



East Dakota Water Development District

132B Airport Drive

Brookings, SD 57006

605-688-6741

605-688-6744 Fax

MINUTES

February 21, 2008

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on February 21, 2008, at the EDWDD office in Brookings. Chairman Eggers called the meeting to order at 9:05 a.m. The following persons attended:

Directors Present

Lois Brown
Curt Eggers
Doug Feten
Vincent Flemming
Martin Jarrett
Kay Kassube
John Weidler

Directors Absent

Robert Todd

Others Present

Frank Andrews, City of Lake Norden
Janet Andrews, City of Lake Norden
Bill Dempsey, Brookings
Gregg Jorgenson, Banner Associates
Phil Kappen, Sioux Empire water Festival
Scott Mohor, Banner Associates

Staff Present

Lisa Bretsch
Jeanne Fromm
Jay Gilbertson
Angela Guidry
Deb Springman

Administrative Items

Approval of Agenda - The Manager asked to have a request for Project Assistance from the City of Lake Norden to the agenda. Director Flemming asked for time at the end of the meeting to discuss his status on the Board. **Motion** by Jarrett, seconded by Kassube to approve the agenda as amended. Motion carried unanimously.

Minutes - The Board reviewed the minutes of the January 17, 2008. **Motion** by Jarrett, seconded by Feten to approve the minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the January 2008 financial report. **Motion** by Flemming, seconded by Kassube to accept the financial report. Motion carried unanimously. Chairman Eggers then asked that the report be placed in the District files.

Revised FY 2008 District Budget - The Manager presented and reviewed a revised version of the District's FY 2008 budget.

Report of Meetings and Conferences - Director Jarrett attended the February 7 meeting of the Interlakes Water Quality Committee.

Chairman Eggers testified in front of the House State Affairs Committee on House Bill 1245 in Pierre on February 4.

The Manager briefly summarized the following meetings he attended:

1. January 22-24 - Pierre. Lobby SD Legislature on water development district issues.
2. January 28-31 - Pierre. Lobby SD Legislature on water development district issues.
3. February 4-7 - Pierre. Lobby SD Legislature on water development district issues.
4. February 7 - Madison. Interlakes Water Quality Committee.
5. February 11-15 - Pierre. Lobby SD Legislature on water development district issues.
6. February 15 - Pierre. Planning session with DENR on 2008 Lake Poinsett watershed water monitoring.
7. February 19 - Pierre. Lobby SD Legislature on water development district issues.

Upcoming Meetings -

1. **February 21 - 7:00 p.m.** - City Hall, Watertown. Upper Big Sioux River Watershed Advisory Board.
2. **February 25 - 10 a.m.** - Codington County Extension Building, Watertown. Grazing management workshop.
3. **March 6 - 7:00 p.m.** - City Library, Madison. Interlakes Water Quality Committee.
4. **March 13 - 1:00 p.m.** - EDWDD Office, Brookings. SD Lakes and Streams Association.
5. **March 20 - 9:00 a.m.** - EDWDD Office, Brookings. March EDWDD Board of Directors.

Municipal Area 2 Director Vacancy

Chairman Eggers acknowledged receipt of a letter of resignation from Director William Dempsey, who represented Municipal Director Area 2. Mr. Dempsey's letter indicated that the resignation was to take effect on February 20, 2008. Municipal Director Area 2 included all of the incorporated municipalities in Brookings, Codington, Deuel, Grant and Hamlin Counties, including the extraterritorial jurisdictions of the communities of Brookings and Watertown. The Manager noted that as the resignation occurred in the first half of the four-year term, there were in effect two vacancies created - one for the balance of 2008, which the Board call fill by appointment, and the second for the balance of the term (2009 and 2010), which is filled following procedures spelled out for general elections.

The Manager reviewed the process for filling the open position. The first step is to have the Board declare a vacancy. Then Notices of Vacancy would be placed in the appropriate District newspapers (Brookings Register, Clear Lake Courier, Grant County Review, Watertown Public Opinion, and Hamlin County Herald Enterprise). The notice includes a description of Municipal Director Area 2, procedures for obtaining nominating petitions, a timeline for submitting the petitions, and the selection process. Interested individuals must collect 25 valid signatures on each petitions. Once submitted, the Manager or Secretary of State verifies that petitions are complete and accurate. The Board may appoint a replacement for the immediate vacancy from those who submit valid petitions, with that person serving through the end of 2008. He suggested that this process could be completed in time for the April 17, 2008, Board meeting. Valid petitions filed for the vacancy in the second half of the term would follow the nominating and election procedures for the general election.

Motion by Weidler, seconded by Feten to declare a vacancy in Municipal Director Area 2, to authorize publication of the Notices of Vacancy, to require that all applicants for the immediate vacancy (through the

end of 2008) submit their petitions to the EDWDD office no later than March 25, 2008, and to set the April 17, 2008, Board meeting as the time to appoint a new Director for Municipal Area 2 from those that submit valid petitions. Motion carried unanimously

Project Assistance Requests

City of Lake Norden - Janet Anderson, Mayor of the City of Lake Norden, presented the Board with a request for cost-share assistance for the completion of engineering facility plans. The City is experiencing ongoing water quality problems, and is looking to add lime softening to their current drinking water treatment facility. The process would help reduce the levels of iron and manganese in the water. The addition would also allow the City to develop a new, high yield water source. They have engaged Banner Associates to complete an engineering study of the proposed activities. The study will cost an estimated \$12,000. Ms. Anderson and engineers from Banner Associates reviewed the proposed actions and answered several questions from the Board. The Manager noted that the proposed activity should qualify for up to \$6,000 in assistance under the DENR Small Community Planning Grant Program.

Motion by Jarrett, seconded by Feten to provide District cost-share assistance of 50% of the local costs, up to a maximum of \$3,000, to the City of Lake Norden for completion of the proposed facility plans. Motion carried unanimously.

Sioux Empire Water Festival - Phil Kappen, a member of the Steering Committee for the Sioux Empire Water Festival, presented the Board with a request for project assistance of \$5,000 for the 2008 event. The Festival is scheduled for Wednesday and Thursday, March 26 & 27, and will be held on the campus of the University of Sioux Falls. To-date, over 2,650 fourth grade students have registered for the event. Mr. Kappen briefed the Board on planned activities and reviewed past efforts. **Motion** by Jarrett, seconded by Flemming to provide \$5,000 in District project assistance funds to the Sioux Empire Water Festival in support of the 2008 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 2008 festival. The event is scheduled for Tuesday, May 13th, and will once again be held on the campus of South Dakota State University in Brookings. To-date, over 1,100 fourth grade students from about 53 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. **Motion** by Feten, seconded by Brown to provide \$5,000 in District project assistance funds to the Big Sioux Water Festival in support of the 2008 event and to authorize expenditure of the funds. Motion carried unanimously.

2008 SD Legislative Review

The Manager reviewed the status of numerous bills he is following during the ongoing South Dakota legislative session.

HB 1027 An Act to revise certain deadlines concerning nominating petitions for water development district directors and to declare an emergency. This bill has been signed by the Governor.

HB 1069 An Act to make an appropriation to the coordinated natural resources conservation fund and to

declare an emergency. This bill has passed the House, and is pending action by the full Senate.

HB 1070 An Act to make an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission. This bill has been signed by Governor.

HB 1087 An act to revise the General Appropriations Act for fiscal year 2008 regarding appropriations to the Department of Executive Management, the Department of Revenue and Regulation, the Department of Game, Fish and Parks, the Department of Transportation, the Department of Education, the Board of Regents, the Department of Human Services, and the Department of Environment and Natural Resources. Passed House and pending action by the full Senate.

HB 1174 An Act to revise certain provisions related to the composition of water development district boards of directors. This bill has been signed by the Governor.

HB 1177 An Act to create the beverage container recycling and redemption program. Tabled by the House Commerce Committee on February 4.

HB 1185 An Act to establish dedicated funding sources and to deposit the revenue in the coordinated natural resources conservation fund. House Taxation Committee amended to remove Section 4 (metered water fee), then referred as amended to House Appropriations. Tabled by House Appropriations.

HB 1245 An Act to revise the boundaries of the Central Plains, East Dakota, James River, and South Central water development districts, and to revise provisions related to the board of directors in the affected districts. Passed both House and Senate. Pending House approval of title change.

HB 1248 An Act to establish the South Dakota soil conservation award program and to make an appropriation therefor. Passed House and pending action by Senate Appropriations on February 22.

HB 1277 An Act to make appropriations from the general fund, 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, to revise the state water plan, and to declare an emergency. Passed House and Senate, and pending action by the Governor.

HB 1287 An Act to permit taxing districts to revise the base amount of revenue payable from property taxes. Tabled in House Taxation on January 29.

SB 3 An Act to revise certain procedures concerning elections for special districts and to declare an emergency. Passed House and Senate, and pending action by the Governor.

SB 5 An Act to revise the requirement that the South Dakota Conservancy District pay interest on its bonds semiannually and to revise certain provisions regarding the district's authority to issue fixed or variable rate bonds. Passed House and Senate, and pending action by the Governor.

SB 6 An Act to revise certain provisions to allow the transfer of ownership of an application to appropriate water. Passed House and Senate, and pending action by the Governor.

SB 115 An Act to increase the amount of funding for conservation and value-added agriculture purposes from certain unclaimed motor fuel tax refunds. Passed Senate. Scheduled for House Taxation Committee on February 21.

SB 138 An Act to require financial assurances for certain petroleum pipeline operations for the remediation of potential environmental damage and to declare an emergency. Deferred to 36th day by Senate Agriculture and Natural Resources Committee.

SB 162 An Act to revise certain provisions related to the confidentiality of certain geological reports. Passed Senate and pending action by House.

SB 190 An Act to impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill. Passed Senate Agriculture and Natural Resources. Hog-housed in Senate on February 5, new title - An Act to provide for regulatory oversight of oil pipelines and to create a task force. Hearing in House State Affairs Committee on February 22.

SB 196 An act to repeal a limitation on certain environmental rules. Passed Senate 35-0, pending a hearing in House Agriculture and Natural Resources (February 21).

SB 199 An act to revise certain provisions concerning public meetings. Passed House and Senate, and pending action by the Governor.

Project Updates

Watershed Assessment Projects - Deb Springman reviewed the status of her efforts on the Lake Campbell Reassessment Project. She went over preliminary data from Lake Campbell sediment survey conducted by DENR staff earlier in the year. 143 holes were drilled in the ice through which soundings were taken. Water and sediment depths were measured at each hole. The average water depth was 5.6 feet, and the maximum water depth was 7.6 feet. The average sediment depth was 0.8 feet, and the maximum sediment depth was 2.8 feet. The volume of sediment in the lake is 1.3 million cubic yards. The slough to the south of the lake was also surveyed, with very little sediment found. Water quality was sampled in the lake last week. The ice was 6-8 inches thicker than last month. The dissolved oxygen measurements were significantly lower than the last sampling. Finally, calculation of the feedlot areas and the watershed areas of each feedlot are being developed. This data is needed for the AnnAGNPS modeling.

Central Big Sioux River Watershed Project - Angela Guidry reported on her efforts during the past month. She met with a group of feed lot operators, agency representatives and representatives of a company promoting on-site small scale anaerobic digesters for feedlot operations. She attended the Watertown Farm Show to promote the program. Work continues on easement applications and have she has received inquiries from two feedlot operators interested in putting in waste management systems. Finally, she has been devoting time on the upgrading the Big Sioux Water Festival website.

Volunteer Monitoring Program - Jeanne Fromm reviewed her efforts. The "2007 Bacteria Monitoring Project Summary" was prepared and distributed to all project participants (32) and DENR staff (3). Data summaries for 2007, and summaries for information collected prior to 2007, were prepared for seven volunteers participating in monitoring activities outside the Bacteria Monitoring Project. The summary materials were

mailed, along with a certificate of participation and other complimentary materials as a token of appreciation.

Ms. Fromm has attended several meetings to promote program activities and opportunities:

1. McCook Lake Chapter, Izaak Walton League, North Sioux City, presentation of Dakota Water Watch volunteer opportunities. Invited back to speak at the South Dakota Annual Meeting.
2. Presentation to Madison Kiwanis Club in Madison about the final results of the Bacteria Monitoring Project. Reporter in audience prepared an article for the Daily Leader.
3. Presented bacteria monitoring plan and budget to Interlakes Water Quality Committee Meeting, Madison. Group committed to additional water quality monitoring, working with Dakota State University Biology Department and Dakota Water Watch.
4. Volunteer training at McCook Lake.
5. Met with Tim Cowman at Missouri River Institute (MRI) to discuss working with the MRI to house and help develop an online database for volunteer water monitoring data.
6. Met with Lake Hendricks resident in Sioux Falls to discuss volunteer monitoring.

The Manager noted that Ms. Fromm's activities with the McCook Lake Izaak Walton League involved working with an entity that is wholly located outside of the District boundaries. While the Dakota Water Watch Program grant does contain some resources to cover such extra-District efforts, the McCook Lake Izaak Walton League has agreed to cover all costs related to the technical and material assistance provided by the District. An agreement is in development which will cover the projected two year effort, at a cost of roughly \$5,000. He asked that the Board authorize the District to enter into such an agreement. **Motion** by Brown, seconded by Kassube to approve such an agreement between the District and the McCook Lake Izaak Walton League. The Manager reiterated that in this arrangement, the McCook Lake Izaak Walton League will pay for or reimburse the District all project materials and staff support provided. Motion carried unanimously.

Rural Area 1 Director Vacancy

Director Flemming stated that he would soon be completing a move from his present residence in rural Codington County to a home in the community of Florence. Consequently, he would no longer reside within the boundaries of Rural Director Area 1. As such, he was at this time submitting his resignation from the Board. Chairman Eggers acknowledged receipt of a letter of resignation from Director Flemming, which is to take effect immediately. Rural Director Area 1 includes all of rural Grant and Codington Counties, except the extraterritorial jurisdiction of Watertown, the rural areas of Rome, Portland, Lowe, Antelope Valley, Goodwin, Altamont, and Glenwood Townships in Deuel County, and the rural areas of Brantford, Oxford, and Castlewood Townships in Hamlin County.

The Manager noted that as the resignation occurred in the final year of a four-year term, the Board could appoint a replacement director for the balance of 2008. The Manager reviewed the process for filling the open position. The first step is to have the Board declare a vacancy. Then a Notice of Vacancy would be placed in the appropriate District newspapers (Clear Lake Courier, Grant County Review, Watertown Public Opinion, and Hamlin County Herald Enterprise). The notice includes a description of Rural Director Area 1, procedures for obtaining nominating petitions, a time line for submitting the petitions, and the selection process. Interested individuals must collect 25 valid signatures on each petitions. Once submitted, the Manager verifies that petitions are complete and accurate. The Board may appoint a replacement for the

vacancy from those who submit valid petitions, with that person serving through the end of 2008. He suggested that this process could be completed in time for the April 17, 2008, Board meeting.

Motion by Kassube, seconded by Weidler to declare a vacancy in Rural Director Area 1, to authorize publication of the Notice of Vacancy, to require that all applicants for the vacancy (through end of 2008) submit their petitions to the EDWDD office no later than March 25, 2008, and to set the April 17, 2008, Board meeting as the time to appoint a new Director for Rural Area 1 from those that submit valid petitions. Motion carried unanimously

Adjournment

There being no further District business or other matters, Chairman Eggers declared the meeting adjourned at 12:05 p.m.

Doug Feten, Secretary

**East Dakota Water Development District
Custom Summary Report
January 2008**

	Jan 08
Ordinary Income/Expense	
Income	
4100 · Tax Rev	
4140 · Current Tax Revenue	3,192.95
4150 · Prior Tax Revenue	265.74
4160 · Miscell. Tax Revenue	132.14
Total 4100 · Tax Rev	3,590.83
7010 · Interest Income	896.41
Total Income	4,487.24
Gross Profit	4,487.24
Expense	
5000 · Dakota Water Watch 07	
5050 · Bacteria Monitoring Project	
5053 · Supplies and Materials DWWBM	264.43
5056 · Postage and Shipping DWWBM	82.42
Total 5050 · Bacteria Monitoring Project	346.85
Total 5000 · Dakota Water Watch 07	346.85
5100 · BSR Web I&E Grant	
5150 · General Program Support	
5152 · Supplies and Materials	211.30
5156 · Staff Travel - EDWDD	29.28
Total 5150 · General Program Support	240.58
Total 5100 · BSR Web I&E Grant	240.58
5200 · Covell Lake Assessment	
5230 · Bacterial Monitoring	
5236 · Staff Travel - EDWDD	87.36
Total 5230 · Bacterial Monitoring	87.36
Total 5200 · Covell Lake Assessment	87.36
5400 · CBSRWIP EDWDD Expenditures	
5425 · Professional Fees	
5426 · Contractual Services	561.24
Total 5425 · Professional Fees	561.24
5435 · Outreach I & E	29.52
Total 5400 · CBSRWIP EDWDD Expenditures	590.76
5500 · CBSRWIP State Expenditures	
5520 · Travel	18.00
5530 · Professional Fees	
5531 · Contractual Services	1,683.72
Total 5530 · Professional Fees	1,683.72
5540 · Outreach I & E	68.91
5560 · Conservation District Expenses	
5562 · CD Travel	7.68
Total 5560 · Conservation District Expenses	7.68
5570 · Conservation Management Plans	
5571 · Conservation Easement	26,159.89
5573 · Ag Waste Mng Sys Construction	31,303.16
Total 5570 · Conservation Management Plans	57,463.05
Total 5500 · CBSRWIP State Expenditures	59,241.36
5700 · Lake Campbell Assessment	
5710 · Water Quality Analysis LCAP	901.00
5720 · Travel LCAP	6.82
5730 · Supplies and Materials LCAP	

**East Dakota Water Development District
Custom Summary Report
January 2008**

	Jan 08
5732 · Supplies & Materials - EDWDD	2,040.00
Total 5730 · Supplies and Materials LCAP	2,040.00
Total 5700 · Lake Campbell Assessment	2,947.82
6050 · Vehicle Expense	
6052 · Lease Expense	643.18
6054 · Maintenance/Cleaning	12.49
6056 · Vehicle Mechanical/Parts	13.94
Total 6050 · Vehicle Expense	669.61
6070 · BOD Travel & Ent	
6072 · BOD Travel	461.04
Total 6070 · BOD Travel & Ent	461.04
6080 · Capital Outlay Items	
6084 · Other Capital Outlay	26.22
6086 · Software	54.99
Total 6080 · Capital Outlay Items	81.21
6220 · Dues and Subscriptions	385.00
6240 · Equipment Rental	
6241 · Copier Lease/Rental	366.17
Total 6240 · Equipment Rental	366.17
6380 · Insurance	
6381 · Workers Comp Insurance	2,023.00
6382 · Liability Insurance	3,064.00
6384 · Vehicle Insurance	2,247.00
Total 6380 · Insurance	7,334.00
6530 · Miscellaneous	107.11
6540 · Maintenance	
6541 · Office Maintenance	275.00
Total 6540 · Maintenance	275.00
6550 · Supplies	
6551 · Office Supplies	195.23
6554 · Water Festival Misc. Supplies	63.01
Total 6550 · Supplies	258.24
6560 · Payroll Expenses	
6163 · Payroll Taxes	1,583.86
6561 · Retirement	168.82
6562 · Health Insurance	2,444.46
6564 · Retirement Admin Co. 2	284.26
6560 · Payroll Expenses - Other	6,912.18
Total 6560 · Payroll Expenses	11,393.58
6565 · Payroll Expenses for Board	715.00
6566 · Payroll Expenses Technical	
6570 · Retirement Technical Asst. - Co	678.40
6571 · Technical Asst. Employ. 2 Co.	284.26
6566 · Payroll Expenses Technical - Other	14,101.34
Total 6566 · Payroll Expenses Technical	15,064.00
6620 · Printing and Reproduction	4.16
6640 · Professional Fees	
6650 · Accounting	295.00
6660 · Legal Fees	1,324.47
6640 · Professional Fees - Other	35.00
Total 6640 · Professional Fees	1,654.47
6690 · Rent	
6691 · Office Rent	3,000.00
6692 · Postage Meter	459.36
	4,459.36

**East Dakota Water Development District
Custom Summary Report
January 2008**

	Jan 08
Total 6690 · Rent	3,459.36
6880 · Telephone	
6881 · Cell Phone	95.98
6882 · Office Phone	289.53
Total 6880 · Telephone	385.51
6900 · Travel & Ent	872.16
6940 · Utilities	
6970 · Trash Removal	51.30
Total 6940 · Utilities	51.30
Total Expense	106,991.65
Net Ordinary Income	-102,504.41
Other Income/Expense	
Other Expense	
8050 · Project Expenditures	
8052 · City of Hartford 06	4,160.00
Total 8050 · Project Expenditures	4,160.00
Total Other Expense	4,160.00
Net Other Income	-4,160.00
Net Income	-106,664.41