



East Dakota Water Development District

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## MINUTES

January 17, 2008

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on January 17, 2008 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**

Dave German, SDUS Water Resources Institute  
Robert Kolbe, Minnehaha County Commission

### **Staff Present**

Jeanne Fromm  
Jay Gilbertson, Manager  
Angela Guidry  
Deb Springman  
Lisa Bretsch

## **Administrative Items**

**Approval of Agenda** - Under Administrative Items, the Manager asked to have discussion of the Fourth Quarter 2007 Financial Report and the Revised 2008 Budget deferred to the February Board meeting. **Motion** by Wiedler, seconded by Eggers to approve the agenda as amended. Motion carried unanimously.

**Minutes** - The Board reviewed the Minutes of the December 20, 2007 meeting. The Manager noted that the information listed under Upcoming Meetings was incorrect, and provided the Board with a corrected version. **Motion** by Brown, seconded by Flemming to approve the Minutes as amended. Motion carried unanimously. The Manager also noted that part of the report of the Personnel Committee in the July 2007 Minutes had been omitted. **Motion** by Jarrett, seconded by Todd to amend the July 2007 Minutes. Motion carried unanimously.

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

**Election of Officers for 2008** - Chairman Dempsey turned the meeting over to the Manager. The Manager called for nominations for Chairman for 2008. **Motion** by Todd, seconded by Weidler to nominate Director Eggers for Board Chairman. Motion carried unanimously.

Chairman Eggers called for nomination for Vice-Chairman for 2008. **Motion** by Kassube, seconded by Brown to nominate Director Todd for Vice-Chairman. Motion carried unanimously.

Chairman Eggers called for nomination for Secretary for 2008. **Motion** by Brown, seconded by Kassube 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 2007.

Report of Meetings and Conferences - Director Flemming attended the January 16<sup>th</sup> meeting of the Lake Pelican Water Project District in Watertown.

Directors Feten, Weidler and Jarrett attended the South Dakota Association of Rural Water Systems (SDARWS) Annual Meeting in Pierre on January 8-10.

Directors Jarrett, Todd and Weidler attended the January 3<sup>rd</sup> meeting of the Interlakes Water Quality Committee in Madison.

Director Weidler attend the January 2<sup>nd</sup> meeting of the Miner County Commission.

The Manager briefly commented on the following meetings he attended:

1. January 2 - Howard. Miner County Commission.
2. January 3 - Hayti. Hamlin County Commission.
3. January 8 - DeSmet. Kingsbury County Commission.
4. January 8-10 - Pierre. SDARWS Annual Workshop and Legislative Reception.
5. January 9 - Pierre. James River Water Development District Board meeting.
6. January 9 - Pierre. Central Plains Water Development District Board meeting.
7. January 10 - Pierre. SD Conservation Commission.

In addition, he noted that he was acting in his capacity as District lobbyist to the 2008 SD Legislature on January 8-1 and 13-15.

Upcoming Meetings -

1. **January 17 - 7:00 p.m.** - City Hall, Watertown. Upper Big Sioux River Watershed Advisory Board.
2. **January 17 - 7:00 p.m.** - Chippewa County Courthouse, Montevideo, MN. Minnesota Geological Survey - Presentation on the geology of the Upper Minnesota River.
3. **January 30 & 31** - Governors Inn, Pierre. South Dakota Association of Rural Water Systems Managers Organization Meeting.
4. **February 6 - 1:00 p.m.** - Cross Roads Convention Center, Huron. NRCS Third-Party Vendor Training Session - Presentation on zoning issues.
5. **February 7 - 7:00 p.m.** - City Library, Madison. Interlakes Water Quality Committee.
6. **February 14 - 10:30 a.m.** - Lake Benton, MN. Lincoln-Pipestone Rural Water Planning & Contingency Meeting.
7. **February 14 - 1:00 p.m.** - EDWDD Office, Brookings. SD Lakes and Streams Association.

8. **February 21 - 9:00 a.m.** - EDWDD Office, Brookings. February EDWDD Board of Directors.

Payment Request - The Manager presented the Board with a request from the City of Hartford. In April 2006, the Board agreed to provide cost-share assistance to the City of Hartford for the completion of an engineering facility plan of its waste water treatment and collection system. The total project cost was projected at \$25,000. Specifically, the Board agreed to provide support in the amount of 20% of project costs, not to exceed a total of \$5,000. The work has been completed, and the City has asked for reimbursement of allowable costs. The total project cost was \$20,800. Therefore, the Districts obligation would be \$4,160. The project is complete and this would constitute our entire obligation to the activity. **Motion** by Brown, seconded by Jarrett to authorize payment of \$4,160 to the City of Hartford as requested. Motion carried unanimously.

Appointment of District Legal Counsel - **Motion** by Brown, seconded by Kassube to defer action on appointment of District legal counsel for 2008 until the February meeting. Motion carried unanimously.

Designation of Official Newspapers - **Motion** by Weidler, seconded by Feten to designate the following newspapers as the official newspapers for District notices in 2008: 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.

2008 Board of Directors Meeting Schedule - The Manager presented the following draft meeting schedule for 2008:

<b>Date</b>	<b>Location</b>	<b>Start</b>	<b>Meeting Site</b>
January 17	Brookings	9:00 a.m.	EDWDD Office
February 21	Brookings	9:00 a.m.	EDWDD Office
March 20	Brookings	9:00 a.m.	EDWDD Office
April 17	Castlewood	9:30 a.m.	(to be determined)
May 15	Mitchell	10:00 a.m.	(to be determined)
June 19	Brookings	9:00 a.m.	EDWDD Office
July 17	Brookings	9:00 a.m.	EDWDD Office
August 21	Brookings	9:00 a.m.	EDWDD Office
September 18	Brookings	9:00 a.m.	EDWDD Office
October 16	Brookings	9:00 a.m.	EDWDD Office
November 20	Sioux Falls	9:30 a.m.	(to be determined)
December 18	Brookings	1:00 p.m.	EDWDD Office

**Motion** by Flemming, seconded by Todd to adopt the proposed meeting schedule for 2008. Motion carried unanimously.

District Organizational Memberships - **Motion** by Brown, seconded by Todd to authorize payment of \$385 to the South Dakota Association of Rural Water Systems and \$165 to the American Water Resources Association for District membership in 2008. Motion carried unanimously.

Conservation Commission Vacancy - Due to the resignation of Director Dempsey from the Conservation Commission, the water development districts need to provide the Governor with a list of three names from

which to select a replacement. To date only one name was pending. As such, the District can submit a name or names to round out the list. Directors Flemming and Todd and the Manager each expressed an interest. A ballot vote was taken. The Board choose to forward Director Robert Todd and the Manager (Jay Gilbertson) for consideration.

### **Dakota Water Watch**

Jeanne Fromm reviewed the program and goals for 2008. Dakota Water Watch (DWW) is a consortium of groups and individuals volunteering to monitor water resources in South Dakota. The objective is to collect credible, useful data that meets the information needs of the volunteers and other data users. The program will train volunteers; maintain uniform, reliable monitoring techniques and data collection activities; and provide data management services for all participants. A key accomplishment in 2008 will be development of an online database for volunteers. Some grant funds are available to help purchase equipment, supplies, and lab analyses for some monitoring options.

In 2008, DWW offers four options: lake index site monitoring, screening/baseline monitoring, bacteria monitoring, and other monitoring. All monitoring activities will occur between April and October. The number of existing, and planned additional monitors for 2008, are shown in parentheses. Lake index site monitoring (7/3) collects environmental data twice a month and collects two water samples that are shipped to the State Health Lab in Pierre. Screening/baseline monitoring (15/12) collects environmental data on a weekly to biweekly basis and no water samples are collected. Bacteria monitoring (0/2) collects environmental data and water samples once a month and after two storms. Water samples are cultured for E. coli bacteria content at mini-labs located near the volunteer sample sites. Other monitoring activities would be developed as needed to meet other water resource concerns and data needs not covered by the options described above.

The Manager requested that the Board set aside \$8,500 in District cost-share assistance to cover the Districts share of Dakota Water Watch activities in 2008. **Motion** by Brown, seconded by Todd to allocate \$8,500 in District project cost-share assistance to be applied toward the Dakota Water Watch program in 2008 and to authorize expenditure as needed. Motion carried unanimously.

### **SDSU Phosphorus Research**

Dave German, South Dakota State University Water Resources Institute, gave a brief update to his December 2007 report on research into understanding the mechanisms by which nutrient phosphorus moves in various agricultural settings. Specifically, he provided the Board with cost estimates for the continuation of monitoring of field runoff under various land management practices.

### **Legislative Update**

The Manager noted that there were a number of bill under consideration by the 83<sup>rd</sup> South Dakota Legislature that pertain to water development districts directly, or water resource issues in general. He briefly reviewed each of the bills listed below and indicated his intended actions on each:

- HB 1027      An Act to revise certain deadlines concerning nominating petitions for water development district directors and to declare an emergency. Actively supporting.
- HB 1069      An Act to make an appropriation to the coordinated natural resources conservation fund and to declare an emergency. Monitoring.

- HB 1070 An Act to make an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission. Monitoring.
- HB 1174 An Act to revise certain provisions related to the composition of water development district boards of directors. Actively supporting.
- HB 1177 An Act to create the beverage container recycling and redemption program. Monitoring.
- HB 1185 An Act to establish dedicated funding sources and to deposit the revenue in the coordinated natural resources conservation fund. Monitoring.

**Motion** by Jarrett, seconded by Brown to oppose Section 4 of HB 1185, which would impose a metered water fee of five cents per thousand gallons of water provide by a public water supply. Motion carried unanimously. The Manager indicated that he would testify to this effect when the bill was heard in Committee.

- HB 1245 An Act to clarify certain purposes and characteristics of water development districts, to revise the boundaries of the Central Plains, East Dakota, Vermillion Basin, James River, and South Central water development districts, and to revise provisions related to the board of directors in the affected districts. Actively supporting.
- 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. (Omnibus Bill) Actively supporting.
- HB 1287 An Act to permit taxing districts to revise the base amount of revenue payable from property taxes. Monitoring.
- HB 1248 An Act to establish the South Dakota soil conservation award program and to make an appropriation therefor. Actively supporting.
- 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. Monitoring.
- SB 6 An Act to revise certain provisions to allow the transfer of ownership of an application to appropriate water. Monitoring.

- SB 115 An Act to increase the amount of funding for conservation and value-added agriculture purposes from certain unclaimed motor fuel tax refunds. Actively supporting.
- 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. Monitoring.
- SB 162 An Act to revise certain provisions related to the confidentiality of certain geological reports. Monitoring.
- 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. Monitoring.
- SB 196 An Act to provide for environmental protection standards for petroleum refinery facilities. Monitoring.

### **Watershed Project Updates**

Lake Campbell/Battle Creek Watershed Re-Assessment Project - Deb Springman reviewed her efforts on this

project. Lake sampling is continuing through the winter months. The lake was sampled in early January and will be sampled again in early February. The SD DENR conducted a sediment survey of the lake earlier in January, and the results should be available next month. The feedlot survey is continuing. Operators are being contacted by phone, with a cooperation rate of about 70 percent. For those who do not respond or cannot be contacted, roadside estimates are being conducted.

Central Big Sioux River Implementation Project - Angela Guidry reviewed project activities. She updated the board on the 2007 4<sup>th</sup> quarter expenditures for the Central Big Sioux Implementation Project. She also reported on the status of easement applications and feedlot improvement projects.

The Manager requested that the Board set aside \$75,000 in District cost-share assistance to cover the Districts share of project activities in 2008. **Motion** by Todd, seconded by Weidler to allocate \$75,000 in District project cost-share assistance to be applied toward the Central Big Sioux River Implementation Project in 2008 and to authorize expenditure as needed. Motion carried unanimously.

### **Adjournment**

There being no further District business, Chairman Eggers declared the meeting adjourned at 12:30 p.m.

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Doug Feten, Secretary

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

	Dec 07
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4050 · Grants	
4070 · Other	4,745.00
<b>Total 4050 · Grants</b>	4,745.00
4100 · Tax Rev	
4140 · Current Tax Revenue	84,798.39
4150 · Prior Tax Revenue	298.72
4160 · Miscell. Tax Revenue	296.90
<b>Total 4100 · Tax Rev</b>	85,394.01
7010 · Interest Income	1,157.05
<b>Total Income</b>	91,296.06
<b>Gross Profit</b>	91,296.06
<b>Expense</b>	
5000 · Dakota Water Watch 07	
5050 · Bacteria Monitoring Project	
5051 · Water Quality Analysis DWWB	21.00
5052 · Travel DWWB	26.88
5056 · Postage and Shipping DWWB	6.60
<b>Total 5050 · Bacteria Monitoring Project</b>	54.48
<b>Total 5000 · Dakota Water Watch 07</b>	54.48
5400 · CBSRWIP EDWDD Expenditures	
5415 · Water Quality Analysis	-300.00
5425 · Professional Fees	
5426 · Contractual Services	2,099.59
<b>Total 5425 · Professional Fees</b>	2,099.59
<b>Total 5400 · CBSRWIP EDWDD Expenditures</b>	1,799.59
5500 · CBSRWIP State Expenditures	
5520 · Travel	
5521 · Gas for project	160.00
5520 · Travel - Other	18.00
<b>Total 5520 · Travel</b>	178.00
5530 · Professional Fees	
5531 · Contractual Services	6,298.80
<b>Total 5530 · Professional Fees</b>	6,298.80
5570 · Conservation Management Plans	
5571 · Conservation Easement	4,708.47
5573 · Ag Waste Mng Sys Construction	123,024.91
<b>Total 5570 · Conservation Management Plans</b>	127,733.38
<b>Total 5500 · CBSRWIP State Expenditures</b>	134,210.18
5700 · Lake Campbell Assessment	
5710 · Water Quality Analysis LCAP	960.95
5720 · Travel LCAP	10.18
<b>Total 5700 · Lake Campbell Assessment</b>	971.13
6050 · Vehicle Expense	
6054 · Maintenance/Cleaning	91.05
6056 · Vehicle Mechanical/Parts	137.96
<b>Total 6050 · Vehicle Expense</b>	229.01
6070 · BOD Travel & Ent	
6072 · BOD Travel	443.04
<b>Total 6070 · BOD Travel &amp; Ent</b>	443.04
6080 · Capital Outlay Items	

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

	Dec 07
6086 · Software	848.00
<b>Total 6080 · Capital Outlay Items</b>	<b>848.00</b>
6220 · Dues and Subscriptions	165.00
6530 · Miscellaneous	107.93
6540 · Maintenance	
6541 · Office Maintenance	275.00
<b>Total 6540 · Maintenance</b>	<b>275.00</b>
6550 · Supplies	
6551 · Office Supplies	268.05
6552 · Garage Supplies	49.39
<b>Total 6550 · Supplies</b>	<b>317.44</b>
6560 · Payroll Expenses	
6163 · Payroll Taxes	1,918.40
6561 · Retirement	149.30
6562 · Health Insurance	2,444.46
6564 · Retirement Admin Co. 2	273.84
6560 · Payroll Expenses - Other	11,673.75
<b>Total 6560 · Payroll Expenses</b>	<b>16,459.75</b>
6565 · Payroll Expenses for Board	755.00
6566 · Payroll Expenses Technical	
6570 · Retirement Technical Asst. - Co	654.67
6571 · Technical Asst. Employ. 2 Co.	273.84
6566 · Payroll Expenses Technical - Other	13,673.12
<b>Total 6566 · Payroll Expenses Technical</b>	<b>14,601.63</b>
6640 · Professional Fees	
6650 · Accounting	1,300.00
6660 · Legal Fees	127.20
6670 · Computer	87.45
<b>Total 6640 · Professional Fees</b>	<b>1,514.65</b>
6880 · Telephone	
6881 · Cell Phone	135.46
6882 · Office Phone	289.50
<b>Total 6880 · Telephone</b>	<b>424.96</b>
6900 · Travel & Ent	420.81
6940 · Utilities	
6970 · Trash Removal	51.30
<b>Total 6940 · Utilities</b>	<b>51.30</b>
6980 · Water Quality Expenses	
6982 · WQ Supplies	7,090.93
<b>Total 6980 · Water Quality Expenses</b>	<b>7,090.93</b>
<b>Total Expense</b>	<b>180,739.83</b>
<b>Net Ordinary Income</b>	<b>-89,443.77</b>
<b>Other Income/Expense</b>	
<b>Other Expense</b>	
8050 · Project Expenditures	
8051 · City of Madison 06	429.00
<b>Total 8050 · Project Expenditures</b>	<b>429.00</b>
8700 · Uncommitted Project Funds	
8708 · Big Sioux CW Eng. Study 07	6,720.00
<b>Total 8700 · Uncommitted Project Funds</b>	<b>6,720.00</b>
<b>Total Other Expense</b>	<b>7,149.00</b>
<b>Net Other Income</b>	<b>-7,149.00</b>



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

	<u>Dec 07</u>
Net Income	<u><u>-96,592.77</u></u>

