

CLARKE COUNTY RESERVOIR COMMISSION
Information Station
(Clarke County Development Office)
115 Washington Street
Osceola, IA
Thursday, August 17, 2017

9:00 a.m.

Brandon Patterson, Chairperson	Osceola Water Works
Larry Keller, Alternate	Clarke Board of Supervisors
William Trickey, Secretary	City of Woodburn
Sue Wilder, Treasurer	Member at Large
Dan McIntosh	SIRWA
Ty Wheeler	City of Osceola
Scott Busick	City of Murray
Max Crawford, Alternate	SIRWA
Kathy Kelly	Landowner
Jeannie Crees, Alternate	City of Murray
Helen Kimes	Osceola
Nelson Fry	Osceola
Robert Johnson	
Tom Andersen	Clarke County Engineer
John Snyder	Osceola
Sarah Hettinger	Osceola
Bob Hettinger	Osceola
L. Robins	Osceola
Randy Dunbar	Osceola
David Beck	SIRC&D, Inc.
Judy Weese	SIRC&D, Inc.

*Not everyone who attended the meeting signed in.

CALL MEETING TO ORDER

Chairperson Brandon Patterson called the regular meeting of the Board of Directors of the Clarke County Reservoir Commission (CCRC) to order at 9:00 a.m. Six Commissioners and one Alternate responded to roll call.

APPROVE AGENDA

A motion to approve the August 17, 2017 revised agenda was made by Commissioner Dan McIntosh and seconded by Commissioner Sue Wilder. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

APPROVE JULY 21, 2017 ANNUAL MEETING MINUTES

A motion was made by Commissioner Ty Wheeler and seconded by Commissioner Scott Busick to approve the July 21, 2017 annual meeting minutes as written. Motion carried on roll call vote:

Ayes: Commissioners Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh and Sue Wilder
 Abstain: Commissioner Brandon Patterson and Alternate Larry Keller.

APPROVE JULY 21, 2017 REGULAR MEETING MINUTES

A motion was made by Commissioner Ty Wheeler and seconded by Commissioner Dan McIntosh to approve the July 21, 2017 regular meeting minutes as written. Motion carried on roll call vote:

Ayes: Commissioners Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh and Sue Wilder
 Abstain: Commissioner Brandon Patterson and Alternate Larry Keller.

TREASURER'S REPORT

**TREASURER'S REPORT
 Clarke County Reservoir Commission
 August 17, 2017**

GENERAL CHECKING ACCOUNT-SPONSOR CONTRIBUTION

PREVIOUS BALANCE (July 21, 2017)		-\$1,488.34	
REVENUE RECEIVED/DEPOSITED			
08/17/2017 City of Murray – FY 2018 dues	1,940.40		
	TOTAL REVENUE RECEIVED	<u>1,940.40</u>	
CASH BALANCE (August 17, 2017)		\$ 452.06	
EXPENSES PRESENTED FOR PAYMENT			
08/17/2017 Creston Publishing – publish meeting minutes for July*	108.98		Ck #1375
08/17/2017 Bobs Custom Trophies, Inc.	113.36		Ck #1376
08/17/2017 Friday Insurance Agency, Inc. – bonding insurance	238.00		Ck #1377
08/17/2017 SIRC&D – postage expense*	<u>192.85</u>		Ck #1378
	TOTAL EXPENSES	<u>653.19</u>	
ENDING BALANCE (August 17, 2017)		<u>- \$ 201.13</u>	

*Hold checks until member dues are received.

SPECIAL ACCOUNT

(Opened 7/26/2007)

PREVIOUS BALANCE (July 21, 2017)		\$104,092.17
REVENUE RECEIVED/DEPOSITED		
07/31/2017 Interest for July 2017	<u>53.93</u>	
	TOTAL REVENUE RECEIVED	<u>53.93</u>
CASH BALANCE (August 17, 2017)		\$104,146.10
EXPENSES PRESENTED FOR PAYMENT		
	TOTAL EXPENSES	<u>00.00</u>

ENDING BALANCE (August 17, 2017) \$104,146.10

LOSST 2008 CHECKING ACCOUNT

Account opened 10/09/2008

PREVIOUS BALANCE (July 21, 2017) \$46,895.85

REVENUE RECEIVED/DEPOSITED

07/21/2017 City of Woodburn – May 2017 sales tax period 2,276.50
 07/31/2017 Interest for July 2017 28.76

TOTAL REVENUE RECEIVED 2,305.26

CASH BALANCE (August 17, 2017) \$49,201.11

EXPENSES PRESENTED FOR PAYMENT 0.00

ENDING BALANCE (August 17, 2017) \$49,201.11

LOSST 2009 CHECKING ACCOUNT

Account opened 04/17/2009

PREVIOUS BALANCE (July 21, 2017) \$586,297.30

REVENUE RECEIVED/DEPOSITED

07/31/2017 Interest for July 2017 300.31
 08/04/2017 City of Osceola – 2 LOSST payments – April & May sales tax 130,963.70
 08/11/2017 Transfer of funds – payment in July to City of Osceola 156,967.02
 08/11/2017 Transfer of funds – close CASINO account 4,497.86

TOTAL REVENUE RECEIVED 292,728.89

CASH BALANCE (August 17, 2017) \$879,026.19

EXPENSES PRESENTED FOR PAYMENT

07/21/2017 City of Osceola 156,967.02 Ck #1192
 08/17/2017 MIDWEST Right of Way 7,716.00 Ck #1193
 08/17/2017 Ahlers Cooney Attorneys-legal assistance 545.00 Ck #1194
 08/17/2017 Mid-State Engineering 1,280.00 Ck #1195
 08/17/2017 Iowa Environmental Services 425.00 Ck #1196

TOTAL EXPENSES PRESENTED 166,933.02

ENDING BALANCE (August 17, 2017) \$712,093.17

PREFERRED DIRECT SAVINGS ACCOUNT (MURRAY) XXXX344 (LOSST 2010) opened 9/8/2011

PREVIOUS BALANCE (July 21, 2017) \$155,252.92

REVENUE RECEIVED/DEPOSITED

07/21/2017 City of Murray – May 2017 sales tax period 9,207.02
 07/31/2017 Interest for July 2017 78.68

TOTAL REVENUE RECEIVED 9,285.70

CASH BALANCE (August 17, 2017) \$164,538.62

EXPENSES PRESENTED FOR PAYMENT 0.00

TOTAL EXPENSES PRESENTED 0.00

ENDING BALANCE (August 17, 2017) \$164,538.62

PREFERRED DIRECT SAVINGS ACCOUNT XXX774 (LOSST 2008) (opened 12/16/2010)

12/15/2009 Certificate of Deposit (2008 Local Option Sales & Service Tax)

PREVIOUS BALANCE (July 21, 2017)	\$328,603.42
REVENUE RECEIVED/DEPOSITED	
07/31/2017 Interest for July 2017	<u>170.24</u>
	TOTAL REVENUE RECEIVED
	<u>170.24</u>
ENDING BALANCE (August 17, 2017)	<u>\$328,773.66</u>

SAVINGS ACCOUNT (CASINO FUND) (opened 2/6/2013)

PREVIOUS BALANCE (July 21, 2017)	\$161,381.27
REVENUE RECEIVED/DEPOSITED	
07/31/2017 Interest for July 2017	<u>83.61</u>
	TOTAL REVENUE RECEIVED
	<u>83.61</u>
	\$161,464.88
08/11/2017 Transfer of funds to LOSST 2009 for check #1192 to City	156,967.02
08/11/2017 Transfer of funds to LOSST 2009 – close CASINO ACCOUNT	<u>4,497.86</u>
	<u>161,464.88</u>
	<u>\$ 0.00</u>

TOTAL ENDING BALANCE August 17, 2017 **\$1,358,551.53**

Copies of the Treasurer’s Report were made available for the audience to review. Commissioners had received the Treasurer’s Report and copies of all bills to review prior to the meeting. A motion to approve the Treasurer’s Report and to pay the bills was made by Commissioner Ty Wheeler and seconded by Commissioner William Trickey. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

NEW BUSINESS AND CONTINUING BUSINESS

REPORT OF STATUS OF NEGOTIATIONS WITH PROPERTY OWNERS

Dave Beck reminded the Commissioners that negotiations are confidential until a purchase agreement is brought to CCRC for action. He reported on status of negotiations with property owners in alphabetical order.

Following Dave Beck’s report, CCRC Commissioners prepared for the Public Hearing. Motion was made by Commissioner William Trickey and seconded by Commissioner Ty Wheeler to open the public hearing at 9:15 a.m. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

9:15 PUBLIC HEARING

Chairperson Brandon Patterson reviewed the Protocols for all CCRC public hearings approved at the June 13, 2017 CCRC business meeting.

Two persons, Kathy Kelly and Randy Dunbar, had registered to speak at the public hearing.

Dave Beck addressed Kathy Kelly's questions and recommended that she talk to her own legal counsel concerning procedure for acquisition of land through use of eminent domain.

Randy Dunbar declined to make any comment.

PUBLIC HEARING CLOSED

With no more requests from the audience to speak at the public hearing, a motion was made by Commissioner Dan McIntosh, seconded by Alternate Larry Keller to close the public hearing at 9:20 a.m. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

RESOLUTION AUTHORIZING ACQUISITION OF LAND THROUGH USE OF EMINENT DOMAIN/D-Bar Farms

Commissioner Dan McIntosh moved to approve RESOLUTION AUTHORIZING ACQUISITION OF LAND THROUGH USE OF EMINENT DOMAIN/D-Bar Farms. Commissioner William Trickey seconded the motion. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

RESOLUTION AUTHORIZING ACQUISITION OF LAND THROUGH USE OF EMINENT DOMAIN/Mike and Kathy Kelly

Commissioner William Trickey moved to approve RESOLUTION AUTHORIZING ACQUISITION OF LAND THROUGH USE OF EMINENT DOMAIN/Mike and Kathy Kelly. Commissioner Scott Busick seconded the motion. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

RESOLUTION AUTHORIZING ACQUISITION OF LAND THROUGH USE OF EMINENT DOMAIN/Edwin D. Robins and Deloris A Robins Revocable Trust

Commissioner Ty Wheeler moved to approve RESOLUTION AUTHORIZING ACQUISITION OF LAND THROUGH USE OF EMINENT DOMAIN/Edwin D. Robins and Deloris A Robins Revocable Trust. Commissioner Sue Wilder seconded the motion. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

RESOLUTION AUTHORIZING ACQUISITION OF LAND THROUGH USE OF EMINENT DOMAIN/Cindy Sanford

Commissioner Ty Wheeler moved to approve RESOLUTION AUTHORIZING ACQUISITION OF LAND THROUGH USE OF EMINENT DOMAIN/Cindy Sanford. Commissioner Dan McIntosh seconded the motion. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

CONTRIBUTION AGREEMENT BETWEEN CCRC AND OSCEOLA WATER WORKS

Commissioner William Trickey moved to approve a contribution agreement between Osceola Water Works and Clarke County Reservoir Commission. Motion was seconded by Commissioner Dan McIntosh. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

UNDERWRITING ENGAGEMENT LETTER – D.A. DAVIDSON

Commissioner William Trickey moved to approve the underwriting engagement letter from D.A. Davison to “serve as underwriter or placement agent for the Clarke County Reservoir Commission on its proposed offering and issuance of Bonds for the purpose of financing a land acquisition of reservoir construction.” Motion was seconded by Alternate Larry Keller. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

ENGAGEMENT LETTER – DAVIS BROWN LAW FIRM

Commissioner William Trickey moved to approve the engagement letter from Davis Brown Law Firm to serve as bond counsel in connection with issuance of Clarke County Reservoir Commission revenue bonds. Motion was seconded by Commissioner Ty Wheeler. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

APPROVE AGRICULTURAL LEASES – JIM OSWALD

Motion was made by Commissioner William Trickey and seconded by Alternate Larry Keller to extend the current agricultural lease with Jim Oswald to March 2020 providing the area is not ready by construction. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

OTHER ITEMS TO BE DISCUSSED BY COMMISSION MEMBERS

The next CCRC meeting will be Thursday, September 14, 2017. Commissioners requested that copies of policies to provide records under the open meetings and open records law be made available to them for review prior to the next meeting.

ADJOURN MEETING

Upon motion made by Commissioner Dan McIntosh seconded by Alternate Larry Keller, the meeting adjourned at 9:40 a.m. Motion carried on roll call vote:

Ayes: Commissioners Brandon Patterson, Scott Busick, Ty Wheeler, William Trickey, Dan McIntosh, Sue Wilder and Alternate Larry Keller.

Secretary

THE NEXT REGULAR MEETING OF THE CLARKE COUNTY RESERVOIR COMMISSION WAS SCHEDULED FOR THURSDAY SEPTEMBER 14, 2017 AT 9:00 A.M. AT THE CLARKE COUNTY DEVELOPMENT OFFICE, OSCEOLA, IA.