



**East Dakota Water Development District**  
132B Airport Drive  
Brookings, SD 57006  
605-688-6741      605-688-6744 Fax

**MINUTES**  
**January 20, 2015**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on January 20, 2015, at the EDWDD office in Brookings. Chairman Jarrett called the meeting to order at 11:05 a.m. Directors Anderson, Brown, Moes and Weatherly signed the Oath of Office. The following persons attended:

**Directors Present**

Mark Anderson  
Lois Brown  
Mary Ellen Connelly  
Gary Duffy  
Martin Jarrett  
John Moes  
Jerry Soholt  
Janelle Weatherly

**Others Present**

Jesse Johnson, SD Corn

**Staff Present**

Kevin Christenson  
Jay Gilbertson  
Jeremy Hinke  
Deb Springman

**Directors Absent**

Kay Kassube

**Administrative Items**

**Approval of Agenda**

**Motion** by Moes, seconded by Duffy to approve the agenda as presented. Motion carried unanimously.

**Minutes** - The Board reviewed the Minutes of the December 18, 2014, meeting.

**Motion** by Anderson, seconded by Connelly to approve the Minutes as presented. Motion carried unanimously.

**Selection of Area 5 Director** - The Manager reviewed the process undertaken to appoint a person to fill the vacancy and represent Director Area 7. At the November 2014 meeting, the Board recognized that a vacancy would exist on January 1, 2015, due to a lack of petitions filed during the 2014 general election cycle. SDCL 46A-3B-9 allows for the remaining Board members to appoint a replacement (until the next general election) from qualified candidates proposed by nominating petitions signed by at least 25 eligible voters from the area. State law also allows Director Jerry Soholt, who was duly elected to the position in

DRAFT

the 2010 general election, to serve in this capacity until a replacement is appointed. Public notices of the vacancy were sent to the official newspaper for the area, Sioux Falls Argus Leader, in December, with a filing deadline in time for consideration at the January 2015 Board meeting. The Manager reported that a single set of valid petitions was submitted by Director Jerry Soholt of Sioux Falls.

**Motion** by Brown, seconded by Duffy to appoint Jerry Soholt to serve as the Director Area 7 representative through the end of December 2016. Motion carried unanimously. Director Soholt signed the Oath of Office.

Financial Reports - The Board reviewed the December 2014 Financial Reports.

**Motion** by Weatherly, seconded by Connelly to accept the December 2014 Financial Reports. Motion carried unanimously. Chairman Jarrett then asked that the report be placed in the District files.

Report of Meetings and Conferences - Director Weatherly attended the meeting of the First District Council of Local Governments in Flandreau on January 7<sup>th</sup>.

Directors Brown and Soholt attended the video conference meeting of the SD Board of Water and Natural Resources on January 8<sup>th</sup>.

Directors Anderson, Brown, Kassube and Weatherly attended the Water Development District Legislative Breakfast on January 14<sup>th</sup> at the State Capitol in Pierre.

Directors Brown, Kassube and Weatherly attended meetings the Board of Directors of the James River Water Development District in Pierre on January 14<sup>th</sup>.

Chairman Jarrett reported on the South Dakota Association of Rural Water Systems (SDARWS) Annual Technical Conference in Pierre on January 13<sup>th</sup> - 15<sup>th</sup>.

Directors Brown, Connelly and Soholt attended the announcement of the \$1,800,00 USDA Regional Cooperative Partnership program grant to the Central Big Sioux River watershed project in Sioux Falls on January 16<sup>th</sup>.

The Manager briefly commented on the following meetings he attended:

1. January 7 - Flandreau. First District Council of Local Governments.
2. January 8 - Brookings DDN Site/teleconference. SD Board of Water and Natural Resources.
3. January 13-15 - Pierre. SDARWS Annual Technical Conference.
5. January 14 - State Capitol Building, Pierre. Water Development District Legislative Breakfast.
6. January 14 - Pierre. James River Water Development District Board of Directors.

In addition, he acted in his capacity as District lobbyist to the 2015 South Dakota Legislature in Pierre on January 13-15.

Election of Officers for 2015 - Chairman Jarrett turned the meeting over to the Manager for the election of Board officers for 2015.

The Manager called for nominations for Chairman for 2015.

DRAFT

**Motion** by Moes to nominate Director Jarrett for Board Chairman. **Motion** by Brown, seconded by Connelly that nominations for Chairman cease and the Board cast a unanimous ballot. Motion carried unanimously.

Chairman Jarrett resumed control of the meeting.

Chairman Jarrett called for nominations for Vice-Chairman for 2015.

**Motion** by Brown to nominate Director Soholt for Vice-Chairman. **Motion** by Weatherly, seconded by Brown that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously.

Chairman Jarrett called for nominations for Secretary for 2015.

**Motion** by Duffy to nominate Director Moes for Secretary. **Motion** by Anderson, seconded by Weatherly that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously.

Upcoming Meetings -

1. **January 20-22** - SD State Capitol Building, Pierre. Legislative lobbying activities.
2. **January 21 - 2:00 p.m. (MST)** - Rapid City. West Dakota Water Development District Board Meeting.
3. **January 26-29** - SD State Capitol Building, Pierre. Legislative lobbying activities.
4. **January 29 & 30** - SDSU Student Union, Brookings. South Dakota World affairs Council Annual Symposium.
5. **February 3-6** - SD State Capitol Building, Pierre. Legislative lobbying activities.
6. **February 4 & 5** - Cedar Shores, Oacoma. South Dakota Association of Rural Water Systems Manager's Group Meeting.
7. **February 5 - 1:00 p.m.** - Public Library, Ortonville, MN. UMR/LQP Watersheds WRAPS Steering Committee Meeting.
8. **February 7 - 9:00 a.m. (MST)** - West River Ag Center, Rapid City. SDSU College of Agriculture & Biological Sciences Advisory Board Winter Meeting.
9. **February 11 - 7:00 p.m.** - Ortonville Community Center, Ortonville, MN. Upper Minnesota River Watershed District public hearing on proposed re-diversion of the Whetstone River.
10. **February 17 (Tuesday) - 9:00 a.m.** - EDWDD Office, Brookings. February EDWDD Board of Directors meeting.
11. **February 17, 18 & 19** - Holiday Inn, Spearfish. South Dakota Water & Wastewater Association Annual Meeting.

2015 Board of Directors Meeting Schedule - The Manager presented the following draft meeting schedule for 2015:

<b>Date</b>	<b>Location</b>	<b>Start</b>	<b>Meeting Site</b>
January 20 (3 <sup>rd</sup> Tu)	Brookings	11:00 a.m.	EDWDD Office
February 17 (3 <sup>rd</sup> Tu)	Brookings	9:00 a.m.	EDWDD Office
March 19	Brookings	9:00 a.m.	EDWDD Office
April 16	Madison	9:30 a.m.	(to be determined)

<b>Date</b>	<b>Location</b>	<b>Start</b>	<b>Meeting Site</b>
May 14 (2 <sup>nd</sup> Th)	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	Milbank	9:30 a.m.	(to be determined)
September 17	Brookings	9:00 a.m.	EDWDD Office
October 15	Brookings	9:00 a.m.	EDWDD Office
November 19	Sioux Falls	9:30 a.m.	(to be determined)
December 17	Brookings	1:00 p.m.	EDWDD Office

**Motion** by Brown, seconded by Connelly to adopt the proposed meeting schedule for 2015. Motion carried unanimously.

Designation of Official Newspapers - The Manager indicated that state law requires that the District annually designate official newspapers in which formal and necessary public notices are to be published. The Manager proposed to retain the same newspapers as have been used in the past by the District.

**Motion** by Duffy, seconded by Moes to designate the following newspapers as the official newspapers for District notices in 2015 - 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 Duffy to retain District memberships in the South Dakota Association of Rural Water Systems and the American Water Resources Association for 2015. Motion carried unanimously.

Designation of Official Depositories - The manager indicated that state law specifies that the tax levies collected by the District be deposited “ in depositories designated by the water development district board of directors.” This is not an annual requirement, but it had been some time since the Board last took formal action. The First Bank & Trust in Brookings is the current District depository, and the Manager asked that this bank be so designated again.

**Motion** by Moes, seconded by Connelly to retain the First Bank and Trust in Brookings as the official depository of District funds and accounts. Motion carried unanimously.

Appointment of District Legal Counsel - The Manager noted that at the December 2012 meeting, the Board appointed attorney Gregg Greenfield, with the Boyce, Greenfield, Pashby & Welk, L.L.P., of Sioux Falls, as District legal counsel. He received notice in early January that Mr. Greenfield has left this firm, and is now a partner in Greenfield Rotert Law, P.C. Mr. Greenfield remains interested in providing the District with legal counsel, but the change requires formal action by the Board. The Manager has also received a letter from the Boyce Law Firm, LLC, indicating a desire to retain the District as a client.

**Motion** by Connelly, seconded by Duffy to retain Gregg Greenfield of Greenfield Rotert Law, P. C., as District legal counsel.

**Motion** by Anderson, seconded by Soholt to table this discussion pending the Manager gathering additional information on potential District legal counsels. Motion carried unanimously.

Payment Requests - The Manager presented the Board with three payment requests:

*South Dakota State Climate Office* - In March 2014, the District agreed to provide 2014 annual operational expenses for up to three South Dakota Automated Weather Data Network stations. Specifically, the District pledged 100% of the costs for stations at South Shore and Lake Cochrane (\$3,000 each), and agreed to provide 50% of the costs (\$1,500) for a station at Flandreau. Funding for the balance of the Flandreau SDAWDN station is provided by the Flandreau Santee Sioux Tribe. A billing has been submitted for 2014 operational expenses for the South Shore and Flandreau stations, for a total of \$4,500. The Lake Cochrane station was not operational in 2014 and the remaining funds pledged (\$3,000) reverted at the end of the 2014.

*City of Madison* - At the November 2014 meeting, the Board agreed to provide cost-share assistance to the City of Madison. Specifically, the Board agreed to provide funds to cover thirty percent (30%), up to a cap of \$10,750, to offset the costs of a comprehensive engineering assessment evaluating the water supply and treatment capacity, water distribution and storage, wastewater collection system capacity and wastewater treatment system capacity. The work has been completed, and the City has submitted paperwork documenting a total cost of \$35,750.00, which qualifies for the full amount of support (\$10,750).

*South Dakota State University* - In October 2013, the District agreed to provide \$6,000 in cost-share assistance to South Dakota State University (SDSU) for a research project entitled, "Nutrient Removal from Agricultural Subsurface Drainage Using Denitrification Bioreactors and Phosphate Adsorbents." Dr. Guanghui Hua, Assistant Professor in the SDSU Civil and Environmental Engineering Department, is the lead investigator on the project. SDSU has submitted billings for this project covering project expenses (\$116.66) for the period from 12/1/14 thru 12/31/14. Prior payments totaling \$5,663.39 have been made in support of this effort.

The Manager requested authorization to make payments totaling \$15,366.66 to the three requests.

**Motion** by Duffy, seconded by Brown to authorize payments totaling \$15,366.66 to cover the three requests as presented. Motion carried unanimously.

Vermillion Basin Water Development District Funding Agreement - At the April 2014 meeting, the Board agreed to support a project by the United States Geological Survey (USGS) entitled, "Assessment of Climatic Effects on Streamflow Characteristics in Eastern South Dakota - Phase 2." Specifically, the Board agreed to provide one-third of project costs, up to a maximum of \$20,000. The USGS and the James River Water Development District will each provide \$20,000 toward the effort.

The Manager noted that in recognition of the benefit to be derived from such an investigation, the Vermillion Basin Water Development District has agreed to off set a portion of the non-federal costs. Specifically they have agreed to contribute \$2,000, to be split evenly between the East Dakota and James River WDDs. The Vermillion basin WDD has provided a funding agreement articulating this arrangement, and the Manager requested Board authorization for the Chair and Secretary to sign said agreement.

**Motion** by Duffy, seconded by Brown to authorize the Chair and Secretary to execute the agreement with the Vermillion Basin WDD as requested. Motion carried unanimously.

# DRAFT

## Project Assistance Requests

Codington County Conservation District - The Manager presented a letter from Lynn Johnson, Chairman of the Codington County Conservation District (CCCD) Board of Supervisors, requesting \$5,000 in District cost-share assistance to be applied toward the purchase of a grass drill. CCCD is planning to replace its current grass drill, which is used to plant native grasses by landowners within Codington County. The drill has also been used by residents of adjoining counties. The projected total cost of the drill is \$42,700. District funds would be used to cover a portion of the costs. The Manager noted that this was similar request to those previously submitted by conservation districts in Miner, Moody, Brookings and Deuel Counties.

**Motion** by Moes, seconded by Weatherly to provide \$5,000 in District cost-share assistance to the Codington County Conservation District as requested to support the purchase of a grass drill. Motion carried unanimously.

State Climate Office - The Manager presented a request from the South Dakota State Climate Office for a share (50%) of the 2015 operational funding for the SDAWDN station near Flandreau, which would amount to \$1,500. The District provided similar support for this station in 2013 and 2014. The other half of the support is, and has been in the past, provided by the Flandreau Santee Sioux Tribe.

**Motion** by Duffy, seconded by Connelly to provide District cost-share assistance to cover fifty percent (50%) of the operational costs, up to a maximum of \$1,500, for the SDAWDN station at Flandreau. Motion carried unanimously.

Sioux Empire Water Festival - The Manager presented a request from Deb Callahan, Fund-raising Chair for the Sioux Empire Water Festival, for District cost-share assistance for the 2015 event, set to be held at the University of Sioux Falls on March 17<sup>th</sup> and 18<sup>th</sup>. The Manager noted that this would be the 22<sup>nd</sup> such event, all of which had been supported by the District.

Big Sioux Water Festival - The Manager presented a request from Deb Springman, Festival Coordinator for the Big Sioux Water Festival, for District cost-share assistance for the 2015 event, set to be held at the South Dakota State University on May 12<sup>th</sup>. The Manager noted that this would be the 23<sup>rd</sup> such event, and that the District had been the primary sponsor since its inception in 1993.

The Manager recommended providing District cost-share assistance funding for the two events, with \$10,000 to the Sioux Empire Water Festival and \$8,000 to the Big Sioux Water Festival. He explained the difference in amounts as a reflection of the greater level of staff support the District provides to the Brookings event.

**Motion** by Connelly, seconded by Weatherly to provide \$10,000 in support to the 2015 Sioux Empire Water Festival and \$8,000 in support to the 2015 Big Sioux Water Festival as recommended and to authorize expenditure of the funds. It was the consensus of the Board that these events provide a unique and invaluable learning experience, and the organizers were to be commended for their efforts. Motion carried unanimously.

# DRAFT

# DRAFT

## Legislative Update

The Manager noted that the 90<sup>th</sup> Session of the South Dakota Legislature began on January 13<sup>th</sup>, and that to date there was only one bill filed of special interest. He reviewed this and a possible bills that were under consideration:

1. Senate Bill 2 - An Act to provide for the establishment of river basin natural resource districts and to repeal certain provisions regarding county drainage management. This bill, a product of the Regional Watershed Advisory Task Force, would create nine (9) watershed based entities that would ultimately be tasked with a variety of water resource management activities. The current bill provides general guidance, but leaves the bulk of the actual details of how the BNRDs would function and what they would do for a new advisory task force to work. This task force would report back to the 2016 and subsequent legislatures. The Manager indicated that the bill is likely to elicit considerable discussion, and will monitor and report as necessary.
2. The annual omnibus water funding bill has yet to be filed.

The Manager stated that as these and other bills develop, they can be followed by way of the a state web site, [http://legis.sd.gov/Legislative\\_Session/Default.aspx?Session=Ninetieth](http://legis.sd.gov/Legislative_Session/Default.aspx?Session=Ninetieth). He will be sending out updates on legislation of interest.

### Adjournment

There being no further District business, Chairman Jarrett declared the meeting adjourned at 1:37 p.m.

---

John G. Moes, Secretary

# DRAFT