

**Clay County Board of Supervisors Minutes from Drainage District 8 Branch 4
February 19, 2013**

The Clay County Board of Supervisors as trustees of Drainage District #8 Branch 4 re-convened from their meeting on February 5, 2013 at 10:49 a.m. Members present: Chalstrom, Brockshus, Swanson, Matthews, and Skow.

Motion by Brockshus, seconded by Swanson to hire Don Etler, Engineer as independent consultant on the Engineer's Certification of Completion of Work on 2012 Tile Improvements for Drainage District # 8 Branch # 4. Motion carried.

10:49 a.m. The time having arrived for the public hearing to receive and consider any objections or claims for damages to the completed construction report submitted by independent engineering consultant, Don Eltler, and Nicholas Roethler, Engineer from I & S Group, Algona, Iowa for drainage improvements to Branch No. 4 and laterals in Drainage District No. 8, Clay County, Iowa. The work was located in Sections 1 and 12 of Herdland Township and Sections 6, 7 and 8 of Garfield Township in Clay County, Iowa.

The Board determined that proper notice of the public hearing was accomplished and finding there to be no additional written objections and two (2) additional claims for damages Richard Harves and Nick Smith to the Crop Damages Worksheet were submitted by I & S Group (see attached Crop Damages Worksheet). It was moved by Supervisor Matthews, seconded by Supervisor Brockshus to close the public hearing. Motion carried.

Motion by Matthews, second by Swanson to approve the request for damages from Nicholas Smith for grain drying and bulk shrinkage totaling \$9,518.00 computed as \$3500.00 for drying and \$6,018 for bulk shrinkage. Motion carried.

Motion by Brockshus, second by Skow to approve the request for damages from Richard W. Harves to further work on the Hwy M54 tile road crossing to return the east ditch to its preconstruction condition. There is approximately 240 acres of surface runoff crossing M54 at this point. This is not a request for monetary compensation but that the Certificate of Completion should not be approved until the above reestablishment work is completed. Motion carried.

The Board found the work under contract completed and accepted. Motion by Swanson, seconded by Skow to compute the balance due and direct the county auditor to issue the final settlement for balances due to the contractor thirty days after the acceptance of the work pursuant to Iowa Drainage Law Section #468.103. The claim damages from future yield losses totaling **\$23,939.96** was approved to the following district landowners:

Ronald F. & Betty A. Carlson	\$ 20.69
Ann Marie Smith (Contract Timothy Joy & Rita Kay Smith)	\$ 34.48
Peter L. & Andrea D. Crew	\$3,187.88
Wayne H. & Jane C. Hanson	\$2,090.13
Charles F. & Donna M. Elser	\$ 41.38
Nicholas A. & Angela Mae Smith	\$2,760.42
Alexander Family Trust-Estel E &Thelma	\$4,743.67

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P & P Farms, Inc.	\$1,158.51
James R. & Julie C. Bendlin	\$ 169.64
Dale E. Sanderson	\$ 91.03
Railroad Properties LLC	\$ 73.79
Ervin D. Harves	\$ 50.34
Nick Smith (Costs for early harvesting of crops due to construction)	\$9,518.00
Motion carried.	

Motion by Brockshus, seconded by Swanson to recess the drainage meeting. The Board of Supervisors recessed Drainage Districts #2 at 11:15 A.M. Motion carried.

Dated February 19, 2013

/s/Marjorie A. Pitts, County Auditor

/s/ Kenneth Chalstrom, Chairperson

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