



**402 SAINT JOSEPH ST, Ste 6  
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[www.westdakotawater.com](http://www.westdakotawater.com)**

**West Dakota Water Development District  
Meeting Packet for Tuesday, October 14, 2025  
3PM Regular Meeting  
Rapid Valley Sanitary District  
(Larry D. Stetler, Admin)**

# **West Dakota Water Development District (WDWDD) Regular MEETING DRAFT AGENDA for October 14, 2025**

1. Pledge of Allegiance. (Chair)
2. Roll Call of Members (Admin)
3. Approval of Agenda (The board cannot take official action on any item not on the agenda) (Chair)
4. Conflict of interest disclosure. (Admin)
5. Approval of minutes from August 12, 2025 meeting. (chair)
6. Treasurer's report (Koth)
  - a. Ledger report
  - b. Projects report
  - c. Projects Timeline
7. Annual review of open meeting laws 2025. (<https://sdmunicipalleague.org/page/Library-OpenMeetingsLawandOpenRecords>). WDWDD operation (review of other WDD), and minutes-recording-posting information. Admin
8. Discussion: Establish a point-of-contact at WDWDD for 319 grant with the duties of grant administration, proposal preparation and solicitation, contractor solicitation, etc. Koth
9. Discussion: Updates and changes to WDWDD proposal and contracting process. Koth
10. Information: Report from ECC. Driscoll
11. Approval of proposed bylaws change. (Kjar)
12. Discussion of Program Administration duties added to bylaws. Driscoll
13. Chair's comments.
14. Items from directors.
15. Items from admin. Chubb Insurance effective 9/1/25, SD Assurance payment 9/2/25. PennCo 2026 Levy request submitted and received. New external backup drive.
16. Items from public.
17. Adjournment

## **AGENDA ITEM 1. Pledge of Allegiance. (Chair)**

## **AGENDA ITEM 2. Roll Call of Members (Admin)**

## **AGENDA ITEM 3. Approval of Agenda (The board cannot take official action on any item not on the agenda) (Chair)**

## **AGENDA ITEM 4. Conflict of interest disclosure. (Admin)**

Any directors with a conflict of interest for any agenda item will so state.

The WDWDD bylaws were amended on 12 Feb 2019 to include defining conflict of interest disclosure as follows:

## ARTICLE V – DISCLOSURE OF CONFLICT OF INTEREST

Any director who is present at a meeting at which is discussed any matter in which that director has, directly or indirectly, a private financial or property interest shall disclose such interest to the Board. Any such director shall refrain from advocating for or against the matter and shall disqualify himself/herself from voting on such matter. The Board may adopt a separate policy specifically, regarding ethical standards and practices.

### **AGENDA ITEM 5. Approval of minutes from August 12, 2025 meeting in blue. (chair)**

#### **Draft minutes for regular board meeting on August 12, 2025, 3 PM**

*An audio recording for this meeting is available at [www.westdakotawater.com](http://www.westdakotawater.com)*

**CALL TO ORDER:** The West Dakota Water Development District (WDWDD) convened for a regular board meeting at the Rapid Valley Sanitary District, Rapid City, SD. Chair Mack called the meeting to order at 3:00 PM (Mountain Time).

#### **AGENDA ITEM 1. Pledge of Allegiance. (Chair) (3:00 PM)**

#### **AGENDA ITEM 2. Roll Call of Members. (Admin) (3:01 PM)**

Directors present: Ron Koth using Teams (Area 1), Roy Boschee (Area 2), Dan Driscoll (Area 3), Scott McGregor (Area 4), Dan Mulally (Area 5), William Young (Area 6), Thomas Mack (Area 7)

Directors absent: Mark Kline (Area 8), Craig Kjar (Area 9)

A quorum was declared.

Administration present: Larry Stetler (Program Administrator)

**Others in attendance** (as per sign-in sheet): Barry Muxen (CWA, BHEC, Sierra Club), Scott Anderson by phone (City of Rapid City), Sandra McInain (Town of Keystone), Matthew Fullilove (Town of Keystone), Jim Hayward, Tim Trueblood, Heidi Sieverding (SDSMT), Julia Loshelder (SDSMT), John Talich (City of Box Elder), Bryce Miner (SDSMT).

#### **AGENDA ITEM 3. Approval of Agenda** (The board cannot take official action on any item not on the agenda) (Chair)

**Motion 1** by Driscoll seconded by Mulally to approve the agenda (with the following change(s)/addition(s)): 1) Move items 11 and 13 to come after item 18 as shown in the packet, 2) Mulally specified spelling out of acronyms. The remainder of these minutes reflect the renumbering of items.

**Motion 1** carries unanimously on a voice vote. 3:06 PM

#### **AGENDA ITEM 4. Conflict of interest disclosure. (Admin)**

1 conflicts stated: Driscoll recused for item 17.

#### **AGENDA ITEM 5. Approval of minutes from July 08, 2025 meeting. (chair)**

**Motion 2** by Driscoll second by Boschee to approve minutes from July 08, 2025 meeting.

**Motion 2** carries unanimously on a voice vote. 3:09 PM

#### **AGENDA ITEM 6. Treasurers Report (Koth)**

Koth noted an error on Fig. 1 where Project Expenses labeled 23-008 Barr BOR Grant have been

moved to the correct expense category 24-004 BARRX Barr Water Mgmt for a total 2025 expenditure of \$107,766.57.

McGregor asked about the remaining funds totaling \$42,500.00 for 22-003 PCDXX Pennington Conservation District. Driscoll noted he could talk with Pennington Conservation District about canceling the account. Koth requested Chairman Mack to send a letter to Pennington Conservation District requesting their intentions for future projects.

Mulally asked about the 20-008 GVSDW-20-AO Green Valley Sanitary District commitment of \$125,000. Koth suggested WDWDD must decide what to do with this commitment.

**Motion 3** by Young seconded by McGregor to approve the treasurers report.

**Motion 3** carries unanimously on a voice vote. 3:26 PM

**AGENDA ITEM 7. Approve the 2026 budget and Pennington County levy request (Koth)**

Mulally noted the budget needs to be itemized for the State by October.

**Motion 4** by Boschee seconded by Mulally to approve the 2026 budget and the Pennington County levy request.

**Motion 4** carries unanimously on a voice vote. 3:28 PM

**AGENDA ITEM 8. Approve a policy change regarding office hours. (Chair)**

**Motion 5** by Young seconded by Mulally to approve the policy change setting new office hours to Monday 10AM – 2PM.

**Motion 5** carries unanimously on a voice vote. McGregor abstains 3:33 PM

**AGENDA ITEM 9. Information: Keystone bridge project final report. (Mulally)**

Representatives from the Town of Keystone were present to provide a project overview of the stream channel cleanout activities that were completed below the confluence of Grizzly and Battle Creeks. It was noted that the sediment accumulation cleaned out was over a 5-year period.

**AGENDA ITEM 10. Information** on WDWDD insurance and other coverages and **Approve** payment to Chubb in the amount of \$300 for 1 year of volunteer coverage.

**Motion 6** by McGregor seconded by Mulally to approve payment of \$300 to Chubb for volunteer insurance coverage for a 1-year period.

**Motion 6** carries unanimously on a voice vote. 3:51 PM

**Motion 7** by McGregor seconded by Driscoll to approve administration to make payment to South Dakota Assurance Alliance for the upcoming year.

**Motion 7** carries unanimously on a voice vote. 3:55 PM

**AGENDA ITEM 11. Information: Erosion Control Committee update. (Erosion Control Committee)**

Boschee discussed the preparation of a ranking document to guide future projects to prioritize such items as distance of the project from a water body or storm sewer, project size, land ownership, and other items. Koth asked about the inclusion of benefits, such as sediment yield reduction. Boschee responded that this will be included.

**AGENDA ITEM 12. Approve volunteer waiver form. (Driscoll/McGregor)**

**Motion 8** by McGregor seconded by Driscoll to approve the use of a volunteer waiver form on

WDWDD projects.

**Motion 8** carries unanimously on a voice vote.

4:07 PM

**AGENDA ITEM 13. Approve new project funding** of up to \$5000 for collaborative erosion control project with Cornerstone Mission (Driscoll/Erosion Control Committee)

**Motion 9** by Driscoll seconded by Mulally to approve new erosion control project funding for Cornerstone Mission.

Driscoll noted that the current proposal specified that WDWDD will provide monitoring and maintenance through fall of 2026 and Cornerstone would be responsible thereafter.

Koth noted several SD Codified laws that specify duties and responsibilities of Water Districts. He concluded 1) these codified laws do not include construction activities as part of a Water District operation, and 2) WDWDD bylaws specify that contract procurement for projects must be made through the Chairman.

Substitute motion by Koth seconded by Young to table these 3 proposals and further such proposals until WD board decides how to proceed with such projects.

Substitute motion failed on a tie vote. Roll call vote: YES (Koth, Young, Mack), NO (Driscoll, McGregor, Mulally), Abstain: Boschee

4: 28 PM

**Motion 9** passes on 4-3 vote. Roll call vote: YES (Boschee, Driscoll, McGregor, Mulally), NO (Koth, Young, Mack)

4:33 PM

Koth asked how any WD Director could vote for a proposal in direct conflict with the bylaws.

**AGENDA ITEM 14. Approve new project funding** of up to \$15000 for collaborative erosion control project with SD Mines (Driscoll/Erosion Control Committee)

**Motion 10** by Driscoll seconded by Mulally to approve new erosion control project funding for SDSMT project.

Driscoll noted that the current proposal specified that WDWDD will provide monitoring and maintenance through fall of 2026 and Mines would be responsible thereafter.

Three SDSMT individuals discussed data collection methods that will be employed, drones and lidar, to measure erosion from the 3 project sites. Questions were asked about history of the data, sediment conveyance to the creek and how control measures would be constructed, and various types of equipment to be used.

Koth specified in objection WDWDD bylaws Article VIII, Duties of the Water District, noting no sediment yield reductions were included in the proposal, nor addressed in the budget.

**Motion 10** passes on 4-3 vote. Roll call vote: YES (Boschee, Driscoll, Mulally, Young), NO (Koth, McGregor, Mack)

5:09 PM

Koth asked how any WD Director could vote for a proposal in direct conflict with the bylaws.

**AGENDA ITEM 15. Approve new project funding** of up to \$25000 for continuation of our Star Village erosion control project with the City of Rapid City and Tzadik Property Management (Driscoll/Erosion Control Committee)

**Motion 11** by Driscoll seconded by Boschee to approve new erosion control project funding for Star Village.

Discussion: Tzadik reimburses 10 cents/dollar. Stetler noted that Tzadik Soix Falls Portfolio 1, LLC currently is in Chapter 11 bankruptcy in Federal Court in Fort Lauderdale, FL. Questions also were addressed to the design of the proposed retaining wall. Driscoll noted that <4' wall does not require a design.

After further discussion Driscoll quit the motion. No action taken.

**AGENDA ITEM 16. Approve worker appreciation events for volunteers** assisting with erosion control projects as allowable expenditures for such projects (Driscoll)

**Motion 12** by Driscoll seconded by Boschree to approve worker appreciation events for volunteers assisting on West Dakota Water Development District projects as specified in approved budgets.

**Motion 12** passes on voice vote. NO (Mulally) 5:44 PM

**AGENDA ITEM 17. Approve reimbursement of expenses** to Director Driscoll (Chair)

**Motion 13** by McGregor seconded by Young to approve expense reimbursement to Director Driscoll in the amount of \$529.18

Substitute motion by Mulally seconded by Young to reduce reimbursement by the alcohol amount for a total of \$430.43.

**Motion 13** carries unanimously on a voice vote. 5:48 PM

**AGENDA ITEM 18. Approve proposed bylaws changes** (Driscoll)

**Motion 14** by \_\_\_\_ seconded by \_\_\_\_ to approve the proposed bylaws change in 1<sup>st</sup> paragraph, Article IV, Section 1.

Discussion ensued prior to a motion being made. After discussion, Driscoll removed the Section 2 change. Motion was withdrawn by Driscoll for rewording of changes. No action taken.

**Agenda Item 19: Chair's comments.** Intends to use Teams for future meetings.

**Agenda Item 20: Items from directors.**

Young: 1) Aug 20, 6:30 at Journey Museum, Ellen Wohl will make a presentation on Importance of Resilience of Watersheds, and 2) next filed day will be in September. Notice will be sent.

Mulally: suggests looking onto zeroing the Pennington Conservation District funding. He also noted water needs in Rapid Valley and needed investigations around utilizing Hawthorne Ditch.

Koth: asked about WDWDD receiving the GIS files compiled by SDSMT student Jason Philips. He also asked the Board to inquire with our attorney on retainer about WDWDD performing construction projects.

**Agenda Item 21: Items from admin.** Admin noted that WDRWS has requested their home addresses. Will request that all information is sent to the WDWDD office for distribution to Directors.

Also noted the Garage contract has been renewed for ACH payments for the next year at the same cost of \$500/month.

**Agenda Item 22: Items from public.** Box Elder representative made comments regarding the importance of WDWDD work.

**Agenda Item 23: Adjournment** by Chairman Mack 6:13 PM

Respectfully submitted:

Larry D Stetler, Program Administrator

Craig Kjar, Secretary

**AGENDA ITEM 6: Treasurer's Report**

- a) Figure 1. Treasurer's Ledger Report
- b) Figure 2. Projects Report
- c) Figure 3. Project Timeline

| <b>Statement of Financial Position</b>         |              |
|------------------------------------------------|--------------|
| West Dakota Water Development District         |              |
| As of October 6, 2025                          |              |
| Account                                        | ↕ Total      |
| ▼ Assets                                       |              |
| ▼ Current Assets                               |              |
| ▼ Bank Accounts                                |              |
| BHCB ASAP Transfers BOR Federal Grant Checking | 100.00       |
| BHCB BOR WaterSMART Grant - Match              | 32,755.75    |
| BHC Business Savings                           | 648.19       |
| BHC Main Checking Account                      | 5,310.95     |
| BHC Savings-PennCo Levi Money Market           | 132,569.71   |
| Total for Bank Accounts                        | \$171,384.60 |
| Accounts Receivable                            | -            |
| ▼ Other Current Assets                         |              |
| Raymond James CD 57203                         | 0.00         |
| Raymond James Savings Account                  | 811,361.79   |
| Total for Other Current Assets                 | \$811,361.79 |
| Total for Current Assets                       | \$982,746.39 |
| Fixed Assets                                   | -            |
| Other Assets                                   | -            |
| Total for Assets                               | \$982,746.39 |
| > Liabilities and Equity                       | \$982,746.39 |

Accrual basis | Monday, October 6, 2025 11:09 AM GMT-06:00

## Activity YTD Comparison Jan1-Oct 6 2025

West Dakota Water Development District

August 5-October 6, 2025

|                                       | TOTAL                |                          |
|---------------------------------------|----------------------|--------------------------|
| Account                               | ↓ Aug 5 - Oct 6 2025 | Jan 1 - Oct 6 2025 (YTD) |
| ▼ Income                              |                      |                          |
| Grants                                | 16,666.62            | 85,449.28                |
| Pennington County Tax Levy            | 2,938.74             | 151,549.60               |
| <b>Total for Income</b>               | <b>\$19,605.36</b>   | <b>\$236,998.88</b>      |
| Cost of Goods Sold                    | -                    | -                        |
| <b>Gross Profit</b>                   | <b>\$19,605.36</b>   | <b>\$236,998.88</b>      |
| ▼ Expenses                            |                      |                          |
| ▼ Project Expenses                    |                      |                          |
| 24-004 BARRX Barr Water Mgmt M...     | 25,367.75            | 133,134.32               |
| 24-005 USGS Streamflow                | 2,803.75             | 11,725.00                |
| 21-003 LaCroix Golf Course Erosio...  | 430.43               | 430.43                   |
| 22_003_PCDXX                          | -                    | 7,500.00                 |
| 22-006 Star Village Erosion Control   | -                    | 573.50                   |
| 23-006 Raider Park at Stevens         | -                    | 2,163.70                 |
| 25_001_USGSX                          | -                    | 2,000.00                 |
| 25_002_EDAYX                          | -                    | 1,000.00                 |
| <b>Total for Project Expenses</b>     | <b>\$28,601.93</b>   | <b>\$158,526.95</b>      |
| ▼ Non-Project Expenses                |                      | <b>\$32.00</b>           |
| Professional Admin Services Contract  | 5,144.96             | 19,261.06                |
| Insurance Expense                     | 1,711.18             | 2,086.18                 |
| Rents                                 | 1,000.00             | 4,500.00                 |
| Director Stipend                      | 700.00               | 4,000.00                 |
| Legal Notices                         | 128.36               | 157.99                   |
| Admin/Office Expenses                 | 115.97               | 7,591.28                 |
| Phone Expense                         | 79.21                | 356.97                   |
| Director Travel/Mileage               | 62.58                | 344.15                   |
| Computer/Software Related             | -                    | 795.47                   |
| Professional Services/Contracts       | -                    | 2,590.25                 |
| <b>Total for Non-Project Expenses</b> | <b>\$8,942.26</b>    | <b>\$41,715.35</b>       |
| Uncategorized Expense                 | -                    | -5,321.88                |
| <b>Total for Expenses</b>             | <b>\$37,544.19</b>   | <b>\$194,920.42</b>      |
| <b>Net Operating Income</b>           | <b>-\$17,938.83</b>  | <b>\$42,078.46</b>       |
| ▼ Other Income                        |                      |                          |
| Interest Income                       | 169.87               | 21,193.85                |
| <b>Total for Other Income</b>         | <b>\$169.87</b>      | <b>\$21,193.85</b>       |
| Other Expenses                        | -                    | -                        |
| <b>Net Other Income</b>               | <b>\$169.87</b>      | <b>\$21,193.85</b>       |
| <b>Net Income</b>                     | <b>-\$17,768.96</b>  | <b>\$63,272.31</b>       |

Figure 1. Treasurers Ledger Report

Monday, October 6, 2025 11:19 AM GMT-06:00

| WDWDD Project Assistance Summary,<br>projectSummaryWdwd.xlsx, LD Stetler |                     | 10/6/2025    |                     |                   |
|--------------------------------------------------------------------------|---------------------|--------------|---------------------|-------------------|
| Name                                                                     | WDWDD Proj. number  | Grant Amount | current paid amount | Balance remaining |
| 2025 Projects                                                            |                     |              |                     |                   |
| 2025 Western Dakota Hydrology Conf. (closed)                             | 25 001 USGSX        | \$2,000.00   | \$2,000.00          | \$0.00            |
| 2025 Earth Day Expo (closed)                                             | 25 002 EDAYX        | \$1,000.00   | \$1,000.00          | \$0.00            |
| 2024 Projects                                                            |                     |              |                     |                   |
| 2024 Western Dakota Hydrology Conf. (closed)                             | 24 001 USGSX        | \$2,000.00   | 2,000.00            | \$0.00            |
| GFP Invasive Species Boat Inspections (closed)                           | 24 002 GFPXX        | \$20,000.00  | 20,000.00           | \$0.00            |
| Barr manage through the finalization of the BOR grant (closed)           | 24 003 BARRX        | \$7,500.00   | 7,399.00            | \$101.00          |
| Barr Water Management Modeling of Deerfield/Pactola-system               | 24 004 BARRX        | \$349,721.00 | 162,476.16          | \$187,244.84      |
| USGS Stream Gauges 2024-2027                                             | 24 005 USGSX        | \$35,685.00  | 11,725.00           | \$23,960.00       |
| WDRWS Grant for Matching SWRMS (closed)                                  | 24 006 WDRWS        | \$25,000.00  | 25,000.00           | \$0.00            |
| EPA Section 319 DANR Watershed Improvement Project                       | 24 007 DANRX        | \$133,333.00 | 0.00                | \$133,333.00      |
| 2023 Projects                                                            |                     |              |                     |                   |
| USGS Stream Gauges 2023 (closed)                                         | 23 001 USGSX        | \$16,080.00  | \$16,080.00         | \$0.00            |
| GFP Invasive Species Boat Inspections (closed)                           | 23 002 GFPXX        | \$20,000.00  | \$20,000.00         | \$0.00            |
| Rotating Basins Rotation 2023 DANR (closed)                              | 23 003 DANRX        | \$26,500.00  | \$26,500.00         | \$0.00            |
| 2023 Western Dakota Hydrology Conf. (closed)                             | 23 004 USGSX        | \$2,000.00   | \$2,000.00          | \$0.00            |
| WDRWS Grant for Matching SWRMS (closed)                                  | 23 005 WDRWS        | \$25,000.00  | \$25,000.00         | \$0.00            |
| Collaborative Project for Erosion Control Raider Park                    | 23 006 RAIDE        | \$15,000.00  | \$8,693.70          | \$6,306.30        |
| Keystone Removal of Sediment Winter Street Bridge (closed)               | 23 007 KEYST        | \$10,000.00  | \$10,000.00         | \$0.00            |
| Barr BOR Grant Application Pactola/Deerfield Model (closed)              | 23 008 BARRX        | \$8,538.00   | \$8,538.00          | \$0.00            |
| Medicine Mountain Boy Scouts Water (closed)                              | 23 009 BOYSC        | \$25,000.00  | \$25,000.00         | \$0.00            |
| WaterSmart BOR Pactola/Deerfield Study                                   | 23 010 BORXX        | \$100,000.00 | \$0.00              | \$100,000.00      |
| USGS Stream Gauges 2024 (closed)                                         | 23 011 USGSX        | \$16,450.00  | \$16,450.00         | \$0.00            |
| 2022 Projects:                                                           |                     |              |                     |                   |
| USGS Stream Gauges 2022 (closed)                                         | 22 001 USGSX 21     | \$15,760.00  | \$15,760.00         | \$0.00            |
| Rotating Basins Rotation 2 DANR (closed)                                 | 22 002 DANRX        | \$22,000.00  | \$22,000.00         | \$0.00            |
| Rapid Creek Restoration Penn Conservation District                       | 22 003 PCDXX        | \$50,000.00  | \$7,500.00          | \$42,500.00       |
| 2022 Western Dakota Hydrology Conf. April. (closed)                      | 22 004 USGSX        | \$2,000.00   | \$2,000.00          | \$0.00            |
| GFP Invasive Species Boat Inspections (closed)                           | 22 005 GFPXX        | \$20,000.00  | \$20,000.00         | \$0.00            |
| Collaborative project for erosion control Star Village, RC               | 22 006 STRRC        | \$15,000.00  | \$13,340.85         | \$1,659.15        |
| Collaborative project for erosion control Star Village, Tzadik           | 22 007 STRTZ        | \$9,000.00   | \$2,536.35          | \$6,463.65        |
| 2020/2021 Projects:                                                      |                     |              |                     |                   |
| Trinity Eco Park Drainage Improvement (closed)                           | 20 006 TRINI 20 AO  | \$24,500.00  | \$24,500.00         | \$0.00            |
| SDSMT Impervious Areas in RC (closed)                                    | 20 003 SDSMT 20 AO  | \$24,871.00  | \$20,965.57         | \$0.00            |
| USGS Stream Gauges (closed)                                              | 20 001 USGSX 19 AZ  | \$15,600.00  | \$15,600.00         | \$0.00            |
| USGS Water Quality Monitoring of Canyon Lake (closed)                    | 20 002 USGSX 19 AO  | \$18,000.00  | \$18,000.00         | \$0.00            |
| Town of Keystone (closed)                                                | 20 007 KEYSTO 20 AO | \$25,000.00  | \$25,000.00         | \$0.00            |
| Revegetation Exposed Soils on SDSMT (closed)                             | 20 005 SDSMT 20 AO  | \$24,800.00  | \$24,800.00         | \$0.00            |
| Banner Next Steps for Missouri River Water (closed)                      | 20 004 BANNER 20 AZ | \$24,500.00  | \$24,500.00         | \$0.00            |
| Banner Missouri Water Needs Assessment task 1 (closed)                   | 20 009 BANNER 21 AO | \$79,030.00  | \$79,030.00         | \$0.00            |
| USGS Stream Gauges 2020 (closed)                                         | 20 010 USGSX        | \$15,600.00  | \$15,600.00         | \$0.00            |
| Green Valley Sanitary District (Interstate Engineering)                  | 20 008 GVSDW 20 AO  | \$125,000.00 | \$0.00              | \$125,000.00      |
| 2021 Western SD Hydrology Conf. (closed)                                 | 21 001 USGSX 21 AZ  | \$1,000.00   | \$1,000.00          | \$0.00            |
| GFP Invasive Species Boat Inspections (closed)                           | 21 002 GFPXX 21 AO  | \$10,000.00  | \$10,000.00         | \$0.00            |
| Erosion Control Project at LaCroix Golf Course                           | 21 003 RCXXX 21     | \$12,000.00  | \$10,539.05         | \$1,460.95        |
| Erosion Control of Exposed Soils N. of Star Village, Weger (closed)      | 21 004 STRWE 21     | \$10,000.00  | \$8,746.64          | \$0.00            |
| Erosion Control of Exposed Soils N. of Star Village, Tzadik (closed)     | 21 005 STRTZ 21     | \$15,000.00  | \$7,516.18          | \$0.00            |
| Repair of Living Lab SDSMT (closed)                                      | 21 006 SDSMT        | \$5,000.00   | \$4,336.52          | \$0.00            |
| Phase II TerraSite Inventory Impervious Areas in RC (closed)             | 21 007 TERRA        | \$24,950.00  | \$24,950.00         | \$0.00            |
| TOTAL PROJECT OBLIGATIONS                                                |                     |              |                     | \$628,028.89      |

Figure 2. Projects Report

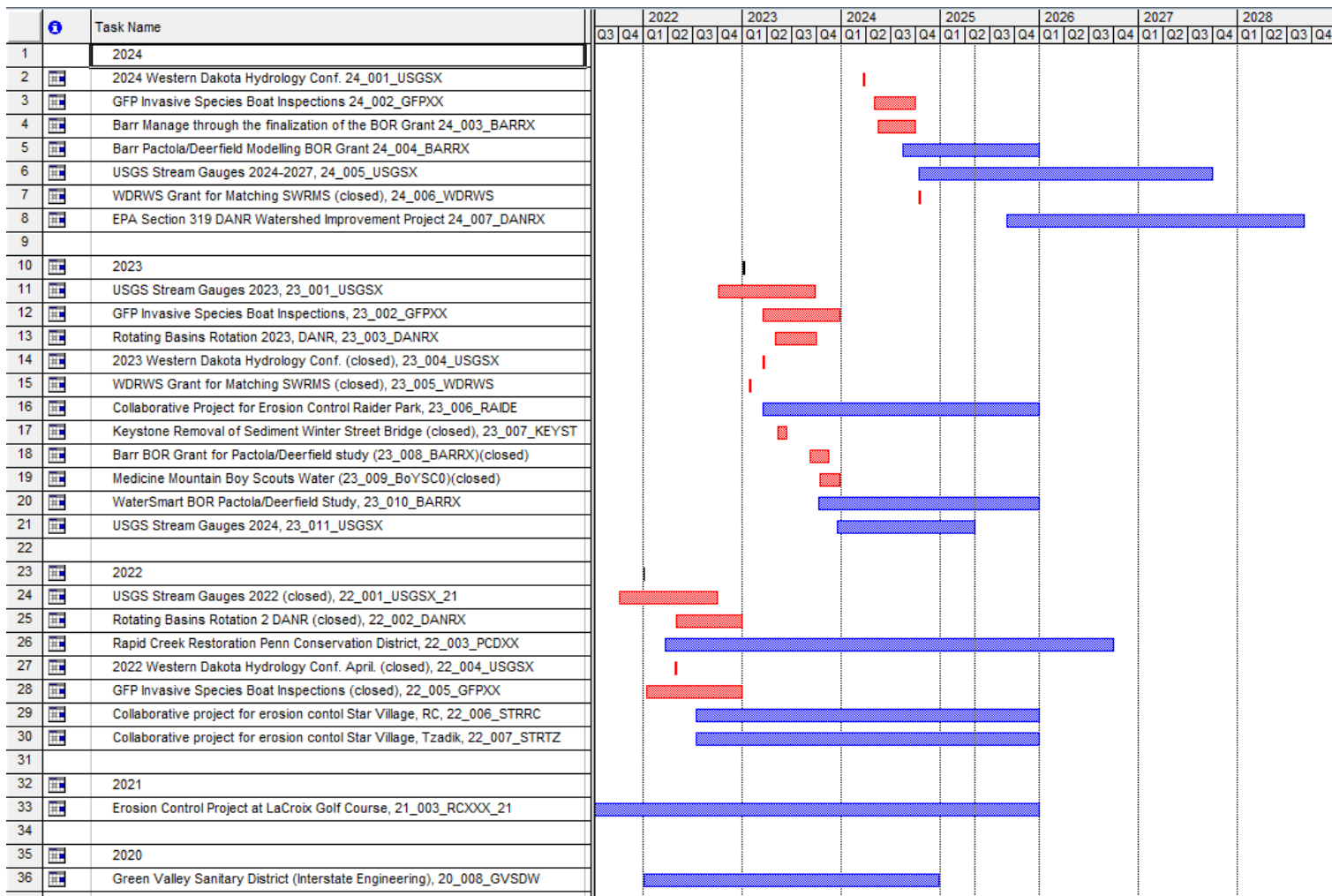


Figure 3. Project Timeline (Red = Closed).

**AGENDA ITEM 7:** Annual review of open meeting laws 2025.

(<https://sdmunicipalleague.org/page/Library-OpenMeetingsLawandOpenRecords>). WDWDD operation (review of other WDD), and minutes-recording-posting information. Admin

**AGENDA ITEM 8:** Discussion: Establish a point-of-contact at WDWDD for 319 grant with the duties of grant administration, proposal preparation and solicitation, contractor solicitation, etc. Koth

**AGENDA ITEM 9:** Discussion: Updates and changes to WDWDD proposal and contracting process. Koth

**AGENDA ITEM 10:** Information: Report from ECC. Driscoll

**AGENDA ITEM 11:** Approval of proposed bylaws change. (Kjar)

# WEST DAKOTA WATER DEVELOPMENT DISTRICT BYLAWS

## Change History

| Date        | Author     | Section/page | Notes                                  |
|-------------|------------|--------------|----------------------------------------|
| 12 Feb 2019 | D. Mulally | V/3          | Added conflict of interest disclosure  |
| 14 Jan 2020 | D. Mulally | IV/3         | Changed to 7 meeting/yr                |
| 10 Nov 2020 | D. Mulally | VI/3, VII/3  | Change 30 days notification to 25 days |
| 12 Dec 2024 | D. Mulally | III/1        | Change wording                         |
| 12 Dec 2024 | D. Mulally | III/2        | Add sec. 2 to III                      |
| 12 Dec 2024 | D. Mulally | VIII         | Add article VIII                       |

## Contents

|                                                                |   |
|----------------------------------------------------------------|---|
| ARTICLE I - PURPOSE, LEGAL AUTHORITY, AND OFFICE LOCATION..... | 2 |
| Section 1 - Purpose .....                                      | 2 |
| Section 2 - Governance.....                                    | 2 |
| Section 3 - Principal Office .....                             | 2 |
| ARTICLE II - VOTES.....                                        | 2 |
| Section 1 - Votes.....                                         | 2 |
| ARTICLE III - OFFICER DUTIES .....                             | 2 |
| Section 1 – Duties of Officers.....                            | 2 |
| Section 2 – Executive Committee.....                           | 3 |
| ARTICLE IV - MEETINGS (REGULAR, ANNUAL, AND SPECIAL) .....     | 3 |
| Section 1 - Regular Meeting .....                              | 3 |
| Section 2 - Special Meeting .....                              | 3 |
| Section 3 - Order of Meetings.....                             | 3 |
| ARTICLE V – DISCLOSURE OF CONFLICT OF INTEREST .....           | 3 |
| ARTICLE VI – BY-LAW AMENDMENTS .....                           | 4 |
| ARTICLE VII – POLICY AND PROCEDURE AMENDMENTS.....             | 4 |
| ARTICLE VIII – PROJECT MANAGEMENT.....                         | 4 |

## ARTICLE I - PURPOSE, LEGAL AUTHORITY, AND OFFICE LOCATION

## Section 1 - Purpose

SDCL 46A-3A-1.1. Districts to promote conservation, development and management of resources-- Serve as clearinghouse for water quality and supply projects. Water development districts shall promote the conservation, development, and proper management of district water resources according to district priorities and shall serve as a district-wide clearinghouse authority for water quality and supply projects through technical, organizational and financial assistance to prospective and existing project sponsors and through recommending projects for inclusion in the state water plan, and through other appropriate actions accomplish the purposes of chapters 34A-2, 34A-3A, 34A-6, 34A-9, chapters 46A-3A to 46A-3E, inclusive, and chapters 46A-1 and 46A-2.

## Section 2 - Governance

The West Dakota Water Development District is governed by the laws established by the South Dakota Legislature. The laws are listed below:

46A-3A Water Development Districts - Establishment 46A-3B

Water Development Districts – Board of Directors 46A-3C

Water Development Districts – Dissolution

46A-3D Water Development Districts – Powers and Duties

Chapter 46A-3E Water Development Districts – Tax Levies and Special Assessments

## Section 3 - Principal Office

The principal office of the West Dakota Water Development District shall be at 402 St Joseph St, Rapid City, South Dakota 57701, provided that the location of such principal office may be changed by amendment to these Bylaws by the action of the Board of Directors.

## **ARTICLE II - VOTES**

### Section 1 - Votes

Each Director shall be entitled to one (1) vote on all matters requiring a vote at meetings of the Board of Directors.

## **ARTICLE III - OFFICER DUTIES**

### Section 1 – Duties of Officers

(a) The Chairman shall preside at the meetings of the Board of Directors. She/he shall execute contracts and other instruments on behalf of the Board and otherwise represent the Board. She/he shall determine the need for and call special meetings of the Board. She/he may sign vouchers for disbursement of Water Development District funds. She/he may appoint committees for specific purposes. She/he may perform such other duties as prescribed by the Board of Directors.

(b) The Vice-Chairman shall, in the absence or disability of the Chairman, perform the duties and

exercise the powers of the Chairman. She/he may perform other duties as prescribed by the Board of Directors.

(c) The Secretary shall provide seven (7) days notice if by mail of Board of Directors' Meetings, or three

(3) days written notice if by telephone or email (if Director has email and receipt of email is recognized by Director); shall keep the minutes of the Board of Directors' Meetings; shall attest to documents reflecting the Board of Directors' actions as required and may perform such other duties as may be prescribed by the Board of Directors.

(d) The Treasurer shall have custody over all funds and securities of the Water Development District and shall give bond, in such sum and with such sureties as prescribed (unless otherwise insured), conditioned upon the faithful performance of the duties of his/her office. She/he shall keep and/or administer accurate accounts of the receipts and disbursements in the books of the Water Development District. She/he shall administer deposit of such monies as may come to the Water Development District in depositories designated by the Board of Directors. She/he shall administer the preparation and signing of vouchers and distribute warrants and checks in payment of proper claims against the Water Development District. She/he shall prepare or cause to be prepared and submit periodic financial statements and reports of the account of the Water Development District. She/he shall perform such other duties as the Board of Directors may prescribe.

## Section 2 – Executive Committee

The Executive Committee shall consist of the Chairman, Vice-Chairman, Secretary, and Treasurer. The Executive Committee shall meet in advance of meetings of the Board of Directors to establish meeting agendas. The Executive Committee may perform other duties as described under Policies 4, 11, and 15 in the WDWDD Policy and Procedure Manual, or as prescribed by the Board of Directors.

## **ARTICLE IV - MEETINGS (REGULAR, ANNUAL, AND SPECIAL)**

### Section 1 - Regular Meeting

There shall be seven (7) regular meetings of the Board of Directors each year. These meetings shall be scheduled on the second Tuesday of the Months of January, March, May, July, August, October, and December at a place and time to be specified by the Board of Directors. The Board of Directors by concurrence of a majority vote may cancel any regular meeting or change the place, date or time of such meeting. Notice of such regular meeting shall be mailed or emailed by the Secretary or Program Administrator to each Director at least seven (7) days before each meeting. In lieu of written notice, the Secretary or Program Administrator may give notice by telephone if made at least three (3) days prior to the meeting. In the case of telephone notice, at least a majority of the Directors shall assure the Secretary or Program Administrator of intention to attend the meeting. Unless otherwise specified by the Board, regular meetings shall be open to the public.

Meeting agendas should be in compliance with the document: “Conducting the Public's Business in Public, A guide to South Dakota’s Open Meetings Laws.” Standard agenda items for regular meetings typically will include the pledge of allegiance, roll call of members, approval of agenda, conflict of

interest disclosure, approval of minutes from previous meeting, and treasurer's report at the front end of the agenda. Standard items at the end of the agenda will include items from the Chairman, items from Directors, items from the Program Administrator, items from the public, and adjournment.

Inclusion of other agenda items will require (1) sponsorship by board members to be submitted in writing or via email in advance of the Executive Committee meeting or (2) sponsorship by the Program Administrator. The Executive Committee will review submitted agenda items and establish the order of the agenda. The Executive Committee may suggest modification, deferral, or withdrawal of submitted agenda items; however, the final decision rests with the submitting Director, contingent on approval of the agenda at the board meeting. By majority vote of the board, agenda items can be added or removed when approving the agenda; however, it is best that agenda items that are likely to receive public input or those requiring advanced consideration by Directors be submitted before the Executive Committee meeting. In particular, items that require a vote to appropriate money should not be added at the meeting without careful consideration.

### Section 2 - Special Meeting

Special meetings of the Board of Directors may be scheduled by the Chairman, or upon written request of three (3) Directors to the Secretary. Directors shall be notified of the place, date, time and purpose of such special meetings in the same manner as in the case of regular meetings, provided that the Directors, by unanimous consent, may hold a special meeting at any place, date and time. Unless otherwise specified by the Board, special meetings shall be open to the public.

### Section 3 - Order of Meetings

A majority of the number of members elected and appointed shall constitute a quorum. Robert's Rule of Order, as interpreted by a parliamentarian (when available) for the Chairman, shall govern all meetings of the Board of Directors.

## **ARTICLE V – DISCLOSURE OF CONFLICT OF INTEREST**

Any director who is present at a meeting at which is discussed any matter in which that director has, directly or indirectly, a private financial or property interest shall disclose such interest to the Board. Any such director shall refrain from advocating for or against the matter and shall disqualify himself/herself from voting on such matter. The Board may adopt a separate policy specifically regarding ethical standards and practices.

## **ARTICLE VI – BY-LAW AMENDMENTS**

These Bylaws may be amended at any regular meeting of the Board of Directors by a favorable vote of at least two-thirds of those Directors present and voting. Proposed amendments to these Bylaws shall be submitted to the Secretary by a Director at least twenty-five (25) days prior to the regular meeting at

which such proposed amendments are to be considered by the Board of Directors. A copy of the proposed amendment(s) shall be sent to each Director by the Secretary at least fifteen (15) days prior to the meeting at which such amendment(s) are to be considered by the Board of Directors.

## **ARTICLE VII – POLICY AND PROCEDURE AMENDMENTS**

The Policies and Procedures of the District may be amended at any regular meeting of the Board of Directors by a favorable vote of at least two-thirds of those Directors present and voting. Proposed amendments to the Policies and Procedures shall be submitted to the Secretary by a Director at least twenty-five (25) days prior to the regular meeting at which such proposed amendments are to be considered by the Board of Directors. A copy of the proposed amendment(s) shall be sent to each Director by the Secretary at least fifteen (15) days prior to the meeting at which such amendment(s) are to be considered by the Board of Directors.

## **ARTICLE VIII – PROJECT MANAGEMENT**

Projects initiated and managed by West Dakota Water Development District must have no fewer than 3 or more than 4 directors directly involved with the development of a project/initiative and ongoing communications with partners, stakeholders or advisors. The Chairman may identify a primary/designated lead from WDWDD. A designated WDWDD lead must communicate all contact information to the other 2 or 3 directors immediately if they have not been directly involved with prior communications/coordinations. Any official WDWDD communications on a proposed project must be coordinated through the Chairman and the ad hoc group of 3-4 directors. Two of three or three of four directors must agree on the action(s) to be communicated.

**AGENDA ITEM 12:** Discussion: Program Administration duties added to bylaws. Driscoll

### **ARTICLE I - PURPOSE, LEGAL AUTHORITY, PROGRAM ADMINISTRATION, AND OFFICE LOCATION**

#### **Section 1 - Purpose**

SDCL 46A-3A-1.1. Districts to promote conservation, development and management of resources-- Serve as clearinghouse for water quality and supply projects. Water development districts shall promote the conservation, development, and proper management of district water resources according to district priorities and shall serve as a district-wide clearinghouse authority for water quality and supply projects through technical, organizational and financial assistance to prospective and existing project sponsors and through recommending projects for inclusion in the state water plan, and through other appropriate actions accomplish the purposes of chapters 34A-2, 34A-3A, 34A-6, 34A-9, chapters 46A-3A to 46A-3E, inclusive, and chapters 46A-1 and 46A-2.

#### **Section 2 - Governance**

The West Dakota Water Development District is governed by the laws established by the South Dakota Legislature. The laws are listed below:

46A-3A Water Development Districts - Establishment 46A-3B Water Development Districts – Board

of Directors 46A-3C Water Development Districts – Dissolution  
46A-3D Water Development Districts – Powers and Duties  
Chapter 46A-3E Water Development Districts – Tax Levies and Special Assessments

### **Section 3 – Program Administration**

Programs of the West Dakota Water Development District shall be administered by a Program Administrator who will be retained under contractual arrangements. The Program Administrator will be responsible for all program administration duties identified through the contractual arrangements and will include items such as running and recording of meetings, taking meeting notes, assistance with generation of meeting minutes, posting of agendas and minutes to the internet, sending legal notices, paying bills, ... and the like ... and maybe we could have Larry or others assist with the wording on this one.

### **Section 34 - Principal Office**

The principal office of the West Dakota Water Development District shall be at 402 St Joseph St, Rapid City, South Dakota 57701, provided that the location of such principal office may be changed by amendment to these Bylaws by the action of the Board of Directors.

**AGENDA ITEM 13:** Chair's comments.

**AGENDA ITEM 14:** Items from directors.

**AGENDA ITEM 15:** Items from admin. Chubb Insurance effective 9/1/25, SD Assurance payment 9/2/25. PennCo 2026 Levy request submitted and received. New external backup drive.

**AGENDA ITEM 16:** Items from public.

**AGENDA ITEM 17:** Adjournment