

SPRING CREEK / COW CREEK SANITARY
DISTRICT MEETING MINUTES
MONTHLY MEETING
Wednesday, August 13, 2025

The regular monthly meeting of the Spring Creek/Cow Creek Sanitary District was held at the Boat House Bar & Grill on Wednesday, August 13, 2025. President Schneider called the meeting to order at 6:00 p.m.

President Schneider, Forsch, Konda, Kopman, Schuh, Superintendent Zuber, and Clerk Linn were in attendance, along with 19 residents and 1 guest. Attorney Miller, 7 residents and 4 guests attended via Zoom videoconference.

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

Schneider asked the Board to declare any Conflicts of Interest. None noted at this time.

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

1. Thanks for coming.

Schneider requested action on the 7/09/2025 meeting minutes. Konda made a motion to approve the 7/09/2025 meeting minutes. Forsch seconded. All voted in favor. Motion carried.

Schneider requested Superintendent Zuber present his report to the Board. In July the District used 1,797,000 gallons with a daily average of 58,000.

Other items noted by Zuber:

1. All testing passed for the month.
2. Lead and copper sampling is coming up pending receipt of test kit from SD health lab.
3. Dakota Pump is coming out to fix a pump seal on the golf course lift station.
4. New tower is officially online. Great reports on new pressure consistency.
5. There are approximately a half dozen meters which need to be replaced. The Board and Zuber agreed a plumber would assist.
6. Konda is donating time and tools to assist Zuber in removing the old pump system from the building.
7. Celerity has installed their equipment on the new tower. Zuber noted they have been good to work with.
8. No new applications in July.
9. Zuber handed out a packet to the Board to start the conversation as to the superintendent certification, system testing and documentation, report filings and tools required for the Wastewater Treatment Plant.

Schneider requested Konda present the Treasurer's Report. Konda noted for the month of July: Unrestricted checking account - \$683,943. Restricted meter deposits - \$32,674. Restricted long-term developer fund - \$385,350. Total Checking/Savings - \$1,101,967. Accounts receivable - \$16,451. Accounts payable - \$17,021. Schuh made a motion to approve the Treasurer's report. Kopman seconded. All voted in favor. Motion carried.

Schneider requested Farrell Anderson with Metering And Technology Solutions present on Cellular Endpoint Badger Meters. Anderson noted the benefits of his family-owned business specializing in meters and to the self-reporting Endpoint meters:

- Tech professionals will assist with permission by accessing our database to locate potential issues with setup.
- Meters report via cellular service. Badger will conduct a prop study at no cost to assess cellular coverage.
 - Utilizes LTE network which is different than consumer network, so less competition for coverage.
 - Meter stores readings for 42 days if it is unable to relay information due to cell service outage.
- Meters will automatically alert for a cut wire, leaks, flow, malfunction and tampering.

8/13/25

- 96 points of data per meter per day. Calls in 4 times a day on weekdays which times are customizable and once on weekends between 2 and 4 a.m.
- Option to place a meter on the supply meter to assess possible loss.
- Badger is currently working with Ampstun at other locations.
- Orion LTE-MS/CS/HLD Cellular Endpoint; 8" Twist Tight are \$181.
- Only ongoing cost is \$1.03 per endpoint per month. No other annual cost. 5 years ago, it was \$0.89. Those users are still at \$0.89. Most likely there is no increase for 8-10 years.
- Total estimate for 286 meters including engagement fee, integration, Onsite training, and meters is \$64,687.27. Installation is not included. Anderson offered assistance to get the installation process started.
- Meter reading will automatically input into billing software.
- Eye On Water phone app allows customers access to meter information and alerts.
- Life expectancy is 20 years. 20-year warranty on battery life and network connect ability. 10-year full replacement and prorated for the next 10.
- Employees can access the system via phone, iPad, tablets and computer.
- Bracket is provided. Metal pit lids do cause an issue, yet they have proposed solutions.
- Meters shut down at -4 degrees as a safety feature, yet it is still storing information. Currently being utilized in both North Dakota and South Dakota.
- Estimated savings of 3 workdays for Forrest and 1.5 workdays for Anderson Nill.
- The District will change out the remaining analog meters at the District's expense.
- District intends to apply for a grant. If grants cannot be obtained the District does have funds available. The Board elected not to act at this time pending grant and additional Ampstun cost information. Linn will provide an address list for the prop study.

Schneider requested Konda present the second reading of the proposed 2026 Budget. Konda noted he sent the budget to the Board for questions and comments. Konda reviewed the line items and backup for the proposed budget noting the new costs associated with the water and sewer systems and the current lack of a capital improvement fund in the previous budget and the need to budget for upcoming large long-term maintenance items. In addition, Konda noted the need for additional employee(s) required to oversee the new sewer facility. The Board assessed the immediate need for a capital improvement fund noting the District fund balances and the newly implemented surcharges on the District residents. Schuh made a motion to approve the budget excluding the long-term maintenance funding. Kopman seconded. 4 Yay. 1 Nay. Motion carried. Konda reviewed the next steps of setting the rates and surcharges followed by the ordinance approval process. Wiseman inquired as to the value of the existing pump as he thought Maguire had interest. Danner stated they would have to call around to see if there was anyone interested in the old pumps as far as salvage, and Maguire was more interested in the structure than the pumps.

Schneider requested Clerk Linn present the monthly Accounts Payable to the Board. Anderson Nill & Associates - \$9399.42; AT&T Mobility - \$91.28; Bartlett & West - \$4,427.00; Core & Main LP - \$257.23; Envirotech Waste Services - \$26.97; Forrest Zuber - \$450.00; Mid Dakota RWS - \$5,741.41; Midco Communication - \$53.32; Mike Schmidt - \$127.40; Oahe Electric - \$847.36; SD DANR - \$230.00; SD Public Health Lab - \$35.00; SD 811 - \$15.75. Kopman made a motion to approve the bills as presented. Konda seconded. All voted in favor. Motion carried.

Schneider requested Konda update the District on the delinquent accounts for potential county collection. Konda noted delinquent account information is due to the counties by October 1. Once remitted to the counties the users will only be able to pay the balance through the county. Anderson Nill conducted collection procedures and has received payment on many of the users on the list. Schneider directed Linn to attempt to reach out to the users remaining on the list via phone and to send certified letters if unable to make contact.

Schneider requested Ross update the District on the sewer facilities plan. Ross stated settling tanks are installed, foundation and floor for maintenance building are done, foundation and floor for EV building are done, and some

8/13/25

electrical is done. Next month the treatment train will be installed. One issue is that the contractor set the treatment tanks too high. The contractor is planning to remove the tanks and set properly. Ross noted the concern relayed to him from Board members to make sure nothing gets damaged in the process. Another issue is that the floor on the maintenance building shows signs of spalling likely due to windy and warm conditions after pouring. Contractor offered to grind the surface and epoxy the floor. Konda inquired as to the warranty on the floor after grinding and epoxy. Ross felt the contractor should extend the warranty. The Board directed Ross to work with the contractor to grind and epoxy with an extended warranty. Ross will bring the issue back to the board if there is pushback from the contractor. Schuh made a motion to approve the option to grind and epoxy the floor with an extended warranty on the sewer facilities maintenance building. Forsch seconded. All voted in favor. Motion carried. Konda inquired whether anyone from the contractor team had reached out to the manufacturer in regard to the treatment tanks. Ross stated there has been conversation that he has not been part of, yet informed all involved that he and the Board want to be updated on prior discussions and included in future discussions. Schneider directed Ross once it is reset at the correct depth inspect prior to them burying it. Ross stated yes and that the tanks will be cleaned off and inspected prior to them being reset.

Schneider requested Danner update the District on the water facilities plan. Danner noted the disinfecting, filling, splash pad and SCADA were finished. Connections were made for substantial completion. Items next month are chain link fence and seeding. Demolition of existing tank is pending, yet no confirmed timeline. No pay application this month yet there will be one for next month.

Schneider updated the District on the Codger's Castaway Inspection status. Schneider noted the Board has been working with Vic Utech since May on this inspection. Last month Utech agreed to have jet the installed piping, camera it and as a result Jim has provided the recommendations. Schneider noted Utech received the recommendations yesterday and Schneider received them on Sunday at 2:30 in the morning. Utech noted he has not had time to review the recommendations and requested 10 days to review the recommendations. The Board assessed the situation and the current options of shutting the water off, requiring meters to be installed or deferring the action noted in the 30-day notice. The Board and Utech set up a zoom meeting for August 22nd at 10:00 a.m. to review Utech's response to the recommendations and present a plan for fixing the concerns. Individuals to attend will be Utech, Smith, Ross, Konda and Schneider. The Board and Utech agreed a Board inspector is required to be on site while corrections are being done. Schneider noted the cost would be paid by Utech. Utech did not agree and stated they can discuss at the August 22nd meeting. The Board and Utech agreed Utech owns the system and he is liable for backup or problems with the system as the District has rejected the system to this point. Konda made a motion to defer action pending the meeting on August 22nd to discuss a repair schedule for repairs to be completed by 45 days from today. Forsch seconded. All voted in favor. Motion carried.

Schneider requested Utech update the District on Codger's Caddy Development. Utech read the email: *Spring Creek Cow Creek Sanitary District, I have received word there is misinformation being spread in the community about the Caddy Club development, specifically that the lots for sale are not approved for water and sewer hookup. The lots for sale are all lots that were approved for water and sewer by the Hughes County Board in the late 1990, and it is my understanding that, uninterrupted since that time, those lots have had access to connect to water and sewer for the standard hookup fees. Today, those fees are posted as \$2,000 (water) and \$4,500 (sewer). I am writing to request written confirmation from the Board that these lots are approved for water and sewer hookup at those rates. I would like this matter addressed at Wednesday's meeting August 13th 2025. Please add this item to the agenda.* Konda noted he attempted to address this issue at the last meeting as the Golden Meadows area lots are in fact platted, yet the lots adjoining Meriwether Lane do not have a record of being platted. The Board informed Utech the process required for submittal of the development in compliance with the District ordinance. Konda noted there is nothing in front of the Board to be considered. Utech requested the minutes show that the Board said there is nothing here to even consider. Schneider reiterated the Board does not have anything that shows if there are connections or not. Utech stated these are taps. Konda noted it is the developer's responsibility to pull the service to the lot line. Utech again requested a written response of the Board's position. Schneider inquired of Miller's position. Miller noted he agrees with the board, Utech can demand something from the Board attorney all he wants, yet the Board has nothing before them that is satisfactory. The Board was unable to provide a letter as a full set of plans for the development have not been submitted to the Board for approval.

8/13/25

Schneider requested Utech update the District on the RV park and personal residence. Utech sent an email requesting review and approval for the RV park and personal residence of which he noted he will be providing his own water from a well and providing his own sewage systems. The Board noted their inability to approve the plans per ARSD 74:53:01:07 prohibiting construction, installation, or operation of an on-site wastewater system where a public wastewater system is available; per District Resolution 2024-5 requiring all premises where water and sewer services are intended to be installed to connect to the District for water and sewer services; and per SDCL 34A-5-29 and 34A-5-35. Schneider noted the letter from DANR to Smith directed the applicant to contact SCCCSD to determine if additional requirements may apply and the letter from DANR to Utech directed the applicant to contact SCCCSD to determine if the installation is allowable under their ordinances. Konda noted the lift station to service the area in question was designed to handle that entire development to include the racetrack campground. Hegge requested a written denial including the Board's basis for denial be provided to Utech if that is in fact the Board were to vote on a motion. Miller noted Utech can request it, yet it is up to the Board whether they want to authorize that or not. Schneider inquired of Miller whether he had anything to add or subtract of the draft copy. Miller noted the draft would be sufficient and will cover what Hegge is requesting. Konda made a motion to authorize the Board president to send notice of the Board's position referencing District Resolution 2024-5 prohibiting private service be installed. Forsch seconded. Schneider requested a roll call vote.

Konda – Aye

Schuh – Aye

Schneider – Aye

Kopman – Nay

Forsch – Aye

Motion approved.

Schneider opened the floor to public comment.

Bruce Peterson inquired whether item 9 was in reference to the nonresident listing he has on his building as he has not been contacted by Linn as noted earlier. Linn stated he is one of three residents pending contact. Peterson stated that the District shouldn't contact him, yet the District should contact his attorney. Konda noted there was no action at tonight's meeting to send any delinquent accounts to the county. Schneider noted the District is working on a plan to address concerns to hopefully be completed by January 1 and a notification to those affected prior to that date. The Board and Peterson agreed there will be contact with him prior to sending his account to the county.

Linda Peterson noted the bill is making her sick to have such a huge amount. She has not used a drop of water, and she is still getting a bill for \$450 per month. Peterson is wondering why it has not been addressed. Konda noted the Board is addressing it and it is not a fast process. Bruce Peterson asked Schneider how he is handling his building. Schneider stated he is paying a residential rate on both of his buildings. Schneider inquired as to how Petersons are handling theirs. Linda Peterson noted she is paying the residential amount on both of her buildings.

An unidentified resident inquired on CW-02 of why he is paying for something he does not get any service on. Schneider explained the CW-02 surcharge. Linn noted the lot already has an application with hookup fees paid, so the lot is subject to the CW-02 surcharge. No additional hookup fees will be required for this lot in the future.

Andrew Utech noted he did not hit the hydrant in the Golden Meadows area. Andrew also noted the need for a long-term maintenance fund as proposed by Konda during the budget presentation.

Brian Drews inquired whether the fire hydrants should be flushed. Schneider noted Zuber addressed the flushing of fire hydrants during his superintendent's report. Zuber confirmed the location of the hydrant in question and stated he will flush the hydrant.

Jim Ross inquired whether the electric panel at the lift station had been repaired. Utech and Zuber confirmed it had been completed.

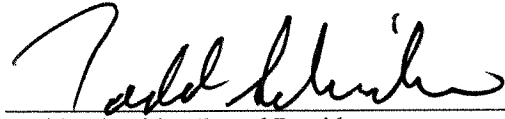
Schneider inquired as to whether there was any additional public comment. Hearing none, public comment was closed.

8/13/25

Schneider inquired as to the need for an Executive Session. None noted at this time.

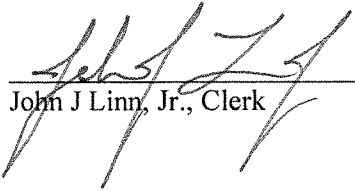
Being no further business, Konda made a motion to adjourn the meeting at 8:43 p.m. Kopman seconded. All voted in favor. Motion carried.

SIGNATURES TO FOLLOW



Todd Schneider, Board President

ATTEST:



John J Linn, Jr., Clerk