

IN THE MATTER DRAINAGE DISTRICT No. 2
WORTH COUNTY, IOWA

MINUTES

The Board of Supervisors of Worth County, Iowa, acting for and on behalf of Drainage District No. 2, Worth County, Iowa met at the Worth County courthouse at 9:30 A.M. CST, January 23, 2023.

Members present: Enos Loberg, Chairperson
A.J. Stone, Vice-Chairperson
Mark Smeby, Supervisor

Also present: Jacki Backhaus, Auditor
Valerie Paulson, Clerk
Sam Warren, IT
Jim Hanson, Worth County Conservation
Jim Hudson, Attorney (via telephone)
David Siegrist, Attorney (via Zoom)
Bolton & Menk: Jacob Hagen, Tyler Buman,
Colton Cunningham
Landowners: Carol J Abbey, Julie Hagen
Robb, Gloria Hagen, Susan Renee Bergo,
Carol Liljedahl, Chad Johnson, Glen
Mueller, Helen Mueller, Randal Sime,
John Tenold, Russ Tenold, Renate Tenold,
Keith Harmon, Gordon Hagen, Larry M
Johnson, David Hengesteg, Richard Brum,
Chris Low, Hunter Kingland, Doug
Kingland, Brian Nelson, and Mike Gaskill

Continued Public Hearing for the amended report for proposed repairs to DD #2 at 9:30 A.M.

Colton Cunningham with Bolton & Menk, Inc., presented the amended report for repairs. To do the entire project, as proposed in the original report, it was an estimated \$1.5 million, \$140/acre. To split the project it would be an estimated \$1.1 million, \$100/acre, for excavation and tree removal. Pipework could then be addressed in 10 years. Calculating a 2% inflation would result in about \$595,000 or a 6% inflation would result in about \$765,000.

Public comment and questions were answered in regards to the current pipes. Bolton & Menk said there are several pipes that are rusted or crushed and need repaired or replaced. It was asked if there are pictures to prove this. Bolton & Menk advised they do have pictures.

Public questions asking what triggered and started all of this and what the process is, drainage codes, and the difference between petitions with 2 signatures versus petitions with 100 signatures? Attorney Jim Hudson was called and placed on speaker phone to address these issues. Hudson explained the difference between the difference codes and their meanings. He also explained that a written petition, the word or comment from any landowner in the district to a supervisor, or the supervisors themselves can at any time can bring up repairs that are needed. This prompts the supervisors to contact an engineer and have them investigate the district. The engineer will then submit a written report which will then prompt a public hearing. Public question asking if this was only repairs and if there were any improvements. Jacob Hagen explained the report is for repairs only to bring the drainage back to its original design.

Public question about spraying and asked if the drainage district can be placed on a regular maintenance schedule. AJ

Stone stated that the district is already on a schedule with B&W Control Specialists and gets sprayed every 3 years.

Public question about talking to the state representative and looking into getting the drainage laws changed. Attorney Hudson said the drainage law has worked since 1905 and he doesn't foresee them changing it anytime soon.

With the consensus of landowners present at the hearing it was decided they agree with the trees needing to be removed. Bolton & Menk estimates tree removal to be about \$85,000 plus additional costs. Public question about fencing along the pastures and who would be responsible for costs of that. Loberg said that will be the responsibility of the landowner to remove before work is done and their responsibility to put it back.

Public question about notification to landowners and getting reports before meetings. Drainage Clerk Val Paulson advised that letters are mailed to all deed holder's and tax payer's addresses listed on file, it is published in the local newspaper, and the reports are posted on the Worth County website. Full reports are too large to mail to everyone. The letters mailed out state that the reports are available in the Auditor's office and online. It was asked if the website link can be placed in future letters. Paulson advised she can do this going forward.


Public question about the original petition about the structure in Upper Lateral H. Jacob Hagen said that the removal of the structure would be an improvement. If this structure was removed they would need to clean the upper stream to match the lower stream. This would be a separate meeting for improvements and it would have its own assessment for Upper Lateral H. The bridge would need to be lowered and that cost would be the responsibility of the DOT. The landowners would be responsible for the cost of cleaning upstream and the engineering reports. If there is enough interest in this we can schedule a meeting later for improvements.

AJ Stone recommended that we proceed with the removal of trees and fix any pipes that get wrecked in the process. We can reevaluate again in 3-5 years with moving forward with the rest of the repairs given the report is good for 10 years. Public question was made about the large trees and the stumps. Bolton & Menk advised some stumps will be pulled, some will be burned and buried, and some will be ground down. These will all be in the proposal for bids.


Motion by Mark Smeby, second by A.J Stone, carried to allow Bolton & Menk to move forward with tree removal plus incidentals and rusty pipes.

Motion by A.J. Stone, second by Mark Smeby, carried to allow Bolton & Menk to acquire bids.

Motion by Mark Smeby, second by A.J. Stone, carried to close the public hearing.


Enos Loberg
Chairperson

ATTEST:


Valerie Paulson
Drainage Clerk