

IN THE MATTER DRAINAGE DISTRICT No. 14
WORTH COUNTY, IOWA

MINUTES

The Board of Supervisors of Worth County, Iowa, acting for and on behalf of Drainage District No. 14, Worth County, Iowa met at the Worth County courthouse at 9:30 A.M. CST, December 11, 2023.

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

Also present: Jacki Backhaus, Auditor
Valerie Paulson, Clerk
Bolton & Menk: Jacob Hagen & Colton Cunningham
Landowners: Randi Johnson, Millard Anderson, Darin
Dahlby, Roger Dahlby, Connie (Seater) & Paul Hogan,
Chelsea Duvall
Via Zoom: Mike & Angie Wilkins, Dennis & Barb
Walser, Ronald & Debra Reuvers, Larry

Public Hearing for the proposed improvements DD No. 14 at 9:30 A.M.

Bolton & Menk engineers explained that written objections need to be submitted in writing before the end of the hearing. Remonstrance has not yet been met.

Today's hearing is about improvements only, reclassification and annexation will be at a later hearing.

Jacob reviewed information from the previous hearing for new landowners in the hearing.

The Lower Main is proposed 3,126 feet of 36" tile with costs of \$299,000, @254/acre. The landowners in the room were asked who would be in favor and who is opposed to this improvement. Johnson was in favor. DuVall and Wilkins were opposed. Objection letters were read. Bolton & Menk submitted Amendment No. 1 to the Engineer's Report which addressed the concerns that Wilkins expressed in the previous hearing.

Discussion about the 1976 tile running West to the river. Proposed to run new tile parallel to the existing 1976 tile. Drainage districts do not need to follow the natural course of water if it is more economical and practical to run a different route per Iowa code 468.4. The cost to reroute to the South will cost double.

Wilkins is against the tile going West onto his property. He stated that if we do not follow the natural course of water and tile to the South, he will be taking legal action.

DuVall is not in favor of the improvements. She lives South of town on a hill and owns 13.5 acres next to the railroad tracks. She has a pond and believes the quarry is at fault for her pond being low. She owns no farmland and has no problems with drainage. It was discussed that her assessment schedule can be looked at more closely when we have reclassification hearing at a later date.

The Upper Main is proposed 5,240 feet of 24" tile with costs of \$318,000, \$681/acre. The landowners in the room were asked who would be in favor and who is opposed to this improvement. Johnson was in favor up to his property line. Jacob will figure out costs of breaking down the Upper Main.

Lateral 4 is proposed 3,354 feet of 18" tile with costs of \$163,000, \$663/acre. It was discussed this could be put out for bids and if the numbers come back favorable we could move forward with construction or wait if the numbers are too high.


Lateral 5 is proposed 1,600 feet of 24" and 1,009 feet of 18" with costs of \$146,000, \$579/acre.

Lateral 8 is proposed 2,025 feet of 18" with costs of \$102,000, \$603/acre. This lateral has met remonstrance and will not proceed with the proposed improvement.

Discussion about the Lower Main again. There are landowners in favor of the improvements but are hesitant if Wilkins is threatening litigation. Jacob explained that it would still be cheaper to proceed with the improvements and litigation costs than it would be to route the tile to the South under 450th Street. Wilkins asked what can be done for his past years of crop damages. He has lost 40 acres a year for the last 20 years. He was advised he could ask for new tile to prevent future crop damages. Wilkins said that 36" tile will not be big enough. Wilkins suggested an open ditch running straight South alongside the railroad tracks. Jacob explained that the DNR does not allow drainage water to be dumped into ground water which is the quarry.


It was decided that legal counsel needs to be contacted and the meeting should be continued.

Motion at 10:51 A.M. by A.J Stone, second by Mark Smeby, carried to continue the public hearing for 1 week. Continued public hearing will be set for Monday, December 18th at 10:00 A.M.



Enos Loberg
Chairperson

ATTEST:



Valerie Paulson
Drainage Clerk