

SPRING CREEK / COW CREEK SANITARY
DISTRICT MEETING MINUTES
MONTHLY MEETING
Wednesday, December 13, 2023

The regular monthly meeting of the Spring Creek/Cow Creek Sanitary District was held at the Boat House Bar & Grill on Wednesday, December 13, 2023. Chairman Schuh called the meeting to order at 6:00 p.m.

Chairmen Schuh, Bacon, Schneider, Superintendent Zuber, and Clerk Linn were in attendance, along with 4 residents and 1 guest. Konda, Wiseman, Attorney Miller, 1 resident and 4 guests attended via Zoom videoconference.

Schuh requested a motion to approve the agenda. Schneider made a motion to approve the agenda. Bacon seconded. All voted in favor. Motion carried.

Schuh asked the Board to declare any Conflicts of Interest. None were declared.

Schuh noted the following items in the President's message:

- My message this month may be a little personal but I believe it has good points.
- A women dear to my heart and very wise once told me being elected to a board, such as this sanitary board was a privilege and an honor and can be pain in the butt...either way the board needs to be ran like a business and you have to keep your personal feelings and thoughts out of decisions. You always have to remember to do what is good for the people of the district and the future of the district. This may come at a cost... as you will be stepping on your neighbors and or friends toes.
- I am asking the board to please be mindful of what is good for the district and its future members. Try to keep your personal feelings out of decisions and the keep the community's well-being in your decisions.
- I would also like to thank everyone for working on ordinance 10 and the specs. A lot has gone into this project to make it right for the future of the district
- I ask again that all email please be sent to JJ, the clerk, or through the website. This way they can be sent out to all board members. Any email sent only to Forrest or only to certain board members may not be recognized at the monthly meeting, as all board members need time to review the emails.
- Lastly....as a reminder one board member doesn't speak for the whole board. It is the opinion of that board member only.

Schuh requested action on the 11/15/2023 meeting minutes. Konda made a motion to approve the 11/15/2023 meeting minutes. Bacon seconded. All voted in favor. Motion carried.

Schuh requested action on the 11/30/2023 special meeting minutes. Schneider made a motion to approve the 11/30/2023 special meeting minutes. Bacon seconded. All voted in favor. Motion carried.

Schuh requested Superintendent Zuber present his report to the Board. He reported that total gallons of water used in November were approximately 718,000, or roughly 23,000 gallons per day. Other items noted:

1. Zuber plans on attending a seminar to gain his continuing education hours.
2. AGE has removed the trees from the water tower site. The contractors may attempt to do the concrete yet this fall.
3. Zuber received the payment info from Anderson Nill regarding the auctioning of equipment allowing the ability to move forward with the auction.
4. The system passed the bacteria tests. With those and the passing of all other tests the District should receive the safe drinking water award for the 3rd consecutive year.
5. Anderson Nill provided a report for gallons billed vs. gallons invoiced. Zuber stated he did not notice a trend, yet stated the average loss for the year is low compared to other entities he had researched.

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6. The Codger's Castaway development is moving right along. Installations has pretty much wrapped up with Vic indicating he is stopping laying water main a few lots short on the south side of the property. Mostly to make sure he doesn't get snake bit assuming winter is going to hit at some point. The tap into the system was completed on Friday without any hitches. Site work has mobilized a crew to begin the testing. Manhole vac test and pressure tests have all passed up to this point. There have been issues with a few runs with the mandrill that they are working to fix.
7. Zuber noted the days he will be taking off in the future and his satisfaction with the on call set up with Tanner. Forrest will check with insurance to see if Tanner can drive the District vehicle while on call.

Schuh requested Wiseman to present the Treasurer's Report for month-ending November. Wiseman noted activities appear normal for this time of year and the board needs to be mindful of what they are spending the District's money on. Schuh made a motion to approve the Treasurer's report. Schneider seconded. All voted in favor. Motion carried.

Schuh requested Clerk Linn to present the monthly Accounts Payable to the Board. Anderson Nill & Associates - \$5,011.45; Bartlett & West - \$15,386.71; Dakota Pump and Control - \$965.30; Envirotech Waste Services - \$23.97; Forrest Zuber - \$900.00; Mid Dakota RWS - \$4,731.76; Midcontinent Communications - \$41.06; SD Public Health Lab - \$15.00; SDML Workers Comp Fund - 1,415.00; SD 811 - \$10.50. Wiseman made the motion to approve the bills as presented. Schneider seconded. All voted in favor. Motion carried.

Schuh requested Jim Ross to update the District on the sewer facilities plan. Bartlett & West (B&W) is starting the design and working on the environmental permit for the force main alignment. Jim recommended the board begin an RFP process for equipment as each of the 3 vendors that the District was researching has its own package system and each is different in the design of that package. The RFP would detail the specifications and requirements of the District project. Schuh directed B&W work with Forest, Neal and Bryan to create an RFP for approval consideration at the January meeting.

Schuh stated the District received a letter from the state noting receipt of the Elevated Tank Application and consideration will be during the state's January meeting. Schuh requested Lyle Schumack update the District on the Elevated Tank Project.

-Schumack noted the extreme panel proposal will decrease the size of the building from 12'x12' to 10'x10' resulting in an \$8,200 decrease in cost to the District with no negative aspects. In addition Schumack recommended utilizing American Engineering and Testing for bore testing at the site. Wiseman made a motion to approve Schumack to move forward with an extreme panel proposal change order for the January meeting and approve the proposed American Engineering and Testing footing specs. Schneider seconded. All voted in favor. Motion carried.

-Schumack notified the District they will be utilizing subcontractors to perform the inspections when their staff runs short of help. It was also noted there will be no additional cost to the District.

Schuh stated the District has received one proposal from Bartlett & West on the engineer of record selection. Schuh inquired with Brian King as to his interest in the position. King stated he was awaiting a scope of services prior to acting on the RFP. Schuh opened the discussion on the item to the board. Once completed Schuh made a motion to select Jim Ross of Bartlett & West as the District's engineer of record effective immediately. Schneider seconded the motion. 4 ayes. 1 nay. Motion carried.

Schuh opened discussion on the first reading of Ordinance 10. During discussion the point was raised as to the status of the moratorium. Schneider made the motion to extend the moratorium to the last day of February or the 21st day after the ordinance has been published, whichever occurs earlier. Bacon seconded. All voted in favor. Motion carried.

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Schuh conducted the first reading of Ordinance 10. AN ORDINANCE OF THE SPRING CREEK/COW CREEK SANITARY DISTRICT OF HUGHES COUNTY AND SULLY COUNTY, SOUTH DAKOTA, TO REPEAL ORDINANCE NO. 9 AND REENACT THE SAME AS AMENDED ESTABLISHING REGULATIONS RELATED TO THE EXPANSION OF THE EXISTING WATER DISTRIBUTION WASTEWATER COLLECTION AND TREATMENT SYSTEM, AND PROVIDING FEE STRUCTURE AND PENALTIES FOR VIOLATIONS THEREOF.

-Schuh confirmed with Miller that the proposal can be tweaked prior to final consideration in January. Schneider made the motion to approve the first reading of Ordinance 10. Bacon seconded. All voted in favor. Motion carried.

Schuh requested Vic provide an update on Codger's Castaway Development. Vic noted:

-Water and sewer is pretty much complete except for 60 feet of forced main

-Inspections are under way. Pressure testing has passed

-3 or 4 issues with smashed pipe resulting from everyone on the job site being overly anxious on this testing and compaction. Not that big of a deal as they will fix them.

-Additional pressure testing of water lines is scheduled for tomorrow

Schuh inquired as to the Electrical Riser Diagram. Vic stated the info was emailed to Anderson Nill today.

Schuh inquired whether a deed has been provided where the lift station got moved to. Vic's stated that he had already submitted that stuff to Bryan 3 months ago. Vic also stated he is not going to deal with this any more so what I am going to do is turn it all over to Bangs McCullen law firm, Attorney Jeff Hurd will handle all correspondence of what I own and what I do not own.

Wiseman inquired whether the forced main dumped into the North or South end of the pond. Vic stated he took it to exactly where Bartlett & West told him to take it. Wiseman stated that all drawing he has seen show it dumped in the North Side. Wiseman stated we are going to have a question on that as he doesn't want the District to have additional cost in the future to connect. Vic stated he installed it per Schumack's drawing. Ross stated there is not a site plan completed stating exactly where that would be, yet Bartlett & West is in process of working on that right now. Ross feels it will definitely be at the South end of the center pond.

-Schuh stated it is important that all emails to Anderson Nill go to JJ if Vic intends for those to be distributed to the board.

-Vic stated they are approximately 2/3 done with inspections and testing.

-Konda requested Vic make sure the Dakota Pump package is updated and provided. Vic stated he felt Dakota Pump's package would not change, yet Oahe Electric's will. Both agreed some items will change as the specs changed on the voltage. Vic stated he will follow up on it and request they resubmit those specifications.

-Vic requested that the two existing residential projects gain permission to hook up their water and sewer so they can do their dirt work, yet they would not have any services until the system is approved and a water meter is installed. Wiseman stated he has a disagreement with that. There should be an approved system before anything gets hooked up as too many issues happened in the past. Neal stated the ordinance does not allow for connection prior to the system being approved for use.

Schuh stated she was informed by Anderson Nill that our zoom storage is getting full. Through discussion with Miller on the retention of recordings, Miller provided a copy of the Records Retention and Destruction Schedule utilized by entities within the state. Schuh noted in the schedule one option was to destroy all recording 90 days after the approval of the minutes for a given meeting. Linn stated there are multiple possibilities as to the documentation and retention of recording and minutes. Schuh instructed Linn provide a summary of options and costs at a later meeting. For the immediate time the storage was increased from 5 GB to 30 GB at a cost of \$10 per month.

Konda inquired if the board will continue to work with King or Ross to finalize the Uniform Development Standards. Schuh recommended the board go into executive session to discuss the contract with the engineers.

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Vic requested the opportunity to speak before executive session. Schuh recognized Vic. Vic noted they had tested all of the sewer lines on Landing Avenue stating one test was 95 and the rest were over 100. Vic inquired if he could surpass tearing up the roads on Landing and Shoreline if he would provide the road district with a \$2500 credit with B&B for gravel. Schuh stated the request would need to be taken up with the road district as the board cannot speak in the road district's behalf. Wiseman stated the developer needs to send the proposal with testing results to the Engineer who can make a recommendation to the board. Schneider stated another option in the specs is to scarify and repack the fill. Vic stated he will have Aaron Swan submit the test results, yet is there someone the board can choose to make that call prior to the next board meeting. Schneider stated he is also on a different road district board and would only feel comfortable accepting what the approved plans allow for acceptance. Bacon reiterated the decision to accept the credit would be that of the road district.

Schuh made a motion to go into executive session at 7:37 p.m. pursuant to SDCL 1-25-2 (3). Bacon seconded. All voted in favor. Motion carried.


Schneider made a motion to move back into regular session at 7:58 p.m. Bacon seconded. All voted in favor. Motion carried.

Schuh thanked King for his service to the District and stated the board will provide written direction in the near future requesting King remain engaged while transferring the Engineer files and information in regards to the District and the adoption of the Uniform Development Standards to Ross. King agreed to work with Ross on the transfer. In addition he wished they would have put in a proposal, yet it was his misunderstanding.

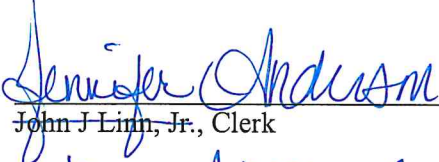
Schuh opened the floor for public comment. None at this time.

With no further business to discuss, Konda made a motion to adjourn the meeting at 8:00 p.m. Schneider seconded. All voted in favor. Motion carried.

SIGNATURES TO FOLLOW


Kathleen Schuh, Board Chairman

ATTEST:


John J. Lim, Jr., Clerk

JENNIFER ANDERSON, CLERK