SPRING CREEK / COW CREEK SANITARY
DISTRICT MEETING MINUTES
MONTHLY MEETING
Wednesday, September 9, 2026

The regular monthly meeting of the Spring Creek/Cow Creek Sanitary District was held at the Dockside Bar & Grill on Wednesday, September 9, 2026. President Konda called the meeting to order at 6:00 p.m.

President Konda, Superintendent Zuber, and Clerk Linn were in attendance, along with 34 residents and 2 guests. Forsch, Kopman, Schneider, and Ross attended via Zoom videoconference along with 4 residents.

Konda noted a proposed agenda amendment to move item 5) Trustee Appointment to item 4) on the agenda. Konda requested a motion to approve the agenda as amended. Schneider made a motion to approve the agenda as amended. Kopman seconded. All voted in favor. Motion carried.

Konda asked the Board to declare any Conflicts of Interest. None noted.

Konda requested Ross update the District on the Sewer Facilities Plan. Ross updated the District in regard to the progress of the facility. Konda noted the Contractor's Pay Application will be addressed during item 12) on the agenda No action taken at this time on Change Order 6. The District may need to call a special meeting to approve depending on the timing of its completion.

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.

Ivan Weber handed out a copy of SDCL 12-1-4 noting the definition of a resident and that the new definition took effect 1/01/2026. Weber also noted two board members do not qualify as residents and should resign from the board immediately.

Leland Henderson noted Resolution 2024-6 states classification for CW-02 will take into account the most recent July usage for assessing the surcharge.

Vic Utech noted Schneider has no business being on the Board as he has a conflict of interest and a vendetta for Utech. Utech accused Schneider of slander on multiple occasions through multiple platforms. Utech requested to be on the agenda for the October meeting to do a surcharge rate presentation. Utech requested zoom be brought back for the meetings.

Darrin Hofmeister noted any action taken by a quorum of non-qualifying board members should not be valid. Weber noted the law did not take effect until 1/01/2026.

Maxine Lingeman noted she has been friends for multiple years with the Schneiders and has not heard anything out of Todd regarding Vic.

Andrew Utech noted his support to bring zoom back.

Ron Moore agrees with Weber that the non-residential board members should resign. Moore supports Kevin Griffin for the vacant trustee position.

Linda Peterson noted she filed a petition as she feels the community needs to step up and show support. She supports Kevin Griffin and the return of zoom.

Al McNeeley noted his concern for spending a lot of money on the water tank and the water pressure did not change.

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

Konda invited the individuals seeking appointment for the vacant trustee position the ability to address the Board. Once completed Konda requested a nomination to fill the vacant trustee position. Kopman nominated Jessie Jorgensen. The nomination died due to the lack of a second. Schneider nominated Dwane Russell. The nomination died due to the lack of a second. Forsch nominated Kevin Griffin. Konda seconded. Konda requested a roll call vote. Schneider aye. Kopman aye. Forsch aye. Konda Aye. Motion carried. Griffin accepted the position.

Konda requested a motion to go into executive session. Schneider made a motion to go into executive session pursuant to SDCL 1-25-2(3) at 6:40 p.m. Konda seconded. All voted in favor. Motion carried.

Konda called the meeting back into session at 6:54 p.m.

Konda requested action on the 8/12/2026 meeting minutes. Forsch made a motion to approve the 8/12/2026 meeting minutes. Kopman seconded. All voted in favor. Motion carried.

Konda requested Superintendent Zuber present his report to the Board. In August the District used 1,629,000 gallons with a daily average of 52,000.
Other items noted by Zuber:

1. Labor day weekend used 282,000 which was about 52,000 more than last year.
2. Lift stations ran as they should all month.
3. Two new applications for August.

Konda noted the need to have an honest conversation addressing the need for an additional operator for the wastewater facility.

Konda updated the District on the Metering Project. Konda noted the project has run into significant challenges with approximately half of the existing meters not being compatible with the end points. Konda noted the project will not be completed any time soon and the District will need to assess the path forward as to the number of meters to change out to allow for compatibility. Konda noted there is training on the 30th for the new system. Griffin recommended the District allow users to have the ability to switch out their own meter at their cost if they wish to utilize the new software. The Board noted the system has not been implemented as of yet allowing individuals with the technology to view their activity online. Utech inquired whether we should put everything back in the box and revert back to the old system. Wertz inquired as to who was the entity installing the meters as they are liable for the damage to his service. Wertz was asked to leave the meeting due to his vulgar language. After his exit the Board noted the installers were HydroCorp. HydroCorp only installed endpoints and did not install meters.

Konda requested Forsch present the Treasurer's Report. Forsch noted for the month of August:
Unrestricted checking account - $871,618. Restricted meter deposits - $32,727. Restricted long-term developer fund - $342,114. Total Checking/Savings - $1,246,459. Accounts receivable - $29,568. Accounts payable - $54,738. Long-term liabilities - $4,764,358. Kopman made a motion to approve the Treasurer's report. Konda seconded. All voted in favor. Motion Carried. Konda reviewed the Delinquent Accounts. Konda requested a motion to certify 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 - $6,457.53; AT&T Mobility - $94.26; Bachand & Hruska, P.C. - $8,145.50; Badger Meter, Inc. - $315.83; Bartlett & West - $5,982.00 ($2,590.00 held pending reimbursement); Dakota Pump and

Control - $28,054.45 (removed as included in Flatland Enterprise LLC payable); Envirotech Waste Services - $84.47; Flatland Enterprise LLC - $126,965.63 (held pending reimbursement); Forrest Zuber - $525.00; Metering and Technology Solutions - $17,001.14; Mid Dakota RWS - $5,574.05; Midco Communications - $59.67; Neal Konda - $110.79; PSN - $100.00; SD Public Health Lab - $186.00; South Dakota 811 - $24.15; Woods Fuller - $2,147.50. Kopman made a motion to approve the bills as presented noting the removal of Dakota Pump and Control, Bartlett and West held pending partial reimbursement and Flatland Enterprise LLC held pending reimbursement. Schneider seconded. Konda requested a roll call vote. Schneider aye. Kopman aye. Forsch aye. Griffin abstain. Konda aye. Motion carried.

Konda updated the District on Ordinances 7, 8, and 10. The Board held a discussion on the Ordinances. Konda requested a motion for the first reading of Ordinance 7 – Regulation of Water Use. No action at this time. Konda requested a motion for the first reading of Ordinance 8 – Regulation of Sewer Use. No action at this time. Konda requested a motion for the first reading of Ordinance 10 – Regulation of System Expansion. Schneider made a motion for the first reading of Ordinance 10 – Regulation of System Expansion. Forsch Seconded. All voted in favor. Motion carried.

Konda noted there will be no action on Resolution 2026-3 as it relates to Ordinance 7 and 8.

Konda noted the Bylaws need updated as there is some outdated information in the current version. Griffin offered to assist in the review and update of the Bylaws.

Konda noted the request to move the October meeting date to October 7. Forsch made a motion to move the October meeting to October 7 pending approval by Dockside for availability of the meeting room. Kopman seconded. All voted in favor. Motion carried.

Forsch requested meeting time/day be added to the October agenda.

Griffin requested zoom meeting be added to the October agenda.

Being no further business, Kopman made a motion to adjourn the meeting at 7:48 p.m. Forsch seconded. All voted in favor. Motion carried.

SIGNATURES TO FOLLOW

Neal Konda, Board President

ATTEST:

John J Linn, Jr., Clerk