

DRAINAGE DISTRICT MEETING  
DISTRICT MARSHALL-STORY #1  
DECEMBER 10, 2013

The Drainage District Trustees of Marshall and Story Counties met at the West Marshall High School Auditorium in State Center, IA to gather land owner input on what should be done about the condition of Joint Drainage District Marshall-Story #1, Story County controlling. Members present were Paul Toot, chair, and Wayne Clinton from Story County and Deane Adams from Marshall County. Also present were Story and Marshall County Engineers Darren Moon and Paul Geilenfeldt, Story and Marshall County Drainage Clerks Scott Wall and Whitney Hunt, and 6 residents of the district (see attached).

Toot called the meeting to order at 6:30 p.m.

Moon recapped how we had arrived at this meeting. Marshall-Story #1 was under land owner control until January 2013 when it was returned to supervisor control so Story and Marshall Counties didn't know the condition of the district. James Lively contacted Moon about repairing tile blowouts to the 30" district main on his property during the summer. Moon and Geilenfeldt met Lively on-site and walked the area in question. The blowouts are large enough to swallow a truck. The engineer's tile crew called Drain Tech in for assistance but the tile blockage was beyond what they could handle. They believe there is no single point where the tile is blocked. The entire tile is probably silted in to the point it can no longer carry much water so it doesn't take much water to cause a blowout. When it became apparent that the costs were going to exceed \$10,000 they stopped as it is Story County's policy to hold a public meeting for repairs in excess of that figure.

Moon sees 4 options for the district at this point. Option 1 is to repair the tile. This is problematical as the tile has reached the end of its design life and, as broken sections are replaced, more of the old sections will likely collapse. It may not be cost efficient to continue to make repairs as needed. Option 2 is to replace all 4,500' of 30" tile. This would cost \$4-500,000. Lively believes the tile is undersized and would like to see it replaced with 40". This would likely cost \$6-700,000. Option 3 is to remove the remaining 30" tile leaving an open ditch and option 4 would be to dissolve the district.

Option 4 requires a vote by a majority of the land owners controlling more than 60% of the land within the district. Aside from that requirement both options 3 and 4 could take place right away. Because the Iowa Code requires that any repair or improvement over \$25,000 must have an engineer's report options 1 and 2 would take longer to implement.

An engineer's report would outline the current conditions in the district and give options for repair along with the estimated cost of each option. If the district decides to proceed with one of the repair options the engineer would prepare design plans and the work would be put out for bid. The preliminary engineering report would cost \$10-15,000 and there would be a public meeting with the land owners for the engineer to present his findings and answer questions.

Toot asked if there had been any questions about the meeting prior to tonight. Wall said he had received a call from the Union Pacific Railroad asking what was being planned. They said they would call back after this meeting. He had also received a call from a land owner asking what the meeting was about and what it would cost them. Hunt said she had also received two calls about what the meeting was about.

Toot asked those present what direction they would like to see the trustees take. Thomas Wengert and John Allen said their lands drain into the open ditch below the tile outlet. Any repairs made to the tile will not benefit them and they don't understand why they should have to pay. Everyone was invited to look at maps of the district which show that the first  $\frac{3}{4}$  miles of the open ditch is within the district boundaries.

While everyone understood this they maintained that it was unfair for them to pay without receiving a benefit.

Wall said there is a mechanism in the Code for subdividing drainage districts so only those people that benefit from a given project must share the cost. Initiating this process would require a reclassification of the district which could cost \$50-60,000. The reclassification process would recalculate benefits to drainage across the entire district and can also break the district into sub-districts for repairs that do not benefit everyone. There are no guarantees that a reclassification will have a favorable outcome for those requesting it. Moon said the one reclassification Story County had been through left the benefits of the people requesting it essentially the same though it did bring in additional lands that were benefitting.

James Lively said there was a property he knew of north of the district that had run a tile through a hill and tied into the district tile. Wall said that was one of the things a reclassification can address.

Moon recommends that a preliminary engineering report be done. Any adequate repairs at this point will exceed the \$25,000 threshold, mandating the report.

James Lively said the 30" tile needs to be repaired immediately. When it starts raining next spring the water won't be able to drain and the problems will get worse.

Doug Lively said the only way to fix the problem is to replace the entire 30" tile. Up until about 2006 when a section of the tile broke the trustees got it fixed but then it would fail at both ends of the repair. Wengert asked why repairs were not continued after 2006. Lively said he didn't know.

Allen said tile still works after it is broken so long as it doesn't collapse. He believes the trustees should continue to make repairs as problems occur.

James Lively asked if money could be levied every year to make repairs a section at a time. Wall said if the trustees know a repair will exceed the limits in the Code, the Code prohibits them from breaking the project into smaller parts to avoid having an engineer's report prepared.

Clinton asked if the engineer's report would give the trustees options on what to do. Moon said typically the report will include several options and the cost of each.

Clinton moved, seconded by Adams, to direct the county engineers to proceed with hiring an engineer to prepare a Preliminary Engineering Report for Marshall-Story #1 that will assess the condition of the district and suggest options for repairs and their costs. Motion carried unanimously (MCU).

Clinton moved, seconded by Adams, to adjourn. MCU. Meeting adjourned at 7:10 p.m.

Respectfully submitted,

Scott T. Wall