

IN THE MATTER DRAINAGE DISTRICT No. 40 Reclassification Hearing
WORTH COUNTY, IOWA

MINUTES

The Board of Supervisors of Worth County, Iowa, acting for and on behalf of Drainage District No. 40, Worth County, Iowa met at the Worth County courthouse at 11:11 A.M. CST, January 5, 2026.

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

Also present: Jacki Backhaus, Auditor
Chesley Doty, Drainage Clerk
Jacob Hagan, AgriVia Engineer
Tyler Bauman, AgriVia Engineer
Jim Hanson, Conservation Director

Landowners present: Greg Thompson
Dave Irons
Gene Severson
Lynn Butler
Gene Severson
Darin Dahlby
Roger Dahlby
Roger Harris
Ronald & Marion Helgeson
John Shurtz, Crescent Swamp Lodge, LLC

Via Zoom: Ryan Buske, Drainage Attorney
Nathaniel Julseth, DD 40 Commissioner
Cindy Thompson, Landowner

Enos Loberg called the meeting to order and determine a quorum.

Motion by Mark Smeby/Second A.J. Stone approve today's agenda. Motion carried.

Enos recessed the meeting and took a motion to open the public hearing on the reclassification for DD 40.

Motion by Mark Smeby/Second A.J.

Roll Call	Smeby	Yea <u>x</u>	Nay <u> </u>
	Stone	Yea <u>x</u>	Nay <u> </u>
	Loberg	Yea <u>x</u>	Nay <u> </u>

Jacob Hagan started the meeting off by saying annexation is a determination on if you are in the district and reclassification is how much you are in it. He said since the annexation hearing is being continued then the reclassification will be continued. He said that Drainage District 40 was established in 1919 serving approximately 1,646 acres. This district includes a Main Tile, Lateral 1, Lateral 2, Lateral 3, Lateral 4, Lateral 5, and Lateral 6 tiles.

Dave Irons had a concern and said that he wanted to make sure DD40 water was accounted for under the existing outlet or potentially under a new outlet. He said if they are dumping water into a private district, it opens up a new problem even if it has been done for the last 50 years. Mark asked that even a private district could ask for a common outlet fee. Jacob stated that it would be a question for an attorney. Ryan Buske stated that if they put in their own common outlet at the agreement of the parties and if they are not included in a drainage district that would be the responsibility of the private party. Buske stated that if there is going to be any sort of improvement you get a repair agreement or easement agreement to ensure that all the money spent on that outlet would give them some sort of percent of ownership. Mark said it was just a question because there

isn't anything set as of now.

Jacob explained how relieving the lands of from overflow they use five factors. Drain Class is 40% which is all of your soil types, Ksat is 25% where your sand comes into play, Depth of water table is 25% where soil maps tell you the depth of water table, K Factor is 5% how easily your soils can erode and then CSR2 at 5% which if your soil has poor productivity index additional drainage doesn't really benefit them as opposed to a really good soil that good drainage.

Jacob said affording an outlet they use slope-50%, infrastructure use-30% and proximity to facility-20%.

Jacob stated that they came up with seven assessment schedules and they used \$100,000 as a number for ease of percentages and average cost per acre would be \$61. He said that there isn't any work proposed. Assessments are calculated based on benefit and cost isn't the same for each landowner.

Jacob said that there were two objections Butler and Thompson read in the annexation hearing.

Jim Hanson was asking for an 80% reduction in assessment because the conservation land will never become productive farmland. Jacob said that they have made that exception for DNR wetlands and private landowners that have put land in permanent wetlands but doesn't recommend for CRP because the idea for that is temporary and could farm after that.

Jacob explained that landowner rights are that any landowner can object to the annexation schedule. All objections must be put in writing before the meeting is over.

Enos asked for a motion to continue the DD40 Reclassification hearing until Monday, February 2nd at 10:30 a.m. for more information to be brought to the board. He stated that this was the only notice people were going to get for date and time of this meeting.

Motion by Mark Smeby/Second A.J. Stone

Roll Call	Smeby	Yea <u>x</u>	Nay <u> </u>
	Stone	Yea <u>x</u>	Nay <u> </u>
	Loberg	Yea <u>x</u>	Nay <u> </u>

Hearing adjourned at 11:32 a.m.



Enos Loberg
Chairperson

ATTEST:



Chelsey Doty
Drainage Clerk