

DRAINAGE MINUTES
MULTIPLE DISTRICTS
TUESDAY, MAY 22, 2018

The Drainage District Trustees of Story County met in the Public Meeting Room in the Story County Administration Building to consider a proposal from Bolton & Menk, Inc. to provide drainage district watchman services to Story County (see attached). Members present were Rick Sanders, chair, Martin Chitty, and Lauris Olson of Story County. Also present were Story County Integrated Roadside Vegetation Management (IRVM) Biologist Joseph Kooiker and IRVM Specialist Tyler Kelley, Engineer Darren Moon, Drainage Clerk Scott Wall, Deputy Auditor Rhonda Sykes, Kent Rode and Quentin Snyder of Bolton & Menk, and Roger Engstrom, a drainage district landowner.

Sanders called the meeting to order at 9:30 a.m. He said that the recent retirement of tile crew head, Dave Toot, left a big gap in Story County's knowledge base. District watchman services could give us another tool to address issues we can't handle in-house. Sanders had reached out to Rode and requested this presentation.

Rode said the Iowa Code Section (468.169) covering watchman (watchpersons in the Code Section) services refers to levee districts but Bolton & Menk have been using it successfully with tile and open ditch districts. The role of the watchman is to investigate drainage district issues after the county engineer receives notice of a problem in a drainage district. Rather than forwarding that notice to their tile crew the engineer would forward it to the watchman who would investigate the problem and propose a solution. The watchman then hires an outside contractor to make those repairs and sends the claim to the district along with a one-page report describing the problem and how it was repaired. Bolton & Menk charges an hourly rate of \$80 for watchman services which covers time and materials. They can address all of the tile or open ditch issues currently handled by the Secondary Roads Department.

Sanders asked how flexible Bolton & Menk is on providing services. Story County is not abdicating the services they provide for drainage districts. There will still be a tile crew to make repairs to district facilities but, in the past, that crew was probably taking on more than they should and only having Dave Toot on board gave us the ability to do as much as we did. Sanders envisions the watchman services as a supplement to what Story County already does. Bolton & Menk would be a resource to turn to when a project is too big for county personnel or their workload precludes addressing urgent issues promptly.

Rode said the watchman will only come in on projects when Story County requests assistance. We can use them as much or as little as we like.

Olson asked exactly what the county would be purchasing. Current county policy requires at least 2 quotes for costs of any services over \$25,000.

Sanders said this is not a county issue and does not fall under the county's purchasing policy. It is strictly a drainage district issue. This presentation will be presented at the regular board meeting following this meeting but for informational purposes only, not as an item for the supervisors to take action on.

Olson said there are other companies that offer watchman services to drainage districts. Shouldn't we request presentations from them as well? How badly do we need the watchman service? Has the county engineer fallen behind since Dave Toot's retirement?

Sanders said it is hard to get a handle on how much Dave Toot did for the county. When he showed up at a job site it would immediately put landowners at ease because Dave Toot was there. Sanders asked Moon about his department's current workload.

Moon said they are in good shape currently. It has been a slow period regarding tiling issues and the workload is manageable with current staff. This conversation is more proactive than reactive. Moon would like to have more options in place for when they do get busy. Even when the engineer has an outside contractor come in on jobs county staff has to meet with potential contractors, get quotes, and monitor the job site so there is still a big time commitment from staff regardless of who is doing the work.

Sanders said it would be great to have one place to go when a project is too complex for internal staff or there is a backlog of work larger than staff can complete in a timely manner.

Moon said there were 35 drainage district tile issues handled by his tile crew in 2017. The crew also handles road tile issues which are tile in county ROW's that are not drainage district tile. Road tile are the main reason the engineer has a tile crew.

Chitty said those 35 drainage projects don't include all the times a landowner called Dave Toot directly and that call was never logged. Dave did far more than was required of him. It would be nice if we could hire another Dave Toot but his replacement will not have Dave's knowledge base and it will take time for them to fully assume that role.

Olson wanted to know how quickly we respond to requests for repairs.

Moon said any request requires at least 3 trips by staff. First the problem must be evaluated and determined to be a drainage district issue. Second, One Call has to come on site to locate buried utilities and they have a 48 hour window before locates must be completed. Third, the repairs have to be made.

Chitty said the discussion so far had been weighted toward tile repairs but he is also interested in brush management like our IRVM personnel are involved in.

Rode asked if IRVM had split the county into sections for maintenance purposes. What he means is that Bolton & Menk would split the county into three regions and visit each drainage district in a given region on a 3-year rotation. Every drainage district in the county would be monitored and have its needs addressed every 3 years.

Kooiker said at this point IRVM has been taking on projects district by district, addressing the worst problems and maintaining what has been cleaned. He echoed Moon's comments on the time spent investigating a problem before any work can begin.

Olson asked Kooiker if he had enough information to be able to put a dollar amount on what we are spending internally on brush control so we have a number to compare to Bolton & Menk's cost for services. Kooiker said all costs are tracked through the itemized billing process Story County uses now.

Sanders said to sum up what he has heard so far this morning we want requests for drainage district repairs to continue to go through the county engineer. They would contact the watchman as needed. We will continue to maintain our current system of brush control but, as with the tile crew, IRVM would have the option of using Bolton & Menk on jobs that are too large to complete with their staff.

Olson would like to get quotes for watchman services from two more firms.

Sanders does not believe getting additional quotes is necessary when we have a good relationship with Bolton & Menk and know they are a solid company that does good work.

Olson is concerned that not talking to other firms will make it appear that Bolton & Menk has an inside track on doing business with Story County. She is also concerned that, in the long term, we could exceed the \$50,000 limit imposed by the Code and what happens then?

Sanders said Bolton & Menk does have an inside track because we know what kind of service they provide. Sanders said his hope would be that we don't use the watchman services at all and that everything can be handled in-house. The reality is that our staff can't handle every problem. If county staff have a district repair that they think will exceed \$50,000 what are they going to do? They'll call Bolton & Menk so it makes sense to use them as a district watchman as well. He sees 3 possible options going forward. One – do nothing, two – run this proposal by our civil attorney and, if they approve, consider selecting Bolton & Menk as our provider of district watchman services, or three – seek quotes from competing firms. We need to run this by the civil attorney in the County Attorney's Office to make sure the trustees are on the right track then meet again to decide on the next step.

Chitty said he is disinclined to consider services from additional firms. The trustees changed project engineers from Fox Engineering to ISG, Inc and were happy enough with Kent Rode to change from ISG to Bolton & Menk when Kent changed firms last winter.

Olson said she supports utilizing watchman services but still wants to hear from at least 2 other firms so the trustees have more options available. She reluctantly agrees to have Bolton & Menk's proposal submitted to our Civil Attorney for review with the understanding that the trustees have not made any decision to go with that firm.

Chitty moved, seconded by Olson, to adjourn. Motion carried unanimously.

Respectfully submitted,

Scott T. Wall

The Story County Board of Supervisors heard a shorter version of Bolton & Menk's proposal at their meeting immediately following the drainage district meeting. That is part of the minutes for the Board of Supervisors meeting but I've included my notes from that meeting here. The Board meeting began at 10:10 a.m. and this was the third item on the Board's agenda.

Sanders said that at 9:30 a.m. today the Drainage District Trustees of Story County heard a presentation from Bolton & Menk, Inc. on providing drainage district watchman services. He requested that Kent Rode of Bolton & Menk give a brief overview of what was presented earlier.

Rode explained what district watchman services are. He emphasized that Bolton & Menk would only undertake projects at the request of Story County Secondary Roads and the County Engineer.

Chitty asked Moon what would happen without having a drainage district watchman in light of the recent retirement of the head of Story County's tile crew.

Moon said the watchman services are just a backup plan. Story County still has a tile crew and they are hiring a person to fill the vacant position. The tile crew can handle most projects in-house but there are times and projects that are beyond the scope of what our crew can handle. Those projects are when the services of Bolton & Menk would be utilized.

Chitty said the County Engineer would still do as much work for our drainage districts as they can.

Sanders amended Chitty's statement to as much drainage district work as they can without interfering with their work on county road tiles which is the real reason the county has a tile crew.

Olson said at the earlier meeting she requested the drainage trustees get 2 quotes for watchman services from firms other than Bolton & Menk.

Arden Greiner, a Story County landowner and farmer, had asked to speak on this issue. He has a friend in Hardin County, which utilizes an outside firm for all drainage district repairs and projects. His friend told Greiner that after the Hardin County Engineer stopped doing drainage district maintenance the cost of district repairs went up at least 10 times. Greiner is concerned that we are not replacing Dave Toot in favor of a service that will be more expensive and less responsive.

Sanders thanked Greiner for his comments and pointed out that we cannot replace Toot's knowledge but the county is filling that position and will continue to maintain drainage districts in-house as much as possible. This is simply an option to turn to for larger jobs, most of which already involve outside contractors.

Scott T. Wall