

CLARKE COUNTY RESERVOIR COMMISSION
Clarke County Development Office
115 East Washington Street, Osceola, IA 50213
Thursday, May 13, 2010
9:00 a.m.

Sandy Kale, Chairperson
Jack Cooley, Vice Chairperson
Fred Diehl, Secretary
Dan McIntosh, Treasurer
Frank Riley
Norm Lust
Harold Allen, Jr.
Scott Busick
Anne Welker

Osceola Water Board
Clarke County Supervisors
City of Osceola
SIRWA
Clarke County Conservation Board
Clarke Soil & Water Conservation District
City of Woodburn
City of Murray
Member at Large

Anita Foland
Daniel Shepherd
Joseph E. Handrock
Darlene Handrock
Cort & Julie Jaeschke
Nelson Fry
Bob Anderson
Ed Stoll
Mike Kelly
Kathy Kelly
Jeanne Crees
Thomas E. Andersen
Robert Himschoot
Jeremy Tipton
John Dodge
Marion James
Mark DePoy
Kathy Flam

Clarke County Conservation Board
SIRWA
Landowner
Landowner
Murray, IA
Osceola, IA
Landowner
City of Osceola
Landowner
Landowner
Alternate, City of Murray
Clarke County Engineer
GLB Enterprises, Cedar Rapids
GLB Enterprises, Cedar Rapids
GLB Enterprises, Cedar Rapids
James Law Firm, Creston
NRCS-USDA
Southern Iowa RC&D, Inc.

- 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 9:00 a.m. Nine Commissioners responded to roll call. Clarke County Development Board representative was absent.

APPROVE AGENDA

A motion to approve the May 13, 2010 meeting agenda as written and posted was made by Commissioner Fred Diehl and seconded by Commissioner Harold Allen, Jr. Motion carried on a roll call vote:

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

Absent: Clarke County Development Board representative

Chairperson Sandy Kale informed the Commissioners that since Dennis Hilger is no longer with Southern Iowa Resource Conservation & Development (SIRC&D), CCRC's service provider, the lead contact person is SIRC&D Coordinator Mark DePoy.

APPROVE APRIL 8, 2010 MEETING MINUTES

A motion was made by Commissioner Dan McIntosh and seconded by Commissioner Sandy Kale to approve the April 8, 2010 meeting minutes as written. Motion carried on a roll call vote:

- Ayes: Commissioners Sandy Kale, Anne Welker, Fred Diehl, Harold Allen, Jr., Jack Cooley, Norm Lust, Dan McIntosh, Scott Busick and Frank Riley.
 Absent: Clarke County Development representative

APPROVE APRIL 16, 2010 MEETING MINUTES

A motion was made by Commissioner Fred Diehl and seconded by Commissioner Frank Riley to approve the April 16, 2010 meeting minutes as written. Motion carried on a roll call vote:

- Ayes: Commissioners Sandy Kale, Fred Diehl, Harold Allen, Jr., Jack Cooley, Norm Lust, Dan McIntosh, Scott Busick and Frank Riley.
 Absent: Clarke County Development Board representative
 Abstain: Commissioner Anne Welker

TREASURER'S REPORT

**TREASURER'S REPORT
 Clarke County Reservoir Commission
 May 13, 2010**

CHECKING ACCOUNT		CK#
PREVIOUS BALANCE (April 8, 2010)	\$7,080.97	
REVENUE RECEIVED		
4/30/2010 Interest for April 2010	<u>2.91</u>	
TOTAL REVENUE RECEIVED	<u>2.91</u>	
CASH BALANCE (May 13, 2010)	\$7,083.88	
EXPENSES PRESENTED FOR PAYMENT		
5/13/2010 InterCall – <i>conference call system</i>	23.64	Ck #1120
5/13/2010 Creston Publishing (publish 3/11/2010 mtg. minutes)	60.35	Ck #1121
5/13/2010 Creston Publishing (publish 4/8/2010 mtg. minutes)	<u>56.80</u>	Ck #1121
TOTAL EXPENSES PRESENTED FOR PAYMENT	<u>140.79</u>	
ENDING BALANCE (May 13, 2010)	\$6,943.09	

SPECIAL ACCOUNT		CK#
<i>(Opened 7/26/07)</i>		
PREVIOUS BALANCE (April 8, 2010)		\$25.17
REVENUE RECEIVED		<u>0.00</u>
CASH BALANCE (May 13, 2010)		\$25.17
EXPENSES PRESENTED FOR PAYMENT		<u>0.00</u>
ENDING BALANCE (May 13, 2010)		\$25.17

LOSST 2008 CHECKING ACCOUNT		CK#
<i>Account opened 10/9/2008</i>		
PREVIOUS BALANCE (April 8, 2010)		\$124,200.45
REVENUE RECEIVED		
4/30/2010 Interest for April 2010	20.69	
5/13/2010 City of Woodburn – Ck#9166 (Sales Tax Period: February 2010)	<u>2,976.29</u>	
TOTAL REVENUE RECEIVED TO DATE		<u>\$2,996.98</u>
CASH BALANCE (May 13, 2010)		\$ 127,197.43
EXPENSES PRESENTED FOR PAYMENT		
5/13/2010 USDA NRCS – technical assistance (1/3/2010 to 3/27/2010)	50,276.27	Ck# 1048
5/13/2010 James Law Firm – legal services	4,756.58	Ck #1049
5/13/2010 Ahlers & Cooney, P.C. – legal service	<u>1,215.88</u>	Ck #1050
TOTAL EXPENSES		<u>\$56,248.73</u>
ENDING BALANCE (May 13, 2010)		\$70,948.70

LOSST 2009 CHECKING ACCOUNT		CK#
<i>Account opened 4/17/2009</i>		
PREVIOUS BALANCE (April 8, 2010)		\$433,712.02
REVENUE RECEIVED		
4/30/2010 Interest for April 2010	71.81	
5/13/2010 City of Osceola – Ck #269688 (Sales Tax Period: Feb. 2010)	68,640.70	
5/13/2010 City of Osceola – Ck #269920 (Sales Tax Period: March 2010)	<u>68,640.71</u>	
TOTAL REVENUE RECEIVED		<u>\$137,353.22</u>
CASH BALANCE (May 13, 2010)		\$571,065.24

EXPENSES PRESENTED FOR PAYMENT

5/13/2010 GLB Enterprises, LLC (land acquisition team activity for April 2010) 4,304.00 Ck # 1015

TOTAL EXPENSE 4,304.00

ENDING BALANCE (May 13, 2010) \$566,761.24

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

12/15/2009 Certificate of Deposit (2009 Local Option Sales & Service Tax) **\$500,000.00**
Term: 1 year; CD matures 12/15/2010

Copies of the Treasurer’s Report were made available for audience to review. Commissioners had received the Treasurer’s Report and copies of all bills to review prior to the meeting.

A motion to approve the Treasurer’s Report and to pay the bills as presented was made by Commissioner Frank Riley and seconded by Commissioner Norm Lust. Motion carried on a roll call vote:

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

Absent: Clarke County Development Board representative

Commissioner Sandy Kale made a motion that Treasurer Dan McIntosh request quotes for Certificate of Deposit rates from the three Osceola banks. Commissioner Norm Lust seconded the motion and carried on a roll call vote:

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

Absent: Clarke County Development Board representative

OLD BUSINESS

LIABILITY INSURANCE

CCRC Attorney Marion James informed the Commissioners that he had not received a response from the Iowa Community Assurance Pool (ICAP) on the liability insurance application he submitted. Mr. James reported that he will be submitting another liability insurance application to a second carrier and will hopefully have something to report at the June CCRC meeting.

NEW BUSINESS

UPDATE ON SALES TAX 28E WITH CITY OF MURRAY

Attorney Marion James reported the agreement to handle the sales tax the City of Murray will be collecting from the Murray LOSST will be acted upon at the June CCRC meeting.

USDA NRCS REPORT

Marty Adkins, Assistant State Conservationist from USDA-Natural Resources Conservation Service Water Resources Staff in Des Moines, presented the Commissioners and audience a written report entitled *NRCS Progress Report, May 13, 2010*.

1. As discussed previously, analysis completed for the development of the preliminary second draft plan showed that Site 3.5 provided the greatest net benefits, and so that site was shown in the preliminary second draft plan as the National Economic Development (NED) Alternative.
2. At the last CCRC meeting, there was discussion about technical work that was being done to ensure that the potential sites would not encroach upon an existing confinement livestock structure. That work has been done and cost estimates have been revised to account for the needed modifications. The modifications have been discussed with and concurred by livestock regulatory and legal staff at the Iowa Department of Natural Resources.
3. Based on the revised cost estimates and benefit/cost analyses, Site 3.5 remains as the NED Alternative.
4. This information was discussed with Sandy Kale, CCRC Chair. Based on that conversation, it appears that there may be interest on the part of the CCRC Board in pursuing an exception to the NED Plan.
5. NRCS policy provides for consideration of exceptions to NED plans. Section 502.0 of the National Watershed Program Manual states: "For water resource plans, a plan recommending Federal action must be the alternative plan that reasonably maximizes net economic benefits consistent with protecting the nation's environment, unless an exception is granted. Exceptions to the National Economic Development (NED) plan can only be granted by the Chief. Exception will be considered based on other Federal, State, local or international concerns not fully addressed by the NED plan.
6. If the CCRC Board wishes to pursue an exception to the NED Plan, a written communication to Richard Sims, NRCS State Conservationist, would be appropriate. Mr. Sims will evaluate available information and decide whether or not to request an exception. If a request is made, a decision on the request of the Chief of the NRCS can be expected in 30-60 days.
7. Once the NED issue is resolved, the draft plan can be readied for public and interagency review.

NED SITE REVIEW AND BOARD RESPONSE

Commissioner Fred Diehl made a motion to start the exception (to the NED Plan site 3.5) process by writing a letter to Richard Sims, NRCS State Conservationist, requesting the exception. Commissioner Norm Lust seconded the motion and carried on a roll call vote:

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

Absent: Clarke County Development Board representative

LAND COMMITTEE ADVISORY REPORT

Land Committee Chairperson Norm Lust reported on the May 12 Land Committee meeting. Mr. Lust informed the members that Land Appraiser Mark Williams is finishing up with the 16 appraisals which are within the footprint of 3.5 and 4B. These land appraisals are for informational purposes of obtaining values for cost estimates of purchasing land. Mr. Lust thanked the property owners for their cooperation with the acquisition and appraiser teams during the appraisal process.

LAND ACQUISITION TEAM REPORT

Land Acquisition Coordinator Robert Himshoot reported very little activity since the last CCRC meeting.

MEDIA COMMITTEE REPORT

Media Committee Chairperson Scott Busick reported the CCRC web site (<http://www.clarkecountyreservoir.com>) is up and running and that there was an article about the website in the May 13 issue of the Osceola Sentinel-Tribune. Mr. Busick also reported that SIRC&D will be developing a power point presentation on the proposed reservoir to present to organizations and other interested parties.

SPONSORS REPORTS

Commissioner Dan McIntosh (SIRWA) reported SIRWA Alternate Daniel Shepherd is now attending the CCRC meetings and that it is nice to have him back.

There were no other reports.

OTHER ITEMS TO BE DISCUSSED BY COMMISSION MEMBERS

Commissioner Jack Cooley made a motion to move forward with the process of the feasibility study by Howard R. Green Co. Commissioner Fred Diehl seconded the motion and carried on a roll call vote:

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

Absent: Clarke County Development Board representative

The next meeting will be June 10, 2010 at the Clarke County Development Office in Osceola.

OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD

Questions presented from the audience were addressed by NRCS staff and the Commissioners.

ADJOURN MEETING

Motion was made by Commissioner Dan McIntosh and seconded by Commissioner Norm Lust to adjourn the meeting at 10:13 a.m. Motion carried with all ayes.

Secretary

THE NEXT MEETING OF THE CLARKE COUNTY RESERVOIR COMMISSION IS SCHEDULED FOR THURSDAY, JUNE 10, 2010 AT 9:00 A.M. AT THE CLARKE COUNTY DEVELOPMENT OFFICE.