SEPTEMBER 27, 2022
Osceola + Dickinson Counties Joint Board of Supervisors
Osceola County Courthouse
300 7th St.
Sibley, IA 51249

RE: Joint Drainage District No. 3 Branch 152 Improvements

REVIEW OF OBJECTIONS + REMONSTRANCE

A final review of objections to the recommended improvements for Joint Drainage District No. 3 (JDD3) Branch 152 was completed by ISG in September 2022. During review, all objections were cross-referenced with the existing branch assessment schedules for the Joint District. Assessed acres were summed for all objecting landowners. For remonstrance to be met, an aggregate of 50% of landowners owning 70% or more of the land within each facility's assessment schedule must formally object to the recommended improvements. It was found that the lands within the JDD3 Branch 152-178-78 watershed have met remonstrance requirements. Lands within the Branch 152 and 152-178 watersheds did not have enough objecting acres to reach remonstrance. The table below summarizes the results of the final review of objections. Remonstrance calculations have been reviewed by the Joint District's legal counsel and are on file at both the Dickinson and Osceola County Auditor's offices.

FACILITY	OBJECTING ACRES	OBJECTING LANDOWNERS	REMONSTRANCE
Branch 152	68.63% (3096.42/4512.07)	55% (36/65)	NO
Branch 152-178	47.93% (653.59/1363.64)	57% (12/21)	NO
Branch 152-178-78	81.43% (410/503.5)	54% (7/13)	YES

CONSIDERATIONS & RECOMENDATIONS

Branch 152

During the hearing on the Final Engineer's Report on August 9, 2022, it was evident that landowners are not currently in support of the full improvement of the Branch 152 Tile. Consequently, ISG recommends the Joint Board reject the Branch 152 Option 1 and Option 2 improvements outlined in the Final Engineer's Report for lack of support. Since the Branch 152 Tile serves as the outlet to Branch 152-178 and remonstrance was not met, the Branch 152 Tile, at a minimum, needs to provide adequate capacity from its outlet into the Branch 152 Open Ditch up to the junction with Branch 152-178. Therefore, it is recommended by ISG that the district proceed with Branch 152 Option 3.

Branch 152-178

Remonstrance was not met on the Branch 152-178 Tile facility. Therefore, the Joint Board may advance with improvements to these facilities. It is ISG's recommendation that the Joint Board proceed with Option 1 for the Branch 152-178 Tile facility to address the original petition for improvement.

Branch 152-178-78

Since the Branch 152-178-78 improvements met remonstrance requirements, proceedings for improvements to that specific facility must stop. ISG recommends that the Joint Board officially accept this remonstrance and stop all proceedings regarding the improvement of JDD3 Branch 152-178-78 at the continued hearing on November 22, 2022.

Amendment to the Final Engineer's Report

At public hearing on August 9th, 2022, the Joint Board directed ISG to amend our Engineer's report to include a separate outlet option for Branch 152-178. Given that remonstrance was not met for the Branch 152 Tile, a separate outlet improvement does not need to be considered for Branch 152-178. Therefore, in lieu of an amendment to the Final Engineer's Report dated June 23, 2022, ISG is providing this letter with our updated recommendation to Branch 152.

Sincerely,

Ivan Droessler, PE
Senior Civil Engineer
Ivan.Droessler@ISGinc.com

c: Rochelle Van Tilburg, Osceola County Auditor
Lori Pedersen, Dickinson County Auditor
Brian Yung, JDD3 Legal Counsel