

# WEST DAKOTA WATER DEVELOPMENT DISTRICT

## Meeting Minutes - May 18, 2011

**Members Present:** Sandra Beshara, Lloyd (Max) Booher, George Ferebee, Gale Holbrook, Lavern E. Koch, Orland Paulsen, Dwight W. Peterson and J. Foster Sawyer

**Guests Present:** Dr. Scott Kenner and Jennifer Benning, South Dakota School of Mines and Technology (SDSM&T); Dan Driscoll, U.S. Geological Survey (USGS); Dan Jennissen, Pennington County; Joanne Noyes, SD DENR Geological Survey and Wayne Johnson, visitor

**Staff Present:** Blaise Emerson, Ali DeMersseman and Lola Lincoln

Chairman Holbrook called the regular meeting of the West Dakota Water Development District to order at 2:00 P.M. Roll call was taken with Member Sawyer in attendance via telephone; a quorum was declared present.

### MINUTES

**MEMBER PAULSEN MOVED FOR APPROVAL OF THE MINUTES FOR THE BOARD'S MARCH 26, 2011 MEETING AS PRESENTED; MEMBER KOCH SECONDED, AND THE MOTION PASSED UNANIMOUSLY.**

### BOARD VACANCY

**Acceptance of Petition for Director Area Seven** - Administrative Manager Emerson said a petition had been received for Director Area Seven from Lloyd M. Booher. It had been reviewed by staff and was a correct and legal petition advising a motion of acceptance was necessary from the Board.

**MEMBER PETERSON MOVED FOR ACCEPTANCE OF THE DIRECTOR AREA SEVEN PETITION FROM LLOYD M. BOOHER AS FILED; MEMBER KOCH SECONDED, AND THE MOTION PASSED UNANIMOUSLY.**

**Oaths of Office** - Mr. Emerson advised it was time for the seating of new director Booher by swearing, *"...that having been elected as a member of the Board of Directors for the West Dakota Water Development District, Rapid City, South Dakota, he did solemnly swear that he would support the Laws and Constitution of the United States and the State of South Dakota and faithfully perform the duties associated with the Water Development District Board of Directors,"* which was done by Mr. Booher, after which he affixed his signature to his Oath of Office.

### REPORTS

**Update on Paleoflood Survey Techniques** - Mr. Driscoll said, *"...the real nature of what we call our paleoflood investigations is to be able to put into context from a statistical standpoint and the broader standpoint more in layman's terms how often do these exceptionally large floods like that of 1972 occur."* He described in detail the paleo hydrology techniques used to find evidence of the occurrence of other large floods in drainages around the Black Hills area and shared slides outlining findings at various locations. In summary, Mr. Emerson noted that the study was a way of documenting that large floods have happened in the past.

**Update on Groundwater Flow Model (item not on agenda)** – Mr. Driscoll advised there was a lot of interest in a groundwater flow model on the regional scale (whole Black Hills area). The National Park Service and the Forest Service have both expressed an interest in participating, but they have only a relatively modest amount of funding this year so have requested the USGS to initiate an effort toward development of such a model. He reported that the City of Rapid City was interested and that there was a fair amount of interest in Lawrence County (Spearfish area), and, at some point in time, the USGS would probably come back to the West Dakota Board to more seriously discuss future possibilities.

**2011 Western South Dakota Hydrology Conference** – Mr. Driscoll said, “...*the Conference was very well attended as always and that the amount of interest at both the layman and the professional levels amazed him every year.*” He expressed appreciation for West Dakota’s continued support.

**Rapid City Urban Storm Water Study (Out of Sequence)** – Dr. Kenner reported SDSM&T had sampled the Meade-Hawthorn and Arrowhead Basins and that total suspended solids and bacteria were two of the primary pollutants of concern. He said, “*The concentration and loads are quickly arrived at during a storm event. We have also collected samples following the storms and looked at bacteria in the sediments and found that bacteria does sustain itself in the sediments within the drainages but assuming the total suspended solids come from re-suspension, the load from that bacteria in the sediments is a very small potential--a maximum of three percent.*” His proposal adds a collaborative component to an ongoing project by SDSM&T, the City of Rapid City and the USGS to determine sources of pollution and pay for analysis of the samples collected. Sampling will be completed by the end of September (immersion-recreation standard for bacteria is May 1<sup>st</sup> through September 30<sup>th</sup>), and a report will be presented to the Board by year’s end.

Mr. Emerson advised the proposal was for a total of \$23,455 with \$9,705 for sample collection and \$13,750 for a higher level of analysis.

**MEMBER BESHARA MOVED TO APPROVE FUNDING FOR THE SCHOOL OF MINES’ PROJECT TO TRACK AND IDENTIFY BACTERIAL SOURCES IN STORMWATER RUNOFF IN THE AMOUNT OF \$23,455 WITH THE FUNDS TO BE TAKEN OUT OF RESERVES; MEMBER PETERSON SECONDED.**

Discussion ensued about possible confusion between Meade County and the Meade-Hawthorn Basin designation. Dr. Kenner said the Basin’s name had been assigned by the City of Rapid City because of Meade Street. Chairman Holbrook called the question after which,

**THE MOTION PASSED UNANIMOUSLY.**

Because of a previous commitment, Member Peterson had to leave the meeting.

#### **NEW BUSINESS**

**Proposal for Possible Funding of Septic System Repairs** – Staff Member DeMersseman reviewed for Board Members the salient points of her handout for the On-site Wastewater System Grant Program which included eligibility and application requirements, grant guidelines, income requirements and grant amounts based on low, very low and extremely low categories. Some of the major concerns expressed by Board Members included: 100 percent funding for any applicant, the maximum cap of \$10,000 which would limit the number of people being helped and using an income tax return as the only criteria in determining an applicant’s net worth. After discussion,

**MEMBER BESHARA MOVED TO ALLOCATE A MAXIMUM OF \$2,000 FROM WEST DAKOTA WATER DEVELOPMENT DISTRICT’S ON-SITE WASTEWATER SYSTEM GRANT PROGRAM**

**FUNDS PER HOUSEHOLD TOWARD BASIC SYSTEM REPAIRS OR A PORTION OF TOTAL SYSTEM REPLACEMENT COSTS WITH POSSIBLE RESOURCE OPTIONS BEING PROVIDED TO APPLICANTS FOR OTHER FUNDING PROGRAMS FOR THE COMPLETE REPLACEMENT OF SEPTIC SYSTEMS; MEMBER KOCH SECONDED.**

During discussion, it was decided an exception to the rule (\$2,000/household) could be addressed in hardship cases and changes made with Board authorization upon presentation of proof the applicant had exhausted all other possible funding sources available to him/her.

Chairman Holbrook called for a vote on the motion after which,

**THE MOTION PASSED UNANIMOUSLY.**

Member Paulsen expressed concern about grant eligibility based on income tax returns as they do not necessarily represent a complete picture of one's net worth.

**MEMBER PAULSEN MOVED THAT APPLICANTS BE REQUIRED TO PROVIDE PROOF OF THE ASSESSED VALUATION OF THEIR PROPERTY IF IT IS OVER \$125,000 AS PART OF THE APPLICATION PROCESS; MEMBER BOOHER SECONDED, AND THE MOTION PASSED UNANIMOUSLY.**

After discussion about pride in ownership and the suggested percentage of repair or replacement costs covered by West Dakota for the low, very low and extremely low categories,

**MEMBER BOOHER MOVED TO CHANGE THE PERCENTAGES ORIGINALLY SUGGESTED BY STAFF TO 30 PERCENT FOR LOW, 60 PERCENT FOR VERY LOW AND 80 PERCENT FOR EXTREMELY LOW; MEMBER BESHARA SECONDED, AND THE MOTION PASSED UNANIMOUSLY.**

**MEMBER PAULSEN MOVED TO AUTHORIZE THE WITHDRAWAL OF \$50,000 FROM RESERVES TO ESTABLISH WEST DAKOTA'S ON-SITE WASTEWATER SYSTEM GRANT PROGRAM; MEMBER KOCH SECONDED, AND THE MOTION PASSED UNANIMOUSLY.**

Member Paulsen asked for a copy of the application and changes to the program resulting from the meeting. Mr. Emerson said staff would provide the information to Board Members within the next week or two, and that the City of Rapid City and Pennington County would also be notified.

## **OLD BUSINESS**

**Update on Spring Creek 319 Project** - Concerning this project, Mr. Emerson said there were two main types of projects being reviewed: riparian zones where they are trying to slow down erosion issues along the Creek and/or along other drainages in the area, and the replacement of septic systems. Member Ferebee inquired about West Dakota's representation on the advisory committee suggesting since the project was in his area, he would volunteer to be the Board Member representative to that committee. Mr. Emerson said that in the past, staff members had been the ones representing the West Dakota Board on advisory boards. Relative to the 319 Project Advisory Committee, if projects meet the criteria of the 319 Program, staff cannot have opposition. Chairman Holbrook said, *"...he was in favor of keeping representation as it is because if a Board Member served as a representative, he/she could not unilaterally make a decision without coming back to the full board."*

**MEMBER KOCH MOVED TO LEAVE BOARD REPRESENTATION ON ADVISORY BOARDS IN THE HANDS OF WEST DAKOTA STAFF; MEMBER BESHARA SECONDED, AND THE MOTION CARRIED UNANIMOUSLY.**

In the future, staff will notify Board Members of upcoming meetings of interest.

**Audit for Year-Ended December 31, 2010** - Mr. Emerson advised the Department of Legislative Audit had authorized Catherine Haveman, CPA, to perform West Dakota's Audit for the year-ended December 31, 2010.

Because of another commitment, Member Sawyer signed off.

#### **ADMINISTRATIVE ITEMS**

##### **Payment of Bills and Transfer of Funds**

**MEMBER PAULSEN MOVED TO APPROVE PAYMENT OF BILLS FOR THE MONTH OF MAY IN THE AMOUNT OF \$12,069.20 AND AUTHORIZE THE TRANSFER OF FUNDS NECESSARY FOR PAYMENT; MEMBER KOCH SECONDED, AND THE MOTION PASSED UNANIMOUSLY.**

**Next Meeting Date** - The next meeting date will be July 20, 2011.

#### **ADJOURNMENT**

**MEMBER BESHARA MOVED TO ADJOURN THE MEETING AT 4:15 P.M.; MEMBER PAULSEN SECONDED, AND THE MOTION PASSED UNANIMOUSLY.**

Respectfully submitted,



Dwight Peterson  
Secretary