

CLARKE COUNTY RESERVOIR COMMISSION
Information Station
(Clarke County Development Office)
115 East Washington Street
Osceola, IA
Thursday, July 8, 2010
9:00 a.m.

Sandy Kale, Chairperson (by phone)	Osceola Water Board
Jack Cooley, Vice Chairperson	Clarke County Supervisors
Fred Diehl, Secretary	City of Osceola
Dan McIntosh, Treasurer	Southern Iowa Rural Water Association
Norm Lust	Clarke Soil & Water Conservation District
Harold Allen, Jr.	City of Woodburn
Anita Foland, Alternate	Clarke County Conservation Board
Jeannie Crees, Alternate	City of Murray
Anne Welker	Member at Large
William Trickey	Clarke County Development Corporation
Jeremy Tipton	GLB Enterprises, LLC, Cedar Rapids
John Dodge	GLB Enterprises, LLC, Cedar Rapids
Robert Himschoot	GLB Enterprises, LLC, Cedar Rapids
Kathy Kelly	Landowner
Connie Allen	Landowner
Bob Anderson	Landowner
Thomas B. Andersen, P.E.	Clarke County Engineer
Daniel Shepherd, Alternate	Southern Iowa Rural Water Association
Ed Stoll	Osceola
Jeff Zimprich	USDA NRCS, Atlantic
Marion James, Attorney	Creston
Judy Weese	SIRC&D, Inc.

- Not everyone who attended the meeting signed in.

CALL 2010 ANNUAL MEETING TO ORDER

Vice Chairperson Jack Cooley called the 2010 Annual Meeting of the Clarke County Reservoir Commission (CCRC) to order at 9:05 a.m. Eight Commissioners and two alternates responded to roll call.

APPROVE ANNUAL MEETING AGENDA

A motion to approve the July 8, 2010 Annual Meeting agenda as written and posted was made by Commissioner Fred Diehl and seconded by Commissioner Norm Lust. Motion carried on a roll call vote:

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

ELECT OFFICERS

Vice Chairperson Jack Cooley announced that the new officers will assume their official duties at the August 2010 meeting.

Commissioner Dan McIntosh made a motion to re-elect Sandy Kale as Chairperson. Motion was seconded by Alternate Jeannie Crees and carried on a roll call vote:

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

Abstain: Commissioner Sandy Kale.

Commissioner William Trickey made a motion to re-elect Jack Cooley as Vice Chairperson. Motion was seconded by Commissioner Fred Diehl and carried on a roll call vote:

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

Abstain: Commissioner Jack Cooley

Commissioner Sandy Kale made a motion to re-elect Fred Diehl as Secretary. Motion was seconded by Commissioner Dan McIntosh and carried on a roll call vote:

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

Abstain: Commissioner Fred Diehl.

Commissioner Dan McIntosh made a motion to elect William Trickey as Treasurer. Motion was seconded by Commissioner Fred Diehl and carried on a roll call vote:

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

Abstain: Commissioner William Trickey.

DETERMINE DEPOSITORY

Commissioner Dan McIntosh made a motion to retain American State Bank as the depository for CCRC checking accounts. Motion was seconded by Commissioner Anne Welker and carried on a roll call:

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

Abstain: Commissioner Sandy Kale.

DETERMINE CHECK SIGNERS

Commissioner Dan McIntosh made a motion to keep the check signers as any of the four officers can sign checks, with two signatures required. Motion was seconded by Commissioner Harold Allen, Jr. and carried on a roll call vote:

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

ADJOURN ANNUAL MEETING

Commissioner William Trickey made a motion to adjourn the 2010 Annual Meeting at 9:14 a.m. Motion was seconded by Commissioner Fred Diehl and carried on a roll call vote:

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

CALL REGULAR BUSINESS MEETING TO ORDER

Vice Chairperson Jack Cooley called the Board of Directors' meeting of the Clarke County Reservoir Commission (CCRC) to order at 9:15 a.m. Eight Commissioners and two alternates responded to roll call.

APPROVE AGENDA

A motion to approve the July 8, 2010 meeting agenda as written and posted was made by Commissioner William Trickey and seconded by Commissioner Fred Diehl. Motion carried on roll call vote:

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

APPROVE JUNE 10, 2010 MEETING MINUTES

A motion was made by Commissioner Norm Lust and seconded by Commissioner William Trickey to approve the June 10, 2010 meeting minutes. Motion carried on roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen, Jr., Jack Cooley, William Trickey, Norm Lust, Sandy Kale, Anne Welker.

Abstain: Commissioner Dan McIntosh and Alternates Jeannie Crees and Anita Foland.

APPROVE JUNE 23, 2010 SPECIAL MEETING MINUTES

A motion was made by Commissioner Fred Diehl and seconded by Commissioner William Trickey to approve the June 23, 2010 Special Meeting minutes. Motion carried on roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen, Jr., Jack Cooley, William Trickey, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker.

Abstain: Alternates Jeannie Crees and Anita Foland.

TREASURER'S REPORT

**TREASURER'S REPORT
Clarke County Reservoir Commission
July 8, 2010**

CHECKING ACCOUNT	CK#
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PREVIOUS BALANCE (June 10, 2010)	\$ 6,845.37
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REVENUE RECEIVED

6/30/2010 Interest for June 2010

2.64**TOTAL REVENUE RECEIVED**2.64**CASH BALANCE** (July 8, 2010)**\$ 6,848.01****EXPENSES PRESENTED FOR PAYMENT**

6/14/2010 Howalt-McDowell Insurance Inc. 1 year premium for Liab. Ins.

1,490.00

Ck 1124

EXPENSES PRESENTED FOR PAYMENT1,490.00**ENDING BALANCE** (July 8, 2010)**\$ 5,358.01****SPECIAL ACCOUNT****CK#****PREVIOUS BALANCE** (June 10, 2010)**\$ 25.17****REVENUE RECEIVED**0.00**CASH BALANCE** (July 8, 2010)**\$25.17****EXPENSES PRESENTED FOR PAYMENT**0.00**ENDING BALANCE** (July 8, 2010)**\$25.17****LOSST 2008 CHECKING ACCOUNT****CK#**

Account Opened 10/9/2008

PREVIOUS BALANCE (June 10, 2010)**\$ 57,677.17****REVENUE RECEIVED**

6/23/2010 City of Woodburn – Ck #9204 (Sales Tax Period: April 2010)

1,625.89

6/23/2010 Interest for June 2010

11.22**TOTAL REVENUE RECEIVED TO DATE****\$ 1,637.11****CASH BALANCE** (July 8, 2010)**\$59,314.28****EXPENSES PRESENTED FOR PAYMENT**0.00**ENDING BALANCE** (July 8, 2010)**\$ 59,314.28****LOSST 2009 CHECKING ACCOUNT****CK#**

Account opened 4/17/2009

PREVIOUS BALANCE (June 10, 2010)**\$ 561,505.27****REVENUE RECEIVED**

6/23/2010 City of Osceola, Ck #270242 (Sales Tax Period: April 2010)

37,497.11

6/30/2010 Interest for June 2010

90.29**TOTAL REVENUE RECEIVED****37,587.40**

CASH BALANCE (July 8, 2010) **\$ 599,092.67**

EXPENSES PRESENTED FOR PAYMENT

6/28/2010	Purchase of 2 Certificates of Deposit	500,000.00	Auto WD
7/8/2010	James Law Firm – legal services	5,438.34	Ck 1017
7/8/2010	Maynes Real Estate Inc. – review appraisal	1,585.00	Ck 1018
	TOTAL EXPENSE	<u>507,023.34</u>	

ENDING BALANCE (July 8, 2010) **\$ 92,069.33**

12 MONTH CERTIFICATE OF DEPOSIT
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12/15/2009	Certificate of Deposit (2008 Local Option Sales & Service Tax) Term: 1 year; CD matures 12/15/2010	\$ 311,477.73
12/15/2009	Certificate of Deposit (2009 Local Option Sales & Service Tax) Term: 1 year; CD matures 12/15/2010	\$ 500,000.00
6/28/2010	Certificate of Deposit (2009 Local Option Sales & Service Tax) Term: 1 year; CD matures 6/28/2011	\$ 250,000.00
6/28/2010	Certificate of Deposit (2009 Local Option Sales & Service Tax) Term: 1 year; CD matures 6/28/2011	\$ 250,000.00

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 Sandy Kale and seconded by Commissioner Fred Diehl. Motion carried on a roll call vote:

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

OLD BUSINESS**GLB ENTERPRISES LLC SERVICES AGREEMENT**

Norm Lust, Land Committee Chairperson, addressed the involvement of GLB Enterprises LLC with the Clarke County Reservoir Project. (The original contract with GLB Enterprises was extended January 1, 2010, through and including June 30, 2010.) He reported the land acquisition team had worked with CCRC and affected landowners in the project area and had established good relationships and communication with those directly affected by the project. The Land Committee, at the June 23, 2010 CCRC Special Meeting, was approved to meet with Land Acquisition Coordinator Robert Himschoot to review the alternatives and to develop a recommendation for continuation of services. The Land Committee met with Mr. Himschoot and Attorney James and from discussion at that meeting, a *Contract Extension* supported with an attachment that identified potential tasks to be completed was prepared as a recommendation to the CCRC Board of Directors. Commissioner Lust explained that GLB Enterprises LLC had submitted a list of proposed tasks that could be completed prior to the start of land acquisition. GLB would continue to provide services July 1, 2010 to November 30, 2010 as outlined in the proposal. (Prior to this meeting, the Commissioners had received a copy of the *Contract Extension* with an attached list of potential tasks which explained the terms and conditions of the contract.)

A motion was made by Commissioner Fred Diehl to agree that the Contract for Land Acquisition Coordinator Services to be provided by GLB Enterprises, LLC, for the Clarke County Reservoir Commission be extended effective July 1, 2010 to November 30, 2010 under the terms and conditions outlined in GLB's proposal. Motion was seconded by Commissioner William Trickey and carried on roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen, Jr., Jack Cooley, William Trickey, Norm Lust, Anne Welker and Alternates Jeannie Crees and Anita Foland.

Nays: Commissioners Sandy Kale and Dan McIntosh.

It was noted by Attorney James that the original contract will remain in force but will not be active; nothing will be done under the original contract. Instead, the supplemental contract (Contract Extension) will include seventeen (17) duties enumerated in the letter (GLB's proposal) attached to the supplemental contract.

POLICY GUIDELINES ON PUBLIC INPUT

RC&D Coordinator Mark DePoy reviewed a handout concerning a revised public input policy entitled *Clarke County Reservoir Commission Rules of Conduct Resolution*. He explained he worked with Attorney Marion James and reviewed the Iowa Open Meetings Handbook, Chapter. 21, Section 7 *Rules of Conduct at Meetings*. Using this as guidance, a change of policy was developed for CCRC.

A motion was made by Alternate Anita Foland, seconded by Commissioner Fred Diehl to accept the policy as amended. Motion carried on roll call vote:

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

Amendment: Second paragraph, second line: change *ten business days before the scheduled meeting*.

~~Second paragraph, second line: Amendment to read:~~ two (2) days after agenda is made public/posted.

In accordance to the requirements listed in the policy, it was noted that the policy will be posted by the CCRC meeting sign in sheet and will be posted on the CCRC web site. The agenda item titled "Public Comment" will be included on future meeting agendas.

NEW BUSINESS

USDA NRCS UPDATE

Jeff Zimprich, Area Conservationist from USDA NRCS staff at Atlantic, reported that NRCS had received from CCRC, the "Request for an Exception in Site Selection", dated June 3, 2010. The NRCS staff was considering the request along with gathering additional information and responding to letters received from the public before making a decision. Mr. Zimprich reviewed the timeline of the process that will follow providing NRCS approves the request.

SIRC&D SERVICE PROVIDER CONTRACT

RC&D Coordinator Mark DePoy presented a draft *Agreement for Services of Project Coordinator* for Commissioners to review before the August meeting. He explained that the document was a 22 month contract for continuation of services. The current contract will end August 31, 2010. It was noted the new contract will be presented for final consideration at the August meeting.

FY 2011 BUDGET PER 28E AGREEMENT

Treasurer Dan McIntosh referred to a handout that explained the FY 2011 CCRC budget for the General Account. The account is supported by dues paid by each sponsor of the 28E organization and the dues will remain the same for FY 2011. It was the consensus of the Commissioners that each Commissioner presents the budget to his/her sponsoring organization before the August meeting.

A motion was made by Commissioner Dan McIntosh that this agenda item be tabled until all sponsors have opportunity to review and approve the budget. Motion was seconded by Commissioner William Trickey and carried on roll call vote:

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

AUDIT FOR FY 2010

Treasurer Dan McIntosh reported that the Service Provider will be mailing letters and advertising in the Osceola-Sentinel soliciting bids from CPA's to perform the FY 2010 financial audit for CCRC.

LAND COMMITTEE ADVISORY REPORT

No report was presented.

LAND ACQUISITION TEAM REPORT

Land Acquisition Team Coordinator Robert Himschoot explained the purpose for a new agreement for the contract extension. According to the original contract, the land acquisition was to be completed. The supplemental contract (Contract Extension) allows for continuation of services that cannot be performed under the original contract.

MEDIA COMMITTEE REPORT

It was announced that Media Committee member Scott Busick was absent due to being hospitalized. Mark DePoy explained the power point presentation. The first presentation will be given July 14, 2010 to the Clarke County Development Corporation.

It was suggested that the media committee could consider promoting the project at the county fair with the use of the power point presentation or educational materials.

A motion was made by Alternate Anita Foland that CCRC spend up to \$150 for a booth at the county fair to promote and/or provide educational materials explaining the reservoir project. Motion was seconded by Commissioner Dan McIntosh and passed on roll call vote:

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

SPONSOR REPORTS

There were no reports presented.

OTHER ITEMS TO BE DISCUSSED BY COMMISSION MEMBERS

It was noted that on Monday July 19, 2010 the Clarke County Board of Supervisors will vote on a resolution to have the "Rural Clarke County Local Option Sales and Services Tax Referendum" on the ballot for the General Election November 2, 2010.

A motion was made by Commissioner William Trickey to recognize Commissioner Dan McIntosh for his years of service acting as Treasurer of CCRC. Motion was seconded by Commissioner Sandy Kale and carried on roll call vote:

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

Abstain: Dan McIntosh.

The next meeting will be August 12, 2010 at the Clarke County Development Office in Osceola.

OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD

Questions from audience were addressed by NRCS staff and board members.

ADJOURN MEETING

Upon motion made by Commissioner William Trickey, seconded by Commissioner Fred Diehl, the meeting was adjourned at 11:45 a.m. Motion carried with a roll call vote.

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

Secretary

THE NEXT MEETING OF THE CLARKE COUNTY RESERVOIR COMMISSION WAS SCHEDULED FOR THURSDAY, AUGUST 12, 2010 AT 9:00 A.M. AT THE CLARKE COUNTY DEVELOPMENT OFFICE, OSCEOLA, IA.