

SPRING CREEK / COW CREEK SANITARY
DISTRICT MEETING MINUTES
MONTHLY MEETING
Wednesday, August 12, 2026

The regular monthly meeting of the Spring Creek/Cow Creek Sanitary District was held at the Dockside Bar & Grill on Wednesday, August 12, 2026. President Konda called the meeting to order at 6:00 p.m.

President Konda, Forsch, Kopman, Superintendent Zuber, and Clerk Linn were in attendance, along with 17 residents and 2 guests. Schneider, Attorney Bachand and Ross attended via Zoom videoconference.

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

Konda asked the Board to declare any Conflicts of Interest. Konda noted, as an employee of the State of South Dakota, he does not speak for or represent the State of South Dakota at the Spring Creek Cow Creek Sanitary District meetings unless he specifically states as such at a meeting.

Konda requested Ross update the District on the Sewer Facilities Plan. Ross updated the District in regard to the progress of the facility. Ross reviewed change order #5. Forsch made a motion to approve change order #5. Kopman seconded. All voted in favor. Motion carried.

Konda updated the District on the Elevated Tank Project. The closeout paperwork from Maguire was not received this month. Once received the project can be closed out.

Konda opened the floor to public comment.

Kevin Griffin voiced his concerns as to development, lawsuits, legal costs, and the need for discussion between the developer and the Board. Griffin offered to pay his own attorney to act as a mediator to find a resolution to the lawsuits.

Bruce Peterson voiced his concerns as to expenses, development, and the need to get together to bring something forward that helps everyone.

Ron Moore voiced his concerns as to water bills, the requirement for solution orientated Board members, and putting the community's interest first.

Vic Utech questioned why he was required to do over 200 compaction tests and why wasn't the Board project required to do any. Don't the rules apply to the Board. Vic also inquired why a Trustee is still on the Board when he has been stating he will quit as soon as he moves. Konda noted per the manufacturer of the tank, compaction is not recommended and may be prohibited depending upon backfill type.

Konda inquired as to any other public comment. Hearing none, public comment was closed.

Konda requested a motion to accept Schuh's resignation. Kopman made a motion to accept the Schuh resignation. Konda seconded. All voted in favor. Motion carried. Konda thanked Schuh for her service to the District. Konda noted a Notice of Vacancy will be published in the Capitol Journal and on the website noting a vacant position through July 2029. Interested parties please contact the clerk. The Board anticipates making an appointment in September.

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Konda requested a motion to go into executive session. Forsch made a motion to go into executive session pursuant to SDCL 1-25-2(3&4) at 6:25 p.m. Kopman seconded. All voted in favor. Motion carried.

Konda called the meeting back into session at 7:14 p.m.

Konda requested action on the Anderson Nill and Associates engagement letter discussed in the executive session. Kopman made a motion to approve the Anderson Nill and Associates engagement letter as presented. Forsch seconded. All voted in favor. Motion carried.

Konda requested action on the 7/08/2026 meeting minutes. Kopman made a motion to approve the 7/08/2026 meeting minutes. Forsch seconded. All voted in favor. Motion carried.

Konda updated the District on the status on Codgers Castaway Sewer Inspection. Kopman made a motion to seek a contractor estimate to repair the areas of concern in the development. Forsch seconded. All voted in favor. Motion carried. Vic Utech stated he has the right to speak as this is his development on the agenda. Vic stated there is no problem with the system and noted he intends to sue the Board members for slander if they continue to state that there are issues. Andrew Utech seconded his father's thoughts.

Konda updated the District on the Metering Project. The Board allowed comments from the public to be made concerning the cost of the additional meters requiring replacement. The Board noted there are approximately 60 meters requiring replacement as they are not compatible with the end point equipment which is more than the original estimated number. Forsch made a motion to defer the installation of end points on services requiring meter replacement. Kopman seconded. All voted in favor. Motion carried.

Konda requested Superintendent Zuber present his report to the Board. In July the District used 2,288,000 gallons with a daily average of 73,000.

Other items noted by Zuber:

1. Pressure and water storage were good during the high use timeframe.
2. Lift stations ran like a top.
3. Please do not flush needles into the sewer system.
4. Testing and compliance reporting has been completed for the month.
5. Two new applications for June.
6. Linn and Zuber will work out a delivery process to get the sewer readings sent to Zuber.

Konda presented the Treasurer's Report. Konda noted for the month of July:

Unrestricted checking account - \$849,112. Restricted meter deposits - \$32,723. Restricted long-term developer fund - \$341,611. Total Checking/Savings - \$1,223,446. Accounts receivable - \$19,151. Accounts payable - \$27,483. Forsch made a motion to approve the Treasurer's report. Kopman seconded. All voted in favor. Motion carried. Konda reviewed the Delinquent Accounts. Forsch made a motion to decrease a user's water usage by ½ and no charge for the sewer usage. Kopman Seconded. Konda moved to amend the motion to eliminate the water usage reduction of ½ to stay consistent with previous reductions. Schneider seconded. All voted in favor of the amended motion. Motion carried. As a note Kopman made a motion to not pass the original nonamended motion. Forsch seconded. All voted in favor. Motion carried. Konda requested a motion to transfer the delinquent accounts to the respective counties to be collected. No action taken at this time.

Konda requested Clerk Linn present the monthly Accounts Payable to the Board. Anderson Nill & Associates - \$6,536.09; AT&T Mobility - \$92.13; Bachand & Hruska, P.C. - \$6,143.25; Bartlett & West - \$8,389.56 (\$3,346.56 held pending reimbursement and \$5,043.00 removed); Capital Journal - \$6.51; Core & Main LP - \$1,125.36; Corporate Trust, TFM - \$9,038.49; Envirotech Waste Services - \$64.68; Ferding Electric - \$1,154.08; Flatland Enterprise LLC - \$126,965.63 (removed); Mid Dakota RWS - \$6,230.55; Midco Communications - \$58.57; Oahe Electric - \$2,078.71; PSN - \$100.00; SD DANR - \$1,680.00; SD

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Public Health Lab - \$40.00; South Dakota 811 - \$21.00. Kopman made a motion to approve the bills as presented. Forsch seconded. All voted in favor. Motion carried.

Konda presented the second reading of the proposed 2027 Budget. Kopman made a motion to approve the 2027 Budget. Konda seconded. All voted in favor. Motion carried.

Konda opened discussion with the Board on the potential for moving the time and/or location of the meetings. Please provide input to Konda and we will assess it in the future. No action at this time.

Konda reviewed the first draft of the proposed ordinances. No action at this time.

Konda noted the Bylaws need updated as there is some outdated information in the current version. No action at this time.

Forsch noted this is a good time for the public to get involved with the Board and file to fill the vacant Trustee position.

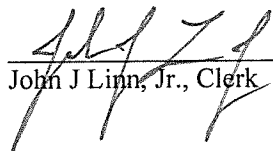
Being no further business, Kopman made a motion to adjourn the meeting at 8:40 p.m. Forsch seconded. All voted in favor. Motion carried.

SIGNATURES TO FOLLOW



Neal Konda, Board President

ATTEST:


John J Linn, Jr., Clerk