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JAMES RIVER WATER DEVELOPMENT DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
SEPTEMBER 9, 2021

The James River Water Development District (JRWDD) Board of Directors convened at 9:00 a.m. for their regular meeting and budget hearing on Thursday, September 9, 2021 at the District Office in Huron, SD and by way of Zoom.

ROLL CALL: The following persons were in attendance:

DIRECTORS PRESENT

Dan Koupal – Mitchell
Dan Klimisch – Yankton
Randy Stanley – Groton
Mike Wiese – Aberdeen
Frank Amundson – Huron
Carol Millan – Mitchell
Clinton Bauer – Freeman
Robert Braun – Aberdeen

DIRECTORS ABSENT

LeRoy Braun – Mellette

STAFF PRESENT

Dave Bartel, District Manager
Judy Smoyer, CFO/Associate Manager
Matt Cavenee, Watershed Coordinator

OTHERS PRESENT: Chad Pray – Landowner, Nathan Stevens - USGS, Craig Maloney – Maloney Construction, Jay Gilbertson – EDWDD

APPROVAL OF AGENDA: **Motion** by Director Wiese, seconded by Director Stanley to approve the agenda as printed. **Motion passed.**

CONFLICT OF INTEREST: Chairman Klimisch asked if any Directors had a conflict of interest regarding any agenda item.

- Director Robert Braun has a conflict of interest with Agenda Item #6c and will abstain

The following was disclosed at the January 21, 2021 annual meeting and is ongoing until otherwise disclosed:

The following Directors shared the following information:

- Director Robert Braun is currently employed by the City of Aberdeen
- Director Mike Wiese is currently a Brown County Commissioner
- Chairman Dan Klimisch is currently a Yankton County Commissioner

PUBLIC COMMENTS: None

APPROVAL OF JULY 8, 2021 MINUTES: **Motion** by Director Wiese, seconded by Director R. Braun to approve the Minutes as printed. **Motion passed.**

EXTENSION OF GRANT WITH THE TOWN OF UTICA: The Town of Utica is requesting an extension of their current grant until December 31, 2021. **Motion** by Director R. Braun, seconded by Director Amundson to extend the grant with the Town of Olivet until December 31, 2021. **Motion passed.**

USGS GAGING STATIONS: The USGS is asking for joint funding for operation and maintenance of three stream flow gaging stations on the James River near Redfield, Stratford, and Yankton. Total annual costs of operating and maintaining these three gages is \$44,620. They are asking for assistance in the amount of \$25,390 (\$8,960 Stratford, \$7,470 Redfield, and \$8,960 Yankton). **Motion** by Director R. Braun, seconded by Director Wiese to authorize cost-sharing assistance to USGS for operation and maintenance of three stream flow gaging stations in the amount of \$25,390. **Motion passed on a roll call vote (Absent: L. Braun).** These funds will expire on September 30, 2022.

CITY OF ABERDEEN: The City of Aberdeen is requesting project assistance funds in the amount of \$100,000 to repair Ordway dam on the Elm River. The high flows and large ice chunks have degraded the flash boards. This dam acts as a source of water for the water treatment plant in Aberdeen. Total cost to repair Ordway dam is estimated at \$540,000. **Motion** by Director Wiese, seconded by Director Stanley to authorize cost-share assistance up to a maximum of \$100,000, not to exceed 50% of the total project costs, to the City of Aberdeen to repair Ordway dam. **Motion passed on a roll call vote (Absent: L. Braun) (Abstain: R. Braun).** These funds will expire on September 9, 2023.

TOWN OF VOLIN – INSTALLING A WELL & SEPTIC TANK: Staff requested bids from the Town of Volin and at this time have not received them. **Motion** by Director Wiese, seconded by Director R. Braun to table the request. **Motion passed.**

BROWN COUNTY – BOB PRAY CULVERT: Chad Pray, landowner in Brown County, is requesting project assistance funds in the amount of \$4,077.50 to replace an existing culvert. The existing culvert is rusted through at the flap gate and is not repairable. The existing culvert will be replaced with the same size culvert with a new flap gate installed to release water. Total cost to repair the dam is estimated at \$8,155. **Motion** by Director Wiese, seconded by Director Stanley to authorize cost-share assistance up to a maximum of \$4,077.50, not to exceed 50% of the total project costs, to Bob Pray to replace a culvert and install a new flap gate in Brown County. **Motion passed on a roll call vote (Nay: Amundson) (Absent: L. Braun).** These funds will expire on September 9, 2023.

TOWN OF OLIVET: The Town of Olivet is requesting project assistance funds in the amount of \$4,000 for bank stabilization along Olivet Town Park. The estimated cost for the bank stabilization is \$8,000. **Motion** by Director Amundson, seconded by Director Koupal to authorize cost-share assistance up to a maximum of \$4,000, not to exceed 50% of the total project costs, to the Town of Olivet for bank stabilization. **Motion passed on a roll call vote (Absent: L. Braun).** These funds will expire on September 9, 2023.

YANKTON COUNTY – DAVID STIBRAL DAM REPAIR: David Stibral, landowner in Yankton County, is requesting project assistance funds in the amount of \$951.12 to repair a dam in Ziskov Township. Total cost to repair the dam is \$1,268.16. **Motion** by Director Wiese, seconded by Director R. Braun to authorize cost-share assistance up to a maximum of \$951.12, not to exceed 75% of the total project costs, to David Stibral to repair a dam in Yankton County. **Motion passed on a roll call vote (Nay: Amundson) (Absent: L. Braun).** These funds will expire on September 9, 2023.

HUTCHINSON COUNTY – NUSZ FAMILY FARM DAM REPAIR: Nusz Family Farm, landowner in Hutchinson County, is requesting project assistance funds in the amount of \$20,827.50 to repair a dam in Molan Township. Total cost to repair the dam is \$27,770. **Motion** by Director R. Braun, seconded by Director Wiese to authorize cost-share assistance up to a maximum of \$20,827.50, not to exceed 75% of the total project costs, to Nusz Family Farm to repair a dam in Hutchinson County. **Motion passed on a roll call vote (Nay: Amundson) (Absent: L. Braun).** These funds will expire on September 9, 2023.

HUTCHINSON COUNTY – SCOTT WERNING DAM REPAIR: Scott Werning, landowner in Hutchinson County, is requesting project assistance funds in the amount of \$27,675 to repair a dam in Wittenberg Township. Total cost to repair the dam is \$36,900. **Motion** by Director Bauer, seconded by Director Wiese to authorize cost-share assistance up to a maximum of \$27,675, not to exceed 75% of the total project costs, to Scott Werning to repair a dam in Hutchinson County. **Motion passed on a roll call vote (Nay: Amundson) (Absent: L. Braun).** These funds will expire on September 9, 2023.

HUTCHINSON COUNTY – LYNN HARNISCH DAM REPAIR: Lynn Harnisch, landowner in Hutchinson County, is requesting project assistance funds in the amount of \$18,231.48 to repair a dam in Clayton North Township. Total cost to repair the dam is \$24,308.64. **Motion** by Director Bauer, seconded by Director Koupal to authorize cost-share assistance up to a maximum of \$18,231.48, not to exceed 75% of the total project costs, to Lynn Harnisch to repair a dam in Hutchinson County. **Motion passed on a roll call vote (Nay: Amundson) (Absent: L. Braun).** These funds will expire on September 9, 2023.

HUTCHINSON COUNTY – VERLYN HAUCK BUILD A DAM: Verlyn Hauck, landowner in Hutchinson County, is requesting project assistance funds in the amount of \$32,429.25 to build a dam in Wittenberg Township. Total cost to build the dam is \$43,239. **Motion** by Director Bauer, seconded by Director Wiese to authorize cost-share assistance up to a maximum of \$32,429.25, not to exceed 75% of the total project costs, to Verlyn Hauck to build a dam in Hutchinson County. **Motion passed on a roll call vote (Nay: Amundson) (Absent: L. Braun).** These funds will expire on September 9, 2023.

HUTCHINSON COUNTY – DAN HAUCK BUILD A DAM: Dan Hauck, landowner in Hutchinson County, is requesting project assistance funds in the amount of \$29,294.25 to build a dam in Wittenberg Township. Total cost to build the dam is \$39,059. **Motion** by Director R. Braun, seconded by Director Stanley to authorize cost-share assistance up to a maximum of \$29,294.25, not to exceed 75% of the total project costs, to Dan Hauck to build a dam in Hutchinson County. **Motion passed on a roll call vote (Nay: Amundson) (Absent: L. Braun).** These funds will expire on September 9, 2023.

HUTCHINSON COUNTY – ELTON LEHR DRAINAGE DITCH EROSION CONTROL: Elton Lehr, landowner in Hutchinson County, is requesting project assistance funds in the amount of \$3,875 to repair and reinforce the outlet on a drainage ditch in Sweet Township. Total cost to repair and reinforce the outlet on the drainage ditch is \$7,750. **Motion** by Director Wiese, seconded by Director R. Braun to authorize cost-share assistance up to a maximum of \$3,875, not to exceed 50% of the total project costs, to Elton Lehr to repair and reinforce the outlet on a drainage ditch in Hutchinson County. **Motion passed on a roll call vote (Absent: L. Braun).** These funds will expire on September 9, 2023.

2022 BUDGET HEARING: Chairman Klimisch opened the public hearing on the 2022 JRWDD proposed operations budget at 10:04 a.m. The District published a copy of the proposed budget and notices of the hearing in the official District newspapers as required by SD Codified Law 46A-3E-10. No written or verbal comments have been received prior to the meeting regarding the 2022 proposed operations budget. Chairman Klimisch invited public comments on the 2022 proposed budget as advertised and presented. No comments were received. Chairman Klimisch declared the public meeting closed.

SOUTH CENTRAL WATERSHED PROJECT UPDATE: Matt Cavenee updated the Board on the South Central Watershed Project.

- The District received the Seventh Amendment to the grant agreement between SD Department of Environment and Natural Resources and JRWDD for the South Central Watershed Implementation Project. This amendment reflects an additional \$300,000 in 319 funds. **Motion** by Director Wiese, seconded by Director R. Braun to authorize Chairman Klimisch to sign the Seventh Amendment to the South Central Watershed Project. **Motion passed.**
- Continue working with City of Mitchell on the Firesteel Creek project
- Water sampling continues

DISTRICT UPDATE: Staff and Directors reported on the following activities of the District:

- Included in the board packet, by Dave Bartel, was a log of meetings attended, project site visits and other items he has been working on.
- The 2020 audit has been completed and accepted by the SD Department of Legislative Audit. A copy of the audit report and acceptance letter has been provided to the Board of Directors.
- The current office computers are inadequate to serve the needs of the District and need to be replaced. The 2021 budget includes funds for replacing the office computers. Staff will be obtaining quotes and ordering new computers.

EXECUTIVE SESSION: **Motion** by Director Wiese, seconded by Director R. Braun to go into executive session pursuant to SDCL 1-25-2(1) for the purposes of discussing personnel matters. **Motion passed.** **Motion** by Director Millan, seconded by Director Amundson to come out of executive session. **Motion passed.** **Motion** by Director R. Braun, seconded by Director Wiese to increase Dave Bartel's salary by \$2,400 effective January 1, 2022 and to increase Judy Smoyer's salary by \$2,400 effective January 1, 2022. **Motion passed.**

ADOPT 2022 BUDGET: Chairman Klimisch asked for Board comment and/or action on the proposed 2022 budget. **Motion** by Director Wiese, seconded by Director Stanley to adopt the 2022 James River Water Development District Operations Budget as presented below. **Motion passed on a role call vote (Absent: L. Braun).**

CASH FLOW

Board of Directors \$40,836
Administration & Technical \$265,771
Legal and Consultant \$10,000
Capitol Outlay \$50,000
Project Assistance \$614,774
Contingency \$25,000
Balance for Long Term Debt \$58,216

Total FY 2022 Appropriations \$1,064,597

MEANS OF FINANCE

Tax Revenue \$1,046,997
Misc. Tax Revenue \$2,100
Misc. Revenue \$15,500
Total FY 2022 Revenue \$1,064,597

ADOPT 2022 TAX LEVY: This is the District's annual Tax Resolution, that a tax be assessed and levied on all taxable property in the James River Water Development District. The resolution covers the District's property tax income portion of the budget and is part of the package of material sent to all county auditors and/or treasurers in the District on or before October 1. At this time the District has not received the property tax valuations from SD Department of Revenue. **Motion** by Director Amundson, seconded by Director Koupal to approve Resolution 2021-03. **Motion passed.**

TREASURERS REPORT: The Board reviewed the June 2021 financial reports. **Motion** by Director Koupal, seconded by Director Wiese to approve the June 2021 financials as printed. **Motion passed.**

The Board reviewed the July 2021 financial reports. **Motion** by Director Wiese, seconded by Director Stanley to approve the July 2021 financials as printed. **Motion passed.**

BOARD OF DIRECTOR AND STAFF REIMBURSEMENTS: **Motion** by Director Wiese, seconded by Director Stanley to approve staff and Director expenses. **Motion passed.**

NEXT MEETING: The next meeting will be held November 18, 2021 in Huron at 9:00 a.m. Zoom will be available for persons interested in participating remotely.

ADJOURN: Being no further business, Chairman Klimisch declared the meeting adjourned at 11:25 a.m.

Respectfully submitted:

Secretary

DRAFT