



East Dakota Water Development District
132B Airport Drive
Brookings, SD 57006

605-688-6741

605-688-6744 Fax

MINUTES

February 18, 2011

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on February 18, 2011, at the EDWDD office in Brookings. Chairman Eggers called the meeting to order at 9:10 a.m. The following persons attended:

Directors Present

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

Others Present

Carey Bretsch, Civil Design Inc.
Deb Callahan, Sioux Empire Water Festival
Melissa Christianson, Lake County
Jean Eggers, Renner
Jeppe Kjaersgaard, SDSU Water Resources Institute
Kerry Netzke, Area II Minnesota River Basin
David Odens, Banner Associates
Darrell Raschke, James River WDD

Directors Absent

Mary Ellen Connelly

Staff Present

Kevin Christensen
Jay Gilbertson
Jeremy Hinke
Deb Springman
Kristi Thielen

Administrative Items

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

Minutes - The Board reviewed the Minutes of the January 20, 2011, meeting. **Motion** by Kassube, seconded by Soholt to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the January 2011 financial report. **Motion** by Jarrett, seconded by Brown to accept the financial report. Motion carried unanimously. Chairman Eggers then asked that the report be placed in the District files.

Revised FY 2011 District Budget - The Manager presented and reviewed a revised version of the District's FY 2011 budget.

Report of Meetings and Conferences - Directors Brown, Soholt and Weidler attended the Tri-State Ag Drainage Workshop on January 26th in Brookings.

DRAFT

Director Jarrett attended the January 27 meeting of the Lake County Clean Water Committee in Madison.

Director Johnson attended the January 20 meeting of the Upper Big Sioux River Watershed Advisory Board in Watertown.

The Manager briefly summarized the following meetings he attended:

1. January 24 & 25 - Pierre. Lobby - House Bills 1044 and 1050.
2. January 26 - Brookings. Tri-State Ag Drainage Workshop.
3. January 27 - Madison. Lake County Clean Water Committee.
4. February 1 & 2 - Pierre. Lobby - Senate Bill 101.
5. February 2 & 3 - Pierre. SD Association of Rural Water Systems Managers Group.
6. February 14-17 - Salt Lake City, UT. Nutrients and Water Quality: A Region 8 Collaborative Workshop.

Upcoming Meetings -

1. **February 22 - 1:00 p.m.** - Swiftel Center, Brookings. Central Big Sioux River Watershed Project II public informational meeting.
2. **February 23 - 1:00 p.m.** - Sioux Valley Energy Building, Colman. Central Big Sioux River Watershed Project II public informational meeting.
3. **February 24 - 10:30 a.m.** - Lincoln-Pipestone Rural Water Office, Lake Benton, MN. 2010-2011 Operations & Contingency Plan Update Meeting.
4. **February 24 - 1:00 p.m.** - Community Center, Crooks. Central Big Sioux River Watershed Project II public informational meeting.
5. **February 24 - 5:00 p.m.** - Main Public Library, Sioux Falls. Central Big Sioux River Watershed Project II public informational meeting.
6. **March 9 & 10** - Pierre. South Dakota Water Management Board. EDWDD Future Use Water Permit hearing.
7. **March 17 - 9:00 a.m.** - EDWDD Office, Brookings. March EDWDD Board of Directors Meeting.

Payment Requests -

City of Bruce - The Manager presented the Board with a reimbursement request from the City of Bruce. At the August 2010 meeting, the Board agreed to provide District cost-share assistance for fifty-percent of the cost, up to a maximum of \$8,000, for a drainage analysis for the City of Bruce. The community had enlisted the services of Civil Design, Inc. (CDI), of Brookings to survey the town, conduct a drainage analysis, and make recommendations as to how to best address current and future problems. The City has indicated that the work has been completed, and they have submitted a request for reimbursement for \$5,588.75, which is fifty percent of the \$11,177.50 total bill. Carey Bretsch, CDI, gave a brief summary of the results of the investigation.

Motion by Brown, seconded by Jarrett to authorize payment of \$5,588.75 as requested. The Manager noted that this action would complete the District's obligation to the effort. Motion carried unanimously.

SDSU Invertebrate Natural History Collection - The Manager noted that at the September 2010 meeting, the Board agreed to provide District funding for the inclusion of macroinvertebrate voucher specimens, collected during District-sponsored watershed assessments, in the South Dakota State University

DRAFT
Invertebrate Natural History Collection. At a cost of \$15 to enter each specimen into the collection, the 329 specimens then identified resulted in a commitment of \$4,935. He noted that in the intervening period, Dr. Troelstrup (SDSU) and Deb Springman (EDWDD) have identified an additional 16 specimens, which would increase the total cost to \$5,175, a \$240 increase (345 specimens).

SDSU has submitted an invoice for the work, which would begin in the spring. The Manager requested that the Board 1) increase the grant by \$240, and then 2) authorize payment as requested.

Motion by Johnson, seconded by Brown to increase the District commitment by \$240. The Manager noted that this would increase District support for the cataloging of the macroinvertebrate voucher specimens to \$5,175. Motion carried unanimously.

Motion by Weidler, seconded by Kassube to authorize payment of \$5,175 as requested. The Manager noted that this action would complete the District's obligation to the effort. Motion carried unanimously.

2011 SD Legislative Review

The Manager reviewed the status of numerous bills he is following during the ongoing 86th Session of the South Dakota Legislature.

House Bill 1044, An Act to revise certain water project district voter eligibility provisions. Passed Senate Local Government Committee on February 16th.

House Bill 1050, An Act to revise the voting requirements for the county board of adjustment. The bill was killed (deferred to the 41st day) in House Local Government on January 25th.

House Bill 1189, An Act to impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill. This bill, and its companion, SB 180, have both been deferred until the 41st day.

House Bill 1195, An Act to restrict, under certain circumstances, the creation and transfer of conservation easements. This bill was killed (deferred to 41st day) in House Judiciary on Monday, February 7th.

House Bill 1201, An Act revise auditing requirements for certain water-related special purpose districts. Awaiting action by the full House of Representatives.

House Bill 1215, An Act to repeal certain refund provisions of the motor fuel tax for certain nonhighway agricultural use of motor fuels and to provide for the distribution of such motor fuel tax. The bill was passed by the full House on February 17th. It is awaiting action by the Senate Transportation Committee.

Senate Bill 101, An Act to provide a penalty for denying access to public records. Passed the full Senate on February 8th, awaiting action by the House Judiciary Committee.

Senate Bill 184, 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 revise the state water plan, and to declare an emergency. Passed the Senate 34-0 on February 15th. Awaiting action by the House Appropriations Committee.

Project Assistance Requests

Sioux Empire Water Festival - Deb Callahan, Fundraising Chair for the Sioux Empire Water Festival, presented the Board with a request for project assistance of \$5,000 for the 2011 event. The Festival is scheduled for Tuesday and Wednesday, March 22nd and 23rd, and will be held on the campus of the University of Sioux Falls.

Motion by Soholt, seconded by Johnson to provide \$5,000 in District project assistance funds to the Sioux Empire Water Festival in support of the 2011 event and to authorize expenditure of the funds. Motion carried unanimously.

Big Sioux Water Festival - The Manager presented the with a request for project assistance of \$5,000 for the 2011 Big Sioux Water Festival. The Festival is scheduled for Tuesday, May 10, and will be held on the campus of South Dakota State University in Brookings.

Motion by Kassube, seconded by Weidler to provide \$5,000 in District project assistance funds to the Big Sioux Water Festival in support of the 2011 event and to authorize expenditure of the funds. Motion carried unanimously.

City of Madison - David Odens, Banner Associates, presented the Board with a request for cost-share assistance on behalf of the City of Madison. The City has encountered problems with volatile organic compounds (VOCs) showing up in their well water. In response, they have engaged Banner Associates of Brookings to develop a preliminary engineering report (PER) on how the issue might best be addressed. Such a report is necessary in order for the City to access state and federal grant/loan assistance. The projected cost for the PER is \$28,000, and the City is requesting District support for thirty percent (30%) of the costs, which be \$8,400.

Motion by Jarrett, seconded by Scheibe to provide District cost-share assistance of thirty percent (30%) of the local costs of the preliminary engineering report, up to a maximum amount of \$8,400. Motion carried unanimously.

Updates to District By-Laws

The Board continued it's review of proposed changes to the District By-Laws. Questions remain as to the language dealing with the bond to be held by the Treasurer, and the Manager is working with the District legal counsel and the insurance carrier to clarify matters. Final action of the changes will be considered at the March meeting.

Minnesota River Basin Projects AREA II

Kerry Netzke, Coordinator for the Minnesota River Basin Projects AREA II, provided the Board with an overview of her organizations history and activities. AREA II is a nonprofit organization was created in 1978 by a joint powers agreement of Minnesota counties that encompass the southwest part of the Minnesota River watershed (Brown, Cottonwood, Lac qui Parle, Lincoln, Lyon, Murray, Pipestone, Redwood, and

DRAFT

Yellow Medicine Counties are currently members. AREA II provides financial and technical assistance for the planning, design, and installation of flood water retarding/retention projects.

AREA II has been responsible for the installation of numerous reservoirs since 1978, with several providing multi-purpose functions as county park and recreation areas. Besides the larger structures, Area II has assisted with the installation of many road retention structures which serve as temporary reservoirs that ‘meter’ out the flood waters at controllable velocities and volumes.

Area II involves six major watersheds: Yellow Bank River, Lac qui Parle River, Yellow Medicine River, Redwood River, Cottonwood River, and Little Cottonwood River. Eligible project sponsors include the member counties, soil and water conservation districts, Yellow Medicine River Watershed District, and the Yellow Bank - Lac qui Parle Watershed District. On several occasions, AREA II and East Dakota have cooperated on projects along the SD/MN border.

Adjournment

There being no further District business or other matters, Chairman Eggers declared the meeting adjourned at 12:30 p.m.

DRAFT

Roger Scheibe, Secretary

DRAFT