

SPRING CREEK / COW CREEK SANITARY DISTRICT
MEETING MINUTES
SPECIAL MEETING
Thursday, December 16, 2021

The special meeting of the Spring Creek / Cow Creek Sanitary District was held via teleconference on December 16, 2021. Chairman Russell called the meeting to order at 3:34 p.m.

Chairmen Russell and Wiseman along with Clerk Anderson and Attorney Miller were in attendance, along with Bartlett & West representatives and five District members.

Russell called for a motion to approve the Agenda. Russell made a motion to approve with an addition at the beginning to discuss Utech's resignation. Wiseman seconded. All voted in favor. Motion carried.

Wiseman announced that Vic Utech has formally resigned from his position on the Board of Trustees. Per legal counsel, the remaining Board has the authority to appoint a new Trustee. Wiseman made a motion to appoint the new Trustee at the regular monthly meeting on December 20, 2021. Russell seconded. All voted in favor. Motion carried.

Lyle with Bartlett & West was on the call to review Task Order 5: Design Lagoon Project and Task Order 6: Design Elevated Tank Project. Due to budgeting and access to funding, the Board decided to table Task Order 5 to a later date. Total cost of Task Order 6 is proposed at \$158,000 with any additional costs for expansion to be billed to the Contactor. Wiseman made a motion to initiate and approve Task Order 6 to begin as soon as possible for a maximum of \$110,600 billed prior to April 1, 2022. Russell seconded. All voted in favor. Motion carried.

Discussion was held regarding the progress with SD GF&P in securing an easement for land for the tower. Lyle is in contact with Sean Blanchette in this regard.

Discussion was also held regarding the destruction of the old structures once they were no longer needed. Lyle indicated this would be a Board decision, but that \$70,000 of the Drinking Water Facilities Plan was intended for destruction.

The final agenda item was to review the Conflict of Interest Policy to add to the organizational documents for the District. Wiseman made a motion to table this item for the next monthly meeting. Russell seconded. All voted in favor. Motion carried.

Russell made a motion to move into executive session pursuant to SDCL 1-25-2(3) for legal counsel. One member interjected prior to a second on the motion to inquire why the Agenda was posted with "No Public Comment" and the Chairman was asking for Public Comment after each agenda item. Chairman Russell explained to the member that the Agenda was published under the prior Chairman's request. With the prior Chairman's resignation and Russell being the newly appointed Chairman, he was running the meeting at his discretion.

With this statement, he opened the floor to public comment before moving to Executive Session. Comments were made regarding the transparency of the project details, the availability of the Facilities Plans to the members, what and if the Pond Expansion details had been discussed by the Board and the appearance of the developers telling the District what they needed, instead of the District telling the developers what they could approve. All comments were duly noted and would be addressed where necessary at the regular monthly meeting.

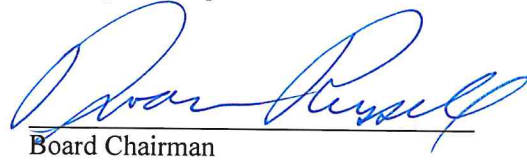
Chairman Russell made a motion to move the meeting into Executive Session under SDCL 1-25-2(3) to consult with legal counsel. Wiseman seconded. All voted in favor. Motion carried.

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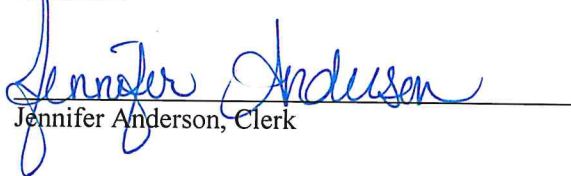
Russell made a motion to exit Executive Session and move back into Regular Session at 5:36 p.m.

Russell made a motion to post Mr. Utech's resignation effective December 14, 2021 and a subsequent Notice of Board Vacancy to the District's website and email as soon as possible. Wiseman seconded the motion. All voted in favor. Motion carried.

Being no further business, Russell made a motion to adjourn the meeting at 5:44 p.m. Wiseman seconded. All voted in favor. Motion carried.


Board Chairman

ATTEST:


Jennifer Anderson, Clerk