



AGENDA

Dakota County Soil and Water Conservation District Board Meeting

January 14, 2021 - 9:00 a.m.

This Board meeting will be via telephone and conducted under Minnesota Statutes section 13D.021. Members of the public may access the meeting through teleconference by calling 651-306-3333 and entering the conference ID number of 17468906 followed by # sign.

1. Call to Order and Roll Call
2. Election of 2021 Officers
3. Audience
Anyone wishing to address the Board regarding on an item that is not on the agenda may come forward at this time. Comments are limited to five minutes.
4. Approval of Agenda (Additions/Corrections/Deletions)

CONSENT AGENDA

To be adopted under one motion unless a request is made to move an item to Regular Agenda for discussion

5. Approval of December 29, 2020 Meeting Minutes
6. Approval of January 14, 2020 Accounts Payable
7. Designate 2021 Financial Depositories as Vermillion State Bank and Castle Rock Bank
8. Designate 2021 Official Newspaper as the Dakota County Tribune
9. Adopt 2021 Board Operating Rules and Guidelines
10. Approve 2021 Membership Dues
 - 10.1 Metropolitan Conservation Districts Joint Powers Board
 - 10.2 Cannon River Watershed Joint Powers Board
 - 10.3 Minnesota Association of Soil and Water Conservation Districts
 - 10.4 National Association of Conservation Districts
11. Authorization to Amend Contract with 144 Design Inc, for Web Site Redesign
12. Authorization to Execute Joint Powers Agreement with Lower Minnesota River Watershed District for 2021 Services
13. Authorization to Execute Joint Powers Agreement with the Vermillion River Watershed Joint Powers Organization for 2021 Services

REGULAR AGENDA

14. Establish Board Committees and Assignments for 2021
15. Announcements and Reports
 - Natural Resources Conservation Service
 - Dakota County
 - Metropolitan Conservation Districts Joint Powers Board
 - Minnesota Association of Soil and Water Conservation Districts

Cannon River Watershed Joint Powers Board
Vermillion River Watershed Joint Powers Organization
District Managers Report
Board of Supervisor Announcements

16. Upcoming Events

Events listed are expected to be held through a call-in format. If information is needed to access the meetings, please contact staff.

January 14, 2021	Dakota County Soil and Water Conservation District Board Meeting 9:00 a.m.
January 20, 2021	Black Dog Watershed Management Organization Meeting – 5:00 p.m.
January 20, 2021	Lower Minnesota River Watershed District Board Meeting - 7:00 p.m.
January 20, 2021	North Cannon River Watershed Management Organization Meeting – 7:00 p.m.
January 28, 2021	Vermillion River Watershed Joint Powers Board Meeting – 1:00 p.m.
February 11, 2021	Dakota County Soil and Water Conservation District Board Meeting – 9:00 a.m.

17. Adjourn

Please note the Board meeting will take place via teleconference by phone. Our building remains closed in response to COVID-19. No in-person meeting will be available. We are following provisions in Minnesota Open Meeting Law addressing meetings in the case of pandemic. For more information please call 651-480-7777.



MEETING MINUTES

BOARD OF SUPERVISORS MEETING

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Tuesday, December 29, 2020

9:00 a.m.

4100 220th Street, Suite 102
Farmington, Minnesota

Board Members Present:

Laura Zanmiller, Chair
Kevin Chamberlain, Vice
Jayne Hager Dee, Treasurer
Chelsea Skog, Secretary
Bruce Johnson, Public Information Officer

SWCD Staff Present:

Brian Watson
Curt Coudron
Lana Rotty
Joe Barten
David Holmen
Ashley Gallagher
Diane Schmidtke

Others Present:

Brad Becker, Dakota County
Michelle Wohlers, NRCS
Mark Zabel, VRW JPO

Due to the local state of emergency and social distancing, the Board of Supervisors participated in the meeting via telephone and the Board meeting was conducted under Minn. Stat. § 13D.021.

1. Call to Order and Roll Call

Chair Zanmiller called the meeting to order at 9:00 a.m. Chair Zanmiller requested roll call. All Supervisors were present.

2. Audience

Chair Zanmiller asked if there was anyone on the call that wished to address the Board on an item that is not on the agenda. No one came forward.

3. Approval of Agenda

20.072 Motion by Chamberlain, second by Johnson to approve the agenda as presented. Members voting in favor: Zanmiller, Skog, Johnson, Dee, Chamberlain. Motion carried.

CONSENT AGENDA

4. Approval of December 10, 2020 Meeting Minutes

The December 10, 2020 Meeting Minutes were presented.

5. Approval of December 29, 2020 Accounts Payable

The December 29, 2020 Accounts Payable were presented.

6. Authorization to Provide Final Payment to Tom Sorem for Establishment of Cover Crops (multi-year)

Final payment of contract 19-IPP-27 with Tom Sorem for establishment of cover crops from CY20 Agreement with Dakota County or 2019 State Cost Share Grant.

- 7. Authorization to Provide Final Payment to Sheila Kennelly for Establishment of Native Prairie with Pollinators**
Final payment of contract 19-NPR-04 with Sheila Kennelly for establishment of native prairie with pollinators from CY19 Agreement with Dakota County.
- 8. Authorization to Provide Final Payment to Nicholas M. Stein for Installation of Grassed Waterway and Field Boarder**
Final payment of contract 20-IPP-02 with Nicholas Stein for installation of grassed waterway and field boarder from CY20 Agreement with Vermillion River Watershed Joint Powers Organization.
- 9. Authorization to Provide Final Payment to Roger Peine for Establishment of Cover Crops (multi-year)**
Final payment of contract 20-IPP-24 with Roger Peine for establishment of cover crops from FY20 Drinking Water Protection Clean Water Fund Grant.
- 10. Authorization to Provide Final Payment to Jeff Peine for Establishment of Cover Crops (multi-year)**
Final payment of contract 20-IPP-25 with Jeff Peine for establishment of cover crops from FY20 Drinking Water Protection Clean Water Fund Grant.
- 11. Authorization to Provide Final Payment to Pat Schaffer for Establishment of Cover Crop (one-year)**
Final payment of contract 20-IPP-29 with Pat Schaffer for establishment of cover crop from CY20 Agreement with North Cannon River Watershed Management Organization.
- 12. Authorization to Provide Final Payment to Rollo Hohrman for Installation of Water and Sediment Control Basin**
Cancel contract 20-IPP-31 with Rollo Hohrman for installation of water and sediment control basin from CY20 Agreement with Dakota County or FY21 State Cost Share Grant.
- 13. Authorization to Provide Final Payment to Michael Donahoe for Establishment of Native Prairie with Pollinators**
Final payment of contract 20-NPR-01 with Michael Donahoe for establishment of native prairie with pollinators from CY20 Agreement with Dakota County.
- 14. Authorization to Provide Final Payment to City of Burnsville for Establishment of Native Prairie with Pollinators**
Final payment of contract 20-NPR-02 with City of Burnsville for establishment of native prairie with pollinators.
- 15. Decline Participation in One Watershed One Plan for Lower Minnesota River East**
Authorization to decline participation in Lower Minnesota River East One Watershed One Plan implementation funding program.

20.073 Motion by Chamberlain, second by Johnson to approve the consent agenda items subject to final review of all cost share vouchers and invoices by the District Manager. Members voting in favor: Skog, Johnson, Dee, Chamberlain, Zanmiller. Motion carried.

Supervisor Dee commented that is was nice to see an article in the Star Tribune regarding the City of Burnsville's establishment of Native Prairie with Pollinators. Coudron added that the Sun Times will also be posting an article soon, as they have interviewed the project manager, John Stelzer.

REGULAR AGENDA

- 16. Personnel Committee Report**
 - 16.1 Adopt 2021 Dakota County Merit Compensation Policy and Plan.**

Chair Zanmiller reported that the Personnel Committee met on December 23 to review the 2021 Merit Compensation Policy and Plan adopted by the County Board, discuss status of Employee Policy Manual updates, conduct District Manager's annual performance review, and review the organizational structure and staffing. The 2021 Merit Compensation Policy and Plan is included on the agenda as an action item.

Supervisor Dee stated that when the 2021 budget was developed, the Committee approved the balanced budget under the impression that salaries would remain the same. Watson concurred as that was the indication when developing our County Budget documents; however, the 2021 Merit Compensation Policy and Plan recently approved by the Dakota County Board of Commissioners on December 15th included a 0-1% increase and a lump sum of 0-3% depending on performance. Dee asked if an amendment to the budget would be needed to adopt the Merit Compensation Policy and Plan. Chamberlain indicated that the Personnel Committee expressed some concern on how it might impact our adopted budget. However, it was the Committee's recommendation to support the increases and the 2021 Merit Matrix provided in the 2021 Merit Compensation Policy and Plan

20.074 Motion by Chamberlain, second by Johnson to adopt 2021 Dakota County Merit Compensation Policy and Plan. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller, Skog. Motion carried.

17. Education and Outreach Committee Report

17.1 Summary of 2020 Landscaping for Clean Water Program.

Lindsey Albright provided a summary of the 2020 Landscaping for Clean Water Program and plans for the 2021 program. She stated that just four of the 35 classes were held before the Governor's stay at home order took effect in March of 2020. Following that, staff transitioned all three formats; Introductory Class, Design Workshops, and Maintenance Workshop to online formats. A total of 613 individuals participated in introductory classes, 105 participated in the maintenance workshops, and 147 projects were designed as part of the virtual workshops. A total of 50 raingardens, native gardens, and shoreline plantings were installed this year. Albright further stated that the end of year survey results are very positive. Albright added that the 2021 course schedule is nearing completion, and marketing is underway. The 2021 Program will be similar to this year; however, they are planning to update the online formats, increase community outreach with a dedicated Facebook page, and seek youth engagement. Chamberlain stated that he believes this is a fantastic program, and Zanmiller stated she likes the changes that have been implemented as well as the changes being proposed in 2021 to engage the youth.

18. Announcements and Reports

District Managers Report

Watson stated that the Oath of Office will need to be taken by recently elected Supervisors Zanmiller, Chamberlain and Skog. Watson stated that he has been communicating with Andy Lokken, Dakota County Elections Director to coordinate a time where the elected Supervisors can take the Oath of Office.

Upcoming Events

The upcoming events were reviewed.

19. Adjourn

20.071 Motion by Johnson, second by Chamberlain to adjourn the meeting. Members voting in favor: Zanmiller, Skog, Johnson, Dee, Chamberlain. Motion carried.

The meeting was adjourned at 9:46 a.m.

Respectfully submitted,

Chelsea Skog
Secretary

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Consent Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/14/2021

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Designate financial depositories for the calendar year.

SUMMARY:

The Office of the State Auditor recommends that on the first meeting of a calendar year, local government entities designate official depositories for their funds.

Staff is recommending we continue to designate our primary financial institution be the Castle Rock Bank located in Farmington and Castle Rock and our secondary financial institution the Vermillion State Bank located in the cities of Vermillion, Inver Grove Heights, Hastings, Rosemount and Miesville.

EXPLANATION OF FISCAL/FTE IMPACT:

None

Supporting Documents:

None

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Consent Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/14/2021

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Designate 2021 official newspaper as the Dakota Tribune

SUMMARY:

The SWCD may need to post mandatory public notices under State law. To reduce the costs of printing in multiple newspapers, it is recommended that an official newspaper be designated for this purpose. When State law require us to post a public notice, other media outlets will be used such as our web site, social media and building bulletin Boards. This requested Board action does not include routine press releases which are sent to multiple media outlets and are printed at their discretion.

It is recommended that we utilize the Dakota County Tribune as our official newspaper for 2021.

EXPLANATION OF FISCAL/FTE IMPACT:

None

Supporting Documents:

None

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Consent Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/14/2021

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Adopt 2021 Board Operating Rules and Guidelines.

SUMMARY:

Annually the Board of Supervisors adopts Operating Rules and Guidelines. No changes are being proposed other than updating the document with new dates.

EXPLANATION OF FISCAL/FTE IMPACT:

None

Supporting Documents:

Draft 2021 Operating Rules and Guidelines

Previous Board Action:

None

Dakota County Soil and Water Conservation District
Board of Supervisors

2021 Operating Rules and Guidelines



Vision

Clean Water and Healthy Soil

Mission

Partners in Land and Water Conservation

Dakota County Soil and Water Conservation District
Board of Supervisors
2020

District I	Kevin Chamberlain
District II	Laura Zanmiller
District III	Chelsea Skog
District IV	Bruce Johnson
District V	Jayne Hager Dee

Office of the Board of Supervisors
Dakota County Extension and Conservation Center
4100 220th Street West, Suite 102
Farmington, MN 55024
651-480-7777
www.dakotaswcd.org

The Board of Supervisors Operating Rules and Guidelines
Was adopted by Board action on January 14, 2021

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF SUPERVISORS

RULES OF THE BOARD OF SUPERVISORS

INTRODUCTION

The Dakota County Soil and Water Conservation District (SWCD) is a soil and water conservation district established and operated pursuant to Chapter 103C of Minnesota Statutes and governed by an elected Board of Supervisors (Board). These rules are intended to facilitate the transaction of business by the SWCD Board and its committees. These rules shall become effective upon passage by the SWCD Board. Acceptance of the office of a SWCD Supervisor constitutes acceptance of the obligation to abide by these Rules.

ARTICLE 1

TRANSACTING THE BUSINESS OF THE SWCD

- 1. Organizational Structure.** The Board shall manage the business and affairs of the SWCD. It is collectively the responsibility of the Board to make policy and oversee the implementation of policy as the governing authority for the SWCD. An individual Supervisor has no authority to act on behalf of the Board or the SWCD, except to the extent such authority is expressly conferred upon him/her by a majority of the Board. The Board implements its policies by hiring, supervising and directing the District Manager. The District Manager is responsible for implementing policies adopted by the Board and for hiring, supervising and directing the staff of Dakota County SWCD.
- 2. Vacancies.** A vacancy in the Board resulting from the death, resignation, removal or disqualification of a Supervisor shall be filled by a majority vote of the remaining members of the Board, although less than a quorum. A Board Supervisor so elected shall serve until a successor is elected.
- 3. Officers and Committees**
 - 1. Terms of Office.** The term of each Board member is four years, except as otherwise established pursuant to Minnesota Statute.
 - 2. Chair.** In addition to such other powers or duties as the Board may stipulate, the Chair

shall preside over the debate. The Chair shall sign all contracts and agreements on behalf of the SWCD or designate such authority. The Chair shall have such other powers as may be granted by Minnesota law.

3. **Vice Chair.** The Board shall appoint a Vice Chair, the Vice Chair shall, in the absence or disability of the Chair, perform the duties and exercise the powers of the Chair, and shall perform such other duties as the Board may prescribe.
 4. **Treasurer.** In addition to such other powers or duties as the Chair or the Board may prescribe, the Treasurer shall have such other powers as may be granted by Minnesota law. The Treasurer shall, in the absence or disability of both the Chair and Vice Chair, perform the duties and exercise the powers of the Chair.
 5. **Secretary.** The Secretary shall attend all meetings of the Board and record all votes and the minutes of all proceedings in a book kept for that purpose. The Secretary shall also perform such other duties prescribed by the Board.
 6. **Public Relations and Information Officer.** The Public Relations and Information Officer shall examine ways to publicize SWCD activities. The Public Relations and Information Officer shall also perform other duties as prescribed by the Board.
 7. **Committees.** The Board may establish committees composed of one or more Supervisors to carry out the functions specified in the resolution of the Board establishing the Committee. Committees so established are subject at all times to the direction and control of the Board. These Rules apply to such committees and members of such committees to the same extent as they apply to the Board.
 8. **Vacancy.** If the office of any officer or committee assignment becomes vacant, the Supervisors then in office, although less than a quorum may choose a successor, who shall hold office for the unexpired term in respect of which such vacancy occurred.
- 4. Meetings.** The business of the Board is transacted during meetings and upon a vote of a majority of the Supervisors present. Board meetings shall be conducted in accordance with Minnesota Statutes Sections 103C.301-.335, the Minnesota Open Meeting Law, the Minnesota Government Data Practices Act and current version of Robert's Rules of Order.
1. **Organizational Meeting.** Each January, the Board shall conduct an organizational meeting, which may be a regular monthly meeting, at which the Board shall elect a Chair, Vice Chair, Treasurer, Secretary, and Public Relations and Information Officer.

2. **Notice.** Meetings of the Board may be convened only after proper notice. The type of notice depends upon the type of meeting. The regular meeting of the Board shall be held on the dates and at the place and time established by the Board. The date, time and place of regular meetings shall be posted or published. If the time or place of a regular meeting is changed, notice of the time and place of the meeting must be given in the manner of a special meeting. Special meetings may be called by the Board Chair or upon the written request of any three Board members. Notice of special meetings shall be given to Board members (and the public in the manner described by the Open Meeting Law) by mail at least 72 hours before the meeting. Emergency meetings may be called only in situations that demand the immediate attention of the Board. Notice of the emergency meetings shall be given by telephone or any other available means as soon as is practical prior to the meeting. The notice of a special or emergency meeting must include a description of the business to be conducted. The business transacted at a special or emergency meeting shall be limited to items specifically contained in the notice of the meeting. The District Manager shall provide to Supervisors at least three days prior to a regular meeting agendas and relevant printed materials to be received and/or discussed at the meeting.
3. **Quorum.** A majority of the total number of Supervisors constitutes a quorum. No business may be conducted by the Board unless a quorum is present.
4. **Actual Attendance Required.** Actual attendance is required in order to cast a vote or to meet quorum requirements. Votes may not be cast by proxy. Failure to attend more than five (5) meetings in a row without a reasonable excuse shall constitute neglect of duty within the meaning of Minn. Stat. 103C.315 and shall subject the Supervisor to the sanctions set forth in these Rules.
5. **Decorum at Meetings.** Board members are expected to conduct themselves at Board meetings in a pleasant, polite, courteous and respectful manner. Board members shall refrain from speaking until the chair has recognized them, and shall strive not to speak while another Board member, a staff member or a member of the public has the floor. There shall be no name-calling or profanity. Indecorous language or behavior shall be grounds for the imposition of sanctions as set forth in these Rules.

5. Government Data. The government Data Practices Act, Minn. Stat. Ch. 13, applies to SWCD. The Act specifies that each public body must designate a "responsible authority" to handle requests for data. The "responsible authority" for the SWCD is the District Manager. Thus, all requests or inquiries regarding SWCD data received or made by a Board member must be forwarded to the District Manager. The District Manager shall be responsible for searching for the data, classifying the data within the scope of the request and for making the specific response to the request for data. The District Manager and SWCD staff are obligated to provide a Supervisor with data he/she needs in order to carry out his/her duties as a Supervisor. Thus, SWCD data should not be accessed or modified by a Supervisor.

ARTICLE 2 RULES OF CONDUCT

1. Employee Policies Applicable to Supervisors. The following policies set forth in Dakota SWCD Policy and Procedures Manual or County Policy shall apply to Board members:

- Personal Use of County or SWCD Property (County Policy (1011))
- Sexual and General Harassment (County Policy 3042)
- Drug and Alcohol Free Work Place (County Policy 3282)
- Travel on County Business (County Policy 3340)

However, the disciplinary portions of these policies shall not apply to Supervisors. A Supervisor who violates any of these policies shall be considered to have engaged "malfeasance" or "neglect of duty" within the meaning of Minn. Stat. § 103C.315 and may be sanctioned as set forth in these Rules.

1. **Action in furtherance of Mission.** The Board is a policy-making body and must act as a majority when making any determinations. Therefore, it is imperative that each Board member act in a manner consistent with and in furtherance of the policies, mission and core values established by the majority of the Board. Therefore, when a Supervisor appears in public and speaks on any issue concerning the SWCD and/or its general mission or specific projects or practices, such Board Supervisor shall express the official Board position on the issue. If a Board Supervisor personally disagrees with the Board's position, the Board member shall only express his/her personal opinion if the Board member first:
 - Presents the official position of the Board;
 - Clearly explains that his/her personal position is the minority position; and

- Explains that s/he is speaking as a citizen rather than expressing the opinion of the Board.

2. Per Diem and Reimbursement of Travel Expenses Incurred on Behalf of the SWCD. A supervisor shall receive compensation for services up to \$75 per day, and may be reimbursed for expenses, including traveling expense, necessarily incurred in the discharge of duties. A supervisor may be reimbursed for the use of the supervisor's automobile in the performance of official duties at a rate up to the maximum tax-deductible mileage rate permitted under the federal Internal Revenue code. (Mn Statutes 103C.315 Subd.4.) Approval must be obtained from the Board for all out-of-state travel. All reimbursements for travel related expenses require the appropriate receipts.

The following organizations and agencies are recognized as being fundamental partners in the SWCDs activities for which attendance of functions shall be presumed to be in furtherance of the goals of the SWCD:

- Dakota County Board of Commissioners
- Dakota County Watershed Organizations, Cities and Townships
- Minnesota Association of Soil and Water Conservation Districts
- Metropolitan Conservation Districts Joint Powers Board
- Minnesota Board of Water and Soil Resources
- Minnesota Department of Agriculture
- Minnesota Department of Natural Resources
- Minnesota Pollution Control Agency
- Minnesota Legislature
- National Association of Conservation Districts
- Natural Resources Conservation Service

Board members may attend meetings of the aforementioned organizations and agencies and may be eligible for the collection of per diem payments and reimbursement of appropriate travel expenses without obtaining prior approval by the Board. However, approval must be obtained from the Board for all out-of-state travel. All reimbursements for travel related expenses require the appropriate receipts.

2. Interaction with SWCD Staff.

1. Direction and Assignment of Work. The Board shall direct and assign the work of

the District Manager. The District Manager shall direct and assign the work of all other SWCD staff.

2. **Supervision, Evaluation and Discipline of Staff.** While a Supervisor may provide input to the District Manager, the District Manager and not the Board shall be responsible for the supervision, evaluation and discipline of individual staff members. However, nothing shall preclude the District Manager from eliciting the assistance of the Board, an Officer or an individual Supervisor in the performance of the District Manager's duties as personnel manager.
3. **Problem Resolution.** If a problem arises between a Supervisor and a staff person, it is expected that the individuals involved will seek to resolve the problem promptly. If they are unable to resolve the problem, the District Manager shall intervene. It is the responsibility of the District Manager to deal with the involved staff member and the responsibility of the Board to deal with the involved Supervisor. If a problem arises between the District Manager and a Supervisor, the District Manager and the Board member shall make all attempts to resolve the issue themselves. If sincere and diligent attempts by both parties do not resolve the issue, then the District Manager and the Supervisor shall present the situation jointly to the Board of Supervisors. The Board shall resolve all such disputes brought before it and its decision shall be final.

ARTICLE 3 ETHICS POLICY

1. Legislative Purpose. Officials in public service must maintain the highest possible standards of ethical conduct in their transaction of public business. Such standards should be clearly defined and known to the public as well as to local officials. Furthermore, the proper operation of democratic government requires that local officials be independent, impartial, and responsible to the people; that government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of this government. In recognition of these goals, there is hereby established a Code of Ethics for all Supervisors. The purpose of this Code is to establish ethical standards of conduct for all Supervisors by setting forth those acts or actions that are incompatible with the best interest of the people of Dakota County, and by directing disclosure by Supervisors of private financial or other interest in matters affecting the County and SWCD.

2. Definitions.

1. *Administrative action* means an action of a nonministerial nature by any Board member.
2. *Legislative action* means introduction, sponsorship, debate, voting and any other official action on any ordinance, resolution amendment, nomination, appointment, report or other matter pending or proposed before the Board.
3. *Candidate* means any individual who files an affidavit of candidacy or petition to appear on the ballot for an elective public office.
4. *Election* means a general, special, primary or special primary election.
5. *Local official* as defined in Minnesota Statutes, Section 10A.01 means a person who holds elective office in a political subdivision or who is appointed to or employed in a public position in a political subdivision in which the person has authority to make, to recommend, or to vote on as a member of the governing body, major decisions regarding the expenditure or investment of public money and shall include the supervisors, who are elected officials.

3. Conflicts of Interest. Any member of the Board who in the discharge of his or her official duties would be required to take an administrative or legislative action or make a decision which would substantially affect his or her financial interest or those of a business with which he or she is associated (hereafter the affected person), unless the effect of the affected person would be no greater than on other members of his or her business classification, profession or occupation, shall take the following actions:

- The affected person shall prepare, on such form as prescribed by the state ethical practices board, a written statement describing the matter requiring action or decision and the nature of his or her potential conflict of interest;
- The affected person shall deliver a copy of the statement to the Chair of the Board;
- If a potential conflict of interest presents itself and there is insufficient time to comply with the provision of subsections (1) and (2), the affected person shall orally inform the Board of the potential conflict. The affected person shall file a written
- Statement as prescribed above within one week after the potential conflict presents itself.
- The affected person shall remove himself or herself, if possible, from influence over the action or decision in question and assign the matter to a subordinate. The Board may upon request excuse the affected person from taking part in the action or

decision in question.

- If the affected person is not permitted or is otherwise unable to abstain from action in connection with the matter, he or she must file with the Chair of the Board a statement describing the potential conflict of interest and the action taken. Such statement must be filed within one week of the action taken.

1. **Representation for a fee.** No Supervisor shall represent a client for a fee before the Board.
2. **Statement of economic interest.** Each Board member is required to file a statement of economic interest to comply with the Minnesota Campaign Finance and Public Disclosure Board under Minnesota Statute. All statements shall be public data.
3. **Penalty for false statements.** A report or statement required by this section shall be signed and certified as true by the person required to file the report. Any person who signs and certified to be true a report or statement which he or she knows contains false information, who knowingly omits required information, or who fails to file a report to statement when required by this section, is guilty of a misdemeanor.
4. **Gifts.** If a person or entity shall offer to give a Supervisor, the Supervisor's spouse or dependent children, and Supervisor shall solicit or receive, anything of value (including a gift, favor or service, or a promise of future employment), which would cause the total value of such things received from the same person or association to exceed one hundred dollars (\$100.00) during any calendar year, and which is either (a) based on any understanding that such Supervisor's vote, official actions or judgment would be influenced thereby, or (b) where the circumstances are such that it could reasonably be inferred that the thing of value would influence the Supervisor in the discharge of his or her duties.
5. **Confidential information.** No Board member shall use or disclose confidential information gained in the course of or by reason of his or her official position or activities, including by not limited to, any data classified as private, confidential, nonpublic or protected nonpublic pursuant to Minnesota Statutes, Chapter 13, in any way that could result in financial gain for the Board member, members or his or her family, or any business with which he or she is associated.
6. **Violation of Ethics Policy.** Violation of the Ethics Policy shall be considered

"malfeasance" or "neglect of duty," and may result in sanctions set forth in these Rules.

ARTICLE 4

SANCTIONS FOR VIOLATION OF THESE RULES

Violation of any portion of these Rules shall be considered "malfeasance" or "neglect of duty," and may result in any or all of the following sanctions:

- Private or Public Censure
- Limitation of the Board member's authority to appear and act on behalf of the Board
- The docking or stripping of the Board member's per diem
- The petition by the Board to the Board of Water and Soil Resources for the removal of the Board member pursuant to Minnesota Statute.

ARTICLE 5

AMENDMENTS TO RULES

These Rules may be amended or repealed by the affirmative vote of a majority of the Board provided that: the text of the proposed change was provided in writing along with the notice of the meeting at which such proposed change is to be considered; and the Board shall not adopt, amend or repeal any Rule to the extent such action causes any Rule to violate Minnesota Statutes, the United States Constitutions or the Constitution of the State of Minnesota.

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**Consent Agenda**

Request for Board Action

Roll Call Vote

Meeting Date: 1/14/2021

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Approve 2021 membership dues.

SUMMARY:

The Dakota County Soil and Water Conservation District is a member of four organizations that require membership dues to participate in their programs and activities. These include:

- Metropolitan Conservation Districts Joint Powers Board (MCD) - \$1,350
A joint powers entity composed of eleven members including nine soil and water conservation districts in the twin cities metropolitan area; Anoka, Carver, Chisago, Dakota, Isanti, Scott, Sherburne, Washington, Wright, and 2 Counties; Hennepin and Ramsey. The MCD provides its members with a number of programs including the distribution of State funds for increasing engineering and technical assistance capacity.
- Cannon River Watershed Joint Powers Board (CRWJPB) - \$3,500
A joint powers entity comprised of 14 members including both SWCD's and County's to include Dakota, Goodhue, Le Sueur, Rice, Steele, Waseca, and the Belle Creek Watershed District and North Cannon River Watershed Management Organization. The CRWJPB is responsible for implementing the Cannon River Comprehensive Watershed Management Plan.
- Minnesota Association of Soil and Water Conservation Districts (MASWCD) - \$5,099.03
A nonprofit organization that provides a forum for SWCDs statewide to adopt policies and resolutions related to conservation issues. The MASWCD works with various partners such the USDA Natural Resources Conservation Service, State agencies and the legislature to provide programs and funding that promote soil and water conservation districts in Minnesota. The MASWCD also provides educational opportunities to its members so effective conservation programs can be carried out.

MASWCD – Metro Area (MACD) - \$300
There are 8 MASWCD regions across the State that discuss policy and adopt resolutions at the area level. Members include the 7 metro SWCDs, Chisago, Isanti, Sherburne and Wright.
- National Association of Conservation Districts (NACD) – \$775
A nonprofit organization that provides national leadership and a voice for natural resources and conservation. These dues run on the federal fiscal year rather than a calendar year. Annual Membership dues are \$775 they are due in September, staff is requesting authorization to pay both 2020 and 2021 membership dues.

EXPLANATION OF FISCAL/FTE IMPACT:

Membership dues have been included into the adopted 2021 budget

Supporting Documents:

None

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Consent Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/14/2021

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Authorization to amend contract with 144design, Inc. for web site redesign.

SUMMARY:

In March of 2020 authorization was provided to enter into a contract with 144design, Inc to assist with redesigning our web site. As part of this process, we worked with various watershed management organization (WMO) partners for whom we host web sites to simultaneously update their web sites.

The current contractual agreement expires on January 31, 2021. While the redesign of the Dakota SWCD is being completed and will be ready for display in February, there is a need for more time to complete updates to the web sites of our WMO partners.

The additional time will allow us to obtain WMO Board feedback on the web template, make necessary revisions and then revisit with the WMO's at a second meeting. In order to accomplish this, we are requesting a contract amendment to extend the term of with 144Design until October 31, 2021.

The nine additional months are needed as some WMOs only meet quarterly and getting input and feedback from them will take extra time. No changes to the scope of services or payment under the original contract will occur.

EXPLANATION OF FISCAL/FTE IMPACT:

None

Supporting Documents:

None

Previous Board Action:

Motion 20.036 on 3/12/20

Authorize Contract Execution with 144Design, Inc.

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Consent Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/14/2021

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Authorization to execute joint powers agreement with Lower Minnesota River Watershed District for 2021 services.

SUMMARY:

Staff has drafted and presented a 2021 work plan and budget to the Lower Minnesota River Watershed District (LMRWD). The work plan and budget includes Fen Well Monitoring, Education and Community Engagement and Technical Assistance services for the 2021 calendar year.

The work plan and budget includes a total amount not to exceed \$19,960. It is anticipated that the LMRWD Board will approve the work plan and budget at an upcoming meeting in February or March.

EXPLANATION OF FISCAL/FTE IMPACT:

Services to the LMRWD will be added to the SWCD Budget and staff work plan for 2021.

Supporting Documents:

2021 Work Plan and Budget for the LMRWD

Previous Board Action:

None

2021 Dakota County SWCD Work Plan and Budget
Prepared for the
Lower Minnesota River Watershed District

TASK – FEN WELL MONITORING (March – December)

COST ESTIMATE

Fen Well Monitoring	10 monitoring trips x 5 hrs/trip 50 hours @ \$80/hour = \$4,000
Data Management, Reporting and Administration	40 hours @ \$80/hour = \$3,200
Site Maintenance	10 hours @ \$80/hour = \$800
Supplies	Chalk, rags, batteries, tools = \$500
Subtotal	\$8,500

TASK – EDUCATION AND COMMUNITY ENGAGEMENT

COST ESTIMATE

Landscaping for Clean Water Workshops <ul style="list-style-type: none"> • Conduct 1 Landscaping for Clean Water Introduction Presentation (one evening). • Conduct 1 Landscaping for Clean Water Design Workshop (two evenings). 	Introduction Presentation = \$0 Design Workshop = \$0
<ul style="list-style-type: none"> • Create promotional materials for classes in partnership with Dakota County Cities and Watershed Orgs, organize course materials, and coordinate with partners. • Push social media posts to promote classes, attend community events to promote classes. 	12 hours @ \$80/hour = \$960
Subtotal	\$960

TASK - TECHNICAL ASSISTANCE & PROJECT IMPLEMENTATION**COST ESTIMATE**

Cost Share Program – Landscaping for Clean Water <ul style="list-style-type: none"> • SWCD staff time for technical assistance for participants • Provide cost share to landowners for up to 6 Landscaping for Clean Water projects including raingardens, native plantings and shoreline stabilization projects consistent with SWCD cost share policies. 	Technical Assistance = \$3,000 Landowner Incentives: \$250/project x 6 projects = \$1,500
Technical Assistance As Requested <ul style="list-style-type: none"> • SWCD staff time for technical assistance for projects <i>Only as requested by Lower Minnesota River WD</i> 	100 hours @\$80/hour = \$8,000
Subtotal	\$10,500

TOTAL AGREEMENT NOT TO EXCEED \$19,960

GERNAL INFORMATION REGARDING THE FEN WELL MONITORING PLAN

The Dakota County Soil and Water Conservation District (SWCD) shall conduct well monitoring activities at various fens located within the Lower Minnesota River Watershed District (LMRWD) from March 1, 2020 through December 31, 2020.

Well Monitoring Activities

Twenty eight piezometers of interest are located within the LMRWD (Table 1). The SWCD shall take water level measurements at each of the piezometers described in this project. Measurements will be made using a hand-cranked steel tape graduated in feet, tenths of feet, and hundredths of feet or an electronic water level meter. The equipment for measuring water level will be provided by the SWCD. Results shall be recorded manually and transferred to the Minnesota Department of Natural Resources (MN DNR) well monitoring database following all in-field measurements.

All piezometers will be monitored on a monthly basis, beginning March 2020 through December 2020.

Table 1. Fen Monitoring Locations

Location	Total Number of Piezometers to be Monitored
Fort Snelling Fen	13
Quarry Island Fen	2
Nicols Fen	13
Total	28

Data Analysis and Project Reporting

At the conclusion of the annual well monitoring effort, the SWCD shall provide the LMRWD District Administrator a report summarizing the findings resulting from annual monitoring activities. Monitoring data will be made available on the MN DNR Groundwater Level Data website

http://www.dnr.state.mn.us/waters/groundwater_section/obwell/waterleveldata.html

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Consent Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/14/2021

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Authorization to execute joint powers agreement with the Vermillion River Watershed Joint Powers Organization for 2021 services.

SUMMARY:

Staff has been working with the Vermillion River Watershed Joint Powers Organization (VRWJPO) to draft a work plan and budget for 2020 services. The work plan and budget includes the following tasks:

- Evaluation and Policy
- Feasibility Studies
- Capital Improvement Projects
- Public Outreach and Communication
- Inventories and Assessment
- Water Monitoring and Data Analysis

The work plan and budget includes a total agreement amount not to exceed \$257,000 which is unchanged from the previous year. The term of the agreement will be from January 1, 2021 to December 31, 2021. The Vermillion River Watershed Joint Powers Board is anticipated to approve the work plan and budget at their January 28 meeting.

EXPLANATION OF FISCAL/FTE IMPACT:

Services to the VRWJPO have been included in the SWCD budget and staff work plan for 2021.

Supporting Documents:

2021 Work Plan and Budget with VRWJPO

Previous Board Action:

None

2021 Dakota County SWCD Work Plan and Budget to the Vermillion River Watershed Joint Powers Organization

Evaluation and Policy

- Incentive program policy assistance for programs to install voluntary conservation practices \$1,600
- Subtotal \$1,600**

Feasibility/Preliminary Studies

- Preliminary design, technical assistance and marketing of voluntary conservation practices \$40,000
- Subtotal \$40,000**

Capital Improvement Projects

- Install water quality projects under SWCD Cost Share Programs \$61,250¹
 - Implement Landscaping for Clean Water Grant Program (LCW) \$18,750²
- Subtotal \$80,000**

Public Outreach and Communication

- Coordinate tasks under the Vermillion River Watch Program \$ 6,000
 - Conduct Landscaping for Clean Water Workshops (up to 19 total) \$30,400
 - Presentations for Grades 3-12 (up to 5 total) \$4,000
- Subtotal \$40,400**

Inventories and Assessments

- Provide GIS mapping support \$5,000
- Subtotal \$5,000**

Monitoring and Data Analysis

- Staff time for sample collection, equipment installation, maintenance, downloading, longitudinal surveys (temperature, dissolved oxygen, turbidity), winter nitrate monitoring at South Branch Vermillion River \$39,000
 - Data analysis, database management, data reporting, FLUX modeling, reporting \$17,000
 - Water quality sample analysis and QA/QC samples \$19,000
 - Equipment and supplies \$ 8,000
 - Macroinvertebrate collections and habitat monitoring \$ 7,000
- Subtotal \$90,000**

Total Not To Exceed Amount: \$257,000

1 25% technical and administrative costs will be invoiced for each contracted project installed

2 Each Landscaping for Clean Water project installed includes \$250 for landowner stipend and \$500 for technical and administrative assistance

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/14/2021

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Approve committees and assignments for the 2021 calendar year.

SUMMARY:

Each year we assign SWCD Board members to various organizations and committees. A review of the currently listed committees and assignments should occur first to determine if additions or deletions are needed.

We will need to appoint Board members to each designated committee and assignment for calendar year 2021.

EXPLANATION OF FISCAL/FTE IMPACT:

Board of Supervisors participation and attendance at member organization meetings or committee meetings has been included in the 2021 budget.

Supporting Documents:

2020 List of Committees and Assignments

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

2020 Board Committees and Appointments

Committee		
Community Development	Laura Zanmiller	Chelsea Skog
Finance	Jayne Hager Dee	Bruce Johnson
Personnel	Laura Zanmiller	Kevin Chamberlain
Rural Lands	Kevin Chamberlain	Jayne Hager Dee
Education and Outreach	Jayne Hager Dee	Chelsea Skog

Staff will join committees as needed. Board Chair will serve on all committees as an exofficio member

Appointment	Primary	Alternate
Metropolitan Conservation Districts Joint Powers Board	Laura Zanmiller	Chelsea Skog
Legislative	Jayne Hager Dee	Chelsea Skog
NRCS Local Work Group	Kevin Chamberlain	Jayne Hager Dee
Cannon River Watershed Joint Powers Board	Kevin Chamberlain	Jayne Hager Dee