



East Dakota Water Development District
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MINUTES
September 15, 2011

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on September 15th, 2011, at the Terry Redlin Environmental Center, Bramble Park Zoo, Watertown. Chairman Eggers called the meeting to order at 9:35 a.m. The following persons attended:

Directors Present

Lois Brown
Mary Ellen Connelly
Curt Eggers
Martin Jarrett
John Johnson
Kay Kassube
Roger Scheibe
Jerry Soholt
John Weidler

Others Present

Shirley Flemming, Florence
Vincent Flemming, Florence
Roger Foote, Upper Big Sioux River Watershed Project
Terry Hoffman, Watertown Public Opinion
Lynn Johnson, Codington Conservation District
Todd Kays, First District Assoc. Local Governments
Jim Madsen, Izaak Walton League of America
Darrell Raschke, James River Water Development District
Dennis Skadsen, Day Conservation District

Directors Absent

none

Staff Present

Jay Gilbertson

Administrative Items

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

Minutes - The Board reviewed the Minutes of the August 18, 2011 meeting. **Motion** by Kassube, seconded by Soholt to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the August 2011 Financial Report. **Motion** by Connelly, seconded by Johnson to accept the August 2011 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 11-1, Resolution providing that a tax be assessed and levied on all taxable property in the East Dakota Water Development District (copy attached). The resolution covers District tax collections for fiscal year 2012. The District Board approved the 2012 operating budget at the August meeting. The resolution covers the property tax income portion of the budget. The resolution is part of the package of material sent to all county auditors and treasurers in the District on or before October 1. **Motion** by Johnson, seconded by Soholt to authorize the Chairman and Vice-Chairman to sign Resolution 11-1. Motion carried unanimously.

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Report of Meetings and Conferences - Director Jarrett attended the August 23rd meeting of the Lake County Clean water Committee in Madison.

The Manager reported on the following meeting he participated in:

1. **August 18** - Centerville. Joint Turner-Lincoln-Clay Water Project District (TLC WPD) and Vermillion Basin Water Development District (VBWDD) drainage discussion.
2. **August 19** - Brookings. Brookings County Planning & Zoning Department meeting to set Twin Lakes drainage permit conditions.
3. **August 23** - Howard. Miner County Commission - drainage discussion.
4. **August 24** - Huron. Rural drainage presentation.
5. **August 25** - Veblen. Lake region County Commissioners.
6. **August 27** - Brookings. Drainage presentation to the South Dakota Wildlife Federation.
7. **September 1** - Huron. SDARWS Booth at State Fair.
8. **September 9** - St. Paul, MN. Meeting with USGS hydrologist on ag drainage issues.
9. **September 14** - Chamberlain. South Dakota Non-Point Source Task Force.
10. **September 14** - Vermillion. Clay County Drainage Task Force.

Upcoming meetings -

1. **September 19-21** - Rapid City. 2011 South Dakota Counties Convention.
2. **September 22** - Northern State University, Aberdeen. Northern Plains Water Fest.
3. **September 22 - 9:00 a.m.** - Aberdeen. James River WDD Board Meeting.
4. **September 22 & 23** - Pierre. South Dakota Board of Water and Natural Resources.
5. **September 23 - 10:00 a.m.** - Izaak Walton League Clubhouse, Pierre. Dedicated conservation funding discussion.
6. **September 29 - 7:00 p.m.** - Dakota State University, Madison. Lake County Clean Water Committee.
7. **October 5 - 10:00 a.m.** - Pierre. South Dakota Water Management Board.
8. **October 13 - 8:00 a.m.** - SDSU Student Union, Brookings. 2011 Eastern South Dakota Water Conference.
9. **October 19** - Mitchell. "Quality On Tap" Editorial Board.
10. **October 20 - 9:00 a.m.** - EDWDD Office, Brookings. EDWDD October Board of Directors meeting.

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

Minnehaha Conservation District - At the November 2009 Board of Directors meeting, the District agreed to provide cost-share assistance to the Minnehaha Conservation District (MCD) to be applied toward the construction of an elevated walkway/observation platform at the Dewey C. Gevik Outdoor Conservation Learning Center (Center) on Wall Lake. The Board agreed to provide sixty percent of the cost of the walkway/observation platform, up to a cap of \$6,000. Work on the feature has been completed, and MCD has submitted a request for eligible reimbursement. The Manager noted that the final cost of the installation was \$16,137. This would qualify MCD for the full \$6,000 amount pledged. **Motion** by Jarrett, seconded by Brown to authorize payment of \$6,000 to MCD as requested. The Manager noted that this action and payment would complete the District obligation to this activity. Motion carried unanimously.

City of Clear Lake 1 - At the October 2010 meeting, the Board agreed to provide cost-share assistance to the City of Clear Lake to be applied toward the preparation of a facility plan of the community's drinking

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water system. The study cost was projected at \$10,000, with \$6,000 coming from the State's Small Community Planning Grants Program. The Board agreed to provide twenty percent (20%) of the project costs, not to exceed \$2,000. The City has received billings totaling \$9,000 from their engineer, and is requesting eligible reimbursement of \$1,800. **Motion** by Weidler, seconded by Soholt to authorize payment of \$1,800 to the City as requested. The Manager noted that there would remain a balance of \$200 in District cost-share support for this effort. Motion carried unanimously.

City of Clear Lake 2 - Also at the October 2010 meeting, the Board agreed to provide cost-share assistance to the City of Clear Lake to be applied toward the preparation of a facility plan of the community's waste water collection system. The study cost was projected at \$29,400. The Board agreed to provide thirty-five percent (35%) of the costs, not to exceed \$10,290. The City has received billings totaling \$29,400 from their engineer, and is requesting eligible reimbursement of \$10,290. **Motion** by Soholt, seconded by Johnson to authorize payment of \$10,290 to the City as requested. The Manager noted that this would complete the District's obligation to this effort. Motion carried unanimously.

The Manager indicated that he had received a reimbursement/payment request from the City of Madison for engineering services with regard to their ongoing assessment of the impact and treatment of volatile organic compounds in their drinking water treatment plant. However, the request was incomplete. It was the consensus of the Board to differ action on the request pending receipt of supporting documentation.

Project Assistance Requests

Big Sioux Water Festival - The Manager presented a request from Deb Springman, Project Coordinator for the Big Sioux Water Festival, to provide travel assistance to the schools attending the 2012 event to be held on May 8th on the campus of South Dakota State University. He noted that over the past several years, concerns have been expressed by local school districts about the costs of attending the annual Water Festival in Brookings. The teachers all say it is a worthwhile experience, but the school administrations are looking at the costs of a bus trip. Starting in time for the 2006 event, the Board has set aside a total of \$6,400 to assist the area schools with travel costs. Those funds, referred to as "All Aboard Bucks," have now been depleted. Ms. Springman is requesting that the Board set aside \$1,500 toward this effort for 2012. The Manager noted that this request would be in addition to the annual financial assistance request to the District, which will be presented in early 2012. **Motion** by Weidler, seconded by Jarrett to award \$1,500 in District project assistance funds to the 2012 Big Sioux Water Festival to support the All Aboard Bucks effort. Motion carried unanimously.

Area Water Resource Program Updates

Codington Conservation District - Lynn Johnson, Chairman of the Board of Supervisors for the Codington Conservation District (CCD), provided the Board with an update on their recent activities. He briefed the Board on District services provided to Day County residents. Mr. Johnson noted that drainage of agricultural lands was an issue of particular interest to area producers. Many landowners were interested in doing what they could to improve drainage on their lands, while others were concerned about the impacts of such changes on local and regional hydrology. CCD recently held a day-long field tour of best management practices in Codington County. The August 26th event was well attended. Former EDWDD Director Vincent Flemming made several favorable comments about the event. Mr. Johnson concluded with his thanks to the Board for their continuing support of CCD activities, and noted with regret that the 2010 EDWDD CD Grant Program was a one-time effort.

Northeast Glacial Lakes Watershed Improvement and Protection Project - Dennis Skadsen, project coordinator for the Northeast Glacial Lakes Watershed Improvement and Protection Project (Project), presented the Board with an update. The current effort is the second segment of a multi-year watershed project in Day, Marshall, and Roberts Counties designed to improve and protect thirteen northeast lakes and reservoirs. Project support comes primarily from an EPA Section 319 grant, along with funds from the State Conservation Commission, landowner contributions, and numerous local stakeholders (including East Dakota).

Upper Big Sioux River Watershed Project - Roger Foote, Project Coordinator for the Upper Big Sioux River Watershed Project (Project), reviewed the mission and history of this effort. The Project is intended to improve water quality in the Upper Big Sioux River watershed, including Lakes Kampeska and Pelican, by offering financial and technical assistance as well as information and education to help control erosion and excessive fertilizer runoff in cropland through grassed waterways and manure application management; to improve pastureland conditions, distance livestock and livestock waste from the river and its tributaries, through grazing management, small ponds and dugouts, streambank and shoreline stabilization, and animal nutrient management systems.

The Project is the result of several water quality studies completed for Lakes Kampeska and Pelican and for the Upper Big Sioux River Watershed Project. Lake assessment studies were completed during January 1994 for Lake Kampeska and April 1995 for Pelican Lake. These studies resulted in a Total Maximum Daily Load being developed. These studies have suggested alternatives and identified problem areas that treatment with Best Management Practices (BMPs) will result in a computed percentage reduction of the identified problems. The major pollutants identified in the studies were phosphorus and sediment. The Big Sioux River was identified as the major nutrient and sediment source of both problems. Based on additional information, the "Upper Big Sioux River/River Basin Study/Final Report" (NRCS 2000), the TMDL for Lake Kampeska will be re-evaluated. The Upper Big Sioux River is on the 303(d) list of impaired waters and a TMDL has been developed.

The project has completed the following BMPs since work began in 1994:

- 41 Animal Nutrient Management Systems
- 4,676 Crop Residue Management Acres
- 180 Filter strip acres
- 3,921 Grazing Management acres
- 75,909 linear feet Grassed Waterways
- 8 Manure application management plans
- 2 Riparian Demonstration Sites
- 19,778 feet of Shoreline Stabilization
- 368 Small Dams/dugouts
- 4,196 feet of streambank stabilization
- 183 acres of wetland enhancement
- 137 water monitoring samples

Izaak Walton League of America - Jim Madsen, National President of the Izaak Walton League of America (IWLA) briefed the Board on a planned effort to explore the possibility of establishing a permanent funding source for conservation efforts in South Dakota. Comparable efforts have either been completed or are underway in neighboring states. Mr. Madsen has invited representatives from various groups to attend a meeting in Pierre on September 23rd to discuss options, and to determine if there is interest in moving

forward. He noted that for successful efforts in other states, the actual source of funds has varied. At this time, no particular source(s) of funding has been identified for South Dakota. The Manager noted that he would be attending the meeting, along with the managers of the James River and Vermillion Basin Water Development Districts.

District Project Updates

Dakota Water Watch - The Manager presented a report provided by Jeremy Hinke, Project Coordinator, updating the Board on recent Dakota Water Watch activities. Volunteers continue to collect and process water samples, with the 2011 field season running through the end of October. On one lake, the volunteers found exceptionally high bacteria levels, which led to follow-up investigations and re-sampling by District staff. The apparent source was a failing septic system. The results have been turned over to the Brookings County Planning and Zoning and the South Dakota Department of Environment and Natural Resources (SD DENR) for resolution.

Upper Minnesota River Watershed Water Quality Assessment - The Manager presented a request provided by Jeremy Hinke, Project Coordinator, updating the Board on recent activities. The second year of field work will be completed in late October/early November. Water samples are being collected by Project staff under the supervision of the Upper Minnesota River Watershed District (UMRWD). District staff and Project stakeholders are meeting on October 18th at the UMRWD Office in Ortonville, MN, to review Project activities.

As originally conceived, the Project was to have ended on September 30, 2011. This was in large part driven by the inclusion of U.S. Environmental Protection Agency pass-through funds which expired on that date. SD DENR has reprogrammed other funds toward this effort, and has offered to extend the formal deadline for the project until December 31, 2011. The manager presented the Board with a grant amendment which would accomplish this. The amendment does not alter the amount of funds available, or any other aspect of the original agreement. **Motion** by Johnson, seconded by Connelly to authorize the Chairman to sign the proposed amendment to the Upper Minnesota River Watershed Water Quality Assessment Agreement with SD DENR. Motion carried unanimously.

Big Sioux Water Festival and Other Educational Outreach Efforts - The manager presented a report from Deb Springman on District education and outreach efforts. He noted that Ms. Springman was currently attending the **Sustaining the Blue Planet: Global Water Education Conference**, in Bozeman, MT. Project WET (Water education for Teachers) is th primary sponsor of this event. The Manager noted that Project WET was created by Dennis Nelson, a former (late 1970s) District employee.

Ms. Springman has been updating materials for the upcoming water festival, and has sent registration forms out to all 4th grade classes in the area. The traveling water education trunks were distributed earlier in the month.

District staff gave presentations as part of the Brookings Great Afterschool/Out of School Program on water quality, the water cycle and aquatic life.

Ms. Springman also reports that she has found a home for a number of the fish voucher specimens collected as part of various District watershed assessment projects. The District has retained a representative collection of specimens, but there remained a significant number of voucher samples. A former SDSU

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Wildlife and Fisheries Department graduate is teaching at Valley City State University in Valley City, North Dakota, and will be using the specimens in ichthyology classes. Many of the same species occur in North Dakota and South Dakota, so the collection is being put to good use, and shelf space in the District office is cleared.

Adjournment

There being no further District business, Chairman Eggers declared the meeting adjourned at 12:15 p.m.

Roger Scheibe, Secretary

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RESOLUTION 11-1

RESOLUTION PROVIDING THAT A TAX BE ASSESSED AND LEVIED ON ALL TAXABLE PROPERTY IN THE EAST DAKOTA WATER DEVELOPMENT DISTRICT

WHEREAS, Section 46A-3E-1 of the South Dakota Codified Laws provides, “A water development district board of directors may levy taxes, not to exceed thirty cents per thousand dollars of taxable valuation in the district, for accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive, and chapters 46A-1 and 46A-2. If an area is included in more than one water development district, that area's tax levy payable to each of the water development districts shall be determined by multiplying the greater of the overlapping water development districts' levies by each water development district's taxing fraction. Each water development district's taxing fraction is determined by dividing that water development district's proposed tax levy for the overlapped area by the sum of all water development districts' levies for the overlapped area. Any water development district for which boundaries are revised under §§ 46A-3A-2 to 46A-3A-7.1, inclusive, is not considered a new taxing district. If any water development district levied a tax pursuant to chapter 10-13 in a manner used by a new taxing district for taxes payable in 2010, such water development district shall revert to the amount of revenue payable to the district for taxes payable in 2009 including any excess levy approved pursuant to § 10-13-36 before July 1, 2002. The water development district may adjust the maximum amount of revenue payable for property taxes based on the growth and index factor for each year thereafter. Any excess levy approved by the water development district pursuant to § 10-13-36 before July 1, 2002, is null and void”; and

WHEREAS, Section 46A-3E-13 of the South Dakota Codified Laws provides, “Appropriate officials shall extend the levy or special assessments upon the tax list of the county, municipality, or other appropriate tax paying entity for the tax year against each description of taxable property or, in the case of special assessments, against each description of taxable property to be specially assessed within the water development district in the same manner and with the same effect as other taxes and assessments are extended, including the authority, requirements, and procedures contained in chapter 9-43”; and

WHEREAS, Section 46A-3E-14 of the South Dakota Codified Laws provides, “Appropriate tax collecting officials shall collect all water development district taxes and assessments, together with interest and penalty thereon, if any, in the same manner as the general taxes and assessments are collected and shall pay over monthly to the water development district treasurer all taxes so collected during the preceding month, with interest and penalties, and shall immediately notify the secretary of the water development district of such payment. The water development district treasurer shall immediately enter these receipts to the credit of the depository accounts designated by the water development district board of directors pursuant to § 46A-3E-10”; and

WHEREAS, the East Dakota Water Development district boundary includes all of the lands within Brookings, Codington, Deuel, Grant, Hamlin, Kingsbury, Lake, Lincoln (Sioux Falls only), Miner (eastern one-half), Minnehaha, and Moody; and

WHEREAS, the East Dakota Water Development District Board of Directors, at a meeting in Brookings, South Dakota, on August 18, 2011 adopted a budget of \$1,214,700 for the calendar year 2012 and which is hereby attached and incorporated by reference; and

WHEREAS, an estimated \$589,700 of said budget is to be raised by a new tax on taxable valuation in the East Dakota Water Development District;

NOW, THEREFORE BE IT RESOLVED, that pursuant to Chapter 46A-3A to 46A-3E, inclusive, of the South Dakota Codified Laws, the county auditor in each of the following counties of Brookings, Codington, Deuel, Grant, Hamlin, Kingsbury, Lake, Lincoln (Sioux Falls only), Miner, Minnehaha, and Moody within East Dakota Water Development District, be instructed to extend the following tax levy in dollars, not to exceed the limits established in Chapter 46A-3E of the South Dakota Codified Laws for collection in 2012 to wit:

COUNTIES	REAL PROPERTY TAX LEVY
Brookings	\$58,423
Codington	\$51,292
Deuel	\$15,471
Grant	\$18,919
Hamlin	\$15,817
Kingsbury	\$17,933
Lake	\$27,096
Lincoln (Sioux Falls only)	\$57,829
Miner	\$6,144
Minnehaha	\$303,572
Moody	\$17,204

Said tax levy is to be extended against all taxable property in the county including municipalities, within:

1. Minnehaha, Moody, Lake, Kingsbury, Brookings, Hamlin, Deuel, Codington, and Grant Counties;
2. Grafton, Belleview, Adams, Henden, Howard, Clearwater, Canova, and Vermillion townships in Miner County; and
3. all municipalities that are wholly or partially within the included area or that are contiguous to the included area; in the same manner and with the same effect as other taxes are extended; and

BE IT FURTHER RESOLVED, pursuant to Section 46A-3E-14 of the South Dakota Codified Laws, the county treasurer in each of the counties within the said East Dakota Water Development District be instructed to collect said real property taxes and pay over such collection of money to the East Dakota

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Water Development District each month for deposit in the First National Bank of Brookings, the local depository for the District; and

BE IT FURTHER RESOLVED, pursuant to Section 46A-3E-12 of the South Dakota Codified Laws, the secretary of the East Dakota Water Development District is hereby instructed to send a certified copy of this resolution adopting this annual tax levy to be made against 2011 taxable property valuation, and a certified copy of the budget for 2012 as approved by the Board of Directors, to each county auditor and each county treasurer within the East Dakota Water Development District and to the State Secretary of Revenue.

Dated this 15th day of September, 2011, with the approval of the East Dakota Water Development District Board of Directors.

Curtis Eggers, Chairman
East Dakota Water Development District

Martin Jarrett, Vice-Chairman
East Dakota Water Development District

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