

**CLARKE COUNTY RESERVOIR COMMISSION**  
**Clarke County Development Office**  
**115 East Washington Street, Osceola, IA 50213**  
**Thursday, August 13, 2009**  
**9:00 a.m.**

Sandy Kale, Chairperson  
Jack Cooley, Vice Chairperson  
Fred Diehl, Secretary  
Dan McIntosh, Treasurer  
Frank Riley  
Norm Lust  
Harold Allen, Jr.  
Bill Trickey  
Jeannie Crees, Alternate  
Anne Welker

Osceola Water Board  
Clarke County Supervisors  
City of Osceola  
Southern Iowa Rural Water Association  
Clarke County Conservation Board  
Clarke Soil & Water Conservation District  
City of Woodburn  
Clarke County Development Board  
City of Murray  
Member at Large

Darlene Handrock  
Joseph E. Handrock  
Lon Mayfield  
Kathy Kelly  
Nelson Fry  
Martin Adkins  
Rick Buesch  
Anita Foland  
Thomas E. Andersen  
Bill Kelly  
Jeremy Tipton  
Bob Himschoot  
Mary Klein  
Ed Stoll  
Dan Shepherd  
Marion James  
Dennis Hilger  
Judy Weese

Landowner  
Landowner  
Landowner  
Landowner  
Landowner  
USDA NRCS, Des Moines  
Banta Abstract Co., Osceola  
Clarke County Conservation Board  
Clarke County Engineer  
City of Osceola  
GLB Enterprises, Cedar Rapids  
GLB Enterprises, Cedar Rapids  
Clarke Soil and Water Conservation District  
Osceola Police Department  
Southern Iowa Rural Water Association  
James Law Firm, Creston  
Southern Iowa RC&D, Inc.  
Southern Iowa RC&D, Inc.

- Not everyone who attended the meeting signed in.

**CALL MEETING TO ORDER**

Chairperson Sandy Kale called the meeting of the Clarke County Reservoir Commission (CCRC) to order at 9:00 a.m. Nine Commissioners and one Alternate responded to roll call.

**APPROVE AGENDA**

A motion to approve the August 13, 2009 meeting agenda as written and posted was made by Commissioner Dan McIntosh and seconded by Commissioner Fred Diehl. Motion carried with a roll call vote.

Ayes: Commissioners William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, Frank Riley and Alternate Jeannie Crees

**APPROVE July 9, 2009 MEETING MINUTES**

A motion was made by Commissioner Norm Lust and seconded by Commissioner Anne Welker to approve the July 9, 2009 Annual Meeting and Regular Business Meeting minutes as written. Motion carried with a roll call vote:

Ayes: Commissioners William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, and Alternate Jeannie Crees  
 Abstain: Commissioner Frank Riley.

**TREASURER'S REPORT**

Before reviewing the Treasurer's Report, Treasurer Dan McIntosh explained that in the process of checking records to solicit proposals from each of the three Osceola, Iowa banks for interest rates on checking accounts, savings accounts and cost of services, it was discovered that the proposal approved in July 2008 was for a 2 year period (24 months) and was in effect until end of fiscal year 2010. Therefore, proposals from the three Osceola banks were not solicited for FY 2009. Mr. McIntosh explained this process applied specifically to checking accounts.

**TREASURER'S REPORT**  
*Clarke County Reservoir Commission*  
**August 13, 2009**

<b>CHECKING ACCOUNT</b>		<b>CK#</b>
<b>PREVIOUS BALANCE</b> (July 9, 2009)	<b>\$943.90</b>	
<b>REVENUE RECEIVED</b>		
7/9/2009 Clarke County Development Corporation – FY 2010 Dues	2,500.00	
7/31/2009 Interest for July 2009	<u>.88</u>	
<b>TOTAL REVENUE RECEIVED</b>	<b><u>2,500.88</u></b>	
<b>CASH BALANCE</b>	<b>\$3,444.78</b>	
<b>EXPENSES PRESENTED FOR PAYMENT</b>		
8/13/2009 Creston Publishing - publish June 11 and July 9 minutes	<u>77.39</u>	Ck #1097
<b>TOTAL EXPENSES PRESENTED FOR PAYMENT</b>	<b><u>\$77.39</u></b>	
<b>ENDING BALANCE</b> (August 13, 2009)	<b>\$3,367.39</b>	

<b>SPECIAL ACCOUNT</b>		<b>CK#</b>
<i>(Opened 7/26/07)</i>		
<b>PREVIOUS BALANCE</b> (July 9, 2009)	<b>\$25.17</b>	
<b>REVENUE RECEIVED</b>	<b><u>0.00</u></b>	
<b>CASH BALANCE</b> (August 13, 2009)	<b>\$25.17</b>	
<b>EXPENSES PRESENTED FOR PAYMENT</b>	<b><u>0.00</u></b>	
<b>ENDING BALANCE</b> (August 13, 2009)	<b>\$25.17</b>	

<b>LOSST 2008 CHECKING ACCOUNT</b>	<b>CK#</b>
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Account opened 10/9/2008

**PREVIOUS BALANCE** (July 9, 2008) **\$ 217,290.57**

**REVENUE RECEIVED**

7/20/2009	City of Woodburn – Check #8997 (Sales Tax Period: May 2009)	3,365.52
7/31/2009	Interest for July 2009	<u>162.90</u>

**TOTAL REVENUE RECEIVED TO DATE** **\$3,528.42**

**CASH BALANCE** (August 13, 2009) **\$ 220,818.99**

**EXPENSES PRESENTED FOR PAYMENT**

8/13/2009	James Law Firm – <i>legal services</i>	2,169.92	Ck 1020
8/13/2009	Ahlers & Cooley Law Firm – <i>legal service</i>	490.00	Ck 1021
8/13/2009	USDA NRCS – <i>technical assistance</i>	9,746.26	Ck 1022
8/13/2009	SIRWA (Garden & Associates, LTD) – professional services	<u>479.00</u>	Ck 1023

**TOTAL EXPENSES** **\$12,885.18**

**ENDING BALANCE** (August 13, 2009) **\$207,933.81**

<b>LOSST 2009 CHECKING ACCOUNT</b>
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Account opened 4/17/2009

**PREVIOUS BALANCE** (July 9, 2009) **\$266,952.84**

**REVENUE RECEIVED**

7/20/2009	City of Osceola – Check #267417 (Sales Tax Period: May 2009)	77,617.14
7/31/2009	Interest for July 2009	<u>192.79</u>

**TOTAL REVENUE RECEIVED** **\$77,809.93**

**CASH BALANCE** (August 13, 2009) **\$344,762.77**

**EXPENSES PRESENTED FOR PAYMENT**

8/13/2009	GLB Enterprises, LLC (land acquisition team activity for June 2009)	4,604.00	Ck 1002
8/13/2009	GLB Enterprises, LLC (land acquisition team activity for July 2009)	<u>3,094.00</u>	Ck 1003

**TOTAL EXPENSE** **\$7,698.00**

**ENDING BALANCE** (August 13, 2009) **\$337,064.77**

<b>12 MONTH CERTIFICATE OF DEPOSIT</b>
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12/11/2008 Time Certificate of Deposit (2008 Local Option Sales & Service Tax) **\$300,000.00**

Treasurer Dan McIntosh noted that copies of the Treasurer’s Report were available for the Commissioners and audience to review. A motion to approve the Treasurer’s Report and to pay the bills as presented was made by

Commissioner Jack Cooley and seconded by Commissioner Norm Lust. Motion carried on a roll call vote:

Ayes: Commissioners William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, Frank Riley and Alternate Jeannie Crees.

## **NEW BUSINESS**

### **REVIEW OF AUDIT PROPOSALS**

Treasurer Dan McIntosh explained that in past years a *financial review of financial statements* had been conducted by a certified public accountant. Since CCRC was involved in more financial activity the past year, CCRC put out request for bids from Certified Public Accountants to perform a FY 2009 audit for CCRC. The request for bids was advertised in the Creston and Osceola newspapers and letters were mailed to CPAs listed in the yellow pages for Creston and Osceola. Bids were due at the SIRC&D Office (service provider) by 1:00 p.m. on August 11, 2009.

Treasurer Dan McIntosh reported one bid was received in the amount of \$3,150.00 from Ted Willets, CPA, located in Creston. The commissioners were presented a copy of the bid received from Mr. Willets.

A motion to accept the bid of \$3,150.00 received from CPA Ted Willets to perform a FY 2009 audit for CCRC was made by Commissioner Sandy Kale. The motion was seconded by Commissioner Fred Diehl and carried on a roll call vote:

Ayes: Commissioners William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, Frank Riley and Alternate Jeannie Crees.

### **MEDIA COMMITTEE REPORT**

Commissioner Frank Riley reported the media committee for CCRC met July 28 at the Clarke County Economic Development Office in Osceola. The committee consists of Chairman Frank Riley (Clarke Co. Conservation Board), Scott Busick (City of Murray), Bill Trickey (Clarke County Development Corporation), Mark DePoy (USDA-NRCS, Creston) and Dennis Hilger (Southern Iowa RC&D Area, Inc.). The committee reviewed all ideas that were sent from commissioners and others to CCRC Chairperson Sandy Kale.

This purpose for the committee was to come up with effective ideas to communicate the need of the project to the citizens of Clarke County; and, not be concerned at this time with distributing media outside the county. It was the CCRC Media Committee's suggestion that:

1. Develop an advertisement with bullets that state pertinent facts concerning the need for water. One suggestion was to address the information as "Water Facts" and have bulleted information that would be quick and easy to read. For more information, citizens could read the minutes in the Public Notice section of the *Osceola Sentinel-Tribune*.
2. Develop a user friendly web site that would provide information/articles explaining the proven need for additional water for Osceola.
3. Develop a large colored poster, as SIRC&D did for the 102 River Valley Authority, that will show the "What, Why, Who, When, Where, How" of the project.

4. Develop a small pocket tri-fold brochure that includes the information from the poster and make brochure accessible to citizens in public places.
5. Develop a power point presentation that explains the “What, Why, Who, When, Where and How” of the Clarke County Water Supply Project. This presentation could be used at local meetings of farm groups, civic clubs, community organizations, sponsor boards, etc.

A hand out was presented to the Commissioners that explained in depth each of the above items. The SIRC&D staff agreed to develop the five listed items. It was the consensus of the commissioners that the media committee will have the information reviewed by NRCS staff (Marty Adkins, Jeff Zimprich and Mark DePoy), Dennis Hilger and CCRC Commissioners before the information is distributed to the public.

### **USDA NRCS REPORT**

NRCS Assistant State Conservationist Marty Adkins presented the Commissioners and audience a handout entitled *State of Progress on the Clarke County Water Supply Plan – August 13, 2009*:

1. A first-cut evaluation of Site 3.5 has not identified physical or environmental factors that preclude its consideration as a reservoir site. This being the case, it is the opinion of NRCS that both Site 3.5 and Site 4B should be evaluated as part of a second draft plan. A ‘plan of work’ for the second draft plan has been developed.
2. Key milestones and ESTIMATED dates for the second draft plan are:
  - a. Flood routings completed – end of September 2009;
  - b. Cost estimates completed – mid November 2009;
  - c. Complete assessment of environmental effects – end of December 2009;
  - d. Second draft plan submitted for National Water Management Center Review – mid January 2009;
  - e. Draft plan ready for public and interagency review – March 2010;
  - f. Public meeting – March 2010;
  - g. End of public and interagency comment period – end of April 2010;
  - h. (Pending results of public and interagency comments) Record of Decision filed June 2010 and Final Plan forwarded to Washington August 2010.
3. The estimated cost for NRCS to bring the second draft plan to final plan status is \$146,000.
4. The NRCS reimbursable agreement form is being revised; it is not ready for consideration by the Clarke County Reservoir Commission as of today. There are some remaining funds from the current agreement to provide for continued work in August.

Mr. Adkins also presented a flow chart showing a time line for the project. Chairperson Kale announced that Marty had talked to the director of DNR, and DNR is currently preparing a document for NRCS and CCRC explaining DNR requirements at this time.

**CONSIDERATION OF REDOING PART(S) OR ALL OF "2008 WATER SUPPLY PRUDENT & FEASIBLE ALTERNATIVES"**

To keep the project progressing, Chairperson Kale asked that the board approve today, subject to review and approval by finance committee, the redoing of parts or all of the "2008 Water Supply Prudent & Feasible Alternatives" report. It was noted that this report would be completed by a private engineer.

A motion was made by Commissioner Fred Diehl to approve the updating of the "2008 Water Supply Prudent and Feasible Alternatives" report. Motion was seconded by Commissioner Norm Lust and carried on roll call vote:

Ayes: Commissioners William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, Frank Riley and Alternate Jeannie Crees.

**CONSIDERATION OF TECHNICAL SERVICES CONTRACT**

In order for Natural Resource Conservation Service (Des Moines) to continue technical services to keep the project progressing, CCRC will need to approve a new agreement that will be effective September 1, 2009 in the amount of \$146,000. There were some funds remaining in the current agreement to provide for NRCS staff to work in August. The new NRCS reimbursable agreement is being revised but not ready for consideration by CCRC as of today's meeting. NRCS Assistant State Conservationist Marty Adkins explained that there were eleven people on his staff who could start later this year on the second draft plan.

A motion was made by Commissioner Norm Lust to enter into a new agreement with USDA-NRCS for \$146,000, subject to review and approval by the finance committee and Attorney Marion James. Motion was seconded by Commissioner Frank Riley and carried on roll call vote:

Ayes: Commissioners William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, Frank Riley and Alternate Jeannie Crees.

**EDUCATION INFORMATION**

Chairperson Sandy Kale explained that she had discussed with Marty Adkins the idea of having a 10 minute education segment/session, following the monthly NRCS report, to discuss different subjects related to water supply development. A new subject could be presented at each meeting to educate everyone including the directors and audience. The session could include topics such as mitigation, flood routing, etc. A sign up sheet will be made available for attendees to submit individual idea(s) for the 10 minute education session.

A motion was made by Commissioner Fred Diehl to include the Education Information on the agenda for each meeting. Motion was seconded by Commissioner Norm Lust and carried on roll call vote:

Ayes: Commissioners William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, Frank Riley and Alternate Jeannie Crees.

**SPONSORS REPORTS**

William Trickey, Clarke County Development Corporation, reported construction had started on the new assisted living facility in Osceola.

Norm Lust, Clarke Soil and Water Conservation District, reported funds had been received to apply upland treatment to control runoff to the proposed lake area.

Dan McIntosh, Southern Iowa Rural Water Association, reported that Daniel Shepherd was working in southwest Cass County surveying people for water needs and getting easements.

Harold Allen, Jr., City of Woodburn, expressed concern in how the project delay would affect the vendors recently hired by CCRC. He felt the hiring committee should contact those vendors and give them the projected timeline. It was noted that the land acquisition coordinator, Robert Himschoot, will be on the September agenda. It was also noted that the handout Marty used for the NRCS report could be shared with the vendors.

Frank Riley, Clarke County Conservation Board, reported that a new shelter house was near completion at East Lake Park and new play ground equipment had been installed. The conservation board is working with the local NRCS office in developing a large pond north of Osceola.

Other sponsors had nothing new to report.

**OTHER ITEMS TO BE DISCUSSED BY COMMISSION MEMBERS**

Chairperson Sandy Kale stated she had visited with legal counsel Marion James regarding legal services. With the re-evaluation of the reservoir site and preparation of a new plan by NRCS, the legal services may be less at this time. A letter (retainer agreement) received from Attorney James was distributed to the CCRC Commissioners to review before the September meeting. This item will be included on the September meeting agenda. If Commissioners have any concern(s) with the agreement, they were advised to contact the SIRC&D Office (service provider).

Dennis Hilger reported that SIRC&D, who is the service provider and keeper of records for CCRC, had received a request, under the Freedom of Information Act, from a Clarke County citizen for SIRC&D's employees E-mail correspondence concerning the CCRC project during the time period of May 1, 2009 – July 10, 2009. This request was received after the July CCRC meeting. He stated the RC&D board of directors had been informed of this request and now he was informing the CCRC board of directors. It was noted that the request will be honored in accordance to Iowa Open Meetings-Open Records Law.

(The next meeting will be September 10, 2009 at the Clarke County Development Office in Osceola.)

**OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD**

Questions presented were addressed by NRCS Assistant State Conservationist Marty Adkins and the Commissioners.

**ADJOURN MEETING**

Motion was made by Commissioner Fred Diehl, seconded by Jack Cooley to adjourn at 10:41 a.m. Motion carried on a roll call vote.

Ayes: Commissioners William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, Frank Riley and Alternate Jeannie Crees

Secretary

**THE NEXT MEETING OF THE CLARKE COUNTY RESERVOIR COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 10, 2009 AT 9:00 A.M. AT THE CLARKE COUNTY DEVELOPMENT OFFICE.**