

Minutes
IDDA Board of Directors
September 3, 2014
Board Room
Pocahontas County Courthouse

President Harlan Hansen called the meeting to order at 9:30. Other board members present were Paul Beneke, Don McGregor and Keith Dencklau. Also present was John Torbert, Executive Director.

The minutes of 6/14/14 were approved as presented on motion by McGregor and second by Dencklau.

County visits – John stated that he had started his county visits for 2014-15 and had visited Pocahontas County on September 2.

Financial reports for the month of July were reviewed for both the IDDA general fund and the mutual protection fund. Thus far, one month into the year we have spend \$16,941 or 10% of our budgeted total of \$169,250. On the income side, we had income of \$86,217 or 45.5% of the budgeted total of \$189,410. For the mutual protection fund, we had income of \$13,664 or 67% of our budgeted total of \$20,306. We had expenses of \$717.50 or 2.1% of our budgeted total of \$34,050. On motion by Beneke and second by Dencklau, the financials were accepted.

Membership reports – John reviewed the membership reports as of August 26. He reported that Osceola County may be joining the association.

CFS Update – John brought the board up to date on the CFS program. He noted that CFS employees will be assisting in some of the water quality monitoring under the nutrient reduction strategy.

WOTUS update – John reported that we had a very positive reaction to the meeting. He noted that it was too early yet to know the financial results of the meeting. He showed the board two write-ups on the meeting.

Annual meeting update – There was some discussion of moving the meeting from our planned date of 12/5. It as decided that for this year, we would leave the meeting on 12/5 but may consider moving it earlier in the future. It was also decided to set aside some time during the meeting for the drainage clerks to meet separately.

Legislative report – John reported that we are already starting to work on a clean up bill for legislation passed earlier this year. There is a problem with the notice provisions in the merger section, which make it very costly and unworkable. IDDA attorney Doug Struyk was brought into the meeting via teleconference. After discussion, it was decided that our approach would be to strike the troublesome

language and replace it with language similar to that dealing with the creation of new districts – mainly found in 468 14,15,16 and 17. It was moved by McGregor and seconded by Beneke approach the revision in that manner. Motion passed.

IDDA attorney – John recommended to the board that IDDA adopt a new policy on member use of the IDDA attorney. The purpose of the policy is to avoid a situation where members start relying on IDDA for legal advice instead of using their own drainage attorney. After discussion, the following policy was adopted on motion by McGregor and second by Dencklau –

- IDDA retains an attorney to provide legal assistance to the IDDA Board of Directors and Executive Director.
- The decision to authorize the attorney to perform services (and thus bill the association) rests with the Executive Director.
- The IDDA attorney may be involved in issues having general applicability to the IDDA membership
- The IDDA attorney will be available as a resource on a limited basis to the IDDA membership. The principle type of assistance provided to an IDDA member will be to assist their own legal counsel. If the assistance is going to require more than ½ hour of the IDDA attorney's time, the member will need to establish their own relationship with Mr. Struyk or another attorney of their choosing.
- All requests to use the services of the IDDA attorney must be funneled through and approved by the executive director.

Drainage law book update – John reported that he had talked with the publisher and believes we have a system in place to update the drainage law books. The publisher is waiting for the state to publish its updated code changes.

Status of railroad issue – John reported that IDDA is continuing to work with Union Pacific over notification issues but that the issue is taking a long time due to the UP bureaucracy.

Nominating committee – Harlan Hansen and Stan Watne have terms expiring this year. A nominating committee of Paul Beneke, Keith Dencklau and Margene Bunda was created to make recommendations on those board seats. Additionally, Ken Chalstrom will be leaving the board in January so we need to be considering replacements for that seat. That vacancy would be filled by board appointment as per the by laws.

Next meeting date – November 12, 2014

Respectfully submitted;

John T. Torbert, CAE