

DRAINAGE MEETING  
DISTRICT GRANT #5  
MARCH 28, 2017

The Story County Drainage District Trustees met in the Story County Community Center in Nevada, IA to present the Engineer's Report (on file in the Auditor's Office) on Drainage District Grant #5 to the landowners in the district and gather feedback from those in attendance. Members present were Rick Sanders, chair, Martin Chitty, and Lauris Olson. Also present were Story County Engineer Darren Moon, Conservation Director Mike Cox, Drainage Clerk Scott Wall, Project Engineer Kent Rode and Tyler Connelly and Brayson Benne from I & S Group (ISG), and 52 landowners and interested parties (see attached sign-in sheet).

Sanders called the meeting to order at 6:35 p.m. and spoke about the events leading to this meeting. He explained that the County Supervisors are bound by the Code of Iowa to act as Drainage District Trustees but the district belongs to the people who own the land in it. They are the ones who pay the bills and they can elect their own trustees and manage the district as they see fit if they choose to do so.

Rode said ISG was brought into this project in August 2015 when a landowner in the northern part of the district requested a study of the watershed. They felt that land outside the district was surface draining into the district. ISG used statewide LIDAR data to create an elevation model of the area and found that a large area of land to the north of the current district should be included within the district boundaries along with smaller areas along the eastern border of the district. The watershed map was presented to the landowners on March 22, 2016 and a petition was submitted the following day for the Engineering Report that is being presented this evening.

Rode then went through the report's findings. Grant #5 was established in 1902 so the tile are beyond their design life plus the district's capacity does not meet modern standards. The open ditch was surveyed in the fall of 2016. There are many trees in the lower part of the ditch along with several washouts and meanders. There are numerous corrugated metal pipes entering the ditch that are corroded and/or washing out. At a minimum, the open ditch should be brought back to its original condition.

If just the open ditch is considered, it will be a repair and the trustees can order it done at any time. In fact, they are obligated by Code to do so. The recommendations in the report for the district upstream from the ditch are improvements, which the landowners can block by right of remonstrance. Remonstrance simply means that a majority of the landowners controlling at least 70% of the land in the district can block any improvement.

District records are fragmentary which is not uncommon in districts across Iowa. The Grant #5 records include a district profile but no data on the width of the ditch bottom or the side slopes. ISG used the profile to extrapolate the missing data using accepted engineering standards.

The ditch cleanout comprises Section 1 of the proposed work in Grant #5. The cleaning includes removing silt from the ditch bottom, removing trees and debris from within the ditch right-of-way (ROW), straightening meanders, and repairing damaged tiles entering the ditch. The estimated cost is \$531,000 or about \$49/acre average. Everyone in the district will share the cost as everyone uses the open ditch.

Section 2 covers the area between Lincoln Way and 220<sup>th</sup> Street and there are 2 alternatives. The first is to replace the existing 24" main with a 54" tile. The cost of boring under the Union Pacific (UP) ROW is a substantial part of the estimated cost of this option. Several years ago, the railroads won a court case absolving them of any responsibility for the cost of drainage tile crossings of their ROW but the law states that they are responsible for the cost of installing and maintain all culverts in their ROW leading us

the second alternative. This would entail putting a culvert under the UP and extending the open ditch north from Lincoln Way under the tracks to 220<sup>th</sup> Street. The railroad would then absorb the \$415,000 estimated cost of placing the culvert. The downside of extending the open ditch is that it takes land out of production. You can farm over a tile but not through a ditch.

Section 3 starts at 220<sup>th</sup> Street where a 48" tile would outlet into the open ditch. The tile would run north beyond where the current tile ends and gradually be reduced in size to 12" at its northern terminus. Story County and the Iowa DOT are responsible for the costs associated with placing tile through their ROW's.

There is a private tile in the area to be considered for annexation north of Grant #5, which drains towards the interstate then south along I-35 while the surface water drains into Grant #5. ISG recommends cutting the private tile and redirecting it to connect with the new district main.

Section 4 covers additional branch tiles that would connect to the main. Branches A-J would give landowners farther from the main easier access to district facilities but they are not necessary to the project. They could be considered separately depending on the wishes of the landowners they would serve. There may also be existing private tile in the areas proposed for the new branch tiles that could be made facilities of the district in place of a new tile. Depending on landowner interest all or some or none of these tiles can be added to the project.

Rode acknowledged that all these options add up to a lot of money, especially with depressed corn prices. The average, per-acre cost of the entire project amounts to about 10% of the value of the land in the district. Rode read a recent New York Times article about when agricultural lands were first being drained. At that time land was \$75/acre and people were paying as much as \$25/acre to drain the land. Project costs can be spread over 10-20 years at the discretion of the trustees or landowners can get their own loans to pay over as much as 30 years.

The remainder of the report deals with items that are required if the construction work goes forward. The first is acquisition of ROW along the open ditch. This is required to allow access to the ditch for maintenance and repairs. There are no records of ROW being acquired when Grant #5 was established but it had to be there for the construction to occur. Equipment at the time required an 80' ROW, 40' on either side of the ditch centerline. Today's standard is 100' so the report recommends purchasing an additional 10' of ROW on either side of the existing open ditch and the full 100' along any extension of the ditch. Landowners would be reimbursed the full value for land taken out of production by the new ditch and partial value for land within the easement, which they will still be able to farm. All of the land within the ROW should be removed from the property tax rolls.

If there are buffer strips along the existing ditch, they must be restored if damaged by construction. Each landowner must request waivers from the Farm Services Agency (FSA) immediately following authorization of this project to maintain CRP eligibility.

Drainage district repairs are not subject to wetlands regulations but improvements are. If the improvements are done, landowners will have to request wetlands determinations from the Natural Resources Conservation Service (NRCS). Request a Form 1026 from FSA. Each landowner must do this; the district cannot request it for them. Failure to have a determination done could cost landowners their farm program eligibility if existing wetlands are damaged or drained by this project. If wetlands are found the district can share the costs of mitigation with the landowners. Landowners should initiate this process as soon as possible. The NRCS is under-staffed so it is a long process, it is beneficial to have the determinations performed regardless of what happens in Grant #5, and the determinations are free.

Water quality has become a big issue with regards to agricultural runoff. A study by the University of Iowa found that drainage tile actually decreases peak flows caused by rain events, reducing runoff and

flooding. This is because tile is constantly draining the land so the land has more capacity to absorb water from rain events. Still, there are additional steps that can be taken to enhance water quality including crop rotation, cover crops, grass waterways, water control structures, storage ponds, and bioreactors. While not mandated the report urges interested landowners to consider water quality measures on their ground. There are grants and low interest loans available for this.

Land that is benefitting from a drainage district without being part of the district can be annexed into that district. This necessitates a reclassification of the district, as does any project that improves the district's capacity. Reclassification involves the reassigning of benefits to drainage for every parcel of land in the district. Under the current assessment schedule, the cost of any work anywhere in Grant #5 is shared by everyone. Under any new schedule, landowners will only pay for work that benefits them directly. Because everyone uses the open ditch, everyone will share those costs. Landowners along the open ditch do not receive any benefit from the main tile upstream so they will no longer share in the cost of maintaining that facility. This is a much more equitable way of distributing the costs of maintaining the district.

Sanders said an issue not addressed by the report is the pending annexation of land through the center of Grant #5 by the City of Ames for industrial development. Has ISG considered the impact of the Ames annexation?

Rode responded that they had not. ISG was not aware of the annexation until they presented the completed report to the trustees on January 31, 2017. Typically, industrial developments are subject to state regulations that require some sort of storm water retention.

Sanders said right now we do not know what Ames' needs and expectations are for this area so more information will be necessary before the effect of the city annexation can be determined. Sanders asked Rode to confirm that, beyond the repairs to the existing open ditch, everything he had talked about doing is an improvement.

Rode confirmed that to be the case.

Sanders said before the trustees took comments from those present he had two letters (attached) from landowners in Grant #5. The first was from Joyce Cofer, Farm Manager for Hubbard Harvest and it contained 26 numbered items. Sanders invited Rode to respond to each item as Sanders read the letter. Rode's responses follow:

Item 3 – The Engineer's Report was triggered by a request from a landowner in northern part of the district. ISG was not aware of the pending annexation by Ames until after the report was completed.

Item 6 - ISG uses Iowa standards as set by Iowa State University for optimal drainage coefficients. Landowners are responsible for getting their water to the district facility to take advantage of the district's capacity.

Item 7 – The original width and side slopes of the open ditch were calculated from the district profiles using accepted engineering standards. The document demanding a return to the original baseline is Iowa Code Chapter 468.

Item 8 – Sedimentation raises the water level in the ditch and tile entering the ditch are then under the water or partially buried in silt, impeding their function. A clean ditch will not drain more or less water but it will drain more efficiently.

Item 9 – The project is broken into sections to make it easier to comprehend. While it could be done a section at a time, Rode recommends doing it all at once. We could clean the ditch right now and bill it under the existing assessment schedule. If we then annex land into the district, reclassification is necessary. If we do that before doing an improvement, a second reclassification would have to be done following the improvement.

Item 10 – Ames will pay their fair share of the cost. They are not currently included in the district but once their annexation is complete, they will pay a benefit to ROW for the roads over which they have jurisdiction. This will reduce the county's share of any assessment. The people who own the land in the area being annexed by Ames will still own that land once it is annexed.

Item 11 – The district only acquires ROW along the open ditches. There is an assumed ROW over the tile for access for repairs. You can absolutely farm over the tile and in the ROW along the ditch.

Item 12 – Code of Iowa, Chapter 468.

Item 14 – Open ditches require maintenance to keep them clear of brush and debris. The main tile should require little or no maintenance over the next 100 years.

Item 15 – The last and only full cleanout of the open ditch was in 1960. Cleanouts should be good for 20 years.

Item 16 – Landowners are reimbursed for unplanted crops. It may take up to three years to reach the point of doing the project but the actual work will be completed in a single year.

Item 17 – Costs in the report are estimated. The trustees must approve any changes once a contract has been signed. In Marshall-Story #1 there was a change order for dewatering equipment as frequent heavy rains disrupted a project there.

Item 18 – Open ditches and the ROW along them should not be assessed for property taxes. Talk to your assessor.

Item 19 – Severance is paid for land severed by a district facility. This can go toward adding a new driveway access or constructing a ditch crossing.

Item 20 – The cost of annexing land into the district reflects the staff time by ISG to prepare the watershed study, site visits, attending hearings, and reclassification.

Item 23 – The current landowners bear the cost of any assessment.

Item 25 – We are taping tonight's meeting and there will be written minutes. This is valid concern and future meetings will be in the Public Meeting Room of the Administration Building.

Sanders next read a letter from Madeline "Sally" Jensen. Both letters were against proceeding with a drainage district improvement.

Sanders asked for comments, concerns, and recommendations from the audience.

Roger Engstrom lives on 570<sup>th</sup> Avenue north of the UP. There is a problem with the land between Grant #5 and I-35 that could be alleviated by draining it through Ketelsen Marsh and into the creek east of Barilla. What does it take to form a new drainage district and can a district have two outlets?

Rode said at least two people must sign a petition for a new district and that petition must include a bond sufficient to pay all engineering, legal, and related fees if the proposed district is not established. He recommends the petition have as many signatures as possible and that the petitioners retain an attorney familiar with drainage law. A district can have two outlets but what you have then is, essentially, two districts.

Engstrom said a new district would take pressure off Grant #5 and might even annex land out of the existing Grant #5.

Don Jensen signed a petition to clean the ditch in 1990. The contractor wouldn't go as deep as Jensen thought he should, did not have the equipment to go deeper anyway, and was not bonded.

Sanders and Rode both replied that the current trustees and ISG simply would not let that happen. The contractor could not go deeper than design specs without creating an improvement regardless of his equipment.

A landowner asked if the county would be enlarging the culverts under Lincoln Way.

Sanders said within two weeks that road will be inside the City of Ames and it is up to them what they do with any culverts.

Ron Jensen said there are two watersheds north of Ketelsen Marsh. It would cost about \$1,000,000 to run a 42" tile from the creek near Barilla north through the marsh to serve the area between I-35 and Grant #5 and the area north of Grant #5.

Sanders said he just learned of the Ketelsen Marsh issues this week. That is a county issue and County Conservation is exploring their options right now.

Ron Jensen said where the 24" main tile crosses the railroad it only has about two feet of cover. If the district puts a 54" pipe there, it will be sticking out of the ground.

Rode said if a new district is created to drain the area north of Grant #5 to the west and south there will still be surface water running into Grant #5. He resists this as bad practice. Better to direct all the water in the same direction as the surface flow.

Steve Kaletnhauser said if a new district were created Grant #5 wouldn't need a 54" main.

Rode said yes, it will.

Sanders said he understands there are real problems north of Ketelsen Marsh. If the landowners want to pursue a possible new district, Wall can get them the names of all the landowners in the area.

Cox said the county expects to get quotes back this week on addressing the issues with the tile in Ketelsen Marsh.

An attendee with the Nature Conservancy asked how interested the district is in pursuing water quality issues.

Sanders said the Story County Supervisors are very interested in water quality issues. Story County is nearing completion of a countywide watershed assessment, the first in the State of Iowa. At some point in the future, drainage districts are going to have to be concerned with water quality though we have not

reached that point yet. If landowners in Grant #5 want to address water quality, the trustees would be supportive of that.

Cindy Hildebrand asked if improving the district would increase the flow of nitrates into Story County streams.

Rode said nitrates come from surface runoff and everyone is responsible for reducing their presence. Improving the district will not increase nitrate loading downstream.

Hildebrand asked if it would be cheaper to address water quality now, as part of this project, than at some point after the project is complete.

Rode said if people are interested he would prefer to look at water quality concurrently with this project.

Don Jensen said cleaning the ditch in Sections 14 and 15 or anywhere south of there is a total waste of money. The only place the ditch silts in is north of Highway 30 because the ground is so much flatter there. The Jensens have to pay an undue share of the costs of cleaning the ditch and it has absolutely no effect on the capacity of the ditch to move water.

Rode said some parts of the ditch are better than others. There are areas with very little siltation and other areas with two feet or more.

Sally Jensen said her land is taking a lot of water from the commercial development around 18<sup>th</sup> Street in Nevada.

Rode said downstream landowners are required to take water from upstream but upstream landowners have to take steps to control their water and not flood downstream properties.

A landowner thought it was crazy that 18<sup>th</sup> Street is only half a mile from Indian Creek but the water has to get all the way to the Grant #5 ditch then flow downstream several miles to reach Indian Creek.

Ron Jensen said retention ponds in commercial areas do not retain water. They become beautification ponds and are kept full so when heavy rains occur they immediately overflow.

Sanders acknowledged that this is a complicated issue. He asked if there was interest in creating a second district. Where there any other questions before the trustees consider what action to take next?

Kaltenhauser asked about the length of the open ditch.

Rode said it was 6 miles in length.

Sally Jensen said she believed all lands within the district should be assessed on a per acre basis.

Sanders said Dave Deo took a proposal for equal area assessment of drainage districts to the state legislature several years ago and it was shot down. Sanders was originally in favor of equal area assessments but after going through two reclassifications with Rode he now favors that process.

Sanders called for a brief break in the meeting before the trustees discussed possible action.

Following the break Sanders asked the other trustees for their thoughts on where we are with Grant #5 and what the next steps should be.

Olson thought the items listed in the letter from Joyce Cofer were valid concerns. She believes the landowners need some time to process what was said here tonight and that she certainly needs more time to think about it.

Chitty said the evening's discussion had left him with more questions than answers and he will not seek to take any action tonight. He likes the idea of a new district west of Grant #5 and wants to give the landowners there time to decide if they want to pursue that option.

Sanders wants to put a moratorium on taking any action until the landowners can decide if they want to pursue a new district, until Ames completes their annexation and has a chance to weigh in, and until the issues with Ketelsen Marsh are resolved. Let's get back together once the crops are out this fall.

Olson asked if there were any risks with not taking action today.

Rode said the only risk is that construction costs are likely to increase over time.

Nancy Miller asked if there were legal issues with not cleaning the ditch right away.

Rode said the ditch does not have to be cleaned immediately. If a landowner wanted it cleaned now they could take legal action to force the trustees to clean the ditch.

Kaltenheuser said he does not know anyone who regrets spending money on maintaining drainage systems. Whatever happens in Grant #5 make sure something is done. Do not do nothing.

Sanders concurred with Kaltenheuser. He said the only thing he can guarantee is that the district will not get better on its own. If we don't do anything now we'll be right back here in 5 years or so having this same conversation but the costs will have gone up.

Rode said if there was not a potential annexation to consider he would clean the ditch now but that would have to be under the existing classification and the lands being considered for annexation would not share in the cost.

Olson liked the idea of meeting again in November after the harvest.

A landowner said the district should have a contractor lined up and ready to clean the ditch when November gets here.

Chitty said he does not want to take any action until the City of Ames gets involved.

Rode said if the landowners want the ditch cleaned this year the decision should be made tonight.

Sally Jensen asked what would happen to the dirt that is removed from the ditch. Can landowners take it?

Rode said the dirt would be placed in spoil banks along the edge of the ditch and levelled to blend into the adjacent land, leaving a low berm along the ditch. This prevents water from surface draining into the ditch, which would accelerate siltation.

Rode said if there is a decision to clean the ditch now the trustees will direct him to create design plans and specifications and prepare bid documents. Once those documents are complete, the trustees would hold a bid letting and select a contractor.

A landowner said we should do the annexation before cleaning the ditch.

Sanders said if the district annexes additional lands then it must be reclassified. If the district does an improvement, it must be reclassified. Reclassification could cost as much as \$75,000 and you only want to do it once. The trustees want a clear idea of what work will be done in Grant #5 before any annexation is initiated.

Another landowner concurred that the ditch cleaning should wait until a decision is reached on annexation.

A landowner asked if what happens in the district comes down to just 3 votes. Do the landowners have a say? Are their concerns weighted based on how much land they own – x number of votes per acre?

Sanders said it really does come down to just the three supervisors acting as trustees but... While the landowners cannot stop a repair, they can block an improvement through remonstrance. If the landowners don't like what the trustees are doing, they can elect their own trustees and manage the district themselves. Finally, the trustees do listen to the landowners and have opted not to pursue large projects in other districts due to push back from the owners. He repeated a statement made earlier that the landowners need to understand that something is going to happen in Grant #5 eventually. This improvement it will come up again and probably be even more difficult.

Rode said if no decisions are made tonight the meeting should be recessed rather than adjourned.

Sanders believes the annexation is important. Any land that is draining into a district should be sharing in the operating costs of that district. Before the trustees take further action they need to see if there is serious interest in creating a new district between Grant #5 and the interstate.

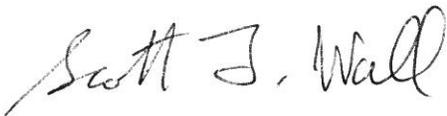
Ron Jensen asked how much this would cost people living on the ditch versus those living further from the ditch. Is there a ratio for cost versus distance from the ditch?

Rode said he couldn't answer that question. Proximity to district facilities is only one of the factors considered when classifying drainage districts and every district is different.

Ron and Sally Jensen do not support a cleanout of the open ditch. They do not believe it will have any effect on the ditch's carrying capacity.

Olson moved, seconded by Chitty, to recess the Grant #5 hearing to a date when the trustees have answers to the questions raised this evening, said date to be determined later but likely in the fall of 2017. Motion Carried unanimously. Meeting recessed at 9:20 p.m.

Respectfully submitted,



Scott T. Wall

**DRAINAGE ATTENDANCE SHEET**  
**Drainage District Grant #5**  
**March 28, 2017**

Name	Address	Owner/Tenant
Rob + Janice Scherer	28 Scanland Farm Road <sup>Montgomery City, MO 63361</sup>	Owner
Jim Conner	21216 US Hwy 65 COLO	OWNER
Ken Nelson	1409 SW 3rd ST	owner
Chul Myera	25133 620 <sup>th</sup> Ave	owner farmer
Larry Sorenson	59492 210 <sup>th</sup> ST	TENANT
Douglas Anthony	857 W 18 <sup>th</sup> St.	Manager
Roger Engstrom	57646-21014	owner
Randy Collings	58853 250 <sup>th</sup> ST	Owner
Carol Collings	58853 250 <sup>th</sup> ST	OWNER
Tracy Linda Mullen	57816 220 <sup>th</sup> ST	owner
MICHAEL MEETZ	20267 580 <sup>th</sup> AVE	OWNER
Roscoe Thompson	570 200 <sup>th</sup> RR2	owner
Jim Miller	23584 600 <sup>th</sup> Ave	owner
Nancy Miller	23584 600 <sup>th</sup> Ave	owner
Dorothy Heintz	315 West <sup>Nevada</sup> <del>St</del>	owner
Dean Heintz	1227 S K Road	owner
Mel Heintz	519 NE 4 <sup>th</sup> St Anthony, Ia 50021	Dorothy Heintz's Son
Slawn Cdc	200 1 <sup>st</sup>	City of Nevada
Madelene Jensen	59296 U.S. Hwy 30	Nevada owner
Brett Anderson	1441 W Maple Ave	Nevada owner/tenant

**DRAINAGE ATTENDANCE SHEET**

**Drainage District Grant #5**

**March 28, 2017**

<u>Name</u>	<u>Address</u>	<u>Owner/Tenant</u>
Ron/Shari Clatt	24611 610 <sup>th</sup> Ave	Owner
Dave/Jana Ballantyne	24912 610 <sup>th</sup> Ave, Nevada, IA	OWNERS
DAVE JENSEN / JOYCE JENSEN	58595 250 <sup>th</sup> ST	OWNER/TENANT
APPELGATE HERITAGE FARMS	"	TENANT
Eric Jensen	58176 210 <sup>th</sup> street Nevada	owner
Cindy Hildebrand	57439 250 <sup>th</sup> ST.	owner
JFF Stensrud	59974 Lincoln Hwy	Owner
MATT MARDESEN		CITY OF NEVADA
Tim MYERS	236 E AVE	owner
Ron Jensen	21789 590 <sup>th</sup> Ave Nevada	Owner
Don Jensen	25114 580 Ave Nevada	Owner
Derek Dohman	58842 Lincoln Hwy Nevada	Owner
Randy Brekke	58570 Lincoln Hwy Nevada	Owner
Rut Berger	57165 210 <sup>th</sup> ST Ames	owner
Howard & Eric Hill	59211 300 <sup>th</sup> St. Cambridge	owner
Jim & Roxanne Free	23801 600 <sup>th</sup> Ave Nevada	owner
Michael Cox	56461 180 <sup>th</sup> ST Ames	SCCB
Steve Bruns	25199 Country Club, Nevada	owner
Steve Kellenhouse	50690 270	Owner Tenant
Dennis P. Smith	20433 570 <sup>th</sup> Ave Ames, IA	owner/tenant



**Scott T. Wall**

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**From:** jecofe@aol.com  
**Sent:** Friday, March 24, 2017 4:30 PM  
**To:** Scott T. Wall  
**Subject:** Re: Drainage District Grant #5 watershed.  
**Attachments:** Letter response to drainage proposal.docx

I spoke today with Rick Sanders and Dan Calhane about concerns we have about moving forward with this district project at this time. I am including a letter listing questions we have about the documents we read and the project. Since we can not attend the meeting since we live in Texas I am forwarding these concerns to you.

**Joyce Cofer**  
jecofe@aol.com

Scott Wall

This is Joyce Cofer a manager of Hubbard Harvest LLC which is a third generation farm in Section 4 of Grant Township which is part of the Drainage District No. 5 Grant. We have reviewed the Engineer's report, Preliminary Plans, Drainage Minutes District Grant #5 on Jan. 31 2017 and the email you sent to me on March 6 2017. Based on this information we have concerns and questions and feel this project should not go forward at this time without answers to many questions. Include are some of our concern but not all.

Concerns:

1. The amount of money that you are proposing to access individual farmers for this project appears to be very high compared to the amount of money we could recoup from these changes.
2. An engineer can produce a plan that is the high-end answer to a 100-year-old problem. Just because a high-end answer exists it does not mean the individuals can afford that answer, particularly in a time with such repressed crop prices.
3. I am concerned how this is impacted by the recent annexation of this area into Ames. Shouldn't we have the plans for how they will address runoff and sewer in the annexed area before we decide how to move forward with this project? Is the time table for our drainage plan a response to industry coming into this area? If this is not the driving force, what is the specific issue that sparked this petition?
4. If the Ames annexation is going to have a major impact on the runoff and drainage of this area because of the increase of impermeable surfaces due to commercial development, we should be knowledgeable of those affects.
5. How would this sudden increase of drained water affect the area to the south of our drainage area? Could that area handle all the extra water in such a short time?
6. If new 54-inch tile is added then what range along the tile will pull in excess water? If we do not hook private tile into the new tiles will we see much of an improvement to the drainage of our land? It says that the coefficient is currently 1/16 and that the current drainage standard is 1/2. University of Minnesota says that in the Midwest 3/8" to 1/2 is the current standard. 1/2 removes one inch in two days but what is the distance away from the tile that get this rate of drainage?
7. We need to see documentation of the original dimensions of the drainage ditch not just assumed numbers if we are required to get it back to its original state as a base line for storm water capacity. The engineers report states things like recommended minimum and assumed original slope etc. which is not acceptable. We need to know exactly what the base was for both tile and drainage ditch and the document that says we must return the drainage to the base line.

8. If the present drainage ditch is restored back to the original conditions what percentage more water will be drained? Is that number enough to warrant the \$500,000 to clean it out? Does that percent translate also to the land in the central and northern portions of the district?
9. The projects say the minimum that can be done is to renovate the existing drainage ditch back to its original condition. Is the rest of the project divided into stages such as Section 2 two choices, Section 3 improvements, and Section 4 to do the branch tiles? Is it an all or nothing choice?
10. An email I received said "The estimated cost of the full project is \$4,993,000 but it assumes that the Story County Secondary Roads, the State of Iowa, and the Union Pacific Railroad will pay the cost of work in their right of ways." I feel the City of Ames should be included in this also because of the recent annexation. If these entities do not feel the need to pay their portion then I want to invoke that same privilege with our land. We are not given a choice so, why should they?
11. District Right of Way talks about there not being a record of existing district right of way and that the board may at any time upon its own motion employ a land survey and define the right of way to be taken for drainage purposes. This right of way is 100 ft. wide on new proposed drainage ditch or new 54in tile and 80 ft. on the old tile. The report says that they cannot find detailed records so why are we held to an estimate. Also, a spoil bank and a buffer strip is mentioned that would affect the area we can farm. Most easement are purchased but since the district is ours we would be assessed for that payment. We lose ground to produce on, get assessed for the improvement, may not get any improvement of production, assessment of damaged crops and damaged to our own land and others land and several possible penalties. Since now, no right of way exists now over the tile, will the future right of way prevent us from growing crops on that land. See page 9 of Engineers report.
12. If this is a private district we own, we need to see the original document that state how the district is to operate and the its requirements.
13. How much of the easement will we be able to use to produce crops?
14. Section 2 gives a choice of new tile or new drainage ditch. Which will be more expensive to maintain in the future or attach private tile?
15. When was the last time this open ditch was brought back to its original state? How long do they think this new renovation would remain viable?

16. Reimbursement for damages resulting from the work on the land outside of ditch right of way would be determined after completion of the project at a hearing. The project is projected to take 3 years so you would have to wait till I then to get any reimbursement after you had to petition at the hearing for the payment. So, are damage in the right a way is not reimbursed? Crops damaged during construction are paid for by the District based on crop appraisal. What about crops that were not able to be planted? See page 9 of engineer's report.
17. The costs of the project is subject to change. Are we putting any limits on these possible changes?
18. Page 11 of Engineer's report says, "drainage district open ditch right of ways are exempt from real estate taxes and drainage assessments." How is this drainage assessment affecting out taxes?
19. If a new drainage ditch is added to Section 2 how would we get to our land that is isolated by the ditch?
20. Page 16 Engineer's report says annexation of 1543 acres is estimated to cost \$10,000. How does this cost so much? "366 acres would be reinstated into the district in the reclassification/classification process. Why were these lands removed in the first place?
21. I feel this project does not need to be done immediately. We need to give it some time to see what happens in the annexation by Ames portion. This is not a new problem and several solutions need to be looked at.
22. Can any of this district water be drained off in a different direction? Could the water be drained from the far NW section directly to the south to take some pressure off our district?
23. If the project goes forward it states that we would be assessed at the conclusion of the project which could be 3 years. If land is sold such as in the Ames annexation area during this time would the original owner or the new owner be assessed?
24. I recommend that everyone who is attending this meeting take the time to read the full Drainage District No 5 Grant Engineer's Report. There are many things in this document that will directly affect each farmer. Buffer strip penalties, required wetland determination before construction by the landowners, annexation of new land to district, reclassification required if construction and would affect how much each farm would have to pay different from now. There are also tax issues that affect the easement from the past and in the future.

25. I feel it is inconsiderate that this large of a venue would not provide a way for those of us who live out of the area to see, hear and participate in the meeting. I live in Texas and have done that with meeting held by the City of Ames several times. You moved the meeting to a larger capacity facility because of interest but are leaving us out.

26. We do not give our approval to move forward with the project at this time March 28, 2017 with the information we have received. We request this be read or distributed to those in attendance and entered into the meeting minutes.

Agenda for tonight:

If decision is made to proceed, consider authorizing engineer to initiate acquisition of additional right of way along the open ditch, annexation of lands within the watershed of Grant #5, and preliminary reclassification of the district.

All of this will reflect cost to the district members so should not be voted to proceed at this time.

FILED

2017 MAR 28 PM 12:58

STORY COUNTY AUDITOR

Sander's, Chitty, Olson  
Board of Supervisor's  
Attention Drainage District 5 meeting:

3/28/2017

I Madelene (Sally) Jensen say NO to enlarge or build or adding to District 5. Sec 11 D.O.T. built a Pond or Lake along Hi way 30. They built it because they needed "fill dirt". Pond designed only to run off Right of Way ditch S.W. corner along Highway 30, to satisfy over flow water. Then Economic Development, Planning & Zoning, Sec. 12 had development large area "building" and large area "retention ponds" along 610 or West 18<sup>th</sup> Street which also has curb & gutter to over flow to Hwy 30. That's done w/OK from D.O.T & D.N.R. approval I call run off to (right of way) D.N.R. call's it "open ditch". It then finds it way to 2 or 3 culverts in 1 mile to farm land. That causes soil erosion, tile blow out's. This is at times huge amount of flooding over the tillable land, in Sec 14 and 15 - also Maple Rd. Road I believe this water long time ago and with Economic Development "more building", should direct their flow of water to "Indian Creek". Engineer's past and now know this is over loaded district, The charges to land owner Sec 14 and 15 are "outrageous" cast to them. Let share these cast with all in "district equal". Thank You

Sally Jensen  
515 382-4228