

REGULAR DRAINAGE MEETING
Wednesday, January 20, 2021 9:30 AM

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

1/20/2021 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson BJ Hoffman opened the meeting. Also present were Trustee Renee McClellan; Trustee Lance Granzow; Jolene Pieters, Auditor; Lee Gallentine and Heather Thomas of Clapsaddle-Garber Associates; Randy Madden, landowner; Michael Pearce, Network Specialist; and Denise Smith, Drainage Clerk.

2. Approve Agenda

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

3. Approve Claims For Payment

Motion by McClellan to approve the claims for payment with pay date Friday, January 22, 2021. Second by Granzow. All ayes. Motion carried.

DD 25 WO 209 Crop Damage Claim 2021-02 Fincham1/2	David A Fincham	\$ 965.58
DD 25 WO 209 Crop Damage Claim 2021-02 Clark1/2	Alvin C Clark	\$ 965.58
DD 41 WO 194 - Crop Dmg Claim- C.Blome- 2021-01	Chris Blome	\$ 232.81
DD 41 WO 194 - Crop Dmg Claim- C.Blome- 2021-01	Homestead Partnership	\$ 18.81
DD 146 WO 228 - Tile repair, parts, labor & equip.	Honey Creek Land Improvement, LLC	\$ 8,850.00
DD 167 WO 260 Tile repair, parts, labor & equip.	Honey Creek Land Improvement, LLC	\$10,007.55

4. DD 26 Lat 4 - Discuss W Possible Action - Landowner Concerns

Smith stated we had sent a postcard out on DD 26 Lat at the end of October to landowners, asking for feedback and to see how the tile was functioning and flowing, and to determine if there were any issues the landowners wanted addressed. Smith stated that the Trustees had agreed that this would be the last reminder we would send out, Randy Madden called the clerk last week to discuss some issues and concerns he had, Smith invited Madden to join the meeting, Smith will let Madden explain what he would like to see as a possibility and to discuss the viability of.

Madden stated Paul Peterson and Madden had visited, and Madden feels he can safely say he and Peterson were in agreement on DD 26 Lat 4 that we had the lawsuit over, we were thinking we would like to ask that the old tile be reconnected in those spots where the old main tile was cut off as part of the project for the new tile installation, for some of the same reasons we did that same thing in DD 22. Madden stated in talking with Heather Thomas of CGA, there are two different spots where that is cut out, one is probably more important than the other, because it is a mile and a half from the outlet, but at that time Madden last spoke with Thomas, she was going to review to see if the actual calculation or capacity when the project was designed if that calculation was based on the capacity of both collectively like it was in DD 22. Madden stated not last year but the first year after the project was installed we had some serious capacity issues, and disappointment in the new project when we had water at the top end of the district that was sitting over the top of the intakes that were installed on top of the new tile for almost two weeks, the intakes were covered with water. The old tile had completely emptied out into the outlet but the new tile was struggling to even show any movement on the upper end, but Madden understands big rains, it will not necessarily empty it out in a day, but this was two weeks on the new tile, so you can imagine there was some disappointment. Madden stated looking for some additional capacity is one part of that but to maintain that old tile where it has been cut off, it has been shown the laterals that remain connected below that are not sufficient to keep it clean so there is also we feel benefit to encouraging some flow into that area to maintain the integrity of that old tile.

Madden's stated his request is to consider doing that to at least the one drainage structure, the second one if Madden understands the location of that one is only about ¼ mile above the first point that the old tile was disconnected, so if you start at the outlet you go up 1-1/2 miles in Greg Hanson's property, just south of 190th was the first disconnect where the old tile above that point and the new tile, come into the junction box and only the new tile comes out, and then it comes across 190th into Madden's property, and turns to the east and crosses D Ave into Paul Peterson's property, and that is where the second disconnect is if Madden understands it correctly. Madden stated the new tile crosses the old tile and that might be one reason why they disconnected it, Madden is not as concerned about the

second one because it is such a short distance, and there is a crossing and the old tile runs in the shelter of the road, and that is much more complicated. Madden stated the southernmost disconnect which is a long ways from the outlet and it goes through some pretty rough sub-soil, with a lot of sand and history of main tile requiring maintenance and repairs and there is a lot of support in his mind to reconnect that spot, and as for the other spot, Madden is not so sure. Madden thanked the Trustees for putting this on the agenda.

Hoffman asked if Thomas had any rebuttal. Thomas stated what Madden has said is pretty accurate, Thomas spoke with Madden near the end of December/beginning of January, and Thomas looked up that information for him. Thomas stated both structures 2 and 3, which are the ones Madden is referring to, one at the section of D Ave and 190th St and about 1,800' west of that are the two structures that are disconnected in the same way that Drainage District 22 is disconnected. McClellan asked if the original work was considered an improvement, so would reconnecting this would not be considered an improvement and do we have to go through the whole hearing process again. Thomas stated her understanding on that is when this was discussed about 3 years ago, there was a lot of questions on whether or not the work we were doing now was an improvement or just a repair, Thomas stated she thought a little bit of this was getting confused with DD 22's project as well. DD 22's project was so large it was over the \$50,000 threshold, the request that Madden is making on reconnecting these two structures, Thomas would generally say would be less than \$30,000, because it is less than that \$50,000 threshold, Thomas thinks the Trustees will probably need a letter from CGA stating it will be less than \$50,000 and that does take out the hearing and all the requirements that are associated with improvements of \$50,000. Thomas stated there is a lot of difference in opinion on whether this is a repair or an improvement, but Thomas thinks that for this project, because of the size of it, Thomas does not think that question has to be answered. Thomas stated the Trustees have the option of proceeding with this project whether it will be a repair or an improvement.

Granzow asked if Thomas would send us a letter stating that, Thomas stated she would send a letter stating the costs, yes. Madden stated to be clear, he has some reservation if the northernmost junction box needs to be changed, it gets way complicated with the tile under the road, we could look at it for sure, but that is a way lower priority than the one just south of 190th. Thomas stated Madden asked Thomas to look at the original calculations and Thomas did pull that information, and the way that this project was designed was utilizing the capacity of both tile lines so those disconnections do not allow it to operate in the way that it was approved in the Engineer Report in 2010.

Granzow stated if we just do the bottom connection as is being requested, the upper connection sounds a lot more complicated, maybe we don't want to touch that one, if it is working fine why touch it again. Granzow understands the concern in how the old tile is dry and the new tile can't drain, and if this is a way to make it work. Hoffman stated it seems like an inexpensive way to find a simpler solution as a good first step. Granzow stated we were always hesitant about doing that because of the prairie potholes, to make an improvement without having to go through all the effort on this, and it sounds like we are not doing that with this if we were just to do that bottom connection, Granzow asked Thomas if that sounds correct. Thomas stated from what she knows of the project, she would say that sounds correct, Thomas is not privy to all the discussion had about potholes in the past, Thomas stated what we are doing now is what we approved in the 2010 Engineer Report. Gallentine stated for a historical reference, all of those wetlands would have been dealt with when the original tile was installed, if you install it an 1/8" per day or 20" per day, they consider it an improvement once it is installed, and assumes they have been dealt with.

Motion by Granzow to install just the lower connection, connecting the new tile with the old tile. Second by McClellan.

In additional discussion, Hoffman asked if the Trustees would like this put in the lottery, Thomas stated that is the Trustees option to do how they please, you can get a quote, go to bids or go to lottery, Thomas can put together an exhibit like they did in DD 22, that the Trustees can view for approval before they enter it into the lottery. Granzow asked how much money is sitting in that account, Smith stated she would have to check. Madden asked if Thomas had any comment as to how they would connect that, Madden does not want to ignore considering the capacity of the older main for the lower part of the district, Madden does not know how you would necessarily reconnect that so it spots on DD 22 or what Thomas would recommend. Madden asked if you would just hook it back up like it was or do you go in there to get some flow, but not flood the lower part of the district, reduce the capacity for those tiles that are only connected to the old main, and asked for Thomas's comments on that.

Thomas stated there is quite a bit of elevation difference between the two of them so Thomas would propose hooking the old main into Structure 2 at that location, it would be at a higher elevation than the new line so the water would flow into the old tile to utilize that old tile's capacity only when the new tile is surcharged, that would be very similar to what we did on DD 22. Madden thanked Thomas for the info.

Hoffman stated Thomas will provide us with a plan and asked what kind of timeline we are looking at for the timeline. Thomas stated she would need to check on a survey crew, Thomas would want to go out and locate it as it is a buried

structure and figure out how deep it is and provide that information to the contractor. Thomas stated we are probably in the one to two-month time frame to have that back to the Trustees.

All ayes. Motion carried.

Smith asked if the Trustees would like her to make any communication to landowners at this time, Hoffman stated let's wait until we get the exhibit back from Thomas first, so we have something concrete to share with the landowners.

5. DD 42 WO 297 - Discuss W Possible Action - Contractor Update

Smith stated we had had some discussion in the last couple of weeks about going through our files to determine if this was a parallel tile previously. Smith stated she had the chance to review all of the files, and it looks like from what we have discovered the old maps did not give any indication that other tile was noted as being parallel to the DD tile, and no other details were sketched in on the map to indicate additional tile lines laid, and Gallentine has more information for you on CGA's opinion.

Gallentine stated Smith found some very informative minutes and letters from the 1970's in this same parcel, there were some repairs either done or scheduled to be done, and at that time it was determined that there were two tile out there, one of them private and one of them district, and the landowner at the time was informed of that fact. Gallentine stated that his assumption is that we are dealing with the same thing here. McClellan asked which one is which. Gallentine stated that the deeper one that is freely flowing is district tile, and the shallower one that is plugged and now has 50' gone is private. Gallentine stated that is good for us and bad for them but if it is that full of silt, he does not know how much of the private tile is working anyway. Gallentine stated we need direction, all the district repairs have been done, and it just depends on what the Trustees would like to do with the tile that is still open, and how they would like to handle that, if they just want to call the landowners. McClellan asked if this was on the private tile, Gallentine stated yes, we took out 50' of tile because at the time we thought it was the District tile. Granzow stated the call that came in was on District tile. Gallentine stated they are in the same waterway within 20' horizontally of each other and Gallentine understands. McClellan asked if it was flowing even without the chunk or is it all plugged. Gallentine stated there is not enough flow out there to even tell if it is functioning or not, where we are at out there it has a significant amount of silt in it, the biggest problem we have and why we have 50' out is that we cant find anything decent to connect to.

Granzow has lots of different thoughts, one though is we out the 50' back in and close it up and we are done, one thought is it was turned in on as district tile and we leave it open and contact the landowners and see what they want done and maybe it is their responsibility for the 50' since it is plugged, another thought could be that we are working on a private tile and the bill should go back on the person that claimed it. Granzow stated that at 2' apart he understands that they are very close, and we have dealt with different ones, and asked what do the Trustees propose.

McClellan stated she agrees with everything Granzow just said. Granzow stated they are all three different answers, at this point would you contact the landowners and see what they want done, maybe they want to connect to the new tile instead of fixing the 50'. Hoffman stated give them that option first, Granzow stated we stopped and dropped, and it is their expense, or the open tile could be their expense. Gallentine asked do you want the landowner and the tenant both contacted, because in this case they are not the same, in this case it the landowner is Cynthia loerger and the tenant is either James or Dave Sweeney who turned in the work order. McClellan stated it would need to go to the landowner and not the tenant, because that is who the assessment goes to. Gallentine stated the landowner needs to be notified and as a courtesy you could notify whoever turned in the work order. Granzow stated he would definitely contact the tenant first and let them know what we found out and would contact the landowner too. Granzow stated he would give them the 3 options. Hoffman stated he would rather engage them early rather than later.

Motion by McClellan to contact both the landowner and tenant on DD 42 Work Order 297 regarding the findings of the Investigation Summary, and result of research indicating only one tile to be district tile, and seek landowner/tenant input on remaining 50' of open tile. Second by Granzow.

In additional discussion on the motion, Hoffman stated we will address what route they want to take at that point. All ayes. Motion carried.

Gallentine asked if the Trustees wanted the Drainage Clerk to make that communication, the Trustees agreed they did.

6. DD 11 WO 294 - Discuss W Possible Action - Project Estimate

Gallentine stated this is DD 11 and is one of the tiles that goes through Buckeye, and at the last meeting we had Merv Vierkandt, Jack Runge, and the Smucks were here, and no one wanted to do anything as a result of that, but the landowners were curious what it would take to replace the tile, essentially from Buckeye north to the outlet. Gallentine stated if you look at the east/west road that runs all the way across Buckeye and start there and run north all the way to the outlet, for construction only costs, we are looking at \$375,000, if you have engineering, legal etc., that will all be on top of the \$375,000 and becomes a fairly significant project. Gallentine stated at the meeting he guessed \$300,000 to \$400,000, by the time you add in engineering you will be over \$400,000. Hoffman asked if Smith has shared this report yet with landowners, Smith stated, not yet she was seeking direction from the Trustees in they would like to do that- either in a landowners meeting or possibly something else. Granzow stated we can call a landowner meeting or send out an email. McClellan asked how small this district was, Gallentine stated it is a lot of landowners because it contains part of Buckeye, but with mainly only a few larger landowners. Hoffman stated a landowners meeting would be good to explain this to lay it all out and at that point we could always have an agenda item to initiate a formal engineer's report, but we could let the landowners give us some direction in which they would like to go at that point. Hoffman stated he would accept a motion to initiate a landowners meeting, we already have a landowner meeting on February 17th with a lot of the same landowners. Smith stated that was correct, the DD 14 Landowners Meeting is at 11:00 am on February 17th, Hoffman stated we could look at 11:30. Smith stated the first meeting should not be too long, Gallentine stated that on is with Vierkandt wanting to go up through loerger's land to his fence-line versus just doing \$30,000 worth of work.

Motion by McClellan to hold a DD 11 Landowners Meeting on Wednesday, February 17, 2021 at 11:30 AM to discuss the cost estimate for replacement of tile from the north edge of Buckeye north to the outlet. Second by Granzow. All ayes. Motion carried.

Smith with get Landowner Meeting notice out in the mail today.

7. DD 20 WO 302 - Discuss W Possible Action - Investigation / Repair Summary

Gallentine stated this work was turned in by Jim Kielsmeier, who reported a sinkhole on western side of field, upon excavation we found the original clay tile in that area, this is another one of those districts they ran parallel tile in, but it is all upstream of here, this is the one where they cut through the hill and it went into a separate outlet, we are just downstream of that on the original clay tile. Gallentine stated we found the clay tile had settled relative to the ones on each side, so it was sucking dirt and upstream and downstream it was about ¼ full of dirt going both directions. McClellan asked how big the tile is, Gallentine stated it was 30" or 32" tile but the watershed that feeds it is just upstream of there, is where they took all that water and put it into a separate outlet. Gallentine stated we went ahead and repaired it with standard dual wall with concrete collars, the 1/3 of sediment is concerning on one hand because there is not much drainage capacity, you have lost drainage capacity, but there is not much watershed feeding it. Hoffman stated there is not much flushing ability, Gallentine agreed and stated he does not know what is upstream of there, if there is any pattern tiling to even try to flush it, we will make you aware of it, but does not know what the Trustees want to do about it, or if there is any reason to do anything. McClellan stated if it is not taking much water upstream, we do not have much reason to do anything. Gallentine agreed and stated how many districts do you know that start at the far upstream end with a 30" tile, not many and there is a reason. Granzow thinks it is fine and just want to make sure it is noted in the books, if it can take what it needs to for water. Gallentine stated 2/3 of a 30" pipe is far more than an 8" tile could ever take. Hoffman stated no action at this time.

8. DD 143 WO 305 - Discuss W Possible Action - Investigation Summary

This is in Radcliffe, there was private pond being built on the west side of Radcliffe, there was concerns upstream on what this was going to do to the tile. CGA went out and shot it, and talked to landowner and guy who built the pond, he indicated he had potholed that tile before he built the pond, and avoided the tile, Gallentine referenced a diagram in the Summary, and note the bottom of the pond is 89' away from the tile, the top of the pond is 60' away, and there wasn't any dirt disturbed within 33' of the tile. Gallentine stated he definitely steered clear of it and talking to them, and what we saw, there is no means for interconnect between the pond and the tile, they are not using the tile to fill the pond, they are not using the tile to discharge the pond, based off that, we don't see how it will affect the tile one way or another, it's not going to help it but it is not going to hurt it, now obviously 6 months form now, if how it operates is different we could look at it again. Hoffman asked have they done any kind of bank stabilization, Gallentine stated no. Hoffman suggested to send a copy of the report to the City of Radcliffe for their records, so they are aware we have looked at it. Hoffman asked Smith to send a copy of the report to Calvin Hyland. Smith stated she would mail a copy to Hyland. Gallentine stated depending on how they had constructed it, it could have impacted the tile, but looking at how they constructed the pond, Gallentine did not see any way it could impact the tile.

Hoffman asked if that closed the matter for now, Granzow stated as soon as we send the report out to Hyland, Hyland will ask for our progress on the tree removal in the town of Radcliffe. Smith has had no updates from the City of Radcliffe. Granzow stated that will be the next question, so along with this, Granzow would initiate a call to Chuck Raska at the City of Radcliffe. Hoffman stated maybe the City needs a letter stating we need a plan stating which trees will be removed and when, we have asked for some type of progress to be shown. McClellan stated she has spoken with Roll and Hyland since this was last discussed, there is not an aggressive plan. Smith stated she thought Roll's last comments on this were the City's tree removal service comes in once a year for trimmings and will start the next time. McClellan stated she had thought the City had some plans, but it is not an aggressive plan and if they are just taking the trees down. Granzow stated what happens next is we go in and take the trees, Hoffman stated if they do not have a plan and you don't show progress, we will have our own people come in. Smith asked if the Trustees would like this as an agenda item for next week, Hoffman stated yes. McClellan stated maybe we need to have them get on the phone with us, Granzow stated he does not think so, just a plan is all we needed. Hoffman stated tells us what your plan is, where you are starting and lay it out. Granzow stated they were trying to do it as time allowed, and if they don't have time allowed, Granzow thinks we need to speed up the process, and if all we are doing is cutting the trees right now, they have to be removed at some point. McClellan stated the tile is flowing but it is not flowing at capacity, last year was not a wet year so it was probably not that bad, but in a wet year, it is still slowing it down for drainage. Granzow stated last year would have made the roots grow into the tile more. Hoffman asked Smith to add this to next week's drainage agenda.

9. DD 146 WO 228 - Discuss W Possible Action - Investigation / Repair Summary

Gallentine stated this was an outlet project that had been out there for a while, about a year or so ago, we through this one in with a bid project that got canceled, so we put this back in the lottery. It was an outlet replacement on DD 146, there was a blowout by the existing outlet, so we went ahead and replaced the CMP, pulled out trees that were in the way, installed a rodent guard, the old one did not have a rodent guard, and then some riprap and general cleanup, with no real issues. As always, where it outlets into a native creek, Gallentine recommends monitoring for beaver activity, and if you have any let's get them trapped before you have any issues and they are up into the tile. McClellan asked where this was at. Gallentine stated it was t 15-86-20, it was down by New Providence.

McClellan asked where we had the beaver issue between Hubbard and Radcliffe, there is absolutely no water in it, is that just because it is dry or is there something that is supposed to be feeding it. Gallentine stated it is probably just dry, there may be a beaver dam, most likely it is just dry. McClellan was curious and does not ever remember seeing it dry, it was totally dry. Gallentine stated no one has turned anything in, there is some dry tiles he has seen out there this year that Gallentine has never seen before.

10. DD H-F 4-53 WO 296 - Discuss W Possible Action - Investigation Summary

Smith stated this is a work order in joint county district with Franklin County, and Franklin County is the Control County, Smith was not sure if the Trustees would like a joint county meeting on these. Gallentine stated we have several work orders, the first is on the Hardin County side, the issue reported on Work Order 296 and Work Order 303 were essentially the same issue. Gallentine stated he turned in a work order in the spring, which did not get done, so he turned in another work order in the fall, so we are talking about the same things on both these work orders. Gallentine stated the red circle is the same area we are talking about, the one on the right hand side is the one we were talking about before, off to the north and east, we are talking about the one that veers off to the north and west. Gallentine stated we found the tile, and found two 10" tiles, and that is what we found and that is what we repaired, we assume one of those is private because the map only shows one, the west one was 60% full of silt, the east one was flowing, so our general assumption was the east one was the district one and the west one is private however that being said they were both 10" tile and we went ahead and fixed it because they were both open, but the map says it is supposed to be a 14" tile. McClellan asked if both tiles were dug up. Gallentine stated one tile is here and the other veers off, but they were all 10" tile. Granzow asked if the capacity of two 10" tile equals the capacity of a 14" tile. Gallentine stated no they do not, and when they combined, they went into a single 10" tile they both should have been a 14" tile. Granzow asked if they were all clay tiles. Gallentine stated they were all clay, they must have been in the ground for 70 years plus, Granzow stated prior to 1986 was all he needed. Gallentine stated yes, so we don't know if something changed in the original design or why there would be a 10" tile out there, we did not spend a whole lot of time with the contractor potholing just to figure this out because Gallentine did not know if that was a good use of district money. Granzow stated this is the same district, and we need to address that because we need to start doing laterals, and start investigating some of this, they might want the capacity of a 14" tile in there especially tying two 10" tiles into it and it looks like a relatively short jog into it. Hoffman stated that would need Franklin County to initiate it, we can suggest it in the landowners meeting. McClellan stated this is a joint district and wondered if they would want to split laterals before they do anything. Gallentine stated they may want to split laterals before any of these bills get assessed out. Granzow thinks they should be split especially with the amount of work they are going to be doing, but

if the landowners want to keep their drainage district tiles together, that is their decision, more power to them.

Gallentine stated it is fixed, we wanted to get it buttoned up before it sucked any more dirt into it, but there is questions as to what it was we really truly fixed, Gallentine has seen times before, usually the map is right, once in awhile you will run into one and they changed the size and it is in the final report, and you have to dig through the history to try to find any of that stuff, we just try to keep it economical. Granzow stated if they should get a 14 tile, they should have it. Smith asked if the Trustees wanted her to pull any district files and check to see if there is nay history of that there. Gallentine stated where it is joined, Franklin is the control county and they would probably have those records. Granzow stated he would definitely want to have a joint meeting to hear Franklin County's concerns.

Hoffman asked if we need to talk about agenda item 11, Gallentine stated no, they are one in the same, so no.

11. DD H-F 4-53 WO 303 - Discuss W Possible Action - Investigation Summary
See above discussion for Agenda Item #10, Work Order 296 and Work Order 303 were reported on same issue.
12. DD H-F 4-53 Franklin Co. WO #143 - Discuss W Possible Action - Investigation Summary

Gallentine stated this was turned in by a farm manager, Mr. Nissly his tenant has indicated he doesn't feel there is drainage properly performing, that there is a bunch of historical wet spots, not necessarily this year, but this was turned in last year, and so the blue cross hatched areas on the Summary diagram, were areas where we observed ponding or they reported ponding, essentially this fall we went out and dug this tile out at different intervals, to see if we could go out figure out what was wrong with it and find some obvious blockage. Gallentine stated we ended up digging up lateral 4, Lateral 4B and Lateral 4A, so essentially, we were on the Hardin County side and traced it all the way up this property, hoping we would find something. What we found is some silt and debris in the flowline of 4 and 4B, they are not that big of a tile so that silt and debris can be a restricting thing. Lateral 4 is mis-laid in that middle larger portion there, it has a hump in it, that could be restricting drainage somewhat, and then there is very little fall from there down to the road that is on the County line, it is not even close to the fall in the original design. Gallentine stated this could all be contributing to poor drainage, but that is not something different this year than last year, or the years before, Nissly indicated there was a change that they were not used to. Gallentine stated at this point, he can't tell you where the restriction is Nissly still feels there is something going on out there, and he would like the Trustees to address it in the emails Gallentine has seen. Gallentine stated we can do more investigation and we can either do some televising of all that and figure out the overall condition of the tile, and see if we can find something going on, with the amount of silt in there, that may be successful it may not, it just depends, we could try to excavate at again at 100' to 200' intervals to find some differentials in the flow, but where there is no flow, that is really tough right now, or you could wait until it becomes more of a pronounced issue that would point to a definite cause. Gallentine stated it is really tough, there was an old railroad that went through there and we excavated on the upstream side and it looked the same as everything else, again it is a joint with Franklin so it would have to be a joint decision on whatever you want to do.

Smith stated they are the control County on this one, Gallentine stated the vast majority of this is in Franklin County. Smith stated the Franklin County drainage Clerk shared this one with us so you would be aware of what was going on, and we have two work orders on our side of the County line, that maybe the Trustees would like to schedule a joint County meeting, Smith could reach out to Franklin County for some possible dates. The Trustees would like a joint meeting. McClellan stated that looks like a lot of tile to have to televise though. Gallentine pointed out that this issue was on Lateral 4B which flows down into 4 and ends up going down here, the other work orders are farther away, it is the same district but separate issues, they are not downstream directly from this problem. Granzow asked on the assessments are they separated by Laterals or all on one. Smith stated they are all on one assessment, at least on Hardin County side they are, Gallentine stated it should be the same on both. Granzow stated the reason why he asks that is there are a lot of people down here paying for a lateral they are not connected to. McClellan asked for clarity on the map, Gallentine stated the main is all the way down at the bottom in Hardin County, and those laterals feed it. McClellan noted there are lots of laterals that would all be assessed together. Gallentine see laterals all the way up to 12, and there are a bunch that are like 4, 4A, 4B, 4 B1, 4B2 etc., so there has got to be 20 laterals in this district. McClellan asked if they ever split them off like we do. Gallentine stated yes, they have done bigger ones than what Hardin County has done, because historically if they have a project on one lateral they will go ahead and reclassify all the laterals in the whole district so it is done. Granzow stated being a joint district this is a good time to do that also, Gallentine stated we have had \$60,000 reclassification up there. Granzow stated he looks at this and thinks we are going to do all this televising as opposed to all these repairs to a complete tear it all out and redo and then we would be looking at a reclassification, why would we do it ahead of time and break the laterals off. Granzow stated he would like that discussion with Franklin County to see what they feel, he is assuming they have a lot of the same landowners, but they may not.

Hoffman stated when we look at items 10 and 11 on the agenda, it correlates to this. Gallentine stated yes, originally the district had 3,285 acres, so it is not a small one. Hoffman stated no matter what we need to schedule a landowners meeting and Gallentine will tell us items will be more of the same. Gallentine stated the items on 10 & 11 were straight forward repairs, Gallentine stated the only odd things was the size of the tile did not match the original district map, they were smaller.

Motion to contact Franklin County to set up a joint County Trustee meeting for DD H-F 4-53. Second by Granzow.

In additional discussion on the motion Hoffman asked Smith to bring back a few date possibilities, and we can confirm. Smith stated she would.

All ayes. Motion carried.

13. Discuss W Possible Action - Drainage Assessments Project

Smith stated she had been working on this minimum assessment for quite a while, and the original premise was we had talked about doing a minimum assessment on all drainage districts, to cover portion of the Drainage Clerk's salary and/or legal costs, IDDA dues as well that would affect all drainage districts within the County. Smith stated she has put together a spreadsheet that gives three options, we had originally talked about assessing at a \$500 potential assessment, a \$1,000 potential assessment, and a \$2,000 potential assessment. Smith stated anything in orange on the spreadsheet is a Private Trustee Drainage District, Smith pulled those numbers out because should the Trustees choose to move forward with this, the assessments would have to be approved by those district's Private Trustees. The districts listed in gray are inactive districts, anything in green is something Smith may have found an issue within Tyler, for instance DD 7 Division 1 is included in DD 7's classification. Districts highlighted in blue are districts Smith has an issue with because she can't find anything entered for them in Tyler or Beacon, they had an assessment done in 1926 or whatever year is listed for that particular district. Smith stated this is a lot of information to digest. The number of parcels are in the column to left of the dollars, and if we go all the way to the last page this is probably the part that will be the most interesting to the Trustees, which is what do these numbers look like, what do they total. We would be looking at assessing 153 districts, in total 7,763 parcels, a \$500 minimum assessment could possibly generate \$93,769, a \$1,000 minimum assessment could generate \$164,558, and a \$2,000 minimum assessment could generate \$309,406. Smith stated for instance if you look at Hardin-Story 4-112 there are only 26 parcels, the \$510 amount is more than \$500 because you have some parcels that are less than the \$5.00 minimum assessment so we have rounded them up to \$5.00 meet the \$5.00, that is the lowest amount Smith can assess a parcel. Smith stated these are the numbers we are looking at assessing all of the districts at one time, Smith has concerns with doing that for many reasons, and have maybe touched on them briefly with you individually in the past.

Smith stated looking at the numbers, Smith needs a feel from the Trustees as to how they see this working out in the future, what does it look like to you, to be honest to assess 153 districts in one round of assessments would be a difficult task to get all of the assessments generated in one year, Smith stated she should have started on that the minute she finished last year's assessments. Smith does not know if the Trustees would like to look at splitting this up into three groups, and possibly assessing 51 groups the first year, the next group of 51 districts the next year and the last group of 51 districts the third year. Granzow asked how many districts are we currently going to assess this year, maybe 4 to 6, Smith has not had a chance to finalize this yet, because she has been working on this project, we had a hearing completion for a large project in DD 22, this is the only one we have had a completion hearing on since Smith has been here. Gallentine stated that was on Heather Thomas's project in DD 22. Smith stated she needs to sit down and look at what needs to be assessed, we have a lot of open projects that may not be at completion yet, that will be assessed, not in 2021 but maybe in 2022.

Smith stated in looking at this, some of the questions she has, she will give to the Trustees to think about or discuss, to see what they would like to do. Smith asked if a district has already been assessed in the last three years, how do you want to look at doing that, do they get assessed wherever they fall in the list, however the Trustees choose to split it. How do the Trustees want to notify the districts of this because we can certainly assess for additional help for the Auditor, Iowa Code allows that under Section 468.154? In the past Smith had spoken with other counties that have done it this way, they have moved away from this method due to the volume of work it generates to do it all at once. Smith stated that Section 468.48 we must send out a notice of increased assessment as well, so that may possibly be an additional mailing, Smith does not know if it would be acceptable to send that mailing out. McClellan asks what does an increased assessment mean, Smith stated that Code covers a notice for an increased assessment: The Board shall cause notice to be served upon the owner of any tract of land or easement against which it is proposed to increase the assessment, requiring the owner to appear at a fixed date and show cause why such an assessment should not be so increased. Such notice shall be served for the time and in the manner prescribed in section 468.15 or section 468.16 as the case may be except that personal service in the same manner as an original notice may be

made in lieu of other methods. Smith stated you would have to give your landowners some notice. Hoffman agreed, Gallentine stated he thought you would want to give your landowners some notice. Smith does not want to send this out cold, Hoffman stated for the silent absentee type landowners, they will ignore it, you may wake a few people up. Smith stated that is an important piece of it.

Smith stated if they are due to be assessed for work within the next year or two, would you wait to add that district in at the time they are assessed for a project as well, this isn't a large dollar amount to assess but if it will be something that will be a recurring thing, that needs to be included in the notice to landowners. Smith stated on the backside of this, the accounting side of it, it creates a lot of questions for Smith because we have never had a general ledger account code that covers all the districts. When it is assessed it will be assessed per district, that money will go into that districts fund balance, how does that get moved to the new account code, is that a journal entry process, is that something we need to figure out with Tyler. McClellan stated and through Bowman and Miller also. Smith stated yes, through Bowman and Miller I would have to ask the same question, how many journal entries can be done before that gets flagged for any reason, Smith does not know what that looks like from an accountant's perspective, Smith does not know if there is a different process that that could be done with because we haven't done it this way before. Smith stated some of her other questions on this are for this coming year, Smith is looking at staffing because we have one office member who will be out of our office with a medical leave, we have an election in March, we have a new Auditor, all of those things will come into play this year, so if we do move forward, Smith understands the Trustees plans and their directions for her, so she knows her work load, and what she needs to do to schedule that.

Smith's last question for the Trustees, who had talked about using this fund to apply to the Drainage Clerk's salary as well, right now Smith thinks that may possibly be paid by Rural Services, Granzow stated 50% Rural Services, 50% General Fund. Smith asked if in the future does it look like the Drainage Clerk's salary would be all paid by this fund or possible 1/3 to the Auditor, 1/3 to Drainage, 1/3 Board of Supervisors to cover the various duties Smith assumes throughout the office. Granzow stated 1/3 Auditor, or 1/3 General is still the Board of Supervisors is still general or Rural Services, Hoffman stated it all comes from the same pot. Hoffman stated he would like Pieters to weigh in first, Granzow asked what amount of time you would use the Clerk for Auditor's work outside of Drainage. Pieters stated just for elections and asked Smith's thought. Smith stated passport work as well as elections are the functions, she does a lot of besides drainage. Hoffman stated it may look like an 80% / 20% split, Granzow stated to him that is the answer. Hoffman stated he liked having this dialogue today because we have tried to have this conversation for 4-1/2 years. Smith stated she wanted to be open and honest with the Trustees, Hoffman stated we tried having this discussion and it was always pushed away and -, 80/20 looks good,, McClellan stated the 80/20 split sounds reasonable and if Smith's job duties change at some point, we can change that. Granzow stated that would just be a movement within the boundaries.

Hoffman stated rotating the assessment through one third of the districts each year, Granzow stated in numerical order, and does not want to have to figure out who is active and who isn't he wants this to be a rolling assessment, assess one third each year and then it falls off. Smith stated she did not mind doing it that way, as we look at that at the top of the list they are all Hardin County districts, at the bottom of our list are the joint districts, Smith stated the joint districts she has included here are only the Hardin County controlled districts, Smith assumes we could assess the Hardin County side for this because she would be the Clerk that does the work for that district, however I did not pull the split between counties to delineate which portion of that \$500 assessment would be Hardin County only, and which portion might be Story or Hamilton County only, it is fairly minutiae in that, and Smith has not gotten that far yet. Granzow stated before we act on this, Hoffman asked besides wages, we knew that we wanted to budget for legal, did you get any clarification from the IDDA on membership and what that cost would be at this point. Smith stated she reached out to John Torbert of the IDDA and does not have a firm number back for the Trustees from him yet, in the past there had been some discrepancies between what the IDDA reported as our drainage district acres, which is what the IDDA based our dues off of, they invoiced us at 168,000 acres, and from the communications Smith found, Schlemme stated at the time that our actual drainage district acres was 110,000 acres, Smith mentioned that to Torbert, who stated if there was that conversation he does not remember it, but Smith has a copy of it, which is great, but Torbert stated he would reach out to their accounting department to see if he could get Smith new numbers for the split at 110,000. Smith is waiting on those numbers from Torbert, but Smith can tell the Trustees that our last invoice was for \$7,100, Smith is assuming it will be slightly less than that, Smith will get that to the Trustees as soon as she has a new invoice from Torbert.

Granzow's other suggestion would be to put a large bold notice in the newspaper and would use the advertiser since it goes to everyone stating what we are going to do. Hoffman stated an insert may work, his insert was cheap, and we could have someone through something together that says, this is your notice. Granzow stated we can do an insert three times before we even implement and see what kind of feedback we get. McClellan asked how Smith handled the districts with Private Trustees on the spreadsheet. Smith stated she pulled those numbers out and did not include those numbers, as we would not be charging them at all right now. McClellan stated Smith handles the elections for the Private Trustee districts and their notices, Smith stated yes, she does handle of the elections for the Private

Trustee districts and does all their publication and pays all their claims. McClellan stated Smith does do work for those Private Trustee districts, Granzow stated she is the clerk for them and we can also charge them individually if they don't want to go on our plan, she can charge them 5%. Hoffman asked how many Private Trustee districts there again, Smith stated anything that is highlighted orange on the spreadsheet, about 15 districts, some with subdistricts. Hoffman asked if the Trustee that chair in those districts, can you notify them of this if they want to join, then we need to adjust the acres of the IDDA invoice. Granzow stated if they want to be involved then we can charge them for part of the bill. Smith stated that was correct, and had touched on that briefly last week, if that is something the Trustees would like to see is an all-district joint meeting with those Private Trustee districts, Smith does not know if that has been done in the past, it was on previous clerk Schlemme's list of things to accomplish. Smith does not know if the Trustees would like to bring something like this up to them in a meeting like that. Granzow stated it would be easy to get a hold of them and asked if Smith had the list of Private Trustees with her. Smith stated the list is available but does not have it right in front of her.

Granzow stated first moving forward we should get the bold notice ready, and start this next year, Granzow asked if the deadline was in May, Smith stated that was correct. Hoffman stated the Private Trustee meeting can be had in the Spring so we do not miss any of our snowbirds and then some type of big bold publication that would be all encompassing in April or May, Granzow stated so it would begin the following year, and asked if that was correct. Hoffman stated yes and wants to give everyone as much notice as possible, so that they can engage with us. McClellan asked if City and School Elections were still held in the same years, Smith stated yes, McClellan asked if you were going to be working on these assessments. Smith stated if she were going to be doing these assessments she should probably begin to print notices as soon as Drainage Election packets go out in December, Smith would have to go through and evaluate to make sure no parcels had changed hands, for Smith to begin 2022 assessments, probably December of 2021 would be when she would need to begin the process to get 51 districts done in that amount of time. McClellan stated going into 2022 there should be no big elections, Smith stated unless it would be school board or city, Smith stated this year we have a school bond referendum up for election in March. McClellan stated if you started in December of 2021, it would be December of 2022 when the assessment goes out. McClellan stated she does not want to take the Drainage Clerk and make her busy and not be available to help with elections, especially primary and general election. McClellan asked what the dollar amounts of the assessments were, Smith stated \$500, \$1,000, and \$2,000, Smith would need to know what amount to set the assessment at. McClellan asked if for example we used the \$500 assessment for each district, Hoffman stated the classification would determine if somebody paid \$5 or \$25 of the \$500 assessment. Smith stated yes, depending on their classification schedule. Granzow stated the other things Counties have been doing is every time the Drainage Clerk assess something up they get charged, Granzow does not like that because other counties may charge hardly anything and some may charge a percent of the bill, and that is a terrible idea. Gallentine stated for example if you have a \$2,000,000 project, they charge an additional 5% for admin costs, Granzow stated that would be terrible. McClellan stated you are charging the ones that are doing the most assessing that way and the districts that are nearly inactive and assessed every twenty years, why are you assessing them every time. Granzow stated because we are still representing them, McClellan stated but they don't have any activity for 15 or 20 years, we have our most active districts where the Clerk spends most of her time.

Hoffman stated your least active districts today will be your most active districts in the future, McClellan stated when they are assessed that is when you could tack on your 5%. Gallentine stated the dollar amount spent does not actually always indicate her effort level either, sometimes with bog dollar amounts, by the time you get a contractor and an engineer involved it may take less of her time than something she has to do a bunch of research on. Smith stated looking at the Private Trustee districts, having a meeting with them is important, because there are some districts that Smith hears nothing out of, and there are some districts right now that Smith is doing quite a bit of work for. Smith stated she feels it is important to get them involved in this conversation, so that they know what is going on and they may receive an assessment for land they own outside of a Private Trustee district but also so they can educate the land owners within their districts that this is a possibility as well. Smith stated the concern she has with assessing a percentage on the back end of project is that money stays in that district, it can't be used to cover costs for anything else we do. Smith stated when we assess now, that money goes back into that district's balance fund to be used in that district, that is great, they have a small slush fun for any future repairs or possible work done, and right now we assess about \$3,000 more than a large project's costs, and that stays in their sinking fund. Smith stated if you want to look at IDDA membership right now, Smith does not have a general drainage fund to take the membership dues out of, and that is what this assessment would create for the Trustees.

Hoffman stated from the discussion we have had today we have taken this farther than we have in the last 4-1/2 years, which Hoffman thinks is great. Hoffman stated looking at IDDA membership, we will estimate at \$7,000 just because we can, Hoffman asked for Smith's salary, Smith stated she thought it was near \$38,000 but would have to check and did not know what her benefits entailed into that, Smith stated she started at \$33,000 and had a small raise so she would have to look. Granzow stated that might be looking at all of \$60,000-\$75,000 with FICA and IPERS, Hoffman stated if we looked at \$82,000 as an estimate with membership, if we looked at the smallest assessment, McClellan

stated that would be sufficient to cover salary and membership. Hoffman stated it would not cover a whole lot of legal. Smith asked if you split the 153 districts into thirds for assessment, would that \$93,000 be where you want to be, is you split the districts in third, that would split the \$93,000 into three years. Hoffman stated if you want to cover 80% of the Clerk's wages, Granzow stated you would need to look at the almost \$300,000 generated at \$2,000 assessment and split that over three years. McClellan stated if we did the minimum assessment it would split the \$93,000 over three years, which would be just over \$30,000 each year, so you would assess each group only every three years. Gallentine stated he knows DD 26 Lat 4 has a positive balance; Smith stated they do.

Hoffman stated for us to cover Clerk's salary, wages, benefits and IDDA membership every year, we would need to bring in at least \$65,000 per year. Granzow asked would we look at the middle assessment \$1,000. Hoffman stated barely, if you divide, Smith stated you could do something in between the two and look at assessing \$1,500 per district. Hoffman stated that would just be a basic spreadsheet assessment, but that \$65,000 would cover an IDDA membership at \$7,000 and a salary and benefit package at \$75,000, Granzow stated 80% of that, Hoffman stated yes 80% of that is roughly \$65,000 per year. Hoffman stated this is a good baseline we have developed today. Granzow stated we can bring it back next week and see what figures she has that has already been assessed, Smith stated she could do that. Granzow asked if we are joining the IDDA, Hoffman stated we are waiting for John Torbert to tell us what our final numbers are. Granzow asked if we could agenda that next week. Hoffman stated he has no problem with that and asked if the Trustees wanted any of the private Trustees to say include our acres. Granzow and McClellan stated yes, Hoffman asked if the Trustees want to send a letter out to the private Trustees and see if they want to join. Granzow stated we can give them one of two options, one join it or two we are going to charge you, Hoffman stated or you have no representation, Granzow stated we have to provide the Clerk that is Code of Iowa, but we can bill them for providing her, so every time they use her, they get the bill.

Smith asked the letter to the Private Trustees will include information on IDDA Membership, Hoffman stated and options for joining, and mass assessments for salary benefits, legal, publications, Hoffman stated if Smith wanted to draw this up with a draft, she can agenda this next week. Smith will do that. Granzow stated he is ok pushing this off a year because we have made progress, Hoffman stated just getting them notice and getting them on board is the key. McClellan stated the first round of assessments will be difficult, once you get it set up it will be easier.

14. Other Business

Gallentine updated that we only have contractors working on two work orders out there, Seward is working on one, and the other is surface drains so it will have to wait till spring.

15. Adjourn Meeting

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