

Motion to approve minutes from 6/24/24 made by Kevin Nigh, 2<sup>nd</sup> Don Parker, approved 3/0.

Motion to cancel 7/22/24 Drainage Board meeting due to lack of a quorum made by Don Parker, 2<sup>nd</sup> Kevin Nigh, approved 3/0.

**Speedway Solar:** County Surveyor, Jeff Powell, states he received an updated version of the drainage plans which he has reviewed and feels they are heading in the right direction now. Mr. Powell did make a call to Ryan Green of Pinion Engineering who is working for Speedway Solar, for some clarifications of the plans. Mr. Powell also states the latest revision shows drain tile main line H (Carmony Tile), they are proposing to extend it from the Southern boundary line up to the east side of 625 E onto leased property past the County's portion of the legal drain (County portion ends on the west side of 625 E). He feels that a portion of the drain tile should be replaced at this location (at Speedway's expense since it needs replacement anyway). Mr. Powell feels the Drainage Board should give official approval for Speedway Solar to replace that tile, he believes Speedway would be keeping the placement the same. Ben Kuhn, property owner, wants them to complete this before the project moves forward as he is afraid of false promises. Mr. Powell asks the (non-participating) property owners present today if they have ever been contacted about an official easement across their property, they state they have not been contacted by Speedway or Pinion regarding an easement on their property. Jason Abel states he spoke to rep from DE Shaw 7/2/24 regarding the issue of lack of communication regarding the easements, he was advised the property owners would be contacted by 7/4/24. Rex Kuhn expresses he still has some areas of concern with Speedway's most recent drainage proposal. Ben Kuhn would like to know if the drainage would need to be completed prior to driving any pilings. Jeff Powell says the commitment letter clearly states there would be no pile driving until all drainage is in place, but Speedway has asked for an exception for this. Mr. Powell personally feels he would be comfortable with them going ahead with pile driving strictly in areas where drainage work is not needed, but anywhere that is part of the drainage plan, absolutely no pile driving until drainage work is completed. Jason Abel states he feels they are in a better place to entertain the idea of them starting some pile driving but he also points out the submitted drainage plan requires easements that have not yet been obtained. Rex Kuhn encourages County employees to come see some other drainage issues if we get more rain that have come to light after recent rains, such as smashed culverts and/ or culverts that are too small and internal driveways holding water back. Jason Abel feels after the discussion, no official action should be taken at this time, Jeff Powell agrees with the exception that he would like to give Speedway the green light to replace the portion of the Carmony Tile discussed, but no official action was taken today. Ben Kuhn wanted to know would the main drain line would still be proposed to be made a County legal drain upon completion. Jeff Powell states once the pipes are placed, he would promote it becoming legal County drain, Jason Abel agrees, but it would have to go through a process to accomplish that. Kyle Barlow wants to clarify regarding allowing Speedway Solar to start some pile driving in the areas that are not around drainage that will affect surrounding property owners. Jeff Powell clarifies he thinks it is reasonable to let them start in the 1 specific area northwestern quadrant where drainage concerns have been addressed and would not affect offsite drainage/ outside participants. Kyle Barlow would like to caution to not let them start any pile driving until drainage has been completely figured out because he does not believe they will stop or be "policed" and to make sure they are in the right places. Jason Abel reiterated he does not believe there should be any official action today since we are still lacking easements to complete the drainage plan, which includes the Northwest quadrant. Jeff Powell does feel after today's conversation everyone is on board with Speedway Solar replacing the portion of the Carmony Tile discussed, but there was not a vote.

**Ditch Spraying:** Jeff Powell states the ditch spraying is completed. There are 2 that were not able to be sprayed due to access/ potential crop damage to get there. He received an invoice for \$56,636.85. Mr. Powell is questioning some of the distances before making payment as he believes the invoice includes some discrepancies. Kevin Nigh motions to approve the claim be paid once the County Surveyor gets the discrepancies worked out to not delay payment since the 7/22/24 meeting had been cancelled, 2<sup>nd</sup> Don Parker, approved 3/0.

**Lakeview Pond Treatment:** ASAP Aquatics treated the pond this year and they are on the books for next year as well. Jason Abel motions to approve paying \$900 to ASAP Aquatics for the pond treatment for 2024, 2<sup>nd</sup> approved 3/0.

**Culvert at 350 & 600:** Kyle Barlow, Culvert 350 & 600 the Highway Department came out and scooped out the culvert approximately 30' back, there is some mud still there. After last week's rain the water was moving through it and was glad it had improved. Highway Superintendent, Kem Anderson, states it still needs cleaned out further to the south, but they had trouble since it was so dry at the time they were onsite; he feels it will clean itself out now that water is flowing. Mr. Barlow thanks the Highway Department.

Blake Newkirk wants to state on the record that Speedway Solar has had 5 years to get their plans together, their delays are at no fault of the Drainage Board or Commissioners. Jeff Powell states they like to make the statement they have a drainage approval; they do have a *surface* drainage approval but not *subsurface*, they only had a conceptual drawing for subsurface in the beginning.

**Johnson County:** Jeff Powell received a notice that they are going to be vacating a portion of the Clarence Province Drain where some of Shelby County's properties drain into. Kevin Nigh recalls (what he believes was this same drain) discussed being vacated several years ago and there were property owners who objected, so it never moved forward. There was concern about the outlet at the time. Jeff Powell is going to investigate it.

Adjourn.