



East Dakota Water Development District
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MINUTES
March 19, 2020

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on March 19, 2020, by way of a telephone conference call. Chairman Anderson called the meeting to order at 9:02 a.m. The following persons attended:

Directors Present

Mark Anderson
Jeff Barth
Mary Ellen Connelly
Gary Duffy
Spencer Hawley
Martin Jarrett
Kay Kassube
Dana Loseke
John Moes

Others Present

- none -

Directors Absent

- none -

Staff Present

Jay Gilbertson

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Administrative Items

Approval of Agenda - The Manager requested that the Travel Authorization request and the presentation on the planned **trū Shrimp** facility in Madison be dropped from the Agenda.

Motion by Loseke, seconded by Moes to approve the agenda as so amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the February 20th, 2020, Board meeting.

Motion by Duffy, seconded by Connelly to approve the Minutes of the February 20th, 2020, Board meeting as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the February 2020 financial reports.

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Motion by Loseke, seconded by Barth to accept the February 2020 financial report. 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 Brookings County Ad Hoc Drainage Committee, on which he and the Manager serve, which has met twice in the past month.

Director Loseke attended the 26th Annual Sioux Empire Water Festival at the University of Sioux Falls in Sioux Falls as a presenter on March 10th and 11th.

Director Moes reported on the March 18th meeting of the Upper Big Sioux River Watershed Board meeting held in Watertown.

The Manager reported on several meetings he attended:

February 20th (via teleconference). Planning discussion for the Rotating Basins Project 2020 field season.

February 25th . Brookings County Ad Hoc Drainage Committee, Brookings; and Lincoln-Pipestone Rural Water 2020 Operational Meeting, Pipestone, MN.

March 2nd . Lobbying for HB 1166, Pierre.

March 6th . Rural Grant & Roberts Counties landowner meeting on drainage concerns.

March 9th . SDSU Agriculture & Biosystems Engineering Search Committee preliminary interviews, Brookings.

March 11th . Brookings County Ad Hoc Drainage Committee, Brookings.

March 13th . Big Sioux Water Festival Steering Committee, Brookings.

March 18th . SDSU Agriculture & Biosystems Engineering Search Committee final interviews, Brookings.

Upcoming Meetings -

1. ~~March 25th - 9:00 a.m.~~ - Sioux Falls. ~~Big Sioux River Watershed Project Steering Committee (Cancelled).~~
2. ~~March 26th & 27th~~ - Pierre. South Dakota Board of Water & Natural Resources (**Postponed to March 31st**).
3. **April 1st - 3:00 p.m.** - Brookings. Brookings County Ad Hoc Committee to Study Drainage Issues.
4. **April 16th - 9:30 a.m.** - Minnehaha Community Water System Office, Dell Rapids. April EDWDD Board of Directors meeting.
5. ~~April 28th - St. Paul, MN.~~ ~~Minnesota Ground Water Association Spring Conference (Cancelled).~~
6. **April 30th/May 1st** - Rapid City. Western South Dakota Hydrology Conference.

2020 Director Vacancies - The Manager noted that at the end of calendar year 2020, the terms of office for District directors from even-numbered director areas (2 - Duffy, 4 - Jarrett, 6 - Kassube & 8 - Connelly) will expire. As of the time of the meeting, petitions had been filed with the Secretary of State's office for the vacancies in director areas 2 and 4. The deadline for filing of nominating petitions is March 31st.

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2020 Legislative Session Review

The Manager reviewed the March 19th status of numerous bills he is tracking as the District lobbyist during the ongoing 95th Session of the South Dakota Legislature.

House Bill (HB) 1025, An Act to revise certain provisions regarding plugging and performance bonds for oil and gas wells.

HB 1026, An Act to revise certain provisions relating to use of security for cleanup and remediation of environmental problems.

HB 1027, An Act to make an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission and to declare an emergency.

HB 1035, An Act to make an appropriation from the water and environment fund and its revolving fund subfunds for various water and environmental purposes, to revise the water resources projects list, and to declare an emergency (Omnibus Water Bill).

HB 1058, An Act to revise certain provisions regarding water development districts.

HB 1071, An Act to revise provisions regarding surface water quality complaints.

HB 1093, An Act to establish a pipeline liability fund, to authorize a special fee for extraordinary expenses, and to make a continuous appropriation therefor.

HB 1118, An Act to revise the boundaries of certain water development districts and to revise certain provisions regarding the election of the board of directors and the levying of taxes in the affected districts.

HB 1166, An Act to revise provisions regarding the appointment of inactive watershed district boards and the reactivation of watershed districts.

HB 1238, An Act to permit modification of the term of a perpetual conservation easement after the death of the grantor.

HB 1240, An Act to provide for the inspection of certain swimming pools and beaches. It was deferred to the 41st legislative day.

HB 1280, An Act to accommodate legislation regarding conservation districts.

Senate Bill (SB) 17, An Act to make an appropriation for the plugging and surface reclamation of natural gas wells and to declare an emergency.

SB 49, An Act to add gravel to the definition of a mineral.

SB 58, An Act to limit gifts to directors or employees of certain government districts.

SB 59, An Act to protect the teaching of certain scientific information.

SB 63, An Act to establish certain provisions regarding pore spaces.

SB 116, An Act to establish requirements certain state entities must follow when applying for federal grants.

SB 122, An Act to impose a severance tax on the quarrying of certain minerals.

SB 141, An Act to designate the Bobolink as the official songbird of South Dakota.

SB 157, An Act to revise certain provisions regarding the county zoning and appeals process.

SB 186, An Act to revise certain leave policies for state employees.

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2018 Fiscal Audit Report

Rose Grant, CPA, of Grant & Williams, Incorporated, of Sioux Falls, reviewed the Final Audit Report of the District finances during 2018. Copies of the report were previously distributed to all Board members. Ms. Grant stated that the District’s financial position was very strong. There were no substantial accounting errors or significant problems with the District’s fiscal accounts and records, beyond the perennial issue of internal control over financial reporting, a common problem with entities with small staff. The Board discussed potential options, which the Manager would review in the near future.

Ms. Grant noted that word had been received that the audit report had been reviewed and accepted by the South Dakota Department of Legislative Audit (DLA). The Manager stated that a public notice will be placed in the official newspapers of the District indicating that the audit had been completed and is available for examination, as required by South Dakota Codified Law 46A-3D-4.

Motion by Kassube, seconded by Barth to accept and approve the 2018 fiscal audit report. Motion carried unanimously.

Status of the 2020 Big Sioux Water Festival

In light of the rapidly developing circumstances surrounding the COVID-19 virus, the Manager has been reviewing options with regard to the upcoming (May 12th) Big Sioux Water Festival (BSWF), to be held on the campus of South Dakota State University in Brookings. The standard recommendation is to limit the opportunities for person-to-person transmission of the virus. In most instances, this has resulted in the cancellation, or at the very least the long-term suspension, of all non-essential activities.

He met with the BSWF Steering Committee on March 13th, and the consensus was to cancel the 2020 event. He noted that while the BSWF is highly informative and one of the best such functions around, it is, at the core, a non-essential event. Given all of the uncertainty as to just how the virus is spread and who might be affected, there is no such things as an overabundance of caution.

Adjournment

There being no further District business, Chairman Anderson declared the meeting adjourned at 10:30 a.m.

Spencer Hawley, Secretary