

CLARKE COUNTY RESERVOIR COMMISSION
Clarke County Development Office
115 East Washington Street
Thursday, February 14, 2008
9:00 a.m.

Sandy Kale, Chairperson	Osceola Water Board
Jack Cooley, Vice Chairperson	Clarke County Board of Supervisors
Fred Diehl, Secretary	City of Osceola
Dan McIntosh, Treasurer	SIRWA
Rick Buesch	Clarke County Development Corporation
Anita Foland, Alternate	Clarke County Conservation Board
Norm Lust	Clarke Soil and Water Conservation District
Scott Busick (<i>arrived at 9:40 a.m.</i>)	City of Murray
Jeannie Crees, Alternate (<i>participated until 9:40 a.m.</i>)	City of Murray
Harold Allen, Jr.	City of Woodburn
Anne Welker	Member at Large
Bob Horton	Osceola Water Board
Thomas B. Andersen, PE	Clarke County Engineer
Don Reasoner	Clarke County Board of Supervisors
Myron Manley	Clarke County Board of Supervisors
Jason Gibbs	Clarke Electric Coop
Daniel Shepherd	Southern Iowa Rural Water Association
Kathy Lambert	USDA Rural Development
Dave Beck	USDA NRCS
Dennis Schrodt	USDA NRCS
Merle Klein	Landowner
Louis Mayfield	Landowner
Kathy Kelly	Landowner
Carmen Maxwell	Landowner
Cindy Sanford	Landowner
Bill Mullins	Landowner
Judy Mullins	Landowner
Mary Halstrum	Osceola
Marion James	James Law Firm
Kathy Flam	Southern Iowa RC&D
Judy Weese	Southern Iowa RC&D
Dennis Hilger	Southern Iowa RC&D/NRCS

* 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 9:10 a.m. Eight Commissioners and two alternates responded to roll call.

APPROVE AGENDA

A motion to approve the agenda as written was made by Commissioner Fred Diehl and seconded by Commissioner Harold Allen, Jr. Motion carried with a roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker and Alternates Jeannie Crees and Anita Foland.

APPROVE JANUARY 10, 2008 MEETING MINUTES

Motion was made by Commissioner Norm Lust and seconded by Commissioner Anne Welker to approve the January 10, 2008 meeting minutes. Motion carried with roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Anne Welker and Alternate Anita Foland.

Abstain: Commissioners Dan McIntosh and Sandy Kale and Alternate Jeannie Crees.

TREASURER'S REPORT

Treasurer Dan McIntosh presented the Treasurer's Report

**TREASURER'S REPORT
Clarke County Reservoir Commission (CCRC)
February 14, 2008**

CHECKING ACCOUNT

PREVIOUS BALANCE <i>(January 10, 2008)</i>	\$1,743.67
REVENUE RECEIVED	
Interest Received for January	<u>3.33</u>
TOTAL REVENUE RECEIVED	<u>3.33</u>
CASH BALANCE	<u>\$1,747.00</u>
EXPENSES PRESENTED FOR PAYMENT	
2/14/2008 Southern Iowa RC&D – postage expense for 12/07 & 1/08	<u>95.14</u>
TOTAL EXPENSES	<u>95.14</u>
ENDING BALANCE <i>(February 14, 2008)</i>	<u>\$ 1,651.86</u>

SPECIAL ACCOUNT

(Opened 7/26/2007)

PREVIOUS BALANCE (<i>January 10, 2008</i>)		\$ 31,602.60
REVENUE RECEIVED		
1/31/2008 Interest for January 2008	<u>112.13</u>	
	TOTAL REVENUE RECEIVED	<u>112.13</u>
CASH BALANCE		\$ 31,714.73
EXPENSES PRESENTED FOR PAYMENT		
2/14/2008 Ahlers & Cooney, P.C. – legal service per telephone conference	121.18	
2/24/2008 James Law Firm – legal service for January 208	<u>1,106.25</u>	
	TOTAL EXPENSES	<u>1,227.43</u>
ENDING BALANCE (<i>February 14, 2008</i>)		\$ 30,487.30

12 MONTH CERTIFICATE OF DEPOSIT
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PREVIOUS BALANCE (<i>11/30/06</i>)		\$ 20,491.92
12/31/2007 Interest		166.04
1/2/2007 Transfer to Checking Account		-10,000.00
6/31/2007 Interest		242.97
<u>12/16/2007 Interest</u>		<u>114.85</u>
ENDING BALANCE (<i>Matured 12/16/07; new maturity date 12/16/08</i>)		\$ 11,015.78

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Treasurer Dan McIntosh stated that the local option sales tax will be paid quarterly and upon receipt, CCRC will deposit funds into a separate restricted account. Commissioner Jack Cooley agreed to contact Attorney Ron Wheeler to get information concerning obtaining a monthly local option sales tax revenue report.

A motion to approve the Treasurer’s report and pay the bills as presented was made by Commissioner Rick Buesch and seconded by Commissioner Fred Diehl. Motion carried on a roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker and Alternates Jeannie Crees and Anita Foland.

OLD BUSINESS

COMMITTEE REPORT ON HIRING LAND NEGOTIATOR

Commissioner Norm Lust reported that the committee (*Harold Allen, Jr., Jack Cooley and Norm Lust*) had developed a schedule for meetings. The committing had been working on developing rules for hiring a land negotiator. Mr. Lust extended a “thank you” to his committee and also to Daniel Shepherd for helping the committee to develop some guidelines and specifications for the land negotiator position.

NEW BUSINESS

USDA RURAL DEVELOPMENT FINANCING PROGRAM

Area Specialist Kathy Lambert from USDA Rural Development Office at Indianola gave a presentation on the *Rural Development Financing Program*. She distributed a handout entitled *Estimated Cost of Various Funding Sources* which explained the comparison of cost, or amount needed to complete the project, in using three options for financing: (1) revenue bonds, (2) guaranteed loan, or (3) direct loan. Each funding source was based on 18 million dollars needed to complete the project.

Ms. Lambert explained that any governmental entity of the 28E organization could borrow funds or the development board could also borrow funds for the lake development project. She indicated that USDA Rural Development was very interested in the project.

USDA NRCS PROPOSAL FOR REIMBURSEMENT FOR PLANNING

Water Resource Planning Leader Dave Beck from USDA NRCS in Des Moines explained the budget process for funding his staff and in conclusion stated that due to lack of funding for watershed planning his staff could not provide technical assistance toward finalizing the *Clarke County Water Supply Watershed Plan and Environmental Impact Statement*.

Mr. Beck presented to the Commissioners a *Reimbursable Agreement between the USDA Natural Resources Conservation Service and the Clarke County Reservoir Commission* to consider for approval. The approval of this agreement for \$210,000 dollars of reimbursement from CCRC to NRCS would cover 3500 hours of NRCS technical assistance for activities related to finalizing the watershed plan and environmental impact statement. The target date would be December 2008 to complete the scope of work. In this agreement the NRCS will furnish qualified personnel, facilities, and equipment in order to carry out the terms of this agreement.

The Commission will reimburse NRCS an amount not to exceed \$210,000 for expenses incurred in providing technical assistance activities as described in the Scope of Work identified in the agreement.

Chairperson Sandy Kale reported that the CCRC finance committee met, prior to the CCRC meeting, with a representative from each of three local entities including the Osceola Water Board, the City of Osceola and the Clarke County Development Board regarding acquiring local funding. Representatives, who attended the finance committee meeting, will present to the board members of each of the three entities, CCRC's request for local funding of \$210,000.

A motion that CCRC approve the Agreement contingent upon receiving local financing from a fund managed by three local entities including Osceola Water Board, City of Osceola and Clarke County Development Board was made by Commissioner Fred Diehl and seconded by Commissioner Dan McIntosh. The motion carried with roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker and Alternates Jeannie Crees and Anita Foland.

SPONSOR REPORTS

Representative Scott Busick for City of Murray introduced his alternate, Jeannie Crees from Murray.

Commissioner Fred Diehl had nothing new to report.

Commissioner Harold Allen, JR. for City of Woodburn reported he had met with the city council and the mayor of Woodburn to give an update on the water supply development.

Commissioner Jack Cooley of Clarke County Board of Supervisors had nothing new to report.

Alternate Anita Foland of Clarke County Conservation Board had nothing new to report.

Commissioner Rick Buesch of Clarke County Development Board had nothing new to report.

Commissioner Norm Lust of Clarke Soil and Water Conservation District had nothing new to report.

Commissioner Sandy Kale, Osceola Water Board, stated she had received various phone calls regarding securing funds for the project.

Commissioner Dan McIntosh reported he had met with Howard R. Green Engineer Mark Duben, who is scheduled to attend the March meeting to discuss the two water reports he recently completed for CCRC.

Commissioner Anne Welker, member at large, had nothing new to report.

OTHER ITEMS TO BE DISCUSSED BY COMMISSION MEMBERS

RC&D Coordinator announced that RC&D staff as service provider will present a plan of work (POW) at the March meeting. The plan of work will explain a timeline of project activities.

Commissioner Dan McIntosh asked Attorney Marion James to explain the purpose of closed sessions. Mr. James explained that the purpose of this procedure is to discuss personnel issues or pending litigation. In the case of CCRC the purpose is to discuss pending litigation concerning the local option sales tax vote and the challenge on the ballot language. Mr. James stated that a board goes into closed session to discuss strategy on pending litigation issues. No action can be taken in closed session.

OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD

Chairperson Sandy Kale presented to landowner Kathy Kelly a packet containing answers to questions she submitted to CCRC at the January meeting. The questions had been thoroughly reviewed and answered by CCRC's attorney and NRCS professional staff. The packet was also made available to those in the audience who wanted the information.

In accordance to the *Procedural Rules of Clarke County Reservoir Commission*, landowner Kathy Kelly asked questions for which Kathy Lambert from USDA Rural Development agreed to get some answers.

Landowner Louis Mayfield asked questions concerning his property. Mr. Mayfield was directed to work with Clarke County Engineer and NRCS Planning Leader Dave Beck.

CLOSED SESSION TO DISCUSS PENDING LITIGATION

Chairperson Sandy Kale announced that members of the Commission would have to move into closed session to discuss pending litigation. At 10:23 a.m. a motion was made by Commissioner Dan McIntosh and seconded by Commissioner Norm Lust that CCRC move into closed session to discuss pending litigation. Motion carried by roll call vote:

Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker and Alternate Anita Foland.

CONSIDERATION OF MATTERS ARISING FROM CLOSED SESSION

At 10:51 a.m. the Commission came out of closed session to continue action on remaining agenda items.

Chairperson Sandy Kale took roll call. With no matters arising from closed session to present for discussion, Commissioner Kale announced that the next CCRC meeting will be *March 13, 2008 at 9:00 a.m. at the Clarke County Development Office.*

ADJOURN MEETING

Upon motion made by Commissioner Fred Diehl and seconded by Commissioner Rick Buesch., the meeting was adjourned at 10:55 a.m. Motion carried with a roll call vote:

Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker and Alternate Anita Foland.

Secretary

THE NEXT MEETING OF THE CLARKE COUNTY RESERVOIR COMMISSION WAS SCHEDULED FOR THURSDAY, MARCH 13 2008 AT 9:00 A.M. AT THE CLARKE COUNTY DEVELOPMENT OFFICE, 115 EAST WASHINGTON STREET, OSCEOLA, IA.

NOTE: A NOTICE OF CHANGE was mailed at a later date to notify those on the mailing list the meeting was changed from Thursday, March 13, 2008 to Thursday, March 6, 2008.