

***Drainage District #80 Meeting  
August 27, 2019***

Chairperson Swanson reconvened the Board meeting at 1:00 p.m. to convene as trustees of Drainage District #80. Attendees: Attorney Steven Postolka; Nancy and Floyd Romslo; Carol and David Johnson; John Berberich; Roger Zieman; Matt Hagedorn; Aaron Rutter; and William Rabenberg.

Motion by Hamrick, seconded by Matthews to appoint Supervisor Swanson as Chairperson 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 or claims for damages to the completed construction report submitted by Bolton & Menk, Inc. of Spencer, Iowa for drainage repairs and improvements in Drainage District #80. Bolton & Menk Engineer Jon Rosengren presented the Completion Report and crop damage worksheet to the attendees. The Board determined that proper notice of the public hearing was accomplished. There was one additional written request for damages and one written complaint statement in Drainage District #80 read by Engineer Rosengren from Carol and David Johnson (Johnson & Johnson Inc) and Nancy and Floyd Romslo.

The Trustees discussed the damages with hearing attendees. The following land owners were listed as eligible for crop and compaction damages: John Berberich, Susan K Bodenhamer, Herman Brenneman Revocable Trust, Holly & Christopher Eisenhauer, Mary J Fishbeck Family Trust #1; Ann P Geisinger, Johnson & Johnson, Inc., Dorothy Ann Miner, P & P Farms, Inc.; Arden B Raveling Restated Rev Trust, Norma J Raveling Restated Rev Trust, and Nancy C Romslo; Kathleen R Whittenburg; Roger Zieman; and Roger W & Katheryn Zieman. Detail of the eligible damages to be found in the County Auditor Office.

Attorney Postolka spoke with the Trustees regarding the additional requested damages for fence replacement, recontouring grass waterway and soil remediation from Nancy and Floyd Romslo totaling \$1,861.00. Carol and David Johnson also spoke with the trustees regarding their complaint that the cross over still has water standing but were not requesting additional damages. The Trustees asked if any other attendees wished to make comment. Attendee John Berberich asked why they didn't just continue off the old tile. Engineer Rosengren responded that the old tile being nearly 100 years old was not worthy of connecting new tile to it. Landowners can continue to use the old tile, but it would not be maintained by the Drainage District. Further discussion recommended that a cross connect be installed to drain the east side. This, however, would be done as a separate work order after crops are out. Hagedorn Excavating is willing to do the work.

Motion by Matthews, seconded by Skelton to approve the recommended crop damages totaling \$42,503.65. Details of the damage claims are on file in the County Auditor's office. Motion carried.

Motion by Skelton, seconded by Anderson to pay additional damages to Nancy and Floyd Romslo in the total amount of \$1,861. The Drainage District #80 will pay \$761.00 and the remainder of \$1,100.00 will be paid from the project liquidated damages. Motion carried.

Motion by Anderson, seconded by Matthews to request Hagedorn Excavating to install a cross connect at Station 24 + 50 South Branch to be paid as a work order to Drainage District #80. Motion carried.

Motion by Matthew, seconded by Hamrick to waive the balance of liquidated damages in the amount of \$44,900.00. Motion carried.

Motion by Trustee Skelton, seconded by Hamrick to close the public hearing at 1:58 p.m.

The Chairperson adjourned the meeting at 1:58 p.m. to convene at the next Auditor's called meeting September 11, 2019 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Randy Swanson, Chairperson