

Drainage District #26 Meeting

Date: May 30, 2018

The Board of Supervisors convened as the Board of Trustees for Drainage District #26 at 9:02 a.m., Wednesday, May 30, 2018. Members present: Trustees Matthews, Skelton, Skow, Swanson, Anderson, and Auditor Marjorie Pitts. Attendees: Attorney Jim Hudson, Engineers Jon Rosengren and Jared Schoelerman, Clay County Drainage Technician Aaron Rutter, and Clay County Real Estate Deputy Kris Toay, Chuck White, and Joyce Galm Thompson representative.

Motion by Skow, second by Swanson to appoint Trustee Anderson as Chairperson and Auditor Pitts as Secretary for this meeting. Motion carried.

TIME: 9:00 a.m. Drainage District #26 Annexation Schedule Hearing

This being the time and place for the public hearing on the annexation of benefitted lands not now included in Drainage District #26 consisting of 45.39 acres. The Trustees determined that notice of public hearing was published in the Spencer Daily Report on Thursday, May 3, 2018 pursuant to Iowa Code.

Drainage Attorney Jim Hudson spoke with the attendees explaining definitions and terminology related to the annexation hearing process. IA Code 468.119 states if parcels have a material benefit from the district repair or improvement the parcels can be annexed. Engineer Rosengren gave the Trustees background and updates on the engineering report from the annexation report.

Comments / Objections: None.

Motion by Trustee Matthews, second by Trustee Skelton to adopt the annexation of benefitted lands not now included in Drainage District #26 consisting of 45.39 acres. Motion carried.

Chairperson Anderson closed the public hearing at 9:09 a.m.

TIME: 9:10 a.m. Drainage District # 26 Reclassification Report Hearing.

This being the time and place for the public hearing on the re-classification of lands in Clay County Drainage District # 26 consisting of 421 acres. The Trustees determined that notice of public hearing was published in the Spencer Daily Reporter on Thursday, May 3, 2018 pursuant to Iowa Code.

Drainage Attorney Jim Hudson spoke with the attendees explaining definitions and terminology related to the Re-classification hearing process. Engineer Rosengren gave the Trustees background and updates on the engineering report from the Re-classification report including DD #26 Main plus Branches 27 and 60.

Comments / Objections:

Written objections from: Joyce Galm Thompson. After discussion and comments Engineer Rosengren recommended the Trustees reduce the Galm parcel 953707300003 to \$1116.00 and \$535.03 on the maintenance schedule. Engineer Rosengren will furnish new schedules reflecting the recommendations.

Drainage District #26 Meeting

Date: May 30, 2018

Motion by Trustee Matthews, second by Trustee Swanson to accept or modify the revised classification schedule fixing the percentage of actual benefits and making an equitable apportionment of the costs and expenses of the repair and improvements required for Drainage District # 26 engineering plans and specs presented from Bolton & Menk, Inc., 218 11th Street SW Plaza, Spencer, IA. Motion carried.

Chairperson Anderson closed the public hearing at 9:38 a.m.

Motion by Trustee Skow, second by Trustee Skelton that the following resolution be adopted.

WHEREAS, there are now insufficient funds to cover costs of the improvements to Drainage District # 26.

BE IT THEREFORE RESOLVED, by the Drainage District # 26 Trustees that there is hereby levied against all land tracts, real estate, highway and railroads in Clay County, Iowa the following levy of 93% to raise \$316,200.

BE IT FURTHER RESOLVED, that said assessments be so levied and payable upon notice through June 29, 2018 without interest. If paid after June 29, 2018, an interest rate of 5% will accrue from the date of levy to September 30, 2018 on any single assessment. Any assessment exceeding \$500 per parcel may be paid in installments over a twenty (20) year period by signing a waiver prior to June 29, 2018 at the office the County Auditor, 300 W. 4th St., Spencer, IA. Any assessment made on any tract of land, parcel, or lot within the District which is computed at less than \$5.00 shall be fixed at \$5.00 as provided by Iowa Code Sec 468.50.

The above and foregoing resolution adopted this 30th day of May, 2018 and the vote thereon as follows: Ayes: Trustees Skelton, Swanson, Matthews, Skow, and Anderson. Nays: None. Abstentions:

/s/ Barry Anderson, Trustee

ATTEST: Marjorie A. Pitts, County Auditor