

PROCEEDINGS OF THE FRANKLIN COUNTY BOARD OF SUPERVISORS

November 27, 2017

Be it duly noted these minutes of 11/27/17 are UNOFFICIAL minutes.

The Board of Supervisors met in regular session at 8:30AM with Board members Gary McVicker-Chairman, Michael Nolte and Corey Eberling present.

Motion by Eberling, seconded by Nolte, approves the agenda as submitted. All ayes, motion carried.

The Pledge of Alliance was recited.

Public Comment: Phillip James McCani, lives on Heather Avenue in the Burdette area, Lee Township, extended his on-going issue of his neighbor's dog barking constant and at all hours. He would like to request a change in the County's Ordinance to include the noise of a barking dog being different from farm equipment noise and that it would be a nuisance. The Board is requesting this topic be on a future agenda with the Sheriff and Planning & Zoning Director present. No action taken.

Motion by Eberling, seconded by Nolte, approves the minutes of 11/20/17. All ayes. Motion carried.

Motion by Nolte, seconded by Eberling, approves the 2017 Weed Commissioner's Report. All ayes. Motion carried.

At 9:30 AM Lisa Flack, Planning & Zoning, updated the Board on the ongoing nuisance notifications in Ackley, south of Coulter, Heidi's, and the Doane properties. No action taken.

At 10:00 AM the Board explained Drainage District #30, WO #62, claim for payment overage which was submitted by M.O.R.T.S. Inc., Hampton, Iowa. Present was: Art Cady, Franklin County Drainage Attorney, Sandy Eckhardt, Drainage Clerk, Lee Gallentine, Drainage Engineer, Clapsaddle Garber, Inc., Rob Johnson, Attorney-Finley Law Firm representing Clapsaddle Garber.

Discussion was held and attorneys present discussed strategies to proceed.

No action was taken.

At 11:00 AM Lee Gallentine, Drainage Engineer, Clapsaddle Garber, reported on Repair Summaries below. Full reports can be viewed in the Franklin County Auditor's office. Present was Brad Schermer, Sandy Eckhardt-Drainage Clerk.

DD #30 Main Open Ditch (Harlan Muhlenbruck) – WO #53

Section 20, Marion Township. Surface drain on open ditch washed out and repaired.

Recommendations: It is not clear if contractor seeded inside bank of main open ditch. If landowner reports lack of seeding in spring, inside bank of main open ditch should be seeded.

DD #30 Main Open Ditch (Harlan Muhlenbruck) – WO #75

Section 20, Marion Township. Lateral 1 tile outlet washed out at Main open ditch in the Indigo Avenue west road ditch. Repaired.

Recommendations: It is not clear if contractor seeded inside bank of main open ditch. If landowner reports lack of seeding in spring, inside bank of main open ditch should be seeded.

DD #30 Main Open Ditch (Harlan Muhlenbruck) – WO #12

NW ¼ Section 20, Marion Township. Requested review of the capacity of the existing surface drain near Lateral 3 outlet into the existing Main Open Ditch. Repaired.

Recommendations: Reinspect site to see if seeding on inside of main open ditch was done by contractor. If not, seeding needs performed to prevent additional erosion.

JDD #4-118 Lateral 10 (Joint with Wright County – Franklin County Control) [Jon Rother] – WO #83
Section 33, Scott Township. Sinkholes reported and investigated.

Recommendations: although single wall HDPE is not recommended at the shallow depth of this tile, the single wall HDPE is not overly deformed (probably due to the lack of farming operations over it). Eventually the shallow depth will cause it to physically fail. More concerning with the single wall HDPE is the lack of consistent grade and the apparent use of a smaller tile size 12” versus 15”). Both of which significantly reduce drainage capacity. The remaining portions of VCP tile are in very poor physical condition as evidenced by amount of collapses. If not repaired, these will only allow additional soil to enter the file and further reduce drainage (including at the ends of CCTV). Given lack of adequate soil cover, inconsistent grade of single wall HDPE tile, and poor condition of the original VCP tile in the area of investigation, a full replacement with RCP would be recommended. It is not clear if the remainder of the Lateral tile is in similar condition or not. Either way, the cost would be over \$50,000 and a full Engineer’s report and public hearing on the condition of Lateral 10 and a consideration for replacement options would be required. A joint meeting with Wright County should be scheduled. Remember that JDD 4-118 is not divided out into laterals.

DD #68 Open Ditch (Sheldon Jurgens) – WO #78

Section 7, Richland Township. Reported siltation in channel that is outlet for main tile in DD 68 and silt is backing into said main tile.

Recommendations: Given the amount of silt built up and presence of low-water crossing, it is recommended that the channel be cleaned out to the depth as designed in 1976 and said crossing be removed. Said clean-out would need to extend downstream for a distance of approximately 2000 feet and be tapered upstream a distance of approximately 300 feet where it would meet the existing channel bottom.

Landowner of area with low water crossing should be notified that it has a negative impact on drainage and it is being removed. Should such a crossing be needed for access, it should be modified to include a culvert at the 1976 elevation.

Said cleanout would be outside of the district boundary. Since it had previously been done in 1976, it our assumption that it could legally be done again. District Trustees should verify this with legal counsel.

District Trustee should verify with legal counsel what (if any) notice the landowners adjacent to the channel should receive prior to the clean-out.

The existing 30” CMP at the main tile outlet is rusty and has 3” +/- to 4” +/- of silt in int. It should be replaced and a rodent guard installed while clean-out is being completed.

JDD #6-141 Lateral 7 (Joint with Wright County – Wright County Control) [Gary McVicker & Lee Gallentine] – WO #82 Section 31, Scott Township. Ponding reported near Lateral 7 on south side of Highway 3.

Recommendations: Since CCTV inspection not an option due to the size of the Lateral tile (7”) and jet cleaning of the Lateral tile in previous years has not rendered lasting results, it is recommended that the Lateral 7 tile be excavated at intervals on the south side of Hwy 3 to see if said Lateral tile is functioning or not. If it is not, a full replacement would probably be needed. Depending upon the cost, a full Engineer’s Report and public hearing may be needed.

McVicker will talk to Darwin Hill, landowner, and see if he has some history on this tile.

DD #2 Main Open Ditch (Nolan Rollene) – WO #58

E ½ Section 11, Oakland Township. Reported beaver dams inhibiting free flow of water in open ditch.

Recommendations: None directly related to area of repair, however, the following should be noted... If broadleaf plants outside of DD right of way are attractive to beavers and additional dams are built in the future, the adjoining landowners should be contacted to remove said broadleaf plants. Periodic inspection of area for sign of beaver activity. If approved by the District Trustees, pay farmer for above mentioned crop damage. It appears that there is 2’ +/- of silt in bottom of main open ditch. Whether this silt is above the design grade of not isn’t clear. It is recommended that the District Trustees pursue additional investigation to determine if silt is restricting drainage.

Brad Schermer DD #30 Lateral 19 & 10 WO #71, 160th St and just north of Dudley's Café. This WO has been processed and Gallentine has sent out for bids with contractor deadline this Friday. Concrete tile is breaking down throughout and under I-35 with numerous trees to remove.

Motion by Eberling, seconded by Nolte, approves Drainage Claim #50102 for \$55.00 for IDDA Meeting Registration. All ayes. Motion carried.

Motion by Eberling, seconded by Nolte, approves the Franklin County Annual Urban Renewal Report, FY 16/17, December 1st deadline to the Iowa Department of Management. All ayes. Motion carried.

Motion by Nolte, seconded by Eberling, adjourns at 12:12 PM, until December 4, 2017. All ayes. Motion carried.

Gary McVicker, Chairman

ATTEST: _____
Michelle S. Giddings, Auditor