

IN THE MATTER DRAINAGE DISTRICT No. 48
WORTH COUNTY, IOWA

MINUTES

The Board of Supervisors of Worth County, Iowa, acting for and on behalf of Drainage District No. 48, Worth County, Iowa met at the Worth County courthouse at 9:30 A.M. CST, June 19, 2023.

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

Also present: Jacki Backhaus, Auditor
 Valerie Paulson, Drainage Clerk
 Bolton & Menk: Jacob Hagen, Colton Cunningham
 Via Zoom: Attorney Jim Hudson
 Landowners: James Berge, Suzanne Myli, Mark
 Hanna, Randall Hanna, Melvin Rothove, Pat
 Rothove, Justin Faber, Marlene Peterson,
 Duane Graversen, Allan Thompson, Raleigh
 King, Connie Smith, Jean M Johnson, Larry A
 Johnson, Brian J Tweeten, Nick Dvorak, Mark
 Holstad, Mary Holstad, Steve Boelman, Marion
 Helgeson, Ronald Helgeson, Edna Lestrud,
 Scott Lestrud, Don Weiland, Reid Weiland, Dan
 Bratrud, Roger Tweeten

Motion by AJ Stone, second by Mark Smeby, to open Public Hearing for Improvements to DD 48 at 9:30 A.M.

Attorney Jim Hudson, via zoom, started off the meeting by explaining drainage law, the trustee's responsibilities and the process. He said repairs are mandatory but improvements are not. A remonstrance requires 50% of the landowners with 70% of the land. He mentioned that DD 48 is all tile, there are no open ditches, and these improvements would be to improve the tile size. Reclassification will be needed if the improvement moves forward. Any objections need to be filed in writing before the close of the public hearing.

Colton Cunningham with Bolton & Menk informed everyone in the meeting that remonstrance has been met with previous filed objections. He discussed the history of the district stating that there are 58 laterals and only 1 classification schedule from when the district was established in 1920 and the tiles are 102 years old. The district is 2,145 acres in size and 70% of it is poorly drained. He suggests a reclassification. He said that anyone can petition for repairs, but no one has at this time. There are 4 improvements recommended in the report.

Jacob Hagen with Bolton & Menk explained the handout. There would be an increase in yield with an increase in drainage. The North half would have 10% increase with a 12 year payback and the South half would have a 5% increase with a 13 year payback. He discussed the tile route for the 4 proposed tile improvements. He suggest splitting the district into 2 section, North and South. The interstate would be the divide.

The South half would be split into Lateral 2 and Lateral 2-C. The estimated cost for improvements would be \$409,000 (\$367/ac) for Lat 2 and \$91,000 (\$232/ac) for Lat 2-C. They would need to buy the old tile for \$55,000 (\$52/ac).

The North half would be split into the Main and Lateral 4. The estimated cost for improvements would be \$824,000 (\$790/ac) for the

Main and \$208,000 (736/ac) for Lat 4.

The North half is mostly CRP wetland and would be assessed higher than the South half. Jacob explained how the DOT would be responsible for work done in the right-of-way of the interstate, which would not be assessed to the landowners.

James Berge asked about the accuracy of the estimates to the actual costs of construction. He brought up DD 21 and how they were billed way more than what they were quoted. Jacob said he is always very close with his bids vs project cost and assured James that if the project came to bidding time and the landowners were not happy with the bids the project could be stopped at that time.

Landowner question about the depth and grade of new tiles. Jacob informed they try to get 5'-6' deep, the tiles will be larger but there is not much they can do about the grade.

Reid Weiland asked how to separate the district and what path needs to be taken to get some of the improvements done. James Berge objected. Jacob said that when the district is reclassified it will be split in half, North and South. It was brought up that the NE section of the district is the problem area.

Scott Lestrud had a question about the South end and the proposed tile. Jacob said the new tile would be ½ inch and showed on the map the proposed recommendations.

Jim Hudson suggested the board set time and interest rate for assessment waivers.


Jacob read all of the objections: Alan Thompson, Brian J Tweeten, Connie Smith, Daniel & Geraldine Bratrud, Darlene Matzen, David Helgeson, Drew Bendickson, Edna Lestrud, Erling Myli, Heather Butler, James Berge, Larry & Jean Johnson Trust, Mar Dan Enterprises Inc, Marlene Peterson, Melvin Rothove, Pat Rothove, Raleigh King, Roger Tweeten, Ron & Denise Schacht, Ronald & Marion Helgeson, Steve Matzen, Suzanne Myli-Myli Farm Partnership, Susan Johnson, Worth County Farm Associates Inc, and a list of signatures provided by Larry Johnson

Remonstrance was met prior to the start of the meeting which didn't include the objections turned in at the meeting. The Main had 75% land and 74% owners, Lat 4 had 85% land and 70% owners, Lat 2 had 91% land and 82% owners, Lat 2-C had 95% land and 78% owners.

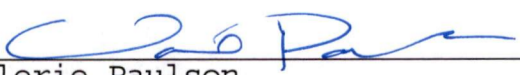
Motion by Mark Smeby, second by AJ Stone, carried to close Public Hearing at 10:32 A.M.

Motion by Mark Smeby, second by AJ Stone, carried to set waiver for 20 years at 7% interest.

Motion by Mark Smeby, second by AJ Stone, carried to adjourn meeting at 10:34 A.M.


Enos Loberg
Chairperson

ATTEST:


Valerie Paulson
Drainage Clerk