Env. Buchanan Co. Recorder

DELAWARE COUNTY, IOWA
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DELAWARE CO RECORDER
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Prepared by: Brenda Wall
West Delaware County Community School District
601 New Street
Manchester, Iowa 52057
(319) 927-3515

AFFIDAVIT OF RECORDING

I, Maxine McEnany, West Delaware County Community School District Board Secretary, attest that the attached are true copies of the minutes of the meeting of the Board of Education of the West Delaware County Community School District held on January 11, 1999, and the supporting documents relating to the land exchange between the West Delaware County Community School District and Starmont Community School District.

Maxine McEnany
(Signature of District Secretary)

Subscribed and sworn or affirmed before me by the above school district secretary on this 24 day of March, 1999.

Kathy Ann Johnson
(Notary Public)

NOTARIAL SEAL IOWA
KATHY ANN JOHNSON
MY COMMISSION EXPIRES
6/30/99

Residing at Clayton County

My commission expires 6/30/00

Minutes of the Special Meeting
of the
West Delaware County Community School District
Board of Education

January 11, 1999

CALL TO ORDER

President Behnken called the special meeting to order at 7:06 p.m., in the High School Library, Manchester, Iowa. Present were Board members: Connie Behnken, Jack Young, Ilona Durey, Dan Swift, and Dan Zumbach; Superintendent Joseph E. Kirchoff, Ph.D.; Business Manager/Board Secretary Maxine McEnany; six administrators; four teachers; one support staff member; thirty-three students; three citizens; and two members of the media.

The Board moved to approve the Hermsen/Vaske land exchange and change in district boundaries as presented (M-Zumbach, S-Young, 5-0). Director Durey noted she is willing to make changes like this to accommodate these people for bussing if we continue to accommodate the needs of district patrons requesting bussing services.

The Board moved to approve the minutes of the regular board meeting of December 14, 1998 (M-Durey, S-Swift, 5-0).

The Board moved to approve the agenda adding the new hires of Becky Domeyer and Julia Vaske, the voluntary transfer of Coni Neuhaus, the out-of-state trip request of seventh grade students and teachers to Chestnut Mountain in Galena, IL on February 4, 1999, and deleting Section 9 – the closed session according to the Code of Iowa Section 21.5 (1)(e) (M-Zumbach, S-Young, 5-0).

The Board moved to approve the general, hot lunch, management, physical plant and equipment, activity fund, capital projects, and trust fund reports (M-Durey, S-Swift, 5-0).

The Board moved to approve the second reading of policies 702.1 and 702.2 (M-Young, S-Durey, 5-0).

The Board moved to approve the second reading of policy 803.4 (M-Zumbach, S-Young, 5-0).

The Board moved to approve the second reading job description of the After School Coordinator (M-Young, S-Durey, 5-0).

The Board moved to approve the professional leave request in excess of five days for Duane Philgreen to attend Meistersinger Vocal Festival, January 23-24, 1999 (M-Young, S-Durey, 5-0).

The Board moved to approve the out-of-state trip request for Sam Anderson, Mike Morrison, and Bill Lester to attend the Mega Football Clinic, February 4-6, 1999 in Chicago, IL (M-Zumbach, S-Swift, 4-1, Behnken opposed). President Behnken noted she is opposed to travel requests until which time employees requesting out-of-state travel pay a portion of the expenses themselves.

The Board moved to approve the new hires of Becky Domeyer and Julia Vaske as Middle School seventh and eighth grade girls intramural coaches, which was an addition to the agenda (M-Zumbach, S-Durey, 5-0).

The Board moved to approve the voluntary transfer of Coni Neuhaus from Middle School Regular Education Associate to Middle School Guidance Associate, which was an addition to the agenda (M-Zumbach, S-Durey, 5-0).

The Board moved to approve the out-of-state trip request of the seventh grade students and teachers to Chestnut Mountain in Galena, IL on February 4, 1999, which was an addition to the agenda (M-Young, S-Zumbach, 5-0).

ANNOUNCEMENTS AND COMMUNICATIONS

There were no comments from the public.

Bob Murphy and Dan Zumbach presented the Spotlight on Education Award to the Varsity Football team for their undefeated district season and their advancement to the state tournament. Those receiving the award were: Sheridan Billhorn, Max Boren, Adam Bries, Matt Carpenter, Cory Chapman, Todd Dighton, Brian Doyle, Doug Drees, Brad Engelken, Scott Erikson, Joe Hoffmann, Mitch Holtz, Trent Jared, Mark Klaus, Caleb Klein, Todd Klostermann, Ryan Koelker, Matt Lynch, Mitch McQuillen, Scott Mensen, Jerod Mollenhauer, Steve Murray, Dustin Oberbroeckling, Kyle Palmer, Austin Pasker, Ryan Peyton, Kyle Recker, Corey Reinig, Trever Rhines, Eric Ries, Blake Ryan, Joe Smith, Adam Steenhard, Nicholas Stelken,

Dustin Tieskoetter, Joshua Wendell, Brett Woods, Nick Schulte, & Chris Vorwald. The team is coached by Sam Anderson, Bill Lester, and Mike Morrison. Head coach, Sam Anderson, thanked the Board for their support.

Roger Hanson and Dan Zumbach presented the Spotlight on Education Award to Elizabeth Carr who was a semi-finalist piano accompanist for the All-State Chorus, Cindy Mickens who was a member of the All-State Orchestra playing the Bassoon, and Ryan Gaffney, who was selected to sing in the All-State Chorus.

Roger Hanson and Dan Zumbach presented the Spotlight on Education award to Brent Francois, Nicole Smith, Tabitha Lincoln, and Christina Thomsen for placing third in the nation in the FFA Dairy Foods Award. The event tests students' knowledge and ability in the recognition, selection and management necessary for quality dairy foods. The team's advisor is Tammy Schnieders, who thanked the Board for their support.

FINANCIAL REPORTS

Mrs. Durey reviewed the bills and moved they be approved as presented (M-Durey, S-Zumbach, 5-0).

REPORTS

The Board noted the Superintendent's report. Dr. Kirchoff added that the IASB Legislative Conference will be held February 9 and to contact him if they wanted to attend. He also noted that the calendar committee will meet later this month and will be bringing a recommendation for the 1999/2000 school calendar to the February Board meeting.

The Board noted the Business Manager's report.

The Board noted the Elementary Principal's report.

The Board noted the Middle School Principal's report.

The Board noted the High School Principal's report.

The Board noted the High School Athletic Director's report. Bob Murphy reported on the National Athletic Director's convention he had attended in December. He noted he had attended many worthwhile sessions and said our district has already implemented some of the noteworthy items and he gained insights for other new things.

Dick Justice thanked Dan Zumbach for his help in moving snow last week.

The Board noted the professional leave report.

OLD BUSINESS

Dick Justice asked that each Board member bring three names to him by the January 18 Board meeting in order to establish a Board-appointed facilities committee. The committee will have the task of developing long-range building needs.

The Board also asked Jack Young, as a member of the Auditorium Committee, to act as a liaison to keep the Board updated regarding further development of the auditorium.

Dick Janson and Tom Hamrick reported that Delaware, Buchanan, and Fayette counties have jointly received an empowerment grant of approximately $260,000. They money is to be spent for early childhood programs. It includes components for parenting education, preschool scholarships and other needs for children from birth to 5 years of age.

Tom Hamrick reported he had received materials regarding a before and after school childcare program operated by the Cedar Rapids YMCA. They expressed interest in coming to Manchester to start a program. Mr. Hamrick will keep the Board apprised.

Dick Justice noted that bus ridership is up a little after last month's change to add Delhi Road, Bailey Drive and Quaker Mill, however, he thought parents were driving their children to school in the extreme cold weather to avoid waiting outside.

NEW BUSINESS

President Behnken shared notes she compiled of WaMaC schools travel policies. She noted she would like to discuss this at the January 18 goals-setting session.

The Board moved to approve the early graduation requests as presented pending completion of requirements (M-Zumbach, S-Durey, 5-0).

The Board adjourned to a closed negotiations strategy session according to the Code of Iowa Section 20.17 (3) at 8:03 p.m. (M-Durey, S-Young, 5-0).

Director Young presented the other Board members a superintendent's evaluation form for consideration, comments and suggestions.

Respectfully submitted,

Maxine McEnany
Board Secretary

These minutes were approved on February 8, 1999.

Connie Behnken
President

We Francis A. Hermsen and Inez T. Hermsen, being the owners of the following described property (See map Exhibit A):

> The West Forty (40) acres of the North Eighty (80) acres of the Southwest fractional Quarter (SWFR1/4) of Section Eighteen (18), Township Eighty-nine (89) North, Range Six (6), West of the 5th P.M., Delaware County, Iowa; and the East One-half (E1/2) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section Thirteen (13), Township Eighty-nine (89) North, Range Seven (7) West of the 5th P.M., Buchanan County, Iowa;

And we Arthur H. and Loretta F. Vaske, being the owners of the following described property (see map Exhibit B):

> The South one-half (S1/2) of the South one-half (S1/2) of the Southeast Quarter (SE1/4) of Section Thirty-two (32), Township Ninety (90) North, Range Six (6), West of the 5th P.M., Delaware County, Iowa;

And we Arthur Schaul and Marilyn Miller, representatives for the estate of Viola Schaul and Robert W. and Mary Morris, being the owners and contract purchasers, respectively, of the following described property (see map Exhibit A):

> The Southwest Quarter (SW1/4) of Section Eighteen (18), Township Eighty-nine (89) North, Range Six (6), West of the 5th P.M., Delaware County, Iowa, EXCEPT the North eighty (80) acres thereof.

Do hereby petition you, the Boards of the West Delaware Community School District and the Starmont Community School District, for a change in school district boundary lines, in accordance with Chapter 274.37 of the Code of Iowa (see Exhibit C, Chapter 274.37 of Iowa Code). Currently, the property owned by Vaskes, as listed above, is within the boundary lines of the West Delaware Community School District. It is their desire that this property be within the Starmont Community School District. The property owned by Hermsens is currently within the boundary lines of the Starmont Community School District. It is their wish that this property be within the West Delaware Community School District. The majority of the property listed above for the Viola Schaul estate as owner and Robert W. and Mary Morris as contract purchasers is currently in the West Delaware Community School District. However, approximately the North 3.70 acres thereof is in the Starmont Community School District. It is their desire that the remainder of their property be within the West Delaware Community School District.

After extensive consultations with the Assessor's Offices in both Buchanan and Delaware Counties, we feel that we have devised a land swap, between the two school districts, that is fair to both districts. Please refer to Exhibit D. Notice that the assessed valuations after rollback on the Hermsen and Morris properties are $131,774. The Vaske

property has an assessed valuation after rollback of $123,384. Letters have been obtained from Jack Klaus, Delaware County Assessor, verifying the taxable value of the Vaske property at $123,384, the Hermsen property in Delaware County at $33,000 and the Morris property at $3,000 (Exhibit E) and also from Virginia Sleeper, Buchanan County Assessor, verifying the taxable value of the Hermsen property in Buchanan County at $95,774 (Exhibit F).

The difference in taxable value would be $8,390. Based on the current school levies, (see Exhibit G, School Levies) Starmont would receive $128.37 less in tax dollars (8.390 x $15.30) than they are currently receiving. West Delaware would be gaining $104.54 (8.390 x $12.46) . We feel and hope the School Boards agree that this amount is small enough and that the land swap can proceed.

Please refer to Exhibit H. We have highlighted the areas involved showing how the District lines would be changed according to our proposal.

We do not believe this land swap and boundary change will be the beginning of several more requests coming before the boards for moving land from one District to another. It takes a unique situation for this to even be a possibility. The reason we are making this request is that Art Vaske's son has moved onto their farm which is in the West Delaware District. They currently have children enrolled at Starmont and wish to keep them in the Starmont Schools. Francis Hermsen's son will be moving onto his farm in the Starmont District in January. They have children enrolled at West Delaware and wish to keep them in the West Delaware District. We realize that open enrollment is an option. However, with open enrollment, busing would not be available. We would need to take our children to the nearest bus stop and this would create a hardship.

There will be no costs involved for either West Delaware Community School District or Starmont Community School District. If legal descriptions for the school districts need to be recorded, the fees will be paid by the Hermsens and the Vaskes.

Sincerely,

Arthur Schaul
Arthur Schaul, for Viola Schaul Estate

Marilyn Miller
Marilyn Miller, for Viola Schaul Estate

Robert W. Morris
Robert W. Morris

Mary T. Morris
Mary Morris

Arthur Vaske
Arthur H. Vaske

Loretta Vaske
Loretta F. Vaske

Francis A. Hermsen
Francis A. Hermsen

Inez T. Hermsen
Inez T. Hermsen

REVISED
WEST DELAWARE
COMMUNITY SCHOOL DISTRICT
LEGAL DESCRIPTION

The West Delaware Community School District is now comprised of the following parcels of land:

Elk Township, Delaware County:
Sections 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33 and 34; the E ½ of the SE ¼ of Section 8; and the SW ¼ of Section 9; all being in Township 90 North, Range 4, West of the 5th P.M.;

Honey Creek Township, Delaware County:
Sections 13, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; the SW ¼ of Section 7 except the NE ¼ of the SW ¼ thereof; Section 17 except the NW ¼ of the NW ¼ thereof; and the West ½ of the SW ¼ and the SE ¼ of the SW ¼ of Section 15; all being in Township 90 North, Range 5, West of the 5th P.M.;

Richland Township, Delaware County:
Sections 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36; and the East ½ of Section 9 except the North ½ of the NE ¼ thereof; Section 10 except the East ½ of the NE ¼ thereof; the South ½ of Section 11; the South ½ of Section 12 except the NE ¼ of the SE ¼ of said Section 12; Section 16 except the NW ¼ thereof; the S ½ of the SE ¼ of Section 20; the East ½ of Section 29; the East ½ of Section 32 except the S ¼ of the SE ¼ thereof; all being in Township 90 North, Range 6, West of the 5th P.M.;

Coffins Grove Township, Delaware County:
Sections 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; Section 5 except the NW ¼ thereof; the South ½ of Section 6 except the SW ¼ of the SW ¼ thereof; the E ½ of Section 7; Section 18 except the NW ¼ thereof and except the East 40 acres of the North 80 acres of the SW ¼ thereof; all being in Township 89 North, Range 6, West of the 5th P.M.;

Delaware Township, Delaware County:
Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35; the W ½ of Section 2; the S ½ of the SE ¼ of Section 2; ; Section 11 except the NE ¼ thereof; the SW ¼ of Section 12; the SW ¼ and the SW ¼ of the NW ¼ of Section 13; Section 14 except the NE ¼ thereof; and Section 36 except the SE ¼ thereof; all being in Township 89 North, Range 5, West of the 5th P.M.;

Oneida Township, Delaware County:

The SW ¼ of the SW ¼ of Section 30; the West ¼ of Section 31; all being in Township 89 North, Range 4, West of the 5th P.M.;

Prairie Township, Delaware County:

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; all being in Township 88 North, Range 6, West of the 5th P.M.;

Milo Township, Delaware County:

Sections 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33; the NE ¼ and the NW ¼ of the SE ¼ of Section 1; the NW ¼ and the N ½ of the SW ¼ of Section 2; the West ½ of Section 15; the West ½ of Section 22; the W ½ of Section 27; the West ¼ of Section 34; all being in Township 88 North, Range 5, West of the 5th P.M.;

Hazel Green Township, Delaware County:

Sections 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 27 and 29; the West ¼ of Section 3; the South ½ of Section 10; the West ½ of the NW ¼ of Section 10; the N ½ of Section 28; the N ½ of the SW ¼ of Section 28; the N ½ of Section 30; the E ½ of the SW ¼ of Section 30; the N ¼ of the NW ¼ of Section 31; the SE ¼ of Section 31; the SW ¼ of Section 32; the NW ¼ except the NE ¼ of the NW ¼ of Section 32; the S ½ of the NE ¼ and the NW ¼ of the SE ¼ of said Section 32; the NE ¼ of the NW ¼ of Section 34; the N ½ of the NE ¼ of Section 34; the SE ¼ of the NE ¼ of Section 34; and the E ½ of the SE ¼ of said Section 34; all being in Township 87 North, Range 5, West of the 5th P.M.;

Adams Township, Delaware County:

Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16 and 21; the SW ¼ of Section 4; the E ½ of Section 4; the SE ¼ of the SE ¼ of Section 5; the E ¼ of Section 8; the E ¼ of Section 17; the E ¼ of Section 20; Section 22 except the SE ¼ of the SW ¼ thereof; the E ½ of Section 23; Section 24 except the SW ¼ thereof; the N ½ of Section 26 except the NW ¼ of the NW ¼ thereof; the W ¼ of Section 27; the SE ¼ of Section 28; the NE ¼ except the SW ¼ of said NE ¼ of Section 28; the NW ¼ of Section 28 except the SE ¼ of said NW 1/4; the NW ¼ of the SW ¼ of Section 28; the NE ¼ of the NE ¼ of Section 29; the SE ¼ of Section 29 except the NW ¼ of said SE ¼; the E ½ of the NE ¼ of Section 32; and the W ½ of the NW ¼ of Section 34; all being in Township 87 North, Range 6, West of the 5th P.M.;

Fremont Township, Buchanan County:

The E ½ of the SE ¼ of the NE ¼ of Section 13; and the NE ¼ of the NE ¼ of the SE ¼ of Section 13; all being in Township 89 North, Range 7, West of the 5th P.M.