



MEETING LOCATION:
WEST RIVER ELECTRIC
3250 SD HWY 44
Rapid City, SD 57703

Approved Minutes for July 12, 2016

CALL TO ORDER: The West Dakota Water Development District convened for its regular board meeting at West River Electric, 3250 SD Hwy. 44 Rapid City, SD. Chairman Mueller is in attendance via phone so Vice Chairman Richer is running the meeting. All votes will be taken via roll call. Vice Chairman Richer called the meeting to order at 6:05 pm by leading the Pledge of Allegiance. Vice Chairman Richer held a moment of silence for the officers who died in the line of duty. Directors present: Ken Moss (District 1), Dan Richer (District 2), Mike Mueller via phone (District 3), Robert Akers (District 5), Tim Rogers (District 6),

Directors absent: Lavern Koch (District 4), Ken Steinken (District 7), Sandra Beshara (District 8), and Jeannette Deurloo (District 9). A quorum was declared.

Employees present: Emily Martinez (Administrative Manager), Leon Ewert (Parliamentarian).

Others in attendance: Bill Eldridge (Citizen), Kelsey Murray (SDSMT), Joanne Noyes (SD Geological Survey), Dan Driscoll (USGS), Chuck Jasper (Citizen)

APPROVAL OF AGENDA: A motion was made by Director Rogers to approve the agenda and was seconded by Director Moss. Vice Chairman Richer made the amendment to remove Item 12 from the agenda because Mr. Wright was not in attendance. The amendment was agreed upon and a vote was called. Motion passed unanimously via roll call vote.

APPROVAL OF PREVIOUS MEETING MINUTES: Mr. Chuck Jasper requested that minutes be changed to say that “the contract be submitted to the Attorney General’s Office to be filed” (instead of approved). Moved by Rogers and seconded by Akers to approve minutes from the previous meeting on May 10, 2016 with the Mr. Jasper’s edit. Motion passed unanimously via roll call vote.

TREASURERS REPORT: Director Rogers handed over the floor to Parliamentarian Ewert to present the bills paid. Director Moss made a motion to approve the bills paid, seconded by Akers, no discussion followed. Motion passed unanimously via roll call vote.

POLICY AND BY LAW AMENDMENTS: Parliamentarian Ewert gave an overview of policy changes and answered questions for the board and public. Director Rogers made a motion to approve the Policy Amendments, seconded by Director Moss, opened for discussion. Vice Chairman Richer thanked Parliamentarian Ewert for his hard work reviewing the policies. Motion passed unanimously via roll call vote.

Director Beshara joined meeting at 6:24 pm.

A motion was made by Chairman Mueller to approve the By Law Amendments, seconded by Director Akers, and the floor was opened for discussion. Vice Chairman Richer suggested adding conflict of interest verbiage to the By Laws. Director Rogers suggested approving conflict of interest later as an amendment. Jay Gilbertson, manager of the East Dakota Water Development District, explained the 1-57 conflict of interest law and possible policy. More discussion followed. A roll call vote was taken to approve the current By Law Amendments. Motion passed unanimously.

Financial Grant and Loan Policy (1999) – Parliamentarian Ewert explained the Financial Grant and Loan Policy (1999) and answered questions regarding it. This policy was historically part of the WDWDD policies but as a separate document. It was dropped in May of 2014 because it was not included in packet of policies that were voted on at that time. Portions of the Financial Grant and Loan Policy are now included in the WDWDD Policy Amendments approved earlier this meeting.

The board discussed the Septic Systems/OSWWT Grant. Applications submitted to the board for the grant program will be dealt with by the board on a case by case basis. The maximum amount of income to apply for the grant was taken out of requirement but will be considered in the review of applications. Assistance will be limited to the engineering portion of the Septic System cost only.

2017 PROPOSED BUDGET (Rogers): Director Rogers explained the budget and his spreadsheet. The floor was opened for discussion. Joanne noted the \$2,000 funding for the West Dakota Hydrology Conference had not been added to the budget. Vice Chairman Richer suggested adding \$5,000 for a 5-year audit. Director Rogers noted that he will make those additions. Vice Chairman Richer explained his Hill City Dump Station project and that there is a current hand shake agreement. A proposal will occur at a future meeting. It was noted that Dan Driscoll will make a formal request/funding agreement for USGS gauging station. Motion made by Director Moss, and seconded by Director Beshara to hold the WDWDD 2017 Budget Hearing on Tuesday, August 16 at 6:00 pm at West River Electric. Motion passed unanimously via roll call vote.

H2E - Year Review and Contract: Director Rogers made a motion to hire H2E for another year, seconded by Director Moss, and the floor was opened for discussion. Motion passed unanimously via roll call vote.

RAPID CREEK WATER QUALITY STUDIES: Martinez explained the DNA Testing Plan that H2E donated their time to put together and answered questions from the board and public. Beshara noted some possible conflict of interest. A conflict of interest discussion followed. Motioned by Director Rogers, and seconded by Director Beshara to approve the DNA Testing Plan for Rapid Creek, opened for discussion. After discussion, Vice Chairman Richer called for a roll call vote. Motion passed unanimously.

Kelsey Murray presented on behalf of Dr. DeVeaux on a proposed additional DNA testing study to be completed by SDSMT while collaborating with the WDWDD DNA Testing Plan. Ms. Murray answered questions from the Directors and public. Murray says their main goal is to identify the public health risk in Rapid Creek while the WDWDDs is to identify the source of the bacterial contamination. Motion made by Director Rogers to approve monthly sampling for \$31,970. Motion died for lack of a second.

DIDYMO –Motion made by Director Rogers to table the second vote for the Rapid Creek Didymo Project so that Dr. Kunza can be present to clarify her end game, seconded by Chairman Mueller. A roll call vote was called. Director Beshara voted no, all other Directors voted yes. Motion passed.

CANYON LAKE DREDGING PROJECT: Director Rogers gave an update on the Canyon Lake Dredging Project. He stated that he is still working on an agreement with Game Fish and Parks to purchase a dredger. Currently, the paper work has not been approved. Director Rogers will continue to assist with this project even when he is off of the board.

ITEMS FROM DIRECTORS: Director Moss would like it on the agenda for the next meeting that if an entity does not show up for 2 meetings that their project be dropped.

Vice Chairman Richer discussed the formal deficiency notice request to Pennington County Planning Department. He would like permission to draft a letter to be reviewed by the executive committee, to be signed by the Chairman, and to be submitted to the Chairman of the county commission. Chairman Mueller thinks that we should treat this as a FOIA request. Mueller and Richer will go talk to Planning and Zoning Department regarding the request.

Chairman Mueller gave a short update on Croell Construction. The water rights permit was approved for Croell but they have yet to get a construction permit.

ITEMS FROM ADMINISTRATION: A motion made by Director Moss to make WDWDD website mobile friendly for a one time cost of \$250, seconded by Chairman Mueller, and opened for discussion. Motion withdrawn by Director Moss and second withdrawn by Chairman Mueller. Administration will get more information on the mobile friendly option and provide additional information to the Directors at the next meeting. Director Rogers made the motion to move this item to next meeting, seconded by Director Beshara. Motion passed unanimously via roll call vote.

Parliamentarian Ewert summarized the purchase of the WDWDD's new computer and that we now have a general email address for the public to email questions to: Wdwd0@outlook.com.

APPOINTMENT OF DISTRICT 6 DIRECTOR: A motion was made by Chairman Mueller, and was seconded by Director Moss, to appoint Mrs. Tonchi Weaver as District Area 6 Director. The motion passed unanimously with Director Rogers abstaining. Mrs. Tonchi Weaver took her oath of office and was sworn in as a Director of Area 6 of the Board of Directors of the West Dakota Water Development District. Mr. Jay Gilbertson then notarized the oath of office.

APPOINTMENT OF A TREASURER – Director Weaver nominated Dan Richer. It was agreed that Dan Richer will take his place as treasurer and resign as Vice Chair. Director Richer volunteered to be treasurer effective after this meeting till the end of the year. Chairman Mike Mueller said he will fill the positions at the next meeting.

A motion was made by Director Richer to hire Tim Rogers as a consultant for the Canyon Lake Project, seconded by Director Moss. Mr. Rogers explained that he will donate his time to finish out the project. Director Richer withdrew the motion.

ITEMS FROM THE PUBLIC – The floor was opened to the public. Tim Rogers was thanked by Bill Eldridge for serving on the board. Chuck Jasper also thanked Tim Rogers for his involvement with the Canyon Lake Project.

Motion made by Director Weaver, and seconded by Director Moss to adjourn. Motion passed unanimously via roll call vote.

Meeting adjourned at 8:43 pm.

Respectfully Submitted,

Dan Richer, Treasurer