

8/15/2012 - Minutes

1. CALL TO ORDER: 6:00 P.M.

- 1.1. Present Proposed Repairs In Drainage District Richland #10 To Land Owners And Residents Of The District And Receive Feedback From Them Concerning The Repairs @ \$20,000.

DRAINAGE DISTRICT MEETING

DISTRICT RICHLAND #10

AUGUST 15, 2012

The Story County Drainage District Trustees met in the Public Meeting Room in the Story County Administration Building to present a proposed tile replacement to land owners in Drainage District Richland #10. Members present were Wayne Clinton, chair, and Rick Sanders. Also present were County Engineer Darren Moon and Drainage Clerk Scott Wall. One land owner was present at 5:50 p.m. and talked with Moon for 5-6 minutes. He stated he was satisfied and didn't need to stay for the meeting then left. No other land owners attended.

Clinton called the meeting to order at 6:00 p.m. and stated that no land owners were present but one land owner had been present prior to the meeting and his questions had been answered. He asked how many land owners were in Richland #10. Wall replied there were approximately 20 land owners and 84 tax parcels.

Sanders asked about the letter that went out to land owners concerning this meeting. Wall said the letter had been sent on July 5, 2012. In the week following that he had received two requests from land owners for additional information and had emailed responses to both. No one else has contacted Wall since that time.

Wall said this hearing was held because the county engineer's drain tile crew had responded to a repair request in Richland #10 and discovered the condition of the 300' of tile above the outlet was such that the tile should be replaced which is beyond the scope of what they typically do. Moon had procured an estimate of \$19,500 from a contractor. The Code of Iowa requires a public hearing for repairs over \$20,000 but it is Story County's policy to hold public hearings for anything exceeding \$10,000.

Wall said under Iowa Code Section 468.126.1.c the trustees can act on any repair under \$20,000 without notice. We have an opinion from the county attorney stating that if the original bid is under \$20,000 but subsequent repairs drive the cost over that limit the Code Section still applies as the bid was made in good faith and it is the original bid amount to which the Code applies.

Moon stated he has two bids which are very close to each other. He is still trying to get some specifics from one of the bidders and was not ready to ask the trustees to act on the bids at this time.

Sanders asked about the district boundaries as they appeared on the original plat of the district and how they related to the area of the proposed repair.

Wall said on the original plat the tile appears to extend beyond the district boundary in the southwest quarter of Section 30 of Richland Township but the southwest quarter does appear in the Report of Commission to Inspect Richland #10 and is assigned a benefit to drainage in that report. In cases such as this the benefits assigned are the final authority in determining if a parcel is inside a district.

Wall said the original engineer's report recommending the establishment of Richland #10 in 1906 stated the last 800' would be an open ditch. In 1907 a petition was filed by the owner of the southwest quarter of Section 30 to change the last 800' from open ditch to a 26" tile and the engineer concurred and recommended the petition be accepted. In 1950 a petition was submitted to extend the tile 330' at the owner's expense, said tile to become part of the district once installed. The trustees accepted this petition as well. There is a dashed pencil line extending the tile that appears on the original district plat and this is the 300' section that needs to be replaced.