

Drainage District #37
Meeting of Private Trustees
March 22, 2022

The duly called meeting of the Drainage District #37 Trustees was called to order in the County Administration EOC Room by Chairman Allen McGranahan at 10:00 a.m. Attending in person were trustees Allen McGranahan, Bill Gerdeman, Rodney Dillard and guests John Metcalf, Adam Metcalf, Lee Schoenewe, and Dale Langner. Attending by phone were Clerk Connie Swan and guest Brent Swart.

The agenda was adjusted to move discussion of an engineer to the beginning of the meeting to accommodate the need for Bill Gerdeman to excuse himself early.

- Allen met with Beck Engineering. They are not interested in doing only the tree removal.
- Lee Gallentine of CGA is interested; the company is located in Marshalltown and distance is a concern.
- Bolton & Menk is interested in the project, and estimates their fees would be \$20,000-\$25,000. They have the file on tree counts. DD#37 has paid for this report and will obtain it from them.
- Allen met with ISG of Storm Lake. They have done work for other owners in the district. They had read the report prepared by Bolton & Menk, and explained their own procedure for addressing a petition. There was discussion on the current use of the drainage ditch by the DNR to manage Trumbull Lake and Dan Green Slough. ISG is currently working on a project similar to DD#37 in the vicinity of Storm Lake and have been able to have access for equipment without a lot of dirt work to remove problem trees. They are also repairing tiles that need repair. A backpack sprayer will be used for ongoing weed control.
- Jacobson-Westergard & Associates, Inc. is interested. Engineer Collin Klingbeil made a well-thought-out presentation to Allen.

Based on estimates from excavators and engineers who have previewed the project, it is anticipated that the amount of repair work that needs to be done exceeds the threshold that requires securing bids. The question of whether or not to hire an engineer was revisited. Attorney Gary Armstrong recommended securing the services of an engineer. His opinion was that it would help assure the parameters for the project would be laid out clearly and the bid process was handled correctly, and, in the long run, an engineer would save money.

Discussion was held to review the work completed by MichaelSon, Inc. in early March. The goal was to remove trees that were in the water causing an immediate threat to water flow. It was recognized in advance that more extensive work would still need to be done. Because of the condition of the ice, the job that was approved took more hours to complete, but the quote of \$5170 was honored. There was time to complete another stretch north of 340th Street (Sorenson property) at a cost of \$3212.50. It was moved and seconded that these bills be paid.

There was discussion of the engineering firms. Some were not interested because of the minimal amount of dirt work to be done. Rod moved to hire Jacobson-Westergard & Associates, Inc. of

Estherville to supervise the tree removal project and assist with the bid letting process. Second by Bill. Motion carried. Allen will contact them and try to set an appointment to look directly at the project in the first part of April.

Minutes of the February 25, 2022 meetings were read and approved. They will be posted on the website.

David Wyatt had contacted Bill about the possibility of adding rip rap to mitigate erosion the creek bank along his property. Bill will talk to the county engineer about this.

Payment of trustees and clerk is allowed by Iowa Code 468. After discussion, it was voted unanimously that there would not be compensation for services rendered at this time.

Lee Schoenewe presented information on Nationwide Permit #41 that was taken out on February 7, 2019 by then-auditor Marjorie Pitts as a requirement to do the improvement proposed by Bolton & Menk. The permit allowed reshaping, but did not allow for increased capacity. This permit was set to expire on March 18, 2022. Allen will contact the Clay County Auditor's Office to find out the status of Permit #41.

The status of the lawsuit against the improvement project was discussed. There is a process for the lawsuit to be dropped and it is anticipated this will happen.

Meeting adjourned at 11:00 a.m.

Respectfully submitted by Connie Swan, Clerk DD#37