

CLARKE COUNTY RESERVOIR COMMISSION
Clarke County Development Office
115 East Washington Street
Thursday, January 10, 2008
9:00 a.m.

Jack Cooley, Vice Chairperson	Clarke County Board of Supervisors
Fred Diehl, Secretary	City of Osceola
Rick Buesch	Clarke County Development Corporation
Alternate Anita Foland	Clarke County Conservation Board
Norm Lust	Clarke Soil and Water Conservation District
Scott Busick	City of Murray
Harold Allen, Jr.	City of Woodburn
Anne Welker	Member at Large
Alternate Bob Horton	Osceola Water Board
Thomas B. Andersen, PE	Clarke County Engineer
Noel Friday	Insurance Agency
Don Reasoner	Clarke County Board of Supervisors
Myron Manley	Clarke County Board of Supervisors
Bill Freeman	Clarke Electric Coop
Dennis Schrodt	USDA NRCS
Kathy Kelly	Landowner
Mike Kelly	Landowner
Dena Hofbauer	Landowner
Tom Hofbauer	Landowner
Carmen Maxwell	Landowner
Cindy Sanford	Landowner
Bill Mullins	Landowner
Judy Mullins	Landowner
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

Vice Chairperson Jack Cooley called the meeting of the Clarke County Reservoir Commission (CCRC) to order at 9:00 a.m.

APPROVE AGENDA

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

Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Anne Welker and Alternates Bob Horton, and Anita Foland.
Absent: Representative from Southern Iowa Rural Water Association was absent.

APPROVE NOVEMBER 8, 2007 MEETING MINUTES

Motion was made by Commissioner Rick Buesch and seconded by Commissioner Norm Lust to approve the November 8, 2007 meeting minutes. Motion carried with roll call vote:

- Ayes: Commissioners Scott Busick, Fred Diehl, Jack Cooley, Rick Buesch, Norm Lust, Anne Welker and Alternate Anita Foland.
- Abstain: Commissioner Harold Allen, Jr. and Alternate Bob Horton
- Absent: Representative from Southern Iowa Rural Water Association was absent.

TREASURER’S REPORT

In absence of Treasurer Dan McIntosh, Commissioner Fred Diehl presented the Treasurer’s Report. (A form signed by Treasurer Dan McIntosh is on file that certifies Treasurer Dan McIntosh had reviewed and approved all bills to be presented to Commissioners for approval of payment at this business meeting.)

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**TREASURER’S REPORT
Clarke County Reservoir Commission (CCRC)
January 10, 2008**

<u>CHECKING ACCOUNT</u>	
PREVIOUS BALANCE <i>(November 8, 2007)</i>	\$10,083.24
REVENUE RECEIVED	
11/30/2007 Interest for November	6.85
12/30/2008 Interest for December	<u>5.57</u>
TOTAL REVENUE RECEIVED	<u>12.42</u>
CASH BALANCE	<u>\$10,095.66</u>
EXPENSES PRESENTED FOR PAYMENT	
12/13/2007 Southern Iowa RC&D – quarterly payment (Dec. 07, Jan & Feb. 2008)	7,500.00
12/13/2007 Southern Iowa RC&D – postage expense (Nov. & Dec. 2007)	247.55
12/13/2007 SIRWA Genesys Meeting Center (conference call)	104.44
12/13/2007 Ted Willets, Certified Public Accountant (Financial Review ending 6 /07)	<u>500.00</u>
TOTAL EXPENSES	<u>8,351.99</u>
ENDING BALANCE <i>(January 10, 2008)</i>	<u>\$ 1,743.67</u>

<u>SPECIAL ACCOUNT</u> (Opened 7/26/2007)

PREVIOUS BALANCE (<i>November 8, 2007</i>)		\$ 42,543.75
REVENUE RECEIVED		
11/30/2007 Interest for November	139.87	
12/31/2007 Interest for December	<u>145.01</u>	
	TOTAL REVENUE RECEIVED	<u>284.88</u>
CASH BALANCE		\$ 42,828.63
EXPENSES PRESENTED FOR PAYMENT		
1/10/2008 Brown Winick Graves Gross Attorneys at Law (legal services 9/07-11/07)	1,398.75	
1/10/2008 James Law Office – November legal service	1,865.31	
1/10/2008 James Law Office – December legal service	2,898.02	
1/10/2008 Ahlers & Cooney, P.C.	<u>5,063.95</u>	
	TOTAL EXPENSES	<u>11,226.03</u>
ENDING BALANCE (<i>January 10, 2008</i>)		\$ 31,602.60

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

- Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Anne Welker and Alternates Anita Foland and Bob Horton.
- Absent: Representative from Southern Iowa Rural Water Association was absent.

A motion to approve payment of bills as presented was made by Commissioner Anne Welker and seconded by Commissioner Norm Lust. Motion carried on a roll call vote:

- Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Anne Welker and Alternates Bob Horton and Anita Foland.
- Absent: Representative from Southern Iowa Rural Water Association was absent.

OLD BUSINESS

MEETING PROCEDURES AND PARTICIPATION BY NON BOARD MEMBERS

Attorney Marion James reported that the handout entitled *Procedural Rules of Clarke County Reservoir Commission* was distributed at the November 8, 2007 meeting for review by the Commissioners. Since that

meeting, all proposed changes had been incorporated into the document, which had also been checked to assure the procedures conformed to the Iowa Open Meetings Law. (The updated document was provided to the Commissioners prior to the January 10, 2008 meeting.)

A motion to approve the *Procedure Rules of Clarke County Reservoir Commission to be effective immediately* was made by Commissioner Rick Buesch and seconded by Commissioner Norm Lust. Motion carried with roll call vote:

- Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Anne Welker and Alternates Bob Horton, and Anita Foland.
- Absent: Representative from Southern Iowa Rural Water Association was absent.

REPORT FROM CPA TED WILLETS

SIRC&D staff reported that Certified Public Accountant Ted Willets was unable to attend the meeting. A copy of the Accountant's Report was distributed to each Commissioner. SIRC&D staff referred the Commissioners to Mr. Willet's statement as printed on front page of his report:

"Based on my review, I am not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in conformity with generally accepted accounting principles."

A motion to accept the Financial Report, June 30, 2007, was made by Commissioner Fred Diehl and seconded by Commissioner Norm Lust. Motion carried with roll call vote:

- Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Anne Welker and Alternates Bob Horton, and Anita Foland.
- Absent: Representative from Southern Iowa Rural Water Association was absent.

COMMITTEE REPORT ON HIRING LAND NEGOTIATOR

Commissioner Norm Lust reported that the committee (*Harold Allen, Jr., Jack Cooley and Norm Lust*) had met and was working on learning the requirements and qualifications for that type of job. The committee had also reviewed the history of other area water development projects including the land negotiation process. A main concern was that the individual hired for the position must have the qualifications to work well with the landowners and the Commission.

The committee will continue to work on completing a job description and accumulating names of possible candidates for the land negotiator position.

REPORT ON ACQUIRING ENGINEERING SERVICES

Osceola Water Board Member and CCRC Alternate Bob Horton presented copies of two reports that had been completed January 2008 by Howard R. Green Company. The reports included (1) *Clarke County Water Supply Prudent and Feasible Alternatives* and (2) *Clarke County Future Water Supply Demands*. Each commissioner was provided a copy of each report. Mr. Horton stated that Engineer Mark Duben would attend the February meeting to answer questions that the Commissioners have concerning the report(s).

Mr. Horton agreed to contact Mr. Duben to request additional copies of the report. The Southern Iowa RC&D Office staff agreed to mail copies to those in the audience who signed the request form provided by the Southern Iowa RC&D Office.

NEW BUSINESS

USDA RURAL DEVELOPMENT FINANCING PROGRAM

Due to some scheduling conflicts, the presenter from USDA Rural Development will make a presentation at the February meeting.

SPONSOR REPORTS

Representative Scott Busick for City of Murray reported the city had appointed an alternate for CCRC.

Commissioner Fred Diehl had nothing new to report.

Commissioner Harold Allen, JR. for City of Woodburn had nothing new to report

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 asked Alternate Bob Horton if the Osceola Water Board could provide a water usage report on West Lake. Mr. Horton agreed to send monthly water usage reports to CCRC.

Alternate Bob Horton, Osceola Water Board, gave a report on the current pumping rate and water usage for the Osceola Water Treatment Plant.

Representative from Southern Iowa Rural Water Association was absent.

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

OTHER ITEMS TO BE DISCUSSED BY COMMISSION MEMBERS

No other items were presented for discussion.

OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD

In accordance to the *Procedural Rules of Clarke County Reservoir Commission* approved earlier in the meeting, Landowner Kathy Kelly addressed the Commissioner with specific questions concerning the lake development project. Due to the number of questions presented and the need for resources to give accurate answers, the Commission requested that Ms. Kelly submit her questions in writing and the answers will be provided at the next meeting.

CLOSED SESSION TO DISCUSS PENDING LITIGATION

Vice Chairperson Jack Cooley announced that members of the Commission would have to move into closed session to discuss pending litigation. At 9:43 a.m. a motion was made by Alternate Anita Foland and seconded by Commissioner Fred Diehl 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, Anne Welker and Alternates Bob Horton, and Anita Foland.
Absent: Representative from Southern Iowa Rural Water Association was absent.

CONSIDERATION OF MATTERS ARISING FROM CLOSED SESSION

At 10:12 a.m. the Commission came out of closed session to continue action on remaining agenda items.

Vice Chairperson Jack Cooley took roll call. With no matters arising from closed session to present for discussion, Commissioner Cooley announced that the next CCRC meeting will be ***February 14, 2008 at 9:00 a.m. at the Clarke County Development Office.***

ADJOURN MEETING

Upon motion made by Commissioner Scott Busick and seconded by Commissioner Fred Diehl., the meeting was adjourned at 10:15 a.m. Motion carried with a roll call vote:

Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen, Jr., Jack Cooley, Rick Buesch, Norm Lust, Anne Welker and Alternates Bob Horton, and Anita Foland.
Absent: Representative from Southern Iowa Rural Water Association was absent.

Secretary

THE NEXT MEETING OF THE CLARKE COUNTY RESERVOIR COMMISSION WAS SCHEDULED FOR THURSDAY, FEBRUARY 14, 2008 AT 9:00 A.M. AT THE CLARKE COUNTY DEVELOPMENT OFFICE, 115 EAST WASHINGTON STREET, OSCEOLA, IA.