



MEETING MINUTES

BOARD OF SUPERVISORS MEETING

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, December 8, 2022

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
Curt Coudron
Pam LaValle
Todd Matzke
Ashley Gallagher
Matthew Sorvig

Others Present:

Nikki Stewart, Dakota County

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

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

CONSENT AGENDA

5. Approval of November 10, 2022 Meeting Minutes

The November 10, 2022 meeting minutes were presented.

6. Approval of December 2022 Accounts Payable

The November 2022 accounts payable was presented.

7. Acceptance of November Finance Report

The November finance report was presented.

8. Authorization to Update Signature Authorities with Vermillion State Bank

Current signers approved for NOW Account: Brian Watson, Pam LaValle, Laura Zanmiller, Kevin Chamberlain, Jayne Dee Hager, Chelsea Skog and Bruce Johnson.

Signers removed from account: Lana Rotty

9. Authorization to Cancel Contract with Julie Larson for Establishing Cover Crop (2-year)

Julie Larson had a two-year contract (22-IPP-01) for 100 acres not to exceed \$7,000. The project was located in the Vermillion River Watershed. Cover crops were not seeded in 2022 which would have been year 1 of 2. Staff is recommending cancelling the contract so funds can be reallocated.

10. Authorization to Cancel Contract with Paul Gergen for Establishing Cover Crop (1-year)

Paul Gergen had a one-year contract (22-IPP-17) for 29 acres not to exceed \$725. The project was located in the Cannon River Watershed. Cover crops were not seeded due to harvest timing and crops coming off too close to or after the October 15th seeding deadline. Staff is recommending cancelling the contract so funds can be reallocated.

22.221 Motion by Johnson, second by Chamberlain to approve the consent agenda items. Members voting in favor: Zanmiller, Skog, Johnson, Dee, and Chamberlain. Motion carried.

REGULAR AGENDA

11. Authorization to Provide Final Payment to Paul Gergen under Three Contracts for Establishing Cover Crop (1-year)

Paul Gergen has completed the establishment of a cover crop under three separate contracts totaling 68 acres. The fields are located in Hampton Township, Cannon River Watershed. The contracts were approved at the May 12, 2022 Board meeting with an incentive payment not to exceed \$25 per acre. Under each contract, incentives for establishing the cover crop include:

- 36 acres at \$900
- 17 acres at \$425
- 15 acres at \$375

A cover crop of oats, turnips, and radishes was seeded to provide temporary cover, reduce erosion, retain nutrients, and protect soil health. Project seeding has been certified by staff. Project funds are available through our agreement with Dakota County.

22.222 Motion by Chamberlain, second by Johnson to approve final payment to Paul Gergen (22-IPP-16, 22-IPP-18 & 22-IPP-19) for establishment of cover crop in Hampton Township, Cannon River Watershed on 68 acres for a total of \$1,700. Funding would be provided by our agreement with Dakota County. Members voting in favor: Skog, Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

12. Authorization to Provide Partial Payment to Doug Wille under Three Contracts for Establishing Cover Crop (3-year)

Doug Wille has completed establishment of a cover crop under three separate contracts totaling 157 acres. Two fields are located in Castle Rock Township, Cannon River Watershed and one field is located in Hampton Township, Vermillion River Watershed. The contracts were approved at the May 12, 2022 Board meeting with incentive payments not to exceed \$35 per acre per year.

Approved Funding Amount:	Payments each year for up to 3 years
• 75 acres not to exceed \$7,875	\$2,625
• 47 acres not to exceed \$4,935	\$1,645
• 35 acres not to exceed \$3,675	\$1,225

A cover crop of winter cereal rye was seeded on each field in 2022 to provide temporary cover, reduce erosion, retain nutrients, and protect soil health. Project seeding has been certified by staff. This is year one

of a three year contract. Project funds are available through our agreement with Dakota County and our FY22 Drinking Water Protection grant.

22.223 Motion by Dee, second by Johnson to approve partial payment to Doug Wille (22-IPP-09, 22-IPP-10, & 22-IPP-11) for establishment of a cover crop on two fields located in Castle Rock Township, Canon River Watershed and one field located in Hampton Township, Vermillion River Watershed totaling 157 acres for a total of \$5,495. Funding would be provided from FY22 Drinking Water Protection grant. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller and Skog. Motion carried.

13. Authorization to Provide Final Payment to Jim Perry for Installation of Water and Sediment Control Basin.

James (Jim) Perry has completed the installation of a water and sediment control basin in Castle Rock Township, Vermillion River Watershed. The project was approved for funding at the October 13, 2022 Board meeting at 85% cost share not to exceed \$17,510 and based on a cost estimate of \$20,600. Project installation has been certified by SWCD staff. Final eligible expenses were \$18,683. Based on 85% of eligible expenses, staff is recommending final payment of \$15,880.55. Funds to install the project are available through our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization and FY22 State Cost Share grant.

22.224 Motion by Johnson, second by Dee to approve final payment to Jim Perry (22-IPP-31) for the installation of a water and sediment control basin in Castle Rock Township, Vermillion River Watershed in the amount of \$18,683.00. Funding would be provided from agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization and FY22 State Cost Share grant. Members voting in favor: Dee, Chamberlain, Zanmiller Skog, and Johnson. Motion carried.

14. Authorization to Provide Final Payment to Randy Peine for Installation of Two Water and Sediment Control Basins

Randy Peine has completed the installation of two water and sediment control basins in Douglas Township, Cannon River Watershed. The contract was approved at the September 8, 2022 Board meeting at 85% of actual costs, not to exceed \$21,505 and based on a cost estimate of \$25,300. After obtaining contractor estimates that were higher than the estimated cost, the contract was amended at the November 11, 2022 Board meeting to a new cost estimate of \$35,100 with cost share of 85% of actual costs, not to exceed \$29,835. Project installation has been certified by SWCD staff. Final eligible expenses were \$34,925. Based on 85% of eligible expenses, staff is recommending final payment of \$29,686.25. Project funds are available through the FY18 Trout Brook Watershed Initiative Grant, the FY19 North Cannon River Watershed Management Organizations Watershed Based Funding Grant, and our agreement with Dakota County.

22.225 Motion by Chamberlain, second by Johnson to approve final payment to Randy Peine (22-IPP-41) for two water and sentiment control basins in Douglas Township, Cannon River Watershed at \$29,686.25. Funding would be provided from FY18 Trout Brook Watershed Initiative Grant, the FY19 North Cannon River Watershed Management Organization Watershed Based Funding Grant, and our agreement with Dakota County. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, and Dee. Motion carried.

15. Authorization to Provide Final Payment to Al Storlie for Installation of Two Water and Sediment Control Basins.

Alan (Al) Storlie has completed the installation of two water and sediment control basins in Eureka Township, Vermillion River Watershed. The project was approved for funding at the September 8, 2022 Board meeting at 85% cost share not to exceed \$28,730 and based on a cost estimate of \$33,800. Project installation has been certified by NRCS staff. Final eligible expenses were \$24,005. Based on 85% of eligible expenses, staff is recommending final payment of \$20,404. Funds to install the project are available through an agreement with the Vermillion River Watershed Joint Powers Organization and a FY21 State Cost Share grant.

22.226 Motion by Dee, second by Johnson to approve final payment to Al Storlie (22-IPP-28) for two water and sediment control basins in Eureka Township, Vermillion River Watershed for a total of \$24,005. Funding would be provided from our agreement with Vermillion River Watershed Joint Powers Organization and FY21 State Cost Share grant. Members voting in favor: Zanmiller, Skog, Johnson, Dee, and Chamberlain. Motion carried.

16. Authorization to Provide Final Payment to the City of Rosemount for Installation of Bioretention Basin

The City of Rosemount has completed the installation of a bioretention basin at Jaycee Park within the Vermillion River Watershed. The project was approved for funding at the September 8, 2022 Board meeting at 85% cost share not to exceed \$50,000 and based on a cost estimate of \$60,200. Project installation has been certified by SWCD staff. Final eligible expenses were \$38,511. Staff is recommending final payment of \$32,734.35 to the City of Rosemount. Funds to install the project are available through our FY19 Watershed Based Funding grant and annual agreement with the Vermillion River Watershed Joint Powers Organization.

22.227 Motion by Skog, second by Johnson to approve final payment to The City of Rosemount (22-CCP-01) for the installation of a bioretention basin at Jaycee Park within the Vermillion River Watershed for a total of \$32,734.35. Funding would be provided from a FY19 Watershed Based Funding grant and our annual agreement with the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Skog, Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

17. Authorization to Execute Agreement with the Black Dog Watershed Management Organization for 2023 Services

Staff has drafted a 2023 work plan and budget to the Black Dog Watershed Management Organization (BDWMO). The work plan and budget includes Education and Outreach Assistance, Technical Assistance and Cost Share under our Landscaping for Clean Water program. The workplan and budget includes a total amount not to exceed \$28,900. The draft work plan and budget has been reviewed by staff and is scheduled to be on an upcoming BDWMO Board meeting agenda. Services to the BDWMO will be added to the budget and staff work plan for 2023.

22.228 Motion by Dee, second by Johnson to authorize execution of the 2023 Agreement for Services with the Black Dog Watershed Management Organization. All members voting in favor. Motion carried.

18. Organization for 2023 Services Authorization to Execute Agreement with the North Cannon River Watershed Management

Staff has drafted a 2023 work plan and budget to the North Cannon River Watershed Management Organization (NCRWMO). The work plan and budget includes administration tasks, technical assistance including water monitoring, cost-share for projects and support for the installation of projects under the Landscaping for Clean Water Program. The 2023 work plan and budget includes a total amount not to exceed \$43,659. The NCRWMO Board approved the 2023 work plan and budget at their November 16, 2022 meeting. Services to the NCRWMO will be added to the budget and staff work plan for 2023.

22.229 Motion by Johnson, second by Chamberlain to authorize execution of the 2023 Agreement for Services with the North Cannon River Watershed Management Organization. All members voting in favor. Motion carried.

19. Authorization to Execute Agreement with the Metropolitan Conservation Districts Joint Powers Board for 2023 to 2025 Services

The Metropolitan Conservation Districts Joint Powers Board (MCD) consists of 11 members including Anoka, Carver, Chisago, Dakota, Isanti, Sherburne, Scott, Washington and Wright soil and water conservation districts, and Hennepin and Ramsey County. The MCD implements several special programs including an Engineering and Technical Assistance (ETA) Program. Since 2016 the Dakota SWCD has served as the Host

district for the ETA program to coordinate State grant funds among the Members, gather and generate reporting documents required by the State and provide information at MCD Joint Powers Board meetings. The MCD Joint Powers Board took action at their November 16, 2022 meeting to approve a new joint powers agreement with the Dakota SWCD for providing ETA Program services. The agreement includes a term of January 1, 2023 through December 31, 2025. Total reimbursement over the 3-year period includes a not to exceed amount of \$43,500. Revenues and staff time for providing ETA services will be included into budgets and staff work plans over the three-year period.

22.230 Motion by Chamberlain, second by Johnson to authorize execution of an agreement with the Metropolitan Conservation Districts Joint Powers Board for 2023-2025 ETA program services. All members voting in favor. Motion carried.

20. Authorization to Execute Agreement with Cannon River Watershed Joint Powers Board for 2023 to 2025 Services.

The Cannon River Watershed Joint Powers Board (CRWJPB) approved administrative roles and associated costs for implementing the Cannon River Comprehensive Watershed Management Plan at their October 5, 2022 meeting. The following roles and responsibilities have been identified:

- Administration – Rice Soil and Water Conservation District
- Fiscal Agent – Rice Soil and Water Conservation District
- Education and Outreach – Rice Soil and Water Conservation District
- Technical Assistance and Cost Share (TACS) – Dakota County Soil and Water Conservation District
- Accelerated Implementation and Measuring (AIM) – Dakota County Soil and Water Conservation District

A single joint powers agreement has been drafted on behalf of the CRWJPB for both the Rice Soil and Water Conservation District (RSWCD) and the Dakota County Soil and Water Conservation District (DCSWCD). The term of the agreement will be from January 1, 2023 to December 31, 2025. The services to be provided are identified in Exhibit 1 of the agreement and include a total amount not to exceed \$200,100 over the 3-year term. As with the previous agreement, reciprocity between the RSWCD and DCSWCD for the various roles is allowed. The exception will be responsibilities under the Fiscal Agent role. Services under the Fiscal Agent role can only be provided by the RSWCD. Workload and tasks will be incorporated into the 2023, 2024 and 2025 staff work plans and budget.

22.231 Motion by Johnson, second by Dee to authorize execution of an agreement with the Cannon River Watershed Joint Powers Board for 2023 to 2025 Services. All members voting in favor. Motion carried.

21. Authorization to Execute FY22-23 Grant Agreement with the Minnesota Board of Water and Soil Resources (BWSR) for Watershed Based Implementation within the Black Dog watershed planning area.

The Minnesota Board of Water and Soil Resources (BWSR) allocated \$75,000 to the Black Dog watershed planning area under the FY22-23 Watershed Based Implementation Funding (WBIF) program. Under BWSR's defined procedures, a convene process was followed to coordinate funding for prioritized, targeted, and measurable projects within the planning area. Participants (Partners) in the convene process included the Dakota SWCD, Dakota County, Black Dog Watershed Management Organization (BDWMO), and the cities of Apple Valley and Lakeville – these cities were selected as the municipal representatives by other municipalities within the watershed.

Partners began meeting in April 2022 to discuss and prioritize potential projects. Projects must be identified in a BWSR or State approved plan to be eligible for funding. Because the Black Dog Watershed Management Organization was in the process of updating their Watershed Plan and because Dakota SWCD proposed a project that was identified in the new Draft Watershed Plan, funds could not be awarded until the new Watershed Plan is approved by BWSR and adopted by the BDWMO. The new Watershed Plan was approved

by BWSR on October 26, 2022 and adopted by BDWMO on November 16, 2022. Through the convene process, Dakota SWCD proposed a project to provide cost share and technical assistance to landowners for implementing stormwater best management practices. This project was recommended for funding in the amount of \$50,000. Dakota County proposed a project to identify and seal unused wells which was recommended for funding in the amount of \$25,000. Additional grant match of 10% is required on each project. The Dakota SWCD will be the fiscal agent for the stormwater practices project. Dakota County will be the fiscal agent for the well sealing project through a separate agreement between Dakota County and BWSR. A budget request for our project was submitted to BWSR and a workplan will need to be submitted and approved prior to grant execution. Staff will have approximately three years to implement the workplan. The term of the grant agreement will be from the time of execution to December 31, 2025. Upon execution of the grant agreement, activities will be incorporated into our 2023, 2024 and 2025 budget and staff workplans. Grant match is available through our agreement with Dakota County.

22.232 Motion by Johnson, second by Chamberlain to authorize execution FY22-23 Grant Agreement with the Minnesota Board of Water and Soil Resources (BWSR) for Watershed Based Implementation within the Black Dog watershed planning area. All members voting in favor. Motion carried.

22. Authorization to submit application to the Minnesota Conservation Corps for 2023 Crew Labor and execute agreement if awarded.

Minnesota SWCDs have the opportunity to apply for crew labor from the Minnesota Conservation Corps during the 2023 construction season. Applications are due December 15th. The crew labor program involves obtaining “hands on” labor crews to assist with project installations and maintenance over a period of days or weeks. The application does not request a funding amount. Rather it requests a number of days you will need labor crews to complete specific projects. Staff is coordinating with Dakota County Parks Department, the Vermillion River Watershed Joint Powers Organization, and the City of Burnsville to prioritize projects and draft application(s) for labor crews. Projects could include installing streambank stabilization practices on the Vermillion River, stabilizing eroded portions of shoreline, installing native vegetation as part of larger ravine stabilizations in Spring Lake Park, and maintaining and repairing raingardens within Dakota County Park properties. There is no cost to the SWCD other than minimal administrative time to manage the Conservation Corps agreement. Staff time spent to coordinate and provide direction to the crews is funded via our agreements with Dakota County, Vermillion River Watershed Joint Powers Organization, and the City of Burnsville.

22.233 Motion by Chamberlain, second by Johnson to authorize to submit application to the Minnesota Conservation Corps for 2023 Crew Labor and execute agreement if awarded. All members voting in favor. Motion carried.

23. Adopt 2023 Merit Compensation Policy and Plan

The 2023 Merit Compensation Policy and Plan was approved by the Dakota County Board of Commissioner’s at their November 15 meeting. The 2023 Merit Compensation Policy and Plan is based on the need to provide compensation for employees to reflect market competitiveness within projected budget limitations. The SWCD utilizes the Dakota County’s Merit Compensation Policy and Plan and performance review structure but takes independent action to approve salary increases as indicated under the Merit Matrix table. The 2023 salary ranges reflect a 2.5% cost of living increase. The 2023 Merit Matrix table provides a 0.0 to 7.5 percent base salary adjustment. The Merit Compensation Policy and Plan has been included into the draft 2023 budget.

22.234 Motion by Dee, second by Johnson to adopt the Merit Compensation Policy and Plan. All members voting in favor. Motion carried.

24. Adopt 2023 Budget

The Finance Committee met on November 3, 2022 to review a draft 2023 budget. The draft 2023 budget is balanced among anticipated revenues and expenditures and is \$1,907,479. The 2023 budget is an increase of approximately \$149,000 or 8.5% from current year. The budget will change during the year and will be adjusted as recommended by the Finance Committee. Much of the budget is based on forecasts with our partnering organizations and a fee for service arrangement. State grants that have not been approved for execution are not shown in the 2023 budget.

22.235 Motion by Dee, second by Johnson to adopt the 2023 Budget. Members voting in favor: Chamberlain, Zannmiller, Skog, Johnson, and Dee. Motion carried.

25. Set Date and Time for Special Board Meeting

A special Board meeting is being requested to complete business items for calendar year 2022. Wednesday, December 28th at 9:00 a.m. was selected to hold the special meeting.

22.236 Motion by Dee, second by Johnson to approve the special board meeting for Wednesday, December 28th at 9:00 a.m. All members voting in favor. Motion carried.

26. Establish Board Meeting Schedule for 2023

For the past three years our monthly Board meetings have been held at 9:00 a.m. on the 2nd Thursday of the month. For calendar year 2023 the following days would be listed for monthly Board meetings:

January 12	July 13
February 9	August 10
March 9	September 14
April 13	October 12
May 11	November 9
June 8	December 14

All meetings would be subject to change and Special Board meetings may be called. Monthly Board meetings will be held at the Dakota County Extension and Conservation Center located at 4100 220th Street West, Farmington Minnesota. All meetings are scheduled to begin at 9:00 a.m.

22.237 Motion by Dee, second by Johnson to approve the Board Meeting Schedule for 2023. All members voting in favor. Motion carried.

27. Announcements and Reports

Natural Resources Conservation Service

The Natural Resources Conservation Service (NRCS) report was provided via email from Matt Lundberg. presented by Brian Watson. Matt reported they have 21 EQIP applications in Dakota County, 9 in Washington County and 1 in Ramsey County. The second round of regional conservation program targeting irrigators is open until December 16th.

Dakota County

Stewart was in attendance and thanked Watson for presenting at the Dakota County Board of Commissioners budget meeting.

Cannon River Watershed Joint Powers Board

There was no Cannon River Watershed Joint Powers Board report. The next meeting has been moved to February 1, 2023.

Metropolitan Conservation Districts Joint Powers Board

Zanmiller and Watson reported on the Metropolitan Conservation Districts Joint Powers Board meeting held on November 16. The FY23 ETA grant workplans were approved. Agreements with the Scott SWCD and Dakota SWCD were also approved to provide administrative, fiscal agent and ETA hosting services.

Minnesota Association of Soil and Water Conservation Districts

Dee reported that Zanmiller is now a member of the MSWCD Board; she was elected Area Director for the Metro Region.

District Manager Report

Watson reported that Coudron, Matzke and Watson will all be attending the MASWCD convention as staff. The Fasbender's have been invited for the Conservation awards luncheon. Watson requested Board members submit their expenses thru the end of December prior to the meeting on the 28th.

Board of Supervisors Announcements

Dee reported Dakota County has a new County Board Member; Bill Droste. Since there are a number of new legislators, she hopes that we prioritize a legislative tour next year.

28. Upcoming Events

The upcoming events were reviewed.

29. Adjourn

22.238 Motion by Chamberlain, second by Johnson to adjourn the meeting. All members voting in favor. Motion carried.

The meeting was adjourned at 10:24 a.m.

Respectfully submitted,



Chelsea Skog
Secretary