

WEST DAKOTA WATER DEVELOPMENT DISTRICT

Meeting Minutes – January 18, 2012

Members Present: Sandra Beshara, Lloyd Booher, George Ferebee, Gale Holbrook, Kenneth E. Jasper, Orland Paulsen, Dwight W. Peterson and J. Foster Sawyer

Members Absent: Lavern Koch

Guests Present: Drs. Alvis Lisenbee and Arden Davis, Henok Tiruneh, Katie Aurand, Jennifer Bedow and Kathleen Grigg, South Dakota School of Mines and Technology; Joanne Noyes, South Dakota Geological Survey; Detlev Prautzsch, Hill City

Staff Present: Blaise Emerson, Ali DeMersseman and Lola Lincoln

Chairman Holbrook called the regular meeting of the West Dakota Water Development District Board to order at 2:00 P.M. Roll call was taken, and a quorum was declared present.

APPROVAL OF AGENDA

MEMBER JASPER MOVED TO CHANGE THE AGENDA MAKING THE ELECTION OF OFFICERS THE FIRST ORDER OF BUSINESS AFTER APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING; MEMBER BESHARA SECONDED, AND THE MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

Chairman Holbrook asked for approval of the Board's December 14, 2011 Meeting Minutes.

MEMBER PETERSON MOVED FOR APPROVAL OF THE MINUTES FOR THE DECEMBER 14, 2011 BOARD MEETING AS PRESENTED; MEMBER BOOHER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

ELECTION OF OFFICERS

CHAIRMAN HOLBROOK MOVED TO APPOINT MEMBER PAULSEN AS THE BOARD'S NEXT CHAIRMAN; MEMBER BOOHER SECONDED. MEMBER JASPER MOVED THAT NOMINATIONS CEASE; MEMBER PETERSON SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

Chairman Paulsen asked former Chairman Holbrook to continue chairmanship through the Election of Officers' process.

Chairman Holbrook called for nominations for Vice-Chairperson.

MEMBER JASPER MOVED TO APPOINT MEMBER BESHARA TO THE POSITION OF VICE-CHAIRPERSON; MEMBER BOOHER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

Chairman Holbrook called for nominations for the Secretary's position.

MEMBER PETERSON MOVED TO APPOINT MEMBER SAWYER TO THE POSITION OF SECRETARY; MEMBER BESHARA SECONDED.

Chairman Holbrook called for other nominations.

MEMBER JASPER NOMINATED MEMBER FEREBEE; MEMBER BOOHER SECONDED.

A paper ballot was taken with a four-to-four tie as the outcome. After considerable discussion,

MEMBER BOOHER MOVED THAT A COIN BE FLIPPED TO DETERMINE THE WINNER.

Members Sawyer and Ferebee agreed to the toss of a coin, and the toss determined Member Sawyer to be the winner.

RETENTION OF TREASURER

MEMBER PETERSON MOVED TO RETAIN ADMINISTRATIVE MANAGER EMERSON AS TREASURER; MEMBER BOOHER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

At this point in the meeting, newly appointed Chairman Paulsen assumed chairmanship.

REPORTS

Pennington County On-Site Wastewater Inspection Ordinance - Mr. Emerson called attention to a memorandum from the Pennington County Planning Department included in their packets of information, which he reviewed with them.

MEMBER FEREBEE MOVED THAT STAFF PREPARE A LETTER FOR CHAIRMAN PAULSEN'S SIGNATURE ASKING PENNINGTON COUNTY PLANNING STAFF TO BE AVAILABLE FOR THE BOARD'S MARCH 21, 2012 MEETING TO EXPLAIN THE CONTENTS OF THE MEMORANDUM; MEMBER JASPER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

Final Presentation on the Piedmont Quadrangle/Final Presentation on the Aquifer Atlas IV - Dr. Lisenbee introduced the students working on these two projects after which they, in turn, presented their backgrounds and explained their involvement with the projects. Upon completion, Chairman Paulsen thanked them for their efforts. Member Holbrook then inquired about getting the information out to the public, and Mr. Emerson said staff would determine how best to inform the public of its availability but that access could be gained through the School of Mines Website at aquifers.sdsmt.edu.

OLD BUSINESS

Memorandum of Understanding - After a brief discussion,

MEMBER FEREBEE MOVED TO CONTINUE THIS ITEM TO THE BOARD'S MARCH MEETING; MEMBER BOOHER SECONDED, AND THE MOTION CARRIED UNANIMOUSLY.

Water Quality Sampling Program -

MEMBER FEREBEE MOVED TO CONTINUE THIS ITEM TO THE BOARD'S MARCH MEETING; MEMBER JASPER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

Redistricting Update - Mr. Emerson advised that the Department of Environment and Natural Resources' legal staff was researching the legality of redistricting based on precincts and that there was a question of timing because of the March 27, 2012, deadline for filing of petitions. He said he was willing to continue working on Member Ferebee's option (two of the nine areas would not include Rapid City precincts) and would keep the Board updated. Chairman Paulsen asked if a special meeting would be in order, and Mr. Emerson said he would be calling for one at the appropriate time.

Authorization for Audit - Chairman Paulsen called for a motion authorizing West Dakota's Audit.

MEMBER SAWYER MOVED TO AUTHORIZE CATHERINE HAVEMAN, CPA, TO PERFORM WEST DAKOTA'S AUDIT FOR THE YEAR ENDED DECEMBER 31, 2011; MEMBER PETERSON SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

Designation of Official Newspaper - Administrative Manager Emerson inquired as to whether or not the Board wished to officially designate all three newspapers (*Rapid City Journal*, *New Underwood Post* and *Hill City Prevailor*) as the District's official newspapers.

MEMBER HOLBROOK MOVED TO DESIGNATE THE RAPID CITY JOURNAL, NEW UNDERWOOD POST AND HILL CITY PREVAILER AS WEST DAKOTA'S OFFICIAL NEWSPAPERS; MEMBER JASPER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

End-of-Year Closeout for 2011 - Mr. Emerson called attention to the Year-to-Date Budget include in the Board's meeting packets advising the only change was that it included another \$2,500 in tax revenue reflected in *Pennington County's Tax Remittance Report for December* but received in January 2012.

ITEMS FROM DIRECTORS

Member Ferebee asked for clarification on who would be up for reelection. Specifically, he questioned those directors that filled vacancies on the Board. Mr. Emerson advised he had asked the Secretary of State's Office that question and was waiting for a ruling from the Secretary of State's Office on the matter.

MEMBER HOLBROOK MOVED TO CONTINUE WITH THE AGENDA; MEMBER BOOHER SECONDED.

Member Jasper opposed the motion saying the Board should "...get an attorney general's opinion or at least have West Dakota's attorney provide an opinion." Member Ferebee wanted "...the record to clearly show that last time [meeting] we did not discuss this thoroughly."

Member Holbrook called the question regarding his motion to continue with the Agenda.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO CALL THE QUESTION AS FOLLOWS: MEMBER BESHARA, NO; MEMBER BOOHER, NO; MEMBER FEREBEE, NO; MEMBER HOLBROOK, YES; MEMBER JASPER, NO; MEMBER PAULSEN, YES; MEMBER PETERSON, YES; MEMBER SAWYER, YES, WITH THE VOTE BEING A TIE.

Member Ferebee reminded Board Members that it required a two-thirds vote for the motion to pass.

MEMBER FEREBEE MOVED TO HAVE WEST DAKOTA'S LEGALLY DESIGNATED ATTORNEY RESEARCH THE ISSUE AND GIVE THE BOARD AN OPINION FOR A NOT-TO-EXCEED AMOUNT OF \$2,500; MEMBER JASPER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

MEMBER JASPER THEN MOVED THAT THE OPINION BE RECEIVED AT OR BEFORE THE BOARD'S MARCH MEETING.

Chairman Paulsen said a motion was not necessary; it would just be a directive to staff.

ITEMS FROM PUBLIC

None

ADMINISTRATIVE ITEMS

Update on Canyon Lake Project - Mr. Emerson said this dredging project would be going out to bid this spring and would probably be an early fall activity. The hope is that this will become a basic maintenance program and only have to be done every 10 or 15 years. West Dakota's commitment to the project is \$100,000 with the funds having been encumbered in the District's reserve account a number of years ago.

Payment of Bills and Transfer of Funds -

MEMBER HOLBROOK MOVED TO APPROVE THE PAYMENT OF BILLS FOR THE MONTH OF JANUARY IN THE AMOUNT OF \$20,077.00 AND AUTHORIZE THE TRANSFER OF FUNDS NECESSARY FOR PAYMENT; MEMBER BESHARA SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

2012 Meeting Schedule -

Mr. Emerson provided Board Members with 2012's West Dakota Meeting Schedule.

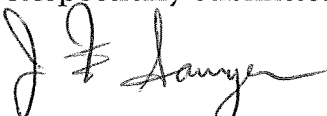
Next Meeting Date - The next meeting date will be March 21, 2012.

ADJOURNMENT

MEMBER HOLBROOK MOVED TO ADJOURN; MEMBER BOOHER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

The meeting concluded at 3:35 P.M.

Respectfully submitted,



J. Foster Sawyer
Secretary