

IN THE MATTER DRAINAGE DISTRICT No. 1
WORTH COUNTY, IOWA

MINUTES

The Board of Supervisors of Worth County, Iowa, acting for and on behalf of Drainage District No. 1, Worth County, Iowa met at the Worth County courthouse at 10:00 A.M. CST, July 28, 2025.

Members present: Mark Smeby, Chairperson
A.J. Stone, Vice-Chairperson
Enos Loberg, Supervisor

Also present: Jacki Backhaus, Auditor
Valerie Paulson, Drainage Clerk
Jon Rosengren, Bolton & Menk Engineer

Landowners present: John Shurtz
Steve Heller
Gene Severson
Kenneth Parcher
Matthew Parcher

Via Zoom: Jim Hudson, Attorney

Mark Smeby explained that there are some issues at the south end of the ditch and a landowner meeting is needed to decide how to proceed. Ken Parcher explained he is taking the brunt of the water coming from DD 1.

There is confusion with maps and schedules. The map looks as if the district runs all the way to the Shellrock river, but the schedule and original map shows the district ending at Mockingbird.

Questions why the district was not reclassified in 2012 when the FEMA project was done with Wallace & Holland.

Gene Severson said he read old Supervisor minutes from July of 1962 where they defined the end of DD 1 at Mockingbird. Everything East of there to the Shellrock river was described as an outlet. It was established in the early 1900's. Jon Rosengren confirmed in the original plans the district stopped at Mockingbird.

Rosengren and Hudson explained that DD 1 has the right to push their water downstream to the Shellrock river. They do not have a responsibility to maintain downstream. If a district is created, they can charge DD 1 a common outlet fee to help with maintenance.

There are 2 options moving forward. DD 1 could annex all the lands from Mockingbird to Shellrock river, which would have to meet landowner

approval and could meet remonstrance and fail. Another option would be to establish a new drainage district. This would require a petition signed by 2 landowners, majority support from landowners and an engineer's report. Hudson said it is easier and more efficient to start a new district. If a new district is formed a common outlet fee can be assessed to DD 1 and DD 74.

Parcher currently has a mutual agreement with 2 other landowners, but this has nothing to do with the ditch in question. They have their own outlet to the Shellrock river.

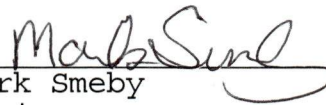
Landowner question regarding benefit for peat ground that is in a 99-year wetland agreement. Hudson explained that the land could still benefit from drainage even if they are not currently taking advantage of it. Rosengren explained this is where a reclassification could benefit to determine what benefit percentage the land receives. These lands could receive a reduction in assessments.

Rosengren is going to do some research, free of charge, and put together a list of names for the parcels which would be affected by establishing a new district East of Mockingbird to the Shellrock river. Drainage clerk will get the list to Ken Parcher for him to contact the landowners to see if there is interest in starting a new district. A petition, signed by 2 landowners, needs to be filed with the Board of Supervisors. The Supervisors then will hire an engineer to establish a survey. Notice will be published and mailed to proposed landowners 20 days before the hearing.

Hudson recommends a property bond also be posted by the 2 landowners submitting the petition. After the district is established, all expenses will be charged according to the new assessment schedule. If the new district fails, then the expenses will fall back on the landowners who posted bond.

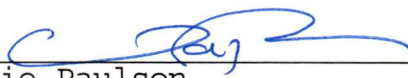
Discussion about reclassifying the current DD 1 assessment schedule. Possible reclassification on DD 74, DD 40 and DD 28.

Hearing adjourned.



Mark Smeby
Chairperson

ATTEST:



Valerie Paulson
Drainage Clerk