

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

DATE: Wednesday, February 25, 2009

TIME: 11:00 a.m.

PLACE: ECIA Offices, Dubuque, Iowa

MEMBERS PRESENT:

<input checked="" type="checkbox"/>	Dennis Boedeker	Cedar County Representative
<input type="checkbox"/>	Jon Bell	Cedar County Alternate
<input type="checkbox"/>	Jill Davisson	Clinton County Representative
<input type="checkbox"/>	Robert Summers	Clinton County Alternate
<input checked="" type="checkbox"/>	Jerry Ries	Delaware County Representative
<input type="checkbox"/>	Shirley Helmrichs	Delaware County Alternate
<input checked="" type="checkbox"/>	Frank Frieberg	Jackson County Representative
<input checked="" 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:

Charles Cate, IIW Engineers & Surveyors  
Rob Block, IIW Engineers & Surveyors  
Chandra Shaw, Limestone Bluffs RC&D  
Warren Johnson, Limestone Bluffs RC&D  
Mike Wade, Iowa Department of Natural Resources  
Jack Willey, Jackson County Supervisor  
John Murphy, Representative Bruce Braley's Office  
Linda Lucy, Senator Tom Harkin's Office  
Senator Tom Schueller (by phone)  
Senator Roger Stewart (by phone)  
Joyce Whitney and Leisure Lake Home Owners  
Greg Thompson, USDA Rural Development

STAFF PRESENT: Deutmeyer, Nagle, Nesteby, Schneider

**Call To Order**

The meeting was called to order by Vice Chair Cruise at 11:00 a.m. Introductions of EIRUSS board members, guests and staff followed.

**Action on February 25, 2009 Agenda**

Motion by Boedeker, second by Frieberg to approve the February 25, 2009, Eastern Iowa Regional Utility Service Systems agenda. The motion passed unanimously.

**Review/Approve Minutes of the January 28, 2009 Meeting**

Motion by Frieberg, second by Boedeker to approve the minutes of the January 28, 2009 meeting. The motion passed unanimously.

## **Andover project**

### **A. Review/Action on Contract B – Distribution (Anstoetter Construction) Payment #3 Final (Retainage \$9,086.19)**

Schneider said this is the final retainage payment to Anstoetter Construction for the distribution portion of the Andover water system.

Motion by Boedeker, second by Ries to approve Contract B - Distribution - Payment #3 Final (retainage) to Anstoetter Construction for the Andover project. The motion passed unanimously.

### **B. Project status update**

Schneider said the system is up and running with about half of the homeowners hooked up to it. There are two minor leaks in the distribution system which will be fixed as soon as the frost leaves the ground. The deadline for hookup is February 28.

## **Leisure Lake**

### **A. Discussion/Action on CDBG and WIRB Grants and how to proceed with the project**

Schneider said the Community Development Block Grant for the Leisure Lake project has been rescinded since the deadline was 2008 and the project has not proceeded rapidly. Staff have been informed that they may apply for a CDBG this spring. The Department of Agriculture and Land Stewardship requires that the WIRB grant funds be expended by the end of the year. Schneider said there may be some funding through the stimulus funds.

A meeting with ECIA staff and Jackson County Supervisors was held Tuesday to discuss the situation. Because access has been denied to the proposed lagoon site, soil borings have not been taken yet. The design can not be completed without the borings.

Staff have requested assistance from local legislators to support an extension on the WIRB grant for the project. Senators Schueller and Stewart were available by phone; Murphy from Representative Braley's office and Lucy from Senator Hancock's office were in attendance at the meeting. A bill sponsored by Senator Hancock has now passed out of committee and is now on the Senate Floor for approval that would allow for a change of the time line for these types of projects from three years to five years, with the opportunity to request an additional five years. Discussion followed concerning the time length of negotiations with the lagoon property owner, the necessity of soil borings, a topography map and an environmental review, and that this property is the best site for the lagoon. Schneider noted that a Letter of Conditions from USDA Rural Development is necessary to obtain interim financing for the project. Thompson said USDA can fund the project once they have received a revised cost estimate from IIW Engineers, an environmental review and a completed application. If the Senate and House approve the bill, the governor will sign it. Then the WIRB Board would need to approve a time extension on the Leisure Lake project.

Deutmeyer thanked Murphy and Lucy for attending the EIRUSS meeting, and thanked Schueller and Stewart for calling in. The Leisure Lake home owners in attendance thanked the staff and EIRUSS board members for their concern and work on the project and offered their assistance in any way.

Motion by Boedeker, second by Frieberg to approve and reaffirm authorization for ECIA staff to request the Jackson County attorney to proceed with condemnation on the proposed treatment site for the Leisure Lake project. The motion passed unanimously.

Frieberg said he would talk to the County Attorney; Koos said he would talk to the property owner of the proposed lagoon site.

**Fairview project**

**A. Status update concerning meeting with interested parties on February 10, 2009**

Nagle said at a recent meeting on February 10, all parties agreed to move forward with the project. A letter will be sent from the County Attorney to the Department of Natural Resources with a new schedule and the environmental review is almost complete and will be sent to the USDA Rural Development office. The USDA office has also asked for a commitment in writing from the mobile home court owner in support of the project and a purchase agreement with the lagoon property owner.

**B. Move into closed session to discuss Fairview land acquisition per Iowa code Section 21.5(1)(j)**

Motion by Boedeker, second by Frieberg to move into closed session to discuss Fairview land acquisition per Iowa code Section 21.5(1)(j) at 12:30 p.m. Roll Call Vote: Cruise-yes; Boedeker-yes; Frieberg-yes; Ries-yes.

**C. Return to open session**

The Vice Chair called the meeting back into open session at 12:40 p.m.

**D. Discussion/action on Fairview land acquisition**

Motion by Boedeker, second by Ries to approve and authorize ECIA staff to proceed with land acquisition for the Fairview project. The motion passed unanimously.

**Other Business**

None.

**Adjournment**

Motion by Frieberg, second by Ries to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 12:45 p.m.

Respectfully submitted,

Mark Schneider  
Director of Community Development and Public Works