



East Dakota Water Development District
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MINUTES
September 17, 2015

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on September 17, 2015, at the District office in Brookings. Chairman Jarrett called the meeting to order at 9:05 a.m. The following persons attended:

Directors Present

Mark Anderson
Lois Brown
Mary Ellen Connelly
Gary Duffy
Martin Jarrett
Kay Kassube
Janelle Weatherly

Directors Absent

John Moes
Jerry Soholt

Others Present

Dr. Steve Chipps, South Dakota State University
Roger Hageman, Lake County Commission
Dr. Christopher Hay, South Dakota State University
Jesse Johnson, South Dakota Corn

Staff Present

Jay Gilbertson
Jeremy Hinke
Deb Springman

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Administrative Items

Approval of Agenda - The Manager asked to have an Out-of-State Travel Authorization added to the Agenda, and to have the SD Department of Agriculture County Site Analysis Program presentation removed.

Motion by Weatherly, seconded by Duffy to approve the agenda as so amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the August 20th, 2015, meeting.

Motion by Duffy, seconded by Kassube to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the August 2015 financial reports.

Motion by Duffy, seconded by Connelly to accept the August 2015 financial reports. Motion carried unanimously. Chairman Jarrett then asked that the report be placed in the District files.

Report of Meetings and Conferences - Directors Anderson, Brown and Connelly, Duffy and Weatherly attended the Mayor's Big Sioux River Water Summit in Sioux Falls on September 10th.

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Directors Brown attended the September 15th meeting of the Big Sioux River Watershed Project (BSRWP) Steering Committee in Sioux Falls.

Director Weatherly attended the September 15th meeting of the Moody County Conservation District in Flandreau.

The Manager briefly commented on the following meetings he had attended:

1. **August 24th** - Brookings. Program update from Tom Brandner, SD DENR Ground Water Quality Program.
2. **September 4th** - Huron. South Dakota State University College of Agriculture & Biological Sciences Advisory Board.
3. **September 10th** - Brookings. 2015 Mayor's Big Sioux River Water Summit
4. **September 12th** - Rapid City. American Institute of Professional Geologist South Dakota Chapter Field Tour.
5. **September 15th** - Sioux Falls. BSRWP Steering Committee.
6. **September 16th** - Agency Village. Sisseton-Wahpeton Oyate Water Quality Education Forum.
7. **September 16th** - Madison. Lake County Water Quality Committee.

Upcoming Meetings

1. **September 17th - 7:00 p.m.** - Watertown. Upper Big Sioux River Watershed Advisory Board.
2. **September 22nd - 7:00 p.m.** - Sioux Falls. Friends of the Big Sioux River
3. **September 24th** - various Digital Dakota Network sites. South Dakota Board of Water & Natural Resources.
4. **September 28th - 9:00 a.m.** - Milbank. River Basin Natural Resource District Oversight Advisory Task Force Watershed Plan Subcommittee.
5. **September 28th - October 1st** - Rapid City. US Environmental Protection Agency Region VIII NonPoint Source Pollution & Water Quality Meeting.
6. **September 29th** - Sioux Falls. Minnehaha County Commission.
7. **October 13 - 10:00 a.m.** - Madison. SDARWS Quality On Tap Editorial Board.
8. **October 15 - 9:30 a.m.** - Visitor Center, East US Highway 12, Milbank. October EDWDD Board of Directors.
9. **October 16th - 10:00 a.m.** - Pierre. River Basin Natural Resource District Oversight Advisory Task Force.
10. **October 19 & 20** - SDSM&T, Rapid City. National Science Foundation Food/Energy/Water Nexus Workshop.

Payment Requests - The Manager presented three payment requests:

SDSU (I) - In October 2014, the Board agreed to provide up to \$6,000.00 in cost-share assistance to Dr. Guanghui Hua, Department of Civil and Environmental Engineering at South Dakota State University (SDSU), for a project entitled, "Nutrient Removal from Agricultural Subsurface Drainage Using Denitrification Bioreactors and Phosphate Adsorbents II." SDSU has submitted a reimbursement request of \$2,841.36 for this project covering expenses incurred between June 1st and July 31st, 2015.

SDSU (II) - In October 2014, the Board agreed to provide up to \$6,000.00 in cost-share assistance to Dr. Kyungnan Min, Department of Civil and Environmental Engineering at SDSU, for a project entitled, "Controlling Harmful Algal Blooms in Eutrophic Lakes by Combined Phosphorus Precipitation and

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Sediment Capping.” SDSU has submitted a reimbursement request of \$1,202.33 for this project covering expenses incurred between June 1st and July 31st, 2015.

USGS (SD) - In April 2014, the Board agreed to provide \$20,000 to United States Geological Survey (USGS) South Dakota Water Science Center for the a project entitled Assessment of Climatic Effects on Streamflow Characteristics in Eastern South Dakota - Phase 2. This was the second of a two-phase investigation to examine possible influences on stream flow at various long-term stream gaging stations in eastern South Dakota. District support was limited to no more than one-third of total project costs (\$60,000), and was further contingent on USGS securing the balance of the non-USGS cost-share from other sources. In May 2014, the James River Water Development District (JRWDD) agreed to match the District’s award, completing the necessary cost-share. Galen Hoogestraat, project leader, gave a report on the effort at the May 2015 Board meeting. USGS has submitted a payment request for the full amount of \$20,000 for this effort. This would cover the District obligation for this effort.

The Manager requested authorization to pay these three requests by SDSU for a total of \$24,043.69.

Motion by Duffy, seconded by Connelly to authorize payments totaling \$24,043.69 as requested. Motion carried unanimously.

Out-of-State Travel Authorization - The Manager requested authorization for Deb Springman to attend the Midwest Environmental Education Conference (MEEC) in Madison, WI, on October 21st and 22nd.

Motion by Brown, seconded by Anderson to approve Ms. Springman’s attendance of the MEEC as requested. Motion carried unanimously.

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United States Geological Survey Gaging Station Agreements

The Manager reviewed proposed joint funding agreements (JFAs) between the District and the United States Geological Survey (USGS) South Dakota and Minnesota Water Science Centers for support of stream gaging stations for Federal Fiscal Year (FFY) 2015 (October 2014 - September 2015).

During FFY 2015, the District provided cost-share assistance through the SD Water Science Center for one gage, on the Big Sioux River near Bruce, at a cost of \$7,975. The proposed FFY 2016 JFA would be for a continuation of support for this gage at a cost of \$8,200. No new gage sites have been proposed.

During FFY 2015, the District provided cost-share assistance through the MN Water Science Center for two gages, one on the Whetstone River near Big Stone City and the other on the Yellow Bank River near Odessa, MN. Big Sioux River near Bruce, at a cost of \$2,867. The proposed FFY 2016 JFA would be for a continuation of support for these gages at a cost of \$2,913. Support for these gages is also provided by the Upper Minnesota River Watershed District, the Lac qui Parle/Yellow Bank Watershed District, and the US Army Corps of Engineers.

The Manager requested Board approval for the two JFAs to support stream gaging activities in FFY 2016.

Motion by Brown, seconded by Duffy to approve the FFY 2016 JFA with the South Dakota Water Science Center for \$8,200 and the FFY 2016 JFA with the Minnesota Water Science Center for \$2,913, and to authorize the Manager to execute the JFAs. Motion carried unanimously.

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Hearing on the 2016 EDWDD Operations Budget

Chairman Jarrett opened the public hearing on the 2016 EDWDD Operations Budget at 10:00 a.m. The Manager stated that the District had published a copy of the proposed budget (summarized below) and notices of the hearing in the 10 official District newspapers as required by South Dakota Codified Law 46A-3E-10. No written or verbal comments on the proposed budget were received prior to the meeting/hearing.

FY 2015 EDWDD BUDGET

APPROPRIATIONS

01	Board of Directors	\$ 37,586
02	Administration	\$ 129,238
03	Technical Assistance	\$ 260,145
04	Operational Expenses	\$ 104,120
05	Professional Services	\$ 32,500
06	Capitol Outlay	\$ 36,000
07	Grant Expenditures	\$ 200,000
08	Project Assistance	\$ 202,811
09	Contingency Funds	\$ 105,000
Total FY 2016 Appropriations		\$1,107,000

MEANS OF FINANCE

100	Tax Revenue	\$ 688,400
200	Grant Revenue	\$ 200,000
300	Capitol Reserves	\$ 215,000
400	Miscellaneous Revenue	\$ 4,000
Total FY 2016 Means of Finance		\$ 1,107,000

Chairman Jarrett invited public comment on the budget as advertised and presented. No public comments were made. Chairman Jarrett declared the public hearing closed, and called for Board comment and/or action on the proposed budget.

The Manager requested Board authorization for the Chairman and Vice-Chairman to sign District Resolution 15-1, 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 property tax collections for fiscal year 2015, payable in 2016, as identified in the property tax income portion of the budget under consideration. The resolution is part of the package of material sent to all county auditors and treasurers in the District, as well as the SD Department of Revenue, on or before October 1.

Motion by Kassube, seconded by Weatherly to adopt the 2016 EDWDD Operations Budget as presented, and to authorize the Chairman and Vice-Chairman to sign Resolution 15-1. Motion carried unanimously.

Mercury in South Dakota Waters

Dr. Steven Chipps, Unit Leader of the USGS South Dakota Cooperative Fish & Wildlife Research Unit at SDSU, presented a summary of the impact and distribution of mercury in South Dakota waters.

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District Updates

2015 Nitrate Monitoring Project - The Manager reviewed results to-date of the District's nitrate testing program. The effort involves weekly water quality sampling and analyses from numerous collection sites in the Big Sioux River and Minnesota River watersheds. He offered the following general observations:

1. Through mid-September, most samples collected from the Big Sioux River above the City of Sioux Falls contained low concentrations of nitrate (less than 2.0 mg/L);
2. Nitrate levels immediately below the waste water treatment plant outlets for Cities of Milbank, Watertown and Sioux Falls were elevated, but below the 10.0 mg/L maximum contaminant level (MCL);
3. Nitrate levels in samples collected below the confluences with Willow Creek (Codington County), Medary Creek and the Rock River were elevated. Loadings in these watersheds are likely the result of agricultural practices; and
4. Basin-wide concentrations for late July through mid-September were quite low, at or below 2.0 mg/L, even in the lower part of the system. The Manager speculated that persistently above average stream/river flows may have been a factor during this period.

Adjournment

There being no further District business, Chairman Jarrett declared the meeting adjourned at 12:40 p.m.

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John Moes, Secretary

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RESOLUTION 15-1

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 September 17, 2015 adopted a budget of \$1,107,400 for the calendar year 2016 and which is hereby attached and incorporated by reference; and

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WHEREAS, an estimated \$685,400 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 2016 to wit:

COUNTIES	REAL PROPERTY TAX LEVY
Brookings	\$68,878
Codington	\$60,614
Deuel	\$21,680
Grant	\$25,939
Hamlin	\$23,006
Kingsbury	\$28,717
Lake	\$35,122
Lincoln (Sioux Falls only)	\$67,052
Miner	\$9,440
Minnehaha	\$320,644
Moody	\$24,308

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

11. Minnehaha, Moody, Lake, Kingsbury, Brookings, Hamlin, Deuel, Codington, and Grant Counties;
12. Grafton, Belleview, Adams, Henden, Howard, Clearwater, Canova, and Vermillion townships in Miner County; and
13. 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 Water Development District each month for deposit in the First National Bank of Brookings, the local depository for the District; and

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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 2015 taxable property valuation, and a certified copy of the budget for 2016 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 17th day of September, 2015, with the approval of the East Dakota Water Development District Board of Directors.

Martin Jarrett, Chairman
East Dakota Water Development District

Jerry Soholt, Vice-Chairman
East Dakota Water Development District

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