

DRAINAGE MEETING
DISTRICTS WARREN #11, HAMILTON-STORY #3, HOWARD #46
APRIL 20, 2021

The Story County Drainage District Trustees met in the Public Meeting Room of the Story County Administration Building to consider an open ditch repair in Drainage District Warren #11, a levy against Joint Drainage District Hamilton-Story #3, Hamilton County controlling, and a bid letting for an improvement project in Drainage District Howard #46. Members present were Lisa Heddens, chair, Latifah Faisal, and Linda Murken. Also present were County Engineer Darren Moon, Vegetation Management Biologist Joe Kooiker, Vegetation Management Specialist Tyler Kelley, County Outreach and Special Projects Manager Leanne Harter, Drainage Clerk Scott Wall, and engineers Kent Rode and Tyler Conley from Bolton & Menk, Inc.

Heddens called the meeting to order at 8:30 a.m. and stated the meeting was being held virtually via Zoom per Iowa Code Section 21.8.1 due to the ongoing COVID-19 pandemic.

Faisal moved, seconded by Murken, to approve the agenda for this meeting. Motion carried unanimously (MCU).

Wall said Drainage District Warren #11 had a Preliminary Engineer's Report done in August 2010 which recommended a complete cleanout and repair of the 8.5 miles of open ditch at an estimated cost of \$794,750. Following two or three very contentious meetings with landowners the trustees shelved the project and nothing was done. In the intervening 11 years the Engineer's Office and Story County IRVM have had several requests from landowners in the district to address problems in the open ditch. The 2020 derecho has compounded the problem by toppling trees into the ditch.

Moon said the public hearings in 2010 were some of the most contentious he's been involved with. There was a roughly 50/50 split between landowners who wanted something done and landowners who didn't although everyone acknowledged that there were problems. At the time the landowners in the north half of the district were in favor of the project while the landowners in the south half were opposed to the point that one landowner threatened to shoot anyone who stepped on their property. One of the issues raised was a bridge over the ditch on County Road E-18 which was seen as being too narrow to allow sufficient flow of water during heavy rainfalls. The bridge is being replaced with a longer one this year.

Kooiker said he'd read the minutes from the last meeting in 2010 and mentioned that it ended with a comment by Supervisor Sanders that the trustees would not pursue the ditch repair but that was just kicking the can down the road. Now the derecho has added to the issues in what is already a very impaired district. He and Kelley have been working with the Tjelmeland family for two years. They cleaned about a half-mile stretch of the open ditch north of E-18 and contracted out for the removal of 5 or 6 beaver dams two weeks ago. The Tjelmelands are not satisfied with the work that has been done as they were expecting more clean-up but the dams were the only thing in the contract. The north half of the open ditch is the most overgrown but there are problems in the south half as well.

Kelley has worked with landowners in Warren #11 for 5 years. Right now they are using band aide solutions to keep the water flowing as well as possible. He thinks the landowners in the north and south parts of the district will be supportive of a cleanout but the landowners in the central part of the district will probably not be supportive. He has asked Wayne Tjelmeland to talk to his neighbors and try to drum up some support before any public meeting is held.

Kooiker said they had gotten a phone call from one landowner in the middle of the district asking that work be done in the central part of Warren #11. He and Tyler have encouraged people to send a petition to the trustees.

Murken asked when the last meeting on Warren #11 took place.

Wall didn't have the date (*March 29, 2011*) but it would have been after the August 2010 report.

Murken asked if there was a petition for repairs.

Wall said no, just multiple verbal requests. It would be ideal to have a petition but the Code requires that the trustees maintain the district to its original capacity. The Code does not require a petition for repairs. The 2010 report states the district was impaired then and we know it has gotten worse.

Moon said that the lack of a petition was an issue in 2010 and the trustees had been adamant with the landowners that they could not do a series of small projects. Any project would have to consider Warren #11 in its entirety. There was enough dissension for the trustees to decline to move forward at that time, knowing that this was an issue that was not going away.

Murken said people are going to have to understand that something needs to be done and it will not make everybody happy. The best way to have that conversation is in a public meeting.

Heddens asked if she understood correctly that IRVM has been doing some work in Warren #11.

Kelley said they have cleaned out a full mile of the central part of the open ditch in-house.

Murken asked how the trustees should approach a public hearing with the landowners. Isn't the 2010 report no longer valid?

Wall said the Code states that Engineer's Reports are valid for a period of 10 years. That doesn't mean we can't use the 2010 report as a basis for starting the conversation. Because of the history of this district he feels it would be beneficial to talk with the landowners before any more money is spent so they understand this will not have an inexpensive solution.

Murken asked if there had been much turnover in ownership since 2010.

Kooiker said he did not believe so and the owners who had raised the most opposition are still there. When IRVM received quotes for the beaver dam removal one of the contractors said they could remove the trees in the northern section for about \$40,000. That is when we started talking about the condition of Warren #11 and decided we couldn't just clean one part of the district and leave the rest.

Wall said the Code does not allow a large project to be broken down into smaller pieces to get around the requirement for an engineer's report. In the long run a series of small projects will likely cost the landowners more because every time you bring in a contractor there are mobilization costs and those don't change much regardless of the size of the project. Also, doing multiple projects leaves some areas of the district impaired while other areas are repaired. How do we decide who gets helped first?

Murken asked how many landowners are in Warren #11.

Wall didn't know but the 2010 report said there were 288 tax parcels at that time. The entire district is rural so there are probably 100-120 landowners (*there are currently 295 tax parcels and 85 landowners*).

Murken moved, seconded by Faisal, to direct the drainage clerk to schedule an evening public meeting to discuss the condition of Drainage District Warren #11 with the district landowners to gather input on what they would like to see done. MCU.

Wall said the proposed levy against Hamilton-Story #3 was needed because the cost of a recent repair had exceeded the available funds (see attached levy sheets). Hamilton County is the controlling county for this district and they approved the levy at an April 5, 2021 meeting. Their trustees are requesting that Story County approve the proposed levy separately. This is not unusual for levies necessitated by normal district maintenance and Wall recommends that the trustees approve the proposed levy.

Faisal moved, seconded by Murken, to levy Joint Drainage District Hamilton-Story #3 as recommended by the drainage clerk and Hamilton County, said levy to be dated April 20, 2021 and to be mailed in July 2021 with assessments due and payable on or before September 30, 2021. MCU.

Rode submitted the Design Plans and Specifications (on file in the Auditor's Office) for the Drainage District Howard #46 Main Tile A improvement project by email on April 16 and mailed hard copies which were received by the Auditor on April 19. He went through a Project Summary (attached) noting that the first line of that summary should be removed as the project only consists of one division, not five. Notice of the bidding must be published in a local paper on two consecutive weeks prior to the bid opening and information on the project will also be distributed by Bolton & Menk via Quest CDN, a website used by contractors to keep track of upcoming projects. Bolton & Menk also emails notice to a list of contractors they maintain. Rode asked that the trustees accept the Plans and Specifications and approve a 10:00 a.m. bid opening on May 13, 2021 and a 9:00 a.m. bid consideration on May 18, 2021 as recommended in the Project Summary. Rode asked if warrants would be used to pay for the project, if Story County was still using an interest rate of 6%, and he recommended that landowners be allowed to spread payments over a period of ten years.

Wall responded that we will use warrants, 6% is still the current interest rate, and the period over which landowners can pay their assessments will not be set until the district is levied.

Murken asked Rode to confirm that the documents submitted today include only what was in the trustees' motion on January 19, 2021.

Rode said that was the case.

Wall said the motion in January included the potential annexation of three or four parcels served by Main Tile A, including Harold Hovick's property through which the tile passes, and a reclassification of Howard #46 but that those steps do not come until the work is in progress or has been completed.

Murken moved, seconded by Faisal, to accept the Design Plans and Specifications for Drainage District Howard #46. MCU.

Faisal moved, seconded by Murken, to accept the engineer's recommendation to open bids at 10:00 a.m. on May 13, 2021 and consider awarding the contract at 9:00 a.m. on May 18, 2021. MCU.

Wall pointed out that the bid opening is nothing the trustees need to attend although they are welcome to be there. The bids will be opened and read then turned over to Bolton & Menk who will check them for accuracy and completeness, prepare a bid tabulation sheet, and make a recommendation to the trustees for awarding the contract on May 18.

Murken moved, seconded by Faisal, to adjourn. MCU. Meeting adjourned at 9:01 a.m.

Respectfully submitted,

A handwritten signature in purple ink that reads "Scott T. Wall". The signature is written in a cursive style with a large, stylized initial "S".

Scott T. Wall

HAMILTON-STORY DRAINAGE DISTRICT LEVY WORKSHEET

April 20, 2021

<u>DRAINAGE DISTRICT</u>	<u>CURRENT BALANCE</u>	<u>EXPECTED BILLINGS</u>	<u>NEW BALANCE</u>	<u>ORIGINAL ASSESSMENT</u>	<u>PARCELS</u>	<u>% ASSESSMENT</u>	<u>AMOUNT LEVIED</u>	<u>CARRY FORWARD</u>
1 <u>HAM #159-STORY #3</u> Last levied on 07/03/2017 at 44%. Current levy is being recommended by Hamilton County.	(565.00)	(269.65)	(834.65)	52,910.00	11	8.5	4,497.35	3,662.70
Levy breakdown by county (Hamilton is control county)								
Story County				1,604.80			136.41	
Hamilton County				51,305.20			4,360.94	
TOTALS					11		4,497.35	

Parcels are for Story County only.



Real People. Real Solutions.

FILED

2021 APR 19 PM 2:09

STORY COUNTY AUDITOR

1609 US Hwy 18 East
Algona, IA 50511

Ph: (515) 395-3140
Bolton-Menk.com

PROJECT SUMMARY

MAIN TILE A IMPROVEMENT
DRAINAGE DISTRICT NO. 46 HOWARD
STORY COUNTY, IOWA
BMI PROJECT NO. P13.121546

- 1. Project Description: ~~This project consists of five separate construction divisions.~~

This project consists of approximately 1,230 linear feet of 30" diameter RCP tile, connections of both existing private tile and district facilities to the new tile, tree removal and all other miscellaneous items related thereto.
- 2. Notice to Bidders: Notice to Bidders will be published once a week for two consecutive weeks prior to bid opening. Will be distributed via QuestCDN and emailed to prospective contractors upon approval of plans and specifications by the Board of Supervisors acting as District Trustees.
- 3. Bid Opening: Preliminarily set for Thursday, May 13th, 2021 at 10:00 a.m.
Public Meeting Room of the Drainage District Trustees
900 6th Street,
Nevada, Iowa 50201

Bid Consideration: Preliminarily set for Tuesday, May 18th, 2021 at 9:00 a.m.
- 4. Project Estimate: Engineer's Opinion of Probable Construction Cost:

Main Tile A Improvement – \$100,000.00
- 5. Bid Security: 5% of Bid
- 6. Sales Tax: Sales Tax Exemption Certificates will be provided by the County Auditor
- 7. Completion Date: Work on the improvement shall commence upon receipt of signed contracts and as stated in the Notice to Proceed. Work must be substantially completed before December 1, 2021.
- 8. Liquidated Damages: \$500.00/Day
- 9. Landowner Notice: Letters will be sent to the owners where the work will be done informing them who will be doing the work and who to contact. The

owners will be advised that work limit stakes will be marked along the full project site. They will be informed about the contract completion hearing and that damages measurements will be done by the engineer for use in this hearing. They will be asked to inform their tenants of the work plans.

10. Contract Submittal Requirements:

Performance Bond - one year from completion of project
Insurance requirements per SUDAS Specifications

11. Project Warrants: Will Warrants Be Used? _____

12. Installments: Anticipated Number of Installment Payments? _____
(10 Installments Suggested)

13. Interest: Interest Rate on Stamped Warrants? _____

BOLTON & MENK, INC.
Kent L. Rode P.E.
Senior Project Engineer

**Engineer's Opinion of Probable Cost
Proposed Drainage Tile Improvement
Drainage District No. 46, Howard
Story County, Iowa
2020**

Main Tile A					
<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
	Lateral Tile Connections, 10" or Smaller	EA	6	\$300	\$1,800
	Lateral Tile Connections, 12" or Larger	EA	1	\$600	\$600
	30" Dia. R.C.P. Elbow Section, Fabrication Only	EA	4	\$700	\$2,800
	30" to 24" RCP Pipe Reducer, Fabrication Only	EA	1	\$700	\$700
	Geotextile Fabric	SY	15	\$5	\$75
	Exploratory Excavation	HR	16	\$300	\$4,800
	Clearing & Grubbing	LS	1	\$7,500	\$7,500
	Trench Foundation Stone	TN	90	\$35	\$3,150
	Drain Tile, Trenched, 2000D R.C.P., 30" Dia.	LF	1,230	\$55	\$67,650
	Crush Pipe in Place, Existing Tile	LF	1,220	\$5	\$6,100
	Riprap, IDOT Class E	TN	10	\$60	\$600
	Fence Cuts	EA	2	\$200	\$400
	Mobilization	LS	1	\$5,625	\$5,625
Total Estimated Construction Cost					\$100,000