



East Dakota Water Development District
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MINUTES

January 28, 2010

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on January 28, 2010 at the EDWDD office in Brookings. Chairman Eggers called the meeting to order at 9:12 a.m. The following persons attended:

Directors Present

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

Directors Absent

Lois Brown
Robert Todd

Others Present

Carol Gregerson, City of Waubay
Roger Hageman, Lake County Commission
Gabe Laber, Stockwell Engineering/Corson Village SD
Jerry Soholt, Sioux Falls
Ted Wasilk, Waubay Township

Staff Present

Jay Gilbertson
Jeremy Hinke
Deb Springman
Roger Strom
Kristi Thielen

Administrative Items

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

Minutes - The Board reviewed the Minutes of the December 17, 2009 meeting. **Motion** by Kassube, seconded by Johnson to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the December 2009 Financial Report. **Motion** by Weidler, seconded by Feten to accept the Financial Report. Motion carried unanimously. Chairman Eggers then asked that the report be placed in the District files.

Revised FY 2010 District Budget - The Manager presented and reviewed a revised version of the District's FY 2010 budget that reflect year-end financial statements.

Election of Officers for 2010 - Chairman Eggers turned the meeting over to the Manager. The Manager called for nominations for Chairman for 2010. **Motion** by Kassube to nominate Director Eggers for Board Chairman. **Motion** by Johnson, seconded by Feten that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously. The Manager returned the gavel to Chairman Eggers.

Chairman Eggers called for nomination for Vice-Chairman for 2010. **Motion** by Flemming to nominate Director Jarrett for Vice-Chairman. **Motion** by Kassube, seconded by Feten that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously.

Chairman Eggers called for nomination for Secretary for 2010. **Motion** by Kassube to nominate Director Feten for Secretary. **Motion** by Johnson, 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 2007. Chairman Eggers 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.

Report of Meetings and Conferences - Director Flemming attended meetings of the Codington County Commission on January 12th and the January 21st meeting of the Upper Big Sioux River Watershed Advisory Board in Watertown. He also attended a meeting on flooding issues in Webster on January 12th.

Directors Jarrett and Weidler attended the South Dakota Association of Rural Water Systems (SDARWS) Annual Technical Conference and Meeting in Pierre on January 12-14.

Chairman Eggers attended an easement signing for the Central Big Sioux River Watershed Project (CBSRWP) in Brookings on December 29.

The Manager briefly commented on the following meetings he attended:

1. December 19 - Lake Poinsett. Lake Poinsett Water Project District Board meeting.
2. December 29 - Brookings. CBSRWP easement signing
3. December 30 - Brookings. South Dakota Lakes and Streams Association Board meeting.
4. January 5 - Madison, MN. Lac qui Parle-Yellow Bank Watershed District Board meeting.
5. January 7 & 8 - Brookings DDN Site/teleconference. SD Board of Water and Natural Resources.
6. January 12 - Watertown. Codington County Commission (drainage discussions)
7. January 12 - Webster. Day County ad hoc flooding committee.
8. January 12-14 - Pierre. SDARWS Annual Workshop and Legislative Reception.
9. January 13 - Pierre. James River Water Development District Board.
10. January 25 - Montevideo, MN. Minnesota River Board meeting.
11. January 27 - Webster. Nitrate testing training for Day County Conservation District staff.

In addition, he noted that he was acting in his capacity as District lobbyist to the 2010 South Dakota Legislature in Pierre on January 13-14.

Upcoming Meetings -

1. **January 28 - 7:00 p.m.** - Madison. Lake County Clean Water Quality Committee.
2. **February 2 - 4:30 p.m.** - Madison, MN. Lac qui Parle-Yellow Bank Watershed District.
3. **February 4 - 9:00 a.m.** - Marshall, MN. Minnesota River Basins Project AREA II.
4. **February 4 & 5** - Pierre. South Dakota Association of Rural Water Systems Managers Group meeting.
5. **February 9 - 7:00 p.m.** - Ortonville, MN. Upper Minnesota River Watershed District.

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6. **February 17 - 10:00 a.m.** - Lake Benton, MN. Lincoln-Pipestone Rural Water Planning & Contingency Meeting.
7. **February 18 - 9:00 a.m.** - EDWDD Office, Brookings. February EDWDD Board Meeting.

Payment Request - Kingbrook Rural Water System - At the June 2009 meeting, the Board agreed to provide District cost-share assistance of twenty-five percent (25%), up to a maximum of \$7,000, for the development of a engineering facility plan for the Kingbrook Rural Water System water treatment and distribution facilities. The facility plan has been completed, and Kingbrook has submitted a request for the District’s portion of the costs. The Manager noted that the final cost for the facility plan was \$28,000, so the District share would be \$7,000. **Motion** by Feten, seconded by Kassube to authorize payment of \$7,000 to the Kingbrook Rural Water System as requested. The Manager noted that this would complete the District’s obligation to this activity. Motion carried unanimously, with Director Weidler abstaining.

2010 Board of Directors Meeting Schedule - The Manager presented the following draft meeting schedule for 2010:

Date	Location	Start	Meeting Site
January 28	Brookings	9:00 a.m.	EDWDD Office
February 18	Brookings	9:00 a.m.	EDWDD Office
March 18	Brookings	9:00 a.m.	EDWDD Office
April 15	Howard	9:30 a.m.	(to be determined)
May 20	Brookings	9:00 a.m.	EDWDD Office
June 17	Brookings	9:00 a.m.	EDWDD Office
July 15	Brookings	9:00 a.m.	EDWDD Office
August 19	Brookings	9:00 a.m.	EDWDD Office
September 16	Webster	10:00 a.m.	(to be determined)
October 21	Brookings	9:00 a.m.	EDWDD Office
November 18	Sioux Falls	10:00 a.m.	Water Reclamation Plant
December 16	Brookings	1:00 p.m.	EDWDD Office

Motion by Weidler, seconded by Johnson to adopt the proposed meeting schedule for 2010. Motion carried unanimously.

Appointment of District Legal Counsel - In 2009, Alan Glover, of the Glover and Helsper Law Firm, served as the District’s legal counsel. Mr. Glover has indicated a willingness to continue in this capacity for a retainer of \$400 for 2010. **Motion** by Jarrett, seconded by Feten to appoint Alan Glover as EDWDD legal counsel for 2010 and to authorize payment of a \$400 retainer. Motion carried unanimously.

Designation of Official Newspapers - **Motion** by Flemming, seconded by Feten to designate the following newspapers as the official newspapers for District notices in 2010: 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 Flemming, seconded by Weidler to authorize payment of \$385 to the South Dakota Association of Rural Water Systems and \$50 to the South Dakota Lakes and Streams Association for District memberships in 2010. Motion carried unanimously.

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Designation of Official District Bank - **Motion** by Jarrett, seconded by Feten to designate the First Bank & Trust of Brookings, South Dakota, as the official depository and banking institution. Motion carried unanimously.

Legislative Update

The Manager noted that there were only a modest number of bill under consideration by the 85th South Dakota Legislature that pertain to water development districts directly, or water resource issues in general. Budgetary issues are taking up the majority of the legislator’s attention. He briefly reviewed each of the bills listed below and indicated his intended actions on each:

HB 1013 An Act to authorize the Department of Environment and Natural Resources to accept certain documents submitted with electronic signatures. Supporting.

HB 1056 An Act to make an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission and declare an emergency. Monitoring.

SB 64 An Act to make appropriations from the water and environment fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund for various water and environmental purposes, to authorize the construction and establish the state cost share for the Southern Black Hills Water System, and to declare an emergency. Actively supporting.

SB 104 An Act to revise certain provisions regarding disclosure of public information and public meetings. Monitoring.

SB 117 An Act to designate the kolache as the official state pastry. Monitoring (but would enthusiastically support if samples were provided).

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Project Assistance Requests

Corson Village Sanitary District - Gabe Laber, Stockwell Engineers, presented the Board with a request on behalf of the Crson Village Sanitary District (CVSD) for cost-share assistance for the completion of an assessment of the condition of the City’s waste-water collection lines. Specifically, CVSD would like to clean and televise their sewer lines to identify the highest priority areas as they undertake a major system rehabilitation project. The cost to clean and televise the lines is estimated at \$3,100, and they are requesting cost share for fifty percent (50%), or \$1,550. Mr. Laber noted that their intent is to find the real problem areas, rather than just start replacing line haphazardly.

Motion by Kassube, seconded by Weidler to provide District cost-share assistance of fifty percent (50%) of the costs of the proposed study, up to a maximum amount of \$1,550. Motion carried unanimously.

Upper Minnesota River Water Quality Assessment

The Manager reviewed the proposed Upper Minnesota River Water Quality Assessment, an examination of water quality and quantity in the Whetstone River and Yellow Bank River watersheds in the northeast part of the District. The project, in development for over a year, will involve the collection of water samples

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at 14 separate sites over a two year period. Samples will be analyzed for bacteria, ammonia, total suspended solids, nitrogen, phosphorus and total volatile solids. Sampling will begin in mid-April, and run through mid-October of 2010 and 2011. In addition to District support, funding is to be provided by \$53,240 in grant assistance from DENR (both federal 604(b) and State Fee Fund dollars) and the Upper Minnesota River and Lac qui Parle-Yellow Bank Watershed District in Minnesota. The two rivers have their headwaters and most of the watersheds in South Dakota. However, they enter Minnesota before joining the Minnesota River. Consequently, both States have an interest in gaining a better understanding of the condition of the waters involved.

The Manager noted that one of the factors that prolonged the start of this study was identifying a local entity that would agree to host/hire the staff to do the actual sampling. The Upper Minnesota River Watershed District has agreed to take on this responsibility, as the rivers in question both end up in their territory. The frequency of sampling on this project will be higher than any project in the state to date, and sample collection by Brookings-based District staff was not going to be feasible.

The Manager requested that the Board authorize the Chairman to execute a grant agreement with SD DENR for the \$53,260 for the project. **Motion** by Flemming, seconded by Weidler to authorize Chairman Eggers to sign the grant agreements with SD DENR for the Upper Minnesota River Water Quality Assessment. Motion carried unanimously.

The Manager indicated that he would have final cost-share agreements worked out with the two watershed districts in time for the February meeting.

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2010 Conservation District Support Grants

The District Board of Directors included in the 2010 operating budget a block of funds which they intend to direct toward support of area conservation districts (CD). A total of \$100,000 was set aside, to be allocated at the rate of \$10,000 per whole county). The assistance is to be applied toward covering administrative expenses of the conservation districts. Every conservation district has an Office Manager they need to pay, supplies and materials they need for day-to-day operations, and so forth. By helping to offset these basic costs, the conservation districts would be able to direct their other fiscal resources toward projects and activities.

The Manager reported that he had developed a memorandum of understanding (MOU) to be executed between the District and each conservation district. The MOU spelled out how the funds were to be applied, and the process by which the individual conservation districts would receive payment. He had distributed the DRAFT MOU to each of the CD Office Managers, and all had responded favorably. The Manager requested Board action to formally commit \$100,000 in District project assistance funds toward the 2010 Conservation District Support Grants program, and to authorize the Chairman to execute the MOUs with each conservation district.

Motion by Johnson, seconded by Feten to commit \$100,000 in District project assistance funds toward the 2010 Conservation District Support Grants program and to authorize Chairman Eggers to sign the individual MOUs with the Day, Grant, Codington, Deuel, Hamlin, Brookings, Kingsbury, Miner, Lake, Moody, and Minnehaha County Conservation Districts. Motion carried unanimously, with Chairman Eggers abstaining.

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Project Updates

Dakota Water Watch/Water Festivals - Jeremy Hinke reported he is finishing up the Dakota Water Watch (DWW) 2009 Annual Report, which should be sent to the printers the first week of February. A copy will be sent to all volunteers who participated in the program. The grant reimbursement request for 2009 project expenses has been finalized and submitted to the State NPS Information and Education Program. He and Deb Springman will be traveling to Vermillion next week to meet with staff from the Missouri River Institute to discuss the on-line data base they are developing for DWW.

Deb Springman reported that Watershed Tour Kits were delivered to the 18 classes participating in the Quiz Bowl at the upcoming Big Sioux Water Festival. There will be \$750 of Information and Education grant money available to the 2010 Big Sioux Water Festival, and they plan to use the money to create two more exhibits for the exhibit hall and for buying teacher resources. The new exhibits would include an “aquatic food web” hands on activity and a “water of the earth” display. The Big Sioux Water Festival will also be receiving \$500 in funding from the Brookings Area Convention and Visitor’s Bureau. She noted that the reimbursement request for 2009 expenditures for three new traveling trunks has been completed and an extension for the project was granted until July 31st. The extension would allow for auxiliary backpacks to be created for the two new Lakes and Streams Trunks and would allow more purchases for the Water History Trunk which is a pilot trunk being completed in stages.

Central Big Sioux River Implementation Project - Roger Strom, Project Coordinator, reviewed project activities. He reported that a conservation easement for property along the Big Sioux River in Hamlin County had been executed on December 29th at the District office. He continues to work with staff from the City of Sioux Falls on conservation easements along City-owned property along Slip Up Creek. A land owner who had previously enrolled land in the easement program in Hamlin County is considering an additional easement along the Big Sioux River. He reported that a 20-acre parcel of land had been donated to Minnehaha County for the purpose creating a public park (Bucher Prairie). The Project has been approached about providing grant assistance to be applied toward the construction of a perimeter fence, and will be providing assistance.

He reported that work continues on the Big Sioux River bank stabilization efforts by the City of Sioux Falls. He noted that the expected costs for the first two phases of the effort were over \$2,000,000, which would fully expend the available funds by late spring. However, the combined low bids are for just over \$1,000,000, so they are looking to instigate additional phases.

Mr. Strom is in the process of closing out the final Project assistance directed at animal waste management systems (AWMS). Final paperwork and payments are being processed for the Hanisch and Ravenhorst projects. The balance of the Project funds set aside for AWMS will be allocated to a Minnehaha County operation (Randall). The Manager requested Board authorization for Chairman Eggers to execute Project-related contracts for the Hanisch and Randall activities.

Motion by Kassube, seconded by Weidler to authorize Chairman Eggers to sign the necessary papers as requested. Motion carried unanimously.

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Adjournment

There being no further District business, Chairman Eggers declared the meeting adjourned at 11:50 a.m.

Doug Feten, Secretary

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