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JAMES RIVER WATER DEVELOPMENT DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
SEPTEMBER 14, 2023

The James River Water Development District (JRWDD) Board of Directors convened at 9:00 a.m. for its budget hearing and regular meeting on Thursday, September 14, 2023 at the Best Western Ramkota in Aberdeen, SD and by way of Zoom.

ROLL CALL: The following persons were in attendance:

DIRECTORS PRESENT

Dan Koupal – Mitchell
Randy Stanley – Groton
LeRoy Braun – Mellette
Carol Millan – Mitchell (via ZOOM)
Robert Braun – Aberdeen
Dan Klimisch – Utica
Pat Cerny – Yankton
Mike Wiese – Aberdeen

DIRECTORS ABSENT

Dennis Bennett – Huron

STAFF PRESENT

Judy Smoyer, CFO & Associate Manager
Dave Bartel, District Manager
Shane Deranleau, Watershed Coordinator
Rocky Knippling, Watershed Coordinator

OTHERS PRESENT: Scott Bader – Brown County, Jay Gilbertson – East Dakota Water Development District, Shilo Comeau – Sand Lake National Wildlife Refuge

OTHERS PRESENT via ZOOM: Kyle Peters and Tom Kersting – High Plains Processing, LLC and Mike Sedlacek – Yankton County

APPROVAL OF AGENDA: Move Item 9d up on the agenda; after Item 6. **Motion** by Director Klimisch, seconded by Director Cerny to approve the agenda as amended. **Motion passed.**

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

- Director Klimisch will abstain from Item 9d
- Director Millan will abstain from Item 9a

The following is ongoing until otherwise disclosed:

- Director Mike Wiese is currently a Brown County Commissioner
- Director Dan Klimisch is currently a Yankton County Commissioner
- Director Dennis Bennett is currently employed by the City of Huron

APPROVAL OF JULY 13, 2023 MINUTES: Motion by Director Stanley, seconded by Director Koupal to approve the Minutes as printed. **Motion passed.**

PUBLIC COMMENTS: Landowners from Spink County were present to ask the board for support for opposing the CO2 Pipeline. The board encouraged the citizens to contact their local representatives for their support.

E. COLI TESTING: Director Klimisch updated the board on high levels of E. coli in Yankton County recently. He would like the District to purchase some testing kits to find the source of the E. coli. The kits cost \$135 a piece. East Dakota Water Development has ordered a couple of these kits and will provide an update on the E. coli tests for the Board.

2024 BUDGET HEARING: Chairman Wiese opened the public hearing on the 2024 JRWDD proposed operations budget at 9:40 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 2024 proposed operations budget. Chairman Wiese invited public comments on the 2024 proposed budget as advertised and presented. No comments were received. Chairman Wiese declared the public meeting closed.

UPDATE FROM SAND LAKE NATIONAL WILDLIFE REFUGE: Shilo Comeau, Sand Lake NWR Station Manager provided the Board an update on the zebra mussels on Sand Lake.

HIGH PLAINS PROCESSING, LLC : RETENTION POND IN DAVISON COUNTY: Kyle Peters and Tom Kersting with High Plains Processing, LLC were present via ZOOM to request project assistance funds in the amount of \$38,750 for costs associated with constructing a retention pond on site of their new multi-seed, switch-processing facility in Davison County. Constructing this retention pond will be necessary to control water runoff on the site that would otherwise not be controlled. The retention pond will also help reduce soil erosion and sedimentary pollution. The total cost of constructing the retention pond is \$77,500. **Motion** by Director Klimisch, seconded by Director Cerny to award \$38,750 in cost-share assistance to High Plains Processing, LLC for constructing a retention pond. **Motion passed with Director Millan abstaining.** These funds will expire on September 14, 2025.

YANKTON COUNTY HIGHWAY DEPARTMENT – RIPRAP: Mike Sedlacek, Yankton County Highway Superintendent was present via ZOOM to request project assistance funds in the amount of \$75,570 for costs associated with installing 3,000 tons of riprap along NW Jim River Road in Yankton County. The existing road has steep embankments which creates runoff from the roadway. The total cost of the riprap is \$90,000. **Motion** by Director L. Braun, seconded by Director Koupal to authorize cost-share assistance up to a maximum of \$45,000, not to exceed 50% of the total costs, to Yankton County Highway Department for riprap. **Motion passed with Director Klimisch abstaining.** These funds will expire on September 14, 2025.

HUTCHINSON COUNTY – LYDELL THOMAS: Lydell Thomas, landowner in Hutchinson County, is requesting project assistance funds in the amount of \$36,372.19 to repair two earth dams in Sweet Township. The total cost to repair the dams is \$48,496.25. **Motion** by Director R. Braun, seconded by Director Stanley to authorize cost-share assistance up to a maximum of \$36,372.19, not to exceed 75% of the total project costs, to Lydell Thomas to repair two earth dams in Hutchinson County. **Motion passed.** These funds will expire on September 14, 2025.

SOUTH CENTRAL WATERSHED AND WATER QUALITY MONITORING UPDATE: Shane Deranleau provided the following updates on the South Central Watershed Project:

- Firesteel Creek is ongoing.
- Staff will show the video of some completed projects at the November meeting in Huron.

- Staff will be submitting an application for additional 319 funds. **Motion** by Director Cerny, seconded by Director R. Braun to authorize the Chairman to sign the cover letter for the 319 application. **Motion passed.**
- Water sampling will continue until September 27.

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

- The 2022 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.
- 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 office has received a request from Yankton County to help with costs associated with removing a vehicle from the James River. The manager will use his discretion in handling this request.

POLICY COMMITTEE UPDATE: The proposed amendments to the Policy Document and Bylaws were sent to the Directors. **Motion** by Director Cerny, seconded by Director Klimisch to approve the amendments to the Policy Document and Bylaws as presented with the following exception on Page 45 under TRAVEL EXPENSE REIMBURSEMENT:

- Proposed change *“Travel reimbursement guidelines shall be state rates established according to rules and regulations established by the South Dakota Board of Finance. ~~are established by the Board.~~”*
- Approved change to leave as originally stated *“Travel reimbursement guidelines are established by the Board.”*

Motion passed.

PERSONNEL COMMITTEE UPDATE: The personnel committee has provided the Directors with the employee evaluations and will report at the November meeting.

ADOPT 2024 BUDGET: Chairman Wiese asked for Board comment and/or action on the proposed 2024 budget. The District is taking the allowed 3% for CPI but will not take the allowed growth. **Motion** by Director L. Braun, seconded by Director Stanley to adopt the 2024 James River Water Development District Operations Budget as presented. **Motion passed.**

FY 2024 BUDGET

CASH FLOW

Board of Directors \$40,836
Administration & Technical \$271,780
Legal and Consultant \$15,000
Capital Outlay \$50,000
Project Assistance \$659,743
Contingency \$25,000
Balance for Long Term Debt \$70,000

Total FY 2024 Appropriations \$1,132,359

MEANS OF FINANCE

Tax Revenue \$1,110,759
Misc. Tax Revenue \$1,600
Misc. Revenue \$20,000
Total FY 2023 Revenue \$1,132,359

ADOPT 2024 TAX LEVY: Resolution 2023-04 needs to be approved which states 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 collections for fiscal year 2023, payable in 2024. The resolution is part of the package of material sent to all county auditors and/or treasurers in the District, as well as the SD Dept of

Revenue, on or before October 1. **Motion** by Director Cerny, seconded by Director R. Braun to approve Resolution 2023-04. **Motion passed.**


TREASURERS REPORT: The Board reviewed the June 2023 financial reports. **Motion** by Director Koupal, seconded by Director Klimisch to approve the June 2023 financials as discussed and printed. **Motion passed.** The Board reviewed the July 2023 financial reports. **Motion** by Director Cerny, seconded by Director Klimisch to approve the July 2023 financials as discussed and printed. **Motion passed.**

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

NEXT MEETING: The next meeting will be held November 9 in Huron at 9:00 a.m.

ADJOURN: Being no further business, Chair Wiese declared the meeting adjourned at 11:24 a.m.

Respectfully submitted:


Secretary

