

SPRING CREEK / COW CREEK SANITARY
DISTRICT MEETING MINUTES
MONTHLY MEETING
Wednesday, November 12, 2025

The regular monthly meeting of the Spring Creek/Cow Creek Sanitary District was held at the Boat House Bar & Grill on Wednesday, November 12, 2025. President Schneider called the meeting to order at 6:00 p.m.

President Schneider, Konda, Schuh, Attorneys Severyn and Cruz, Superintendent Zuber, and Clerk Linn were in attendance, along with 7 residents. Forsch, Kopman, Attorneys Landon and Wilka, 7 residents and 2 guests attended via Zoom videoconference.

Schneider requested a motion to approve the agenda. Konda made a motion to approve the agenda. Schuh 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 & 4) at 6:01 p.m. Konda seconded. All voted in favor. Motion carried.

Schneider called the meeting back into session at 7:23 p.m.

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

1. Reminder public comment will be at the end of the meeting, and it is for 2 minutes (per person).

Schneider updated the District on the Codger's Castaway Inspection status. The proposal is to camera and jet the areas in question by a NASSCO certified company. Schuh made a motion to approve the sewer inspection. Forsch seconded. 4 ayes. 1 nay. Motion carried.

Schneider requested action on the 10/08/2025 meeting minutes. Konda made a motion to approve the 10/08/2025 meeting minutes. Forsch seconded. All voted in favor. Motion carried.

Schneider requested Superintendent Zuber present his report to the Board. In October the District used 945,000 gallons with a daily average of 30,000.

Other items noted by Zuber:

1. No reportable issues at lift stations this month.
2. Refurbished pump was returned to the District. Continuing to investigate the possibility and cost of refurbishing a second.
3. Passed monthly testing.
4. Received results of lead and copper testing. Results will be sent out soon.
5. Currently working through punch list on water tower.
6. Treatment plant is moving along slowly but surely. Continuing to work on procedures to maintain the plant.
7. One new hook up this month. No additional applications.
8. Storage unit is cleaned out.
9. Exam date in March in Pierre. Will study to be ready to take exam.

Schneider requested Konda present the Treasurer's Report. Konda noted for the month of October:

Unrestricted checking account - \$673,305. Restricted meter deposits - \$32,686. Restricted long-term developer fund - \$387,520. Total Checking/Savings - \$1,093,511. Accounts receivable - \$21,095. Accounts payable - \$115,848. Konda noted the debt service payment for DW-01 will be paid November 15, 2025. Schuh made a motion to approve the Treasurer's report. Forsch seconded. All voted in favor. Motion carried.

Schneider requested Clerk Linn present the monthly Accounts Payable to the Board. Anderson Nill & Associates - \$6,520.78; Aquatech Systems Inc. - \$73,063.08 (held pending reimbursement and investigation); AT&T Mobility - \$91.05; Bachand & Hruska - \$16,118.40; Bartlett & West – \$33,478.18 (\$27,647.43 held pending reimbursement); Core & Main LP – \$712.80; Corporate Trust - \$16,670.46; Dakota Pump & Control - \$171.29; Envirotech Waste Services - \$30.84; Ferding Electric - \$242.35; Forrest Zuber - \$450.00; Lammers - \$1,175.00; Mid Dakota RWS - \$5,137.24; Midco Communication - \$53.57; Oahe Electric - \$747.42; PSN - \$100.00; SDPAA - \$2,585.45; SD Public Health Lab - \$250.00; SDML Workers Comp Fund - \$1,692.00; SD 811 - \$14.70; Todd's Electric - \$145.35. Schneider requested Konda contact SDPAA to confirm the water tower and other equipment are correctly listed in the policy. Konda made a motion to approve the bills as presented noting the hold on Aquatech Systems Inc. pending reimbursement and investigation and Bartlett & West pending partial reimbursement. Forsch seconded. All voted in favor. Motion carried.

Schneider updated the District regarding the proposed fund transfers as regulated by Resolution 2023-1. Konda noted the District should not utilize the restricted developer funds for the \$22,989.84 general maintenance when the District has general maintenance funds available. Konda made a motion to approve the transfer of \$22,989.84 per resolution 2023-1 into the maintenance fund. Schuh seconded. All voted in opposition. Motion failed. Konda made a motion to approve the transfer of \$50,500.00 per resolution 2023-1 into the general fund. Schuh seconded. All voted in favor. Motion carried.

Schneider requested Ross update the District on the sewer facilities plan. Ross noted the building is up and the HVAC is in process. Ross updated the District as to the proposed drying pad change order with a contractor's estimate of \$12,000. In addition, today a proposed change order for the two valves to isolate the treatments trains in the amount of \$10,000. Konda made a motion to authorize the President to sign a change order in the amount of \$12,000 for the concrete pad and up to \$10,000 for the two valves on the treatment train for a total up to \$22,000 for both change orders. Schuh seconded. All voted in favor. Motion carried. Ross will finalize the investigation on the tariff and present the findings to the District later. Konda inquired whether the startup date will remain at the end of the year. Ross stated that is still the goal and the current flow will be enough biology to get the system operating properly. Konda inquired if there was any conversation with the County regarding the manhole on the end of Walleye. Ross stated the County would probably not be satisfied and the contractor is supposed to get that corrected. Ross will revisit with the contractor.

Schneider requested Danner update the District on the water facilities plan. Danner noted the heat trace system testing is complete. Final completion date is December 19, 2025 to get the rest of the punch list and closeout items done. Currently holding retainage of 5% (\$104,924.00). The big outstanding item is addressing the coating issue. Maguire is requesting to repair the coating in spring of 2026 in better weather conditions. Danner explained the options available to the District:

- A. Do nothing and enforce liquidated damages.
- B. Write a change order and push final completion date to the Spring of 2026. The retainage would be held until the repair is completed.
- C. Final out the project and have the repair completed as warranty work.

Danner noted the ARPA funds usage deadline is the end of 2026. The District requested Nathan pursue option B with a warranty extension.

Schneider updated the District regarding the Sewer Jetting. The Board agreed to take no action at this time and to put together a plan on how to conduct sewer jetting in the future.

Schneider updated the District on the RFP – Remote Meter Readings. Konda made a motion to authorize the advertising of the RFP advanced metering infrastructure system noting the pre-proposal meeting being struck and alternative 3 reference number being changed from 1.3.2 to 1.3.3. Forsch seconded. All voted in favor. Motion carried.

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Schneider updated the District regarding the Payment Plan Policy. Konda made a motion to issue certified notices to the delinquent accounts to pay within 10 days or the service will be disconnected. Forsch seconded. All voted in favor. Motion carried.

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 on the Fund Transfer from Developer Fees Account. The \$22,989.84 motion failed and will not be transferred. The \$50,500.00 motion was approved and will be transferred. Utech inquired if there is a plan to pay that back. Schneider noted that it is not part of the resolution. Utech followed up inquiring whether the \$50,500 came out of the developer fees with no intention of repaying those fees back. Schneider stated the board did not state whether there was any intention or not or whether there would be. Utech asked well is there. The Board stated they can't answer that right now. Utech asked if it was in the motion. Schneider stated they will be able to publish the motion in the minutes and then Utech can read it there.

Wiseman inquired as to who will be in charge to make sure Utech's system is jetted and camera in the next 30 days. Schneider stated the board will follow up with the entity to see when they can camera and jet with the preference to get it put to bed as soon as possible. Wiseman inquired whether the Board wants to appoint a member to make sure it is done right. Schneider stated it will get done as it is part of a motion the Board made. Wiseman noted it is getting winter out and it will be mighty cold to start digging it up that deep.

Linn informed the Board he will be unavailable for the January scheduled meeting and wanted to give the Board a heads-up to see if they would prefer to reschedule the meeting or have ANA provide someone else to attend the meeting.

Andrew Utech asked the record to show that they brought in a surcharge concern and all the surcharge concerns brought in after theirs have been addressed or sometimes reimbursed and not theirs.

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

Schneider referred back to item 4 and felt it would be appropriate to extend that. Schuh made a motion to defer action for another 45 days from today on the Codgers Castaway Inspection. Konda seconded. 4 ayes. 1 abstain. Motion carried.

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 8:44 p.m. Schuh seconded. All voted in favor. Motion carried.

SIGNATURES TO FOLLOW

Todd Schneider, Board President

ATTEST:

John J Linn, Jr., Clerk