it's imperative to discuss what the cost of classification for DD 52 would be and what the cost would be to Brinkmeyer. McClellan asked why they would end up with 100 thousand gallons of water in their basement. Gallentine stated they were not quite sure why they would end up with water in their basement unless they have a direct connection to the field tile. Hoffman stated he'd like to know what Roto Rooter did, if it was sewage or grey water. Granzow re-stated Brinkmeyer's comment in the letter saying that it was mud. Gallentine stated it was tough because Hubbard is split between DD 55 division 1 and DD 52 and if Brinkmeyer is talking about neighbors who are outside of DD 52 they would not receive the same assessment as somebody within DD 52. Hoffman stated we could invite Brinkmeyer to come to a meeting and compare those addresses to see if Brinkmeyer is comparing apples to apples. Smith stated the address Brinkmeyer is referring to in the letter is 603 E. Maple. Smith asked Pearce to look the address up on Beacon. Smith stated the address was in Drainage District 55 and 52. Smith stated 55 – 1 was assessed this year but not 52. Granzow stated 52 is a sub district.

Hoffman asked if Brinkmeyer stated where the neighbors were located. Smith re-stated Brinkmeyer's letter, "The neighbor to the West was \$35, either I should have a drastically reduced assessment next to it or that parcel should be drastically raised." Granzow stated it looks like Brinkmeyer owns three parcels there, that does not help him any. Smith stated none of Brinkmeyer's assessments were over \$100. The town parcels were assessed at \$81 each, and the farm parcels owned by Brinkmeyer Farms were assessed at \$93 and \$85. Smith stated Brinkmeyer's frustration is probably coming from the water in the basement. Granzow stated if Brinkmeyer is hooked up directly to the tile, Granzow finds it odd that Brinkmeyer would back up after the tile was flowing vs. when it wasn't flowing. Smith stated there was a lot of tree roots in the tile in DD 52, before they were removed Smith recalls the photos and it looked like they pulled out about 60 feet of spaghetti about 12 inches around. Granzow stated there was more than that. Gallentine stated the guys couldn't pull it by hand so his guy asked if there was a chain so they could hook onto the roots to pull it with a Backhoe. Smith Stated she would get a letter out to Brinkmeyer to invite them to a meeting. McClellan stated for as long as she can remember the problems are always related to tree roots. Smith stated they've fought that once since 2010. Granzow stated the buildings directly to the East of Brinkmeyer's property are very close to the tile, Granzow can't imagine that they didn't have any issues with water. Smith stated this is the only report of water in the basement from this area. Pearce stated that the buildings directly to the East of Brinkmeyer's property are the apartments. McClellan stated the apartments may not have basements.

9. Other Business

DD Big 4 Main - Smith stated there was a report of three beaver dams located at A Avenue and Hardin Road one under the bridge and the other downstream. The caller, Alan Tibbs, would really like to see the beavers trapped and dams removed. The dam south of Hardin Road is sizeable just south of Hardin Road in the open ditch in Big 4 open. Smith stated she's had issues in the past trying to get anyone to respond to trap. Smith stated we've talked with Jeremiah we can't seem to get him to engage with us, Brad Moore, that does trapping for the Nuisance Wildlife Operation Control, wants us to pay mileage and an hourly rate on top of the \$100 beaver bounty. Smith stated we reached out to the Sheriff prior to the meeting and he's going to get some information to us. Granzow stated Austin Day might be a possible trapper. Hoffman asked if we should go survey the area and enlist the help of someone in the lottery system to remove the dam or should we get the beavers out first then dam out. The Trustees agreed that the beavers should be removed first. Hoffman stated once the beavers were removed the drainage clerks can let Gallentine know so he can go out there and formulate a plan and communicate to someone in the lottery system. Granzow stated that if it is on the DD 4 Main open Ditch that is a four-County district that Kuechenberg should reach out to other Drainage Clerks and see if they have other resources available. Granzow stated that Franklin and Wright County might have someone closer than anybody in Hardin. Smith stated we can sure do that.

DD 11 - Smith stated there's been a couple of conversations in the auditor's office regarding the upcoming ARPA funds available to the county and some of the cities, Jolene asked what a possible use for those might be related to Drainage. Smith asked if the Drainage issues within the city of Buckeye are something that could be assisted with ARPA funds. Smith stated when they talked about that project that started on the NE edge of Buckeye, they didn't want to go into the town parcels because if they opened that can of worms that would involve the DNR and state, creating budgeting concerns for city of Buckeye they can't afford. Smith asked the Trustees if that was something they wanted to have a conversation about in Drainage. Granzow stated he needs to abstain from this because he has family in the area. Hoffman stated if the city of Buckeye has a request, they can do what other people do and bring it forward to the committee. Hoffman stated on the he knows on the Steamboat River Sewer project there's collaboration between the county and the city on that project. Smith stated she would reach out to the Mayor of Buckeye and see if he has any interest in it. Hoffman stated the Mayor of Buckeye is Bill Hittle. McClellan asked if we ever got any estimates on what it would cost to fix that whole issue. CGA stated the issue is that you need to have sewage treatment which really isn't related to Drainage. Granzow stated you're also going to cross hairs when it comes to New Providence, Radcliffe, and Hubbard. Smith stated she just thought she would ask. Granzow stated it was a good question, everybody sees the headlines that feds are giving money and they never realize that it's never enough. Granzow stated he's looking at the list that we had given to us and it us and so far, we're short 3 million. McClellan stated that we're getting 3.2 or 3.3 and we're still three short.

10. Adjourn Meeting

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