

CLARKE COUNTY RESERVOIR COMMISSION
Osceola, IA
Clarke County Fairgrounds Event Center Building
2070 Highway 34
Osceola, IA 50213
Thursday, May 14th, 2009
7:00 p.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
Frank Riley	Clarke County Conservation Board
Scott Busick	City of Murray
Anne Welker	Member at Large
Lyle Persels, Alternate	Clarke County Development Board
Daniel Shepherd, Alternate	SIRWA
Jeannie Crees, Alternate	City of Murray
Anita Foland, Alternate	Clarke County Conservation Board
Mike Kelly	Landowner
Kathy Kelly	Landowner
Rosemary Cooley	Osceola
Ed Stoll	Osceola Police Department
Steve Gwinn	Lucas
Edna Dunbar	Osceola
Heather Fry	Osceola
Nelson L. Fry	Osceola
Sharon Fry	Osceola
John Webb	Osceola
Trent & Courtney Denney	Osceola
Michael Patterson	Osceola
Darlene Handrock	Osceola
Randy Dunbar	Osceola
Tom & Dena Hofbauer	Osceola
Bill & Carla Black	Osceola
Venita Escher	Murray
Kevin Sturtz	Osceola
Barb Hyde	Osceola
Carmen & Steve Maxwell	Landowner
Robert Johnson	Osceola
Howard Denney	Osceola
Mark Finsel	Garden & Associates
Mark Duben	Howard R. Green Co.
Marty Adkins	USDA NRCS, Des Moines
Jeffery Zimprich	USDA NRCS, Atlantic
Thomas B. Andersen, PE	Clarke County Engineer
Marion James, Attorney	Creston

Robert Himschoot
 Dennis Hilger
 Judy Weese
 Kathy Flam

Land Acquisition Contractor
 USDA-NRCS/SIRC&D
 SIRC&D, Inc.
 SIRC&D, Inc.

- 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 7:00 p.m. Nine Commissioners and one Alternate responded to roll call including Commissioner Sandy Kale who was present by telephone.

APPROVE AGENDA

A motion to approve the May 14, 2009 meeting agenda as written and posted was made by Commissioner Fred Diehl and seconded by Commissioner Dan McIntosh. Motion carried with a roll call vote.

Ayes Commissioners Harold Allen, Jr., Jack Cooley, Frank Riley, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Scott Busick, Fred Diehl and Alternate Lyle Persels.

APPROVE APRIL 23, 2009 MEETING MINUTES

Motion was made by Commissioner Norm Lust and seconded by Commissioner Harold Allen, Jr. to approve the April 23, 2009 meeting minutes. Motion carried with roll call vote.

Ayes: Commissioners Harold Allen Jr., Jack Cooley, Frank Riley, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker and Fred Diehl
 Abstain: Commissioner Scott Busick and Alternate Lyle Persels

TREASURER'S REPORT

**TREASURER'S REPORT
 Clarke County Reservoir Commission
 May 14, 2009**

CHECKING ACCOUNT		CK#
PREVIOUS BALANCE (April 23, 2009)	\$4,713.84	
REVENUE RECEIVED		
4/30/2009 Interest for April 2009	3.38	
TOTAL REVENUE RECEIVED	3.38	
CASH BALANCE	\$4,717.22	
EXPENSES PRESENTED FOR PAYMENT		
4/23/2009 Clarke County Fairgrounds Event Center --rental fee for 4/23/09	300.00	Ck 1087
5/14/2009 Creston Publishing –adv abstractor, 4/23/09 hearing & 2/12/09 mtg. min.	285.57	Ck 1088
5/14/2009 Omaha World-Herald – ad for abstractor	465.16	Ck 1089
TOTAL EXPENSES PRESENTED FOR PAYMENT	\$1,050.73	
ENDING BALANCE (May 14, 2009)	\$3,666.49	

SPECIAL ACCOUNT	CK#
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(Opened 7/26/07)

PREVIOUS BALANCE (April 23, 2009)	\$25.17
REVENUE RECEIVED	<u>0.00</u>
CASH BALANCE (May 14, 2009)	\$25.17
EXPENSES PRESENTED FOR PAYMENT	<u>0.00</u>
ENDING BALANCE (May 14, 2009)	\$25.17

LOSST 2008 CHECKING ACCOUNT	CK#
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Account opened 10/9/2008

PREVIOUS BALANCE (April 23, 2009)	\$ 246,632.33
REVENUE RECEIVED	
4/23/2009 City of Woodburn – Check #8927 (Sales tax period: Jan. 2009)	2,949.45
4/23/2009 City of Woodburn – Check #8943 (Sales tax period: Feb 2009)	2,929.45
4/30/2009 Interest for April 2009	<u>209.55</u>
TOTAL REVENUE RECEIVED TO DATE	<u>\$6,108.45</u>
CASH BALANCE (May 14, 2009)	\$252,740.78
EXPENSES PRESENTED FOR PAYMENT	
5/14/2009 James Law Firm – legal services	<u>5,897.12</u>
TOTAL EXPENSES	<u>\$5,897.12</u>
ENDING BALANCE (May 14, 2009)	\$246,843.66

Ck 1012

LOSST 2009 CHECKING ACCOUNT

Account opened 4/17/2009

4/17/2009 Account opened	0.00
REVENUE RECEIVED	
4/23/2009 City of Osceola – Check #266410 (Sales tax period Jan 2009)	68,021.55
4/23/2009 City of Osceola - Check#266698 (Sales tax period Feb 2009)	68,021.55
4/30/2009 Interest for April	<u>23.48</u>
ENDING BALANCE (May 14, 2009)	\$136,066.58

12 MONTH CERTIFICATE OF DEPOSIT

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 Norm Lust and seconded by Commissioner Fred Diehl. Motion carried on a roll call vote.

Ayes: Commissioners Harold Allen, Jr., Jack Cooley, Frank Riley, Norm Lust, Dan McIntosh, Anne Welker, Scott Busick, Fred Diehl, Sandy Kale and Alternate Lyle Persels

OLD BUSINESS

FY 2010 BUDGET PER 28E AGREEMENT

Vice Chairperson Jack Cooley polled the Commissioners to see if their respective organizations had approved the FY 2010 Budget per the 28E Agreement.

CANCEL MAY 14, 2009 PUBLIC HEARING ON INTENT TO APPROVE ACQUISITION OF PROPERTY BY EMINENT DOMAIN FOR A LAKE AS A SURFACE DRINKING WATER SOURCE

Motion was made by Commissioner Dan McIntosh seconded by Commissioner Norm Lust to cancel the *Public Hearing on Intent to Approve Acquisition of Property by Eminent Domain for a Lake as a Surface Drinking Water Source*. Motion carried with a roll call vote:

Ayes: Commissioners Harold Allen, Jr., Jack Cooley, Frank Riley, Norm Lust, Sandy Kale, Dan McIntosh, Anne Welker, Scott Busick, Fred Diehl and Alternate Lyle Persels

CONSIDERATION OF RESOLUTION AUTHORIZING THE COMMENCEMENT OF A PROJECT TO BUILD A LAKE AS A SURFACE DRINKING WATER SOURCE IN THE SQUAW CREEK WATERSHED LOCATED NORTHWEST OF OSCEOLA, CLARKE COUNTY, IOWA

A. Response to Citizens' Questions/Comments Presented at April 23, 2009 Public Hearing:

Clarke County Attorney Ron Wheeler, Mark Fincel, Civil Engineer with Garden & Associates, Assistant State Conservationist for Water Resources of the USDA NRCS Martin Adkins and Clarke County Reservoir Commission Attorney Marion James answered the four questions presented at the April 23, 2009 public hearing.

The four questions were: 1. Can you tell me how the site selection and intended dam were reconciled with zoning? 2. Isn't the average number of gallons of water usage per house presented at the April 23 Public Hearing (by speakers) rather high or exaggerated? 3. Are Public Law-566 'Watershed Protection and Flood Prevention Act' monies available for a pipeline from Des Moines to Osceola, and are funds available for a water supply reservoir (at Osceola)? 4. Can we take a public vote on whether the community wants a lake?

B. Opportunity for Citizens to Address the Board

Michael Patterson and Kathy Kelly addressed the Commissioners on zoning issues and other matters.

Motion was made by Commissioner Norm Lust, seconded by Harold Allen, Jr., to approve *Resolution Authorizing Commencement of a Public Improvement Project to Construct a Reservoir as a Surface Drinking Water Source and to Acquire Agricultural Land and Residential Property for the Project*. Motion carried with a roll call vote:

Ayes: Commissioners Harold Allen, Jr., Jack Cooley, Frank Riley, Norm Lust, Dan McIntosh, Anne Welker, Scott Busick, Fred Diehl and Alternate Lyle Persels
Telephone Transmission failed: Sandy Kale

CONSIDERATION OF PUBLIC HEARING ON INTENT TO APPROVE ACQUISITION OF PROPERTY BY EMINENT DOMAIN FOR A LAKE AS A SURFACE DRINKING WATER SOURCE

Motion was made by Commissioner Fred Diehl, seconded by Commissioner Dan McIntosh, to approve a *Resolution Authorizing Public Hearing on Intent to Approve Acquisition of Property by Eminent Domain for a Lake as a Surface Drinking Water Source*. Motion carried with a roll call vote:

Ayes: Commissioners Harold Allen, Jr., Jack Cooley, Frank Riley, Norm Lust, Fred Diehl, Dan McIntosh, Anne Welker, Scott Busick and Alternate Lyle Persels
Telephone Transmission failed: Sandy Kale

SPONSOR REPORTS

There were no reports from the Commissioners.

OTHER ITEMS TO BE DISCUSSED BY COMMISSION MEMBERS

No items were presented for discussion.

OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD REGARDING MATTERS NOT ALREADY COVERED IN CONNECTION WITH ITEM VII

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

ADJOURN MEETING

Upon motion made by Commissioner Fred Diehl, seconded by Commissioner Dan McIntosh, the meeting was adjourned at 8.00 p.m. Motion carried with a roll call vote.

Ayes: Commissioners Harold Allen, Jr., Jack Cooley, Frank Riley, Norm Lust, Dan McIntosh, Anne Welker, Scott Busick, Fred Diehl and Alternate Lyle Persels
Telephone Transmission failed: Sandy Kale

Secretary

THE NEXT MEETING OF THE CLARKE COUNTY RESERVOIR COMMISSION IS SCHEDULED FOR THURSDAY, JUNE 11, 2009 AT 7:00 P.M. AT THE CLARKE COUNTY FAIRGROUNDS EVENT CENTER BUILDING.