SPRING CREEK / COW CREEK SANITARY DISTRICT MEETING MINUTES
MONTHLY MEETING
Wednesday, March 11, 2026

The regular monthly meeting of the Spring Creek/Cow Creek Sanitary District was held at the Dockside Bar & Grill on Wednesday, March 11, 2026. President Schneider called the meeting to order at 6:00 p.m.

President Schneider, Konda, Schuh, Superintendent Zuber and Clerk Linn were in attendance, along with 8 residents. Forsch, Kopman, Ross, Danner, Wilka and Mehlhoff attended via Zoom videoconference.

Schneider requested a motion to approve the agenda. Konda noted the moving of 9a) after the Superintendent's report and the removal of 9b). Konda made a motion to approve the agenda as amended. Forsch 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 p.m. Konda seconded. All voted in favor. Motion carried.

Schneider called the meeting back into session at 6:47 p.m.

Schneider noted the following items in the President's message:
No items noted at this time.

Schneider updated the District on the Codger's Castaway Inspection status. Schneider reviewed a summary of various inspections:

1. As a reminder – on February 12, 2025, the board approved an inspection of the system. At that meeting, Schneider noted May is the one-year anniversary of the lots.
2. On May 7, 2025 the report with findings was provided to the Board with a map documenting areas of concern. As a summary – there were places where the flow is not pushing everything downstream, pipe settling and sags in the line – areas where the camera could not make it through.
    a. Motion made at that time - Konda made motion that until such time the prescribed repairs and made the District rejects taking over the system. Motion carried.
3. June 11, 2025, meeting district requested an update. A letter of agreement/disagreement was to be provided to the board no later than July 4.
4. July 9, 2025, meeting - Schneider reviewed Ordinance 9 noting steps board may take if developer fails to comply. *Ross confirmed findings in the report, the need to jet out the system and camera again and recommend to have all corrections completed prior to District accepting system.
    a. Continued discussion during that meeting as to concerns/solutions to move forward with transfer process. It was determined SiteWorks will conduct the jetting and camera the system- Utech will pay for the jetting/camera and District will pay for District engineer to be present. Motion carried.
5. August 13, 2025, further discussions on the inspection.
    a. Board and Utech set up zoom meeting for august 22 to review Utech response to recommendations and present a plan. They agreed board inspector is required to be on site while corrections are being made. Schneider noted cost would be paid by Utech, Utech disagreed. **The Board and Utech agreed Utech owns the system and is liable for backup or problem with it as the District has rejected the system up to this point.

6. September 10, 2025 – further discussions on inspection
    a. Schneider asked Utech whether Siteworks provided Utech with a report, or only the statement in the email saying "there is not a problem and it is good to go". Utech said he thinks only the statement in the email. Schneider requested a recording of the meeting. Utech said he would seek legal advice. Schneider recommended defer the action until the Siteworks report and meeting recording are available *** Motion carried
7. November 12, 2025- President Schneider updated the District on status of Inspection proposal in which the Board advised that the areas in question would be re-jetted by a NASSCO certified company. Motion Carried.
8. Rapid Rooter conducted an inspection on December 22, 2025. The following areas were inspected: MH B3-MH B2; MH B3.1- MH B3; MH B3.2-MH B3.1; MH B4-MH B3; and MH B5- MH B4. The inspection revealed numerous issues with the system.
9. Following the Inspection, the District has made efforts to meet with Vic to discuss possible solutions. Vic has made unreasonable demands regarding any potential meeting, and has not displayed any willingness to resolve this issue.

As such, tonight the Board will move forward on this issue. Schuh made a motion to direct the President to send a letter to Mr. Victor Utech requesting the following:
That Mr. Utech provide the District with a "Plan to Cure" system deficiencies within ten days of the District's next Board meeting. The Plan to Cure must outline how Mr. Utech will correct the system's deficiencies outlined in the inspection reports. The letter should advise Utech that the District will address this matter further at its next Board meeting, to include any actions by the District pursuant to Ordinance 9.
Forsch seconded. All voted in favor. Motion carried.

Schneider requested action on the 2/04/2026 meeting minutes. Konda made a motion to approve the 2/04/2026 meeting minutes. Schuh seconded. All voted in favor. Motion carried.

Schneider requested Superintendent Zuber present his report to the Board. In February the District used 483,000 gallons with a daily average of 17,000.
Other items noted by Zuber:
1. No reportable issues at lift stations this month.
2. Testing and compliance reporting has been completed for the month.
3. Submitted annual bio solids report as well as monthly discharge reports.
4. Zuber will train at the wastewater treatment facility once testing samples have been delivered.
5. Meter readers switch out to begin sometime around the end of the month.
6. Zuber intends to increase the water level in the storage tank to prepare for testing.
7. Zuber intends to complete flow meter testing for fire department and exercise valves.
8. No new applications in February.

Schneider requested Ross update the District on the Sewer Facilities Plan. Ross updated the District in regard to the progress of the facility. The Board instructed Ross to move forward with the work change directive for the electrical system. Konda made a motion to direct Bartlett and West to issue the work change directive for the electrical system. Schuh seconded. All voted in favor. Motion carried. Ross reviewed change order #3 for the wastewater treatment facility. Schuh made a motion to approve change order #3 for the wastewater treatment facility. Forsch seconded. Konda made a motion to amend to specify change order #3 is for the wastewater treatment facility. Forsch seconded. All voted in favor of the amended motion. Motion carried.

Schneider requested Konda present the Treasurer's Report. Konda noted for the month of February: Unrestricted checking account - $927,712. Restricted meter deposits - $32,702. Restricted long-term developer fund - $339,137. Total Checking/Savings - $1,299,551. Accounts receivable - $22,184. Accounts payable -

$212,261. 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. Ampstun Corporation - $3,500.00; Anderson Nill & Associates - $6,098.95; Aquatech Systems Inc. - $40,196.90 (held pending reimbursement and investigation); AT&T Mobility - $92.11; Bachand & Hruska, P.C. - $9,712.62; Bartlett & West - $1,010.00; Core & Main LP - $51.25; Envirotech Waste Services - $67,68; Factor 360, Inc. - $447.10; Flatland Enterprise LLC - $200,024.58 ($88,150.08 held pending reimbursement); Forrest Zuber - $525.00; Justin Mittleide - $200.00; Mid Dakota RWS - $5,065.10; Midco Communications - $58.74; Oahe Electric - $1,472.43; PSN - $100.00; SD Public Assurance Alliance - $20.00; South Dakota 811 - $9.45; Tech Sale Co - $38,349.00; US Postmaster - $188.00. Konda made a motion to approve the bills as presented noting a hold on Aquatech Systems Inc. pending reimbursement and investigation and a partial hold on Flatland Enterprise LLC pending reimbursement. Kopman seconded. All voted in favor. Motion carried.

Schneider requested Danner to update the District on the Elevated Tank Project. Danner updated the District and reviewed change order #3 for the elevated tank project. Schuh made a motion to approve change order #3 for the elevated tank. Konda seconded. All voted in favor. Motion carried.

Schneider opened the floor to public comment.

Andrew Utech inquired as to the status of the surcharges. Schneider updated Utech on the status. Utech inquired whether the 3-phase cost was recuperated by the District as change order #3 would no longer require the 3-phase for the wastewater treatment plant. Konda noted the change order did not eliminate the need for 3-phase for the project.

Schneider inquired as to any other 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 7:21 p.m. Schuh seconded. All voted in favor. Motion carried.

SIGNATURES TO FOLLOW

Todd Schneider, Board President

ATTEST:

John J Linn, Jr., Clerk