

Drainage District #37 Meeting of Private Trustees  
10:00 a.m. September 1, 2022  
Clay County Administration Board Room

The September 1, 2022 meeting of the Drainage District #37 Trustees was called to order by Chairman Allen McGranahan at 10:00 a.m. in the Clay County Administration Board Room.

In attendance in person were trustees Allen McGranahan, Bill Gerdeman, and Rod Dillard; clerk Connie Swan; engineer Collin Klingbeil of Jacobson-Westergard & Associates, LLC; guests Bob Swan, Leonard Langner, Steve Hansen, Dale Langner; by phone guest Megan Roos representing LC Holdings.

The minutes of the July 27, 2022 Hearing on Proposed Repair and Meeting of Private Trustees were approved as presented and will be posted on the pickerelrun.com website.

The following bills were presented:

- Marlan Excavating \$7213.93 Tile and material, tree removal
- Jacobson-Westergard \$1500.00 Engineering services in June for completing preliminary engineering report & cost estimate and attending 06-13-22 trustee meeting by phone and work on construction plans & specifications
- Jacobson-Westergard \$ 997.60 Engineering services for hearing preparation & attendance, & construction specification development
- Jacobson-Westergard \$2228.80 Engineering services for development of plans & specifications for base and alternate bids, and determination of bid quantities
- Lair Tiling & Excavation, Inc. \$740.00 Excavator Work-Beaver Dam
- Iowa Drainage District Association \$239.49 Annual Dues 7983 @ \$0.03 = \$239.49

Rod moved to approve the bills for payment. Second by Bill. Motion carried.

Allen introduced Collin Klingbeil, and stated a desire that everyone would be heard, but also acknowledged that it was anticipated that not everyone would be completely satisfied.

Collin presented information regarding the plans and specifications that he had prepared for a Base Bid and a Bid Alternate.

The Base Bid would be to remove trees inside the creekbank and those trees that have been deemed to be a future problem due to the health of the tree and/or location. There are approximately 18000 tree units (consisting of approximately 2700 individual trees) that need to be removed. Collin estimated the cost to complete the project at \$475,000.

The Bid Alternate would allow for additional trees to be removed in order for the contractor to have easier access on both sides of the creek bank. There are approximately 46,000 tree units. Collin estimated the cost to complete the Bid Alternate at \$650,000.

Other items discussed were:

- The primary focus is to address problem trees within the easement.
- Contractor will be required to provide a bond and proof of insurance.
- Whomever submits the bid is considered the prime contractor. The prime contractor may coordinate with subcontractors.
- The prime contractor will be required to provide a retainer to cover damages and errors.
- The contractor will be responsible for tree disposal.
- The plans and specs call for a contract completion date of June 1, 2024.
- Access lanes, at a width of 24 feet, will be necessary on at least two of the properties, and will be the expense of DD#37. Additional width could possibly be added at the landowner's request and expense.
- The trees being addressed are within the 150-foot easement, or those that need to be removed within a 300-foot work area in order to provide access. Crop land will be avoided as much as possible.
- Reseeding and fertilizing will be done where necessary using cool season grasses.

Trustees have the responsibility to determine what is in the best interest of the district. They are not obligated to accept the lowest bid, nor accept any bid immediately. Consideration will be given to whether the bidders (1) are qualified to complete the job, (2) have the resources for the job, (3) have the equipment necessary, (4) are reputable. The goal is to select the lowest, responsible bidder, with the recommendation of the engineer. If bids are too high, the Trustees are not obligated to accept them.

There was discussion regarding the Dan Green Slough area. Approximately 6000 acres surrounding Dan Green Slough drain into DD#37, but are not currently included as part of DD#37. All of these acres are in Clay County. The possibility of annexing those acres was tabled to a future meeting.

Regardless of whether the acres around Dan Green Slough are annexed, Collin encouraged the Trustees to consider reclassification in DD#37. Over the past 100 years since the drainage district was established, through the course of ownership changes, some parcels have been divided, and not all parcels are paying their equitable share of assessments. Collin also said that, in the case of most drainage districts, once the district is established, there is a reclassification to establish lateral zones for repairs. Collin will report back to the Trustees regarding the estimated cost for the reclassification process.

Rod moved to approve the plans and specifications and to put them out for bid. Second by Bill. Motion carried. The bid letting will be Thursday September 29<sup>th</sup> at 10:00 a.m. in the Clay County Administration Board Room. Notice to Bidders will be posted online at

pickerehrun.com and published twice in the Spencer Daily Reporter. Collin will also send out notice to contractors with whom he is familiar, and attempt to publicize it as much as possible to other potentially interested parties.

Rod moved to adjourn the meeting. Second by Bill. Meeting adjourned at 11:53 a.m.

Respectfully submitted,  
Connie Swan, Clerk