



East Dakota Water Development District

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## MINUTES

February 15, 2007

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on February 15, 2007, at the EDWDD office in Brookings. Chairman Dempsey called the meeting to order at 9:05 a.m. The following persons attended:

### Directors Present

Lois Brown  
Bill Dempsey  
Curt Eggers  
Doug Feten  
Vincent Flemming  
Kay Kassube  
John Weidler

### Directors Absent

Martin Jarrett  
Robert Todd

### Others Present

Scott Buss, Minnehaha Community Water Corporation  
Vickie Kujawa, Flandreau Santee Sioux Tribe  
Michael Wakeman, Flandreau Santee Sioux Tribe

### Staff Present

Lisa Bretsch  
Jeanne Fromm  
Jay Gilbertson  
Deb Springman

## Administrative Items

Approval of Agenda - **Motion** by Flemming, seconded by Weidler to approve the agenda as presented. Motion carried unanimously.

Minutes - The Board reviewed the minutes of the January 18, 2007. **Motion** by Eggers, seconded by Kassube to approve the minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the January 2007 financial report. **Motion** by Feten, seconded by Brown to accept the financial report. Motion carried unanimously. Chairman Dempsey then asked that the report be placed in the District files.

Revised FY 2007 District Budget - The Manager presented and reviewed a revised version of the District's FY 2007 budget.

Report of Meetings and Conferences - Directors Feten and Flemming attended the Watertown Farm Show, where the Big Sioux River Watershed Project had a booth.

Directors Feten and Weidler attended the Sioux Empire Farm Show, where the Big Sioux River Watershed Project had a booth.

The Manager briefly summarized the following meetings he attended:

1. January 22-24 - Pierre. Lobby SD Legislature.
2. January 26 - Sioux Falls. Sioux Empire Farm Show.
3. January 29 - Feb 14 - Pierre. Lobby SD Legislature.
4. February 8 - Madison. Interlakes Water Quality Committee.
5. February 10 - Watertown. Watertown Farm Show.
6. February 14 - Lake Benton, MN. Lincoln-Pipestone Rural Water System 2007 Planning and Operations meeting.

Upcoming Meetings -

1. **February 15 - 7:00 p.m.** - Watertown. Upper Big Sioux River Watershed Advisory Board.
2. **February 20 - 9:00 a.m.** - Sioux Falls. Minnehaha County Commission hearing on Class C CAFO permit.
3. **February 21 - 7:00 p.m.** - Centerville. Vermillion Basin WDD.
4. **February 22 - 10:00 a.m.** - Pizza Ranch, Dell Rapids. Big Sioux River Watershed Project landowner information meeting.
5. **February 27 - 1:30 p.m.** - USDA Service Center, Watertown. Codington County Conservation District Board of Supervisors.
6. **March 1 - 10:00 a.m.** - Ida's Café, Castlewood. Big Sioux River Watershed Project landowner information meeting.
7. **March 7 - 9:00 a.m.** - Sioux Falls. Project WET Training Workshop
8. **March 8 - 8:00 a.m.** - Pierre. Teleconference meeting of State Conservation Commission.
9. **March 8 - 9:00 a.m.** - Madison. Interlakes Water Quality Committee.
10. **March 14-15** -Ramkota, Pierre. 18th Annual Environmental and Ground Water Quality Conference.
11. **March 15 - 9:00 a.m.** - EDWDD Office, Brookings. March EDWDD Board of Directors meeting.

Payment Request from Corson Village Sanitary District - The Manager presented the Board with a payment request from the Corson Village Sanitary District (CVSD) for District support of the preparation of a engineering and facility plan. In January 2005, the District agreed to provide cost-share assistance for half of the local costs of the study, up to a maximum of \$625. CVSD has submitted a request for the full amount, and documentation of all appropriate expenses. **Motion** by Kassube, seconded by Eggers to authorize payment of \$625 to CVSD as requested. The Manager noted that this would complete the District's obligation to this activity. Motion carried unanimously.

### **Project Assistance Requests**

Sioux Empire Water Festival - The Manager presented the Board with a request from Deb Callahan, Fund-raising Chair for the Sioux Empire Water Festival, for project assistance of \$5,000 for the 2007 event. The Festival is scheduled for Tuesday and Wednesday, March 20 & 21, and will be held on the campus of the University of Sioux Falls. The Manager noted that the District provided \$5,000 in support in 2006. **Motion** by Brown, seconded by Flemming to provide \$5,000 in District project assistance funds to the Sioux Empire Water Festival in support of the 2007 event and to authorize expenditure of the funds. Motion carried unanimously.

Big Sioux Water Festival - Lisa Bretsch, Chairperson for the Big Sioux Water Festival Steering Committee, presented the Board with a request for \$5,000 to support the 2007 festival. The event is scheduled for

Tuesday, May 15<sup>th</sup>, and will once again be held on the campus of South Dakota State University in Brookings. To date, over 1,000 fourth grade students from about 45 classes have registered for the event. Ms. Bretsch briefed the Board on planned activities and reviewed past efforts. Additional information is available at: [www.bigsiouxwaterfestival.org](http://www.bigsiouxwaterfestival.org). **Motion** by Weidler, seconded by Feten to provide \$5,000 in District project assistance funds to the Big Sioux Water Festival in support of the 2007 event and to authorize expenditure of the funds. Motion carried unanimously.

### **2006 SD Legislative Review**

The Manager reviewed the status of several bills he is following during the ongoing South Dakota legislative session. He noted that there were only a small number of water resource-specific bills.

**House Bill 1017** An Act to make an appropriation from the coordinated soil and water conservation fund to the State Conservation Commission. Pending in Senate Appropriations.

**House Bill 1131** An Act to increase the amount of funding for conservation and value-added agriculture purposes from certain unclaimed motor fuel tax refunds. Passed House.

This bill puts forth the concept presented to the Board by the South Dakota Association of Conservation Districts (SDACD) at the December 2006 meeting. The Manager indicated that this is one of the bills he has been actively supporting. He has testified on behalf of the bill, and has lobbied legislators (personal contacts, letters and e-mail) urging their support. The original intent of the legislation remains (turning over all unclaimed and un-refunded non-highway gas taxes to the coordinated soil and water conservation fund). However, the bill as passed by the House, now opens access to the funds to all entities willing to address Coordinated Soil and Water Conservation Program goals and objectives. The Manager indicated he has discussed the change with the Legislative Committee, and the change is viewed as a positive adjustment.

**House Bill 1201** An Act to revise certain provisions concerning public meetings. Pending in Senate State Affairs.

**House Bill 1225** An Act to revise the title of the coordinated soil and water conservation fund and coordinated soil and water conservation plan. Pending in Senate Agriculture & Natural Resources.

**House Bill 1226** An Act to revise provisions related to water project district voter eligibility. Pending in Senate.

**House Bill 1245** An Act to make appropriations from the water and environment fund, the environment and natural resources fee fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund for various water and environmental purposes, to revise the state cost share for the Lewis and Clark Rural Water System, and to declare an emergency. Pending in Senate Appropriations.

This is the annual omnibus water funding bill, which provides funds to various water resource projects, including the Consolidated Water Facilities Construction Program and the Lewis and Clark Rural Water System. This bill is not expected to face any opposition.

**Senate Bill 7** An Act to establish certain fees to provide for air quality permitting, inspecting, and compliance services to ethanol production plants. Pending in House.

**Senate Bill 8** An Act to regulate natural gas produced with water unless the gas is used for personal purposes. Pending in House.

**Senate Bill 9** An Act to require water pollution control permits for certain concentrated animal feeding operations. Pending in House.

The Manager indicated that this is one of the bills he has been actively supporting. He has testified on behalf of the bill, and has lobbied legislators urging their support. He noted that passage of the bill would allow the State to retain its ability to require permits of all large concentrated animal feeding operations (Large CAFOs). No changes in the State General Permit requirements would result, nor would the Permit be applied to an expanded group of operations. If the bill fails, it is quite possible that local permit hearings, in which the Manager is often heavily involved, would become substantially more complicated and contentious. Loss of the State General Permit would pose a risk to water resources in the District.

**Senate Bill 121** An Act to require financial assurances for certain concentrated animal feeding operations for the remediation of potential environmental damage. Deferred to 41<sup>st</sup> day by Senate Agriculture and Natural Resources.

**Senate Bill 127** An Act to require the disclosure of known contamination of waterways on property condition disclosure statements. Pending in House Judiciary.

**Senate Bill 164** An Act to permit certain taxing districts to revise the amount of revenue payable from property taxes. Pending in Senate.

### **Future Projects Discussion**

The Manager noted that he is approached on occasion by different entities about the possibility of East Dakota getting involved in water resource projects, portions of which might fall partially, or wholly, outside of District boundaries. The requested involvement may vary from writing a letter of support to primary project sponsorship, often with some level of financial contribution. In those instances when the support is principally technical, he has for the most part provided the support requested. He noted that the District has a history of taking the lead in many water resource efforts. When entities have shown an interest in implementing past or current District activities in other areas, he views promoting and exporting District programs as sound policy.

The Manager noted that he was recently approached about the possibility of expanding the District's current Central Big Sioux River Watershed (Implementation) Project to include the river watershed from below Brandon to the Missouri River. This area is entirely outside of the confines of the East Dakota Water Development District, although the area involved (Lincoln and Union Counties) was part of the original East Dakota Conservancy Sub-District.

The case for District involvement was made on two points. First, when the assessment of this segment of the Big Sioux River watershed was started (Lower BSR Watershed Assessment), no local sponsor was willing

to step forward. The assessment was conducted under contract with SDACD, who used various outside consultants, including the District. The presumption is that there will be a similar paucity of willing participants during an implementation phase. Second, as the District already has an existing implementation project covering the upper basin, there could be savings to be gained versus having to create an entirely new project support structure.

The Manager indicated that he expects that similar requests are likely to crop up more frequently in the coming years. As the District staff obtain practical experiences and develop unique skill sets, there are likely to be additional requests to utilize this resident expertise. He requested time to visit with the District Planning Committee to consider the specific request, along with the overall concept of District involvement in partial- or wholly-external projects. It was the consensus of the Board that the Planning Committee hold such a discussion. The Manager would work with Director Brown, Planning Committee Chair, to set up a Committee meeting.

### **Project Updates**

Watershed Assessment Projects - Deb Springman reviewed the status of the following projects:

School Lake Watershed – All public notice comments have been responded to and we are awaiting publication instructions; Central BSR – The TMDLs are finalized and awaiting public notice (no date set as of yet); North-Central BSR – 3<sup>rd</sup> draft of the North-Central report and the 2<sup>nd</sup> draft of the TMDLs was sent to the DENR two weeks ago; and Oakwood Lakes - the final report and TMDLs are under review at the SD DENR

Central Big Sioux River Watershed Project - The Manager read comments prepared by Angela Guidry on the status of this project. Ms. Guidry, District staff and Project cooperators were present at the Sioux Empire Farm Show and the Watertown Farm Show, making numerous contacts with landowners. Copies of the Project video, viewed by the Board in January, have been distributed to County Commissions and City Councils along the watershed. She has met with watershed landowners and is moving forward with several assistance plans. On February 12, she presented the result of the Project landowner public opinion survey to a joint meeting of the South Dakota and North Dakota Section 319 Project Coordinators in Aberdeen.

Volunteer Monitoring Program - Jeanne Fromm reviewed her efforts at establishing this program. She has been reviewing the existing efforts in the State, along with programs developed in surrounding states. On February 8 & 9, she met with Anne Lewis, South Dakota Discovery Center, who has been handling volunteer monitoring efforts in the State for the past several years. The Bacteria Testing Project, being conducted in cooperation with South Dakota Lakes and Streams Association, is coming together. She has arranged meeting with representatives of lake groups around Lakes Kampeska, Pelican, Campbell, Herman, Madison and Brant to discuss the project.

### **Adjournment**

There being no further District business or other matters, Chairman Dempsey declared the meeting adjourned at 11:30 a.m.

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Doug Feten, Secretary

**East Dakota Water Development District  
Custom Summary Report  
January 2007**

	Jan 07
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4050 · Grants	
4082 · North Central BSRWP	6,704.71
<b>Total 4050 · Grants</b>	6,704.71
4100 · Tax Rev	
4140 · Current Tax Revenue	3,049.48
4150 · Prior Tax Revenue	166.62
4160 · Miscell. Tax Revenue	144.28
<b>Total 4100 · Tax Rev</b>	3,360.38
4400 · CBSRWIP Services	
4410 · CBSRWIP Phase I Fees & Assessme	3,807.05
<b>Total 4400 · CBSRWIP Services</b>	3,807.05
7010 · Interest Income	2,307.31
<b>Total Income</b>	16,179.45
<b>Gross Profit</b>	16,179.45
<b>Expense</b>	
5400 · CBSRWIP EDWDD Expenditures	
5435 · Outreach I & E	
5436 · Meeting Fees	7.50
5435 · Outreach I & E - Other	72.18
<b>Total 5435 · Outreach I &amp; E</b>	79.68
<b>Total 5400 · CBSRWIP EDWDD Expenditures</b>	79.68
5500 · CBSRWIP State Expenditures	
5520 · Travel	27.00
5525 · CBSRWIP Travel	
5526 · Gas for project	89.14
5525 · CBSRWIP Travel - Other	18.00
<b>Total 5525 · CBSRWIP Travel</b>	107.14
5540 · Outreach I & E	
5541 · Meeting Fes	17.50
5540 · Outreach I & E - Other	168.42
<b>Total 5540 · Outreach I &amp; E</b>	185.92
5570 · Conservation Management Plans	
5574 · Rock Crossings	13,429.94
<b>Total 5570 · Conservation Management Plans</b>	13,429.94
<b>Total 5500 · CBSRWIP State Expenditures</b>	13,750.00

**East Dakota Water Development District**  
**Custom Summary Report**  
 January 2007

	<b>Jan 07</b>
<b>6050 · Vehicle Expense</b>	
6052 · Lease Expense	292.91
6054 · Maintenance/Cleaning	12.18
<b>Total 6050 · Vehicle Expense</b>	305.09
<b>6070 · BOD Travel &amp; Ent</b>	
6072 · BOD Travel	455.33
<b>Total 6070 · BOD Travel &amp; Ent</b>	455.33
<b>6080 · Capital Outlay Items</b>	
6085 · Computer Equipment	979.95
<b>Total 6080 · Capital Outlay Items</b>	979.95
<b>6220 · Dues and Subscriptions</b>	310.00
<b>6230 · Election Expense</b>	724.10
<b>6240 · Equipment Rental</b>	
6241 · Copier Lease/Rental	171.08
<b>Total 6240 · Equipment Rental</b>	171.08
<b>6380 · Insurance</b>	
6381 · Workers Comp Insurance	1,979.00
6382 · Liability Insurance	1,916.00
6384 · Vehicle Insurance	2,490.00
<b>Total 6380 · Insurance</b>	6,385.00
<b>6530 · Miscellaneous</b>	97.66
<b>6540 · Maintenance</b>	
6541 · Office Maintenance	275.00
<b>Total 6540 · Maintenance</b>	275.00
<b>6550 · Supplies</b>	
6551 · Office Supplies	184.95
6554 · Water Festival Misc. Supplies	142.09
<b>Total 6550 · Supplies</b>	327.04
<b>6560 · Payroll Expenses</b>	
6163 · Payroll Taxes	1,602.33
6561 · Retirement	160.01
6562 · Health Insurance	2,104.44
6564 · Retirement Admin Co. 2	198.84
6560 · Payroll Expenses - Other	6,541.94
<b>Total 6560 · Payroll Expenses</b>	10,607.56
<b>6565 · Payroll Expenses for Board</b>	675.00

**East Dakota Water Development District  
Custom Summary Report  
January 2007**

	<b>Jan 07</b>
<b>6566 · Payroll Expenses Technical</b>	
6570 · Retirement Technical Asst. - Co	636.73
6571 · Technical Asst. Employ. 2 Co.	198.84
6566 · Payroll Expenses Technical - Other	14,656.55
<b>Total 6566 · Payroll Expenses Technical</b>	15,492.12
<b>6620 · Printing and Reproduction</b>	1.47
<b>6690 · Rent</b>	
6691 · Office Rent	3,000.00
<b>Total 6690 · Rent</b>	3,000.00
<b>6880 · Telephone</b>	
6881 · Cell Phone	171.32
6882 · Office Phone	295.99
<b>Total 6880 · Telephone</b>	467.31
<b>6900 · Travel &amp; Ent</b>	449.16
<b>6940 · Utilities</b>	
6970 · Trash Removal	51.30
<b>Total 6940 · Utilities</b>	51.30
<b>Total Expense</b>	54,603.85
<b>Net Ordinary Income</b>	-38,424.40
<b>Net Income</b>	-38,424.40