

JOINT DRAINAGE MEETING
DISTRICT BOONE #28-STORY #1
SEPTEMBER 11, 2019

The Boone and Story County Drainage District Trustees met in the Boardroom of the Boone County Courthouse to discuss a proposed agreement between the Committee for Agricultural Development (Iowa State University/ISU) and Joint Drainage District Boone #28-Story #1, Boone County controlling. Members present were Stephen Duffy, chair, Chad Behn, and Bill Zinnel of Boone County and Linda Murken, Lauris Olson, and Lisa Heddens of Story County. Also present were Boone County Auditor Philippe Meier and Acting Drainage Clerk Julie Hinman, Story County Engineer Darren Moon and Drainage Clerk Scott Wall, and Michael Bourland from the Iowa Department of Agricultural and Land Stewardship (IDALS).

Duffy called the meeting to order at 8:10 a.m.

Bourland said this project is the first of its kind. The goal is to eliminate nitrates in the water drained by the district tile. Water in the tile will be diverted into a wetland which will filter and clean the water then be redirected back into the district tile. There will be no effect on the capacity of the district tile. The agreement under discussion was drafted from agreements on other, similar projects and adapted to this project.

Duffy asked who would maintain the wetland and the tiles diverting water to and from it.

Bourland said maintenance is the responsibility of the landowner – ISU in this case. They will be using the wetland as a research project.

Murken asked what role the Story County Soil and Water Conservation District Commissioners play in this project. The agreement states they are entering an agreement with ISU but she spoke to a Commissioner who was unaware of the project plus she does not understand why they would even be involved.

Bourland said the agreement with the Conservation District is in process and has yet to be finalized.

Murken wants more information on how this project will be supported as IDALS wants to see more of these sorts of created wetlands and the County Supervisors will be fielding questions from those landowners that have an interest in creating wetlands on their property. Murken mentioned a letter received from Tamara Helland (on file with the County Auditors) opposed to the project. Is her property involved?

Bourland said the original proposal was to intercept the tile on Helland's land then run tile under her property to outlet on the ISU property. The entire wetland will be on property owned by ISU. After Helland objected IDALS proposed accessing the district tile on ISU property. They will have to have a pump to lift water from the main tile and divert it to the wetland as there will not be adequate fall for gravity to take care of the diversion. This will reduce the cost of the project due to less tile being needed but will increase the likely hood of maintenance due to the addition of the pump.

Olson asked if this project will affect other landowners.

Bourland said the entire project will take place on land owned by ISU. IDALS is paying ISU for its losses from no longer being able to farm the land.

Murken said Helland was told of this project 9 months ago then heard nothing until a contractor was at her door last week. Someone should have been keeping Helland up to date. Who is the project manager?

Bourland said IDALS is managing this project and they should have kept Helland more informed. This is a new approach to water quality and they are still learning what needs to be done at each stage of the process.

Duffy asked who will take care of the wetland and its attendant tiles once construction is complete.

Bourland said the new facilities become the property and responsibility of the landowner. IDALS funding is only for the construction of the wetland.

Duffy asked who checks to make sure the wetland is functioning as intended.

Bourland said IDALS has people who check up on projects to see how they are performing but that may only be once a year. In this case ISU is using this as a research project so it will be monitored regularly. Ultimately the landowner is responsible for maintaining the wetland. If it should interfere with the functioning of the district tile the district can make repairs and charge the landowner for the expense.

Heddens asked if IDALS should be included in the language in the agreement.

Bourland said that it could be. It would show that IDALS is involved and has a commitment to the project.

Murken said there should be something in writing from IDALS explaining the program – how it works and what its goals are. All she has about it now are her handwritten notes from a meeting that was held in Fort Dodge, IA in July.

Bourland said policies are being drafted as this project progresses. It has been a learning experience as the letter from Helland shows but there is no pamphlet or other document that exists currently.

Murken asked Ethan Anderson with the Story County Attorney's Office to review the proposed agreement. Anderson would like to see the final agreement recorded in both Boone and Story Counties. He thinks paragraph 6 should state that both the landowner and the drainage district retain their respective rights under Chapter 468 of the Code of Iowa.

Bourland said Hardin County and a landowner there signed this same agreement last week without all the debate taking place today.

Behn said these projects are the responsibility of the landowner. It reminds him of the CRP program. The government runs the program but once the landowners sign the contracts they are on their own.

Bourland said in this case, had Helland remained involved, there would have been a signed agreement between her and ISU stating that ISU would make all necessary repairs to the tile on her land at their expense. In the future he would like to see if drainage districts could make these projects a part of the district, perhaps as a lateral tile, then the district would maintain the wetland and bill just the landowners of the wetland for the costs. That is not and was never considered for this specific project.

Duffy said Boone and other counties are seeing larger and more frequent problems in their drainage districts as those district facilities reach the end of their design life. He doesn't feel that counties are willing to take on additional responsibilities.

Bourland said IDALS and the contractor have not signed a contract yet. A contractor has been selected but has not been authorized to begin construction. ISU is waiting for estimates of their financial obligations before they give final approval.

Olson is concerned that a contractor was knocking on Helland's door before the contract was even signed. She is not willing to approve this agreement until we have documentation that everything is in place for construction to begin.

Murken wants to know what IDALS long-term role will be because, while this is not a drainage district project, the trustees are a party to it as evidenced by the Helland letter. The trustees need to have information available if they are approached by landowners with questions about how this project works.

Olson pointed out that ISU did not send anyone to this meeting. Mark Honeyman signed the draft agreement for the Committee for Agricultural Development. It would be nice if he could have attended and she hopes he will be made aware of what has been discussed.

Olson moved, seconded by Behn, to adjourn. MCU. Meeting adjourned at 9:00 a.m.

Respectfully submitted,

Scott T. Wall