



AGENDA

Dakota County Soil and Water Conservation District Board Meeting

January 12, 2023 - 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 2023 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 28, 2022 Meeting Minutes
7. Approval of January 12, 2023 Accounts Payable
8. Designate 2023 Financial Depositories as Vermillion State Bank and Castle Rock Bank
9. Designate 2023 Official Newspaper as the Dakota County Tribune
10. Adopt 2023 Board Operating Rules and Guidelines
11. Approve 2023 Membership Dues
 - 11.1 Metropolitan Conservation Districts Joint Powers Board
 - 11.2 Cannon River Watershed Joint Powers Board
 - 11.3 Minnesota Association of Soil and Water Conservation Districts
 - 11.4 National Association of Conservation Districts

REGULAR AGENDA

12. Authorization to Provide Partial Payment to Steve Wagner for Establishment of Cover Crop (3-year) Action
13. Authorization to Provide Final Payment to Dave Stein under Two Contracts for Establishment of Cover Crop (1-year) Action
14. Authorization to Provide Final Payment to George Feidt for Establishment of Cover Crop (1-year) Action
15. Authorization to Execute FY23 Grant Agreement with the Minnesota Board of Water and Soil Resources for Watershed Based Implementation within the Eagan-Inver Grove Heights Watershed Planning Area Action
16. Adopt Resolution Accepting Certain Wetland Conservation Act Authorities from Sciota Township Action
17. Authorization to Execute Agreement with the Lower Minnesota River Watershed District for 2023 Services Action
18. Authorization to Execute Agreement with the Vermillion River Watershed Joint Powers Organization for 2023 Services Action

- 19. Authorization to Provide One-Time Retention Incentives Action
- 20. Establish Board Committees and Assignments for 2023 Action
- 21. 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

22. 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 12, 2023 Dakota County Soil and Water Conservation District Board Meeting
Extension and Conservation Center, 4100 220th Street West, Farmington – 9:00 a.m.
- January 18, 2023 Black Dog Watershed Management Organization Meeting
Burnsville Maintenance Facility, 13713 Frontier Court, Burnsville – 5:00 p.m.
- January 18, 2023 Lower Minnesota River Watershed District Meeting
Chaska City Hall, Once City Hall Plaza 2nd Floor – 7:00 p.m.
- February 1, 2023 Cannon River Watershed Joint Powers Board Meeting
Straight River Room, Rice County Fairgrounds, Faribault – 9:00 a.m.
- February 1, 2023 North Cannon River Watershed Management Organization Meeting
Eureka Town Hall, 25043 Cedar Avenue, Farmington – 7:00 p.m.
- January 26, 2023 Vermillion River Watershed Joint Powers Board Meeting
Extension and Conservation Center, 4100 220th Street West, Farmington – 9:00 a.m.
- February 8, 2023 Lower Mississippi River Watershed Management Organization Meeting
Lilydale City Hall, 1101 Sibley Memorial Highway, Lilydale – 3:00 p.m.
- February 9, 2023 Dakota County Soil and Water Conservation District Board Meeting
Extension and Conservation Center, 4100 220th Street West, Farmington – 9:00 a.m.

23. Adjourn



MEETING MINUTES

BOARD OF SUPERVISORS MEETING

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Wednesday, December 28, 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
Pam LaValle
Ashley Gallagher
John Stelzner

Others Present:

Nikki Stewart, Dakota County
Matthew Lundberg, NRCS

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

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

CONSENT AGENDA

5. Approval of December 8, 2022 Meeting Minutes

The December 10, 2022 meeting minutes were presented.

6. Approval of December 28, 2022 Accounts Payable

The December 2022 accounts payable was presented.

7. Authorization to Increase Fixed Asset Threshold

The fixed asset threshold increase to \$5,000 was presented.

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

REGULAR AGENDA

8. Authorization to Provide Final Payment to Greg Fox under Two Contracts for Establishing Cover Crop (1-year)

Greg Fox has completed the establishment of a cover crop under two separate contracts totaling 65 acres. The fields are located in the City of Rosemount, Vermillion River Watershed. The contracts were approved at the July 14, 2022 Board meeting with an incentive payment not to exceed \$25 per acre. Under each contract, incentives for establishing the cover crop include:

- 25 acres at \$625
- 40 acres at \$1,000

22.241 Motion by Dee, second by Johnson to approve final payment to Greg Fox (22-IPP-12 & 22-IPP-22) for establishment of cover crop in the City of Rosemount, Vermillion River Watershed on 65 acres for a total of \$1,625. Funding would be provided by our agreement with Dakota County. Members voting in favor: Skog, Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

9. Authorization to Provide Final Payment to Don Peterson for Establishment of Cover Crop (1-year)

Don Peterson has completed the establishment of a cover crop on 253 acres in Marshan Township, Vermillion River Watershed. The contract was approved at the May 12, 2022 Board meeting with incentive payment not to exceed \$25 per acre.

22.242 Motion by Chamberlain, second by Johnson to approve final payment to Don Peterson (22-IPP-15) for establishment of a cover crop in Marshan Township, Vermillion River Watershed on 100 acres for a total of \$2,500. Funding would be provided thru our agreement with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller and Skog. Motion carried.

10. Authorization to Provide Final Payment to Peter Schweich for Establishment of Cover Crop (1-year)

Peter Schweich has completed establishment of a cover crop on 74 acres in Douglas Township, Cannon River Watershed. The project was approved for funding at the September 8, 2022 Board meeting with incentive payment not to exceed \$25 per acre.

22.243 Motion by Johnson, second by Skog to approve final payment to Peter Schweich (22-IPP-30) for establishment of a cover crop in Douglas Township, Cannon River Watershed on 74 acres for a total of \$1,850. Funding would be provided thru our agreement with Dakota County. Members voting in favor: Dee, Chamberlain, Zanmiller Skog, and Johnson. Motion carried.

11. Authorization to Provide Final Payment to Peine Farms for Establishment of Cover Crop (1-year).

Peine Farms has completed the establishment of a cover crop on 138 acres in Hampton Township, Cannon River Watershed. The project was approved for funding at the September 8, 2022 Board meeting with incentive payment not to exceed \$25 per acre.

22.244 Motion by Dee, second by Skog to approve final payment to Peine Farms (22-IPP-34) for establishment of a cover crop in Hampton Township, Cannon River Watershed on 138 acres for a total of \$2,500. Funding would be provided thru our agreement with Dakota County. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, and Dee. Motion carried.

12. Authorization to Provide Partial Payment to Peine Farms for Establishment of Cover Crop (3-year).

Peine Farms has completed the establishment of a cover crop under three separate contracts totaling 299 acres. The fields are located in Douglas Township, Cannon River Watershed. The contracts were approved at the September 8, 2022 Board meeting with incentive payment not to exceed \$35 per acre. Under each contract, incentives for establishing the cover crop include:

- 100 acres at \$3,500
- 80 acres at \$2,800
- 80 acres at \$2,800

22.245 Motion by Chamberlain, second by Johnson to approve partial payment to Peine Farms (22-IPP-33, 22-IPP-35, and 22-IPP-36) for establishment of cover crop in Douglas Township, Cannon River Watershed for a total of \$9,100. Funding would be provided from our agreement with Dakota County and our FY22 CWF Drinking Water Protection Phase 2 grant. Members voting in favor: Zanmiller, Skog, Johnson, Dee, and Chamberlain. Motion carried.

13. Authorization to Provide Final Payment to the City of Burnsville for Two Contracts for Installation of Native Prairie with Pollinator Habitat.

The City of Burnsville has completed the installation of two native prairies with pollinator habitat in North River Hills Park and Highland View Park in the Minnesota River Watershed. The projects were approved for funding at the May 12, 2022 Board meeting under two separate contracts. Funding amounts for each contract were based on a maximum of \$3,000 per acre for projects that install native prairie vegetation with pollinator habitat. Funding for the 0.8-acre North River Hills Park project was approved at 85% cost share not to exceed \$2,400 based on a cost estimate of \$4,800. Funding for the 1.5-acre Highland View Park project was approved at 85% cost share not to exceed \$4,500 based on a cost estimate of \$7,000. Final eligible expenses were \$6,505.08.

22.246 Motion by Skog, second by Johnson to approve final payment to The City of Burnsville (22-IPP-13 & 22-IPP-14) for the installation of two native prairies with pollinator habitat in North River Hills Park and Highland View Park for a total of \$6,900. Funding would be provided from our agreement with Dakota County. Members voting in favor: Skog, Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

14. Authorization to Provide Final Payment to Mike and Suzanne Everson for Installation of Native Prairie with Pollinator Habitat.

Michael and Suzanne Everson have completed the installation of a 1.9-acre native prairie with pollinator habitat in Ravenna Township, Vermillion River Watershed. The project was approved for funding at the May 12, 2022 Board meeting at 85% cost share not to exceed \$5,700 and based on a cost estimate of \$7,400. Final eligible expenses were \$7,400. Staff is recommending final payment of \$5,700 to Michael and Suzanne Everson.

22.247 Motion by Johnson, second by Chamberlain to approve final payment to Michael and Suzanne Everson (22-IPP-23) for the installation of native prairie with pollinator habitat for a total of \$5,700. Funding would be provided from our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller and Skog. Motion carried.

15. Authorization to Provide Final Payment to Dana Groh for Installation of Native Prairie with Pollinator Habitat.

Dana Groh has completed the installation of a 4-acre native prairie with pollinator habitat in Ravenna Township, Vermillion River Watershed. The project was approved for funding at the May 12, 2022 Board meeting at 85% cost share not to exceed \$12,000 and based on a cost estimate of \$15,600. Final eligible expenses were \$15,600. Staff is recommending final payment of \$12,000 to Dana Groh.

22.248 Motion by Skog, second by Johnson to approve final payment to Dana Groh (22-IPP-24) for the installation of native prairie with pollinator habitat for a total of \$12,000. Funding would be provided from our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Dee, Chamberlain, Zanmiller, Skog, and Johnson. Motion carried.

16. Authorization to Provide Final Payment to Metropolitan Mosquito Control District for Installation of Native Prairie with Pollinator Habitat.

Metropolitan Mosquito Control District has completed the installation of a 0.7-acre native prairie with pollinator habitat located in the City of Rosemount, Vermillion River Watershed. The project was approved for funding at the June 9, 2022 Board meeting at 85% cost share not to exceed \$2,100 and based on a cost estimate of \$3,500. Final eligible expenses were \$3,569.87.

22.249 Motion by Dee, second by Johnson to approve final payment to Metropolitan Mosquito Control District (22-IPP-25) for the installation of native prairie with pollinator habitat for a total of \$2,100. Funding would be provided from our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, and Dee. Motion carried.

17. Authorization to Provide Final Payment to MMDDDB, LLC for Installation of Native Prairie with Pollinator Habitat.

MMDDDB (Dave Hartung, Dan's Bar) has completed the installation of a 1.1-acre native prairie with pollinator habitat in Hampton Township, Cannon River Watershed. The project was approved for funding at the June 9, 2022 Board meeting at 85% cost share not to exceed \$3,300 and based on a cost estimate of \$4,900. Final eligible expenses were \$3,689.87.

22.250 Motion by Johnson, second by Dee to approve final payment to MMDDDB (Dave Hartung, Dan's Bar) (22-IPP-26) for the installation of native prairie with pollinator habitat for a total of \$3,136.39. Funding would be provided from our agreement with Dakota County. Members voting in favor: Zanmiller, Skog, Johnson, Dee, and Chamberlain. Motion carried.

18. Authorization to Provide Final Payment to Barb Jaeger for Installation of Native Prairie with Pollinator Habitat.

Barb Jaeger has completed the installation of a 2.5-acre native prairie with pollinator habitat in Inver Grove Heights, Mississippi River Watershed. The project was approved for funding at the June 9, 2022 Board meeting at 85% cost share not to exceed \$7,800 and based on a cost estimate of \$9,400. Final eligible expenses were \$4,987.19.

22.251 Motion by Chamberlain, second by Skog to approve final payment to Barb Jaeger (22-IPP-29) for the installation of native prairie with pollinator habitat for a total of \$4,239.11. Funding would be provided from our agreement with Dakota County. Members voting in favor: Skog, Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

19. Summary of 2022 Landscaping and Clean Water Program

Information and a program summary of the 2022 Landscaping for Clean Water Program occurred. Workshops were held virtually in 2022. A total of 355 individuals participated in the Introduction classes. A total of 176 participants took part in the virtual design workshops. Staff continued to use an "Office Hours" program to provide one-on-one virtual consultations to Design class participants. A total of 52 participants took advantage of these virtual consultations with staff. Maintenance workshops 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 best maintain and promote the health, performance, and beauty of their garden. A total of 93 individuals participated in the Maintenance workshops. Three applications

rounds were provided for receiving landowner requests for a \$250 project installation grant. A total of 39 projects received grants and were installed in 2022.

20. Closed Executive Session

Conduct Annual Performance Review of District Manager

22.252 Motion by Dee, second by Johnson to go into a closed session. All members voting in favor. Motion carried.

Discussion occurred on the Performance Objectives and Organizational Competencies that have been identified and are used to evaluate the performance of the District Manager. On a scale of highest to lowest, rating options evaluated include Exceptional Performance, Greatly Exceeds Performance Standards, Exceeds Performance Standards, Meet Performance Standards, and Below Performance Standards.

22.253 Motion by Chamberlain, second by Johnson to approve an Exceeds Performance Standards rating for the District Manager. All members voting in favor. Motion carried.

22.254 Motion by Dee, second by Chamberlain to come out of closed session. All members voting in favor. Motion carried.

21. Adjourn

22.255 Motion by Dee, second by Johnson to adjourn. All members voting in favor. Motion carried.

The meeting was adjourned at 11:15 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: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Designate 2023 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: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Designate 2023 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 2023.

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: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Adopt 2023 Board Operating Rules and Guidelines.

SUMMARY:

Annually the Board of Supervisors adopts Operating Rules and Guidelines. Minor changes are proposed.

EXPLANATION OF FISCAL/FTE IMPACT:

None

Supporting Documents:

Draft 2023 Board Operating Rules and Guidelines

Previous Board Action:

None

Dakota County Soil and Water Conservation District

~~Board of Supervisors~~

~~2022~~ 2023 Board 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 ~~Members of Supervisors~~
~~2022~~ 2023

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 Soil and Water Conservation District Board
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~~
These Operating Rules and Guidelines were adopted on January 13, 12 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 Board ~~member 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 Board member 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 the Dakota County SWCD.

2. Vacancies. A vacancy in the Board resulting from the death, resignation, removal or disqualification of a ~~Supervisor Board member~~ shall be filled **in accordance with Minnesota Statute. If filling Board vacancies by appointment,** a majority vote of the remaining members of the Board **will be used,** although less than a quorum **may be applicable.** A Board ~~member 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~~ members 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 ~~Board member Supervisor~~s 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 members ~~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~~ **provided** 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 **the Board Supervisors meeting agendas and relevant materials to be reviewed or discussed at the meeting** at least three days prior to the meeting. ~~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 ~~Board members~~ **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 **Board member 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 **Board member 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 **Board member Supervisor**.

ARTICLE 2 RULES OF CONDUCT

1. Employee Policies Applicable to Board Members 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)~~
- ~~Discrimination, Harassment, and Retaliation (Policy 3042)~~
- Drug and Alcohol Free Workplace (County Policy 3282)
- Travel on County Business (County Policy 3340)

However, the disciplinary portions of these policies shall not apply to **Board members Supervisors**. A **Board member Supervisor** who violates any of these policies shall be considered to have engaged in "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 **Board member Supervisor** appears in public and speaks on any issue concerning the SWCD and/or its general mission or specific projects or practices, such Board **member Supervisor** shall express the official Board position on the issue. If a Board **member 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 **Board member 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 **Board member supervisor** may be reimbursed for the use of **their 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 **Board member 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 **Board member Supervisor** in the performance of the District Manager's duties as personnel manager.
3. **Problem Resolution.** If a problem arises between a **Board member 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 **Board member Supervisor**. If a problem arises between the District Manager and a **Board member 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 **Board member 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 **Board members. Supervisors**. The purpose of this Code is to establish ethical standards of conduct for all **Board members 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 **Board members 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 **Board members 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 ~~Board member 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 ~~Board member Supervisor~~, the ~~Board member's Supervisor's~~ spouse or dependent children, and ~~the Board member 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 **Board member's 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 **Board member 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 **Minnesota** 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: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Approve 2023 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 Hennepin and Ramsey Counties. 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) - \$6,244.30
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) - \$250
There are 8 MASWCD regions across the State that discuss policy and adopt resolutions at the area level. Members include Anoka, Carver, Chisago, Dakota, Isanti, Scott, Sherburne Washington and Wright SWCDs and Hennepin and Ramsey Counties.
- 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 2023 budget

Supporting Documents:

None

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/12/2023

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Authorize partial payment of \$3,500 to Steve Wagner for establishing a cover crop.

SUMMARY:

Steve Wagner has completed the first year of his three-year contract to establish cover crops on 100 acres in Vermillion Township located in the Vermillion River Watershed.

The project was approved for funding at the July 14, 2022 Board meeting with an incentive payment not to exceed \$10,500. The payment is equal to \$35 per acre for 100 acres over a period of three years or \$3,500 each year the cover crop is certified. A cover crop of rye and winter wheat was seeded in 2022 to provide temporary cover, reduce erosion, retain nutrients, and protect soil health.

Project seeding has been certified by staff. Under adopted policy, payment for the first year will be made upon certification of the installation and District Board approval. Payments for additional years will be approved by the District Manager after cover crop seeding has been completed for that year and certified by District staff provided there are no changes to the contract or practice installed.

EXPLANATION OF FISCAL/FTE IMPACT:

Project funds are available through our agreement with Dakota County and our FY22 Clean Water Fund Drinking Water Protection Grant.

Supporting Documents:

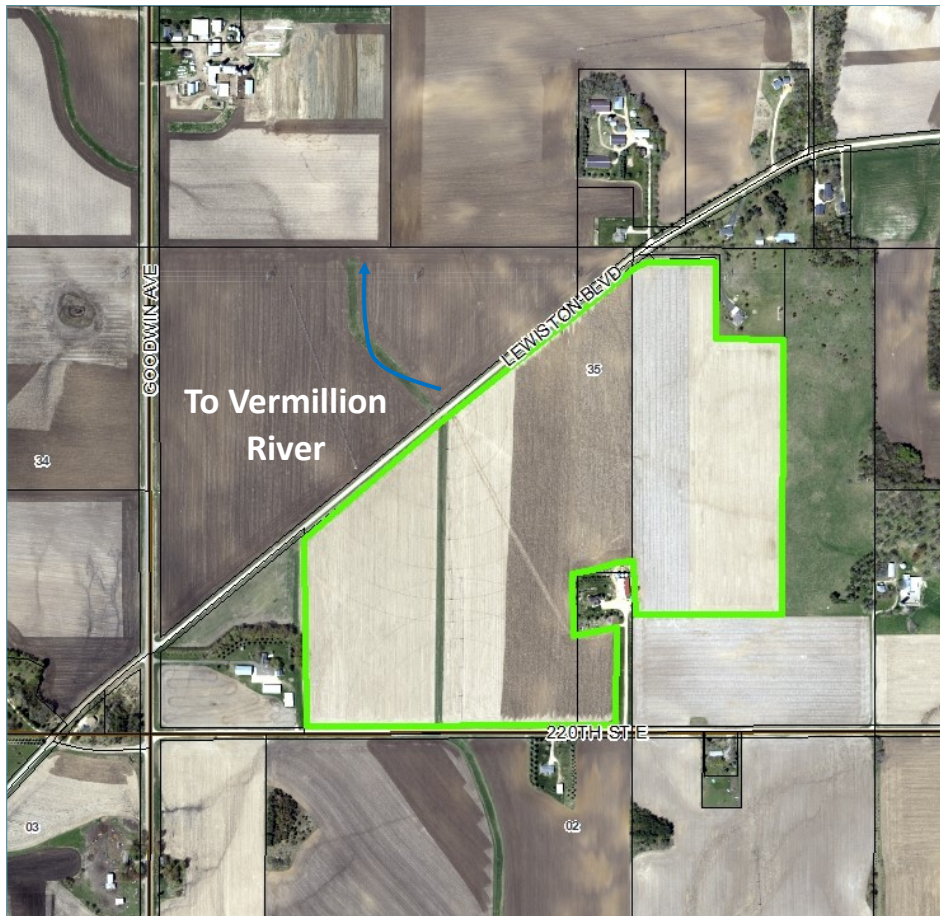
22-IPP-27 Wagner, Steve Cover Crop Factsheet

Previous Board Action:

Motion 22.172 on 7/14/22

Authorization to Execute Contract

STEVE WAGNER
COVER CROPS



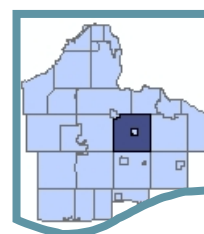
PROJECT: A rye and winter wheat cover crop mix was interseeded into corn on 100 acres. Cover crops will be planted for two additional years after soybean and vegetable crop harvests. The cover crops will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

FUNDING: Incentive Amount: **\$10,500**
 (100 acres x \$35 per acre x 3 years)



Clean Water Fund:
 Protecting and restoring
 Minnesota's waters for
 generations to come.

LOCATION:
 Vermillion
 Township



PRACTICE:

- Cover Crops

BENEFITS:

- 3 tons of sediment per year prevented from traveling downstream
- 7 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

PARTNERS:

- Dakota County
- Minnesota Board of Water and Soil Resources

WATERSHED:

- Vermillion River

RECEIVING WATERS:

- Vermillion River

INSTALLATION:

- Summer/Fall 2022, 2023, 2024

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/12/2023

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Authorize final payments of \$1,000 and \$950 to Dave Stein under 2 separate contracts for establishment of a cover crop (one-year).

SUMMARY:

Dave Stein has completed the establishment of a cover crop on 78 acres in Douglas Township in the Cannon River Watershed.

The projects were approved for funding at the September 8, 2022 Board meeting with an incentive payment not to exceed \$25 per acre. Under each contract, incentives for establishing the cover crop include:

- 40 acres at \$1,000
- 38 acres at \$950

A cover crop of winter cereal rye was seeded on the first field and oats on the second field to provide temporary cover, reduce erosion, retain nutrients, and protect soil health. Project seeding has been certified by staff.

EXPLANATION OF FISCAL/FTE IMPACT:

Project funds are available through our agreement with Dakota County.

Supporting Documents:

22-IPP-38 Stein, Dave Cover Crop Factsheet
22-IPP-40 Stein, Dave Cover Crop Factsheet

Previous Board Action:

Motion 22.189 on 9/8/22
Authorization to Execute
Contracts



DAVE STEIN COVER CROP



PRACTICE:

- Cover Crop

BENEFITS:

- 2 tons of sediment per year prevented from traveling downstream
- 3 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

PARTNERS:

- Dakota County

WATERSHED:

- Cannon River

RECEIVING WATERS:

- Trout Brook

INSTALLATION:

- Fall 2022

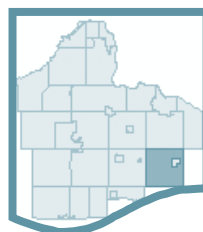
PROJECT: A winter cereal rye cover crop was planted on 40 acres following soybean harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

FUNDING: Incentive Amount: \$1,000
(40 acres x \$25 per acre x 1 year)



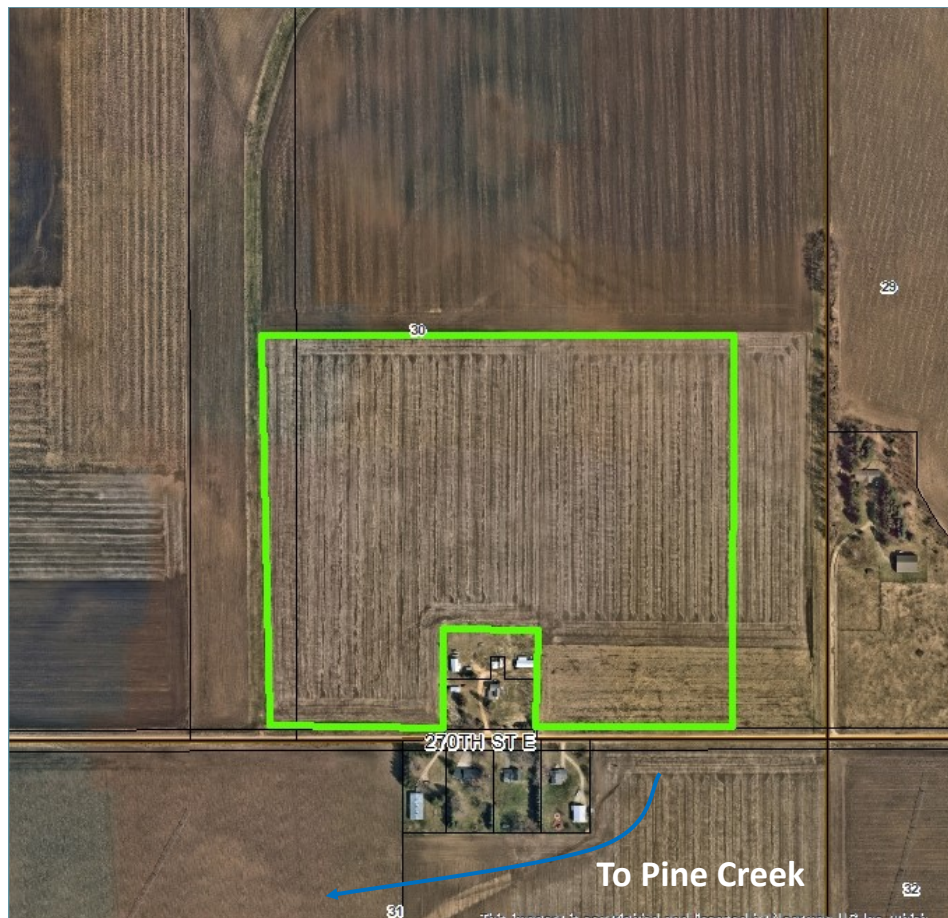
LOCATION:

Douglas
Township





DAVE STEIN COVER CROP

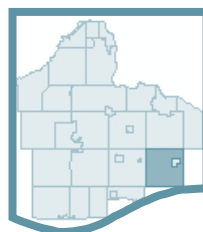


PROJECT: A winter cereal rye cover crop was planted on 38 acres following soybean harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

FUNDING: Incentive Amount: **\$950**
(38 acres x \$25 per acre x 1 year)



LOCATION:
Douglas
Township



PRACTICE:

- Cover Crop

BENEFITS:

- 1 ton of sediment per year prevented from traveling downstream
- 2 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

PARTNERS:

- Dakota County

WATERSHED:

- Cannon River

RECEIVING WATERS:

- Pine Creek

INSTALLATION:

- Fall 2022

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/12/2023

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Authorize final payment of \$1,225 to George Feidt for establishing a cover crop.

SUMMARY:

George Feidt has established a cover crop on 49 acres in Douglas Township located in the Cannon River Watershed.

The project was approved for funding at the September 8, 2022 Board meeting with an incentive payment not to exceed \$1,225. The payment is equal to \$25 per acre for 49 acres.

A cover crop of oats was seeded to provide temporary cover, reduce erosion, retain nutrients, and protect soil health. Project seeding has been certified by staff.

EXPLANATION OF FISCAL/FTE IMPACT:

Project funds are available through our annual agreement with Dakota County.

Supporting Documents:

22-IPP-39 Feidt, George Cover Crop Factsheet

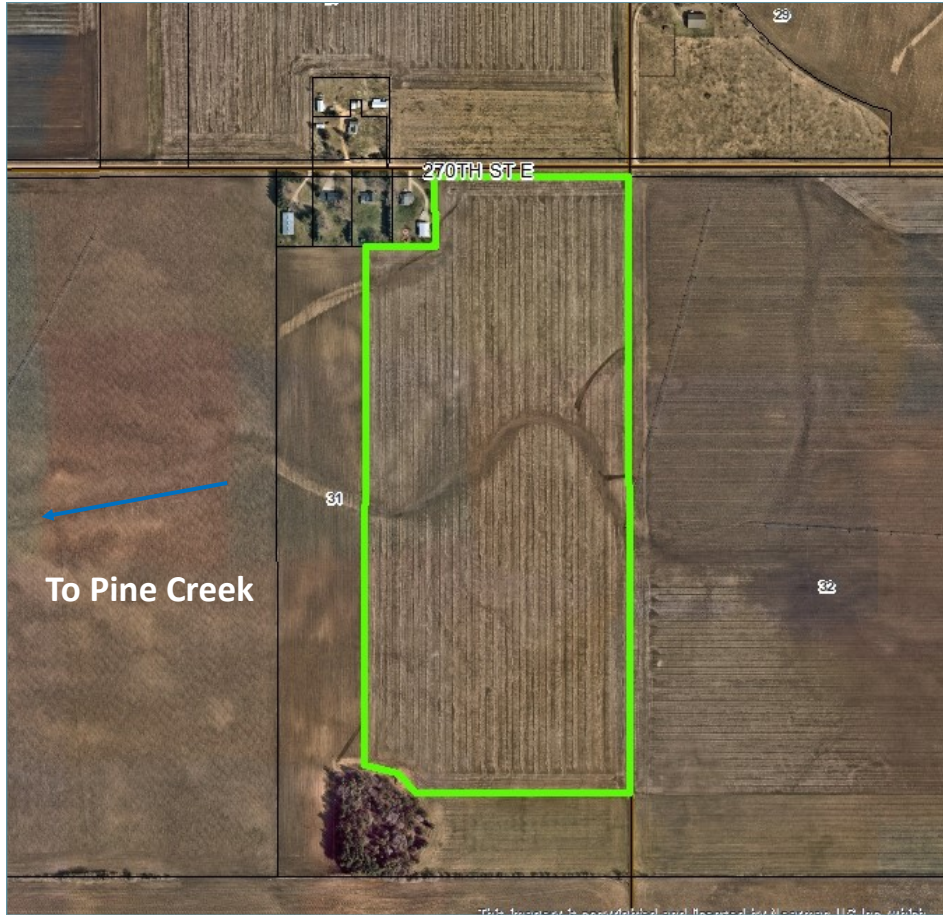
Previous Board Action:

Motion 22.190 on 9/8/22

Authorization to Execute Contract



GEORGE FEIDT COVER CROP



PRACTICE:

- Cover Crop

BENEFITS:

- 4 tons of sediment per year prevented from traveling downstream
- 6 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

PARTNERS:

- Dakota County

WATERSHED:

- Cannon River

RECEIVING WATERS:

- Pine Creek

INSTALLATION:

- Fall 2022

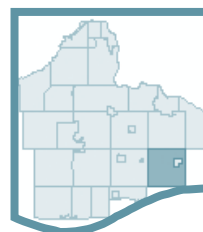
PROJECT: An oat cover crop was planted on 49 acres following seed corn. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

FUNDING: Incentive Amount: **\$1,225**
(49 acres x \$25 per acre x 1 year)



LOCATION:

Douglas
Township



GEORGE FEIDT

COVER CROP



An oat cover crop was planted after seed corn harvest in September



Approximately 2 inches of growth was visible 3 weeks after planting

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

Request for Board Action

Voice Vote

Meeting Date: 1/12/2023

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Authorization to execute FY23 grant agreement with the Minnesota Board of Water and Soil Resources (BWSR) for Watershed Based Implementation within the Eagan-Inver Grove Heights watershed planning area.

SUMMARY:

The BWSR allocated \$75,000 to the Eagan-Inver Grove Heights watershed planning area under the Watershed Based Implementation Funding (WBIF) program. Under BWSRs 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, Eagan-Inver Grove Heights Watershed Management Organization (E-IGHWMO), and the cities of Eagan and Inver Grove Heights.

Partners met in December 2022 to discuss and prioritize implementation activities. Projects must be identified in BWSR or State approved plan to be eligible for funding. For this planning area eligible plans were the E-IGHWMO Watershed Management Plan and the Dakota County Groundwater Plan. Partners agreed on one project, Stormwater BMP Site Assessments at Places of Worship, to receive the full \$75,000. SWCD staff will evaluate approximately 14 sites with desktop GIS and on-site review. Assessment will focus on potential future stormwater practices. Preliminary design, cost estimates, and pollutant reduction estimates will be completed for all potential projects. The final report will be a compilation of the individual assessments.

The Dakota SWCD will be the fiscal agent for the project. Additional grant match of 10% is required and it is anticipated that E-IGHWMO will provide the required \$7,500 match. A budget request was submitted to BWSR in December. Next, a workplan will 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.

EXPLANATION OF FISCAL/FTE IMPACT:

Upon execution of the grant agreement, activities will be incorporated into our 2023, 2024 and 2025 budget and staff workplans. Grant match is available pending E-IGHWMO Board approval.

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: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Adopt resolution accepting certain Wetland Conservation Act authorities from Sciota Township.

SUMMARY:

The Sciota Township Board passed a resolution at their December 13, 2022 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 Sciota 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
Sciota 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 Sciota hereby accepts administrative responsibility as the LGU for the WCA within the legal boundaries of the Township of Sciota as of January 13, 2023 within the guidelines as set forth by WCA rules.

ADOPTED: January 12, 2023

SIGNATURE: _____
CHAIR, SWCD BOARD

ATTESTED: January 12, 2022

BY: _____

TOWNSHIP OF SCIOTA, DAKOTA COUNTY, MINNESOTA
RESOLUTION NO. 2022 - 1313

**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 Sciota acknowledged and accepted administrative responsibility for the WCA within its borders on March 14, 1994; 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 Sciota 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: Tony VanDeSteg

BY: Chair, Sciota Township

ATTEST: Heidi VanDeSteg

BY: Clerk, Sciota Township

=====

SWCD BOARD DATE ACCEPTED AND APPROVED: _____

SWCD BOARD SIGNATURE: _____

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Voice Vote

Meeting Date: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Authorization to execute joint powers agreement with Lower Minnesota River Watershed District for 2023 services.

SUMMARY:

Staff has drafted and presented a 2023 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, Technical Assistance and Project Implementation services for 2023.

The work plan and budget includes a total amount not to exceed \$19,500. The LMRWD Board is anticipated to approve the work plan and budget at their January 18 meeting.

EXPLANATION OF FISCAL/FTE IMPACT:

Services to the LMRWD will be added to the SWCD Budget and staff work plan for 2023.

Supporting Documents:

2023 Work Plan and Budget for the LMRWD

Previous Board Action:

None

2023 Work Plan and Budget
Lower Minnesota River Watershed District

Task	Calculation			Sub-total
Education and Community Engagement				
	Hours	Rate	Fees	
Landscaping for Clean Water	15	\$90.00		\$1,350.00
Create promotional materials for classes in partnership with Dakota County cities and watershed organizations, organize course materials, and coordinate with partners.				
Education and Outreach Total				\$1,350.00
Technical Assistance				
	Hours	Rate	Fees	
Fen Well Monitoring	100	\$90.00	\$150.00	\$9,150.00
Staff time for groundwater monitoring in Fort Snelling, Nichols, and Quarry Island fens from March 1, 2023 through December 31, 2023 - 10 monitoring trips at 5 hours/trip. Also includes data management, reporting and site maintenance as needed.			Fee is for monitoring supplies such as chalk, rags, batteries, tools, etc.	
Landscaping for Clean Water			\$1,500.00	\$1,500.00
SWCD staff time for technical assistance on Landscaping for Clean Water projects.		\$500 x 3 projects		
Conservation Projects	75	\$90.00		\$6,750.00
Technical assistance for potential projects. <i>Only as requested by Lower Minnesota River WD.</i>				
Technical Assistance Total				\$17,400.00
Cost Share				
	Hours	Rate	Fees	
Landscaping for Clean Water			\$750.00	\$750.00
Provide cost share to landowners for projects including raingardens, native plantings and shoreline stabilization projects consistent with Dakota SWCD cost share policies.		\$250 X 3 projects		
Cost Share Total				\$750.00
Total Agreement Not-to Exceed				\$19,500.00

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Voice Vote

Meeting Date: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Authorization to execute joint powers agreement with the Vermillion River Watershed Joint Powers Organization for 2023 services.

SUMMARY:

Staff has provided the Vermillion River Watershed Joint Powers Organization (VRWJPO) a draft work plan and budget for 2023 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. It is anticipated that the Vermillion River Watershed Joint Powers Board will approve the work plan and budget at their January 26 meeting.

EXPLANATION OF FISCAL/FTE IMPACT:

Services to the VRWJPO have been included in the SWCD budget and staff work plan for 2023.

Supporting Documents:

2023 Work Plan and Budget with VRWJPO

Previous Board Action:

None

**2023 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
 - Coordinate and conduct Landscaping for Clean Water Workshops \$30,400
 - Presentations for Grades 3-12 (up to 3 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

Voice Vote

Meeting Date: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Authorize One-Time Retention Incentives

SUMMARY:

The Dakota County Soil and Water Conservation District (SWCD) has adopted Dakota County policies by reference unless specific policies are adopted by the SWCD Board. This includes Dakota County's Merit Compensation Policy and Plan and the use of SuccessFactors to conduct employee performance reviews. However, the SWCD Board independently takes action on salary or payroll adjustments.

Recently the Dakota County Board of Commissioners adopted a one-time retention incentive policy for all non-temporary, non-union County staff excluding those in pay grades 112 and above. The SWCD currently does not employ temporary or union staff or have pay grades at or above 112.

The Dakota County adopted policy authorizes two \$500 one-time retention incentives employed by the County as January 1, 2023 who remain employed with the County through July 1, 2023 and January 1, 2024. This incentive seeks to retain employees as we face challenges with filling positions due to historically low unemployment locally and a shortage of available labor.

To recognize the important contributions of SWCD staff and to seek consistency with County policy, staff recommends a one-time retention payment of \$500 be paid to each employee on the first payroll following July 1, 2023 for those employees who remain with the SWCD between January 1 and June 30, 2023. Further, staff recommends a one-time retention payment of \$500 being paid on the first payroll following January 1, 2024 who remain with the SWCD through January 1, 2024.

The Dakota County adopted policy also includes a one-time payment of up to \$500 for any new hire after January 1, 2023 who remains employed by the County for at least 12 months. Staff is recommending that this option be included in the SWCD Board action which will allow the District Manager to negotiate this incentive at the time of hiring new staff.

EXPLANATION OF FISCAL/FTE IMPACT:

Due to the recent action taken by Dakota County, the costs have not been included in the 2023 adopted budget. Maximum costs under this policy for 2023 would be \$11,000.

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: 1/12/2023

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Approve committees and assignments for the 2023 calendar year.

SUMMARY:

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

We will need to appoint Board members to each designated committee and assignment for calendar year 2023.

EXPLANATION OF FISCAL/FTE IMPACT:

Board of Supervisors participation and attendance at member organization meetings or committee meetings has been included in the 2023 budget.

Supporting Documents:

2022 List of Committees and Assignments

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

2022 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