

SPRING CREEK / COW CREEK SANITARY
DISTRICT MEETING MINUTES
MONTHLY MEETING
Wednesday, October 8, 2025

The regular monthly meeting of the Spring Creek/Cow Creek Sanitary District was held at the Boat House Bar & Grill on Wednesday, October 8, 2025. President Schneider called the meeting to order at 6:00 p.m.

President Schneider, Konda, Schuh, Attorneys Bachand and Cruz, and Clerk Linn were in attendance, along with 5 residents. Forsch, Kopman, Superintendent Zuber, 3 residents and 2 guests attended via Zoom videoconference.

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

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

Schuh made a motion to go into executive session pursuant to SDCL 1-25-2(3) at 6:02 pm. Forsch seconded. All voted in favor. Motion carried.

Schneider called the meeting back into session at 6:33 pm.

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

1. All correspondence where a Board answer is required will need to come in one week prior to meeting. If it is within the week prior to the meeting, there is no obligation to respond, and the Board will get to it at the next Board meeting the following month.
2. Any requests to be placed on the agenda are required to be provided one week prior to the meeting and will be discussed whether to be placed on the agenda or not.

Schneider requested action on the 9/10/2025 meeting minutes. Konda made a motion to approve the 9/10/2025 meeting minutes. Forsch seconded. All voted in favor. Motion carried.

Schneider requested Superintendent Zuber present his report to the Board. In September the District used 1,169,000 gallons with a daily average of 38,000.

Other items noted by Zuber:

1. Dakota Pump replaced the two pumps at the golf course lift station. Zuber is working on retaining a quote to have one refurbished to be utilized as a backup.
2. Meter swaps were completed on 3 of the 6 houses notices were sent to. A second round of notices will go out to the remaining 3.
3. All testing passed for the month including our disinfection byproducts test. Lead and copper test is done although we haven't seen the result on that yet.
4. Getting lined up with the same surplus site we used for the tractor to sell the used VFDs.
5. As far as the wastewater plant, still getting dialed in on what sampler we are going to do and how we are going to do the actual physical sampling. Erin has been sending information on plants they have been working with and creating some inspection sheets so we can hit the ground running.
6. One application received this month.
7. Ferding Electric repaired the Walley lift station as a wire was burnt off the starting unit.

Schneider requested Konda present the Treasurer's Report. Konda noted for the month of September: Unrestricted checking account - \$673,834. Restricted meter deposits - \$32,682. Restricted long-term developer fund - \$386,787. Total Checking/Savings - \$1,093,303. Accounts receivable - \$38,199. Accounts payable - \$70,355. Schuh made a motion to approve the Treasurer's report. Forsch seconded. All voted in favor. Motion carried.

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Schneider requested Clerk Linn present the monthly Accounts Payable to the Board. Anderson Nill & Associates - \$9,535.15; Aquatech Systems Inc. - \$73,063.08 (held pending reimbursement and investigation); AT&T Mobility - \$91.01; Bartlett & West - \$16,017.50 (\$12,000.00 held pending reimbursement); Dakota Pump & Control - \$22,989.84; ELO CPAs and Advisors - \$15,243.20; Envirotech Waste Services - \$30.84; Forrest Zuber - \$450.00; Mattheis Plumbing - \$658.16; Mid Dakota RWS - \$5,356.48; Midco Communication - \$53.57; PSN - \$100.00; SD Public Health Lab - \$5.00; SD 811 - \$8.40; Maguire Iron - \$41,500.00 (held pending reimbursement). Konda made a motion to approve the bills as presented noting the hold on Aquatech Systems Inc. pending reimbursement and investigation, Bartlett & West pending partial reimbursement, and Maguire Iron pending reimbursement. Forsch seconded. All voted in favor. Motion carried.

Schneider requested Ross update the District on the sewer facilities plan. Ross noted the tank shipping costs for the Aquatech equipment noted above were included in the original bid, yet the equipment from Europe was additional. Bartlett and West will also need to dig into the tariff costs. Ross stated in this coming week they plan on removing the tanks and getting them set at the proper elevation. Boring will start off of the point. Gravel is supposed to be coming for GFP and Walley Dr. imminently. Completion is still scheduled to be done this fall. Technically they have until spring next year to complete, so some items could be finished in the spring.

Schneider requested Danner update the District on the water facilities plan. Danner noted there is approximately \$5000 worth of work to be claimed after submitted pay application #19. Last month they completed the site work and the demolition of the existing tank. A punch list has been submitted with a number of items to complete. Danner will work with DENR to get a final inspection date set up. Currently also working through the process of recoating the base cone and the column of the tank. Danner feels comfortable as the approximately \$104,000 in retainage being withheld until the entire project has been completed is more than enough to recoat the items if Maguire, in the worst-case scenario, chooses to not finish the project.

Schneider requested Danner present Amendment No. 2 to Task Order #6 to the District in regard to the elevated tank. Danner reviewed the amendment requesting an increase of \$35,000 to the original estimated fees. The initial estimate, which was provided in January 2022 before design work commenced, was intended for budget purposes only and was not a guaranteed maximum price. The Board noted the increase is a not to exceed estimate and not a fixed amount. Konda made a motion to authorize the president to sign Amendment No. 2 Task Order 6 as written noting the up to \$35,000 increase. Schuh seconded. All voted in favor. Motion carried.

Schneider updated the District on the status of the RFP - Remote Meter Readings. No action taken at this time.

Schneider updated the District on the District Legal Paper Designation. The Board discussed the pros and cons of going to a single legal paper and noted there does not appear to be a requirement to publish in a paper in each county the District is located in. Konda made a motion to designate the Capital Journal as the District legal paper. Kopman seconded. 4 ayes. 1 nay. Motion carried.

Schneider updated the District on the Codger's Castaway Inspection status. Schuh made a motion to defer action for another 45 days from today. Konda seconded. 4 ayes. 1 nay. Motion carried.

Schneider requested Linn update the District on the Audit. The audit of the Spring Creek Cow Creek Sanitary District was finalized by ELO CPAs and Advisors. The ELO independent accountant's report letter noted "In our Opinion, Spring Creek Cow Creek Sanitary District complied, in all material respects, with the specified requirements referenced above during the year ended December 31, 2024". Board discussion noted the District will be required to be audited for the year ending December 31, 2025.

Schneider opened the floor to public comments noting each individual is allowed 2 minutes and no time can be granted from anyone else.

Vic Utech requested clarification of the one-week requirement for meetings. Schneider stated questions for the Board are required to be submitted one week prior to the meeting and the Board hopes to provide an answer at the meeting yet

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cannot guarantee it. Utech inquired if the agenda will be put out sooner since there is a one-week requirement to submit items for the agenda. Schneider stated we hope to and noted this month was sent out 5-6 days prior to the meeting.

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

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

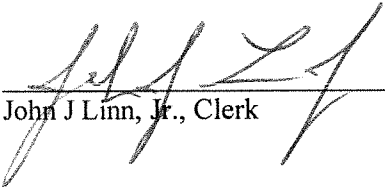
Being no further business, Konda made a motion to adjourn the meeting at 7:09 p.m. Schuh seconded. All voted in favor. Motion carried.

SIGNATURES TO FOLLOW



Todd Schneider, Board President

ATTEST:



John J Linn, Jr., Clerk