Draft minutes for regular board meeting on October 14, 2025, 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 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), Craig Kjar (Area 9), Mark Kline (Area 8)

Directors absent: None

A quorum was declared.

Administration present: Larry Stetler (Program Administrator)

Others in attendance (as per sign-in sheet): Barry Muxen (CWA, BHEC, Sierra Club), Justin Huntly (Floodplain Manager, City of Rapid City)

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 Boschee to approve the agenda (with the following change(s)/addition(s)): 1) Mulally specified spelling out of acronyms.

Motion 1 carries unanimously on a voice vote. 3:03 PM

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

0 conflicts stated: See Item 14

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

Motion 2 by McGregor second by Driscoll to approve minutes from August 12, 2025 meeting with the following addition to Item 20: It was suggested that this could be done by director McGregor, who said he could look into it.

Motion 2 carries unanimously on a voice vote. 3:06 PM

AGENDA ITEM 6. Treasurers Report (Koth)

McGregor noted the $100,000 line item in 2023 projects for 23_010_BORXX. Koth said this should be removed since that amount was adjusted in the 2024 24_004_BARRX Deerfield/Pactola project.

Motion 3 by McGregor seconded by Kjar to remove $100,000 from Project Summary 23-010 BORXX and reduce project obligations by $100,000. Also remove green color on lines.

Motion 3 carries unanimously on a voice vote. 3:15 PM

Motion 4 by Young seconded by McGregor to approve the treasurers report.

Motion 4 carries unanimously on a voice vote. 3:23 PM

AGENDA ITEM 7. Annual review of open meeting laws (Admin)

Review conducted from 3:23-3:34 PM. Other discussion included WDWDD procedures for agenda, meeting packet, minutes, recording, and posting of such.

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)

Koth noted that future projects under 319 will require specific information to be a part of proposals and contracts. This item is intended to provide information for the need of a point-of-contact as soon as the 319 grant is awarded. Remuneration for this person is in the grant funds.

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

Koth reiterated the requirement for specific pieces of information to be included in proposals and contracts under the 319 grant.

AGENDA ITEM 10. Information: Report from Erosion Control Committee. (Driscoll)

Boschee discussed items in the 1st cut ranking system for future erosion projects.

Driscoll reported that talks are ongoing with the City of Rapid City for moving soil material from their sites to WDWDD erosion control sites.

Other items included potential projects by and/or with SD National Guard that includes leaf-spreading on slopes this fall. There is a safety guidelines document that will be forwarded to the board for potential inclusion on the liability waiver form that recognizes volunteers have received and read that document.

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

Motion 5 by Driscoll seconded by Mulally to change the bylaws as suggested in the packet.

Discussion focused on 1) need for the proposed changes and apparent redundancies with SD open meeting laws, 2) wording and intent of proposed changes, and 3) potential conflict in wording and SD open meeting laws.

Driscoll withdrew the motion. No vote was made.

Driscoll, McGregor, and Mulally will alter wording and content of proposed changes.

AGENDA ITEM 12. Discussion: of Program Administration duties added to bylaws. (Driscoll) Driscoll, McGregor, and Mulally will alter wording and content of proposed changes.

AGENDA ITEM 13. Chair's comments.

Chairman Mack will meet with Game Fish and Parks (as well as other Directors) on the 319 grant. He had a meeting with the City, and also attended an erosion control committee meeting. The program Administrator provided him with the WDWDD SAM (UEI-Unique Entity Identifier) number for receiving Federal funding which was forwarded to the State for contract preparation.

Agenda Item 14: Items from directors.

Kline was absent at the time of reading Agenda Item 4: Conflicts of Interest and noted there were none.

Mulally attended a Green Valley meeting.

Young conducted field trips in September that were attended by several area legislators.

Koth will arrange a pre-October 22 319 meeting with WDWDD Directors. He also said WDWDD needs to ensure the pending legal opinion prior to initiation of the erosion control projects with SDSMT and Cornerstone Mission.

Driscoll asked why a legal opinion was sought without contact with the full board. He also inquired about the process on how funds for legal counsel were appropriated.

Agenda Item 15: Items from admin. Admin noted 1) Chubb Insurance has been secured as of 9/1/25. SD Assurance Alliance payment has been secured for the next year. Pennington County 2026 Levy request has been submitted and received. A new backup drive will be obtained for the office computer.

Agenda Item 16: Items from public. Barry Muxen invited board members to a Black Hills Environmental Coalition 'water' dinner on November 6 at ~5PM. Justin Huntly, Rapid City floodplain manger, discussed a capitol improvement project that WDWDD might become involved/collaborate with.

Agenda Item 17: Adjournment by Chairman Mack 5:16 PM

Respectfully submitted:

Larry D Stetler, Program Administrator

Craig Kjar, Secretary