



Protecting South Dakota's Tomorrow ... Today

BOARD OF WATER AND NATURAL RESOURCES

October 19, 2016

**Department of Agriculture Conference Room
523 E. Capitol Ave.
Pierre, SD**

10 a.m. CDT

Via Teleconference on Wednesday, October 19, 2016 at 10 a.m. CDT

A limited number of phone lines will be available. Interested parties should contact the Department at (605) 773-4216 by no later than 4 p.m. on Tuesday, October 18th if they wish to participate in the teleconference.

AGENDA

****Scheduled times are estimates only. Some items may be delayed due to prior scheduled items or may be moved up on the agenda.****

October 19, 2016

10:00 a.m. CDT

1. Call meeting to order
2. Approve agenda
3. Conflict of Interest Waivers — Mike Perkovich
4. Adjourn

Notice is given to individuals with disabilities that this meeting is being held in a physically accessible location. Please notify the Department of Environment and Natural Resources at least 48 hours before the meeting if you have a disability for which special arrangements must be made. The telephone number for making arrangements is (605) 773-4216.

October 19, 2016

Item 3

TITLE: Conflict of Interest Waiver

EXPLANATION: With the passage of House Bill 1214, SDCL 3-23-1 through 3-23-5, the Disclosure Laws, became effective July 1, 2016

Absent a waiver, the Disclosure Laws prohibit current and certain former members of certain State boards, commissions and authorities from contracting with, or from deriving direct benefits from a contract with, a state agency if the contract is within the jurisdiction or related to the subject matter of the board. Absent a waiver, the Disclosure Laws also prohibit board members from contracting with, or deriving direct benefits from contracts with, political subdivisions of the State that administer or execute similar subject matter programs as the member's board. These prohibitions also apply to direct benefits derived from a state or political subdivision contract by a spouse or other person living with the board member and commingling assets with the board member.

The following waiver has been submitted:

Jerry Soholt - Waiver for East Dakota Water Development District providing Dr. Rachel McDaniel funds for bacteria-related research in addition to the 319 grant funds recommended by the board.

RECOMMENDED

ACTION: Approve the Conflict of Interest waiver

CONTACT: Mike Perkovich, 773-4216

REQUEST FOR STATE BOARD WAIVER

THIS IS A PUBLIC DOCUMENT

Date: 10-12-2016

Name of Board Member or Former Board Member: Jerry Soholt

Name of Board, Authority or Commission: Board of Water and Natural Resources

Brief explanation of your potential conflict of interest:

I am on the Board of Directors of the East Dakota Water Development District, a political subdivision of the State. The water development district has contracts to provide a wide variety of services to state agencies and political subdivisions that deal with similar subject matter as the Board of Water and Natural Resources.

Brief explanation of the current or anticipated business transaction with a State agency or with a political subdivision of the State and your role in the transaction:

Dr. Rachel McDaniel (SDSU) has requested financial assistance from East Dakota Water Development District for a Bacteria in Sediment Transport research project. Dr. McDaniel has a 319 grant for her bacteria research, and the Board of Water and Natural Resources makes funding recommendations to EPA on the 319 funding applications.

Brief explanation of the essential terms of the contract or transaction.

The East Dakota Water Development District will provide Dr. McDaniel funds for her bacteria-related research in addition to the 319 grant funds recommended by the Board.

Brief explanation of why you believe a waiver should be granted:

I will not earn or receive any income, compensation or commission directly from either of the 319 grant contract or the contract with East Dakota.

Signature of Person Requesting Waiver:

Jerry Soholt