

JOINT DRAINAGE MINUTES
DISTRICT BOONE #28-STORY #1
SEPTEMBER 8, 2021

The Drainage District Trustees of Boone and Story Counties met in the boardroom of the Boone County Courthouse in Boone, IA to consider the completion of an open ditch repair (attached documents) in Joint Drainage District Boone #28-Story #1, Boone County controlling. Members present were Stephen Duffy, chair, Erich Kretzinger, and Bill Zinnel of Boone County and Lisa Heddens, Latifah Faisal, and Linda Murken of Story County. Also present were Boone and Story County Drainage Clerks Kaitlynn Moran and Scott Wall and engineers Kent Rode and Jacob Hagen of Bolton and Menk, Inc.

Duffy called the meeting to order at 10:00 a.m.

Rode said Hagen had overseen the construction progress. Work on the open ditch has been substantially completed. There were three change orders over the course of the project which had a net effect of reducing the project cost by \$4,344.50. He spoke to landowner Steve Kaltenhueser on the telephone this morning and Steve seemed satisfied with the work on his property. Rode recommended that the trustees accept the Engineer's Statement of Project Completion.

Moran and Wall had not heard of any landowner concerns with the project.

Zinnel moved, seconded by Heddens, to accept the Engineer's Statement of Final Completion of the completed Boone #28-Story #1 repair project. Motion carried unanimously (MCU).

Rode talked about the crop damages during construction. Corn, hay, and grass lands were impacted. The area of the impacted lands was determined by GPS. If there have been no complaints about the amount of damages he recommends approval to pay them.

Moran had not heard from anyone concerning damages.

Wall had spoken by telephone with Homer Vilmont who is getting the largest payment for damages. Vilmont was curious about how the damages were determined and when they would be paid and seemed satisfied by the end of the phone call.

Murken moved, seconded by Zinnel, to approve payment of crop damages totaling \$6,610.00 as recommended by the engineer. MCU.

Rode said change order #3 to rectify quantities of materials estimated with the quantity actually used needed to be approved by the trustees. This change order represented an increase of \$750.00 to the project.

Faisal moved, seconded by Zinnel, to accept Change Order #3. MCU.

Rode said Pay Request #5, for \$15,776.55, is the 10% of the project cost that was retained until the project was completed. It should be paid 30 days from today, giving landowners time to bring any problems to the trustees' attention.

Zinnel moved, seconded by Murken, to approve the final payment for the Boone #28-Story #1 ditch repair to the contractor, said payment to be made 30 days from today. MCU.

Heddens moved, seconded by Zinnel, to adjourn. MCU. Meeting adjourned at 10:12 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

**NOTICE OF COMPLETION HEARING
MAIN OPEN DITCH REPAIR
JOINT DRAINAGE DISTRICT BOONE NO. 28 - STORY NO. 1,
BOONE COUNTY & STORY COUNTY, IOWA**

TO: ALL LANDOWNERS AND PERSONS INTERESTED IN DRAINAGE IMPROVEMENTS OF JOINT DRAINAGE DISTRICT BOONE NO. 28 – STORY NO. 1, BOONE COUNTY & STORY COUNTY, IOWA

YOU ARE HEREBY NOTIFIED that the engineer in charge of the repairs and/or improvements in Joint Drainage District Boone No. 28 – Story No. 1, Boone County and Story County, Iowa, has filed his report that the contract with Quality Drainage Solutions, LLC. of Sac City, Iowa, has been satisfactorily completed. Said report is on file in the Auditor’s Office in Boone County and Story County, Iowa.

YOU ARE FURTHER NOTIFIED that the Joint Board of Supervisors for Boone County and Story County, Iowa, acting as trustees for the drainage district has set **Wednesday, September 8th, 2021 at 10:00 a.m.**, in the Board Room of the Boone County Courthouse, 201 State Street, Boone, Iowa, as the time, place and date for hearing on said report.

YOU ARE FURTHER NOTIFIED that any interested party having a claim for damages arising out of the construction, including crop damages, shall file said claim with the Auditor’s Office of Boone County, at or before the time set for hearing on the completion of the contract, which claim shall not include any claim for land taken for right-of-way or for severance of the land.

YOU ARE FURTHER NOTIFIED that any party interested in said district or the improvements thereof may file written objections to said report and submit any evidence tending to show why said report should not be accepted. Said written objections must be filed in the office of the Boone County Auditor at or before the time set for such hearing.

YOU ARE FURTHER NOTIFIED that if the Board of Supervisors finds that the work under the contract has been completed and is accepted, that the Board of Supervisors shall compute the balance due the contractor, and if there are no liens on record against such balance, they shall enter an order directing the Boone County Auditor to draw warrant(s) in favor of said contractor upon the drainage district funds, but that such warrant(s) shall not be delivered until the expiration of thirty (30) days after the acceptance of the work.

YOU ARE FURTHER NOTIFIED that all objections to the engineer’s report must be in writing and filed with the County Auditor of Boone County at or before the time fixed for hearing. Any interested party may be heard in an argument by

himself or by counsel. Anyone who fails to object shall be held to have waived all objections and claims for damages.

YOU ARE FURTHER NOTIFIED that if you fail to object, the Board of Supervisors will make a final decision as to completion of the contract, damages and other matters before the Board and as a consequence of your failure to object, you lose your right to appeal any final decision within twenty (20) days to the Iowa District Court.

This Notice is published and mailed as provided by law at the direction of the Joint Board of Supervisors of Boone County and Story County, Iowa, acting in behalf of Joint Drainage District Boone No. 28 – Story No. 1.

Diane Patrick
Boone County Auditor
Lucy Martin
Story County Auditor



Real People. Real Solutions.

1609 US Hwy 18 East
Algona, IA 50511

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

August 11, 2021

Joint Board of Supervisors Acting as Trustees
Boone County Court House
201 State Street
Boone, IA 50036

Re: Certification of Contract Completion
Quality Drainage Solutions, LLC
Open Ditch Repair, Joint Drainage District No. 28 & 1
Boone and Story Counties

Dear Supervisors Acting as Trustees:

I hereby certify that the contract with Quality Drainage Solutions, LLC for the Open Ditch Repair in Joint Drainage District No. 28 & 1 commencing in September 2020, has been completed in substantial compliance with the plans and specifications. A completion report is attached. This certification is intended to satisfy the requirements of Iowa Code Section 468.101.

A date for the completion hearing will need to be set by the board in accordance with Iowa Code Section 468.101. Notice should be made by publication and to individual owners of land on which the work was performed at least 10 days prior to the hearing. The Completion Report and estimate of Crop Damages and Map should be included in the notice to allow for their review prior to the hearing.

Sincerely,

Bolton & Menk, Inc.

A handwritten signature in blue ink, appearing to read 'Kent Rode'.

Kent Rode P.E.

Senior Project Manager

Encl: Completion Report
Crop Damages Spreadsheet and Map

Cc: Quality Drainage Solutions, LLC
Boone County Auditor's Office
Story County Auditor's Office



**BOLTON
& MENK**

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1609 US Hwy 18 East
Algona, IA 50511

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

Completion Report

Open Ditch Repair
Joint Drainage District No. 28 & 1
Boone and Story Counties, Iowa
BMI Project No. P13.117404

Contract Summary

- 1) Bids received on May 14, 2020.
- 2) Contract awarded to Quality Drainage Solutions LLC ---- \$ 162,110.00
- 3) High bid was ----- \$ 250,643.00
- 4) Work commenced in September 2020
- 5) Work was substantially completed on July 7, 2021.
- 6) Construction Costs:

	Total
Original Contract Price	\$ 162,110.00
Change Order No. 1 -	\$ 25,360.00
Change Order No. 2 -	\$ (30,454.50)
Change Order No. 3 - Rectification of Quantities	\$ 750.00
 Total Completed Work	 \$ 157,765.50
Total Amount Paid to Date	<u>\$ 141,988.95</u>
Total Amount Due to Contractor	\$ 15,776.55

Damages

- Landowners are eligible for damages resulting from the work on their land.
- The contractors work limits were used for the calculation of crop damages. The dollar amount per acre was based on rounded approximations of crop prices and yield averages. The calculated areas and damages are shown on the attached spreadsheet. Disagreements with the calculated amounts must be made to the Auditor at or before the time of hearing to be considered by the Board.
- Any additional objections or other claims for damages must be made to the auditor at or before the time of hearing to be considered by the Board. Landowners must submit receipts detailing the cost of repairing damaged areas to the auditor to be accepted. Dollar amounts can be adjusted by the Board at the time of the hearing.
- Quality Drainage Solutions LLC can be made to return and repair anything that fails because of their workmanship. The District will need to pay the contractor the bid price for any work not found to be because of their negligence.

Next Steps at Report Filing

- 1) Set a date and time for the completion hearing

Next Steps at Completion Hearing

- 1) Board accepts the work.
- 2) Board approves payment of damages to landowners.
- 3) Board approves Pay Application No. 5 – Final for payment of retainage and Change Order No. 3 for rectification of quantities and directs the Auditor to make final payment thirty (30) days after the board's acceptance of the work.

Sincerely,

Bolton & Menk, Inc.



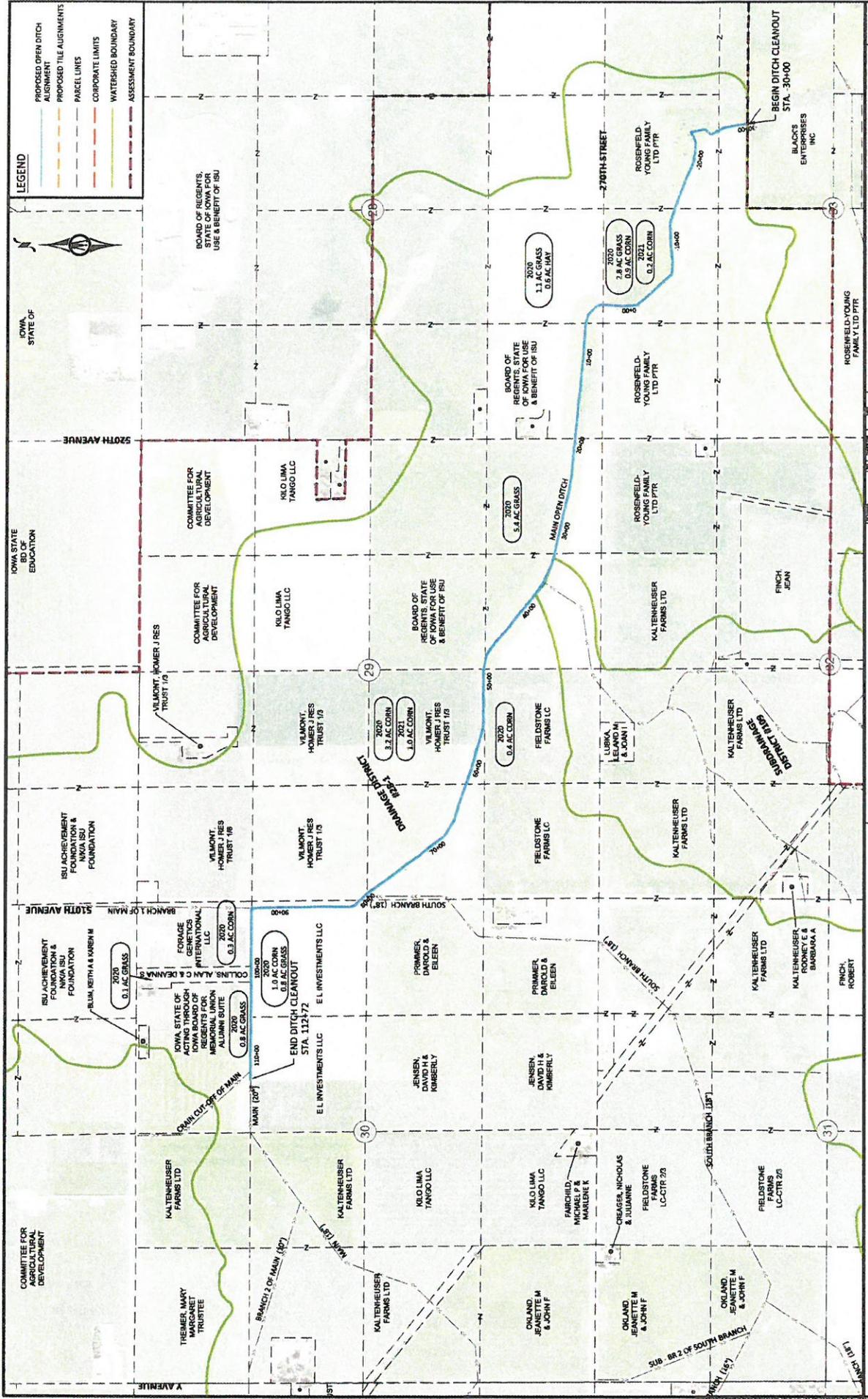
Kent L. Rode P.E.
Senior Project Manager

**CROP DAMAGES
 MAIN OPEN DITCH REPAIR
 JOINT DRAINAGE DISTRICT NO. 28-1
 BOONE AND STORY COUNTIES, IOWA
 2020-2021**

CONSTRUCTION DAMAGES	
\$ PER ACRE	
CORN	\$700.00
HAY	\$100.00
GRASS	\$150.00

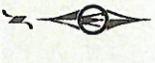
LANDOWNER (TENANT)	CROP FARMED	PARCEL NUMBER	SECTION	LEGAL DESCRIPTION	CONSTRUCTION DAMAGE AREA (Acres)	CONSTRUCTION DAMAGE (Dollars)
BOARD OF REGENTS, STATE OF IOWA FOR USE & BENEFIT OF ISU	GRASS 2020	0928300305	28-83-24	SW SW EX PARCEL "B"	1.1	\$165.00
	HAY 2020	0928300400		SE SW	0.6	\$60.00
	GRASS 2020	0929400100	29-83-24	NW SE	5.4	\$810.00
		0929400200		NE SE		
		0929400300		SW SE		
0929400400	SE SE					
TOTALS					7.1	\$1,035.00
COLLINS, ALAN C & DEANNA S	GRASS 2020	0930200225	20-83-24	BROOKS SD LOT 2	0.1	\$15.00
TOTALS					0.1	\$15.00
E L INVESTMENTS LLC	GRASS 2020	0930200300	30-83-24	SW NE	0.8	\$120.00
	CORN 2020	0930200400		SE NE	1.0	\$700.00
TOTALS					1.8	\$820.00
FIELDSTONE FARMS LC	CORN 2020	0929300300	29-83-24	SW SW	0.4	\$280.00
		0929300400		SE SW		
TOTALS					0.4	\$280.00
FORAGE GENETICS INTERNATIONAL LLC	CORN 2020	0930200230	30-83-24	BROOKS SD LOT 1	0.3	\$210.00
TOTALS					0.3	\$210.00
IOWA STATE OF ACTING THROUGH IOWA BOARD OF REGENTS FOR MEMORIAL UNION ALUMNI SUITE	GRASS 2020	930200100	30-83-24	BROOKS SD LOT 3 EX PARCEL "C" CFN 15-120 & PAR "B" NE 1/4 15-119	0.8	\$120.00
TOTALS					0.8	\$120.00
ROSENFELD-YOUNG FAMILY LTD PTR	GRASS 2020	933200100	33-83-24	NW NE	2.8	\$420.00
	CORN 2020	933200200		NE NE	0.9	\$630.00
	CORN 2021				0.2	\$140.00
TOTALS					3.9	\$1,190.00
VILMONT, HOMER J RES TRUST	CORN 2020	929100300	29-83-24	SW NW	3.2	\$2,240.00
	CORN 2021	0929300100		NW SW	1.0	\$700.00
	0929300200	NE SW				
TOTALS					4.2	\$2,940.00

	CONSTRUCTION DAMAGE AREA (Acres)	CONSTRUCTION DAMAGE (Dollars)
TOTAL:	18.6	\$6,610.00



LEGEND

- PROPOSED OPEN DITCH ALIGNMENT
- PROPOSED TILE ALIGNMENTS
- PARCEL LINES
- CORPORATE LIMITS
- WATERSHED BOUNDARY
- ASSESSMENT BOUNDARY



BOLTON & MENK

1600 US HWY 18 EAST
ALGONA, IOWA 52011
Phone: 563.341.1111
Email: info@boltonmenk.com
www.boltonmenk.com

PROJECT NO. 23-12104

DATE: 10/20/23

SCALE: 1" = 100'

JOINT DRAINAGE DISTRICT 28-1
BOONE AND STORY COUNTIES, IOWA

CROP DAMAGE