

(Amy Kahler, Des Moines Water Works, 2201 George Flagg Parkway, Des Moines, IA 50321, 515-283-8760)

**Meeting**  
**CENTRAL IOWA REGIONAL DRINKING WATER COMMISSION**  
**Bondurant City Hall**  
**Tuesday, January 25, 2011**  
**6:00 p.m.**

**1. Chair Items** - Commission Chair E.J. Giovannetti called the meeting of the Central Iowa Regional Drinking Water Commission to order at 6:05 p.m. and welcomed all in attendance. Present were:

City of Altoona – Michelle Sloan (Rep), Karen Oppelt (Alt-EX-O)

City of Ankeny – Tom Strait (Rep), Jolee Belzung (EX-O)

City of Bondurant – Mike Adams, Sr. (Rep), Mark Arentsen (EX-O)

City of Carlisle – None

City of Clive – Scott Cirksena (Rep), Bart Weller (EX-O)

City of Cumming – None

City of Johnston – David Lindeman (Rep), Shane Kinsey (Staff)

City of Mitchellville – None

City of New Virginia – None

City of Norwalk – Tim Hoskins (EX-O)

City of Pleasant Hill – Mike Daspit (Rep)

City of Polk City – None

City of St. Charles – None

City of Waukee – Casey Harvey (Rep)

City of Windsor Heights – Louise Moon (Rep)

Des Moines Water Works – Bob Riley (Rep), Dave Carlson (Alt Rep), Randy Beavers (EX-O), Gary Benjamin (Alt EX-O), Amy Kahler (Staff), Linda Kinman (Staff), Pat Ripley (Staff)

Indianola Municipal Utilities – Todd Kielkopf (EX-O), Mike Beals

Polk County – E.J. Giovannetti (Rep)

Urbandale Water Utility – John McCune (Rep)

Warren Water District – None

West Des Moines Water Works – Karen Novak Swalwell (Rep), Jim Wallace (Alt Rep), Jerry Stevens (EX-O)

Xenia Rural Water – Tom Pierce (Rep)

Following introductions, Mr. Giovannetti thanked the City of Bondurant for hosting the meeting.

A motion was made by Tom Strait, seconded by John McCune, to approve the minutes of the October 26, 2010, meeting. Upon vote, the motion carried.

**2. Status of Amended and Restated 28E Status** – With the exception of the City of Panora, all other original entities have submitted their Ballots and Acceptance Forms. The Amended and Restated 28E was filed November 2, 2010, and an addendum was filed reflecting those who had responded after the filing. The official filing date of the agreement will be January 2011. Copies of the fully executed agreements will be provided to members electronically.

**3. Revised Bylaws** – To alleviate the problem of not having a quorum present at the CIRDWC meetings the last few years, it was proposed the bylaws be revised to lower the quorum, in addition to other changes. At the October 26, 2010, meeting, DMWW's legal counsel reviewed the key proposed changes to the rules and bylaws as follows:

- Article I specifies that the revised Rules and Bylaws go into effect on the Effective Date of the new 28E Agreement.
- Article II adds source water issues to the purposes of CIRDWC as set forth in the new 28E Agreement.
- Article IV, Article V, and Article VI are substantially re-written to conform to the new 28E Agreement provisions pertaining to governance, and in particular to implement the Governing and Non-Governing Member provisions.
- Article VII is re-written to implement the new 28E provisions, and to streamline the duties of the officers in view of the proposed implementation of a Fiscal Agent relationship to handle CIRDWC funds. A new position of Recording Secretary is created to reflect the actual administrative practice of reliance upon Des Moines Water Works staff for administrative duties.
- Articles VIII, IX, X, and XI are revised to conform to the new 28E Agreement and to clarify and conform procedures and practices for meetings.
- Article XII is revised to conform to the new 28E Agreement, and to provide for a Fiscal Agent. Section 3 provides for authority of the Governing Board over expenditures but allows two members of the Executive Committee to direct authorized expenditures. The Recording Secretary is given authority for authorized items of up to \$200 each, subject to a quarterly limit of \$1,000.
- Articles XIII and XVI have changes to conform to the new 28E Agreement and other Rule and Bylaw changes.

Mr. Cirksena made a motion to adopt and approve the Amended and Restated Rules and Bylaws of the Central Iowa Regional Drinking Water Commission. A second to the motion was provided by Mr. Adams. Upon vote, the motion carried.

**4. Fiscal Agent Agreement with Des Moines Water Works** – The proposed fiscal agreement was reviewed by Mr. Malm, DMWW's legal counsel, at the October 26, 2010, CIRDWC meeting. The agreement appoints DMWW to act as the fiscal agent for the purposes of receipt, disbursement, investment and accounting for CIRDWC's funds. The agreement was drafted by Mr. Malm and reviewed by the County Attorney's office to avoid any conflicts of interest. Ms. Kahler stated the intent is to provide quarterly financial reports. A motion to approve the Fiscal Agent Agreement with Des Moines Water Works was moved by Mr. Harvey and seconded by Mr. McCune. Upon vote, the motion carried.

**5. 2010-2011 Budget** – The amended and restated 28E provides for CIRDWC to have a budget and collect dues from members. Copies of the proposed budget for the current fiscal year ending June 30, 2011, were distributed and reviewed. Projected expenses total \$620 for bank charges, legal services, and accounting duties (not to exceed \$500) provided by DMWW. It was asked if an annual audit will be conducted. Ms. Kahler explained the Commission's Secretary/Treasurer is responsible for oversight of the budget and felt the quarterly reports would be sufficient since there will be minimal activity. The next fiscal year's proposed budget will be presented to the Commission in April. Invoices for membership dues will be forwarded electronically to the Ex-Officios, and are due upon receipt. Mr. McCune made a motion to approve the 2010-2011 Budget, and Mr. Harvey seconded the motion. Upon vote, the motion carried.

**6. Legislative Forecast** – Ms. Kinman is the Public Policy Analyst/Watershed Advocate for Des Moines Water Works and also serves as the executive director for the Iowa Association of Water Agencies which is comprised of large water utilities in the state. Her comprehensive presentation included state and federal regulatory and legislative updates and issues related to water quality, infrastructure, drainage tile, and the proposed 2012 farm bill. Ms. Kinman provided handouts to attendees and offered to be the source of information for CIRDWC members. She distributes weekly legislative updates and annual legislative/regulatory forecasts which are available to interested parties.

**7. 2011 Officers' Report** – Mr. McCune recognized members of the Nominating Committee -- Ms. Moon, Ms. Sloan, and Mr. McCune. Assistance was also provided by Mr. Beavers, Mr. Foust and Ms. Kahler. Mr. McCune made a motion to re-elect Mr. Giovannetti as the Commission Chair, Mr. Cirksena as Vice Chair, and Mr. Adams as Secretary. Mr. Harvey provided a second to the motion, which carried upon unanimous vote.

**8. Executive Committee Report** – The CIRDWC Executive Committee met December 16, 2010, primarily to formulate the agenda for this evening's meeting. The nominating committee was appointed, and ongoing issues were discussed. Suggestions were made concerning speakers at meetings, which will be pursued. If members have discussion topics, Mr. Giovannetti asked that the Executive Committee be advised, as the goal is to make the meetings meaningful.

**9. General Discussion** – Mr. Carlson was congratulated for being elected the Chair of the Board of Water Works Trustees. Responding to an inquiry, Mr. Pierce provided a brief update regarding Xenia Rural Water District. Mr. Adams asked about scheduling a tour of Des Moines Water Works. It was mentioned DMWW was hoping to host a legislative event to which CIRDWC members would be invited and would include a tour of the treatment plant. Another suggestion was to conduct a CIRDWC meeting at DMWW. Mr. Riley referred to the editorial he wrote, which mentioned CIRDWC, challenging the community to think about regional governance of DMWW which he said would be in the CIRDWC members' best interest.

**10. Adjournment** – The meeting was adjourned by the Commission Chair at 7:25 p.m.