



East Dakota Water Development District

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MINUTES

January 19, 2006

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on January 19, 2006 at the EDWDD office in Brookings. Chairman Dempsey called the meeting to order at 9:00 a.m. The following persons attended:

Directors Present

Dave Bennett

Bill Dempsey

Curt Eggers

Doug Feten

Vincent Flemming

Kay Kassube

Directors Absent

Lois Brown

John Weidler

Others Present

none

Staff Present

Becky Banks

Lisa Bretsch

Jay Gilbertson

Angela Guidry

Pat Hammond

Deb Springman

Administrative Items

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

Minutes - The Board reviewed the Minutes of the December 15, 2005 meeting. **Motion** by Kassube, seconded by Eggers to approve the Minutes presented. Motion carried unanimously.

Election of Officers for 2006 - Chairman Dempsey turned the meeting over to the Manager. The Manager called for nominations for Chairman for 2006. **Motion** by Eggers to nominate Director Dempsey for Board Chairman. **Motion** by Flemming, seconded by Bennett that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously.

Chairman Dempsey called for nomination for Vice-Chairman for 2006. **Motion** by Flemming to nominate Director Eggers for Vice-Chairman. **Motion** by Kassube, seconded by Bennett that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously.

Chairman Dempsey called for nomination for Secretary for 2006. **Motion** by Bennett to nominate Director Feten for Secretary. **Motion** by Eggers, seconded by Kassube that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously.

The Manager noted that State Law required annual elections for Board Chairman, Vice-Chairman and Secretary. However, the position of District Treasurer was one that carried over each year, until such time as the Board decided to select a new person for the position. The Board last appointed the District Manager (Jay Gilbertson) to this position in January 2004. Chairman Dempsey asked the Board if they wished to select a new Treasurer at this time. It was the consensus of the Board to retain the Manager as District Treasurer.

Financial Reports - The Board reviewed the December 2005 Financial Report (Attachment A). **Motion** by Bennett, seconded by Eggers to accept the Financial Report. Motion carried unanimously. Chairman Dempsey then asked that the report be placed in the District files. The Board then reviewed the Fourth Quarter Financial Statement for 2005.

Revised FY 2006 District Budget - The Manager presented and reviewed a revised version of the District's FY 2006 budget that reflect year-end financial statements.

Report of Meetings and Conferences - Director Eggers attended a presentation on the new Minnehaha County Soil Survey in Brandon on January 17.

Chairman Dempsey and Director Feten attended the South Dakota Association of Rural Water Systems (SDARWS) Annual Meeting in Pierre on January 10-12.

Chairman Dempsey attended the State Conservation Commission meeting Pierre on January 12th.

The Manager briefly commented on the following meetings he attended:

1. December 16 - Toronto. Discussion of Brookings-Deuel Rural Water System wellhead protection issues.
2. January 4 - Brookings. Central Big Sioux River Implementation Project teleconference.
3. January 5 - Watertown DDN site. Board of Water and Natural Resources.
4. January 10-12 - Pierre. South Dakota Association of Rural Water Systems Annual Workshop and Legislative Reception.
5. January 11 - Pierre. James River Water Development Board meeting.
6. January 11 - Pierre. Capitol Water Festival.
7. January 17 - Brandon. Minnehaha County Soil Survey presentation.

Upcoming Meetings -

1. **January 19 - 7:00 p.m.** - City Hall, Watertown. Upper Big Sioux River Watershed Project Advisory Board.
2. **February 8 & 11** - County Extension Complex - Watertown. Nitrate testing at the Watertown Winter Farm and Home Show.
3. **February 15-17** - Golden, Colorado. Second Biennial Rocky Mountain Regional Lake & Reservoir Management Conference.
4. **February 21 - 9:00 a.m.** - EDWDD Office, Brookings. February EDWDD Board of Directors meeting.

Payment Requests - The Manager presented the Board with six payment requests from projects for which the Board had previously agreed to provide support.

Moody County Conservation District - In January 2005, the Board agreed to provide \$2,500 in cost-share assistance to the Moody County Conservation District (MoCCD) to be applied toward the completion of an animal waste management system. The system was part of the Bachelor Creek Watershed Project. Work on the project has been completed, and MoCCD has submitted a bill for \$2,500. **Motion** by Eggers, seconded by Feten to authorize payment of \$2,500 as requested to the Moody County Conservation District. The Manager noted that this would complete the District's obligation for this activity. Motion carried unanimously.

Show-Me Ratemaker Analyses - Crooks and Humboldt - In June 2005, the Board agreed to provide up to \$400 each to the communities of Crooks and Humboldt toward the completion of a utility rates analysis of their water and wastewater systems. The analyses would be completed by the Southeast Council of Governments (SECOG) using the Show-Me Ratemaker program. The studies for these two communities have been completed, and each has submitted a bill for \$400. **Motion** by Kassube, seconded by Bennett to authorize payment of \$400 each to the communities of Crooks and Humboldt as requested. The Manager noted that this would complete the District's obligation for these activities. Motion carried unanimously.

Miner County Conservation District - In August 2005, the Board agreed to provide up to \$750 in cost-share assistance to the Miner County Conservation District (MiCCD) to be applied toward their abandoned well sealing activities. Work on the project has been completed, and MiCCD has submitted a bill for \$750. **Motion** by Bennett, seconded by Flemming to authorize payment of \$750 as requested to the Miner County Conservation District. The Manager noted that this would complete the District's obligation for this activity. Motion carried unanimously.

United States Fish and Wildlife Service - In June 2003, the Board agreed to provide \$7,000 in cost-share assistance to the United States Fish and Wildlife Service (USFWS) for work on their second North American Wetlands Conservation Act (NAWCA) wetlands restoration project. In August 2004, USFWS requested and received payment of one half of the support (\$3,500). Work in the District area has been completed, and USFWS has submitted a bill for the balance of the District's support (\$3,500). **Motion** by Kassube, seconded by Eggers to authorize payment of \$3,500 as requested by USFWS. The Manager noted that 1) payment would actually be made to Pheasants Forever, which is handling the financial arrangements for this project, and 2) this would complete the District's obligation to USFWS for this activity. Motion carried unanimously.

United States Geological Survey - In 2003, the District entered into an agreement with the United States Geological Survey (USGS) to support an assessment of merging contaminants in the Big Sioux River near Watertown, Volga and Brookings. The District's share of this effort was \$70,000. In March 2004, the Board agreed to an expansion of the study for additional sampling near Volga. This change in scope raised the District's obligation by \$6,200, to a total of \$76,200. Work on the project has been completed, and USGS has submitted a final billing. The District has previously made payments totaling \$64,200, and the current request is for \$12,000. The Manager noted that for this project, he has not requested that the Board formally obligate the funds until the payment requests arrived. **Motion** by Eggers, seconded by Kassube to allocate \$12,000 in District cost-share assistance to the project, and to authorize payment of same as requested to the USGS. The Manager noted that this would complete the District's obligation for this activity. Motion carried unanimously.

Appointment of District Legal Counsel - Alan Glover, of the Glover, Helsper and Rasmussen Law Firm, was the District's legal counsel in 2005. Mr. Glover has indicated a willingness to continue in this capacity for a retainer of \$400 for 2006. **Motion** by Eggers, seconded by Kassube to appoint Alan Glover as EDWDD legal counsel for 2006 and to authorize payment of a \$400 retainer. Motion carried unanimously.

Appointment of EDWDD Standing Committees - Chairman Dempsey appointed the following Directors to the District's Standing Committees for 2006.

Finance	Planning	Legislative	Personnel
Bennett	Brown	Feten	Eggers
Eggers	Bennett	Bennett	Brown
Feten	Feten	Eggers	Kassube
Flemming	Kassube	Flemming	Weidler
	Weidler		

Designation of Official Newspapers - **Motion** by Flemming, seconded by Feten to designate the following newspapers as the official newspapers for District notices in 2006: Brookings Register, Clear Lake Courier, Grant County Review, De Smet News, Miner County Pioneer, Watertown Public Opinion, Moody County Enterprise, Hamlin County Herald Enterprise, Madison Daily Leader and Sioux Falls Argus Leader. Motion carried unanimously.

Designation of Director to Attend BWNR Meetings - **Motion** by Feten, seconded by Bennett to have Director Eggers attend the Board of Water and Natural Resources (BWNR) meetings on behalf of the District, with Chairman Dempsey as the alternate. Motion carried unanimously.

District Organizational Memberships - **Motion** by Eggers, seconded by Flemming to authorize payment of \$260 to the South Dakota Association of Rural Water Systems for District membership in 2006. Motion carried unanimously.

Equipment Purchase - The Manager requested permission to make two equipment purchases. In each case, funds would come from the District's Equipment budget category.

Submersible pump, control unit and tubing - The District receives occasional requests for assistance in the collection of water samples from public (and private) wells. In most cases, the need is for only one or two samples. Professional well drillers or environmental consultants can be hired to collect these samples, but often at a prohibitive cost. The Manager requested permission to purchase a small submersible pump, control unit and tubing to collect water samples from shallow wells, at a cost of \$650. The unit would operate off of a car battery. The pump would work well for preliminary, survey assessments of water quality. **Motion** by Kassube, seconded by Feten to authorize expenditure of \$650 for the purchase of a submersible pump, control unit and tubing. Motion carried unanimously.

External network storage system - At present, many of the programs and files used on District projects take up considerable memory on District computers. To address this, staff have recommended obtaining an external, networked storage system. This would be available to all computers within the office, and free up considerable memory on the individual systems. The cost of the external network storage system and a battery backup power source for the system would be \$430. **Motion** by Bennett, seconded by Flemming to authorize

expenditure of \$430 for the purchase of the external network storage system and a battery backup power source. Motion carried unanimously.

Legislative Update

The Manager briefly reviewed legislation pending before the 81st South Dakota legislature. He said that a small number of bills have been submitted that dealt with water resource issues (see list below), but there are several days remaining before the deadline for new legislation (January 25th). He will monitor developments and keep the Board posted on important developments.

The annual omnibus water funding bill, with support for the Consolidated Water Facilities Construction Program (CWFCP) and the State Water Resources Management System (SWRMS), will be presented to the legislature by the Governor, but has not yet been submitted.

The bills he is tracking (to date) are listed below:

House Bill 1019, An Act to revise and redirect certain revenues relating to the state capital construction fund, the ethanol fuel fund, the state highway fund, the water and environment fund, and the state general fund.

House Bill 1076, An Act to increase the amount of funding for conservation purposes from certain unclaimed motor fuel tax refunds.

House Bill 1077, An Act to authorize water user districts to establish and operate wastewater systems.

House Bill 1096, An Act to regulate access to and use of natural nonmeandered lakes and provide certain penalties.

Senate Bill 4, An Act to establish certain air quality standards for hydrogen sulfide and to provide for their application to livestock facilities.

Senate Bill 62, An Act to revise certain reclamation surety requirements regarding uranium exploration and to authorize the Board of Minerals and Environment to adopt rules for the construction, operation, monitoring, and closure of uranium and other in situ leach mines.

Senate Bill 66, An Act to exempt water distribution system routes from certain restrictions related to the acquisition of property or property rights.

Senate Bill 105, An Act to require financial assurances for certain concentrated animal feeding operations for the remediation of potential environmental damage.

Senate Bill 106, An Act to exempt certain small sand, gravel, and other extraction operations from license fees and surety requirements.

Project Assistance Request

City of Hartford - The City of Hartford has requested District cost-share assistance for the completion of a facility plan, with an estimated cost of \$25,000. They are requesting support for the effort from the State's Small Community Planning Grant Program, which should cover \$6,000. The request to the District is for some portion of the balance. The Manager noted that in the past, the District has provided cost-share assistance amounting to half of the local costs of such efforts. Past awards for these activities have typically ranged between \$500 and \$3,000. In this case, with the substantial engineering study costs, half the local amount would be \$9,500. **Motion** by Eggers, seconded by Kassube to table the request, and to direct the Manager to request additional information on the proposed study. Motion carried unanimously.

Board Vacancies and 2006 Director Elections

The Manager reviewed the status of the current vacancy for the Director for Municipal Area 1. The vacancy was advertised in the official newspapers for the area, with a request that interested parties respond by January 12th, 2006. No responses were received by the deadline. He proposed that the Board leave the position open until a valid petition is filed. It was the consensus of the Board to follow this course of action.

The Manager also noted that the terms of office of the Directors from even-numbered areas will expire at the end of this year. This will impact Municipal Area 2 (Dempsey), Municipal Area 4 (Brown), Rural Area 2 (Feten) and Rural Area 4 (Bennett). He has prepared nominating petitions for the four areas, along with Municipal Area 1, which will be vacant for 2007 and 2008. Petitions can be distributed as early as January 21st, and they must be filed no later than April 4th with the Secretary of State. Public notice of the vacancies will be published in District newspapers in late March, in accordance with SDCL 46A-3B-7.

EDWDD Personnel Policies and Procedures Manual Revisions

The Manager reviewed proposed changes to the District Personnel Policies and Procedure Manual. **Motion** by Eggers, seconded by Kassube to adopt the changes to the District Personnel Policies and Procedure Manual as presented. Motion carried unanimously.

Watershed Project Updates

Big Sioux River Watershed Assessment Projects - Deb Springman reported on the status of these projects. The Central Big Sioux River Watershed Assessment Report and TMDLs, as well as the School Lake Watershed Assessment Report and TMDLs are currently being reviewed by the EPA. We are still anticipating public notice of the Central Big Sioux River TMDLs by this spring. The North-Central Big Sioux River Watershed Assessment Report and TMDLs were forwarded to SD DENR on January 6th for review.

Central Big Sioux River Implementation Project - Angela Guidry reviewed project activities. She has been meeting with DENR, NPLT, and SECOG on a regular basis to make decisions regarding the use of funds for the implementation project. Several media firms have been contacted and a decision will be made in the coming weeks as to which will be used to aid EDWDD in the I & E portion of the project.

East Dakota Water Development District Website - Becky Banks reviewed activities for developing an EDWDD website. Website development will include purchasing space for the website, software, and training.

Some possibilities for the website include a summary about the district, board updates, water festival updates, project activities, FAQs about the district, educational page, and a possible email newsletter. Training will be completed by March, and the website should be up and running in the spring.

Adjournment

There being no further District business, Chairman Dempsey declared the meeting adjourned at 12:15 p.m.

Doug Feten, Secretary

**East Dakota Water Development District
Custom Summary Report
December 2005**

	Dec 05
Ordinary Income/Expense	
Income	
4050 · Grants	
4082 · North Central BSRWP	4,982.38
4083 · School/Bullhead Lake AP	4,934.40
4087 · Local Nitrate Testing Outreach	7,085.18
4088 · BSRW Improvement Proj.	3,513.85
Total 4050 · Grants	20,515.81
4100 · Tax Rev	
4140 · Current Tax Revenue	68,459.90
4150 · Prior Tax Revenue	256.97
4160 · Miscell. Tax Revenue	292.34
Total 4100 · Tax Rev	69,009.21
4300 · Revenue - Other	841.10
7010 · Interest Income	1,931.34
Total Income	92,297.46
Gross Profit	92,297.46
Expense	
4000 · Reconciliation Discrepancies	3,598.37
5500 · Big Sioux River Implementation	
5525 · CBSRWIP Travel	77.00
5535 · CBSRWIP Supplies and Materials	195.10
Total 5500 · Big Sioux River Implementation	272.10
6050 · Vehicle Expense	
6052 · Lease Expense	292.91
6056 · Vehicle Mechanical/Parts	500.00
Total 6050 · Vehicle Expense	792.91
6070 · BOD Travel & Ent	
6072 · BOD Travel	241.97
Total 6070 · BOD Travel & Ent	241.97
6080 · Capital Outlay Items	
6082 · Equipment and Furniture	139.00
Total 6080 · Capital Outlay Items	139.00
6150 · Computer Software	250.06
6530 · Miscellaneous	63.06
6540 · Maintenance	
6541 · Office Maintenance	275.00
6542 · Equipment Maintenance	36.31
Total 6540 · Maintenance	311.31
6550 · Office Supplies	105.69
6560 · Payroll Expenses	
6163 · Payroll Taxes	1,560.50
6561 · Retirement	139.50
6562 · Health Insurance	2,033.00
6564 · Retirement Admin Co. 2	187.42
6560 · Payroll Expenses - Other	7,425.19
Total 6560 · Payroll Expenses	11,345.61
6565 · Payroll Expenses for Board	525.00
6566 · Payroll Expenses Technical	
6570 · Retirement Technical Asst. - Co	520.61
6571 · Technical Asst. Employ. 2 Co.	187.42
6566 · Payroll Expenses Technical - Other	12,448.81
Total 6566 · Payroll Expenses Technical	13,156.84

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	Dec 05
6640 · Professional Fees	
6680 · Public Outreach	35.00
Total 6640 · Professional Fees	35.00
6880 · Telephone	
6881 · Cell Phone	172.38
6882 · Office Phone	271.30
Total 6880 · Telephone	443.68
6900 · Travel & Ent	243.60
6940 · Utilities	
6970 · Trash Removal	72.28
Total 6940 · Utilities	72.28
Total Expense	31,596.48
Net Ordinary Income	60,700.98
Other Income/Expense	
Other Expense	
8050 · Project Expenditures	
8053 · Educaton Small Grants Prog 03	100.00
8056 · Minnehaha Planning & Zoning 05	11,754.00
Total 8050 · Project Expenditures	11,854.00
Total Other Expense	11,854.00
Net Other Income	-11,854.00
Net Income	48,846.98

