



Approved minutes for regular board meeting on Mar 10, 2026, 3 PM

An audio recording for this meeting is available at www.westdakotawater.com

CALL TO ORDER: The West Dakota Water Development District (WDWDD) convened 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 (Area 1), Dan Driscoll (Area 3), Scott McGregor (Area 4), Dan Mulally (Area 5), William Young (Area 6), Thomas Mack (Area 7), Mark Kline, (Area 8), Craig Kjar (Area 9)

Directors absent:, Roy Boschee (Area 2)

A quorum was declared.

Administration present: Larry Stetler (Program Administrator)

Others in attendance (as per sign-in sheet): Barry Muxen (CWA, BHEC, Sierra Club), Glenda Williams, Bob Williams, Jesse Wilkens (SDDANR), Lori Brown (BH Watershed Collaborative), Chris Stover (BH Watershed Collaborative), Jim Hayward, Hans Stephanson (BH Watershed Collaborative), Jamie Haueter (USGS), Colton Medler (USGS), James Bialota (Candidate US House), Chuck Mordhorst (SDGFP), Galen Hoogestrat (USGS)

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

Motion 1 by McGregor seconded by Kline to approve agenda (with the following addition):

Changes: correct name listed in Item 8 as Black Hills Watershed Collaboration to ‘Collaborative’

Motion 1: carries unanimously on a voice vote 3:05 PM

AGENDA ITEM 4. Conflict of interest disclosure. (chair)

0 conflicts stated:

AGENDA ITEM 5. Approval of minutes from January 13, 2026 meeting. (chair)

Motion 2 by Driscoll second by Mulally to approve minutes from January 13, 2026 meeting with the following change(s): none

Motion 2 carries unanimously on a voice vote. 3:03 PM

AGENDA ITEM 6. Treasurers Report (Stetler)

Motion 3 by Mulally seconded by Driscoll to accept the treasurers report (with alterations listed below).

Mulally noted that the Green Valley Project has been suspended and WD can clear that commitment. Chairman Mack will get official documentation of project’s end for further board action. Koth noted negative balances on two projects.

Motion 3 carries unanimously on a voice vote. 3:110PM

AGENDA ITEM 7. Information: Summary of results of the recent Black Hills USGS Hydrologic Budget and Water Availability Study (Mulally, Medler). Presentation on video from 12 min to 39 min. Presentation slides posted on website.

AGENDA ITEM 8. Information: Black Hills Watershed Collaborative (Young and Collaborative members). Presentation on video from 39.5 min to 58 min. 3:58 PM

AGENDA ITEM 9. Request: Sponsorship of USGS Western South Dakota Hydrology Conference \$3,000.

Motion 4 by Young seconded by McGregor to sponsor the USGS Western South Dakota Hydrology Conference in the amount of \$3,000

Motion 4 carries 4:01 PM

AGENDA ITEM 10. Request: Sponsorship of 2026 Earth Day Expo \$1,100.

Motion 5 by Young seconded by Kjar to sponsor the 2026 Earth Day Expo in the amount of \$1,100.

Motion 5 carries no-Mulally 4:03 PM

AGENDA ITEM 11. Information: 319 project update (Chair, Andersen SD DANR)

Working on watershed protection and improvement of impaired areas. Press release forthcoming.

AGENDA ITEM 12. Proposed rescission of agreements and remaining budgeted funds for dry-land "erosion control" projects as shown on the 3-2-2026 project assistance summary. This is to include the Star Village project #26-001 in addition to the SDSMT and Cornerstone projects. (Koth)

Motion 6 by Koth seconded by Young to rescind agreements and remaining budgeted funds for dry-land "erosion control" projects as shown on the 3-2-2026 project assistance summary. This is to include the Star Village project #26-001 in addition to the SDSMT and Cornerstone projects.

Summary was provided. Suggests projects rescinded so as to re-evaluate how to go about them within the SD codified statutes.

Driscoll noted expenses currently showing in red were made in 2025 prior to project end.

McGregor noted several statutes in another interpretation suggesting WD is able to do these projects. Suggested that WD can do these differently in the future but should not rescind ongoing projects.

Young noted 3 concerns: 1) adding invasive species in the grasses, 2) slope may contain rare plants, 3) possible increased sed load in high water event that could entrain debris placed by WD.

Substitute motion by Driscoll seconded by...no second. for the rest of 2026 WD will entertain no more agenda items or discussions from director Koth regarding legal authorization for erosion control projects or allocations of by-law violations.

Question was called by Mulally and passed.

Motion 6 fails roll call 2 yes (Koth, Young), 7 no (Driscoll, McGregor, Mulally, Mack, Kline, Kjar)

4:45 PM

Public comment: Bialota applauds Koth for bringing this up stated his support. Calls it a scam involving real estate improvement.

AGENDA ITEM 13. Information: Update from erosion control committee (Driscoll and erosion control committee). No comments made

AGENDA ITEM 14. Request: funding of up to \$5,000 for collaborative erosion control project at the LaCroix Golf Course (Driscoll and erosion control committee)

Motion 7 by Driscoll seconded by Mulally to provide funding up to \$5,000 for collaborative erosion control project at the LaCroix Golf Course.

Koth noted that WD has no standing agreement with the City requiring this to be a new agreement with signatures.

Driscoll noted funds were expended in 2025. Overage to be paid from this new project.

Substitute motion by Young seconded by Koth to eliminate the overage (\$1962.57) on 21_003_RCXXX_21, LaCroix erosion project regardless of current motion vote.

Sub-Substitute Motion by Mulally seconded by Kline to approve funding for 21_003_RCXXX_21, LaCroix erosion project in the amount \$1962.57.

Sub-Substitute motion rescinded by Mullaly and Kline.

McGregor states the substitute motion is inappropriate and was rescinded by Young and Koth.

Amended motion 7 by Driscoll and Mulally to change requested amount from \$5000 to \$2000 and use funds to clear overage of \$1962.57 on expired account 21_003_RCXXX_21 and leave \$37.43 in the new account.

Koth notes we do not have an agreement at current. Driscoll stated new signatures will be collected.

Motion 7 carries roll call: 5 yes (Driscoll, McGregor, Mulally, Kline, Kjar), 3 no (Koth, Young, Mack)
5:26 PM

AGENDA ITEM 15: Discussion and action on water development district purposes, sponsorship and assistance for water resources projects as applied to WDWDD within the permits of law (McGregor, Koth)

McGregor: WD purpose: provide a sufficient water quality or quantity aspect not withstanding public access or not.

Koth: board needs additional guidance as to what we need to be looking at regarding water quality-quantity. EDWDD lists statutes they operate under.

Public comment: Bialota stated that both case law and statutes exist that would support Koth's statements. He cited the 'gift' clause and stated he would supply the information.

Motion 8 by Koth seconded by McGregor to work with Executive Committee and Chairman, directing Chairman to obtain attorney general opinion on definition of water resources projects, providing assistance, as identified in Chapter 46A SDCL.

Motion 8 carries 5:48PM

AGENDA ITEM 16: Chair's comments. none

AGENDA ITEM 17: Items from directors. Young announced creek cleanup Sat Mar 14

AGENDA ITEM 18: Items from admin. none

AGENDA ITEM 19: Items from public. Bialota noted that the rear door of the facility is a handicap door and needs to be open during meeting times.

AGENDA ITEM 20: Adjournment by Chairman Mack 5:52 PM

Respectfully submitted:

Larry D Stetler, Program Administrator

Craig Kjar, Secretary