Jack Klaus

297-2465
DELAWARE COUNTY IOWA
FILED
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19 PAGE 25
RECORDER
DELAWARE COUNTY RECORDER
$26.00

Preparer's Information

Daniel H. Swift	108 N. Madison	Mancehster	319-927-4901
Preparer's Name	Street Address	City	Phone

AFFIDAVIT

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

I, Jack Klaus, the undersigned, being first duly deposed on oath, do state the following, concerning the hereinafter-described real estate, to-wit:

Parcel A In The SW¼ Of The SW FR¼ Section Six (6), Township Eighty-Eight North (T88N), Range Five West (R5W) Of The Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 6 Plats, Page 193

1. That I am the Secretary of the Delaware County Solid Waste Disposal Commission.

2. Attached hereto and identified as Exhibit "A" are copies of the Delaware County Solid Waste Disposal Commission Minutes of a meeting held on February 5, 1997, authorizing sale of the heretofore-referred to real estate.

DANIEL H. SWIFT
MY COMMISSION EXPIRES
November 1, 1999

Jack Klaus
Jack Klaus

Subscribed and sworn to before me this 19th day of February, 1997.

Daniel H. Swift
Notary Public in and for the State of Iowa

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EXHIBIT "A"

DELAWARE COUNTY SOLID WASTE DISPOSAL COMMISSION
COURTHOUSE 301 EAST MAIN STREET
Manchester, Iowa 52057

Minutes

The members of the Delaware County Solid Waste Disposal Commission met in open meeting at the Delaware County Courthouse on February 5, 1997.

Vice-Chairman Mike Hentges called the meeting to order at 7:30 P.M..

(unless otherwise noted all motions were passed unanimously)

Present: Hentges, Atkinson, Curran, Phelps, Anderson-Quint, Skinner, Koeneke, Besler.

Among those in attendance: Rachel White, Danielle, Dave Sands, Phyllis Hughes, Lori Scovel, Dick Foust, Roger Simon.

The Chair asked if there were any corrections or additions to the agenda. Anderson-Quint moved to accept the agenda as published. Second by Besler. Carried.

The Chair asked if there were any corrections or additions to the minutes. Atkinson moved to approve the minutes as mailed. Seconded by Anderson-Quint. Carried.

Drop off boxes - The Secretary reported that he had sent out five requests for bids to take care of the drop off boxes until the end of March and received only one response. That response was from Randy's Sanitation and was accepted. The highlights of the bid is for each drop off box to be emptied once a week, if needed, at $100.00 per time. This fee to include maintenance and policing of the area. Extra trips will be charged at the rate of $175.00 per trip. The Commission will be responsible for trash disposal costs and notifying the public and business's of the changes. The Secretary was told to be sure to keep track of the amount of recyclable material being hauled.

The Secretary then read a letter with a request for additional drop off boxes in the Dyersville area. After some discussion concerning the possible placement of additional boxes it was decided to table the request at this time for everyone to consider the question.

Additional ways to encourage recycling were discussed as the 50 percent goal is still out there and the haulers have observed a slight drop off in effort. The Secretary was asked to put together a news release and to work with the local media and Phyllis Hughes was to look into the possibility of promoting some kind of a contest through the schools. It was agreed that Continuing Education and Publicity would be necessary.

Landfill Report

Dave reported that he had some bad news to report in that he was being cited by the DNR for being in violation of his permit by failing to provide sufficient daily cover. He said the last time he had been cited was about five years ago. This violation may result in a fine and he expects the DNR to promote more rules enforcement in the future.

He also reported that he had some trouble getting Bacon to pick up the recycling trailer at the landfill the last time he called. In fact, he had to call several times and that created some problems. The Secretary was asked to call Bacon and try to work out the problem.

EXHIBIT "A"

(Secretary's note - It turned out that Bacon's didn't think it was fair for them to provide a free service that some one else was being paid to provide at another site. I agreed to pay them $100.00 for each pickup through the end of March just like we are paying Randy.)

Dave brought up the idea of providing a C & D (construction and debris) site in or near the landfill. This led to a general discussion on the future of the landfill and the 50 percent reduction goal.(In an attempt to simplify this problem I've attached a sheet with some of our discussion points and anything else I could come up with that reflects on the issue.) After a lengthy discussion Besler moved to table the issue at this time and to ask the executive committee to study the landfill issue and to come back to the Commission with a recommendation. Seconded by Atkinson. Carried.

Atkinson moved that because the landfill and the solid waste manager issues were so closely related the executive committee also be asked to reconsider that issue and to report back at the same time. Seconded by Curran. Carried.

The Secretary reported on the proposal from Bacon's to place a bin at the landfill to accept glass, dishes, pottery, etc. that could be ground through their new machine and then returned to the landfill as potential cover or to be retained by Bacon's for their own purposes. Our cost would be $15.00 to $30.00 per ton depending on the amount of material received with the lessor cost to be for the larger amounts of material as the cost of the bin could be recovered quicker. After some discussion of the advantages of not landfilling this material and the loss of revenue in gate fees and the additional cost to have the material ground Atkinson moved to not act on this issue at this time. Seconded by Anderson-Quint. Carried.

Landfill Purchase - Dave reported that he is working on the last of the abstract problems and he hopes to have everything settled by our next meeting.

The Secretary read the letter from Rick Yoerger on the sampling of the additional wells that had been drilled.

The Secretary then reported on the phone call he had received from Rick Yoerger concerning the upcoming deadline for the Financial Assurance Plans. We do have a plan and it has been submitted to the DNR but there is a question on how well it meets all of the requirements. After some discussion Besler moved to have the Secretary contact Scheer's Inc. for a bonding proposal. Seconded by Curran. Carried.

The problems that the haulers and the Recycling Center are having in getting rid of plastic bags and styrafoam was discussed. The Secretary was asked to contact some of the stores that hand out plastic bags to find out if they will agree to take bags back. Another option that was discussed was filing a compliant with the DNR under section 455B.312 (1) of the Code of Iowa.

Recycling Center

The Secretory reported on the problem that had arisen in that the motion that was made and passed at the last meeting was to sell the Recycling Center to Roger Simon. You will remember that after that motion was approved we were asked if it was okay that the deed would read Richard and Diane Foust as that was how the financing was being put together. We had agreed to that, but the motion was not changed and the attorneys will not allow the deed to read Foust when the motion reads Simon. Our attorney has suggested that we rescind the Simon motion and pass a replacement motion to sell the property to Richard and Diane Foust, if Roger and his wife will agree to sign off any interest they may have acquired by last month's motion. Roger was in attendance and he agreed to sign the necessary Quit Claim Deed. Anderson-Quint moved to

rescind the motion to sell the Recycling Center to Roger Simon. Seconded by Atkinson. Carried.

Anderson-Quint moved to sell the Recycling Center to Richard and Diane Foust under the same conditions that we were going to sell it to Simon. Seconded by Koeneke. Carried.

The Secretary explained that a problem had arisen with the sale of the computer from the Recycling Center to Bacon's and how he had told them to bring it back if they were not satisfied and he would refund their money. Besler moved that in light of Bacon's returning the computer the Secretary be authorized to sell it for the best price he can get. Seconded by Curran. Carried.

The Secretary reported that, as suggested, he had requested proposals from each of the banks in the Commissions jurisdiction as to the interest they would pay to hold the funds from the sale of the Recycling Center for one to four years. The proposals were read.

Bank	APY 1 year	APY 2 year	APY 3 year	APY 4 year
First State	5.68	6.19	6.30	6.35
F & M *	5.83	6.24	6.29	6.32
Citizens State	5.88	6.24	6.29	6.34
Union Bank & Trust	5.88	6.14	6.40	6.56

* included the option to adjust the interest rate once during the second, third or fourth year.

After some discussion Atkinson moved to invest the funds in the Citizens State Bank for two years. Seconded by Besler. Carried.

The Secretary asked to have the Bank Depositary agreement updated because this account will contain over $200,000.00 and he would also like the resolution to read "all of the banks in the Commissions jurisdiction" rather then "all of the banks in the County" as right now the Union Bank in Strawberry Point is not covered by the agreement. Besler moved to issue a new resolution naming depositories to include all of the banks within the Commissions jurisdiction and to enter a special item allowing the account at Citizens State Bank to exceed the $200,000.00 limit for the purposes of the special account for the funds received from the sale of the Recycling Center and equipment. Second by Curran. Carried.

Financial Report

The Secretary presented a rough draft of a proposed budget for the 1997-98 fiscal year. After much discussion Atkinson moved to approve the budget as presented with the change that was discussed in removing $10,000.00 from the line item for the Solid Waste Manager and adding $10,000.00 to the miscellaneous line item. Seconded by Anderson-Quint. Carried.

The Secretary presented the Quarterly Report for the second fiscal quarter of 1996-97. After some discussion Besler moved to acknowledge receipt of the report. Seconded by Atkinson. Carried.

After some discussion Skinner moved to pay the bills for the Commission, the Recycling Center and the Landfill as listed. Besler seconded. Carried.

Pay bills from Solid Waste Acct.

507	Delaware County - sec. wages & benefits	264.23
508	Recycling Center - acct transfer	5,000.00
509	Swift & Swift - legal fees	72.48
511	Swift & Swift - legal fees	128.18
512	Community Insurance - sec. bond	600.00
513	Delaware County - sec. wages & benefits	503.50

514	Midwest Environmental - comp plan	260.00
515	Philatelic Fulfillment - envelopes	181.60
	total	7,009.99

Pay bills from Recycling Acct

2268	EZ Pickins - gasoline	23.50
2269	Delaware County - wages & benefits	6,973.16
2270	R. W. McDowell - snow removal	64.12
2271	GTE Midwest - phone credit	0.00
2272	Cenex Propane - heating fuel	467.42
2273	Wal-mart - supplies	3.52
2274	Houlihan Sanit. - 7 month trash pickup	1,064.50
2275	Vocational Services - cleaning	96.00
2276	National Propane - supplies	45.00
2277	R. W. McDowell - repairs	266.45
2278	Aetna - insurance	1,683.10
2279	Maq. Valley REC - electric	292.50
2280	Houlihan Sanitation - trash pickup	79.00
2281	MCI - phone	5.42
2282	Manchester Press - auction ad	120.00
2283	Vocational Services - cleaning	16.00
2284	Eastern Iowa Shopper - auction ad	141.96
2285	Delaware County - wages & benefits	3,885.43
2286	Maq. Valley REC - electricity	305.50
2287	Cenex Propane - heating fuel	882.02
2288	Connecticut Ind. - refund	1,103.90
2289	Anderson Welding - repairs	85.61
2290	Delaware Co. Abstract Co. - abstract	171.00
2291	R. W. McDowell - snow removal	384.74
2292	Corkery Waste - refund	200.00
2293	Cenex Propane - heating fuel	538.25
2294	GTE Midwest - phone	85.52
2295	MCI - phone	5.44
	total	6,672.43

Pay bills from Landfill Account

017	Sands Sanitation - operations	15,250.00
018	Midwest Environmental - engineering	6,830.00
019	Sands Sanitation - operations	15,250.00
	total	

On behalf of the Commission the Chairman thanked Rachel White for all she has done for us at the Recycling Center especially in the last two months with regard to selling and moving out the final products, preparing for the auction and the sale and making everything go so smoothly.

It was decided that the next meeting would be at the call of the Chairman.

Phelps moved to adjourn at 9:35 P.M.. Seconded by Koeneke. Carried.

Jack Klaus
Secretary

Copy sent to each Comm. member and each named alternate.