



East Dakota Water Development District
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MINUTES
January 21, 2021

The Board of Directors of the East Dakota Water Development District (District) held a regular meeting on January 21st, 2021, by way of video-conferencing (Zoom). Chairman Anderson called the meeting to order at 9:05 a.m. The following persons attended:

Directors Present

Mark Anderson
Jeff Barth
Steve Dick
Gary Duffy
Spencer Hawley
Bob Kappel
Dana Loseke
John Moes

Others Present

Jennifer Bame, SD Association of Rural Water Systems (SDARWS)
Jeremiah Corbin, SDARWS/Sioux Empire Water Festival
Tim Cowman, SD Dept. of Environment & Natural Resources
Tami Jansma, City of Brandon
Ben Julson, Advanced Engineering & Environmental Services
Kay Kassube, Sioux Falls
John Parker, Minnehaha Conservation District
Joedy Poppe, Sioux Falls
Kevin Smith, Advanced Engineering & Environmental Services

Director(s) Absent

Area 8 Director (vacant)

Staff Present

Barry Berg
Kevin Christenson
Jay Gilbertson
Jeremy Hinke
Alexa Kruse
Deb Springman

Administrative Items

Approval of Agenda -

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

Minutes - The Board reviewed the Minutes of the December 17th, 2020, meeting.

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

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Financial Reports - The Board reviewed the December 2020 Financial Reports.

Motion by Moes, seconded by Hawley, to accept the December 2020 Financial Reports. Motion carried unanimously. Chairman Anderson then asked that the report be placed in the District files.

Report of Meetings and Conferences - Director Hawley reported on the January 11th, 2021, meeting of the Brookings County Ad Hoc Drainage Committee held in Brookings.

Director Loseke reported on the following meetings he attended, all by way of video-conferencing: Big Sioux River Watershed Project Steering Committee (December 22nd), Friends of the Big Sioux River Board of Directors (January 4th), SD Soil Health Conference (January 6th), DENR Riparian Buffer Working Group (January 7th), & Minnehaha Conservation District Board of Supervisors (January 11th).

The Manager commented briefly on the following meetings he attended:

1. December 22nd - Big Sioux River Watershed Project Steering Committee, via Zoom.
2. December 22nd - Conservation Implementation Strategy (CIS) discussion with USDA NRCS staff from Brookings, Lake and Moody Counties, via Zoom.
3. January 7th - South Dakota Board of Water and Natural Resources, via Zoom.
4. January 7th - SD Riparian Buffer Working Group, via Zoom.
5. January 11th - Brookings County Ad Hoc Drainage Committee, Brookings.
6. January 11th - Minnehaha Conservation District Board of Supervisors, via Zoom.
7. January 12th - 2020 Rotating Basins Watershed Sampling discussion with SD DENR staff, via Zoom.
8. January 13th - Staffing discussions for the Big Sioux River Watershed Project, via Zoom
9. January 14th - SDARWS Quality On Tap Editorial Board, via Zoom.
10. January 14th - Lac qui Parle/Yellow Bank One Watershed/One Plan Interagency Coordination meeting, via Zoom.
11. January 14th - USDA NRCS Cooperative Agreement discussion, via Zoom.
12. January 16th - SD Corn Annual Conference, via Zoom.

Selection of Area 6 Director - The Manager reviewed the process undertaken to appoint a person to fill the vacancy and represent Director Area 6. At the October 2020 meeting, the Board recognized that a vacancy would exist on January 1, 2021, as no candidate had filed a nominating petition for the 2020 general election. SDCL 46A-3B-9 allows for the remaining Board members to appoint a replacement from qualified candidates proposed by nominating petitions signed by at least 25 eligible voters from the area. Public notices of the vacancy were sent to the official newspaper for the area, Sioux Falls Argus Leader, in December, with a filing deadline of January 14th, 2021, as well as an indication that the vacancy would be addressed at this meeting. The Manager reported that a single set of valid petitions was submitted by Bob Kappel of Sioux Falls. Mr. Kappel, who was in attendance, introduced himself to the Board.

Motion by Loseke, seconded by Barth to appoint Bob Kappel to serve as the Director Area 6 representative through the end of December 2024. Motion carried unanimously.

Chairman Anderson and directors welcomed Mr. Kappel to the Board, who then participated as a full member for the duration of the meeting.

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Election of Officers for 2021 - Chairman Anderson turned the meeting over to the Manager for the election of Board officers for 2021. The Manager noted that under South Dakota Codified Law (SDCL) 46A-3B-11, the Board must annually select from among its membership a Chair, Vice-Chair and Secretary. These positions are currently held by Directors Anderson, Loseke and Hawley, respectively.

The Manager called for nominations for Chairman for 2021.

Motion by Barth, seconded by Moes to re-elected the current Board officers, Director Anderson as Chair, Director Loseke as Vice-Chair and Director Hawley as Secretary. Motion carried unanimously.

Chairman Anderson assumed control of the meeting.

Chairman Anderson asked if the Board wished to re-consider the Manager’s appointment as District Treasurer. No action was taken and the Manager shall continue to serve as District Treasurer.

Upcoming Meetings -

1. **January 21st - 9:00 a.m.** - via Zoom video-conference. James River Water Development District Board of Directors meeting.
2. **January 27th - 10:30 a.m.** - Clubhouse/Redrossa, Pierre. South Dakota Association of Rural Water Systems (SDARWS) Source Water Protection Workshop.
3. **January 27th & 28th** - via Zoom video-conference. SDARWS Manager's Group Meeting.
4. **February 16th** - via Zoom video-conference. SDARWS Annual Membership Meeting.
5. **February 18th - 9:00 a.m.** - via Zoom video-conference. February EDWDD Board of Directors meeting.

The Manager noted that as the South Dakota Legislature would be in session during this period, and that he would be acting as District Lobbyist as necessary.

Payment Requests - The Manager presented the Board with two payment/reimbursement requests that required Board action. The requests were 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>
SDSU/Bacteria Removal from Stormwater Runoff (Hua)	\$ 694.95
SDSU/Bacteria Removal from Stormwater Runoff (Hua)	<u>\$ 103.27</u>
Total	\$ 798.22

Motion by Loseke, seconded by Kappel to authorize payment of \$798.22 as requested. Motion carried unanimously.

Designation of Official Newspapers - The Manager noted that under SDCL 46A-3D-11, the District must annually designate official newspapers in which official legal notices are published. He provided a list of ten (10) newspapers that the District has historically used, and requested that the same newspapers be once again so designated. These papers were the Brookings Register, Clear Lake Courier, Grant

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County Review, Kingsbury Journal, Miner County Pioneer, Watertown Public Opinion, Moody County Enterprise, Hamlin County Herald Enterprise, Madison Daily Leader and Sioux Falls Argus Leader.

Director Barth raised the possibility of expanding the list to include other papers published within the District. The Manager stated that this would add about a dozen additional newspapers to the District’s list. The District currently averages 2 to 3 legal notices each year, and while the additional cost might not be substantial, he was uncertain as to the exact impact on the District budget.

It was the consensus of the Board to defer action on setting the official newspapers for 2021, and to have the Manager explore the likely costs involved in such an expansion of the official newspapers, and to report back to the Board at the February meeting.

District Organizational Memberships - The Manager proposed that the District remain a member of the South Dakota Association of Rural Water Systems during 2021, with annual dues of \$540.

Motion by Dick, seconded by Barth, to retain District membership in the South Dakota Association of Rural Water Systems for 2021. Motion carried unanimously.

2021 Board of Directors Meeting Schedule - The Manager presented the Board with a DRAFT meeting schedule for calendar year 2021. He noted that it was consistent with District By-Laws, which call for the default monthly meeting to be held on the third Thursday.

Date	Location	Start	Meeting Site
January 21	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
February 18	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
March 18	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
April 15	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
May 20	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
June 17	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
July 15	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
August 19	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
September 16	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
October 21	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
November 18	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference
December 16	Brookings/Zoom	9:00 a.m.	EDWDD Office/video-conference

With the current uncertainty regarding group gatherings, the Manager proposed that the Board maintain the remote (video-conference) format for the foreseeable future, noting that this could be adjusted down the line as conditions allow.

Motion by Moes, seconded by Barth to adopt the proposed meeting schedule for 2021. Motion carried unanimously.

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Project Assistance Requests

Big Sioux River Watershed Informational Publication - Deb Springman, Project Coordinator for the Big Sioux Water Festival, and Jennifer Bame, Outreach Specialist for the SD Association of Rural Water Systems, presented a proposal for a custom booklet to provide information on the Big Sioux River and its watershed. The material presented would be developed for the 4th and 5th grade levels, so the document could be a supplement for area water festivals and other educational events.

They reviewed their efforts to date, and noted that their desire was to have the document available for distribution in the next several months. Projected per copy costs are \$0.80 per copy, and they would like to do an initial run of 4,000 copies. This would provide enough copies to provide one for each attendee to the Big Sioux and Sioux Empire Water Festivals, along with spares for other activities. The Manager noted that at the expected per copy cost, this would amount to a cost of \$3,200. He suggested that an award of \$4,000 would provide some flexibility if costs estimates are too low.

Motion by Loseke, seconded by Moes, to allocate up to \$4,000 of District cost-share assistance to support the development and printing of the proposed Big Sioux River Watershed document, and to authorize expenditure of the funds. Motion carried unanimously.

Big Sioux Water Festival - Deb Springman, Project Coordinator, presented a request on behalf of the Big Sioux Water Festival for \$ 9,000 in District cost-share assistance for the 2021 event. Due to limitations imposed by the ongoing COVID-19 pandemic, the event will be held 'virtually,' with individual classes being provided access to remote presentations. Ms. Springman is working with various local, regional and national sources to develop age- and subject-appropriate presentations. As needed, materials will be provided to each participating class in accordance with the presenters needs. The goal is to retain the typical hands-on experience that prior year attendees have had. Ms. Springman noted that the actual amount of financial support needed has yet to be determined, but that the costs for the in-class supplies would offset the reduced expenses as a result of not holding a physical event.

Motion by Hawley, seconded by Barth, to provide up to \$9,000 in support of expenses for the 2021 Big Sioux Water Festival, and to authorize expenditure of the funds. Motion carried unanimously.

Sioux Empire Water Festival - Jeremiah Corbin, a member of the Sioux Empire Water Festival (SEWF) Steering Committee, presented a request for \$10,000 in District cost-share assistance for the 2021 event. As with the Big Sioux Water Festival, their event would also be held remotely, in a manner similar to that described by Ms. Springman. They too intended to offer participating classes a range of options for presentations, with the expectation that there may well be supplies and materials costs associated with certain activities. Similarly, they were unable at this time to identify a specific dollar amount needed for the 2021 SEWF.

Motion by Hawley, seconded by Loseke, to provide up to \$10,000 in support to the Sioux Empire Water Festival to cover expenses related to the 2021 event, and to authorize expenditure of the funds. Motion carried unanimously.

United States Geological Survey - The Manager reviewed a proposed joint funding agreement (JFA) between the District and the United States Geological Survey (USGS) Upper Midwest Water Science Center for support of stream gaging stations for Federal Fiscal Years (FFY) 2021 and 2022 (October 2020 - September 2022).

During FFY 2019 and 2020, the District provided cost-share assistance through the Upper Midwest 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, at a cost of \$6,268. The proposed FFY 2021/2022 JFA would be for a continuation of support for these gages at a total, two-year cost of \$6,520. 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 of the JFA to support stream gaging activities in FFY 2021 and 2022.

Motion by Loseke, seconded by Hawley to approve the FFY 2021/2022 JFA with the USGS Upper Midwest Water Science Center for \$6,520, and to authorize the Manager to execute the agreement. Motion carried unanimously.

Brandon Water Treatment Plant Expansion Update

Ben Julson, Advanced Engineering & Environmental Services (AE²S) and Kevin Smith, AE²S, briefed the Board on progress on plans for an expansion of the City of Brandon's water treatment plant. At the May 2020 meeting, the Board agreed to provide cost-share assistance to the City of Brandon in support of the completion of an engineering assessment (facility plan) for the community's water treatment plant. The City had engaged AE²S of Sioux Falls to complete the investigation.

2021 Legislative Session Bill Review

The Manager reviewed the status of numerous bills (listed below) he is tracking as the District lobbyist during the ongoing 96th Session of the South Dakota Legislature:

House Bill (HB) 1027, An Act to identify Water Management Board officers, authorize appointment of a prehearing officer, and define the duties of the prehearing officer.

HB 1028, An Act to revise petition requirements and the criteria for issuance of a water right permit.

HB 1029, An Act to require a permit to conduct mining operations for certain ore milling facilities.

HB 1038, An Act to make an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission and to declare an emergency.

HB 1042, An Act to revise certain provisions regarding riparian buffer strips.

HB 1050, An Act to modify certain publishing requirements in official newspapers.

Senate Bill (SB) 47, An Act to make an appropriation for the maintenance and repair of state-owned dams and to declare an emergency.

SB 52, An Act to revise the permit duration on certain concentrated animal feeding operations.

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SB 63, An Act to correct technical errors and outdated provisions regarding the Department of Environment and Natural Resources.

SB 76, An Act to revise provisions regarding public access to certain meandered bodies of water.

Adjournment

There being no further District business, Chairman Anderson declared the meeting adjourned at 11:59 a.m.

Spencer Hawley, Secretary

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