



BOARD OF WATER AND NATURAL RESOURCES

May 1, 2025

10:30 a.m. CT

In-Person or On-Line

Joe Foss Building, 523 E. Capitol

Pierre, SD

The public may participate in-person, by live audio, or by streaming through a computer or other mobile device. The full board packet and directions for access to the meeting and live streaming can be found on the South Dakota Boards and Commissions Portal at

<http://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=108>

AGENDA

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

May 1, 2025

10:30 a.m. CT

1. Call Meeting to Order and Roll Call
2. Approve Agenda
3. Public Comment Period
4. Series Resolution Authorizing State Revolving Fund Program Bonds, Series 2025A – Tina McFarling
5. Amendments to Prior ARPA Funded Projects - Andy Bruels
 - a. Mni Waste Water Company
 - b. Randall Community Water District
 - c. Rapid Valley Sanitary District
 - d. Shared Resources
 - e. Southern Black Hills Water System
 - f. WEB Water Development Association
6. Watertown Request to Deobligate Drinking Water SRF Loan C462029-03 – Tina McFarling
7. Southern Missouri Recycling & Waste Management District Request to Deobligate Solid Waste Management Program Loan 2025L-SW-201 and Grant 2025G-SW-201 – Tina McFarling
8. Adjourn

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

TITLE: Series Resolution Authorizing State Revolving Fund (SRF) Program Bonds, Series 2025A and approving execution and delivery of various documents

EXPLANATION: It is anticipated that the South Dakota Conservancy District will issue State Revolving Fund Program Bonds, Series 2025A (the "Series 2025A Bonds") during the week of May 19, 2025.

The Series 2025A Bonds are tax exempt bonds being issued to provide funds sufficient, together with other available moneys, (a) to provide funds in the approximate amount of \$120,000,000 to be deposited to the Drinking Water Leveraged Loan Account established with respect to the Series 2025A Bonds which funds are to be loaned to Borrowers, (b) to provide funds in the approximate amount of \$60,000,000 to be deposited to the Clean Water Leveraged Loan Account established with respect to the Series 2025A Bonds which funds are to be loaned to Borrowers, and (c) to pay associated costs of issuance. In addition, under current market conditions, the District is contemplating the issuance of additional bonds to provide for the current refunding of approximately \$28,405,000 of outstanding State Revolving Program Revenue Bonds, Series 2014B, to achieve debt service savings.

Attached for reference is the current draft of the Series Resolution for the Series 2025A Bonds prepared by SRF bond counsel, Bruce Bonjour, Perkins Coie. The Series Resolution provides Board approval of the Preliminary Official Statement, the Bond Purchase Agreement, and ancillary documents.

The Series Resolution authorizes the Chairman, Vice Chairman and/or Secretary to file a Coverage Certificate for each program with the Trustee and to do all acts and to execute or accept all documents as may be necessary to carry out and comply with the provisions of the resolution and the documents approved by the resolution.

Drafts of the bond documents listed below are available electronically at:
<https://danr.sd.gov/Funding/EnviromentalFunding/default.aspx>

- 2025A Series Resolution
- Preliminary Official Statement (POS)

If you would like hard copies of the documents, please contact Tina McFarling at (605) 773-4216.

RECOMMENDED ACTION: Approve Series Resolution Authorizing State Revolving Fund Program Bonds, Series 2025A and the execution and delivery of certain documents.

CONTACT: Tina McFarling
773-4216

**BOARD OF WATER AND NATURAL RESOURCES
ACTING AS THE SOUTH DAKOTA CONSERVANCY DISTRICT**

SERIES RESOLUTION #2025—____ AUTHORIZING STATE

**REVOLVING FUND PROGRAM BONDS
SERIES 2025**

WHEREAS, the South Dakota Conservancy District (the “*District*”) is duly constituted as an instrumentality of the State of South Dakota exercising public and governmental functions under the operation, management and control of the Board of Water and Natural Resources of South Dakota (the “*Board of Water and Natural Resources*”), pursuant to SDCL Chapters 46A-1 and 46A-2 (the “*Act*”); and

WHEREAS, pursuant to the Act and the Clean Water Act (as herein defined) the District has established a state revolving fund program (the “*Clean Water Program*”); and

WHEREAS, pursuant to the Act and the Drinking Water Act (as herein defined) the District has established a state revolving fund program (the “*Drinking Water Program*”); and

WHEREAS, pursuant to the Act, the District is authorized to issue bonds and notes and to make loans to Borrowers (as defined in the Master Trust Indenture) through the purchase of municipal securities or loans in connection with the Clean Water Program and the Drinking Water Program (each a “*Program*” and collectively, the “*Programs*”); and

WHEREAS, to fund the Programs, the United States Environmental Protection Agency currently makes annual capitalization grants to the states on the condition that each state provide an appropriate match for such state’s related revolving fund; and

WHEREAS, pursuant to SDCL §46A-1-60.1, the State has heretofore established the state water pollution control revolving fund program and the state drinking water revolving fund program and provided that program subfunds (each, a “*Program Subfund*” and collectively, the “*Program Subfunds*”) be created within the water and environment fund established pursuant to SDCL §46A-1-60; that each Program Subfund be maintained separately; and all federal, state and other funds for use in each such Program be deposited into the related Program Subfund, including all federal grants for capitalization of each such Program, all repayments of assistance awarded from each such Program Subfund, interest on investments made on money in each such Program Subfund, proceeds of discretionary bond issues allowed by SDCL §46A-1-31 and principal and interest on loans made from each fund, that money in the Program Subfunds may be used only for purposes authorized under federal law and that the Program Subfunds may be pledged or assigned by the District to or in trust for the holder or holders of the bonds and notes of the District as permitted by law and may be transferred to and held by a trustee or trustees pursuant to SDCL §46A-1-39; and

WHEREAS, SDCL §46A-1-60.2 provides that funds from the Programs therein described shall be disbursed and administered according to rules enacted by the Board of Water and Natural Resources pursuant to SDCL §46A-1-65 and the provisions of SDCL §46A-1-60 to §46A-1-60.3

inclusive and SDCL §46A-1-60.1 provides that money in the Program Subfunds may be used only for purposes authorized under federal law; and

WHEREAS, the District and The First National Bank in Sioux Falls (the “*Original Trustee*”) previously entered into that certain (a) Master Trust Indenture dated as of January 1, 1994, as heretofore amended and supplemented (the “*Original Clean Water Indenture*”) and (b) Master Trust Indenture dated as of June 1, 1998, as heretofore amended and supplemented (the “*Original Drinking Water Indenture*”); and

WHEREAS, pursuant to that certain Amended and Restated Master Trust Indenture dated as of July 1, 2004 (the “*Amended and Restated Indenture*”), the District and the Original Trustee amended, restated and consolidated the Original Clean Water Indenture and Original Drinking Water Indenture into the Amended and Restated Indenture; and

WHEREAS, pursuant to that certain First Amendment dated as of October 1, 2005, that certain Second Amendment dated as of April 1, 2006, that certain Third Amended and Restated Master Trust Indenture dated as of March 1, 2008, that certain Fourth Amended and Restated Master Trust Indenture dated as of August 1, 2009, and that certain Fifth Amended and Restated Master Trust Indenture dated as of September 1, 2010, the District and the Original Trustee amended and supplemented the Amended and Restated Indenture (herein, as amended by that certain First Amendment to Fifth Amended and Restated Master Trust Indenture dated February 17, 2015 each by and between the District and the Trustee (as defined below) and as hereafter further amended, supplemented or restated, including as amended by that certain Second Amendment dated as of September 1, 2024 by and between the District and the current Trustee, the “*Master Trust Indenture*”); and

WHEREAS, pursuant to a Tri-Party Agreement dated as of April 14, 2017 among the District, the Original Trustee and U.S. Bank National Association (in such capacity, the “*Initial Successor Trustee*”), the Original Trustee assigned, conveyed, transferred, delivered and confirmed to the Initial Successor Trustee the Trust Estate and all estates, properties, rights, powers and trusts as “Trustee” under the Master Trust Indenture and all Series Resolutions and Bond Orders and the Initial Successor Trustee accepted such assignment, conveyance and transfer to all duties, trusts and responsibilities under the Master Trust Indenture, Series Resolutions and Bond Orders; and

WHEREAS, U.S. Bank Trust Company, National Association (the “*Subsequent Successor Trustee*”) is the successor to the Initial Successor Trustee under the Master Trust Indenture and all Series Resolutions and Bond Orders and the Successor Trustee has heretofore accepted such assignment, conveyance and transfer to all duties, trusts and responsibilities under the Master Trust Indenture, Series Resolutions and Bond Orders and is now serving for all purposes thereunder and hereunder as the “*Trustee*”; and

WHEREAS, the District is authorized and empowered by the provisions of the Act to issue bonds and notes at its discretion in any amount at any time for the purpose of funding all or part of a revolving fund program under the Relevant Federal Acts, to be used to purchase or otherwise finance or provide for the purchase or payment of bonds or other obligations, including the refinancing of obligations previously issued or for projects previously completed and to enter into

financing arrangements with such persons or public entities to secure and provide for the payment of such bonds and notes; and

WHEREAS, the District is authorized and empowered by the provisions of the Act, and specifically pursuant to §§46A-1-31, 46A-1-39 and 46A-1-60.1, SDCL, to pledge or assign to or in trust for the benefit of the holder or holders of such bonds and notes those moneys appropriated by the Legislature for the purpose of funding state contributions to the Programs and directing that such moneys be held and invested pursuant to a trust agreement for the payment of the principal of, premium, if any, and interest on the bonds and notes; and

WHEREAS, the Board of Water and Natural Resources, acting as the South Dakota Conservancy District, has at this time determined that it is necessary and expedient that the District issue one or more series of taxable and/or tax-exempt Bonds (herein, the “*Series 2025 Bonds*”) for the purpose of providing funds sufficient (a) to provide funds for new Loans to Borrowers under the Clean Water Program and the Drinking Water Program, (b) to refund on a current basis certain outstanding bonds so long as a minimum net present value of savings is achieved and (c) to pay costs of issuance; and

WHEREAS, drafts or final versions of the following documents have been filed with staff of the Board of Water and Natural Resources, acting as the South Dakota Conservancy District, and made available to each member of the Board:

- (i) A draft Preliminary Official Statement with respect to the Series 2025 Bonds (referred to herein as the “*Preliminary Official Statement*”);
- (ii) A draft Continuing Disclosure Agreement (in the form of an appendix to the Preliminary Official Statement and referred to herein as the “*Continuing Disclosure Agreement*”);
- (iii) A draft of an Official Terms of Bond Sale for the Series 2025 Bonds setting forth the terms and conditions on which the District will offer and sell such Bonds (in the form of an appendix to the Preliminary Official Statement and referred to herein as the “*Notice of Sale*”); and
- (iv) Supporting schedules prepared by the District’s financial advisor which demonstrate satisfaction of the requirements of Section 2.11(b) of the Master Trust Indenture for the issuance of Additional Bonds (such schedules being included within the Preliminary Official Statement).

BE IT RESOLVED BY THE SOUTH DAKOTA BOARD OF WATER AND NATURAL RESOURCES, ACTING AS THE SOUTH DAKOTA CONSERVANCY DISTRICT, THAT:

ARTICLE 1

District and Definitions

Section 1.01 Series Resolution. This Series Resolution is adopted in accordance with the provisions of the Master Trust Indenture and pursuant to the authority contained in the Act. It is hereby determined pursuant to the Act that the issuance of the Series 2025 Bonds pursuant to the Master Trust Indenture and the making of loans to Borrowers with the proceeds of the Series 2025 Bonds will implement the policies of the Act and provide Borrowers with loans for essential projects at borrowing costs below the costs available to the Borrowers in the private bond market.

Section 1.02 Definitions. Unless defined below in this Section 1.02, all terms defined in the Master Trust Indenture, or in the Act, as applicable, shall have the same meanings, respectively, in this Series Resolution and with respect to the Series 2025 Bonds as such terms are given in the Master Trust Indenture or in the Act, as applicable. In addition, the following terms shall have the following meanings for all purposes in connection with this Series Resolution and the Series 2025 Bonds:

“Allocable Portion” with respect to each series of Bonds and each Program, and with respect to each State Match Portion and Leveraged Portion, shall mean the respective percentages of the aggregate principal amount of such Bonds which are to be applied (or to the extent subsequent transfers or allocations were made following issuance of such Bonds thereby changing such application, were applied) to finance Clean Water Loans or Drinking Water Loans either as State Match Loans or Leveraged Loans with respect to each Program.

“Authorized Officers” shall mean the Chairman, the Vice Chairman and the Secretary or, in the absence of any other Member of the Board of Water and Natural Resources designated in writing by the Chairman or Vice Chairman to act for purposes of and as authorized by this Resolution.

“Beneficial Owner” shall mean any person which has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Series 2025 Bonds, including persons holding Series 2025 Bonds; through nominees or depositories.

“Bond Order” shall mean a written order signed by any two Authorized Officers consistent with the authority of this resolution setting forth the definitive terms and conditions of the Series 2025 Bonds as shall be agreed to in the Bond Purchase Agreement.

“Bond Purchase Agreement” shall mean any agreement with respect to the Series 2025 Bonds entered into between the District and the Representative, on behalf of the Underwriters, which agreement may take the form of a bid by the Representative in response to the Notice of Sale and accepted in writing by the District.

“Clean Water Act” means the Federal Clean Water Act, more commonly known as the Clean Water Act (PL 92-500), as amended by the Water Quality Act of 1987 (PL 100-4), 33 U.S.C. 1251, ET SEQ., any subsequent amendments thereto and any other applicable statutes governing any Program funded hereunder, and includes the State Revolving Fund Program Implementation Regulations, any amendments thereof issued pursuant thereto and any other applicable regulations.

“Clean Water Portion” shall have the meaning given thereto in the Bond Order.

“Continuing Disclosure Undertaking” means a Continuing Disclosure Undertaking with respect to the Series 2025 Bonds.

“Drinking Water Act” means Chapter 6A of the Public Health Service Act, 42 U.S.C. §§300f through 300j-26, more commonly known as the Safe Drinking Water Act, any subsequent amendments thereto and any other applicable statutes governing any Program funded hereunder, any amendments thereof and all applicable regulations.

“Drinking Water Portion” shall have the meaning given thereto in the Bond Order.

“Interest Payment Date” shall have the meaning given thereto in the Bond Order.

“Leveraged Portion” shall have the meaning given thereto in the Bond Order.

“Refunded Bonds” means the District’s Outstanding State Revolving Fund Program Revenue Bonds, Series 2014B maturing on August 1 in the years 2026 through 2034.

“Representative” shall mean the authorized representative of the bidder selected by the District for award of the sale of the Series 2025 Bonds, as applicable, or as otherwise specified in the Bond Purchase Agreement or the Bond Order.

“Series 2025 Bonds” shall mean the District’s State Revolving Fund Program Bonds, Series 2025 issued pursuant to the Master Trust Indenture, this Series Resolution and the Bond Order.

“Series 2025 New Money Bonds” shall mean the Series 2025 Bonds issued (a) to provide for deposits into Clean Water Leveraged Loan Account and the Drinking Water Leveraged Loan Account and (b) to pay any associated costs of issuance related thereto.

“Series 2025 Refunding Bonds” shall mean those Series 2025 Bonds, if any, issued (a) to refund the Refunded Bonds and (b) to pay any associated costs of issuance related thereto.

“Series Resolution” shall mean this Series Resolution, as amended or supplemented from time to time.

“State Match Portion” shall have the meaning given thereto in the Bond Order.

“Underwriters” shall have the meaning given thereto in the Bond Order or any Bond Purchase Agreement.

Section 1.03 Supplemental Granting Clauses. The South Dakota Conservancy District, in order to secure the payment of the principal of, premium (if any) and interest on all Bonds and Notes outstanding under or issued or to be issued under the Master Trust Indenture according to their tenor and effect and the performance and observance of each and all of the covenants and conditions herein and therein contained, and for and in consideration of the premises and of the purchase and acceptance of the Bonds and Notes by the respective purchaser or purchasers and registered owner or owners thereof, and for other good and valuable considerations, the receipt

whereof is hereby acknowledged, but in all events subject to the General Limitation, by these presents does hereby grant, bargain, sell, assign, transfer, convey, warrant, pledge and set over, unto the Trustee and to its successor or successors in the trust hereby created and to its assigns forever:

I.

A lien on and pledge of the interests of the District in all Loan Agreements heretofore financed under the Master Trust Indenture, all Loan Obligations acquired in connection therewith and all payments of principal, premium (if any) and interest thereon, and all proceeds thereof.

II.

A lien on and pledge of the interests of the District in all Loan Agreements (including Supplemental Loan Agreements) hereafter entered into between the District and Borrowers in connection with Loans authorized hereby and all Loan Obligations acquired with the proceeds of such Loans, and all payments of principal, premium (if any) and interest thereon, and all proceeds thereof.

III.

A lien on and pledge of all funds and other amounts received by the District from the Letter of Credit for deposit in the Program Subfunds to the extent applied for the purpose of making Loans or other requirements hereunder, as and when received, and all proceeds thereof, all subject to the terms, conditions and limitations of the Relevant Federal Act, the rules and regulations promulgated thereunder, and the Applicable EPA Agreements.

IV.

Any and all other property of every name and nature from time to time hereafter by delivery or by writing of any kind conveyed, assigned or transferred, or in which a security interest is granted, by the District or by anyone in its behalf or with its written consent, to the Trustee, which hereby is authorized to receive any and all such property at any and all times and to hold and apply the same to the terms hereof.

SUBJECT, HOWEVER, to the right of the District to withdraw or otherwise cause to be released or substituted from the Trust Estate any Loan Obligations and Loan Agreements, other assets, funds, investments or related rights of payments (defined in the Master Trust Indenture as “*Released Obligations*”) pursuant to such Section 5.10 of the Master Trust Indenture.

TO HAVE AND TO HOLD all and singular the said property hereby conveyed and assigned, or agreed or intended so to be, to the Trustee, its successor or successors in trust and its assigns, FOREVER.

IN TRUST, NEVERTHELESS, upon the terms and trust herein set forth and in the Master Trust Indenture, for the equal and proportionate benefit, security and protection of all Holders of the Bonds and Notes issued or to be issued under and secured by the Master Trust

Indenture, without preference, priority or distinction as to lien or otherwise or any of the Bonds or Notes over any of the others except as is specifically provided herein or in the Master Trust Indenture;

PROVIDED, HOWEVER, that if the District, its successors or assigns, shall well and truly pay or cause to be paid the principal of the Bonds and Notes and the premium, if any, and interest due or to become due thereon, at the times and in the manner mentioned in the Bonds and Notes, according to the true intent and meaning thereof, or shall provide, as permitted hereby, for the payment thereof by depositing with the Trustee sums sufficient to pay the entire amount due or to become due thereon, and shall well and truly keep, perform and observe all the covenants and conditions pursuant to the terms of the Master Trust Indenture (as supplemented from time to time), to be kept, performed and observed by it and shall pay to the Trustee all sums of money due or to become due to it in accordance with the terms and provisions hereof; then upon such final payment the Master Trust Indenture, and the rights hereby granted shall cease, determine and be void; otherwise, the Master Trust Indenture to be and remain in full force and effect.

ARTICLE 2

Authorization of Series 2025 Bonds

Section 2.01 Authorization of the Series 2025 Bonds. Pursuant to the Master Trust Indenture, one or more series of State Revolving Fund Program Revenue Bonds, Series 2025 in an aggregate original principal amount not to exceed \$180,000,000 are hereby authorized and created and shall be issued in one or more series consisting (the “*Series 2025 Bonds*”).

Section 2.02 Purposes. The Series 2025 Bonds are being issued to provide funds sufficient, together with other available moneys, (a) to provide funds in the approximate amount of \$120,000,000 to be deposited to the Drinking Water Leveraged Loan Account established with respect to the Series 2025 Bonds which are to be loaned to Borrowers, (b) to provide funds in the approximate amount of \$60,000,000 to be deposited to the Clean Water Leveraged Loan Account established with respect to the Series 2025 Bonds which are to be loaned to Borrowers; (c) if the Authorized Officers executing the Bond Order determine that sufficient debt service savings are achievable as provide herein, to provide funds in the approximate amount of \$30,000,000 to refund on a current basis the Refunded Bonds, and (d) to provide funds to pay associated costs of issuance.

Section 2.03 Date, Payment Dates and Maturities. The Series 2025 Bonds shall be initially dated as provided in the Bond Order and, thereafter, Series 2025 Bonds issued on or subsequent to the first interest payment date shall be dated as of the most recent date to which interest has been duly paid or provided.

The Series 2025 Bonds shall bear interest from their dated date payable semiannually on February 1 and August 1 in each year, commencing August 1, 2025.

Section 2.04 Sinking Fund Installments and Redemption Provisions.

The Series 2025 Bonds shall mature on August 1 in each of the years and in the principal amounts as shall be determined by the Authorized Officers in the Bond Order, provided; however, the final maturity shall not be later than as specified in Section 2.07 of this Resolution.

The total scheduled principal and interest due on the Series 2025 New Money Bonds in any year (after taking into account any Sinking Fund Installments) shall not exceed \$20,000,000. The total scheduled principal and interest due on the Series 2025 Refunding Bonds in any year (after taking into account any Sinking Fund Installments) shall not exceed the corresponding scheduled principal and interest due in any year with respect to the Refunded Bonds by more than \$30,000.

Any Series 2025 Bonds which are issued as term bonds (the “*Series 2025 Term Bonds*”) shall be redeemed prior to their stated maturities by payment of Sinking Fund Installments, upon notice as provided in Article III of the Master Trust Indenture, on August 1 in each of the years and amounts as set forth in the Bond Order, in each case at a redemption price of 100% of the principal amount of such Series 2025 Term Bonds or portions thereof to be so redeemed, together with accrued interest to the redemption date.

The Series 2025 Bonds shall be subject to redemption prior to their stated maturity only as provided in the Bond Order.

Section 2.05 Reserve Fund Requirements. The Series 2025 Bonds shall not be secured by a pledge of or lien on any amounts on deposit in either Reserve Fund.

Section 2.06 Filing of Materials and Satisfaction of Conditions Applicable to Issuance of Additional Bonds. An Authorized Officer shall cause to be filed with the Trustee a Coverage Certificate for each Program based upon the principal amount, maturity and sinking fund schedule and interest rates applicable to the Bonds the District expects to be issued to provide the funds necessary to pay the Series 2025 Bonds on the Maturity Date, all pursuant to the terms and conditions of Section 2.11(b) of the Master Trust Indenture.

Section 2.07 Sale of Series 2025 Bonds; Execution of Bond Purchase Agreement. Any Authorized Officer is hereby authorized to award the sale of each series of the Series 2025 Bonds and/or execute a Bond Purchase Agreement (if any) provided such Authorized Officer shall first make the determinations described below, which determinations shall be memorialized in the Bond Order at or prior to the delivery of the each series of Series 2025 Bonds.

Before awarding the sale of the Series 2025 Bonds an Authorized Officer shall first determine that:

- a) the weighted average interest cost of the Series 2025 Bonds is less than 6.50%,
- b) the yield for arbitrage purposes for the Series 2025 Bonds does not exceed 5.50%,
- c) the last stated maturity date for the Series 2025 Bonds is not later than August 1, 2056,
- d) the Series 2025 Bonds will have serial maturities (or mandatory sinking fund requirements) such that the annual scheduled debt service on the Series 2025 Bonds will have the effect, subject to adjustments to take into account debt service on the District’s Outstanding Bonds, Projected Revenues other expected future series of Bonds to be issued, so as to result in projected debt service coverage

which will satisfy the requirements of Section 2.11(b) of the Master Trust Indenture,

- e) the purchase price to be paid by the purchasers of the Series 2025 Bonds is not less than 99% of the Series 2025 Bonds,
- f) the net present value savings with respect to the Refunded Bonds refunded by the Series 2025 Bonds will be at least 3% of the principal amount of such Refunded Bonds, and
- g) the underwriters' discount shall not exceed 1.5% of the par amount of Series 2025 Bonds.

All determinations by the Authorized Officers as to the above, including determinations as to net present value savings in connection with the refunding of the Refunded Bonds, shall be included in the Bond Order and if any such determinations are so included, they shall be deemed to be conclusive evidence of such determinations for all purposes.

Section 2.08 Conforming Amendments to Master Trust Indenture. The Authorized Officers are hereby authorized (provided only one signature shall be sufficient) to execute, deliver and perform any conforming amendments or supplements to the Master Trust Indenture approved as to form by the Attorney General and Bond Counsel to the extent such Authorized Officers determine the same is necessary or appropriate in connection with the sale and delivery of the Series 2025 Bonds or the refunding of the Refunded Bonds, and that such execution and delivery do not result in a downgrade in the current ratings of outstanding Bonds as of the date of issuance of the Series 2025 Bonds consistent with the requirements of Section 11.01(h) of the Master Trust Indenture.

Section 2.09 Official Statement. The form of Preliminary Official Statement, in substantially the form presented at this meeting, is hereby approved and a final Official Statement shall be distributed with such changes, omissions, insertions and revisions as the officer executing the Official Statement shall deem advisable in order to make such Official Statement a complete and accurate disclosure of all material facts to prospective purchasers of the Series 2025 Bonds. The Chairman, Vice Chairman or Secretary (provided only one signature shall be sufficient) are each authorized to sign one or more copies of such final Official Statement on behalf of the District, and at least one such signed copy shall be filed with the permanent records of the District.

Section 2.10 Delegation of Certain Functions. The Secretary of the Department, or any authorized representative thereof, shall be authorized on behalf of the State Department of Agriculture and Natural Resources (the "*Department*") and the District to direct the Trustee to transfer funds from any account or fund under the Master Trust Indenture to provide for flexibility for the Programs, including any transfers from time to time as authorized by the Master Trust Indenture. In addition to the foregoing, the Secretary of the Department, or any authorized representative thereof, shall be authorized on behalf of the Department and the District to direct the Trustee to establish and maintain additional accounts or subaccount for the purposes described above or to account for allocation of restricted and unrestricted moneys under the Master Trust Indenture.

Section 2.11 Authorization and Ratification of Subsequent Acts. The officers, agents and employees of the District and the Department are hereby authorized and directed to do all such acts and things and to execute or accept documents as may be necessary to carry out and comply with the provisions of these resolutions and the documents approved hereby, and all of the acts and doings of the officers, agents and employees of the District and the Department which are in conformity with the intent and purposes of these resolutions, whether heretofore or hereafter taken or done, shall be and are hereby ratified, confirmed and approved. Without limiting the generality of the foregoing, the proper officers of the District are hereby also authorized and directed to execute, acknowledge and deliver such certificates, agreements and documents which, in the opinion of bond counsel, Perkins Coie LLP, are necessary to preserve the tax exempt status of the Series 2025 Bonds, including a form of Tax Regulatory Agreement providing for the periodic payment of certain earnings on funds held by the Trustee to the United States of America.

ARTICLE 3

Use of Proceeds of Series 2025 Bonds; Determination of, Leveraged Portion and Allocable Portions

Section 3.01 Establishment of Accounts.

(a) There is hereby established within the Loan Fund for each Program with respect to the Series 2025 Bonds, and to the extent applicable, the following accounts which are to be maintained by the Trustee pursuant to the Master Trust Indenture and this Series Resolution:

1. In the Clean Water Loan Fund, a Clean Water Leveraged Loan Account.
2. In the Drinking Water Loan Fund, a Drinking Water Leveraged Loan Account.

(b) There is hereby established within the Revenue Fund for each Program and with respect to the Series 2025 Bonds the following accounts and subaccounts which are to be maintained by the Trustee pursuant to the Master Trust Indenture and this Series Resolution:

1. In the Clean Water Revenue Fund, (A) a Clean Water Unrestricted Interest Repayments Account, (B) a Clean Water Restricted Principal Repayments Account, (C) a Clean Water Unrestricted Cumulative Excess Interest Repayments Subaccount and (D) a Clean Water Restricted Cumulative Excess Principal Repayments Subaccount.
2. In the Drinking Water Revenue Fund, (A) a Drinking Water Unrestricted Interest Repayments Account, (B) a Drinking Water Restricted Principal Repayments Account, (C) a Drinking Water Unrestricted Cumulative Excess Interest Repayments Subaccount and (D) a Drinking Water Restricted Cumulative Excess Principal Repayments Subaccount.

(c) There is hereby established within the Administration Fund for each Program and with respect to the Series 2025 Bonds the following accounts which are to be maintained by the Trustee pursuant to the Master Trust Indenture and this Series Resolution:

1. In the Clean Water Administration Fund, (A) a Clean Water State Administration Account, (B) a Clean Water State Administration Discretionary Account, and (C) a Clean Water State Admin Cost of Issuance Account.

2. In the Drinking Water Administration Fund, (A) a Drinking Water State Administration Account, (B) a Drinking Water State Administration Discretionary Account, and (C) a Drinking Water State Admin Cost of Issuance Account.

(d) There is hereby established within the Bond Fund for each Program the following accounts and subaccounts which are to be maintained by the Trustee pursuant to the Master Trust Indenture and this Series Resolution:

1. In the Clean Water Bond Fund, a Clean Water Leveraged Bond Account.

2. In the Drinking Water Bond Fund, a Drinking Water Leveraged Bond Account.

3. In the Bond Fund for each Program, such other accounts as the Authorized Officers determine to be necessary or appropriate to provide for payment of the Series 2025 Bonds in accordance with the Master Trust Indenture.

Section 3.02 Determination of Allocable Portions. The Allocable Portion of Series 2025 Bonds for each Program and the Leveraged Portion thereof, shall be determined by the two Authorized Officers who approve the Bond Order in accordance with the Indenture.

Section 3.03 Application of Proceeds of the Series 2025 Bond Proceeds.

(a) The proceeds of the Series 2025 Bonds shall be applied for the purposes described in Section 2.02 of this Series Resolution, all as shall be further specified in the Bond Order.

(b) To the extent not financed out of the proceeds of the Series 2025 Bonds as provided in subparagraph (a) above, the Authorized Officers shall provide in the Bond Order that costs of issuance of the Series 2025 Bonds may be paid for out of Revenues or other available funds of the District.

Section 3.04 Allocation of Interest Earnings and Other Amounts; Investment Agreements.

(a) Earnings on any amounts on deposit in the Leveraged Loan Account for each Program shall be allocated periodically no less frequently than as of the end of each January and July to the Unrestricted Interest Repayments Accounts for such Program.

(b) Re-designation of Various Funds, Accounts and Subaccounts. At the direction of any Authorized Officer, the Trustee may re-designate or clarify the various names of the Funds, Account and Subaccounts created hereunder, under the Master Trust Indenture or any other prior indenture or resolution so as to properly account for the various funds, accounts and subaccounts established hereunder or under the Master Trust Indenture for purposes of compliance

with any requirements of the Code, any requirements of the Environmental Protection Agency, to create or close loan accounts for State Match for either Program and reallocate amounts between Leveraged and State Match Loan Accounts as necessary to maximize available funding of loans or compliance with various investment agreements or any accounting requirements. In addition, and not by way of limitation, the Authorized Officers shall be authorized to include instructions to the Trustee in the Bond Order regarding the consolidation and/or closing of accounts and subaccounts with respect to any of the Series of Bonds. The actions authorized hereby shall expressly include the creation or re-designation or correction of the names of various funds, accounts or subaccounts which are consistent with any provisions of the Master Trust Indenture or with any subsequent requests or requirements of the Environmental Protection Agency, the requirements of the Code or any investment provider.

ARTICLE 4

Form, Execution and Other Details of Series 2025 Bonds

Section 4.01 Form of Series 2025 Bonds. The Series 2025 Bonds, the Registrar's Authentication Certificate, and the form of assignment shall be in substantially the form contemplated by the Master Trust Indenture, with all such insertions as may be consistent with this Series Resolution and the Bond Order. The approving legal opinion of Perkins Coie LLP, as Bond Counsel, may be printed on the reverse side of or be attached to the Bonds and certified by the Chairman.

Section 4.02 Execution and Delivery. The Series 2025 Bonds shall be executed and delivered as provided in the Master Trust Indenture.

Section 4.03 Uses of Securities Depository; Book-Entry Only System. The provisions of the Series Resolution and the Bond Order shall take precedence over the provisions of the Master Trust Indenture to the extent they are inconsistent therewith as to matters relating to the appointment of The Depository Trust Company ("*DTC*") to act as securities depository for the Series 2025 Bonds, and to provide a Book-Entry Only System for registering the ownership interests of the financial institutions for which it holds the Series 2025 Bonds (the "*DTC participants*"), and for distributing to such DTC Participants such amount of the principal and interest payments on the Series 2025 Bonds as they are entitled to receive, for redistribution to the beneficial owners of the Series 2025 Bonds as reflected in their records (the "*Beneficial Owners*").

ARTICLE 5

Special Covenants

The Board of Water and Natural Resources and the District covenant and agree with the persons who at any time are Holders and Owners of the Series 2025 Bonds that so long as any Series 2025 Bonds remain outstanding and unpaid:

Section 5.01 Observe Master Trust Indenture, Series Resolution and Loan Agreements. The District will faithfully keep and observe all the terms, provisions and covenants contained in the Master Trust Indenture, this Series Resolution and the Loan Agreements.

Section 5.02 Maintenance of Tax-Exempt Status. The District shall not take, or permit the Political Subdivision to take, any action that would cause the Series 2025 Bonds to be “private activity bonds” within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended. The District shall comply with all the rebate requirements imposed under Section 148(f) of the Internal Revenue Code of 1986, as amended, and regulations thereunder, which are necessary to preserve the tax exempt status of the Series 2025 Bonds, including (if applicable) the requirement to make periodic calculations of the amount subject to rebate thereunder and the requirement to make all required rebates to the United States. The District agrees to use any moneys on deposit in any Fund or Account maintained under the Master Trust Indenture to pay any such rebate (or penalty in lieu thereof) when due to the extent permitted by the Master Trust Indenture. In addition, the District shall make no investment of funds or take or permit the Political Subdivision to take any action that would cause the Series 2025 Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations thereunder. The Chairman is hereby authorized to make on behalf of the District any elections under the provisions of Section 148 of the Internal Revenue Code of 1986 and regulations thereunder as he may deem appropriate. All terms used in this Section 5.02 shall have the meanings provided in the Internal Revenue Code of 1986, as amended, and regulations thereunder. The Chairman shall execute any certificates as may be necessary or appropriate to establish the tax exempt status of the Bonds. The District covenants that it will take such actions as may be necessary in order to ensure that the interest on any Series 2025 Bonds remains excluded from the gross income of the holders thereof for federal income tax purposes under Section 103 of the Code.

ARTICLE 6

Miscellaneous

Section 6.01 Adjustments by Authorized Officers.

The Authorized Officers are hereby authorized and directed to adjust the deposit and application of the proceeds of the Series 2025 Bonds as described herein if and to the extent such Authorized Officers determine that the payment of any underwriter’s discount, bond insurance premium or other amounts can be made from any other funds or accounts in a manner favorable to the District.

Section 6.02 Amendments. This Series Resolution may be amended as provided in the Master Trust Indenture.

Section 6.03 Effective Date. This Series Resolution is effective immediately.

Adopted: _____, 2025

Its _____

Attest:

Its Secretary

DRAFT

TITLE: Amendments to Prior ARPA Funded Projects

EXPLANATION: Senate Bill 53 was passed during the 2024 Legislative Session. Section 1 appropriated an additional \$89,384,221 of American Rescue Plan Act (ARPA) funds for water and wastewater infrastructure. These funds were awarded to eligible projects by the Board of Water and Natural Resources in June 2024. Section 2 of the bill included up to \$28 million of additional ARPA fund authority to the board. This was included in case other state agency funded ARPA efforts were not able to utilize all funding. In January 2025, DANR was informed by the Bureau of Finance and Management that \$4,538,979.69 of ARPA funds would be transferred to the board to allocate to existing ARPA projects.

Additionally, some projects originally funded through the \$600 million of ARPA funds provided by 2022 Senate Bill 62 have deobligated portions of the funding. In the 2023 Legislative Session Senate Bill 20 was passed to provide the board discretion on the reallocation of those funds. This is currently \$1,285,462.36, bringing the total currently available to re-award to \$5,824,442.05.

In January 2024, the board passed a resolution to recommend additional funds be provided only to projects having previously received ARPA funding and that the systems sponsoring those projects serve regional areas. With these funds being more limited than in 2024, a smaller group of projects is under consideration. The projects are to increase capacity for current users and future growth and represent significant geographic and population areas of the state. These projects also all have remaining eligible project costs to incur and utilize the funding to be recommended. The following prior funded projects were contacted and submitted requests for additional ARPA grant fund consideration:

- a) Mni Waste Water Company
- b) Randall Community Water District
- c) Rapid Valley Sanitary District
- d) Shared Resources
- e) Southern Black Hills Water System
- f) WEB Water Development Association

COMPLETE APPLICATIONS: The letters requesting additional ARPA grant fund consideration have been provided as part of the board packet.

CONTACT: Andy Bruels, (605) 773-4216.

MNI WASTE

PO Box 490 228 East Prairie Rd
Eagle Butte, SD 57625

Phone: 605-964-7766 Fax: 605-964-1025

March 20, 2025

Mr. Jerry Soholt, Chair
Board of Water and Natural Resources
Joe Foss Building
523 E Capitol Ave
Pierre, SD 57501

RE: ARPA Grant #2022G-ARP-171

Dear Mr. Soholt:

On August 25, 2021 the Mni Waste' Water Company was awarded a \$6,448,598 ARPA grant #2022-ARP-171.

In 2024, Senate Bill 53 was signed into law, which provided up to \$28,000,000 in authority of American Recovery Plan Act funds for water and sewer infrastructure. It is my understanding that these funds will be awarded by the Board of Water and Natural Resources to selected projects.

We have been notified by the Department of Agriculture and Natural Resource the Mni Waste' Water Company would be considered for up to \$1,250,000 in ARPA additional grant funds. The Mni Waste' Water Company is formally requesting consideration by the Board of Water and Natural Resources for these additional funds to be awarded.

Enclosed to support this request is a revised resolution authorizing the request for the additional funding.

Sincerely,



Leo Fischer
Executive Director, Mni Waste' Water Company

cc: Planning District
Consulting Engineer

RESOLUTION NO. 2025-1

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, LEO FISCHER, TO ENTER INTO AN AGREEMENT FOR FINANCIAL ASSISTANCE BETWEEN THE MNI WASTE' WATER COMPANY AND SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES.

WHEREAS, the Mni Waste' Water Company has determined it is necessary to proceed with the Hwy 63 N Water Transmission Pipeline (the "Project"); and

WHEREAS, the Mni Waste' Water Company has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") was prepared; and

WHEREAS, the Mni Waste' Water Company submitted a funding application for the Project to the Board; and

WHEREAS, the American Rescue Plan Act (ARPA) and 2024 Senate Bill 53 have allowed for an additional grant allocations; and

WHEREAS, Mni Waste' Water Company qualifies for up to an additional \$1,250,000; and


WHEREAS, the Mni Waste' Water Company has received \$12,994,101.00 in ARPA funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MNI WASTE' WATER COMPANY:

1. That the Mni Waste' Water Company is hereby authorizing a request for consideration by the Board for up to \$1,250,000 of additional ARPA grant funds to be provided for this project.
2. That the Mni Waste' Water Company is hereby authorized to execute the applications and submit it to the South Dakota Board of Water and Natural Resources and to execute and deliver such other documents and perform all acts necessary to effectuate the application for financial assistance.
3. That the Executive Director is hereby designated as the authorized representative of the Mni Waste' Water Company to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Date adopted: 3-20-25.


Authorized Signatory

ATTEST:

Name and Title

March 10, 2025

Mr. Jerry Soholt, Chair
Board of Water and Natural Resources
Joe Foss Building
523 E Capitol Ave
Pierre, SD 57501

RE: ARPA Grant #2022G-ARP-439

Dear Mr. Soholt:

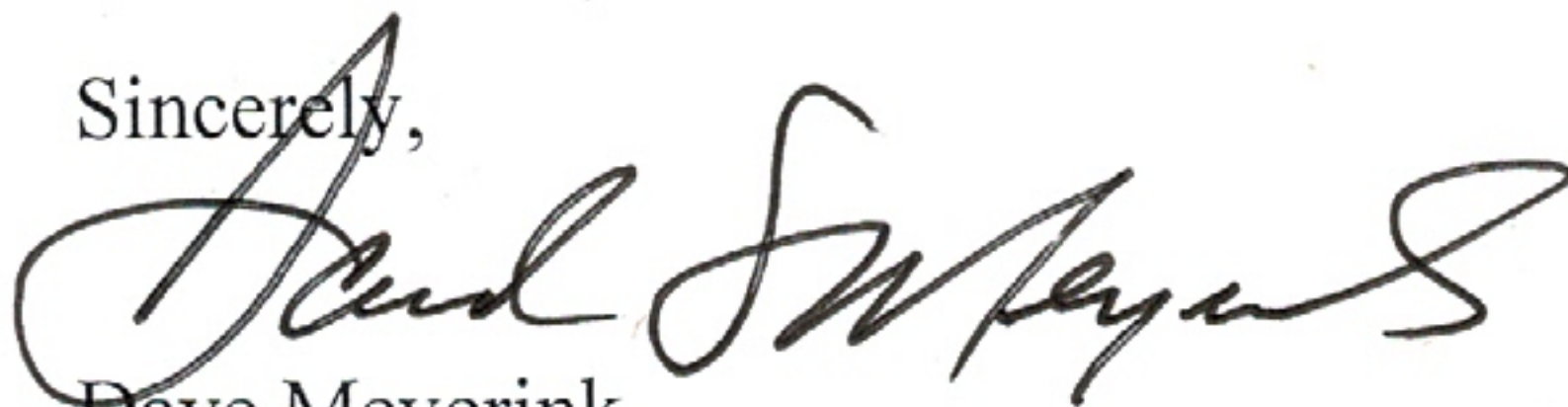
On June 23, 2022 Randall Community Water District was awarded a \$11,256,825 ARPA grant #2022G-ARP-439 and amended on June 27, 2024 to include an additional \$10,000,000 in ARPA grant.

In 2024, Senate Bill 53 was signed into law, which provided up to \$28,000,000 in authority of American Recovery Plan Act funds for water and sewer infrastructure. It is my understanding that these funds will be awarded by the Board of Water and Natural Resources to selected projects.

We have been notified by the Department of Agriculture and Natural Resources that Randall Community Water District would be considered for up to \$1,250,000 in ARPA additional grant funds. Randall Community Water District is formally requesting consideration by the Board of Water and Natural Resources for these additional funds to be awarded.

Enclosed to support this request is a resolution authorizing the request for the additional funding.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Meyerink", written over the word "Sincerely,".

Dave Meyerink
President

cc: Third Planning District
Pinpoint Corp.
Brosz Engineering

RESOLUTION NO. 0311-25

A RESOLUTION AUTHORIZING THE DAVE MEYERINK, PRESIDENT TO ENTER INTO AN AGREEMENT FOR FINANCIAL ASSISTANCE BETWEEN THE RANDALL COMMUNITY WATER DISTRICT AND SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES.

WHEREAS, Randall Community Water District has determined it is necessary to proceed with the Connecting Neighbors Project which will provide additional water to Aurora-Brule RWS, Davison RWS and a secondary source for the City of Mitchell (the "Project"); and

WHEREAS, Randall Community Water District has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") was prepared; and

WHEREAS, Randall Community Water District submitted a funding application for the Project to the Board; and

WHEREAS, the American Rescue Plan Act (ARPA) and 2024 Senate Bill 53 have allowed for an additional grant allocations; and

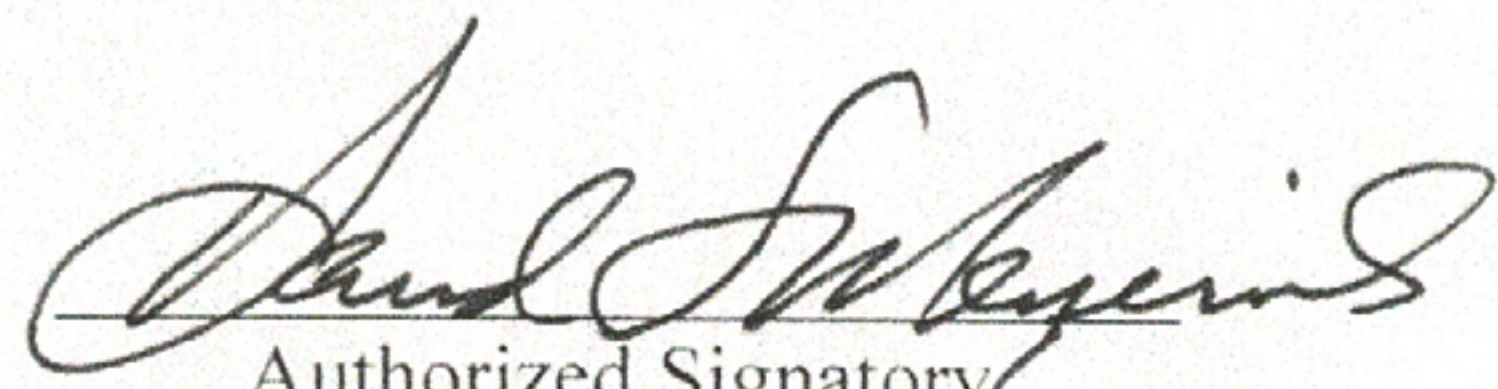
WHEREAS, Randall Community Water District qualifies for up to an additional \$1,250,000 in ARPA funding; and

WHEREAS, the Randall Community Water District has received \$21,256,825 in ARPA funds.

NOW, THEREFORE, BE IT RESOLVED BY RANDALL COMMUNITY WATER DISTRICT:

1. That Randall Community Water District is hereby authorizing a request for consideration by the Board for up to \$1,250,000 of additional ARPA grant funds to be provided for this project.
2. That Randall Community Water District is hereby authorized to execute the applications and submit it to the South Dakota Board of Water and Natural Resources and to execute and deliver such other documents and perform all acts necessary to effectuate the application for financial assistance.
3. That Dave Meyerink, President is hereby designated as the authorized representative of Randall Community Water District to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Date adopted: March 10, 2025.


Authorized Signatory

ATTEST:

Vance Qualm
Name and Title

March 3, 2025

Mr. Jerry Soholt, Chair
Board of Water and Natural Resources
Joe Foss Building
523 E Capitol Ave
Pierre, SD 57501

RE: ARPA Grant #2022G-ARP-508

Dear Mr. Soholt:


On September 29, 2022 the Rapid Valley Sanitary District was awarded a \$5,000,000 ARPA grant #2022G-ARP-508.

In 2024, Senate Bill 53 was signed into law, which provided up to \$28,000,000 in authority of American Recovery Plan Act funds for water and sewer infrastructure. It is my understanding that these funds will be awarded by the Board of Water and Natural Resources to selected projects.

We have been notified by the Department of Agriculture and Natural Resource the Rapid Valley Sanitary District would be considered for up to \$663,000 in ARPA additional grant funds. The Rapid Valley Sanitary District is formally requesting consideration by the Board of Water and Natural Resources for these additional funds to be awarded.

Enclosed to support this request is a revised resolution authorizing the request for the additional funding.

Sincerely,


Rusty Schmidt
Manager

cc: Jennifer Siestsema, Black Hills Council of Governments, Rapid City
Joe Noble, AE2S, Rapid City

RESOLUTION NO. 2025G

A RESOLUTION AUTHORIZING THE BOARD OF DIRECTORS TO ENTER INTO AN AGREEMENT FOR FINANCIAL ASSISTANCE BETWEEN THE RAPID VALLEY SANITARY DISTRICT AND SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES.

WHEREAS, the Rapid Valley Sanitary District has determined it is necessary to proceed with Rapid Valley Water System Improvements (the "Project"); and

WHEREAS, the Rapid Valley Sanitary District has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") was prepared; and

WHEREAS, the Rapid Valley Sanitary District submitted a funding application for the Project to the Board; and

WHEREAS, the American Rescue Plan Act (ARPA) and 2024 Senate Bill 53 have allowed for an additional grant allocations; and

WHEREAS, Rapid Valley Sanitary District qualifies for up to an additional \$663,000; and

WHEREAS, the Rapid Valley Sanitary District has received \$5,000,000 ARPA funds.

NOW, THEREFORE, BE IT RESOLVED BY THE RAPID VALLEY SANITARY DISTRICT:

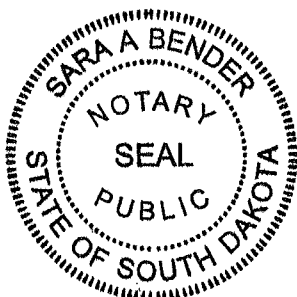
1. That the Rapid Valley Sanitary District is hereby authorizing a request for consideration by the Board for up to \$663,000 of additional ARPA grant funds to be provided for this project.
2. That the RAPID VALLEY SANITARY DISTRICT is hereby authorized to execute the applications and submit it to the South Dakota Board of Water and Natural Resources and to execute and deliver such other documents and perform all acts necessary to effectuate the application for financial assistance.
3. That the Manager, Rusty Schmidt is hereby designated as the authorized representative of the Rapid Valley Sanitary District to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Date adopted: 3/10/2025


Authorized Signatory

ATTEST:

Sara A Bender office mgr
Name and Title



8/1/2025



📍 47381 248th St, Dell Rapids, SD 57022

☎ 605-910-5870 🖨 605-910-5879

✉ sharedresourcecssd@outlook.com

March 20, 2025

Mr. Jerry Soholt, Chair
Board of Water and Natural Resources
Joe Foss Building
523 E Capitol Ave
Pierre, SD 57501

RE: ARPA Grant #2022G-ARP-192

Dear Mr. Soholt:

On 4/13/2022 Shared Resources, Inc. was awarded a \$38,276,000 ARPA grant #2022G-ARP-192.

In 2024, Senate Bill 53 was signed into law, which provided up to \$28,000,000 in authority of American Recovery Plan Act funds for water and sewer infrastructure. It is my understanding that these funds will be awarded by the Board of Water and Natural Resources to selected projects.

We have been notified by the Department of Agriculture and Natural Resource that Shared Resources, Inc. would be considered for up to \$1,250,000 in ARPA additional grant funds. Shared Resources, Inc is formally requesting consideration by the Board of Water and Natural Resources for these additional funds to be awarded.

Enclosed to support this request is a revised resolution authorizing the request for the additional funding.

Sincerely,

Lloyd A Rave
President

cc: Mason Weidenbach, First District Association of Local Governments
Joe Munson, Banner Associates

RESOLUTION NO. 2025-01

A RESOLUTION AUTHORIZING THE PRESIDENT TO ENTER INTO AN AGREEMENT FOR FINANCIAL ASSISTANCE BETWEEN SHARED RESOURCES, INC. AND SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES.

WHEREAS, Shared Resources, Inc. has determined it is necessary to proceed with Joint Treatment Plant and Distribution Improvements (the "Project"); and

WHEREAS, Shared Resources, Inc. has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") was prepared; and

WHEREAS, Shared Resources, Inc. submitted a funding application for the Project to the Board; and

WHEREAS, the American Rescue Plan Act (ARPA) and 2024 Senate Bill 53 have allowed for additional grant allocations; and

WHEREAS, Shared Resources, Inc. qualifies for up to an additional \$1,250,000; and

WHEREAS, Shared Resources, Inc. has received \$48,276,000 ARPA funds.

NOW, THEREFORE, BE IT RESOLVED BY SHARED RESOURCES, INC.

1. That Shared Resources, Inc. is hereby authorizing a request for consideration by the Board for up to \$1,250,000 of additional ARPA grant funds to be provided for this project.
2. That Shared Resources, Inc. is hereby authorized to execute the applications and submit it to the South Dakota Board of Water and Natural Resources and to execute and deliver such other documents and perform all acts necessary to effectuate the application for financial assistance.
3. That Lloyd A Rave is hereby designated as the authorized representative of Shared Resources, Inc. to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Date adopted: March 20, 2025


Authorized Signatory

ATTEST:


Name and Title

March 5, 2025

Mr. Jerry Soholt, Chair
Board of Water and Natural Resources
Joe Foss Building
523 E Capitol Ave
Pierre, SD 57501

RE: ARPA Grant #2022G-ARP-196

Dear Mr. Soholt:

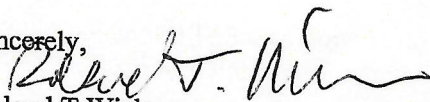
On March 14, 2024 the Southern Black Hills Water System was awarded a \$3,060,000 ARPA grant #2022G-ARP-196

In 2024, Senate Bill 53 was signed into law, which provided up to \$28,000,000 in authority of American Recovery Plan Act funds for water and sewer infrastructure. It is my understanding that these funds will be awarded by the Board of Water and Natural Resources to selected projects.

We have been notified by the Department of Agriculture and Natural Resource the Southern Black Hills Water System would be considered for up to \$600,000 in ARPA additional grant funds. The Southern Black Water System is formally requesting consideration by the Board of Water and Natural Resources for these additional funds to be awarded.

Enclosed to support this request is a revised resolution authorizing the request for the additional funding.

Sincerely,


Roland T Wick

Chairman

cc: Jennifer Sietsema, BHCLG
Kale McNaboe, Long Branch Engineering

RESOLUTION NO. 2025-01

A RESOLUTION AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR FINANCIAL ASSISTANCE BETWEEN THE SOUTHERN BLACK HILLS WATER SYSTEM AND SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES.

WHEREAS, the Southern Black Hills Water System has determined it is necessary to proceed with Paramount Point to Spring Creek Acres Extension (the "Project"); and

WHEREAS, the Southern Black Hills Water System has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") was prepared; and

WHEREAS, the Southern Black Hills Water System submitted a funding application for the Project to the Board; and

WHEREAS, the American Rescue Plan Act (ARPA) and 2024 Senate Bill 53 have allowed for an additional grant allocations; and

WHEREAS, Southern Black Hills Water System qualifies for up to an additional \$600,000; and

WHEREAS, the Southern Black Hills Water System has received \$3,060,000 ARPA funds.

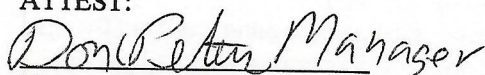
NOW, THEREFORE, BE IT RESOLVED BY THE Southern Black Hills Water System:

1. That the Southern Black Hills Water System is hereby authorizing a request for consideration by the Board for up to \$600,000 of additional ARPA grant funds to be provided for this project.
2. That the Southern Black Hills Water System is hereby authorized to execute the applications and submit it to the South Dakota Board of Water and Natural Resources and to execute and deliver such other documents and perform all acts necessary to effectuate the application for financial assistance.
3. That the Chairman is hereby designated as the authorized representative of the Southern Black Hills Water System to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Date adopted: 3-27-2025.


Authorized Signatory

ATTEST:


Name and Title

03/20/2025

Mr. Jerry Soholt, Chair
Board of Water and Natural Resources
Joe Foss Building
523 E Capitol Ave
Pierre, SD 57501

RE: ARPA Grant #2023G-ARP-200

Dear Mr. Soholt:

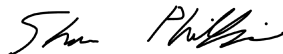
On June 29th, 2023, WEB Water Development Association Inc. on behalf of the WINS (Water Investment in Northern South Dakota) Project was awarded a \$14,623,380 ARPA grant #2023G-ARP-200

In 2024, Senate Bill 53 was signed into law, which provided up to \$28,000,000 in authority of American Recovery Plan Act funds for water and sewer infrastructure. It is my understanding that these funds will be awarded by the Board of Water and Natural Resources to selected projects.

We have been notified by the Department of Agriculture and Natural Resource that WEB Water Development Association Inc. on behalf of the WINS Project would be considered for up to \$1,250,000 in ARPA additional grant funds. WEB Water Development Association Inc. on behalf of the WINS Project is formally requesting consideration by the Board of Water and Natural Resources for these additional funds to be awarded.

Enclosed to support this request is a revised resolution authorizing the request for the additional funding.

Sincerely,



Shane Phillips
General Manager
WEB Water Development Association Inc.

cc: Ted Dickey, NEGOG
Bryan Lipp, Banner Engineering

RESOLUTION NO. 2025-04

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO AN AGREEMENT FOR FINANCIAL ASSISTANCE BETWEEN WEB WATER DEVELOPMENT ASSOCIATION INC. AND SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES.

WHEREAS, the WEB Water Development Association Inc. has determined it is necessary to proceed with the WINS (Water Investment in Northern South Dakota) Project (the "Project"); and

WHEREAS, the WEB Water Development Association Inc. has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") was prepared; and

WHEREAS, the WEB Water Development Association Inc. submitted a funding application for the Project to the Board; and

WHEREAS, the American Rescue Plan Act (ARPA) and 2024 Senate Bill 53 have allowed for an additional grant allocations; and

WHEREAS, WEB Water Development Association Inc. qualifies for up to an additional \$1,250,000; and

WHEREAS, the WEB Water Development Association Inc. has received \$25,179,832 ARPA funds.

NOW, THEREFORE, BE IT RESOLVED BY THE WEB WATER DEVELOPMENT INC.:

1. That the WEB Water Development Association Inc. is hereby authorizing a request for consideration by the Board for up to \$1,250,000 of additional ARPA grant funds to be provided for this project.
2. That the WEB Water Development Association Inc. is hereby authorized to execute the applications and submit it to the South Dakota Board of Water and Natural Resources and to execute and deliver such other documents and perform all acts necessary to effectuate the application for financial assistance.
3. That the General Manager is hereby designated as the authorized representative of the WEB Water Development Association Inc. to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Date adopted: 03/20/2025.


Authorized Signatory

ATTEST:

LORI GOLDADE, BOARD SECRETARY
Name and Title

May 1, 2025

Item 6

TITLE: Watertown Request to Deobligate Drinking Water SRF (DWSRF) Loan C462029-03

EXPLANATION: On June 23, 2022, the Board of Water and Natural Resources awarded Watertown a \$4,857,300 DWSRF loan and a \$2,081,700 ARPA grant for its new well field project. The ARPA grant was deobligated in March 2024 due to the project missing grant required plan and specification submittal deadlines. The city, at that time, wished to keep the DWSRF loan to still try to complete the project.

On March 24, 2025, DANR staff received a letter from Watertown Municipal Utilities, stating that they will not be utilizing the DWSRF loan funds awarded for the new wellfield project and requesting to deobligate the \$4,857,300 Drinking Water SRF loan.

RECOMMENDED ACTION: Rescind Resolution #2022-399 which awarded the Drinking Water SRF loan for the project.

CONTACT: Casey Kahler, 773-6110



WATERTOWN MUNICIPAL UTILITIES

901 - 4TH AVENUE SW • WATERTOWN, SD 57201-4107

PHONE: (605) 882-6233 • FAX: (605) 882-6238

WWW.WATERTOWNMU.COM

March 24, 2025

SD Department of Ag and Natural Resources

523 E Capitol Ave

Pierre, SD 57501

To Whom it May Concern,

Watertown Municipal Utilities has decided not to move forward with the new wellfield project at this time, due to land availability and other factors. The Watertown Municipal Utilities is requesting that the \$6,939,000 DWSRF-03, New Wellfield, to be de-obligated.

Watertown Municipal Utilities is very appreciative of your continued support to our projects and the time dedicated to the funding opportunities. Please let us know if you have any questions or need any additional information.

Sincerely,

Adam Karst, CPA

Director of Administration

Cc: Steve Lehner, General Manager

Bert Magstadt, Director of Operations

Wayne Lovelis, Water Superintendent


TITLE: Southern Missouri Recycling & Waste Management District Request to Deobligate Solid Waste Management Program (SWMP) Loan 2025L-SW-201 and SWMP Grant 2025G-SW-201.

EXPLANATION: On June 27, 2024, the Board of Water and Natural Resources awarded the Southern Missouri Recycling & Waste Management District a \$400,000 SWMP loan and a \$100,000 SWMP grant for the purchase of a new landfill baler.

On March 25, 2025, DANR staff received a letter from Southern Missouri, stating that they will not be utilizing the SWMP loan or grant funds awarded for the baler purchase and requesting to deobligate the funding package awarded. Southern Missouri is choosing to instead focus on completion of the new landfill disposal cell the board awarded funding for in March 2025.

RECOMMENDED ACTION: Rescind Resolutions #2024-133 and #2024-134 which awarded the Solid Waste Management Program Loan and Grant respectively, for the baler purchase.

CONTACT: Andy Bruels, 773-5559



38053 SD Highway 50
Lake Andes, SD 57356
Phone: (605) 487-9542

**Southern Missouri Recycling &
Waste Management District
SMRWD**

March 17, 2025

SD Department of Ag and Natural Resources
523 E. Capitol Ave
Peirre, SD 57501

To Whom it May Concern,

This letter serves as formal notice that the Southern Missouri Recycling and Waste Management District (SMRWD) took action at the March 11, 2025, meeting to not utilize the 2025L-SW-201 loan funds in the amount of \$400,000.00 and the 2025G-SW-201 loan funds in the amount of \$100,000.00 due to needing trench four design and construction completed first. Therefore, we are requesting the funds be de-obligated.

SMRWD appreciates your continued support in our ongoing efforts to provide services to our district. It is our intention to apply for these funds in the future and look forward to working with you at that time.

Sincerely,



Jerod Star
Chairman
SMRWD

