



East Dakota Water Development District
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MINUTES
August 18, 2022

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on August 18, 2022, at the District Office in Brookings, SD. Chairman Anderson called the meeting to order at 9:35 a.m. The following persons attended:

Directors Present

Mark Anderson
Jeff Barth
Ryan Donovan
Gary Duffy
Bob Kappel
Dana Loseke
John Moes
Joedy Poppe

Director(s) Absent

Spencer Hawley

Others Present

Scott Buss, Minnehaha Community Water Corporation
David Chicoine, Lake Poinsett Association
Tom Dempster, Lake Poinsett Association
Ashley Froke, City of Iroquois
Eric Gronlund, SD DANR Water Rights Program
Peggy Loomis, Hamlin Conservation District
Dennis Rebelein, Banner Associates

Staff Present

Barry Berg
Jay Gilbertson
Deb Springman

Administrative Items

Approval of Agenda -

Motion by Barth, seconded by Donovan to approve the agenda as presented. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the July 21st, 2022, Board of Directors meeting.

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

Financial Reports - The Board reviewed the July 2022 Financial Reports.

Motion by Poppe, seconded by Larson to accept the July 2022 financial reports. Motion carried unanimously. Chairman Anderson asked that the report be placed in the District files.

Report of Meetings and Conferences - Director Donovan attended the August 15th meeting of the Friends of the Big Sioux River in Sioux Falls.

Director Kappel attended the Dairy Sustainability Tour in Crooks on August 2nd.

Director Larson reported on the ribbon-cutting for the Lewis & Clark Regional Water System water tower in Beresford on August 10th.

Director Moes reported on the August 17th meeting of the Lake Pelican Water Project District in Watertown.

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

1. July 26th - SDSU Community Cap Assessment Symposium, SDSU, Brookings.
2. July 27th - Garretson City Dam tour, Garretson.
3. July 31st - SD Chapter of the American Institute of Professional Geologists field tour, Chamberlain.
4. August 2nd - Dairy Sustainability Tour, Boadwine Dairy/Crooks.
5. August 4th - SD Watershed Academy by SDSU Water Resources Institute, Oak Lake Field Station.
6. August 8th - Minnehaha Conservation District Board of Supervisors, via Zoom.
7. August 9th - Meet Ag United for SD Acting Executive Director, Sioux Falls.
8. August 9th - via teleconference. SD Board of Water & Natural Resources - Vermillion basin WDD expansion.
9. August 10th - Lewis & Clark RWS Beresford Water Tower Ribbon Cutting, Beresford.
10. August 11th - 2020 Fiscal audit review, Sioux Falls.
11. August 12th - SD Lakes & Streams Association Aquatic Invasive Species Forum, Pickerel Lake.

Upcoming Meetings

1. **August 18th - 2:00 p.m.** - Watertown. NE Watershed Restoration Projects discussion.
2. **August 20th** - Sioux Falls. 9th Annual Downtown RiverFest
3. **August 23rd - 25th** - Grand Forks, ND. Red River Partners Summer Tour.
4. **August 24th - 7:00 p.m.** - Centerville. Vermillion Basin Water Development District Board of Directors.
5. **August 25th** - Sioux Falls. Mesonet at SDSU Ribbon Cutting.
6. **August 30th - September 1st** - Ames, Iowa. International Drainage Symposium.
7. **September 1st** - Watertown. South Dakota Association of Rural Water Systems Board of Directors.
8. **September 8th - 9:00 a.m.** - Aberdeen. James River Water Development District Board of Directors.
9. **September 12th - 3:00 p.m.** - Sioux Falls. Minnehaha Conservation District Board of Supervisors.
10. **September 15th - 9:00 a.m.** - EDWDD Office, Brookings. September EDWDD Board of Directors meeting, and public hearing on 2023 District budget.
11. **September 29th - 1:00 p.m.** - Pierre. South Dakota Board of Water and Natural Resources.

Payment Requests - The Manager presented one payment/reimbursement request that required Board action. He noted that the request was in order and consistent with the conditions established by the Board at the time of the award.

<u>Grant Recipient/Activity</u>	<u>Requested Amount</u>
USGS/FFY 2022 Stream gaging	\$ 3,290.00
	\$ 3,290.00

Motion by Duffy, seconded by Kappel to authorize payment of \$3,290.00 to the USGS as requested. Motion carried unanimously.

Personnel Committee Report - Director Moes, representing the Personnel Committee, presented the results of the Committee's meeting held earlier in the day at the District Office. Directors Barth, Donovan, Kappel and Moes participated. Annual performance reviews were completed on District staff by the Manager. The staff received generally high marks, and there were no significant concerns or problems identified. Director Moes reported that the Manager's performance evaluation, a composite completed by all Board members, also indicated a high level of satisfaction with his efforts. For salary compensation for Fiscal Year (FY) 2023, the Committee recommended budgeting an increase of five percent (5 %) in salary compensation for all full-time District staff, but deferred a final recommendation on specific increases for FY 2023 until later in the year.

The Manager noted that the compensation recommendation had been included in the DRAFT budget for FY 2023.

Finance Committee Report - The Manager reviewed the DRAFT FY 2023 budget developed at the Finance Committee meeting held on August 16th at the offices of the Lewis & Clark Regional Water System in Tea. Directors Dick, Duffy (Chair), Hawley and Kappel participated, along with the Manager. The budget contains an increase of five point five percent (5.5 %) in the District's base tax levy. He noted that there were no substantial changes in the proposed budget from the prior year. The Manager noted that the proposed budget contained sufficient funds to cover the recommended staff salary increases.

The Manager stated that no formal Board action on the proposed budget was necessary at this time. However, he did request that the Board establish the time and place for the public budget hearing. He suggested that it be held at the September 15th Board meeting in Brookings.

Motion by Kappel, seconded by Larson to hold the public hearing on the District's FY 2023 budget on Thursday, September 15th, 2022, at 10:00 a.m. at the District office in Brookings and to authorize publication of the draft budget and necessary public notices. The Manager indicated that the draft budget will be published in all District newspapers in advance of the public hearing. Motion carried unanimously.

Project Assistance Requests

City of Iroquois - The Manager presented the Board with a request for cost-share assistance request from the City of Iroquois. They have engaged Banner Associates of Brookings to complete a facility plan of the community's wastewater collection and treatment system. The projected cost of the study is \$31,900.

The City anticipates a SD DANR Small Community Planning Grant of \$10,000, leaving a local cost balance of \$21,900. The request of the District is for up to fifty percent (50%) of this amount, which would come to \$10,950.

Ashley Froke, City Finance Officer, and Dennis Rebelein of Banner Associates, discussed the proposed effort and answered question from the Board.

Motion by Barth, seconded by Larson to provide District cost-share assistance to the City of Iroquois to cover up to fifty percent (50%) of the local costs of the proposed waste water facility plan, up to a maximum of \$10,950. Motion carried unanimously.

The Manager noted that the City of Iroquois actually straddles the border between the East Dakota and James River Water Development Districts. As such, he had reached out to Dave Bartel, JRWDD Manager, about possible cost-share assistance. Mr. Bartel encouraged the community to approach them about assistance.

Lake Poinsett Management Plan - Tom Dempster and David Chicoine, representing the Lake Poinsett Management Plan (LPMP) Task Force described the entities plans and efforts. They noted that a variety of stakeholders around Lake Poinsett, including the Lake Poinsett Association and the Lake Poinsett Water Project District, have come together with the idea of developing a Lake Poinsett Management Plan, to, “.. identify and prioritize critical needs and solutions for Lake Poinsett with a focus on water quality, water quantity, fish and wildlife habitat, tourism, recreation, economic development, roads and land use.” The ultimate goal is to give voice to Lake Poinsett constituents including area businesses, farmers, cabin owners and governmental entities and agencies to work together to maximize, develop, and build Lake Poinsett’s resources and opportunities. The Manager noted that he had been providing some technical assistance and counsel to the group.

Mr. Dempster noted that although the Task Force had begun soliciting pledges of financial support to be applied to development of the LPMP, they were not seeking financial support from the District at this time. However, they were seeking District assistance in the refinement of their objectives, development of scoping documents and a request for proposals for creation of the LPMP.

The Board discussed the request. It was noted that the requested assistance fell under the general role and function of the Manager, and as such the effort might be considered part of his duties. He regularly advises various entities on a range of matters, and this would just be a somewhat more focused effort. It was suggested that a written agreement, or memorandum of understanding, might be appropriate in this case.

Motion by Kappel, seconded by Duffy to direct the Manager to work with the representatives of the LPMP Task Force to develop a memorandum of understanding outlining the specific assistance being sought from the District, for consideration by the Board at it’s September 15th, 2022, meeting. Motion carried unanimously.

Introduction to South Dakota Water Rights

Eric Gronlund, Chief Engineer and Administrator for the South Dakota Department of Agriculture and Natural Resources Water Rights Program, provided a general introduction to how water rights are

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handled in South Dakota. He noted that all water in South Dakota belongs to the people in accordance with the public trust doctrine, and as declared by statute and confirmed in various legal precedents. The State, not as a proprietor, but as a trustee, controls the water for the benefit of the public. The Legislature has designated the Department of Agriculture and Natural Resources and the Water Management Board to manage our public water resources.

His presentation (Water Rights 101) covered a wide range of subjects, including the Doctrine of Prior Appropriation; criteria to approve a water right; the process by which water rights can be acquired; information available on water permits, water quantity, aquifer and lake levels; and future use permits.

Mr. Gronlund noted that the District is the holder of a substantial (92,500 acre-feet/year) future use permit for water from the Missouri River.

Executive Session

Motion by Duffy, seconded by Moes to go into executive session at 12:10 p.m. for the purpose of discussing personnel matters. Motion carried unanimously.

Motion by Moes, seconded by Barth to come out of executive session at 12:25 p.m.. Motion carried unanimously.

Adjournment

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There being no further District business, Chairman Anderson declared the meeting adjourned at 12:25 p.m.

Spencer Hawley, Secretary