

Cannon River

One Watershed, One Plan

"Aligning local water planning on major watershed boundaries with state strategies towards prioritized, targeted and measurable implementation plans"

DRAFT Minutes

Policy Committee Meeting

June 27, 2018

Rice County Government Services Building
320 Third St NW, Faribault, MN 55021

Policy Committee Members: Brad Anderson (Goodhue County), Kevin Chamberlain (Dakota SWCD), Richard Cook (Rice SWCD), Rick Gnemi (Steele County), Cletus Gregor (Le Sueur SWCD), Dan Hansen (Steele SWCD), James Hedeem (Belle Creek WD), Peg Varien (North Cannon River WMO), Jeff Beckman (Goodhue SWCD), Galen Malecha (Rice County), Keith Morgan (Waseca SWCD), Mike Slavik (Dakota County), Steven Rohlfing (Le Sueur County).

Also in Attendance: Brad Becker (Dakota County staff), Brad Behrens (Rice County staff), Ashley Gallagher (Dakota SWCD staff), Beau Kennedy (Goodhue SWCD staff), Holly Kalbus (Le Sueur County staff), Jenny Mocol-Johnson (BWSR), Steve Pahs (Rice SWCD), Mike Schultz (Le Sueur SWCD staff), Brian Watson (Dakota SWCD staff), Terence Swihart (Rice County), Dave Copland (BWSR), Mark Schaetzke (Waseca SWCD), Meghan Funke (EOR), Camilla Correll (EOR)

1. Call to Order

Chair Rohlfing called the meeting to order at 9:05am.

2. Approval of Agenda

Motion by Cook, second by Hedeem to approve the agenda. Motion carried.

3. Approval of Minutes

Motion by Cook, second by Hansen to approve the minutes of the April 4, 2018 Policy Committee meeting. Motion carried.

4. Invoices for Payment

Motion by Anderson, second by Gregor to recommend approval of invoices for payment. Motion carried.

5. Emmons & Olivier Resources, Inc Contract Amendment

The Planning Work Group asked EOR to prepare a Work Change Order based upon the extra meetings and work that has been requested. The updated meeting schedule was included in the packet and shows the additional work, including increasing the number of meetings from 23 to 29. The grant budget has a contingency of \$21,448. EOR's request is for an additional \$11,835, which would leave \$9,613 in the contingency. The other change would be the contract

completion date would be amended from October 2018 to March 2019. The Planning Work Group supports the Work Change Order. **Motion by Hedeem, second by Beckman to approve the work change order for EOR as presented. Motion carried.**

6. Workplan Progress Update

EOR provided a powerpoint presentation on the draft implementation plan and next steps in the planning process. Handouts of the draft implementation table and the priority area maps were provided to the committee members.

- Where did the dollar amounts in the table come from? There is a column in the table that describes its source. In most cases the dollar amounts are either local estimates, from existing documents including WRAPS and TMDLs, or from an engineering firm estimate.
- Were prevailing wages used? Staff took a look at what an average BWSR Billable Rate would be between the different planning partners. This table is still a high level number, more detail will be determined after Plan adoption during work planning.
- Is the Draft Implementation Table on the website? It will be when the Draft Plan is complete and approved by the Committee for 60-day review.
- Are all activities still voluntary? Yes
- In regard to the summary slide on percentages for Projects, Monitoring, Feasibility Studies etc., were these percent goals directed from BWSR or local numbers? Each activity in the Draft Implementation Table, which was created locally, was assigned a category, and these are how the numbers came out. The TAG reviewed these percentages as another way to check the plan, and they support the way the activities have divided out.
- Who will be doing monitoring? We do not know yet, the first step is to develop a plan by assessing who is currently doing monitoring (state, local, volunteers etc.), determine the gaps, and then where is monitoring needed and who will do the monitoring. It will likely be a variety of scales. A point was made that data is useless across counties unless there is consistency with equipment and/or protocols.
- Do we know the budget breakdown by county? No, currently looking at existing programs and budgets for each county, but more interested in the summary of this information for the watershed planning area. The new Joint Powers Board (JPB) will be responsible for determining priorities and projects during work planning.
- In regard to the optional Open House in the Next Steps slide, are there other means to do this? Yes, however, since the public engagement process involved six water conversations throughout the watershed, staff felt that an informal opportunity for stakeholders and the public to see the final result before the formal public hearing would be beneficial. Policy Committee members supported the Open House, especially since it gives citizens the opportunity to see how public dollars have been and could be spent. Emphasis was placed on getting city elected officials to the meeting; some have been in attendance but not all. City elected officials are on the stakeholders list, but extra outreach from Policy Committee members would help increase attendance.

7. Draft Joint Powers Agreement

Rice County attorney drafted a Joint Powers Agreement (JPA) by modifying other One Watershed, One Plan Memorandum of Agreements (MOA) into a JPA. There were multiple sections of the JPA where staff needed direction from the Policy Committee.

- **Composition** – Adding language on having an alternate with voting power in absence of the primary representative was discussed. Decision: Add details such as alternate member voting into the bylaws and keep the JPA at a higher level, because any changes to the JPA will require approval from every member Board.
- **Treasurer**- It is essentially only a name for review and signature as there will be a fiscal agent (local staff) completing the work. Decision: Needed, add to the JPA.
- **Voting**- Support current language of supermajority vote for final plan submittal or changes to bylaws or JPA.
- **Staff**- PWG did not reach 100% consensus. If staff are needed could the money be funneled to that county? Yes, one benefit of a Joint Powers Board is that a Board is able to enter into contracts with anyone, including a local LGU, non-profit, consulting firm etc. It was pointed out that using the word 'may' hire staff would require an amendment just like if it said 'no' and the Board decided they wanted to change that. Decision: Unanimous support for no staff.
- **Property**- If referring to equipment, having individual members own is easier. Decision: No property owned by the JPB.
- **Budget**- Schedules are very different for every county, but everyone has to have a budget adopted in December. Could set a date at an annual meeting. Could even set two or three year budgets. Decision: Keep the JPA simple with Option B, 'annually' set a budget.
- **Funding**- There was a large amount of discussion on funding. All options do not allow the JPB to levy taxes. Next decision is whether to have membership dues or no funding. Most administrative costs can be covered by grants, but there are certain costs for operation of a JPB that may not be eligible under grants, such audits, insurance and legal counsel. There was some confusion on match, match does not have to come from local funds, it can also be in-kind. Some expressed it would be difficult to pay dues since they have small overall budgets. Counties might end up paying for SWCDs, so why not just have membership dues split between the six counties? It was stated that the intent of dues within the JPA would be to establish a maximum amount that could be invoiced annually to each Member and the JPB would have the flexibility to determine actual amounts, or if even dues would be necessary, for each budget year. Another idea is that all members are responsible for dues and each county/SWCD can figure out how to pay on their own. There was a concern expressed about County paying dues for a watershed district or a watershed management organization. A few scenarios were discussed. One scenario sets a not-to-exceed limit on each tier. A new scenario idea was to set tiers as counties, SWCDs, and WD/WMOs. Some counties will have multiple 1W1P watersheds in the future, and this lends itself to a land area based due structure. Discussion as to how much detail needs to be in the JPA. Thought is to keep the JPA simple but need enough details

that individual Boards are comfortable approving the JPA. Question to be answered: How much will be needed for administrative items (audit, insurance, etc.)? Decision: Include option for membership dues, with only the counties paying dues on the tiered approach. There was majority, but not consensus on this approach. The Policy Committee will need to further explore all dues scenarios at the next meeting.

- **Membership-** Include a clause on how to add members? Is this for any member? No, only would pertain to LGUs. Decision: Add language for 'adding' a member.

8. Draft Factsheet and Draft Frequently Asked Questions

Draft documents were included in the packet. These are intended for the Policy Committee members to use when taking the JPA back to their respective Boards for approval. If any committee members have comments or suggestions, send them to local staff.

9. Plan Review timeline

No need to further review, as it was covered well in the powerpoint presentation. Suggest next meeting be scheduled for September 5th, 2018 in order to keep the anticipated review timeline on track.

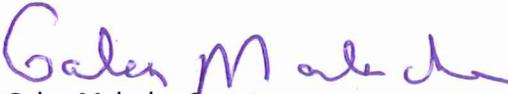
10. Next Meeting

September 5th, 2018 at 9:00am at the Rice County Government Services Building.

11. Adjourn

Motion by Hansen, second by Slavik to adjourn the meeting. Meeting adjourned at 10:50 a.m.

Respectfully Submitted,



Galen Malecha, Secretary

Cannon River Watershed 1W1P Policy Committee