



**East Dakota Water Development District**  
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**MINUTES**  
**January 10, 2024**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on January 10<sup>th</sup>, 2024, at the Holiday Inn Express in Fort Pierre. Chairman Anderson called the meeting to order at 1:00 p.m. The following persons attended:

**Directors Present**

Mark Anderson  
Bonnie Dybedahl  
Spencer Hawley  
Bob Kappel  
John Moes

**Directors Absent**

Jeff Barth  
Gary Duffy  
Ryan Donovan  
Joedy Poppe

**Staff Present**

Jay Gilbertson  
Amber Lively

**Others Present**

Todd Anderson, US Geological Survey  
Robert Braun, James River Water Development District  
Pat Cerny, James River Water Development District  
Kris Dozark, SD Dept. of Agriculture & Natural Resources  
Dan Klimisch, James River Water Development District  
Paul Lorenzen, SD Dept. of Agriculture & Natural Resources  
Anna Madsen, SD Legislative Research Council  
Judy McDonald, James River Water Development District  
Colton Medler, US Geological Survey  
Carol Millan, James River Water Development District  
Dan Mullaly, West Dakota Water Development District  
Brad Prehiem, Vermillion Basin Water Development District  
Mike Wiese, James River Water Development District

**Administrative Items**

**Approval of Agenda -**

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

**Minutes -** The Board reviewed the Minutes of the December 21<sup>st</sup>, 2023, meeting.

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

**Financial Reports -** The Manager noted that the December 2023 Financial Reports would be considered at the February 2024 meeting.

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Reports of Meetings & Conferences - The Manager commented briefly on the following meetings he attended:

1. January 4<sup>th</sup> - SD Board of Water and Natural Resources, via video-conference.
3. January 9<sup>th</sup> - SDARWS Annual Technical Conference, Pierre.

Election of Officers for 2024 - Chairman Anderson turned the meeting over to the Manager for the election of Board officers for 2024.

The Manager called for nominations for Board Chair for 2024.

**Motion** by Kappel, seconded by Dybedahl to nominate Director Anderson for Board Chairman, Director Duffy for Vice-Chair and Director Hawley for Secretary. Motion carried unanimously.

Chairman Anderson resumed 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 9<sup>th</sup> - 11<sup>th</sup>** - Ramkota Hotel & Convention Center, Pierre. South Dakota Association of Rural Water Systems (SDARWS) Annual Technical Conference.
2. **January 24<sup>th</sup> - 10:30 a.m.** - Clubhouse/Redrossa, Pierre. SDARWS Source Water Protection Workshop.
3. **January 24<sup>th</sup> & 25<sup>th</sup>** - Clubhouse/Redrossa, Pierre. SDARWS Manager's Group Meeting.
4. **February 15<sup>th</sup> - 9:00 a.m.** - EDWDD Office, Brookings. 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.

2024 Board of Directors Meeting Schedule - The Manager presented the Board with a DRAFT meeting schedule for calendar year 2024. He noted that it was consistent with District By-Laws, which call for the default monthly meeting to be held on the third Thursday. The lone exception is the January meeting, which was being held in Pierre in conjunction with the 2024 SDARWS Annual Technical Conference and the opening of the 99<sup>th</sup> Session of the South Dakota Legislature.

<b>Date</b>	<b>Location</b>	<b>Start</b>	<b>Meeting Site</b>
January 10	Fort Pierre	1:00 p.m.	Holiday Inn Express & Suites
February 15	Brookings	9:00 a.m.	EDWDD Office
March 21	Brookings	9:00 a.m.	EDWDD Office
April 18	Egan	9:30 a.m.	Big Sioux CWS Office
May 16	Brookings	9:00 a.m.	EDWDD Office
June 20	Brookings	9:00 a.m.	EDWDD Office
July 18	Brookings	9:00 a.m.	EDWDD Office
August 15	Brookings	9:00 a.m.	EDWDD Office
September 19	Brookings	9:00 a.m.	EDWDD Office

October 17	Milbank	9:30 a.m.	Visitor Center
November 21	Sioux Falls	9:30 a.m.	SD Corn Office
December 19	Brookings	1:00 p.m.	EDWDD Office

**Motion** by Hawley, seconded by Moes to adopt the proposed meeting schedule for 2024. 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 proposed a list of newspapers to be considered official newspapers of the District in 2024.

**Motion** by Barth, seconded by Donovan, to designate the following newspapers as the official newspapers for District notices in 2024 - Arlington Sun, Brandon Valley Journal (Brandon), Brookings Register, Clear Lake Courier, Dells City Journal (Dell Rapids), Elkton Record, Estelline Journal, Garretson Gazette, Grant County Review (Milbank), Hamlin County Herald Enterprise (Hayti), Hamlin County Republican (Castlewood), Kingsbury Journal (DeSmet), Madison Daily Leader, Miner County Pioneer (Howard), Minnehaha Messenger (Hartford), Moody County Enterprise (Flandreau), Sioux Falls Argus Leader, South Shore Gazette, Volga Tribune and Watertown Public Opinion. Motion carried unanimously.

District Organizational Memberships -

**Motion** by Hawley, seconded by Kappel, to retain District membership in the South Dakota Association of Rural Water Systems and the Upper Missouri Water Association for 2024. Motion carried unanimously.

**South Dakota Association of Rural Water Systems Down-Hole Camera**

In December of 2022, the Board agreed to provide District cost-share assistance (50% of costs, up to a maximum of \$3,000) to the South Dakota Association of Rural Water Systems (SDARWS) toward the acquisition of a down-hole camera system to assess the condition of water supply wells. Kevin Christenson, Source Water Protection Specialist for SDARWS, provided an overview of how the camera has been put to use over the past year. He noted that for many of the smaller public water systems (PWSs) in our area, and across the state, the condition of the well or wells that provide water is a matter of speculation as opposed to actual knowledge. He showed the Board examples of how the camera has been used, with examples from across the state.

**The Mighty Missouri: An Overview of River Management and Water Rights**

The Manager noted that the Executive Board for the State Legislature requested the development of an Issue Memorandum on irrigation and water systems that rely upon water from the Missouri River. This memorandum was intended to cover who decides on the amount of water accessed by projects from the Missouri River, summarize the current water projects using water from the Missouri River, discuss whether out-of-state projects can cross the borders of South Dakota to access water from the Missouri River, and consider the impact additional water projects may have on the Missouri River and its reservoirs.

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On November 14<sup>th</sup>, the requested Issue Memorandum, entitled, “The Mighty Missouri: An Overview of River Management and Water Rights,” was released. Anna Madsen, Senior Research Analyst for the SD Legislative Research Council, prepared the report, and provided the Board with an overview of the findings.

**Preview of the 2024 Legislative Session**

The Manager reviewed two pieces of legislation developed that would impact water development districts (WDDs).

The first would move portions of Kingsbury, Lake and Miner Counties out of the East Dakota WDD and into the Vermillion Basin WDD. As a result, VBWDD would truly encompass the majority of the watershed, as it’s name has always implied. The change would move about 7,300 people out of East Dakota based on the 2020 federal census. However, since that time, Sioux Falls has already grown by nearly 10,000 people, so the net effect is minimal. The impact on the District tax base would a loss of about 4.5%, but overall District growth, particularly in the greater Sioux Falls area, should replace this within a year or two.

The second bill would change code to declare that when ‘new’ WDD director positions are created as the result of the population crossing stipulated thresholds, the director positions would be treated as “vacant” and filled according to existing code. Otherwise, there is a significant delay, and taxpayers are placed in a “taxation without representation” situation.

Lastly, there is the matter of how about \$130 million of unexpended American Recovery Plan Act (ARPA) will be distributed. The Governor has proposed allocating \$95 million of this amount toward conventional water and wastewater projects, but the devil will be in the details of how it might be distributed. There have also been several individual bills discussed that would target the funds at specific projects/efforts.

**Adjournment**

There being no further District business, Chairman Anderson declared the meeting adjourned at 2:35 p.m.

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Spencer Hawley, Secretary