



East Dakota Water Development District

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## MINUTES

January 18, 2007

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on January 18, 2006 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  
Martin Jarrett  
Kay Kassube  
Robert Todd  
John Weidler

### Others Present

Roy Bartholomay, United States Geological Survey  
Greg Guse, Paulsen Marketing  
Robert Kolbe, Minnehaha County Commission  
Stephen Snyder, Lake County Water Quality Committee  
Ryan Thompson, United States Geological Survey

### Staff Present

Jeanne Fromm  
Jay Gilbertson  
Angela Guidry  
Pat Hammond  
Deb Springman

## Administrative Items

Approval of Agenda - Under Administrative Items, the Manager asked to have discussion of the Fourth Quarter 2006 Financial Report and the Revised 2007 Budget deferred to the February Board meeting, and to have a Travel Authorization added. **Motion** by Flemming, seconded by Jarrett to approve the agenda as amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the December 28, 2006 meeting. The Manager noted that under the discussion of the Regional Water System Research Center, it stated that the Class A rural water systems would be asked to contribute \$500 each as support. The number should be \$600. **Motion** by Weidler, seconded by Feten to approve the Minutes as amended. Motion carried unanimously.

Financial Reports - The Board reviewed the December 2006 Financial Report (Attachment A). **Motion** by Eggers, seconded by Jarrett to accept the Financial Report. Motion carried unanimously. Chairman Dempsey then asked that the report be placed in the District files.

The Manager requested that the Board set funds aside for the purchase of an additional District vehicle. **Motion** by Kassube, seconded by Brown to allocate \$30,000 in District funds for the purchase or lease of a new District vehicle and to authorize the Manager acquire the vehicle. Motion carried unanimously.

Selection of a New Rural Area 4 Director - The Manager reviewed the process undertaken to select a Director to fill the current vacancy in Rural Area 4. SDCL 46A-3B-9 allows for the remaining Board members to appoint a replacement (until the next general election) from candidates proposed by nominating petitions signed by at least 25 eligible voters from the area.

At the November 2006 meeting, the Board declared the position would be vacant as of January 1, 2007. In December, public notices of the vacancy were published in the official newspapers for the area. Completed nominating petitions were to be submitted to the District office in Brookings. A petition was submitted on January 4<sup>th</sup>, 2007, by Robert Todd of Wentworth. The Lake and Moody County auditors confirmed that the petitions contained a valid number of signatures and Mr. Todd was invited to the January Board meeting.

**Motion** by Eggers, seconded by Brown to appoint Robert Todd of 51 Round Lake Drive, Wentworth, to serve as the Director for Rural Area 4 through the end of calendar year 2008. The Manager noted that Mr. Todd's term of office would commence immediately on the passage of the motion. Motion carried unanimously. Mr. Todd then signed the Director's Oath of Office, and assumed his position on the Board.

Election of Officers for 2007 - Chairman Dempsey turned the meeting over to the Manager. The Manager called for nominations for Chairman for 2007. **Motion** by Feten, seconded by Brown to nominate Director Dempsey for Board Chairman. Motion carried unanimously.

Chairman Dempsey called for nomination for Vice-Chairman for 2007. **Motion** by Flemming, seconded by Brown to nominate Director Eggers for Vice-Chairman. Motion carried unanimously.

Chairman Dempsey called for nomination for Secretary for 2007. **Motion** by Eggers, seconded by Weidler to nominate Director Feten for Secretary. 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. **Motion** by Flemming, seconded by Eggers to reappoint the Manager as District Treasurer. Motion carried unanimously.

Report of Meetings and Conferences - Director Flemming attended the January 17<sup>th</sup> meeting of the Lake Pelican Water Project District in Watertown.

Chairman Dempsey and Directors Feten, Jarrett and Weidler attended the South Dakota Association of Rural Water Systems (SDARWS) Annual Meeting in Pierre on January 9-11.

Chairman Dempsey attended the State Conservation Commission meeting in Pierre on January 11<sup>th</sup>.

The Manager briefly commented on the following meetings he attended:

1. January 4 - Madison. Lake County Water Quality Committee.
2. January 5 - Watertown DDN site. Board of Water and Natural Resources.
3. January 9-11 - Pierre. SDARWS Annual Workshop and Legislative Reception.
4. January 10 - Pierre. James River Water Development District Board meeting.
5. January 10 - Pierre. Ag Unity Luncheon.

6. January 10 - Pierre. Central Plains Water Development District Board meeting.
7. January 16 - Sioux Falls. Minnehaha County Farm Bureau.
8. January 16 - Brookings. Central Big Sioux River Watershed Project Public Meeting.
9. January 17 - Madison. Lake County Lake Associations Government Affairs Committee.

Upcoming Meetings -

1. **January 18 - 7:00 p.m.** - City Hall, Watertown. Upper Big Sioux River Watershed Project Advisory Board.
2. **January 30 - 10:00 a.m.** - SDSU Campus, Brookings. Planning session for the 2007 Eastern South Dakota Water Conference/Midwest Groundwater Conference.
3. **January 30 - 11:00 a.m.** - EDWDD Office, Brookings. SDACD Ag Waste Team discussion.
4. **February 1-2** - Ames, IA. 7<sup>th</sup> Annual Iowa Water Monitoring Conference.
5. **February 5 - 9:30 a.m.** - Lac qui Parle Courthouse, Madison, MN. Lac qui Parle/Yellow Bank Clean Water Partnership Committee Meeting.
6. **February 6-10** - Codington County Extension Complex, Watertown. Central Big Sioux River Watershed Project booth at the Watertown Winter Farm and Home Show.
7. **February 8 - 7:00 p.m.** - Public Library, Madison. Lake County Water Quality Committee.
8. **February 12** - Aberdeen. Joint Meeting of North Dakota & South Dakota NPS Project Coordinators.
9. **February 14 - 10:30 a.m.** - Lake Benton, MN. Lincoln-Pipestone Rural Water Planning & Contingency Meeting.
10. **February 15 - 9:00 a.m.** - EDWDD Office, Brookings. February EDWDD Board of Directors meeting.

Travel Authorization - The manager requested Board authorization for Jeanne Fromm to attend the 7<sup>th</sup> Annual Iowa Water Monitoring Conference in Ames, Iowa, on February 1 & 2. **Motion** by Weidler, seconded by Todd to authorize the requested travel. Motion carried unanimously.

Appointment of District Legal Counsel - Alan Glover, of the Glover and Helsper Law Firm, was the District's legal counsel in 2006. Mr. Glover has indicated a willingness to continue in this capacity for a retainer of \$400 for 2007. **Motion** by Weidler, seconded by Feten to appoint Alan Glover as EDWDD legal counsel for 2007 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 2007:

| <b>Finance</b> | <b>Planning</b> | <b>Legislative</b> | <b>Personnel</b> |
|----------------|-----------------|--------------------|------------------|
| Weidler, Chair | Brown, Chair    | Feten, Chair       | Jarrett, Chair   |
| Eggers         | Feten           | Eggers             | Brown            |
| Feten          | Jarrett         | Flemming           | Kassube          |
| Flemming       | Kassube         | Todd               | Weidler          |
| Kassube        | Todd            |                    |                  |

Designation of Official Newspapers - **Motion** by Eggers, seconded by Feten to designate the following newspapers as the official newspapers for District notices in 2007: 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.

District Organizational Memberships - **Motion** by Brown, seconded by Todd to authorize payment of \$310 to the South Dakota Association of Rural Water Systems for District membership in 2007. Motion carried unanimously.

2007 Board of Directors Meeting Schedule - The Manager presented the following draft meeting schedule for 2007:

| <b>Date</b>  | <b>Location</b> | <b>Start</b> | <b>Meeting Site</b>  |
|--------------|-----------------|--------------|----------------------|
| January 18   | Brookings       | 9:00 a.m.    | EDWDD Office         |
| February 15  | Brookings       | 9:00 a.m.    | EDWDD Office         |
| March 15     | Brookings       | 9:00 a.m.    | EDWDD Office         |
| April 19     | Egan            | 9:30 a.m.    | Big Sioux RWS Office |
| May 17       | Brookings       | 9:00 a.m.    | EDWDD Office         |
| June 21      | Brookings       | 9:00 a.m.    | EDWDD Office         |
| July 19      | Brookings       | 9:00 a.m.    | EDWDD Office         |
| August 16    | Brookings       | 9:00 a.m.    | EDWDD Office         |
| September 20 | Watertown       | 9:30 a.m.    | (to be determined)   |
| October 18   | Brookings       | 9:00 a.m.    | EDWDD Office         |
| November 15  | Sioux Falls     | 9:30 a.m.    | (to be determined)   |
| December 20  | Brookings       | 1:00 p.m.    | EDWDD Office         |

**Motion** by Weidler, seconded by Flemming to adopt the proposed meeting schedule for 2007. Motion carried unanimously.

**Project Assistance Requests**

United States Geological Survey - Roy Bartholomay and Ryan Thompson, of the United States Geological Survey Water Resources Division (USGS), presented the Board with two request for assistance.

***Estimated Use of Water In South Dakota, 2005*** - The first request concerned a USGS publication that summarizes estimated water use in South Dakota. Prepared every five years (most recently in 2002), the report breaks down water use in the State by source and also the general type of use (public supply, domestic, industrial, irrigation, thermoelectric power and livestock). The report is prepared in conjunction with a comparable national publication. In years past, the USGS National Headquarters has provided the necessary funding to support the publication of a South Dakota-specific document. The South Dakota Department of Environment and Natural Resources (SDDENR) has provided in-kind assistance in data compilation.

For the 2005 report, no additional USGS funds are available to publish a South Dakota-specific volume. Federal resources are only available to develop what is necessary for the national report. USGS has estimated that it would require \$36,000 to develop and publish the 2005 summary report, and they have requested District cost-share assistance for this effort. No specific dollar amount was included in the request. Mr. Bartholomay noted that this request had been previously considered by several other water development districts, and he reviewed their comments and concerns.

The Board took no formal action on the request. It was their consensus that this publication was primarily one of state-wide interest. Consequently, it would look to SDDENR to take the lead in providing the needed cost-share assistance. If the State makes a substantial contribution towards the publication, the Board agreed to revisit the request.

***Linework edits to drainage basin boundaries of the Big Sioux, Vermillion, Little Minnesota and Lac qui Parle Basins in South Dakota*** - Over the past 10 years, the USGS has prepared a series electronic watershed delineations for South Dakota. Watersheds in the eastern part of the state were completed early in the process, using a methodology that involved a multi-step process. The work involved tracing the various basin and sub-basin boundaries on paper topographic maps, and then the lines were transferred to other media and eventually digitized. The James River, Big Sioux River, Vermillion River and Minnesota River basins were the first completed in the state. Digitizing technology quickly evolved, and the balance of the South Dakota watersheds were mapped using fewer intermediate steps. In order that the delineations for all watersheds in the state are done at the same level of accuracy/precision, USGS would like to re-examine and redelineate the earlier watersheds. Reworking of the maps involves checking for errors introduced during the intermediate steps. They will not be creating more detailed maps, but checking to make certain what they have already done is consistent with current standards.

The USGS initially estimated it would take about \$35,000 to complete the work in the Big Sioux, Vermillion and Minnesota River watersheds, of which they would contribute half (\$17,500). They have subsequently identified additional financial resources to address some of the needs within this area, reducing the overall cost to complete the necessary work to \$20,000. Consequently, the request to the District is for \$10,000 in cost-share assistance, with the balance to be provided by USGS. The work would be completed under a joint funding agreement. The Board debated the need to re-do work already completed versus the desire to have a consistent and uniform set of delineations for future use.

**Motion** by Eggers, seconded by Feten to provide \$10,000 in District cost-share assistance to support the revision of the drainage basin boundaries as requested. The Manager noted, and Mr. Bartholomay concurred, that this action would complete the revision and update of all remaining portions of the Big Sioux, Vermillion and Minnesota River watersheds. Motion carried, with Directors Brown, Eggers, Feten and Todd supporting, and Flemming, Jarrett and Weidler opposed. Director Kassube was not present during the vote.

Lake County Water Quality Committee - Representatives of several lake associations in Lake County have recently organized a Lake County Water Quality Committee (Committee) in an effort to address ongoing water quality concerns. They have been meeting on a regular basis and have instigated a number of activities. To date, the Committee has raised over \$10,000 in cash and pledges from the lake associations and the City of Madison to support their efforts. They have engaged staff and students from Dakota State University to collect water samples and do analyses on the lakes and tributaries. They are also working to raise the level of public awareness through education and outreach. Recognizing that many of the truly tough decisions will be driven as much by politics as science, they have also formed a Government Relations Committee.

The Committee has identified a need to gather and compile information from several sources, and the effort is going to be beyond the capabilities of their voluntary members. In consultation with the Manager, they have proposed to hire a summer intern and have asked for cost-share assistance from the District. Specifically, they are asking for \$3,500 in District cost-share assistance, to be applied toward the salary and travel expenses for a summer intern. An equal amount would be provided by the Committee. The Manager indicated that the intern would be based in Brookings at the District office, and daily oversight provided by District staff. Duties of the intern would be set by Committee members in conference with the Manager. **Motion** by Kassube, seconded by Brown to allocate \$3,500 in District project cost-share assistance to be applied toward the proposed Committee intern position. Motion carried unanimously, with Directors Jarrett and Todd abstaining.

### **Legislative Update**

The Manager briefly reviewed water resource legislation pending before the 82<sup>nd</sup> South Dakota Legislature. A small number of bills have been submitted that dealt with water resource issues (below), but there are a number of days remaining before the deadline for new legislation (January 30<sup>th</sup>). The bills are listed below:

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

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

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

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

Yet to be filed is the legislation proposed by the conservation districts to increase the amount of funds available through the Coordinated Soil and Water Conservation Fund. The Manager has spoken with the prime sponsor, Representative Larry Tidemann of Brookings, and the bill should be submitted in the next few days. The annual omnibus water funding bill, with support for the Consolidated Water Facilities Construction Program and the State Water Resources Management System, has not yet been submitted.

The Manager indicated that as there were several legislative issues likely to develop in the coming days (including a proposal to revise the boundaries of some water development districts). He may need to convene the Legislative Committee to provide guidance via a telephone conference call.

## Watershed Project Updates

Big Sioux River Watershed Assessment Projects - Deb Springman reported on the status of these projects. **School Lake** - Comments from the public notice have been responded to and the report and TMDLs were re-submitted as final to the DENR on Jan 10th. There are three TMDLs (Bullhead Lake – TSI Impairment and pH exceedences, School Lake – TSI Impairment and pH exceedences, Round Lake – pH exceedences). **Central BSR** - the waste load allocation numbers received in December were incorporated into the TMDLs. The final assessment report and 14 TMDLs were forwarded to the DENR Jan 11th. This includes four TMDLs for Total Suspended Solids and 10 TMDLs for fecal coliform bacteria (three segments of the Big Sioux River and nine tributaries). **North-Central BSR** - New WLA numbers are currently being incorporated into the seven TMDLs for this watershed. They will be proofread and sent to the DENR for their 3<sup>rd</sup> review within the week. All TMDLs are for fecal coliform bacteria exceedences which includes three segments of the BSR and four tributaries. **Oakwood Lakes** - The 1<sup>st</sup> draft of the assessment report and two TMDLs were sent to the DENR the last week of December for review and comment. This includes one TMDL for East Oakwood Lake (TSI Impairment and pH exceedences) and one TMDL for West Oakwood Lake (TSI Impairment).

Central Big Sioux River Implementation Project - Angela Guidry reviewed project activities. She has met with the Moody and Minnehaha County Commissioners, providing an update on the project and getting their support for its goals and objectives. She attended a livestock seminar hosted by Ag United for South Dakota in Watertown, and is part of an advisory group for a grassland protection project being run through the Lower James RC&D. The first of four informational meetings for landowners was held on January 16<sup>th</sup> in Brookings, and was attended by two dozen landowners. Additional meetings are scheduled for Dell Rapids on February 22<sup>nd</sup>, March 1<sup>st</sup> in Castlewood, and March 21<sup>st</sup> in Brandon.

Greg Guse, Paulsen Marketing, reviewed the various outreach and informational activities being developed to support project goals and objectives. Numerous press releases have been distributed to newspapers and radio stations. A public opinion survey was conducted in May 2006 to gauge peoples attitudes toward the Big Sioux River, and their level of awareness of water quality issues. A brochure has been developed, which Ms. Guidry distributes at all public informational function. The Board received a preview of a short video that is being developed about the project, along with a several public service announcements (PSAs) that are airing on local television. The PSAs have already caught the public's attention, and several interested landowners have contacted the office regarding program participation.

## Adjournment

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

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Doug Feten, Secretary

**East Dakota Water Development District**  
**Custom Summary Report**  
 December 2006

|  | Dec 06           |
|--|------------------|
| <b>Ordinary Income/Expense</b>             |                  |
| Income                                     |                  |
| 4100 - Tax Rev                             |                  |
| 4140 - Current Tax Revenue                 | 83,449.92        |
| 4150 - Prior Tax Revenue                   | 281.62           |
| 4160 - Miscell. Tax Revenue                | 199.25           |
|  |                  |
| Total 4100 - Tax Rev                       | 83,910.79        |
| 7010 - Interest Income                     | 2,262.85         |
|  |                  |
| Total Income                               | 86,173.64        |
| <b>Gross Profit</b>                        | <b>86,173.64</b> |
| Expense                                    |                  |
| 5500 - CBSRWIP State Expenditures          |                  |
| 5515 - Printing/Reproduction               | 720.00           |
| 5520 - Travel                              | 5,286.86         |
| 5525 - CBSRWIP Travel                      |                  |
| 5526 - Gas for project                     | 65.26            |
| 5525 - CBSRWIP Travel - Other              | 36.00            |
|  |                  |
| Total 5525 - CBSRWIP Travel                | 101.26           |
| 5530 - Professional Fees                   | 35.00            |
| 5570 - Conservation Management Plans       |                  |
| 5572 - Ag Waste Mng Sys Engineering        | 1,070.94         |
|  |                  |
| Total 5570 - Conservation Management Plans | 1,070.94         |
|  |                  |
| Total 5500 - CBSRWIP State Expenditures    | 7,194.06         |
| 6050 - Vehicle Expense                     |                  |
| 6052 - Lease Expense                       | 292.91           |
| 6054 - Maintenance/Cleaning                | 13.49            |
| 6056 - Vehicle Mechanical/Parts            | 500.00           |
|  |                  |
| Total 6050 - Vehicle Expense               | 806.40           |
| 6070 - BOD Travel & Ent                    |                  |
| 6071 - BOD Miscell. Travel                 | 75.00            |
| 6072 - BOD Travel                          | 281.91           |
|  |                  |
| Total 6070 - BOD Travel & Ent              | 356.91           |
| 6220 - Dues and Subscriptions              | 150.00           |
| 6240 - Equipment Rental                    |                  |
| 6241 - Copier Lease/Rental                 | 180.64           |
|  |                  |
| Total 6240 - Equipment Rental              | 180.64           |
| 6530 - Miscellaneous                       | 125.70           |
| 6535 - Misc. Supp/Equip for EDWDD proj     | 11.50            |
| 6540 - Maintenance                         |                  |
| 6541 - Office Maintenance                  | 275.00           |
|  |                  |
| Total 6540 - Maintenance                   | 275.00           |
| 6550 - Supplies                            | 148.44           |
| 6560 - Payroll Expenses                    |                  |
| 6163 - Payroll Taxes                       | 1,383.29         |
| 6561 - Retirement                          | 147.29           |
| 6562 - Health Insurance                    | 2,104.44         |
| 6564 - Retirement Admin Co. 2              | 193.04           |
| 6560 - Payroll Expenses - Other            | 9,014.35         |
|  |                  |
| Total 6560 - Payroll Expenses              | 12,842.41        |
| 6565 - Payroll Expenses for Board          | 600.00           |
| 6566 - Payroll Expenses Technical          |                  |
| 6570 - Retirement Technical Asst. - Co     | 385.43           |
| 6571 - Technical Asst. Employ. 2 Co.       | 193.04           |
| 6566 - Payroll Expenses Technical - Other  | 9,360.82         |
|  |                  |
| Total 6566 - Payroll Expenses Technical    | 9,939.29         |



**East Dakota Water Development District  
Custom Summary Report  
December 2006**

|   | Dec 06           |
|---|------------------|
| 6610 - Postage and Delivery                   | 500.00           |
| 6620 - Printing and Reproduction              | 88.71            |
| 6640 - Professional Fees                      |                  |
| 6645 - Temporary Service                      | 85.12            |
| 6640 - Professional Fees - Other              | 35.00            |
| <b>Total 6640 - Professional Fees</b>         | <b>120.12</b>    |
| 6880 - Telephone                              |                  |
| 6881 - Cell Phone                             | 92.72            |
| 6882 - Office Phone                           | 287.14           |
| <b>Total 6880 - Telephone</b>                 | <b>379.86</b>    |
| 6900 - Travel & Ent                           | 412.53           |
| 6940 - Utilities                              |                  |
| 6970 - Trash Removal                          | 73.67            |
| <b>Total 6940 - Utilities</b>                 | <b>73.67</b>     |
| <b>Total Expense</b>                          | <b>34,183.24</b> |
| <b>Net Ordinary Income</b>                    | <b>51,990.40</b> |
| <b>Other Income/Expense</b>                   |                  |
| <b>Other Expense</b>                          |                  |
| 8700 - Uncommitted Project Funds              |                  |
| 8704 - City of Madison 06                     | 1,102.00         |
| <b>Total 8700 - Uncommitted Project Funds</b> | <b>1,102.00</b>  |
| <b>Total Other Expense</b>                    | <b>1,102.00</b>  |
| <b>Net Other Income</b>                       | <b>-1,102.00</b> |
| <b>Net Income</b>                             | <b>50,888.40</b> |