



AGENDA

Dakota County Soil and Water Conservation District Board Meeting

January 13, 2022 - 9:00 a.m.

Meeting Room 1 – Dakota County Extension and Conservation Center
4100 220th Street Farmington, MN 55024

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Election of 2022 Officers
4. 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.
5. 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

6. Approval of December 30, 2021 Meeting Minutes
7. Approval of January 13, 2022 Accounts Payable
8. Designate 2022 Financial Depositories as Vermillion State Bank and Castle Rock Bank
9. Designate 2022 Official Newspaper as the Dakota County Tribune
10. Adopt 2022 Board Operating Rules and Guidelines
11. Approve 2022 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

REGULAR AGENDA

12. Update and Discussion on Redistricting of Dakota SWCD Board Districts, *Tom Novak Director Dakota County Public Services and Revenue* Information
13. Adopt Resolution Accepting Certain Wetland Conservation Act Authorities from Nininger Township Action
14. Summary of 2021 Landscaping for Clean Water Program Information
15. Establish Board Committees and Assignments for 2022 Action
16. 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

17. Upcoming Events

Meetings and events listed below are anticipated to be held in person unless noted. Please contact staff if you have questions about meeting formats and locations since changes are occurring weekly.

- | | |
|-------------------|---|
| January 13, 2022 | Dakota County Soil and Water Conservation District Board Meeting
Extension and Conservation Center, 4100 220 th Street West, Farmington – 9:00 a.m. |
| January 19, 2022 | Black Dog Watershed Management Organization Meeting
Burnsville Maintenance Facility, 13713 Frontier Court, Burnsville – 5:00 p.m. |
| January 19, 2022 | Lower Minnesota River Watershed District Meeting
Chaska City Hall, Once City Hall Plaza 2 nd Floor – 7:00 p.m. |
| January 19, 2022 | North Cannon River Watershed Management Organization Meeting
Eureka Town Hall, 25043 Cedar Avenue, Farmington – 7:00 p.m. |
| January 27, 2022 | Vermillion River Watershed Joint Powers Board Meeting
Extension and Conservation Center, 4100 220 th Street West, Farmington – 9:00 a.m. |
| February 9, 2022 | Lower Mississippi River Watershed Management Organization Meeting
Virtual – 3:00 p.m. |
| February 10, 2022 | Dakota County Soil and Water Conservation District Board Meeting
Extension and Conservation Center, 4100 220 th Street West, Farmington – 9:00 a.m. |

18. Closed Executive Session to Conduct Annual Performance Review of District Manager

19. Adjourn



MEETING MINUTES

BOARD OF SUPERVISORS MEETING

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, December 30, 2021

9:00 a.m.

4100 220th Street W, Suite 102
Farmington, Minnesota

Board Members Present:

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

SWCD Staff Present:

Brian Watson
Lana Rotty
Curt Coudron

Others Present:

Melissa Musliner, Maple Grove

1. Call to Order and Roll Call

Chair Zanmiller called the meeting to order at 9:00 a.m.

2. Pledge of Allegiance

Chair Zanmiller led the Board of Supervisors in the Pledge of Allegiance.

3. Audience

Chair Zanmiller asked if there was anyone in the audience that wished to address the Board on an item that is not on the agenda. Nobody came forward.

4. Approval of Agenda

21.135 Motion by Skog, second by Johnson to approve the agenda. All members voting in favor. Motion carried.

CONSENT AGENDA

5. Approval of December 9, 2021 Meeting Minutes

The December 9, 2021 Meeting Minutes were presented.

6. Approval of December 30, 2021 Accounts Payable

The December 30, 2021 Accounts Payable were presented.

21.136 Motion by Dee, second by Johnson to approve the consent agenda items. All members voting in favor. Motion carried.

REGULAR AGENDA**7. Authorization to Amend Contract and Provide Final Payment to Century South Single- Family Homeowners Association for Installation of Native Prairie with Pollinator Habitat**

Century South Single-Family Homeowner's Association has completed the installation of 0.6 acres of native prairie with pollinator habitat in the City of Hastings, Vermillion River Watershed.

The project was approved for funding at the April 8, 2021 Board meeting at 75% cost share not to exceed \$1,500 and based on a cost estimate of \$5,600. Cost share was set at \$1,500 based on the proposed project size of 0.5 acres at a maximum cost share amount of \$3,000/acre. The final project was expanded to 0.6 acres and would be eligible for \$1,800 based on current cost share policy. Century South Single-Family Homeowner's Association has requested to amend the contract based on the increased project size. Final eligible project costs are \$7,422.

Supervisor Chamberlain asked if the cost was higher than the estimate due to the increase to 0.6 acres. Coudron stated that the mobilization, site preparation, tree removal, and several smaller trips due to site access were all factors in the cost. They also installed erosion blanket, which was a good investment, as opposed to mulch. Zanmiller asked how they found out about the program. Coudron stated that one of the landowners contacted John Stelzner for information about native prairie plantings and the Association became interested in the program.

21.137 Motion by Chamberlain, second by Johnson to amend contact and provide final payment to Century South Single Family Homeowners Association (21-IPP-11) for installing 0.60 acres native prairie with pollinator habitat in City of Hastings, Vermillion River Watershed at \$1,800 from annual agreement with Vermillion River Watershed Joint Powers Organization. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, Dee. Motion carried.

8. Authorization to Provide Final Payment to City of Burnsville for Installation of Native Prairie with Pollinator Habitat

The City of Burnsville has completed the installation of 8 acres of native prairie with pollinator habitat at North River Hills Park in the Minnesota River Watershed. The project was approved for funding at the April 8, 2021 Board meeting at 75% cost share not-to-exceed \$15,000 and based on a cost estimate of \$33,900. SWCD cost share policy payment maximum is \$15,000 per native prairie with pollinator habitat contract. Final eligible project costs are \$23,079.35.

Coudron stated that this project had a November 1 seeding deadline and the seed will germinate in the spring. He also noted that all other parts of North River Hills Park have been available for use by the public during this restoration. Dee asked if the City completed the work. Coudron noted that a contractor was involved and worked closely with John Stelzner to ensure all correct steps were taken. He added that the City will install signage to promote the project upon completion.

21.138 Motion by Johnson, second by Dee to approve final payment to City of Burnsville (21-IPP-13) for installing 8 acres of native prairie with pollinator habitat in City of Burnsville, Minnesota River Watershed at \$15,000 from annual agreement with Dakota County. Members voting in favor: Zanmiller, Skog, Johnson, Dee, Chamberlain. Motion carried.

9. Authorization to Provide Final Payment to Rodney Weber for Installation of Water and Sediment Control Basins

Rodney Weber has completed the installation of two water and sediment control basins in Douglas Township, Cannon River Watershed. The project was approved for funding at the September 9, 2021 Board meeting at 75% cost share not to exceed \$20,850 and based on a cost estimate of \$27,800. Final eligible project costs are \$25,298.40.

21.139 Motion by Dee, second by Johnson to approve final payment to Rodney Weber (21-IPP-36) for installing two water and sediment control basins in Douglas Township, Cannon River Watershed from FY21

Metro Cannon River Watershed Based Implementation grant and annual agreement with North Cannon River Watershed Management Organization. Members voting in favor: Skog, Johnson, Dee, Chamberlain, Zanmiller. Motion carried.

10. Authorization to Provide Final Payment to Steve Devney for Establishing Cover Crop (1-year)

Steve Devney has established a cover crop on 30 acres in Lakeville, Vermillion River Watershed. The project was approved for funding at the September 9, 2021 Board meeting with an incentive payment of \$25 per acre. A cover crop of oats was seeded to provide temporary cover, reduce erosion, retain nutrients, and protect soil health.

21.140 Motion by Johnson, second by Chamberlain to approve final payment to Steve Devney (21-IPP-41) for establishment of cover crop in Lakeville, Vermillion River Watershed on 30 acres for a total of \$750 from annual agreement with Dakota County or Vermillion River Watershed Joint Powers Organization. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller, Skog. Motion carried.

11. Authorization to Execute Agreement with the Vermillion River Watershed Joint Powers Organization for 2022 Services

Staff has been working with the Vermillion River Watershed Joint Powers Organization (VRWJPO) to draft a work plan and budget for 2022 services. The work plan and budget include the following tasks: evaluation and policy, feasibility studies, capital improvement projects, public outreach and communication, inventories and assessments, and water monitoring. The work plan and budget includes a total not to exceed amount of \$257,000 which is unchanged from 2021r. The term of the agreement is January 1, 2022 to December 31, 2022.

21.141 Motion by Dee, second by Johnson to authorize execution of the 2022 agreement with the Vermillion River Watershed Joint Power Organization. All members voting yes. Motion carried.

12. Authorization to Execute Agreement with the Lower Minnesota River Watershed District for 2022 Services

Staff has drafted and presented a 2022 work plan and budget to the Lower Minnesota River Watershed District (LMRWD). The work plan and budget include the following tasks: fen well monitoring, education and community engagement, technical assistance, and project implementation services. The work plan and budget includes a total not to exceed amount of \$22,620. The LMRWD Board approved the work plan and budget at their December 15 meeting.

21.142 Motion by Chamberlain, second by Johnson to authorize execution of 2022 agreement with Lower Minnesota River Watershed Management District. All members voting in favor. Motion carried.

13. Authorization to Execute Agreement with the Black Dog Watershed Management Organization for 2022 Services

Watson stated that staff has drafted and presented a 2022 work plan and budget to the Black Dog Watershed Management Organization (BDWMO). The work plan and budget include education and outreach assistance, technical assistance, and cost share under the Landscaping for Clean Water Program. The work plan and budget includes a total not to exceed amount of \$28,915. The BDWMO Board approved the work plan and budget at their May 19 meeting as part of their budgeting process.

Dee asked if staff were involved with the BD MO administration. Watson stated that Daryl Jacobsen, City of Burnsville, serves as the Administrator. Dee asked about the watershed boundaries. Staff presented a map outlining the watershed boundaries of the BDWMO as well as the other five watersheds in Dakota County.

21.143 Motion by Dee, second by Johnson to authorize execution of 2022 agreement with Black Dog Watershed Management Organization. All members voting in favor. Motion carried.

14. Upcoming Events

The upcoming events were reviewed.

15. Adjourn

21.144 Motion by Dee, second by Johnson to adjourn the meeting. All members voting in favor. 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: 1/13/2022

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Designate 2022 financial depositories.

SUMMARY:

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

Staff is recommending we continue to use the Castle Rock Bank as our primary financial depository and the Vermillion Stat Bank as our secondary financial depository.

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: 1/13/2022

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Designate 2022 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 2022.

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: 1/13/2022

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Adopt 2022 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 2022 Operating Rules and Guidelines

Previous Board Action:

None

Dakota County Soil and Water Conservation District
Board of Supervisors

2022 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
2022

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
adopted on January 13, 2022

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 \$125 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: 1/13/2022

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Approve 2022 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) - \$1,600
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) - \$5,759
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) - \$200
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.

EXPLANATION OF FISCAL/FTE IMPACT:

Membership dues have been included into the adopted 2022 budget

Supporting Documents:

None

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Information Item

N/A

Meeting Date: 1/13/2022

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Presentation on redistricting of Board Districts

SUMMARY:

Minnesota Statute requires soil and water conservation districts in the metro area be redistricted after a federal census when any one district varies in population more than 10 percent from the average of all soil and water supervisor districts in the county. The soil and water redistricting plan must be approved by the Dakota County Board of Commissioners by April 26, 2022.

Information will be provided on population changes among existing soil and water supervisor districts due to the recent census, redistricting options available for consideration, and timing involved with the decision making process.

EXPLANATION OF FISCAL/FTE IMPACT:

None at this time.

Supporting Documents:

None

Previous Board Action:

N/A

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Voice Vote

Meeting Date: 1/13/2022

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Adopt resolution accepting certain Wetland Conservation Act authorities from the Township of Nininger

SUMMARY:

The Nininger Township Board passed a resolution at their December 21, 2021 meeting to delegate its decision and administrative authority to the SWCD for the following WCA purposes:

- Official Listing as WCA Contact
- Wetland Boundary and Type Decisions
- No Loss Decisions
- Exemption Decisions
- Providing State Required Annual Reports

With adoption of this resolution, the SWCD would perform these delegated authorities within Nininger Township.

EXPLANATION OF FISCAL/FTE IMPACT:

It is anticipated that approximately 10 staff hours per year will be required under this delegation agreement. Staff costs to administer the program will be derived from a BWSR Natural Resource Block grant that Dakota County receives and transfers to the SWCD annually and from application fees established annually by the SWCD Board.

Supporting Documents:

Draft SWCD resolution accepting delegated WCA authorities
Nininger Township resolution delegating WCA authorities to the SWCD

Previous Board Action:

N/A

**A RESOLUTION REGARDING ADMINISTRATION
OF THE MINNESOTA WETLAND CONSERVATION ACT OF 1991**

WHEREAS, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local government units (LGUs) to implement this law by adopting the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

WHEREAS, the BWSR requests notification of an LGU's decision adopting or excepting administrative responsibility for another LGU in accordance with Minn. Rule 8420 which requires each local government unit of the State to acknowledge in writing to the BWSR that it is assuming its responsibilities under the Wetland Conservation Act; and

WHEREAS, the LGU is responsible for following the WCA rules as stated in 8420.0200, Determining Local Government Unit Duties.

NOW, THEREFORE, BE IT RESOLVED THAT THE Dakota County Soil and Water Conservation District as delegated by the Township of Nininger hereby accepts administrative responsibility as the LGU for the WCA within the legal boundaries of **the Township of Nininger as of **January 14, 2022** within the guidelines as set forth by WCA rules.**

ADOPTED: January 13, 2022

SIGNATURE: _____
CHAIR, SWCD BOARD

ATTESTED: January 13, 2022

BY: _____

**TOWNSHIP OF NININGER, DAKOTA COUNTY, MINNESOTA
RESOLUTION NO. 2021 -16**

**A RESOLUTION REGARDING THE ADMINISTRATION
OF THE WETLAND ACT OF 1991**

WHEREAS, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local governmental units (LGUs) to implement this law by adopting the rules and regulations promulgated by the Minnesota Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

WHEREAS, the BWSR has defined metropolitan area cities and townships as LGUs under the WCA; and

WHEREAS, the Township of Nininger acknowledged and accepted administrative responsibility for the WCA within its borders on April 21, 2009; and

WHEREAS, the LGU is responsible for following the WCA rules as stated in Minnesota Statute 8420.0200, Determining Local Government Unit Duties; and

WHEREAS, Minnesota Statutes, § 103G.005 permits an LGU to delegate some or all of its WCA authority to a qualified entity; and

WHEREAS, the Dakota County Soil and Water Conservation District has qualified personnel trained in application of the WCA and has indicated a willingness to accept a delegation of certain WCA administrative and technical responsibilities;

THEREFORE BE IT RESOLVED THAT the Township of Nininger hereby acknowledges and delegates its decision and administrative authority to the Dakota County Soil and Water Conservation District and their technical staff for the following purposes:

- Official Listing as LGU Contact
- Wetland Boundary and Type Decisions
- No Loss Decisions
- Exemption Decisions
- Providing State Required Annual WCA Reports

DATE ADOPTED:

SIGNATURE: Robert Pottly

BY: Chair, Nininger Township

ATTEST: Margaret Flouren
12-21-21

BY: Clerk, Nininger Township

=====

SWCD BOARD DATE ACCEPTED AND APPROVED: _____

SWCD BOARD SIGNATURE: _____

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

Information Item

N/A

Meeting Date: 1/13/2022

Prepared by: Lindsey Albright

PURPOSE/ACTION REQUESTED:

Summary of the 2021 Landscaping for Clean Water Program.

SUMMARY:

Due to the ongoing Covid-19 pandemic in 2021, all Landscaping for Clean Water programming was held virtually. Four live virtual Introduction classes were held in the spring (March through May) and then pre-recorded so others could participate in the classes at their leisure. A total of 371 individuals participated in the Introduction classes through either a live virtual class or through the recordings.

A total of 164 participants took part in the virtual Design classes which consisted of a series of pre-recorded videos. Project materials for participants were made available via the SWCD Google Drive. We continued to utilize an "Office Hours" program to provide virtual consultations to Design class participants. A total of 52 participants took advantage of these virtual consultations with staff in 2021. Participants were thankful for the additional one-on-one design assistance to help them work through the process and answer any questions.

New for 2021, the Maintenance classes were split into three online sessions. Each workshop focused on maintenance for a given season (Spring, Summer and Fall) allowing for season specific information on how to maintain and promote the health, performance, and beauty of their garden. A total of 96 people registered for the Maintenance classes.

Landowner applications for the \$250 project installation grant followed a more traditional schedule this year – April 21 (Round 1), May 26 (Round 2), and July 14 (Round 3). A total of 41 projects were installed in 2021.

EXPLANATION OF FISCAL/FTE IMPACT:

The 2021 Landscaping for Clean Water program was funded through out annual agreements with watershed organizations (75%) and through County levy funds (25%).

Supporting Documents:

2021 LCW Program Summary Factsheet

Previous Board Action:

None

2021 LANDSCAPING FOR CLEAN WATER PROGRAM SUMMARY

DAKOTA COUNTY



SOIL & WATER
CONSERVATION DISTRICT

**ENGAGING LANDOWNERS
TO PROVIDE THEM THE SKILLS
AND RESOURCES NEEDED TO
IMPROVE WATER QUALITY
IN THEIR COMMUNITIES.**

LANDSCAPING FOR CLEAN WATER



“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it is the only thing that ever has.”

—Margaret Mead



LAYOUT



MIDPOINT



FINAL PROJECT



2021 BY THE NUMBERS

- 3 GRANT ROUNDS
- 371 INDIVIDUALS PARTICIPATED IN INTRODUCTION CLASSES
- 96 INDIVIDUALS PARTICIPATED IN MAINTENANCE WORKSHOPS
- 52 PEOPLE PARTICIPATED IN THE OFFICE HOURS PROGRAM
- 142 PROJECTS DESIGNED AS PART OF VIRTUAL DESIGN WORKSHOPS
- 41 RAINGARDENS & NATIVE GARDENS & SHORELINES INSTALLED



The Landscaping for Clean Water program - Introduction class, Design course, and Maintenance workshop - was offered remotely again in 2021. Four Introduction classes were held live via Zoom during the spring. Staff with partner cities joined each class to host breakout sessions for the participants.

New this year, the Maintenance workshop was offered as a series of three virtual classes held live via Zoom, providing participants with season specific information on how to maintain and promote the health, performance, and beauty of their garden!

2021 FINANCIAL CONTRIBUTORS



2021 LANDSCAPING FOR CLEAN WATER PROGRAM SUMMARY

Thank you to everyone who joined the cause to reduce pollution, improve water quality, and increase pollinator habitat on your property this year! Participation at any level - watching the Introduction to Clean Water video, installing a project with the Design Course, or learning some tips and tricks on how to properly maintain your garden with the Maintenance Workshop series - helps to spread interest and know-how to all corners of Dakota County.

Below is a summary of the 2021 participants by City.

Apple Valley

Introduction class registrants	43
Projects designed	20
Installed raingardens	2
Installed native gardens	3

Burnsville

Introduction class registrants	100
Projects designed	34
Installed raingardens	7
Installed native gardens	2
Installed shoreline planting	1

Eagan

Introduction class registrants	44
Projects designed	24
Installed raingardens	2
Installed native gardens	3
Installed shoreline planting	1

Hastings

Introduction class registrants	10
Projects designed	2
Installed native gardens	1

Inver Grove Heights

Introduction class registrants	9
Projects designed	7
Installed raingardens	2
Installed native gardens	2

Lakeville

Introduction class registrants	47
Projects designed	26
Installed raingardens	1
Installed native gardens	4

Mendota Heights

Introduction class registrants	35
Projects designed	21
Installed raingardens	5
Installed native gardens	4

Northfield

Introduction class registrants	2
Projects designed	1
Installed native gardens	1

Randolph

Introduction class registrants	1
Projects designed	1
Installed native gardens	1

Rosemount

Introduction class registrants	30
Projects designed	7
Installed raingardens	2
Installed native gardens	2

South Saint Paul

Introduction class registrants	8
Projects designed	3
Installed raingardens	1

West Saint Paul

Introduction class registrants	8
Projects designed	7
Installed raingardens	1
Installed shoreline planting	1

Installed in partnership with Ramsey County

Raingardens—St. Paul	1
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Non-Dakota County Introduction Participant Cities

Aitkin, Bloomington, Columbia Heights, Minneapolis, Minnetonka, Prescott, Prior Lake, Richfield, Savage, Shakopee, St Paul, Verndale



2021 PARTNERS

Cities

- Apple Valley
- Burnsville
- Eagan
- Lakeville
- Mendota Heights
- Rosemount
- South St Paul

Dakota County

Ramsey County



FIFTEEN YEARS OF CLEAN WATER ACCOMPLISHMENTS

Workshop Participants
 2007-2021 **5,136**

Projects Completed
 2007-2021 **667**

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Voice Vote

Meeting Date: 1/13/2022

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Approve committees and assignments for the 2022 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 2022.

EXPLANATION OF FISCAL/FTE IMPACT:

Board of Supervisors participation and attendance at member organization meetings or committee meetings has been included in the 2022 budget.

Supporting Documents:

2021 List of Committees and Assignments

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

2021 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