

**CLARKE COUNTY RESERVOIR COMMISSION  
AMERICAN STATE BANK  
Thursday, June 12, 2008  
9:00 a.m.**

Sandy Kale, Chairperson	Osceola Water Board
Jack Cooley, Vice-Chairperson	Clarke County Board of Supervisors
Rick Buesch	Clarke County Development Corporation
Fred Diehl, Secretary	City of Osceola
Frank Riley	Clarke County Conservation Board
Alternate Mary Klein	Clarke Soil & Water Conservation District
Alternate Jeannie Crees	City of Murray
Scott Busick (arrived at 9:32 a.m.)	City of Murray
Harold Allen, Jr.	City of Woodburn
Anne Welker	Member at Large
Alternate Daniel Shepherd	SIRWA
Curtis Allen	Landowner
Connie Allen	Landowner
Merle Klein	Landowner
Kathy Kelly	Landowner
Bill Mullins	Landowner
Judy Mullins	Landowner
Anita Foland	Clarke Co. Conservation Board
Dave Beck	USDA NRCS – Des Moines
Thomas B. Andersen, P.E.	Clarke County Engineer
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 9:01 a.m. Seven Commissioners and three 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, Frank Riley, Rick Buesch, Sandy Kale, Anne Welker, and Alternates Jeannie Crees, Mary Klein and Daniel Shepherd.

**APPROVE MAY 8, 2008 MEETING MINUTES**

Motion was made by Commissioner Jack Cooley and seconded by Commissioner Frank Riley to approve the May 8, 2008 meeting minutes as presented. Motion carried with roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen, Jr., Jack Cooley, Frank Riley, Rick Buesch, Sandy Kale, Anne Welker, and Alternates Jeannie Crees and Mary Klein.

Abstain: Alternate Daniel Shepherd

**TREASURER'S REPORT**

**TREASURER'S REPORT  
Clarke County Reservoir Commission  
June 12, 2008**

**CHECKING ACCOUNT**

<b>PREVIOUS BALANCE</b> (May 8, 2008)		<b>\$ 3,327.60</b>
<b>REVENUE RECEIVED</b>		
5/31/2008 Interest for May 2008	1.84	
<b>TOTAL REVENUE RECEIVED</b>		<b>1.84</b>
<b>CASH BALANCE</b>		<b>\$ 3,329.44</b>
<b>EXPENSES PRESENTED FOR PAYMENT</b>		
6/12/2008 Friday Insurance Agency, Inc.	1,812.95	
<b>TOTAL EXPENSES</b>		<b><u>1,812.95</u></b>
<b>ENDING BALANCE</b> (June 12, 2008)		<b>\$ 1,516.49</b>

**SPECIAL ACCOUNT**

(Opened 7/26/2007)

<b>PREVIOUS BALANCE</b> (May 8, 2008)		<b>- \$20,166.19</b>
<b>REVENUE RECEIVED</b>		
5/16/2008 Deposit (Casino Money – check #15528) (checks mailed 5/28/2008)	20,166.19	
5/31/2008 Interest for May 2008	1.07	
<b>TOTAL REVENUE RECEIVED</b>		<b><u>\$20,167.26</u></b>
<b>CASH BALANCE</b>		<b>\$ 1.07</b>
<b>EXPENSES PRESENTED FOR PAYMENT</b>		
6/12/2008 Ahlers & Cooney, P.C.	1,489.64	
6/12/2008 James Law Firm	5,603.12	
<b>TOTAL EXPENSES</b>		<b><u>\$ 7,092.76</u></b>
<b>ENDING BALANCE</b> (June 12, 2008)		<b>- \$ 7,091.69</b>

<b>12-MONTH CERTIFICATE OF DEPOSIT</b>
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<b>PREVIOUS BALANCE</b> (11/30/06)		<b>\$20,491.92</b>
12/31/2007 Interest		166.04
1/2/2007 Transfer to Checking Account		-10,000.00
6/31/2007 Interest		242.97
12/16/2007 Interest		114.85
<b>ENDING BALANCE</b> – (Matured 12/16/07; new maturity date 12/16/08)		<b>\$ 11,015.78</b>
<b>Additional interest as of April 10, 2008</b>		<b>33.25</b>
Balance of CD as of April 10, 2008		<b>\$ 11,049.03</b>
4/10/2008 <b>CASHED CD APRIL 10, 2008</b>		<b>-11,049.03</b>
CD Balance on April 10, 2008		0.00
Deposited funds from CD to cover Deficit in General Checking	\$5,989.58	
<b>Deposited funds from CD to cover Deficit in Special Account</b>	<b>1,436.21</b>	
Balance of funds in CD deposited to CCRC General Checking	<u>3,623.24</u>	
Total value of CD cashed as of April 10, 2008	\$11,049.03	

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Alternate Daniel Shepherd presented the Treasurer’s Report. He presented a signed/notarized form, which stated, “As Treasurer for the Clarke County Reservoir Commission (CCRC), I Dan McIntosh have reviewed the bills submitted to the commission for payment. I concur the bills are acceptable and submit the bills to be approved for payment at the June 12, 2008 CCRC meeting.” Treasurer Dan McIntosh signed the form June 10, 2008.

The bills included:	Friday Insurance Agency, Inc.	\$1,812.95	(General Account)
	Ahlers & Cooney, P.C.	1,489.64	(Special Account)
	James Law Firm	5,603.12	(Special Account)

A motion was made by Alternate Daniel Shepherd and seconded by Commissioner Fred Diehl to approve the Treasurer’s Report and pay the bills as presented. Motion carried on roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen Jr., Jack Cooley, Frank Riley, Rick Buesch, Sandy Kale, Anne Welker and Alternates Jeannie Crees, Mary Klein and Daniel Shepherd.

Chairperson Sandy Kale reported that Casino funds had been deposited into the special account in the amount of \$7,091.69 to pay approved bills.

**NEW BUSINESS:**

**FY 2009 BUDGET /DUES**

Chairperson Kale referred Commissioners to the handout, *Budget for Fiscal Year 2009*. The proposed budget included revenue of \$39,500 (same as FY 2008 for each entity) and the expense section listed general operating expenses such as advertising/marketing, insurance, meeting room expense, service provider contract, postage, public relations, and travel expense. (The commissioners concurred at a previous meeting that the legal fees in the future will be paid from the *special account* with Casino funds.)

A motion was made by Commissioner Jack Cooley and seconded by Commissioner Harold Allen, Jr. to approve the proposed 2009 budget subject to approval by each of the individual entities (sponsors). Motion carried on roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen Jr., Jack Cooley, Frank Riley, Rick Buesch, Sandy Kale, Anne Welker and Alternates Jeannie Crees, Mary Klein and Daniel Shepherd.

Chairperson Kale asked that the Commissioners present the budget to the individual sponsors for review and approval prior to the July 12, 2008 CCRC meeting.

**NEW RESOLUTION TO SCHEDULE PUBLIC HEARING FOR SITE SELECTION**

Attorney Marion James reported that the new resolution was to confirm the public hearing to set site selection (*originally scheduled for July 7, 2008 and approved by Resolution on May 8, 2008*) **had been rescheduled for August 4, 2008 at 7:00 p.m.** at Terrible's Lakeside Casino in Osceola, IA (*approved at June 5, 2008 Special Meeting*). He also noted that CCRC would have its regular meeting on August 7, 2008.

Attorney James stated that the Commission will mail a written notice of public hearing to all landowners and contract purchasers, in the project area, that are on record in the Clarke County Auditor's Office. The Commission will obtain a certified property list from the Auditor's Office (*not less than 7 days nor more than 14 days prior to mailing notice and not less than 30 days before public hearing*) and mail the written notices on June 26, 2008. Maps indicating individual property lines and property description(s) will be included with the written notice.

Chairperson Kale reminded the Commissioners that the August 7 meeting date was a change from the regular meeting date of August 14, 2008 due to a scheduling conflict for the second Thursday in August.

**GUIDELINES FOR PUBLIC HEARING**

Chairperson Sandy Kale stated there will be a presentation at the public hearing, and then there will be open session for public comments. Those in the audience who want to make a comment will stand and repeat name and will have five (5) minutes to present comment(s).

Public could also submit written comments to the Board of Directors.

**CONSIDER INTERGOVERNMENTAL AGREEMENT FOR SALES TAX RECEIPTS**

Chairperson Kale stated this item had not been finalized so this item was tabled until the next meeting.

**CONSIDER AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT FOR CONDEMNATION /SHORT TERM FINANCING**

Chairperson Kale stated this item had not been finalized so this item was tabled until the next meeting.

**REQUESTS TO CITIES OF OSCEOLA AND WOODBURN FOR LOST CLARIFICATION ELECTION**

Attorney Marion James reported that the City of Woodburn passed the resolution Monday night (June 9, 2008) and the City of Osceola passed the resolution Tuesday night (June 10, 2008). The purpose of the resolution was to initiate an election for purpose of clarifying the ballot language of the referendum that was passed in 2007 on use of the local option sales tax (LOST). The bonding attorneys, who represent companies that would issue bonds, had indicated the ballots approved by cities of Woodburn and Osceola last September did not include language to approve LOST funds to be used for land acquisition. Therefore, the ballot language required clarification from the

voters. The county will take action at its next meeting. The LOST clarification election will be held in September; and if approved by the voters, then the change will be effective January 1, 2009 and sales tax collected after January 1 can be used for land acquisition as well as other purposes for construction of the water supply reservoir. The funds collected at this time (2008) will not be used for land acquisition.

Chairperson Kale emphasized that this election was just to clarify the use of the tax as requested by bond attorney counsel.

**NRCS PUBLIC MEETING/OPEN HOUSE**

Chairperson Sandy Kale presented two contracts with Terrible’s Lakeside Casino for room rental.

1. NRCS Informational Meeting/Open House	July 31, 2008	5:00 p.m. – 7:30 p.m.	\$80.25
2. CCRC Public Hearing	August 4, 2008	7:00 p.m. – 11:00 p.m.	\$244.39

Chairperson Kale also requested that the date for the August meeting be changed from August 14 to August 7. The board will take final action on the public hearing at the August 7 meeting.

A motion was made by Commissioner Fred Diehl and seconded by Commissioner Anne Welker to approve the two contracts and the date for the August meeting. Motion carried on roll call vote:

Ayes: Commissioners Fred Diehl, Harold Allen Jr., Jack Cooley, Frank Riley, Rick Buesch, Sandy Kale, Anne Welker and Alternates Jeannie Crees, Mary Klein and Daniel Shepherd.

Dave Beck, Planning Leader from NRCS in Des Moines, reported NRCS staff is preparing to host an informational meeting/open house session July 31 at Osceola to publicly present the recommended plan for the watershed project, which will consist of Site 4B for the multi purpose site. There are 47 sediment basins to help protect the reservoir. In some manner there will be tables with posters/displays to explain the project. Technical staff from NRCS will be present to answers questions. He stated the technical staff would include a planning engineer, economist, archeologist, biologist and economic analyst to answer questions. Attendees will be asked to register. There will be an opportunity for the public to leave written comments or a time period to return the written comments to NRCS. The purpose of the informational meeting is to explain the project to the public and to give the public a chance to ask technical questions regarding the project.

Mr. Beck commented that NRCS has set July 25 as a target date for publishing a notice of the project in the Federal Register. Mr. Beck explained that the ‘open house’ is held during the 45-day review and comment period, which is required of NRCS to publicly explain and discuss the *Watershed Plan and Environmental Impact Statement*. The 45-day period starts when the interagency review is published in the federal register. The comments become a part of the final plan. With July 25, 2008 set as the target date, the 45-day comment period will end approximately September 10, 2008.

Commissioner Scott Busick arrived at 9:32 a.m.

Mr. Beck reminded the Commissioners that NRCS had invited CCRC to participate in the informational meeting/open house activity and that the commissioners had agreed to participate. Commissioner Frank Riley reported the media committee met June 5 and made plans for CCRC to have a display table at the open house. CCRC will have at least three items on display: (1) land acquisition map, (2) water needs survey, and (3) prudent and feasible alternatives study. Commissioner Riley passed out a work schedule and asked Commissioners and alternates to commit to work a one-half hour time period.

RC&D Coordinator introduced Beth Baudler, SIRC&D summer employee, who showed an example of a poster that will be developed for CCRC to use in its display. He also indicated that in response to a suggestion received from Commissioner Anne Welker, SIRC&D would attempt to get handouts of an article from *Readers' Digest* concerning water shortage in the United States.

**FINANCIAL CONSULTANT**

Chairperson Sandy Kale stated this item would be tabled for a future meeting.

**USDA NRCS UPDATE**

Dave Beck reported that NRCS was working on the draft document so NRCS could get it out for interagency review. The staff was also working on storm damage assessments but was still on schedule for CCRC.

NRCS will be mailing letters out to all affected landowners in the watershed to notify them of the informational meeting/open house and the interagency review of the project. Mr. Beck stated July 14, 2008 has been set as the target date for mailing the letters. NRCS will send news releases to local newspapers to announce the open house.

**SPONSOR REPORTS**

Commissioner Scott Busick, City of Murray, had nothing to report.

Commissioner Fred Diehl, City of Osceola, reported the City of Osceola approved the request for the LOST clarification election.

Commissioner Harold Allen, Jr., City of Woodburn, reported the City of Woodburn approved the request for the LOST clarification election.

Commissioner Jack Cooley, Clarke County Board of Supervisors, reported that next week he and the County Engineer plan to meet in Centerville to request financial assistance for upland treatment in the watershed area.

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

Commissioner Frank Riley, Clarke County Conservation Board, had nothing to report.

Alternate Mary Klein, Clarke Soil and Water Conservation District, had nothing to report.

Commissioner Sandy Kale, Osceola Water Board, reported that work was in progress on items tabled. Additional time was needed to finalize the items.

Alternate Daniel Shepherd, SIRWA, reported that SIRWA system had received a lot of storm damage, and the water tower southeast of Creston had been hit by a tornado.

Commissioner Anne Welker, Member at Large, had nothing to report.

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

RC&D Coordinator Dennis Hilger referred Commissioners to a handout, *Service Provider May - June Report*, which itemized the various duties completed by Southern Iowa RC&D Area, Inc.

County Engineer Thomas Andersen reported that NRCS had looked at 47-49 sites for sediment basins that would possibly qualify for some funding from CITCA (state funding). Proposals will be submitted for funding.

Chairperson Kale announced that the finance committee would have a short meeting upon adjournment of the regular meeting.

**OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD**

Attorney Marion James, Dave Beck and RC&D staff addressed questions presented by members in the audience.

**ADJOURN MEETING**

Upon motion made by Commissioner Fred Diehl, seconded by Commissioner Harold Allen, Jr., the meeting was adjourned at 9:56 a.m. Motion carried with a roll call vote:

Ayes: Commissioners Scott Busick, Fred Diehl, Harold Allen Jr., Jack Cooley, Frank Riley, Rick Buesch, Sandy Kale, Anne Welker and Alternates Mary Klein and Daniel Shepherd.

Fred Diehl  
Secretary

**THE ANNUAL MEETING AND NEXT REGULAR MEETING OF THE CLARKE COUNTY RESERVOIR COMMISSION IS SCHEDULED FOR THURSDAY, July 10, 2008 AT 9:00 A.M. AT THE CLARKE COUNTY DEVELOPMENT OFFICE, 115 EAST WASHINGTON STREET, OSCEOLA, IA.**