

(Prepared by/Return to: Amy Kahler, Des Moines Water Works, 2201 George Flagg Pkwy.,
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Meeting
CENTRAL IOWA REGIONAL DRINKING WATER COMMISSION
Johnston Public Safety Building, 6373 Merle Hay Road
Monday, February 9, 2015
6:00 p.m.

Chair Items – Commission Vice Chair David Lindeman called the meeting of the Central Iowa Regional Drinking Water Commission to order at 6:10 p.m. and recognized a quorum of Representatives in attendance. Present were:

City of Altoona –Michelle Sloan (Rep), Vern Willey (Ex-O), Karen Oppelt (Alt. Ex-O)

City of Ankeny – None

City of Bondurant – None

City of Carlisle – None

City of Clive – Susan Judkins (Rep), Bart Weller (Ex-O)

City of Cumming – None

City of Johnston – David Lindeman (Rep), Jim Sanders (Alt Rep), Shane Kinsey (Ex-O)

City of Mitchellville – None

City of New Virginia – None

City of Norwalk – Tim Hoskins (Rep)

City of Pleasant Hill – Mike Daspit (Alt Rep), Len Murray (Council Member)

City of Polk City – Mike Schulte (Ex-O)

City of St. Charles – None

City of Waukee – None

City of Windsor Heights – None

Des Moines Water Works – Dave Carlson (Alt. Rep.) Bill Stowe (Ex-O), Ted Corrigan (Alt Ex-O), Donna Heckman (Staff), Amy Kahler (Staff), Laura Sarcone (Staff)

Indianola Municipal Utilities – None

Polk County – None

Urbandale Water Utility – Dale Acheson (Ex-O)

Warren Water District – Merrill Heemstra (Rep), Randy Beavers (Ex-O), Stan Ripperger (Staff)

West Des Moines Water Works – Karen Novak Swalwell (Rep)

Xenia Rural Water District – Dan Lovett (Rep), Gary Benjamin (Ex-O)

Also present were Mike Borchers and Anna White from Black & Veatch, Heath Picken and Josh Scanlon from HR Green, Gretchen Tegeler from Taxpayers Association of Central Iowa, and Perry Beeman from Des Moines Business Record.

DMWW Notice of Intent to Sue under the Clean Water Act – Bill Stowe gave a presentation on Des Moines Water Works' (DMWW) recent filing of a Notice of Intent to Sue under the Clean Water Act. DMWW has not yet filed a lawsuit. The 60 day notice is the first step in the process under the Clean Water Act. DMWW has been operating the nitrate removal facility since December 4, which is unprecedented for winter. The Board of Water Works Trustees plans to meet March 10, to decide whether to proceed with the lawsuit against the Boards of Supervisors of Sac, Buena Vista and Calhoun Counties, in their role as governing authority for 10 drainage districts. DMWW's legal premises states that drainage districts are not agricultural stormwater discharge, rather groundwater discharge. If successful, this lawsuit would put agricultural drainage systems on the same footing as regulated systems (point source polluters). There was general discussion about DMWW's nitrate removal facility and discharge permit, as well as why the three counties were chosen.

Approval of Minutes – A motion was made by Mike Daspit, seconded by Merrill Heemstra, to approve the minutes of the November 18, 2014, meeting as well as the Executive Committee meeting on January 20, 2015.

Financial Statements – Referring to the 2015 Cashflow Worksheet for the second quarter of Fiscal Year 2015 (CIRDWC's fiscal year is July 1 to June 30), Amy Kahler called attention that \$80,215.40 was spent in the second quarter. A total of \$200,000 was budgeted for the feasibility study, along with \$50,000 for the project management of the study. For the second quarter, \$79,531.50 was paid to the feasibility study consultants. A total of \$109,356.50 has been billed by the consultants for Fiscal Year 2015. Expenses for the project management of the study will come in significantly under budget. The second quarter of Fiscal Year 2015 ends with a balance of \$156,059.95. A motion to approve the financial statements was made by Susan Judkins and seconded by Karen Novak Swalwell.

Feasibility Study Update – The majority of the meeting was devoted to reviewing the draft results of the Feasibility Study, with a presentation conducted by Mike Borchers and Anna White from Black & Veatch and Heath Picken from HR Green. The presentation focused on a review of the completed tasks of the study, including 1) Valuation estimate (value of assets); 2) Net value analysis (valuation considering debt and purchased capacity); 3) Financial analysis (annual capital and operating budgets for the new entity), and 4) Governance issues (governance options). One area discussed was how joint projects were incorporated into the study; B&V will make minor adjustments for contributions to joint projects/assets. The consultants will receive feedback from the draft report and publish the final report by the end of February. After receiving the final report, the next steps recommended by B&V include 1) Evaluating issues raised in the final report via subcommittees (Financial, Technical, Governance and Expansion); 2) Evaluate proposed changes from subcommittees and potential impact on rates; 3) Discussion of moving forward, and 4) Begin drafting a memorandum of understanding for consideration.

Election of 2015 Officers – The Nominating Committee recommended the following slate of officers for 2015:

Chair – David Lindeman, City of Johnston
Vice Chair – Jim McKenna, City of Ankeny
Secretary/Treasurer – Karen Novak Swalwell, West Des Moines Water Works

Vice Chair David Lindeman asked for nominations from the floor, receiving none. Tim Hoskins made a motion to approve the aforementioned slate of officers, seconded by Michelle Sloan. Upon vote, the motion carried unanimously.

Executive Committee Report – The Executive Committee met January 20, 2015. Minutes from the meeting were distributed.

General Discussion – There is a meeting of local mayors at 7:30 a.m. on Wednesday, February 11, at Des Moines Water Works, to discuss Des Moines Water Works' Notice of Intent to Sue under the Clean Water Act.

Adjournment – Susan Judkins moved to adjourn the meeting. Michelle Sloan seconded the motion.

Meeting adjourned at 8:11 p.m.