



**East Dakota Water Development District**  
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Brookings, SD 57006

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**MINUTES**  
**October 21, 2010**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on October 21, 2010 at the EDWDD Office, 132B Airport Avenue, 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  
Martin Jarrett  
John Johnson  
Kay Kassube  
Robert Todd  
John Weidler

**Directors Absent**

none

**Others Present**

Karen Harford, City of Clear Lake  
Mike Kuck, SD Association of Conservation Districts  
Gordon Lee, City of Clear Lake  
Peggy Loomis, Hamlin County Conservation District  
Scott Mohror, Banner Associates  
Scott Pedersen, Lake County Commission  
Rick Smith, Lake Poinsett Watershed Project

**Staff Present**

Jay Gilbertson  
Jeremy Hinke  
Kristi Thielen

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**Administrative Items**

Approval of Agenda - The Manager asked to have the Pending Vacancy in Director Area 8 added to the Administrative Items section of the Agenda. **Motion** by Flemming, seconded by Brown to approve the agenda as amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the September 16<sup>th</sup>, 2010 meeting. **Motion** by Todd, seconded by Jarrett to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the September 2010 Financial Report. **Motion** by Todd, seconded by Flemming to accept the September 2010 Financial Report. Motion carried unanimously. Chairman Eggers then asked that the reports be placed in the District files.

The Manager requested Board authorization for the Chairman and Vice-Chairman to sign District Resolution 10-2, Resolution providing that a tax be assessed and levied on all taxable property in the East Dakota Water Development District (Revised). The Manager noted that in calculating the District tax levy for the coming year (2010, payable in 2011), he had used an estimate of 2.6 percent (%) growth. When final property valuations were received on September 30<sup>th</sup>, it was determined that growth was actually only 2.1 %. Resolution 10-2 adjusts the District's tax levy to reflect the appropriate growth, resulting in a reduction in \$3,100 of the requested amount. The State Department of Revenue and Regulation, along with County

Auditors and Treasurers were notified there would be a revised levy following adoption on Resolution 10-2 at today's meeting. **Motion** by Flemming, seconded by Feten to authorize the Chairman and Vice-Chairman to sign Resolution 10-2. Motion carried unanimously.

Meetings and Conferences - Chairman Eggers attended the South Dakota Association of Conservation Districts in Pierre on September 19-21.

Directors Flemming attended the October 20<sup>th</sup> meeting of the Lake Pelican Water Project District in Watertown.

Director Jarrett attended the September 30<sup>th</sup> meeting of the Lake County Clean Water Committee in Madison.

Director Johnson attended the September 16<sup>th</sup> meeting of the Upper Big Sioux River Watershed Advisory Board in Watertown.

Director Weidler attended the National Rural Water Association Annual Meeting in New Orleans, LA, on September 26-28.

The Manager briefly commented on the following meetings he attended in the past two months:

1. **September 20-23** - Estes Park, Colorado. 2010 Western States/EPA Source Water and Ground Water Protection Forum.
2. **September 27** - Sioux Falls. Planning session for Central Big Sioux River Watershed Project (Segment 2).
3. **September 27** - Lake Oliver. Lake Cochrane Improvement Association discussion of artificial wetlands for nutrient reduction.
4. **September 29** - Brookings. US Fish and Wildlife Service discussion of tile effluent water quality studies.
5. **September 30** - Madison. Lake County Clean Water Committee.
6. **October 7** - Pierre. Ag Land Assessment Advisory Task Force.
7. **October 14** - EDWDD Office, Brookings. SD Lakes and Streams Association.
8. **October 19** - Milbank. Grant County Commission drainage ordinance hearing.
9. **October 20** - Centerville. Vermillion Basin Water Development District.

Upcoming Meetings -

1. **October 25 - 6:00 p.m.** - Public Library, Watertown. Watertown Flood Risk Management Stakeholder Input Group.
2. **October 26 - 9:00 a.m.** - County Administration Building, Sioux Falls. Minnehaha County Commission hearing on changes to drainage ordinances.
3. **October 27 & 28** - Deadwood. SDARWS Managers Group Meeting.
4. **October 27 & 28** - Pierre. South Dakota Planners Association Annual Conference.
5. **November 2** - Day County. Election of the question of remaining part of EDWDD.
6. **November 3 - 9:30 a.m.** - Sioux Falls. Central Big Sioux River Watershed Project - Part 2 Steering Committee.
7. **November 4 - 1:00 p.m.** - Pierre. SD Board of Water and Natural Resources.
8. **November 8 - 10:00 a.m.** - State Capitol Building, Pierre. Ag Land Assessment Implementation and Oversight Advisory Task Force.

9. **November 9 - 8:00 a.m.** - University of Minnesota, St. Paul. Minnesota Ground Water Association Fall Conference.
10. **November 11 - 1:00 p.m.** - EDWDD Office, Brookings. SD Lakes & Streams Association.

**Motion** by Todd, seconded by Brown to hold the November Board of Directors meeting on Friday, November 19<sup>th</sup>. Motion carried unanimously.

11. **November 18 - 9:30 a.m.** - Water Reclamation Plant, 4500 North Sycamore, Sioux Falls. November EDWDD Board of Directors Meeting.

Payment Requests - The Manager presented two payment requests:

**United States Geological Survey** - At the November 2009 meeting, the Board agreed to provide District cost-share assistance totaling \$7,100 as cost-share for the operation and maintenance of a United States Geological Survey (USGS) gaging station. The gage is located on the Big Sioux River near Bruce. The USGS has submitted a payment request for \$7,100. **Motion** by Johnson, seconded by Feten to authorize payment of \$7,100 as requested. The Manager noted that this payment would complete the District obligation under this agreement. Motion carried unanimously.

**Day County Conservation District** - At the December 2009 meeting, the Board agreed to provide District cost-share assistance totaling \$8,000 in general support for the Northeast South Dakota Watershed Protection and Implementation Project, sponsored by the Day County Conservation District (DCCD). DCCD has submitted its first reimbursement request for \$1,800. **Motion** by Todd, seconded by Feten to authorize payment of \$1,800 as requested. The Manager noted that with this payment, \$6,200 would remain for this effort. Motion carried unanimously.

Pending Director Area 8 Vacancy - The Manager noted that at the end of 2010, all water development district director areas that were originally defined in terms of rural or municipal areas will be defunct, and the terms of office for all directors elected, or otherwise lawfully appointed, from these areas will end. On January 1, 2011, water development district directors areas defined solely in terms of population become effective. He noted that for the District, petitions had been filed for eight of the nine newly defined director areas earlier in the year (Areas 1-7, 9). However, no petitions were filed for Director Area 8, and as a consequence it will be vacant on January 1, 2011. Director Area 8 is located entirely within the City of Sioux Falls, and includes voting precincts 1-1, 1-2, 1-3, 1-4, 1-5, 2-1, 3-6, 3-7, 3-8, 5-3, 5-9, 5-10, 5-11, 5-12, and 5-14.

The Manager reviewed the process for filling the position. The first step would be to have the Board declare a vacancy. Then a Notice of Vacancy would be placed in the appropriate District newspaper, in this case the Sioux Falls Argus Leader. The notice would include a description of Director Area 8, procedures for obtaining a nominating petition, a time line for submitting the petition, and the selection process. Interested individuals must collect at least 25 valid signatures on nominating petitions, and then submit them to the District Office by a predetermined deadline. The Manager verifies that petitions are complete and accurate. The Board may then select a replacement from those who submit valid petitions. The appointed person will serve through the end of 2012.

The Manager requested authorization to initiate the process of filling the pending vacancy. He proposed setting a deadline of January 7<sup>th</sup>, 2011, for nominating petitions to be filed at the District office, with Board action to fill the vacancy at the January 20<sup>th</sup>, 2011, meeting.

**Motion** by Kassube, seconded by Brown to acknowledge the pending vacancy in Director Area 8, to authorize publication of the Notice of Vacancy, to require that all applicants for the vacancy submit their petitions to the EDWDD office no later than 5:00 p.m. on January 7<sup>th</sup>, 2011, and to set the January 20, 2011, Board meeting as the time to appoint a new Director for Area 8 from those that submit valid petitions. Motion carried unanimously.

### **Federal Fiscal Year 2011 USGS Gaging Station Agreement**

The Manager reviewed the proposed joint funding agreement between the District and the United States Geological Survey (USGS) for support of stream gaging stations for Federal Fiscal Year (FFY) 2011 (October 2010 - September 2011). During FFY 2010, the District provided cost-share assistance for one gage, on the Big Sioux River near Bruce, at a cost of \$7,100. The current joint funding proposal would be for a continuation of support for this gage at a cost of \$7,100. No new gage sites have been proposed.

**Motion** by Weidler, seconded by Jarrett to approve the FFY 2011 joint funding agreement for \$7,100 in support of the gage on the Big Sioux River near Bruce. Motion carried unanimously.

### **Project Assistance Requests**

Lake County Commission - Lake County Commissioner Scott Pedersen presented the Board with a request for cost-share assistance. The County Commission has concluded that while the County has a number of powers and authorities which directly or indirectly have an impact on the environment in general, and water quality and/or quantity in particular, the lack of adequate staff has meant limited implementation and enforcement. Acting on the recommendation of the Lake County Clean Water Committee, the Commission has agreed to a three-year trial effort and have included partial funding for such a position in the County budget. The estimated costs come to about \$42,000 per year, with the County providing \$22,000 annually. The Lake Madison Development Association has pledged \$5,000 per year toward this effort. Commissioner Pedersen asked East Dakota to consider providing \$15,000 a year for three years to complete the funding.

**Motion** by Kassube, seconded by Weidler to award \$45,000 in District cost-share assistance, to be distributed in annual payments of \$15,000, to Lake County in support of their environmental education and compliance position. Motion carried unanimously, with Directors Jarrett and Todd abstaining.

City of Clear Lake - I - Mayor Gordon Lee presented the Board with a request for cost-share assistance on behalf of the City of Clear Lake. The Town is currently conducting an evaluation of their drinking water distribution system. The City has retained Banner Engineering of Brookings to complete the facility plan, at a total cost of \$10,000. The State of South Dakota's Small Community Planning Grant Program will provide \$6,000, leaving a local cost of \$4,000. The Manager noted that in the past, the District has provided one-half of the local costs for the development of facility plans of this type and general cost range.

**Motion** by Feten, seconded by Weidler to provide District cost-share assistance of fifty percent (50%) of the local costs for the proposed drinking water distribution facility plan for the City of Clear Lake, up to a maximum amount of \$2,000. Motion carried unanimously.

City of Clear Lake - II - Mayor Gordon Lee presented the Board with a second request for cost-share assistance on behalf of the City of Clear Lake. The Town is also currently conducting an in-depth evaluation of their waste water collection system. Approximately ten years ago, the City completed a collection system study which identified a number of critical needs. Following the study, the City completed several projects

to replace and/or slip line portions of the collection system, replace brick-lined manholes, and address other issues. However, inflow and infiltration continues to be a problem, and the City is revisiting the issue. The City has retained Banner Engineering of Brookings to complete the facility plan, at a total cost of \$29,400. The City received support from the State of South Dakota's Small Community Planning Grant Program for a prior effort, and is presently ineligible for additional assistance. The Manager noted that in the past, the District has provided support in the range of \$8,000 to \$12,000 for the development of facility plans in this general cost range.

**Motion** by Kassube, seconded by Weidler to provide District cost-share assistance of thirty-five percent (35%) of the local costs for the proposed waste water collection system facility plan for the City of Clear Lake, up to a maximum amount of \$10,290. Motion carried unanimously.

### **FFY 2011 EPA Section 319 Applications**

The Manager indicated that there were three applications submitted to SD DENR seeking grant assistance from the United States Environmental Protection Agency (EPA) Section 319 Grant Program for watershed improvement activities with the District.

East Dakota Riparian Area Restoration and Protection Project - This project is sponsored by the District. The Manager noted that it was an effort to continue the acquisition of riparian conservation easements along rivers and streams with water quality impairments. The process was originally available only in the area covered by the Central Big Sioux River Watershed Project (Segment 1). This project expands the effort to encompass the entire District. The bulk of the matching funds were funds set aside by the Board for this very purpose in the 2010 District budget. If the grant request is successful, it will provide approximately \$625,000 for the easements, with additional funds for staff support and public outreach.

Lake Poinsett Watershed Implementation Project (Segment 2- Amendment) - Rick Smith, Project Manager for the Lake Poinsett Watershed Implementation Project (sponsored by the Hamlin County Conservation District), summarized this project. It is a continuation of a 12-year effort to address sediment and nutrient loadings in the Lake Poinsett watershed. A major adjustment is the expansion of the project to include the watershed of the Big Sioux River between Watertown and Bruce. This area was formally part of the EDWDD-sponsored Central BSR Watershed Project (Segment 1). He noted that in this part of the project, the major impairments are the result of bacterial loadings, so best management practices (BMPs) the target these sources will be emphasized. It is anticipated that the project would seek to utilize District assistance on potential riparian easements and look to continued water sampling along the Big Sioux River to assess the impact of past, ongoing and proposed BMPs on water quality.

Central Big Sioux River Watershed Project - Segment 2/Part 1 - Mike Kuck, 303(d) Project Coordinator for the South Dakota Association of Conservation Districts (SDACD) presented a summary of the proposed activities. This project is a continuation of the EDWDD-sponsored Central BSR Watershed Project. The Moody County Conservation District is the primary sponsor, in partnership with the Brookings, Lake and Minnehaha County Conservation Districts, the City of Sioux Falls and East Dakota. The major adjustment is the reduction of the project area, limiting it to the Big Sioux River watershed between Bruce and Brandon. The project will continue to address the primary water quality impairments, excess sediment and bacteria, through targeted BMPs. Like the lake Poinsett Project, this project will look to the District for assistance on potential riparian easements, along with continued water sampling along the Big Sioux River to assess

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the impact of past, ongoing and proposed BMPs on water quality. There will also be an assessment (survey) of watershed landowners opinions and knowledge of water quality and resource issues.

### **District Project Updates**

Water Festivals - Kristi Thielen reported that she and Deb Springman, along with Anne Lewis, Project Coordinator for the State Non-Point Source Information and Education Program (NPSI&EP), held traveling water festivals at two Hutterite colonies in northwestern Brown County. They presented four of the presentations developed for the Big Sioux Water Festival, and had a small Exhibit Hall of hands-on activities at each location. A total of 70 children from grades 2 through 8 attended. Students from Hutterite schools typically have not attended the established water festivals, so Ms. Lewis is looking to develop the tools to take the event to them. The events were well received and considered a success. Ms. Thielen indicated that contacts would be made with Hutterite colony schools within the District to provide a similar opportunity.

Dakota Water Watch - Jeremy Hinke reported the 2010 sampling season is coming to a close, and he will begin work on the Dakota Water Watch (DWW) 2010 Annual Report. A copy will be sent to all volunteers who participated in the program. The grant reimbursement request for 2010 project expenses is in development, and will close out the second DWW grant from the State Non-Point Source Information and Education Program. He is also finalizing reimbursement requests for the Water Quality Monitoring Sites and Upper Minnesota River watershed Assessment Projects.

Model County Drainage Ordinance - The Manager reported that he has begun meetings with county planning and zoning officers seeking information on those elements of their existing ordinances work well, which could be improved, and what other issues they would like to have considered. He intends to have similar conversations with the individual States Attorneys, and then meet with the County Commissions/Drainage Boards.

### **Adjournment**

There being no further District business, Chairman Eggers declared the meeting adjourned at 11:15 a.m.

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Doug Feten, Secretary

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