

**Joint Board of Supervisors Drainage Minutes
JDD 4-118 Continuance of Appraiser's Report
Of
December 6, 2021**

Present at Franklin County: Supervisors Mike Nolte, Gary McVicker, Chris Vanness, Drainage Attorney Art Cady, Drainage Engineer Lee Gallentine, Auditor Katy Flint, Drainage Clerk Colette Bruns, Attorney Eldon McAfee (Zoom). Interested parties in attendance: Roy Arends, Scott Borcharding, Mark Hensel, Grant Pals, Donald Latham, Dennis Vanness, Bob Parks.

Present at Wright County (Zoom): Supervisors Dean Kluss, Rick Rasmussen, Karl Helgevold, Auditor Betty Ellis, Amanda Meyer, Drainage Clerk Courtney Morris, Drainage Attorney David Johnson. Interested parties in attendance: Travis Fischer, Deborah Ryerson & Gary Barkland.

Motioned by Franklin County Supervisor Gary McVicker, seconded by Wright County Supervisor Karl Helgevold to open and continue the public hearing from October 4, 2021.

The joint boards met to continue the public hearing for Joint Drainage District 4-118 from October 4, 2021 at the request of Attorney Eldon McAfee representing Scott Borcharding.

Drainage Engineer Lee Gallentine gave a brief summary of the conclusion of the Appraisers' Report.

Attorney Eldon McAfee, counsel for Scott Borcharding, stated their Appraiser Report is not complete and would like to continue the public hearing again.

The joint boards discussed whether to continue the hearing for January 24, 2022 and Attorney Eldon McAfee agreed. Discussion was had on what to pay Donald Latham. When hearing is continued, no mailings will be sent out, both Boards agreed.

Motioned by Wright County Supervisor Dean Kluss, seconded by Franklin County Supervisor Gary McVicker to pay Donald Latham \$31,946.66 plus interest since January 1, 2020 and to set the continuance hearing for January 24, 2022 at 1:00 p.m. at the Franklin County Law Enforcement Center. Franklin County had 2 ayes and 1 nay, Wright County all ayes, motion carried.

Motioned by Wright County Supervisor Karl Helgevold, seconded by Chris Vanness to close the public hearing. All ayes, motion carried.

Michael Nolte, Chairman

ATTEST: _____
Colette Bruns, Drainage Clerk

**Board of Supervisors Drainage Minutes
Drainage District 30 Lateral 73 & 73A
Of
December 6, 2021**

Present at Franklin County: Supervisors Mike Nolte, Gary McVicker, Chris Vanness, Drainage Attorney Art Cady, Drainage Engineer Lee Gallentine, Auditor Katy Flint, Drainage Clerk Colette Bruns. Interested parties in attendance: Latimer Mayor Mark Johansen, Merrill Meese, Mitch Vanness, Tracy Spear, Gordon Passehl, Joyce Grummer, Roger Grummer, Scott Heilskov, Karen Zander, Bonnie Clark, Jess Miller.

Motioned by Gary McVicker, seconded by Chris Vanness to open the public hearing.

The board met to discuss the petition issued by the Latimer City Council to abandon Lateral 73 and 73A of Drainage District 30.

Lee Gallentine gave a summary on the history and issues on Drainage District 30 Lateral 73 and 73A. Issues with tiles being plugged with roots or deterioration on Lateral 73 and 73A repairs did not move forward in the past because of cost. Mayor of Latimer Mark Johansen stated if the Boards of Supervisors acting as the Board of Trustees abandoned these two laterals, the city of Latimer would address any tile issues in the future and it is the intentions of the city council to maintain the tile long term and keep it affordable.

Public comments were concerns if there were tile issues, would the homeowners be responsible for the cost.

Motioned by Vanness, seconded by McVicker to close the public hearing. All ayes, motion carried.

Motioned by McVicker, seconded by Vanness per the recommendation of the drainage attorney and engineer to act on the city of Latimer's petition to abandon Lateral 73 and 73A of Drainage District 30. All ayes, motion carried.

Michael Nolte, Chairman

ATTEST: _____
Colette Bruns, Drainage Clerk

**Board of Supervisors Drainage Minutes
Drainage District 48 Continuance of Appraiser's Report
Of
December 6, 2021**

Present at Franklin County: Supervisors Mike Nolte, Gary McVicker, Chris Vanness, Drainage Attorney Art Cady, Drainage Engineer Lee Gallentine, Auditor Katy Flint, Drainage Clerk Colette Bruns. Interested parties were in attendance: Delores Blackford, Attorney Robert Goodwin, Dean Lemke, Peggy Lemke, Trish Hanson.

Motion by Vanness, seconded by McVicker to open the public hearing.

The board met to continue the public hearing for Drainage District 48 from October 4, 2021 at the request of Goodwin Law Office, P.C. on behalf of his clients

- Patricia F. Hanson, Patricia Hanson, and Ten-K Farms
- Matthew Abbas, Marabelle Abbas Life Estate, Marabelle Abbas Revocable Trust, and Harlan Duane Abbas Revocable Trust
- Bruce D Reid and Lynette Meyer
- Dean W & Peggy G Lemke Joint Revocable Trust, Dean W Lemke and Peggy G Lemke, Trustees
- Harlan Lawrence Lemke Revocable Living Trust, Harlan Lawrence Lemke, Co-Trustee and Francine Emily Lemke, Co-Trustee
- Francine Emily Lemke Revocable Living Trust, Francine Emily Lemke, Co-Trustee and Harlan Lawrence Lemke, Co-Trustee
- Delores J Blackford, Trustee of the Delores J Blackford Revocable Trust

Attorney Goodwin's clients engaged Ted Frandson with Frandson & Associates, Des Moines, IA to make appraisals of damages in response to the Appraisers' Report DD 48 provided by Clapsaddle-Garber Associates. Their appraiser will not have a report completed until February of 2022, Attorney Goodwin's clients would like to continue the hearing at a later date.

Attorney Goodwin brought up another engineering matter. The Lemke/Hackbarth & Blackford crossings with 48 inch culverts have been in existence for 60 years. The Lemke/Hackbarth crossing was washed out in 2018 during the upstream construction of the new open ditch, and the Blackford bridge received significant erosion damage. Goodwin states the culverts are too small and the construction changed the hydrology of DD 48, which increases the flow of water after significant rainfall. They would like the Boards to consider awarding damages in the amount of the cost for constructing two new crossings with 10 feet culverts. Gallentine wanted it to be known that this differs from the previous damage claim.

Lemke said he thought the previous contractor, Rognes, had a change order for this, Gallentine stated there was no change order for this.

Motioned by McVicker, seconded by Vanness, to close the public hearing. All ayes, motion carried.

Motioned by Vanness, seconded by McVicker, to continue the public hearing February 7, 2022 at 10:00 a.m. at the Franklin County Law Enforcement Center. All ayes, motion carried.

It was agreed by the Board and Attorney Goodwin that no notices are necessary to be mailed out for the continuance of DD 48 public hearing.

Michael Nolte, Chairman

ATTEST: _____
Colette Bruns, Drainage Clerk