



**East Dakota Water Development District**  
132B Airport Drive  
Brookings, SD 57006  
605-688-6741      605-688-6744 Fax

**MINUTES**  
**September 16, 2021**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on September 16<sup>th</sup>, 2021, at the District Office in Brookings. Chairman Anderson called the meeting to order at 9:07 a.m. The following persons attended, either in person or via video-conferencing(\*):

**Directors Present**

Mark Anderson  
Jeff Barth\*  
Steve Dick  
Ryan Donovan  
Gary Duffy  
Spencer Hawley\*

**Directors Absent**

Bob Kappel  
John Moes  
Joedy Poppe

**Others Present**

Galen Hoogestraat, US Geological Survey\*  
Jesse Wilkins, SD Department of Agriculture & Natural Resources\*

**Staff Present**

Barry Berg\*  
Jay Gilbertson  
Alexa Kruse\*  
Deb Springman

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**Administrative Items**

**Approval of Agenda**

**Motion** by Dick, seconded by Duffy to approve the agenda as presented. Motion carried unanimously.

**Minutes** - The Board reviewed the Minutes of the August 19<sup>th</sup>, 2021, meeting.

**Motion** by Barth, seconded by Duffy to approve the Minutes of the August 19<sup>th</sup>, 2021, meeting as presented. Motion carried unanimously.

**Financial Reports** - The Board reviewed the August 2021 Financial Reports.

**Motion** by Dick, seconded by Barth, to accept the August 2021 financial reports. Motion carried unanimously. Chairman Anderson asked that the report be placed in the District files.

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Report of Meetings and Conferences - Director Barth reported on discussions with Roger Scheibe of the Renner Sanitary District regarding waste water collection issues.

Director Dick reported on an article published in the Ag United for South Dakota newsletter, The Harvest, on the Big Sioux River Project.

Director Hawley attended the formal opening of the new Raven Precision Agriculture Building on the South Dakota State University campus on September 11<sup>th</sup>.

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

1. August 21<sup>st</sup> - Big Sioux River Project booth at the 2021 RiverFest, Sioux Falls.
2. September 1<sup>st</sup> - Red River Basin Commission *Ex Officio* Meeting, Moorhead, MN.
3. September 2<sup>nd</sup> - South Dakota Association of Rural Water Systems (SDARWS) Board of Directors Meeting & SDARWS Rural Water Center Board of Directors Meeting, Aberdeen.
4. September 3<sup>rd</sup> - Grant County drainage ordinance discussion, Milbank.
5. September 7<sup>th</sup> - Grant County Commission, Milbank.
6. September 9<sup>th</sup> - James River Water Development District Board of Directors Meeting, Huron.

Selection of Area 7 Director - The Manager reviewed the process to be used to appoint a person to fill the vacancy and represent Director Area 7. At the July 2021 meeting, the Board accepted the resignation of Director Loseke, to become effective on August 31<sup>st</sup>, 2021. 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 notice of the vacancy was published in the official newspaper for the area, the Sioux Falls Argus Leader, in late July and August, with a statement that the Board intended to act on the vacancy appointment if valid nominating petitions were submitted. The Manager reported that a single set of valid petitions was submitted by Ryan Donovan of Sioux Falls. Mr. Donovan, who was in attendance, introduced himself to the Board.

**Motion** by Duffy, seconded by Dick to appoint Ryan Donovan to serve as the Director Area 7 representative through the end of December 2022. Motion carried unanimously.

#### Upcoming Meetings

1. **September 16<sup>th</sup> - 7:00 p.m.** - Terry Redlin Environmental Center, Watertown. Upper Big Sioux River Watershed Board.
2. **September 28<sup>th</sup> - 1:00 p.m.** - Webster. Aquatic invasive species workshop.
3. **September 30<sup>th</sup> - 1:00 p.m.** - Pierre. South Dakota Board of Water and Natural Resources.
4. **October 6<sup>th</sup> & 7<sup>th</sup>** - Rapid City. Great Plains Tribal Water Alliance 2021 Fall Water Conference
5. **October 12<sup>th</sup> - 3:00 p.m. (MST)** - Rapid City. West Dakota Water Development District Board of Directors.
6. **October 19<sup>th</sup> - 1:00 p.m.** - Oacoma. Water Development District Manager's meeting.
7. **October 20<sup>th</sup>** - via video-conferencing. Eastern South Dakota Water Conference.
8. **October 20<sup>th</sup> - 7:00 p.m.** - Centerville. Vermillion Basin Water Development District Board of Directors.
9. **October 21<sup>st</sup> - 9:00 a.m.** - EDWDD Office, Brookings. October EDWDD Board of Directors.

10. **October 21<sup>st</sup> - 7:00 p.m.** - Terry Redlin Environmental Center, Watertown. Upper Big Sioux River Watershed Board.
11. **October 25<sup>th</sup> & 26<sup>th</sup>** - Deadwood. Upper Missouri Water Association Conference.
12. **October 27<sup>th</sup> & 28<sup>th</sup>** - Deadwood. SDARWS Manager’s Group.

Payment Requests - The Manager presented a payment request from a District-sponsored activity that required Board action. He noted that the request was in order and consistent with provisions set by the Board at the time of award. He requested Board authorization to make the following payment:

<u>Grant Recipient/Activity</u>	<u>Requested Amount</u>
City of Arlington - Waste Water Facility Plan	\$ <u>9,967.00</u>
<b>Total</b>	<b>\$ <u>9,967.00</u></b>

**Motion** by Hawley, seconded by Barth to authorize payment of \$9,967.00 to the City of Arlington as requested. The Manager noted that this payment would complete the District’s obligation to this effort. Motion carried unanimously.

### **Project Assistance Request(s)**

United States Geological Survey Real-Time Nitrate Monitoring Agreement - Galen Hoogestraat, hydrologist with the USGS Dakota Science Center, briefed the Board on the results of the real-time nitrate monitoring station located on the Big Sioux River below Dell Rapids. The station is operated and maintained by the USGS, with support provided under cooperative agreements with the City of Sioux Falls and East Dakota Water Development District. The station is currently co-located with a USGS stream-flow gage on the river near Dell Rapids. Results from the station match well with independent data collected by the District at this location, and align with data from the City a few miles downstream.

During Federal Fiscal Year (FFY) 2021, the District provided cost-share assistance through the Dakota Water Science Center for support of a real-time nitrate monitoring device at a cost of \$4,100. The proposed FFY 2022 joint funding agreement (JFA) would be for a continuation of support for this monitoring station at a slight increase in cost (\$4,150). The JFA for FFY 2022 would be matched by \$2,075 from the USGS. A similar agreement will be executed between the City of Sioux Falls and the USGS.

**Motion** by Duffy, seconded by Dick to approve the FFY 2022 JFA with the USGS Dakota Water Science Center, in support of the real-time nitrate monitoring station, for \$4,150, and to authorize the Manager to execute the JFA. Motion carried unanimously.

### **Hearing on the 2022 EDWDD Budget**

Chairman Anderson opened the public hearing on the 2022 EDWDD Budget at 10:00 a.m. The Manager stated that the District had published a copy of the proposed budget and notices of the hearing in all of the official District newspapers, as required by South Dakota Codified Law 46A-3E-10. The Manager stated that no written or verbal comments on the proposed budget were received prior to the meeting/hearing.

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## FY 2022 BUDGET

### MEANS OF FINANCE

100	Tax Revenue	\$	852,000
200	Grant Revenue	\$	475,000
300	Capitol Reserves	\$	422,068
400	Miscellaneous Revenue	<u>\$</u>	<u>80,000</u>
TOTAL FY 2022 MEANS OF FINANCE			<b>\$ 1,829,068</b>

### APPROPRIATIONS

			<b>GENERAL FUND</b>
01	Board of Directors	\$	41,677
02	Administration	\$	177,270
03	Technical Assistance	\$	366,521
04	Operational Expenses	\$	156,100
05	Professional Services	\$	49,000
06	Capitol Outlay	\$	68,500
07	Grant Expenditures	\$	475,000
08	Project Assistance	\$	320,000
09	Contingency	<u>\$</u>	<u>175,000</u>
TOTAL FY 2022 APPROPRIATIONS			<b>\$ 1,829,068</b>

Chairman Anderson invited public comment on the budget as advertised and presented. No public comments were made. Chairman Anderson declared the public hearing closed at 10:10 a.m., and called for Board comment and/or action on the proposed budget.

The Manager requested Board authorization for the Chairman and Treasurer to sign District Resolution 21-1, Resolution providing that a tax be assessed and levied on all taxable property in the East Dakota Water Development District (copy attached). The resolution covers District property tax collections for fiscal year 2021, payable in 2022, as identified in the property tax income portion of the budget under consideration. The resolution is part of the package of material sent to all county auditors and treasurers in the District, as well as the South Dakota Department of Revenue, on or before October 1<sup>st</sup>.

**Motion** by Dick, seconded by Duffy to adopt the 2022 EDWDD Budget as presented, and to authorize the Chairman and Treasurer to sign Resolution 21-1. Motion carried unanimously on a roll call vote.

### **SD DANR Harmful Algal Blooms Website & Interactive Map**

Jesse Wilkins, with the SD Department of Agriculture and Natural Resources (DANR), provided an overview and demonstration of the DANR Water Quality Monitoring Access Portal (Portal). The Portal allows users to search for and view water bodies, and their associated monitoring stations, as well as access a host of other water quality related information. The Portal can be found on the DANR website: <https://apps.sd.gov/NR92WQMAP>.

Users can click on a lake or stream/river segment to view summary graphs of recent water quality data (Water Quality Dashboard), access a list of links to individual monitoring stations where data can be viewed and downloaded (Monitoring Data), view water quality reports and project information (Projects

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and Reports), and see water quality assessments from the latest South Dakota Integrated Report for Surface Water Quality Assessment (Support Status). All data for all parameters regardless of age can be downloaded from each station into a Microsoft Excel spreadsheet.

The Portal map also shows the status of lakes, rivers and streams with regard to the support (or non-support) of assigned beneficial uses. All waters in South Dakota have designated beneficial uses, which are uses for the waterbody deemed to be appropriate to the waterbody's attributes. Examples of beneficial uses are Domestic Water Supply (drinking water), Irrigation, Limited Contact Recreation Waters (e.g. boating, fishing, kayaking), Immersion Recreation Waters (swimming, water skiing), and various beneficial uses designed to protect fisheries (e.g. Warmwater Marginal Fish Life Propagation, Coldwater Permanent Fish Life Propagation). Each beneficial use also assigns water quality standards for parameters that are important to protect the beneficial use. Those supporting all beneficial uses and therefore meeting water quality standards are shown in blue. All lakes and streams that are not supporting all beneficial uses, and therefore not meeting water quality standards, are shown in red.

The Portal also shows water quality data in graphical form. The graphs include lines displaying water quality standards (where applicable) and for lakes it displays regional moving averages for select parameters. More than one standard line may exist for water quality parameters where there is more than one threshold, such as for *Escherichia coli* (*E. coli*) or total suspended solids.

### **Adjournment**

There being no further District business, Chairman Anderson declared the meeting adjourned at 11:20 a.m.

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Spencer Hawley, Secretary

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## RESOLUTION 21-1

### **RESOLUTION PROVIDING THAT A TAX BE ASSESSED AND LEVIED ON ALL TAXABLE PROPERTY IN THE EAST DAKOTA WATER DEVELOPMENT DISTRICT**

**WHEREAS**, Section 46A-3E-1 of the South Dakota Codified Laws provides, “A water development district board of directors may levy taxes, not to exceed thirty cents per thousand dollars of taxable valuation in the district, for accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive, and chapters 46A-1 and 46A-2. If an area is included in more than one water development district, that area's tax levy payable to each of the water development districts shall be determined by multiplying the greater of the overlapping water development districts' levies by each water development district's taxing fraction. Each water development district's taxing fraction is determined by dividing that water development district's proposed tax levy for the overlapped area by the sum of all water development districts' levies for the overlapped area. Any water development district for which boundaries are revised under §§ 46A-3A-2 to 46A-3A-7.1, inclusive, is not considered a new taxing district. If any water development district levied a tax pursuant to chapter 10-13 in a manner used by a new taxing district for taxes payable in 2010, such water development district shall revert to the amount of revenue payable to the district for taxes payable in 2009 including any excess levy approved pursuant to § 10-13-36 before July 1, 2002. The water development district may adjust the maximum amount of revenue payable for property taxes based on the growth and index factor for each year thereafter. Any excess levy approved by the water development district pursuant to § 10-13-36 before July 1, 2002, is null and void”; and

**WHEREAS**, Section 46A-3E-13 of the South Dakota Codified Laws provides, “Appropriate officials shall extend the levy or special assessments upon the tax list of the county, municipality, or other appropriate tax paying entity for the tax year against each description of taxable property or, in the case of special assessments, against each description of taxable property to be specially assessed within the water development district in the same manner and with the same effect as other taxes and assessments are extended, including the authority, requirements, and procedures contained in chapter 9-43”; and

**WHEREAS**, Section 46A-3E-14 of the South Dakota Codified Laws provides, “Appropriate tax collecting officials shall collect all water development district taxes and assessments, together with interest and penalty thereon, if any, in the same manner as the general taxes and assessments are collected and shall pay over monthly to the water development district treasurer all taxes so collected during the preceding month, with interest and penalties, and shall immediately notify the secretary of the water development district of such payment. The water development district treasurer shall immediately enter these receipts to the credit of the depository accounts designated by the water development district board of directors pursuant to § 46A-3E-10”; and

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**WHEREAS**, the East Dakota Water Development District boundary includes all of the lands within Brookings, Codington, Deuel, Grant, Hamlin, Kingsbury, Lake, Lincoln (Sioux Falls only), Miner (eastern one-half), Minnehaha, and Moody; and

**WHEREAS**, the East Dakota Water Development District Board of Directors, at a meeting in Brookings, South Dakota, on September 16<sup>th</sup>, 2021, adopted a budget of \$1,829,068 for the calendar year 2022 and which is hereby attached and incorporated by reference; and

**WHEREAS**, an estimated \$849,000 of said budget is to be raised by a tax on taxable valuation in the East Dakota Water Development District;

**NOW, THEREFORE BE IT RESOLVED**, that pursuant to Chapter 46A-3A to 46A-3E, inclusive, of the South Dakota Codified Laws, the county auditor in each of the following counties of Brookings, Codington, Deuel, Grant, Hamlin, Kingsbury, Lake, Lincoln (Sioux Falls only), Miner, Minnehaha, and Moody within East Dakota Water Development District, be instructed to extend the following tax levy in dollars, not to exceed the limits established in Chapter 46A-3E of the South Dakota Codified Laws for collection in 2022 to wit:

COUNTIES	REAL PROPERTY TAX LEVY
Brookings	\$77,725
Codington	\$68,125
Deuel	\$23,144
Grant	\$27,898
Hamlin	\$27,868
Kingsbury	\$32,820
Lake	\$41,231
Lincoln (Sioux Falls only)	\$98,666
Miner	\$9,354
Minnehaha	\$418,131
Moody	\$24,038

Said tax levy is to be extended against all taxable property in the county including municipalities, within:

1. Minnehaha, Moody, Lake, Kingsbury, Brookings, Hamlin, Deuel, Codington, and Grant Counties;

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- 2. Grafton, Belleview, Adams, Henden, Howard, Clearwater, Canova, and Vermillion townships in Miner County; and
- 3. all municipalities that are wholly or partially within the included area or that are contiguous to the included area; in the same manner and with the same effect as other taxes are extended; and

**BE IT FURTHER RESOLVED**, pursuant to Section 46A-3E-14 of the South Dakota Codified Laws, the county treasurer in each of the counties within the said East Dakota Water Development District be instructed to collect said real property taxes and pay over such collection of money to the East Dakota Water Development District each month for deposit in the First National Bank of Brookings, the local depository for the District; and

**BE IT FURTHER RESOLVED**, pursuant to Section 46A-3E-12 of the South Dakota Codified Laws, the secretary of the East Dakota Water Development District is hereby instructed to send a certified copy of this resolution adopting this annual tax levy to be made against 2021 taxable property valuation, and a certified copy of the budget for 2022 as approved by the Board of Directors, to each county auditor and each county treasurer within the East Dakota Water Development District and to the State Secretary of Revenue.

Dated this 16<sup>th</sup> day of September, 2021, with the approval of the East Dakota Water Development District Board of Directors.

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Mark Anderson, Chairman  
East Dakota Water Development District

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Jay P. Gilbertson, Treasurer  
East Dakota Water Development District