

**Drainage District #37**  
**1:02 p.m. December 4, 2018**

The Chairperson reconvened the board meeting at 1:02 p.m. as Trustee's for Drainage District #37.

The Clay County Board of Supervisors as trustees of Drainage District #37 convened their meeting on December 4, 2018 at 1:02 p.m. Members and guests present: Supervisors Matthews, Skelton, Anderson and Swanson, Don Etler and Jon Rosengren from Bolton & Menk, Inc., Attorney Jim Hudson, and thirty-one (31) attendees representing property owners in Drainage District 37 and 61.

Motion by Matthews, seconded by Skelton to appoint Supervisor Anderson as Chair and Clay County Auditor, Marjorie Pitts as Secretary for this meeting. Motion carried.

**1:00 p.m.** The time having arrived for the public hearing to receive and consider any objections and other comments to the report and amendments submitted by the engineers from the Bolton & Menk, Inc., Spencer, Iowa for proposed repairs and/or improvements to the Drainage District #37 tile system.

Attorney Hudson began the meeting pointing out the purpose and potential decisions to be made regarding the proposed project.

Engineers Etler and Rosengren presented the various proposals, illustrated with maps, to the attendees and fielded questions from the audience. There are eight-six (86) landowners covering 8,466 acres in Drainage District 37. The Engineers submitted additional information to supplement the Engineer's Report as originally filed including alternative pumped outlets, existing channel versus repair/improvements and impacts upon the tile function from a historical design of the system. For Branch 244 failure to keep trees out of the channel has resulted in a reduction in capacity of 48% from the original capacity of the tile. If improved the capacity would be increased by 32%. Included in the proposed amendment are three charts showing the acres of ponding in the large pothole near the outlet of Branch 244 for the existing tile or a properly sized future improvement resulting from either repairing or improving the channel. The amended report also looked at some of the larger tile drained sub-watersheds in the district to show the financial impact to each resulting from both the failure to maintain the outlet and the recommended improvement. The proposed open ditch improvement is estimated to cost at most \$100-\$150 per acre more than the repair for the highest assessed lands in the district. Discussion on wetland determinations and delineation was reaffirmed that any property without a valid determination on file with the NRCS will be in technical violation of the Farm Program. The Engineers of Bolton & Menk still continued to recommend both the repair and improvement of the Drainage District 37 Main Open Ditch as the lowest cost options available for the relief of drainage for the lands in the district.

The Board acknowledged the following written objections from local residents as listed: Kathy Derner, Tom Derry, Kirby Sampson, Steven Hansen, Robert Swan, Anita Bomgaars of RC Holdings, Marcia Jorgensen, Chad Moser, Joan Schumann, Karol Toland, Nancy Toland, Clark Toland, Gregg Toland, Ralph Selzer, Patricia Cohen, David Wyatt, Daniel Wyatt, Christine Wyatt, Donna Arndt, Lyle Crouse, Patricia Crouse, Sherry Groenewold of Scoles Family Trust, Nancy Moser, LeAnn McGranahan,

Loretta Kendall, Matthew Cooper, Bonnie Brown, Daryl Long, Diane Parks, David Wyatt, David & Bradley Maurer, and Bill and Colleen Gerdeman.

Motion by Skelton, seconded by Swanson to set the interest rate at 5% on any single assessment and assessments exceeding \$500 per parcel may be paid in installments over a twenty (20) year period by signing a waiver at the office of the County Auditor. 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 Section 468.50.

Motion by Matthews, seconded by Skelton to continue the hearing to January 14, 2019 at 9:00 a.m. at the Clay County Administration Building. Motion carried.

Motion by Skelton, seconded by Swanson to adjourn the drainage meeting at 3:32 p.m. Motion carried.

The Chairperson adjourned the regular Board meeting at 3:32 p.m. to convene at the next Auditor's called meeting December 18, 2018 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Barry Anderson, Chairperson