

# WEST DAKOTA WATER DEVELOPMENT DISTRICT

## Corrected Meeting Minutes for September 19, 2012

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

**Guests Present:** Larry Baker, Bruce Meister, Dan Richer, private citizens; Joanne Noyes, South Dakota Geological Survey; and Joyce Williamson, U.S. Geological Survey

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

Chairman Paulsen called the 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.

### MINUTES OF PREVIOUS MEETINGS

Director Ferebee moved that he redo minutes for the Board's May 16, 2012 Meeting in keeping with the Board's action at its July 18, 2012 Meeting whereby minutes will be reported in accordance with state law and limited to motions, resolutions and bills paid; Director Jasper seconded, and the motion passed unanimously.

Director Ferebee moved that minutes for the Board's July 18, 2012 Meeting be corrected to exclude a motion made by Director Jasper asking that Director Ferebee report on his review of Pennington County's meeting DVDs concerning actions taken regarding the Spring Creek 319 Project since the motion had died for lack of a vote being taken; Director Jasper seconded, and the motion passed unanimously.

### APPROVAL OF AGENDA

Director Beshara moved to approve the agenda as presented; Director Jasper seconded, and the motion passed unanimously.

### BUDGET HEARING FOR 2013

Director Booher moved that the Board's representative to the Black Hills Area RC&D Board provide a briefing on future meetings attended; Director Beshara seconded.

Director Ferebee made a substitute motion to discontinue funding annual membership dues paid to RC&D in the amount of \$100; Director Booher seconded, and the motion passed with Director Koch voting no and Director Jasper abstaining.

Director Beshara moved to discontinue funding annual membership dues paid to the Black Hills Multiple Use Coalition in the amount of \$100; Director Ferebee seconded. Director Beshara then withdrew her motion and moved that the Board seek legal counsel on the issue; Director Jasper seconded.

Director Ferebee made a substitute motion to withdraw funding from the Black Hills Multiple Use Coalition; the motion died for the lack of a second.

Director Ferebee made a substitute motion to withdraw funding from both memberships until such time as legal counsel was consulted; Director Beshara seconded, and the motion passed with Director Holbrook voting no.

Director Peterson moved to approve the proposed West Dakota Budget for 2013 and direct staff to prepare the documentation required by Pennington County (*Budget Certification of Adoption Resolution, Resolution Providing that a Tax be Assessed and Levied on all Taxable Property in the West Dakota Water Development District, and Certification of Tax Levy Resolution and Budget*) for signature by the Chairman and Secretary; Director Sawyer seconded, and the motion passed unanimously.

## REPORTS

*Expansion of the West Dakota Water Development District* – Mr. Emerson addressed Board Members about this issue with this item being continued to the Board's November meeting, at which time staff will present a preliminary plan of approach.

## DIALOGUE WITH GOVERNMENTAL ENTITIES

Director Ferebee moved that Director Jasper prepare a letter for the Chairman's signature to the Mayor of Rapid City inviting a representative to attend the Board's next meeting to address the issues of water loss and nitrate levels; Director Beshara seconded.

Director Jasper moved that staff prepare a letter of invitation to the City with the correct meeting date for the Chairman's signature; Director Booher seconded.

Director Holbrook called the question. Chairman Paulsen called for a vote, and the motion passed with Directors Ferebee and Jasper opposed.

A roll call vote was taken on Director Ferebee's motion: Beshara, no; Booher, no; Ferebee, yes; Holbrook, yes; Jasper, no; Koch, yes; Peterson, yes; Sawyer, no. Chairman Paulsen voted no thereby breaking the tie. The motion failed.

Chairman Paulsen called for a vote on Director Jasper's motion for staff to prepare the letter of invitation for the Chairman's signature. The motion passed with Director Ferebee opposed.

## OLD BUSINESS

### *Pennington County Relative to 319 Project Boundaries*

Director Ferebee moved that a letter be drafted to the Pennington County Commission for the Chairman's signature notifying them that West Dakota will be withholding any further contributions (monetarily or any other manner) to the Project until the inconsistencies/irregularities are resolved; Director Jasper seconded.

Director Holbrook called the question. A roll call vote was taken: Beshara, yes; Booher, yes; Ferebee, no; Holbrook, no; Jasper, no; Koch, yes; Petersen, yes; Sawyer, no. Chairman Paulsen voted no thereby breaking the tie. The motion failed.

Chairman Paulsen called for a vote on Director Ferebee's motion to draft a letter to the Pennington County Commission notifying them of West Dakota's intention to withhold funding. The motion failed with Director Ferebee opposed.

*Pennington County Commission Meeting DVDs* – For discussion purposes only.

*Suggestions from Directors for Water Quality Sampling Program*

Director Booher moved that staff prepare a proposal outlining the logistics for getting a volunteer group together for this program and moving forward from there; Director Jasper seconded, and the motion passed unanimously.

*Discussion Relative to Saving of West Dakota Meeting Tapes*

Director Ferebee moved that audio/video recordings of West Dakota's Meetings be kept indefinitely; Director Booher seconded, and the motion passed unanimously.

#### NEW BUSINESS

*TMDLs for Lower Rapid Creek* – This item was continued for further discussion at the Board's next meeting.

#### ITEMS FROM DIRECTORS

*319 Advisory Group* – This item was continued for further discussion at the Board's next meeting.

*Spring Creek Advisory Committee*

Director Ferebee moved that West Dakota's Area Two Director attend Spring Creek Advisory Committee Meetings as they occur; Director Beshara seconded, and the motion passed unanimously.

*Call for Spring Creek Watershed Funding Applications*

Director Jasper moved that staff write to the Pennington County Commission advising them of the boundary discrepancies and requesting clarification, as well as to whoever placed the newspaper ad seeking applications from those with property located within the boundaries of the Spring Creek Watershed above Sheridan Lake Dam; Director Beshara seconded, and the motion passed unanimously.

*Next Meeting Date*

Director Ferebee moved to schedule a special meeting of the West Dakota Board for the 17<sup>th</sup> of October devoted specifically to discussing the boundaries of the Spring Creek 319 Project depending on the response from the Pennington County Commission; Director Booher seconded, and the motion passed with Director Sawyer opposed.

#### EXECUTIVE SESSION

Discussion of personnel issues.

ADMINISTRATIVE ITEMS

**Payment of Bills and Transfer of Funds**

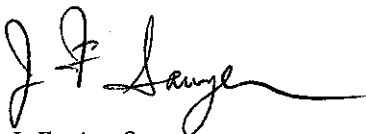
|   |           |
|---|-----------|
| Rapid City Journal                        | \$ 263.32 |
| New Underwood Post                        | 59.50     |
| Sandra Beshara                            | 100.00    |
| Black Hills Council of Local Governments  | 15,625.00 |
| Lloyd M. Booher                           | 104.00    |
| George Ferebee                            | 133.30    |
| Gale Holbrook                             | 114.80    |
| Kenneth E. Jasper                         | 100.74    |
| Orland Paulsen                            | 108.14    |
| Dwight Peterson                           | 100.00    |
| Southern Hills Publishing, Inc.           | 81.87     |
| South Dakota School of Mines & Technology | 6,581.17  |
| Bernard Marketing & Advertising           | 35.00     |
| Lola E. Lincoln                           | 63.60     |
| Pennington County Planning                | 10,000.00 |
| DOI - U.S.G.S.                            | 14,600.00 |

Director Booher moved to approve payment of bills for the Month of September 2012 in the amount of \$48,070.44 and authorize the transfer of funds necessary for payment; Director Jasper seconded, and the motion passed unanimously.

ADJOURNMENT

At 4:50 P.M., Director Jasper moved to adjourn; Director Booher seconded, and the motion passed unanimously.

Respectfully submitted,



J. Foster Sawyer  
Secretary