



East Dakota Water Development District
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MINUTES
January 22, 2009

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on January 22, 2009 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
John Johnson
Kay Kassube
John Weidler

Others Present

Mary Lou Lacey, Sioux Empire Water Festival

Staff Present

Jay Gilbertson
Jeremy Hinke
Deb Springman
Roger Strom
Kristi Thielen

Directors Absent

Martin Jarrett
Robert Todd

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Administrative Items

Approval of Agenda - The Manager asked to have project assistance requests from the Sioux Empire and Big Sioux Water Festivals added to the agenda. **Motion** by Wiedler, seconded by Feten to approve the agenda as amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the December 18, 2008 meeting. **Motion** by Brown, seconded by Flemming to approve the Minutes as presented. Motion carried unanimously.

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

Revised FY 2009 District Budget - The Manager presented and reviewed a revised version of the District's FY 2009 budget that reflect year-end financial statements.

Report of Meetings and Conferences - Director Flemming attended the January 15th meeting of the Upper Big Sioux River Watershed Advisory Board in Watertown.

Directors Feten, Weidler and Jarrett attended the South Dakota Association of Rural Water Systems (SDARWS) Annual Meeting in Pierre on January 13-15.

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The Manager briefly commented on the following meetings he attended:

1. January 7 - Brookings. Children’s Museum of South Dakota planning session.
2. January 8 - Brookings DDN Site. SD Board of Water and Natural Resources.
3. January 13-15 - Pierre. SDARWS Annual Workshop and Legislative Reception.
4. January 14 - Pierre. James River Water Development District Board.
5. January 14 - Pierre. Central Plains Water Development District Board.
6. January 20 - Armour. South-Central Water Development District Board.
7. January 21 - Centerville. Vermillion Basin Water Development District Board.

In addition, he noted that he was acting in his capacity as District lobbyist to the 2009 South Dakota Legislature in Pierre on January 13-16.

Upcoming Meetings -

1. **February 4 & 5** - Governors Inn, Pierre. South Dakota Association of Rural Water Systems Managers Organization Meeting.
2. **February 5 - 7:00 p.m.** - City Library, Madison. Interlakes Water Quality Committee.
3. **February 11 & 12** - Rapid City. Water Operators Seminar.
4. **February 18 - 10:30 a.m.** - Lake Benton, MN. Lincoln-Pipestone Rural Water Planning & Contingency Meeting.
5. **February 21 - 9:00 a.m.** - EDWDD Office, Brookings. February EDWDD Board of Directors.

2009 Board of Directors Meeting Schedule - The Manager presented the following draft meeting schedule for 2009:

Date	Location	Start	Meeting Site
January 22	Brookings	9:00 a.m.	EDWDD Office
February 19	Brookings	9:00 a.m.	EDWDD Office
March 19	Brookings	9:00 a.m.	EDWDD Office
April 16	Madison	10:00 a.m.	(to be determined)
May 21	Brookings	9:00 a.m.	EDWDD Office
June 18	Brookings	9:00 a.m.	EDWDD Office
July 16	Brookings	9:00 a.m.	EDWDD Office
August 20	Brookings	9:00 a.m.	EDWDD Office
September 17	Watertown	10:00 a.m.	(to be determined)
October 15	Brookings	9:00 a.m.	EDWDD Office
November 19	Sioux Falls	10:00 a.m.	(to be determined)
December 17	Brookings	1:00 p.m.	EDWDD Office

Motion by Brown, seconded by Kassube to adopt the proposed meeting schedule for 2009. Motion carried unanimously.

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Appointment of District Legal Counsel - In the past, Alan Glover, of the Glover and Helsper Law Firm, has served as the District’s legal counsel. Mr. Glover has indicated a willingness to continue in this capacity for a retainer of \$400 for 2009. **Motion** by Johnson, seconded by Flemming to appoint Alan Glover as EDWDD legal counsel for 2009 and to authorize payment of a \$400 retainer. Motion carried unanimously.

Designation of Official Newspapers - **Motion** by Feten, seconded by Brown to designate the following newspapers as the official newspapers for District notices in 2009: 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, Sioux Falls Argus Leader and Webster Reporter & Farmer. Motion carried unanimously.

District Organizational Memberships - **Motion** by Kassube, seconded by Weidler 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 2009. Motion carried unanimously.

Review and Update of District Bylaws - The Manager distributed copies of the current District Bylaws. He noted that this document was last altered in May 1985. He noted that at a minimum, the description of the territory covered by the District needed to be updated, with the addition of eastern Day County earlier this month. The Manager offered an updated version of the document, which he suggested be discussed in detail at the February meeting. It was the consensus of the Board to add this topic to the February meeting agenda.

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Legislative Update

The Manager noted that there were only a modest number of bill under consideration by the 84th South Dakota Legislature that pertain to water development districts directly, or water resource issues in general. The ongoing State budget crisis has effectively deferred the filing of many bills while the fiscal situation is resolved. He briefly reviewed each of the bills listed below and indicated his intended actions on each:

- HB 1048 An Act to increase the transfer from the water and environment fund, the solid waste management fee, mining license and permit fees, water right filing and permit application fees, and well driller and pump installer license fees, all of which are deposited in the environment and natural resources fee fund. Actively supporting.
- HB 1093 An Act to revise the boundaries of the James River Water Development District. Monitoring.
- SB 22 An Act to authorize counties to borrow funds for the construction and operation of solid waste management facilities through the issuance of revenue bonds and to set rates in an amount sufficient to retire the bonds. Monitoring.
- SB 40 An Act to revise the financial assurance requirements for responding to accidental releases of chemical or biological ore leaching agents from certain permitted mines. Monitoring.
- SB 52 An Act to make an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission. Monitoring.

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Project Assistance Requests

Sioux Empire Water Festival - Mary Lou Lacey, 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 2009 event. The Festival is scheduled for Tuesday and Wednesday, March 24 & 25, and will be held on the campus of the University of Sioux Falls. To-date, over 2,200 third and fourth grade students have registered for the event. Ms. Lacey briefed the Board on planned activities and reviewed past efforts. Additional information is available at: www.siouxempirewaterfestival.org. **Motion** by Brown, seconded by Weidler to provide \$5,000 in District project assistance funds to the Sioux Empire Water Festival in support of the 2009 event and to authorize expenditure of the funds. Motion carried unanimously.

Big Sioux Water Festival - Deb Springman, Chairperson for the Big Sioux Water Festival Steering Committee, presented the Board with a request for \$5,000 to support the 2009 festival. The event is scheduled for Tuesday, May 14th, and will once again be held on the campus of South Dakota State University in Brookings. Ms. Springman briefed the Board on planned activities and reviewed past efforts. There are 54 classes and 30 schools registered for the 2009 Big Sioux Water Festival – this is the same number of schools as last year. The Watershed Tour Kits have been delivered to the 13 classes who have indicated they want to participate in the Quiz Bowl at the event. The kits are a primer to the questions they'll receive during Quiz Bowl at the Big Sioux Water Festival. Additional information is available at: www.bigsixwaterfestival.org. **Motion** by Flemming, seconded by Kassube to provide \$5,000 in District project assistance funds to the Big Sioux Water Festival in support of the 2009 event and to authorize expenditure of the funds. Motion carried unanimously.

Watershed Project Updates

Watershed Assessment/Volunteer Monitoring - Deb Springman reported on activities in these areas. The final reimbursement for the Lake Campbell Post-Assessment Project is complete and will be filed shortly. DENR is reviewing the draft final report.

Jeremy Hinke is finishing up the Dakota Water Watch (DWW) Annual Booklet we plan to distribute to all the citizen monitors. They hope to send it to the printers by the end of the month. The Lake Index Monitors have been collecting “lab pH” and a few have also been collecting “field pH”. The state water quality standards call for using “field pH”. Essentially, lab pH is not used for the purpose of assessing surface water and should not be used for calibrating field equipment. We are looking into how much it would cost to set up the Lake Index Monitors who do not currently collect field pH with some sort of pocket pH testers. SD Game Fish & Parks has also contacted staff and they would like to work with the DWW Program to train interested monitors on the Aquatic Nuisance Species Program. Jamie Ladonski of the South Dakota University Center in Sioux Falls has volunteered to develop a field manual for the DWW program on how to collect and identify macroinvertebrates.

Central Big Sioux River Implementation Project - Roger Strom, Project Coordinator, reviewed project activities. He reported that there were three new easement applications under review, one in Codington County and two in Hamlin County. He met earlier in the month with a landowner in western Minnehaha County and an engineer with USDA NRCS to discuss possible options for an animal waste management system. A riparian area management (RAM) agreement has been executed in southeastern Moody County and another is nearing completion in Brookings County.

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Manager's Report - The Manager briefed the Board on the following issues and activities:

The Lake Poinsett Water Project District (LPWPD) has submitted an application to alter Flood Control Permit FC-5, which regulates the operation of the gates on the channel connecting Lake Poinsett and the Big Sioux River. LPWPD has also requested an appropriation of water from the river to be used to maintain water levels in the lake. The Manager noted that FC-5 calls for the gates to be closed whenever the river level is higher than the lake level, preventing river water from entering Lake Poinsett. The application materials are currently under review for completeness by the state. The requests will be scheduled for a hearing in front of the Water Management Board once they are deemed complete. The Manager indicated that the LPWPD proposal to allow river water to enter the lake would result in significant loadings of sediments and nutrients (particularly phosphorus), which is expected to have a seriously adverse impact on lake water quality. He noted the District has long supported efforts to address the sources of water quality impairments to Lake Poinsett. He indicated that he would likely oppose the LPWPD requests unless the adverse impacts were addressed.

The Manager is preparing several informational brochures. The first is a revised version of a brochure developed many years ago that describes all water development districts in the state. The second brochure will be centered specifically on East Dakota, highlighting past and current projects and activities. He noted that he hoped to have the first of these completed by mid-February.

With the current fiscal problems being experienced by the state government, the Manager noted that reductions of service, and possibly program-level cuts, were quite possible. A hiring freeze, for example, would likely preclude the employment of most, if not all, summer seasonal employees. These positions are typically used for support and basic data collection activities. He noted that the Water Rights and Geological Survey Programs within DENR both make significant use of these types of employees. He suggested that if these seasonal positions are suspended for the coming field season, that perhaps the District might consider providing some level of support to those programs it believed were most critical to our priorities. The intent would be to fill a short-term need while the state works out its long-term budget issues. He hoped to have further details at the February meeting.

Adjournment

There being no further District business, Chairman Eggers declared the meeting adjourned at 12:07 p.m.

Doug Feten, Secretary

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