

**MINUTES OF THE APRIL 24, 2009 MEETING  
OF THE  
WATERSHED IMPROVEMENT REVIEW BOARD**

**Appointed Members in Attendance**

Jolee Belzung, Chairperson, Iowa Association of Water Agencies  
Robert Ballou, Iowa Soybean Association  
Tom Hadden, Iowa Environmental Council  
Kevin Jacobson, Iowa Rural Water Association (via telephone)  
Leah Maass, Iowa Farm Bureau  
Keri Van Zante, Iowa Association of County Conservation Boards

**Appointed Members Absent**

Bernie Hoyer, Iowa Department of Natural Resources  
Debra Karwal, Iowa Pork Producers  
Mark Rosenbury, Vice Chairperson, Agribusiness Association of Iowa  
Deb Ryun, Conservation Districts of Iowa  
Betty De Boef, State Representative  
Jim Gillespie, Iowa Department of Agriculture and Land Stewardship  
Rob Hogg, State Senator  
David Johnson, State Senator  
Dolores Mertz, State Representative

**Staff and Guests**

Mary J. Baker, IDALS, Division of Soil Conservation  
Jerry Neppel, IDALS, Division of Soil Conservation  
Vicki Allen  
Ganesh Ganpat, DMACC Foundation  
Jennifer Welch, Polk SWCD  
Joe Straub, Straub Law Office, representing the Luverne Magor Drainage Conservation Association, LLC

**Call to Order**

The meeting of the Watershed Improvement Review Board (WIRB) was called to order at 10:01 a.m. on Friday, April 24, 2009, at the Ankeny Public Services Building, 220 West First Street, Ankeny, Iowa, by Chairperson Belzung.

**Approval of Agenda**

**Motion 2009-058** Chairperson Belzung called to adopt the agenda. Moved by Ballou and seconded by Hadden to approve the agenda, and the motion was unanimously approved.

*It was agreed by the Board to change the order of the agenda to accommodate visitors' schedules.*

**Approval of Minutes from the February 27, 2009 Board Meeting**

**Motion 2009-059** Chairperson Belzung called for a vote to approve the February 27, 2009 meeting minutes. Moved by Hadden and seconded by Maass, and the motion was unanimously approved.

**Treasurer's Report**

Neppel discussed the potential slippage of funds leftover from projects that is approximately \$400,000+. The Board discussed forming a subcommittee to review the application process and incorporate changes in the RFA documents. Neppel will send out the last version of RFA documents to subcommittee members. The subcommittee members are Ryun (chair), Van Zante and Hoyer. The goal is to have the application process and revisions completed by June when the appropriation is known.

Watershed Improvement Fund  
Revenue & Expenses  
Fiscal Year 2009

Revenue Collected:		
Intra State Transfers		\$ 5,000,000.00
Watershed Improvement Fund Refunds		\$ 17,088.77
Interest		
June Interest	\$ 52,516.48	
July Interest	26,210.00	
August Interest	23,876.87	
September Interest	27,811.30	
October Interest	40,758.90	
November Interest	22,938.53	
December Interest	30,419.12	
January Interest	38,894.18	
February Interest	31,255.15	
March Interest		
April Interest		
May Interest		
Total Interest		<u>284,482.58</u>
Total Revenue Collected from July 1, 2008 through April 16, 2009		5,311,561.36
Expenditures:		
Intra State Transfers	50,000.00	
Pay Requests Approved by Board	<u>4,601,320.81</u>	
Total Expenditures from July 1, 2008 through April 16, 2009		<u>4,741,320.81</u>
Revenue minus Expenditures		\$ 570,230.55
Fund Balance forward from FY 2008		\$ 9,695,418.02
Fund Balance as of April 16, 2009 (FY2009)		<u>\$ 10,265,648.57</u>

Allocations and interest available less funds set aside for existing projects

Revenues		
Appropriations		
State Fiscal Years 2006, 2007, and 2008		\$15,000,000.00
State Fiscal Year 2009	SFY2009	\$5,000,000.00
Watershed Improvement Fund refunds		
Lyon SWCD	SFY2008	\$57,500.00
5018-007 Storm Lake, 8010-005 Holiday Lake, 8018-010 Storm Lake	SFY2009	\$17,068.77
Interest Accrued		
State Fiscal Years 2006, 2007, and 2008		\$915,627.02
SFY2009 (to date)	SFY2009	\$284,482.58
Total Revenue Collected through April 16, 2009		\$21,284,878.38
Expenses and Funds Set Aside		
Intra State Transfers (IDALS)		
State Fiscal Years 2006, 2007, and 2008		\$150,000.00
Intra State Transfers (IDALS)	SFY2009	\$50,000.00
WIRB Per Diem and expenses (as of 3-31-09)	SFY2009	\$2,063.27
Subtotal		\$202,063.27
Funds Set Aside For Approved Projects		
State Fiscal Years 2006, 2007, and 2008		\$14,610,172.00
State Fiscal Years 2009 (9-12-08 and 3-27-09)	SFY2009	\$6,871,392.00
Subtotal		\$20,481,564.00
Total Expenses or Obligations		\$20,683,647.27
Funds Available as of April 16, 2009		\$801,031.11

**Motion 2009-060** Chairperson Belzung called for a vote to approve the Treasurer's report effective through April 16, 2009. Moved by Hadden and seconded by Maass, and the motion was unanimously approved.

**Amendment Requests and Action on Funding Request Forms**

8023-013 DMACC Creek Watershed

Ganesh Ganpat, DMACC Foundation, and Jennifer Welch, Polk SWCD, were present for the Board discussion. The amendment request was to shift WIRB funds to other budget items not originally planned due to in-kind contributions being offered by Polk County. The applicant is requesting \$355,830 of the total allocation and the effective date of the grant agreement being the date the agreement is executed.

*2009-061 Motion Moved by Hadden and seconded by Maass to approve the amendment request and funding request, and the motion was unanimously approved.*

**WIRB Correspondence to 6024-011 Joint Drainage District 93&100—Belzung**

Joe Straub, attorney for Joint Drainage District 93 & 100 (LuVerne Magor Drainage Conservation), was present to discuss the agreement and Board's request for the applicant to return \$4,817.18. He noted the total grant agreement is \$382,668. Straub stated he and the applicant believe WIRB owes the applicant approximately \$38,267.

Chairperson Belzung informed Straub the refund was based on the cost of the project, payout to district, and WIRB agreeing to pay 50% of the approved costs, all of which resulted in the request to the district for a refund. After discussion, the Board decided to make an offer to the attorney for the applicant.

*2009-062 Motion Moved by Ballou and seconded by Maass to make an offer to the applicant to forgive the request for a refund of \$4,817.18 and instead close-out the grant agreement with the amount already paid out, reflective of cost share closer to a 50% - 50% split between the applicant and WIRB. The motion was unanimously approved.*

**Project Progress Report Reviews**

6001-001 Norfolk Creek Watershed

Approximately 25% of the paperwork and 50% of the training is complete. The applicant overspent \$1,486.54 on terraces, which is within the 10% plus or minus of the original budget line item.

6003-002 Upper Catfish Creek Watershed

A lot of activity on the Stormwater Manual and Policy and information/education.

6004-003 Big Sioux River

The project is progressing. The applicant was trying to get in six sites and they are in year three of the contract. This project has joint funding with other sources.

6009-004 Price Creek Watershed

The project is progressing.

6012-006 Lime Creek NPS Project

The project is progressing.

6014-007 Lower Coldwater-Palmer Creek Watershed

The project is progressing

6015-008 Big Bear Creek

The applicant is making contacts and doing some other activities but they are not specifying details, so it is difficult to determine the amount of progress. The plan was to identify and rank or prioritize sites where certain practices were occurring.

6027-013 Leisure Lake Watershed

The applicant originally proposed a lagoon system and then wanted to change to a cluster septic system, but the county sanitarian determined that was not feasible. The applicant found an alternate site for the lagoon system and soil testing on the site will not be complete until May. They mentioned Senate file 268 in its cover letter to the Board, so a request for extension may be submitted. The current grant

agreement deadline is December 31, 2009.

6031-014 City of Carpenter Sewage  
Treatment System Project

Bids have been let and awarded. There is an amendment request for a transfer of funds between budget line items on this agenda.

**Amendment Requests (continued)**

6031-014 City of Carpenter Sewage Treatment  
System Project

**2009-063 Motion** Moved by Maass, seconded by Van Zante to approve the amendment request to transfer funds between line items, and the motion was unanimously approved.

**Project Progress Report Reviews (continued)**

6033-015 Fox River

They were supposed to begin monitoring last fall and did not because of constraints of the monitoring people. They have an agreement to do monitoring this year, then they will have money left over that they would like to use for volunteer water monitoring, etc. They have been quantifying their efforts in reports. Follow up to discuss and assure that funding from other sources is being documented.

6034-016 Lake Colchester/Middle Creek

They sent the plan of work narrative, but it has not been reviewed. The ledger was received 4-20-09.

**Review and Take Action on Final Project Reports and Final Funding Requests**

5011-005 Yellow River Watershed

**2009-064 Motion** Moved by Ballou, seconded by Hadden to approve the final report and final funding request in the amount of \$17,312.01, and the motion was unanimously approved.

5031-011 Rathbun Lake Watershed

**2009-065 Motion** Moved by Maass, seconded by Hadden to approve the final report and final funding request in the amount of \$19,292.20, and the motion was unanimously approved.

**Amendment Requests (continued)**

7017-006 Little Clear Lake Watershed #

They are requesting to add "Perpetual Easement Purchase" for \$5,000 and "Legal Easement Survey" for \$1,250 while completing three wetland development or creation sites as initially planned.

**2009-066 Motion** Moved by Hadden, seconded by Van Zante to approve the amendment request, and the motion was unanimously approved.

**Action on Funding Request Forms (continued)**

8025-015 Remsen Source Water Protection  
Project

**2009-067 Motion** Moved by Hadden seconded by Maass to approve the funding request in the amount of \$115,200, and the motion was unanimously approved.

**WIRB Legislative Update**

1. HF 268 – has been adopted and is effective July 1, 2009. It provides for grant periods not to exceed five years and allows the Board to extend grant agreement periods up to five additional years.
2. HF763 – was referred back to House Ag Committee. It allows use of interest on funds for administrative costs.
3. HF 822, Amendment 1675 -- This is still under review.
4. SF367 – Expands WIRB's charge to include flood prevention and mitigation. WIRB would be allowed to fund structures for that purpose or to remove channels to allow waterways to meander. It also allows making counties eligible applicants. The status of SF367 is unknown.

5. HF756 – This allows for the creation of a task force for regional watershed land use and flood plain management policies and WIRB was specified to work in cooperation with this task force.

**Project Annual Review Meetings for Projects Co-Funded With 319/WSPF/WPF Funds**

1. There are upcoming annual project review meetings where 319/WSPF/WPF water quality improvement programs are in place and WIRB is also funding the same watershed. An annual review is with the funding agencies that meet to discuss project status and project adjustments. WIRB Board members are encouraged to attend these meetings. Jerry will send out project activity updates as needed.
2. A rain garden planting is being held on May 9, 2009, in West Pottawattamie County. A formal dedication of the Little Pony Creek Watershed project is planned for June 2009, but a specific date has not been identified.

**Board Correspondence—Neppel**

There is no additional correspondence. All was presented earlier in project reports or amendments.

**Administrative Update—Neppel**

A contract is signed with a private vendor to continue developing the WIRB website. The vendor is working on a password-protected website for Board members to aid in communication between Neppel and the Board members. The goal is to have the website populated and running for the July project progress reports.

Neppel have met with six of the seven approved applicants (February 27, 2009 Board meeting approval). I have one grant agreement developed and signed (Remsen). The Board requested specific quantities of filter strips from the applicant for the Duck Creek project. The information will be supplied to WIRB by the end of the month. The remaining five applicants have start dates of July 1, 2009. Neppel will meet with these new project applicants for financial ledger training and other training needs.

**Board Appointments and WIRB Officer Elections—Belzung**

Chairperson Belzung informed the Board that Rosenbury volunteered to be Chairperson and she asked for nominations for Vice Chair. The Board decided to table the elections until replacement Board Members are formally appointed.

**Future Meeting Dates**

Tentative meeting date – June 19, 2009 for RFA (teleconference) 8:30 a.m.  
August 7, 2009  
September 18, 2009 (application selection)  
November 6, 2009  
December 18, 2009

All meetings are scheduled to be held at the Ankeny Public Services Building, 220 West First Street, Ankeny, Iowa, and begin at 10:00 a.m. except the June 19 teleconference.

**Adjourn**

Chairperson Belzung adjourned the meeting at 11:49 a.m.

  
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Jolee Belzung, Chair  
Watershed Improvement Review Board