

**NOTICE OF HEARING ON PROPOSED REPAIRS**

**VANMAN LEVEE REPAIRS – DESOTO NWR**

**DRAINAGE DISTRICT NO. 30**

**POTTAWATTAMIE COUNTY, IOWA**

TO: CALACCI, BENJAMIN J, LIFE ESTATE C/O KIN LEGADO LLC; CAMPBELL, ABIGAIL; CAMPBELL, CONSTANCE; CAMPBELL, LEE, ESTATE C/O JAMIE CAMPBELL, EXECUTOR; COLLINS, LARRY, LIFE ESTATE C/O LARRY L COLLINS; CRISPIN LAND LLC C/O GINGER G GEISE; CRISPIN, CONNIE D; DANKER, RICHARD G TRUST; FULTON, BETTE J TRUST C/O FARMERS NATIONAL CO; GINGERICH, KYLE M & KAREN L; HONEYLAND FARMS TRUST; HOYT, DANIEL M & DALE ANN; IOWA STATE CONSERVATION COM IDNR LAND ACQUISITION/MGMNT; KENSINGER, TIMOTHY & FRANCES TRUST; LEADERS, JOY A; MAASKE FARMS LLC; MARTENS, ROBERT E; MCINTOSH, LYLE F; MCINTOSH, THOMAS W; MCINTOSH, THOMAS W & LINDA A; MEADE BROTHERS LLC; NOLAN AMALGAMATED LLC; NOLAN, CLEMENCIA F C/O MARTIN NOLAN; NOLAN, RICHARD JOSEPH; OTTO FAMILY FARMS LLC; PENNY STREET FARMS INC; POTTAWATTAMIE COUNTY; POTTATAWATTAMIE COUNTY ENGINEER; ROCKFORD FARMS INC C/O COREY MCINTOSH; SCHWERTLEY PIONEER TRUST; SOUTHERLAND, ROBERT C & RACHAEL L; STEVENS, TRAVIS L; STUART, MARK & CASSIDY TRUST; THOMPSON, PATRICIA A; THOMSEN, RONALD E & ETHEL M; T-S FARMS INC; UNITED STATE OF AMERICA, SHIRLEY L KARMAN, US DEPT OF INTERIOR FISH & WILDLIFE SERVICE; WAGNER, FRANK J & M BARBARA; WRIGHT, JOHN R; WRIGHT, RICHARD

**YOU AND EACH OF YOU ARE HEREBY NOTIFIED** that the trustees on behalf of Vanman Drainage District No. 30 in Pottawattamie County have employed Bolton & Menk, Inc. as an engineer to determine the feasibility or the necessity of having repairs, and/or improvements, all concerning the drainage facilities of Vanman Drainage District No. 30 in order to provide adequate drainage and relief for the lands included in said Vanman Drainage District No. 30.

**YOU ARE FURTHER NOTIFIED** that the trustees requested that said engineer make a preliminary survey and investigation of the possible repairs and/or improvements of DeSoto Bend Levee, Vanman Drainage District No. 30.

**YOU ARE FURTHER NOTIFIED** that the drainage engineer, Jonathan P. Rosengren with Bolton & Menk, Inc., has filed his report with the Auditor of Pottawattamie County in which he recommends certain repairs and/or improvements. That the engineer's estimate for the costs of the proposed repairs, improvements, and potential annexation and reclassification are as follows:

Total Estimated Project Cost: \$2,312,000 with State and/or Federal (FEMA) funds covering the entirety of the estimated costs.

**YOU ARE FURTHER NOTIFIED** that this report and recommendations in full are on file in the office of the Pottawattamie County Auditor at the Pottawattamie County Courthouse, 227 South 6<sup>th</sup> Street, Council Bluffs, Iowa 51501, for your information and you are encouraged to obtain a copy and review the same prior to the date set for hearing in this Notice. Said reports have been reviewed and considered by the trustees and they have been tentatively approved as the trustees have determined that the repairs and/or improvements are necessary and feasible. The engineer's reports also contained the following recommendations and proposals:

1. **Right-of-Way.** The report recommends the consideration by the trustees of the acquisition of additional right-of-way for this project which will be considered at this hearing or a continuation thereof.
2. **Annexation.** That at a later date an annexation of additional lands will be considered by the board.
3. **Reclassification.** That at a later date the board will consider reclassification with appropriate adjustment of assessments.

**Interest Rate and Waivers.** The trustees will also consider the appropriate interest to charge on stamped warrants and determine the length of time that assessments may be paid of not less than ten (10) nor more than twenty (20) years.

For further particulars you are referred to the engineer's reports for Vanman Drainage District No. 30 now on file in the office of the Pottawattamie County Auditor.

**YOU ARE FURTHER NOTIFIED** that the trustees, acting on behalf of Vanman Drainage District No. 30, have fixed a time and place of hearing on said report for proposed repairs and/or improvements for **June 24<sup>th</sup>, 2020 at 10:00 a.m.** at the Pottawattamie County Courthouse, Board of Supervisors Room and Multi-Purpose Room, 227 South 6<sup>th</sup> Street, Council Bluffs, Iowa 51501. You may also participate via your personal computer at the YouTube address and/or by Telephone Conference Call as instructed below.

**Participate in this meeting via:**

In person: Limit of 10 people in Board Hearing Room; Limit of 10 people in Multi-Purpose Room

YouTube, at: <https://bit.ly/2Bd3Jqn>

Telephone Conference Call: (712) 328-5848

Please note, per order of the Iowa State Governor, there is a 10 person limit in the Board of Supervisors Hearing Room. We anticipate the Board of Supervisors Hearing Room will be at full capacity with the trustees and support workers. There will be an overflow area in the Multi-Purpose Room located in the basement of the Courthouse where you can view the meeting via YouTube. A telephone will also be available in the Multi-Purpose Room to

participate via the telephone conference call option. There is a 10 person limit in the Multi-Purpose Room as well.

At said hearing the trustees shall hear objections to the feasibility of such repairs and/or improvements of the drainage district as may be presented by and for any landowner in the district. The report of the engineer as filed herein may be amended before final action is taken thereon by the trustees. This hearing may be continued from time to time without further notice as determined by the trustees.

**YOU ARE FURTHER NOTIFIED THAT ALL OBJECTIONS TO THE ENGINEER'S REPORT OR TO ANY MATTER CONNECTED WITH THIS HEARING MUST BE IN WRITING AND FILED WITH THE POTTAWATTMAIE COUNTY AUDITOR AT OR BEFORE THE TIME FIXED FOR HEARING.**

Any interested party may be heard in an argument by himself or by counsel. Anyone who fails to object shall be held to have waived all objections and claims for damages.

**YOU ARE FURTHER NOTIFIED** that if you fail to object, the trustees can make a final decision to make repairs and/or improvements of Vanman Drainage District No. 30, acquire additional right-of-way, annex additional lands, and reclassify. **As a consequence of your failure to object you lose your right to appeal the final decision within twenty (20) days to the Iowa District Court.**

**This notice is published and mailed as provided by law at the direction of the trustees, acting on behalf of Vanman Drainage District No. 30.**

Melvyn Houser  
Pottawattamie County Auditor