

**Board of Supervisors Drainage Minutes  
Of  
February 20, 2024  
Public Hearing Subdistrict No. 1 Drainage District No. 9**

**Present: Supervisors Chris Vanness, Gary McVicker, Richard Lukensmeyer, Auditor Katy Flint, Drainage Lead Colette Bruns, Drainage Engineer Lee Gallentine, County Engineer Jay Waddingham, Landowners:** Roberta Knoll, Kevin Brannick, Gared Stockwell, Brian Flack, Kurt Kelley, Pauline Kelley, Russell Swieter, Jon illegible last name, Jodi Hesnard, Kristie Vanderpool, Allen Vanderpool, Nathan Meyer, Tim Hansen, one name illegible.

**Sub 1-9 Engineer’s Report Public Hearing**

Lee Gallentine presented Subdistrict No. 1 Drainage District No. 9 Revised Engineer’s Report, summarizing the history of repairs and presented the opinions of probable construction costs associated with said repairs. CGA recommends three repair methods: Spot Tile Replacement, Full Tile Replacement, & Rerouted Tile Replacement. CGA’s opinion of probable costs summary are as follows:

**OPINION OF PROBABLE COSTS** – Using the above methods of repair, an itemized list of project quantities and associated opinion of probable construction costs for each option was compiled and are included in Appendix D of this report along with a map showing the location of each distributed cost. A summary of said costs are as follows:

<b><u>METHOD</u></b>	<b><u>DISTRICT COSTS</u></b>	<b><u>ROADWAY CROSSING COST</u></b>	<b><u>RAILROAD RIGHT OF WAY COST</u></b>	<b><u>RAILROAD SPUR CROSSING COST</u></b>	<b><u>TOTAL COST</u></b>
<b>Spot Repair</b>	\$97,807.50	\$110,328.13	\$301,875.00	\$157,406.25	\$667,416.88
<b>Full Tile Replacement</b>	\$192,567.50	\$110,328.13	\$301,875.00	\$157,406.25	\$762,176.88
<b>Rerouted Tile Replacement</b>	\$248,845.63	\$170,703.13	\$176,381.25	\$80,356.25	\$676,286.25

Costs do not include any interest, legal fees, county administrative fees, crop damages, other damages, previous repairs, engineering fees to date, or reclassification fees (if applicable).

As a reminder, Gallentine stated all landowners would need to contract NRCS office to verify the existence of said jurisdictional wetlands and what said impact may be on them.

There were no objections filed.

Landowner questions and comments and responses from Gallentine are as follows:

Why not remove the tile instead of using elbow repairs, long term will have more repairs and also to re-route the tile to avoid the RR? When CGA televised under the RR they found 4 private tiles were connected to the main tile and were not sure of the purpose of the private tiles that were connected but these landowners should be annexed into the district or disconnect the tiles. According to the Iowa Code, RR ROW is to be paid for by the RR, but another county is going through the same issues & the RR said they do not interrupt the code that way.

What is the detailed cost of the engineering and assessments? Cannot define because project has not started and bids have not been received but has based the listed costs on previous projects done in the past.

What changed from 2017 to now in the report, why was project put on hold? Iowa code changed on how cost are allocated. RR spur crossing is owned by a coop so the code states if RR company would own it then the RR would pay the cost. The drainage attorney determined that the cost will be allocated to the landowners for that RR spur. CGA has also updated the costs of the projects since costs have risen since 2017.

Why can’t the county engineer do the repair? Waddingham stated the cost is over the threshold of \$120,000, per the code of Iowa this would need to have a bid on the project and would have to hire outside contractors. McVicker stated the area is owned by drainage district and the Board of Supervisors acts as the Board of Trustees and oversees the district. The Board explained the transferring of the

management of the drainage district to switch to the landowners if they wish. Gallentine also discussed abandoning the district but then landowners would need to rely on each other for tile issues. Who determined the landowners in the drainage district? All land benefited was classified in the early 1900's. Landowners would like those who have private tile connected to be annexed into the district since landowners outside the district are not to connect to the main tile and are not paying for the assessments. CGA would need to do an annexation report and present it to the Board to discuss. A reclassification would need to be done if the third option were to go forward, the re-routed tile replacement. Lukensmeyer questioned if going forward with any of the projects would the drainage district have the right to disconnect the private tile? Yes  
Most of the landowners would like to repair future issues as they have been doing but would like to annex the landowners into the district. Gallentine will prepare an annexation report and present it to the Board when complete.  
Motion by McVicker, seconded by Lukensmeyer to close the public hearing. All ayes, motion carried. No action was taken concerning the options in the revised report.

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Chris Vanness, Chairman

ATTEST: \_\_\_\_\_  
Colette Bruns, Drainage Lead

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**Alliant Energy Whispering Willow Crane Work 5 Turbines**

Cody Hemann submitted the following Drainage District Utility Permits for crane work and no tiles or open ditches will be crossed:

Motion by Vanness, seconded by McVicker to approve the utility permit T453 - JDD 85-228 and Alliant Energy will pay \$150.00 for the application fee that is non-refundable. All ayes, motion carried.

Motion by McVicker, seconded by Lukensmeyer to approve the utility permit T433, T412, T458 - DD 30 Main and Alliant Energy will pay \$150.00 for the application fee that is non-refundable. All ayes, motion carried.

Motion by Lukensmeyer, seconded by Vanness to approve the utility permit T480 - DD 10 Main and Alliant Energy will pay \$150.00 for the application fee that is non-refundable. All ayes, motion carried.

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Chris Vanness, Chairman

ATTEST: \_\_\_\_\_  
Colette Bruns, Drainage Lead