

## Minutes

IDDA Board of Directors

September 19, 2012

Pocahontas County Courthouse

The meeting was called to order at 9:35 a.m. by President Harlan Hansen. Other board members present were Myron Amdahl, Paul Beneke and Phil Condon. Also present was IDDA executive director John Torbert.

The minutes of the June 20, 2012 meeting were unanimously approved as presented.

County visits - John reported that he had visited Boone, Clinton, Emmet, Greene, O'Brien, Pottawattamie and Winnebago counties since the last board meeting.

The financial reports through August 31 were reviewed. John reported that the budget is on track and that there was nothing unusual to report. John also noted that as per the discussion at the last board meeting, we have moved the litigation fund out of the general IDDA budget and given it a budget of its own. Both financial reports were accepted on motion by Amdahl and second by Beneke. John also reported that all of our regular members have joined or are in the process of doing so. Louisa County has also rejoined. Harrison and Story Counties are potential new members.

CFS update - John provided the board with the CFS financial updates through August 30th. He also stated that we have been notified by the state that the RFP for the CFS program will be available on September 24th. John asked the board if IDDA wished to respond to the RFP to continue our support of the CFS program. On motion by Beneke and second by Condo, John was directed to submit a proposal in response to the upcoming RFP. John will give Harlan the opportunity to review the proposal before it goes to the state. The motion passed unanimously.

John briefed the board over the new dispute that has arisen with DNR and FEMA. FEMA has apparently made a decision that it will not release disaster funds to drainage districts unless DNR has signed off that a permit was not necessary. Membership was upset about the involvement of DNR in the process and does not want DNR to have the ability to sign off on drainage work. John reported that he had spoken with DNR director Chuck Gipp on two occasions and had been assured that the DNR involvement had been at the request of FEMA and that DNR had not initiated it. John reported that he is working with Senator Grassley's office on the issue. Senator Grassley's staff has requested an explanation from the FEMA regional office in Kansas City. If no response has been received by Senator Grassley's office by tomorrow, September 20, they will contact the FEMA office again. On motion by Amdahl and second by Condon, Harlan was given the authority to approve retaining an attorney to assist in the process if it is felt that one is necessary. Motion approved unanimously.

John reported that he had been meeting with representatives from western Iowa counties to talk about potential changes in drainage law necessitated by the devastating flooding in that region last year. John

reported that no specific proposal is in writing yet but that he hoped to have one soon and that it could be incorporated in the IDDA legislative package for 2013.

By-laws amendment - John reviewed a by-laws amendment he had drafted. If approved by the board, the changes would have to be approved by the general membership. The first amendment replaces the secretary/treasurer language in the existing bylaws and instead states that the board will retain an independent accounting firm for financial purposes. The second amendment would provide that the Board of Directors, not the membership, would have the authority to approve by-laws changes. John noted that legal professionals that specialize in non-profit organizations recommend that bylaws should be easier to amend than have to go to a vote of the full membership. A full membership vote is time consuming and cumbersome. The IDDA board decided, on motion by Amdahl and second by Condon, that it would forward the first bylaw change to the membership. On the second change, it was agreed that this should be discussed at the annual meeting to get a sense on how membership feels. Depending on that discussion, we could potentially move forward with that change in 2013.

2012 Annual Conference - John presented the board with a preliminary agenda for the 2012 annual conference. John was trying to build an "open discussion" time but was finding it difficult to do so. It was agreed to that the last speaker would be moved up in the program so that he spoke before lunch. Then, after lunch, we could have the open discussion period. That way, attendees would have the choice of returning home or staying for the open discussion. John said he would rework the agenda along those lines.

Legal update - John reported that as of yet, he is not aware that the Calhoun County railroad case has been appealed. With respect to the New Farmers case, both sides are now filing documents with the district court in Monona County. The case has not yet been scheduled. John passed out a copy of the filing prepared by the attorney representing our side.

Nominating committee - Board terms expiring this year are Paul Beneke, Don McGregor and Ken Chalstrom. Harlan appointed a nominating committee of Condon and Amdahl to report back to the next board meeting.

John reported on the hypoxia task force meeting and ISU research farm tour that had taken place on September 11th and 12th.

The next board meeting will be on Wednesday, October 31 at 9:30 a.m. The meeting adjourned at 11:00 a.m.

Respectfully submitted,

John T. Torbert, CAE  
Executive Director