

**Minutes**  
**Eastern Iowa Regional Utility Services System Commission**

DATE: Wednesday, December 20, 2006

TIME: 5:00 p.m.

PLACE: Telephone Conference Call

MEMBERS PRESENT:

<input checked="" type="checkbox"/>	Dennis Boedeker	Cedar County Representative
<input type="checkbox"/>	Jon Bell	Cedar County Alternate
<input checked="" type="checkbox"/>	Jill Davisson	Clinton County Representative
<input type="checkbox"/>	Robert Summers	Clinton County Alternate
<input checked="" type="checkbox"/>	Steve Koenke	Delaware County Representative
<input type="checkbox"/>	Shirley Helmrichs	Delaware County Alternate
<input type="checkbox"/>	Bill Skinner	Delaware County Alternate
<input checked="" type="checkbox"/>	Frank Frieberg	Jackson County Representative
<input type="checkbox"/>	Larry Koos	Jackson County Alternate
<input checked="" type="checkbox"/>	Joe Cruise	Jones County Representative
<input type="checkbox"/>	Keith Dirks	Jones County Alternate

OTHERS PRESENT: Warren Johnson, Limestone Bluffs RC&D  
Roger Stoakes, USDA Rural Development  
Jack Pope, Garden & Associates  
Andrew Marsh, Howard R. Green Company

STAFF PRESENT: Nagle, Nesteby, Schneider

**Call To Order**

The meeting was called to order by Chairperson Boedeker at 5:15 p.m.

**Action on the December 20, 2006 Agenda**

Motion by Koenke, second by Frieberg to approve the December 20, 2006 agenda of the Eastern Iowa Regional Utility Services System. The motion passed unanimously.

**Review/Approve Minutes of the October 25, 2006 Meeting**

Motion by Cruise, second by Frieberg to approve the minutes of the October 25, 2006 EIRUSS meeting. The motion passed unanimously.

**Review/Action on Financial Status Reports**

Schneider distributed the financial status reports to the board members. The Balance Sheet shows Total Liabilities and Equity of \$22,160.60. The Profit and Loss from July 1 to December 15 lists income of \$75,055.85, expenses of \$54,901.52, and net income of \$20,154.33. Schneider explained the Transaction List by Vendor in relation to each project to the board members.

Motion by Davisson, second by Koenke to approve the Financial Status Reports. The motion passed unanimously.

## **Discussion/Action on Acceptance of Preliminary Engineering Report for Elvira Project**

Schneider said Jack Pope from Garden & Associates would present the preliminary engineering report for Elvira. Pope said the Clinton County Board of Supervisors had received notice from the Department of Natural Resources for discharge violations for Elvira's approximate 22 properties. He presented nine options and various funding plans to the board members. Pope said their recommendation is a gravity collection system with controlled discharge lagoon. However, due to required sewer and water system separations, Pope suggested that a public water system may be considered prior to a sewer system. Board members discussed the sewer and water problem and the time line for fixing the sewer violation. Davisson said letters have been sent to the DNR listing the progress that has been made so far to address the violations. Stoakes said the USDA has reviewed Garden & Associates' engineering report and agrees with it.

Schneider said that an income survey will need to be completed in order to determine funding options for the project. Board members said a meeting will need to be set up with the residents to discuss the water and sewer options; an income survey can be done at the same time. Schneider said he would contact Davisson to set up the meeting. Boedeker thanked Pope for presenting the engineering report.

## **Discussion/Action on Land Acquisition – Center Junction Properties**

Nagle said he is continuing to work on the land acquisition and easements for Center Junction's sewer project. Two of the easements are with the City and the mayor is agreeable. Moses, the owner of the lagoon site property, has accepted the offer of \$55,000 and a purchase agreement is being drafted by attorney Walters. The price includes the lagoon site and easements. Stingley has been notified by sheriff of the proposed easement and Nagle said he is working with the family to finalize it.

Nagle said there are two optional easements at the end of the sewer line; the owners are not communicating and Nagle asked if these are necessary. Pope said they are fringe users and he understood that the board's desire was to provide equivalent service. Stoakes suggested bidding the cost of these easements as alternates, look at the final bids, and see what the impact is on the final cost.

Pope said a fence will need to be put around the lagoon site; the standard is woven wire with one string of barb wire at top and bottom. Discussion followed by board members about woven wire or just using barb wire. Board members consensus is to install four strands of barb wire fence instead of a woven wire fence.

Pope said the bid letting would be late February, first of March. Proposals will be mailed out at the end of January.

## **Andover Water Project**

### **A. Discussion/Action on USDA Letter of Conditions**

Stoakes distributed the USDA Letter of Conditions for Andover to the board members. He discussed the project description, funding breakdown of \$140,000 USDA Rural Development Loan, \$243,000 USDA Rural Development Grant; \$87,000 CDBG; and \$2,700 Applicant Contribution, with the interest rate at 4.38%. The water system involves 47 users. Stoakes said a 28E Agreement for the water utility will need to be signed between EIRUSS and the City. The total cost of the project is \$470,000, with the average cost per user estimated at around \$29.75. Stoakes noted that a construction contract cannot be signed until legal descriptions were in place and a loan resolution is approved.

Motion by Davisson, second by Koeneker to approve and authorize the EIRUSS chairperson to sign the USDA Letter of Conditions for the Andover water project. The motion passed unanimously.

**B. Discussion/Action on Interim Financing**

Schneider said proposals for interim financing for the Center Junction project were sent to banks in Jones County. He asked the board members if they wish to follow this same direction for the interim financing for the Andover project. Board members consensus is to send proposals for interim financing for the Andover project to Clinton County banks.

**C. Discussion/Action on Bond Counsel**

Schneider said Dorsey & Whitney is the Bond Counsel for the Center Junction project; he asked if the board members also want Dorsey & Whitney for the Andover project.

Motion by Davisson, second by Koeneker to approve and authorize the EIRUSS chairperson to sign a legal agreement with Dorsey & Whitney for Bond Counsel for the Andover water project. The motion passed unanimously.

**D. Discussion/Action on Legal Counsel**

Schneider said that Jeff Walters is the designated attorney for the Center Junction project and also for the EIRUSS Board. Nagle said he talked to Bill Blum about the Andover project and he indicated he would be interested in working on the project. Blum is the retired attorney for the City of Dubuque. Blum's fee is \$100/hr, while Walters is \$160/hr.

Motion by Cruise, second by Frieberg to approve and authorized the EIRUSS chairperson to sign a Legal Services Agreement between EIRUSS and Bill Blum for services related to the Andover water project. The motion passed unanimously.

**Discussion/Action of Fairview Project/Engineering Contract**

Schneider said Andrew Marsh from Howard R. Green Company would present a revised engineering contract for Fairview. Marsh said they updated MSA's report from several years ago. They looked for the most cost effective and feasible solutions for the mobile home park and the immediate property north of the court as directed by the EIRUSS board at the October meeting. Marsh said they met with USDA and the landowner of the trailer court to discuss the project again in December. The recommendation is to link Fairview up to the Anamosa sewer system. The proposed monthly cost to each resident would be over \$50. The deadline to start the project is April 2008 and to finish by November 2008. No CDBG application was submitted because another income survey for this reduced project area that couldn't be accomplished in the time allowed, the project cost was not determined, and based on the smaller area and reduced eligibility for CDBG funds, the USDA RD agreed it is not cost effective to seek CDBG funds and agreed USDA RD would make up for the balance of the project cost.

Discussion followed by board members concerning the high monthly cost to each resident and the proposed sewer system for the smaller area. Schneider said the initial engineering report was \$7,500; the new reduced scope from Howard R. Green Company is \$11,370. Stoakes stated that USDA felt this cost was excessive and USDA would not reimburse this high of cost for the report. Marsh said the cost is higher because of two additional areas to survey, many extra meetings with the county, USDA, the property owner, ECIA staff, and the County Sanitarian and

phone calls that increased their cost on the first project. Marsh said he probably can reduce costs with alternate treatments/areas. Discussion followed by board members that the revised engineering report is not a full report and the price should fall in the \$3,000-\$5,000 range. All agreed that the Anamosa option is likely the best solution, however it simply costs too much and requested that Marsh provide a revised proposal based on a system to serve the mobile home court and a system to serve the mobile home court and the estimated fourteen properties immediately north of the court. Marsh said he would submit a revised scope for Fairview to the board within a couple days.

### **Update on Leisure Lake Project**

Schneider said a CDBG application was submitted for Leisure Lake. A meeting was held with Charlie Cate from IIW Engineers & Surveyors to discuss phasing and the funding for the project. Schneider said USDA and the DNR are both receptive to the plans for the Leisure Lake project. Community Development Block Grants will be awarded in March, 2007. With the funding from RWIB and CDBG, the design work could begin in August, 2007. Discussion followed concerning the availability of the USDA 2007 and 2008 pool funds for this project. Johnson said he will be submitting a WIRB funding request budget for the first part of 2007 to Schneider.

### **Other Business**

Schneider said an EIRUSS phone conference will be held in January to decide on the revised Fairview proposal from Andrew Marsh at Howard R. Green Company.

### **Adjournment**

Motion by Davisson, second by Koeneke to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 7:15 p.m.

Respectfully submitted,

Mark Schneider  
Community Development Director