



AGENDA

Dakota County Soil and Water Conservation District Board Meeting

Thursday, January 11, 2024 - 9:00 a.m.

Meeting Room 1 – Dakota County Extension and Conservation Center

4100 220th Street Farmington, MN 55024

1. Call to Order
2. Pledge of Allegiance
3. Election of 2024 Officers
4. Audience

Anyone wishing to address the Board regarding 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 21, 2023 Meeting Minutes
7. Approval of January 11, 2024 Accounts Payable
8. Designate 2024 Financial Depositories as Vermillion State Bank and Castle Rock Bank
9. Designate 2024 Official Newspaper as the Dakota County Tribune
10. Adopt 2024 Board Operating Rules and Guidelines
11. Approve 2024 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 Final Payment to Daniel Harris for Installation of a Grassed and Rock Lined Waterway Action
13. Authorization to Submit Proposal to the Minnesota Board of Water and Soil Resources for Soil Health Supplemental Staffing and to Execute Grant Agreement if Awarded Action
14. Establish Board Committees and Appointments for 2024 Action
15. Announcements and Reports
 - Natural Resources Conservation Service
 - Dakota County
 - Cannon River Watershed Joint Powers Board
 - Vermillion River Watershed Joint Powers Organization
 - Metropolitan Conservation Districts Joint Powers Board
 - Minnesota Association of Soil and Water Conservation Districts

District Managers Report
Board of Supervisor Announcements

16. Upcoming Events

- January 11, 2024 Dakota County Soil and Water Conservation District Board Meeting
Extension and Conservation Center, 4100 220th Street West, Farmington – 9:00 a.m.
- January 17, 2024 North Cannon River Watershed Management Organization Meeting
Castle Rock Town Hall, 2537 240th Street West, Farmington – 7:00 p.m.
- January 17, 2024 Black Dog Watershed Management Organization Meeting
Burnsville Maintenance Facility, 13713 Frontier Court, Burnsville – 5:00 p.m.
- January 17, 2024 Lower Minnesota River Watershed District Meeting
Chaska City Hall, Once City Hall Plaza 2nd Floor – 7:00 p.m.
- January 25, 2024 Vermillion River Watershed Joint Powers Board Meeting
Extension and Conservation Center, 4100 220th Street West, Farmington – 1:00 p.m.
- February 7, 2024 Cannon River Watershed Joint Powers Board Meeting
Straight River Room, Rice County Fairgrounds, Faribault – 9:00 a.m.
- February 8, 2024 Dakota County Soil and Water Conservation District Board Meeting
Extension and Conservation Center, 4100 220th Street West, Farmington – 9:00 a.m.

17. Adjourn



MEETING MINUTES

BOARD OF SUPERVISORS MEETING

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, December 21, 2023

9:00 a.m.

4100 220th Street W, Suite 102
Farmington, Minnesota

Board Members Present:

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

SWCD Staff Present:

Brian Watson
Pam LaValle
Curt Coudron
Ashley Gallagher
Todd Matzke
Matthew Sorvig

Others Present:

Dain Olson, DCAO
Valerie Neppl, Dakota County
Lizzy Dawson, NRCS
Matt Lundberg, NRCS
Travis Thiel, Vermillion River Watershed
Brian Jastram, Rock Leaf Water Environmental
Alan Kraus, Clean River Partners
Maggie Stahley, Clean River Partners

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. Introduction

Alan Kraus, Clean River Partners introduced new staff member Maggie Stahley, Conservation Program Assistant. Stahley provided a brief introduction and her professional background. Kraus provided Clean River Partners conservation program updates.

5. Approval of Agenda

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

CONSENT AGENDA

Dee requested items 10 thru 12 be moved from the consent agenda to the regular agenda.

6. Approval of November 16, 2023 Meeting Minutes

The November 16, 2023 meeting minutes were presented.

7. Approval of December 21, 2023 Accounts Payable

The December 2023 accounts payable were presented.

8. Acceptance of November Finance Report

The November Finance Report was presented.

9. Authorization to Adopt 2024 Merit Compensation Policy and Plan.

The 2024 Merit Compensation Policy and Plan was approved by the Dakota County Board of Commissioner's at their November 28 meeting. The 2024 Merit Compensation Policy and Plan (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 2024 salary ranges reflect a 3.25% cost of living increase to the minimum and maximum salaries for each position grade. The 2024 Merit Matrix table provides a 0.0 to 7.5 percent increase based on employee performance. The Merit Compensation Policy and Plan has been included into the draft 2024 budget.

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

REGULAR AGENDA**10. Authorization to Execute Joint Powers Agreement with the Black Dog Watershed Management Organization for 2024 Services.**

Staff has drafted a 2024 work plan and budget with 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 \$31,500. The draft work plan and budget was approved by the BDWMO Board at their November 15th meeting. Services to the BDWMO have been included in the draft budget and staff work plan for 2024.

23.108 Motion by Johnson, second by Dee to execute Joint Powers Agreement with the Black Dog Watershed Management Organization for 2024 Services. Members voting in favor: Dee, Chamberlain, Zanmiller, and Johnson. Motion carried.

11. Authorization to Execute Joint Powers Agreement with the Lower Mississippi River Watershed Management Organization for 2024 Services.

Staff has drafted and presented a 2024 work plan and budget to the Lower Mississippi River Watershed Management Organization (LMRWMO) Board. The work plan and budget includes general administration services, water monitoring, technical assistance, project management, education/outreach, and support for the installation of projects under the Landscaping for Clean Water program. The 2024 work plan and budget include a total amount not to exceed \$89,740. The LMRWMO Board approved the 2024 work plan and budget at their November 8, 2023 meeting. Services to the LMRWMO have been included in the draft budget and staff work plan for 2024.

23.109 Motion by Chamberlain, second by Johnson to execute Joint Powers Agreement with the Lower Mississippi River Watershed Management Organization for 2024 Services. Members voting in favor: Dee, Zanmiller, Johnson, and Chamberlain. Motion carried.

12. Authorization to Execute Joint Powers Agreement with the North Cannon River Watershed Management Organization for 2024 Services.

Staff has drafted and presented a 2024 work plan and budget to the North Cannon River Watershed Management Organization (NCRWMO) Board. The work plan and budget includes administration tasks, technical assistance including water quality monitoring, cost-share for projects and support for the installation of projects under the Landscaping for Clean Water Program. The 2024 work plan and budget include a total amount not-to-exceed \$38,600. The NCRWMO Board approved the 2024 work plan and budget at their November 15, 2023 meeting. Services to the NCRWMO have been included in the draft budget and staff work plan for 2024.

23.110 Motion by Dee, second by Johnson to execute Joint Powers Agreement with the North Cannon River Watershed Management Organization for 2024 Services. Members voting in favor: Johnson, Chamberlain, Dee, and Zanmiller. Motion carried.

13. Authorization to Execute Joint Powers Agreement with the Vermillion River Watershed Joint Powers Organization for 2024 Services and a consent and confirmation waiver for legal services provided by Dakota County.

Staff has provided the Vermillion River Watershed Joint Powers Organization (VRWJPO) a draft work plan and budget for 2024 services. The work plan and budget includes Evaluation and Policy, Feasibility/Preliminary Studies, Capital Improvement Projects, Public Outreach and Communication, Inventories and Assessments, Monitoring and Data Analysis. The work plan and budget include a total agreement amount not to exceed \$251,000. The Vermillion River Watershed Joint Powers Board (VRWJPB) approved the work plan and budget at their December 6, 2023 meeting. As part of this approval, and since the Dakota County Attorney's Office represents both the VRWJPB and the SWCD Board, execution of a consent and confirmation waiver for legal representation by Dakota County to both parties is requested. Services to the VRWJPO have been included in the SWCD draft budget and staff work plan for 2024.

23.111 Motion by Johnson, second by Chamberlain to Execute Joint Powers Agreement with the Vermillion River Watershed Joint Powers Organization for 2024 Services and a consent and confirmation waiver for legal services provided by Dakota County. Members voting in favor: Zanmiller, Johnson, Chamberlain, and Dee. Motion carried.

14. Authorization to Provide Final Payment to the City of Burnsville for the Installation of a Grade Stabilization Structure at Alimagnet Park.

The City of Burnsville has completed the construction of a grade stabilization structure at Alimagnet Park in Burnsville, Vermillion River Watershed. The project was approved for funding at the June 8, 2023 Board meeting at 85% cost share not to exceed \$25,000.

23.112 Motion by Johnson, second by Chamberlain to provide final payment of \$21,143.10 to the City of Burnsville (23-CIF-01) for the Installation of a Grade Stabilization Structure at Alimagnet Park. Funding would be provided from our agreements with the Vermillion River Watershed Joint Powers Organization and Dakota County. Members voting in favor: Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

15. Authorization to Provide Final Payment to Harold Peine for Installation of Water and Sediment Control Basin.

Harold (Nick) Peine has completed the construction of a water and sediment control basin in Hampton Township, Vermillion River Watershed. The project was constructed in cooperation with the landowner, Ryan Finnegan. The project was approved for funding at the September 14, 2023 Board meeting at 85% cost share not to exceed \$12,070.

23.113 Motion by Dee, second by Johnson to provide final payment of \$12,070 to Harold Peine (23-IPP-42) for installation of a water and sediment control basin. Funding would be provided from FY23 Vermillion WBIF

Grant and our annual agreement with the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

16. Authorization to Provide Final Payment to Richard Betzold for Installation of Water and Sediment Control Basin.

Richard Betzold has completed the construction of a water and sediment control basin in Hampton Township, Cannon River Watershed. The project was approved for funding at the October 12, 2023 Board meeting at 85% cost share not to exceed \$12,750.

23.114 Motion by Johnson, second by Chamberlain to provide final payment of \$12,750 to Richard Betzold (23-IPP-44) for installation of water and sediment control basin. Project funds are available through the FY23 Cannon WBIF Grant and through our agreement with Dakota County. Members voting in favor: Dee, Chamberlain, Zanmiller, and Johnson. Motion carried.

17. Authorization to Provide Final Payment to Rodney Kimmes under four separate contracts for Establishing Cover Crops (1-year)

Rodney Kimmes has completed the establishment of cover crops totaling 323 acres on four separate fields. One field is located in Hampton Township, Cannon River Watershed and three fields are located in Marshan Township, Vermillion River Watershed. The projects were approved for funding at the May 11, 2023 Board meeting with an incentive payment not to exceed \$35 per acre.

23.115 Motion by Chamberlain, second by Johnson to provide final payment of \$11,305 to Rodney Kimmes (23-IPP-12, 23-IPP-13, 23-IPP-14, and 23-IPP-15) for establishment of cover crops. Project funds are available through our agreement with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Chamberlain, Zanmiller, Johnson, and Dee. Motion carried.

18. Authorization to Provide Final Payment to Pat Maher under four separate contracts for Establishment of Cover Crops (1-year).

Pat Maher has completed the establishment of cover crops totaling 225 acres on four separate fields. The fields are located in Marshan and Ravenna Townships, Vermillion River Watershed. The projects were approved for funding at the May 11, 2023 Board meeting with an incentive payment not to exceed \$35 per acre.

23.116 Motion by Chamberlain, second by Johnson to provide final payment of \$7,875.00 to Pat Maher (23-IPP-08, 23-IPP-09, 23-IPP-10 and 23-IPP-11) for establishment of cover crops. Project funds are available through our agreement with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Zanmiller, Johnson, Dee, and Chamberlain. Motion carried.

19. Authorization to Provide Final Payment to Greg Fox under three separate contracts for Establishment of Cover Crop (1-year).

Greg Fox has completed the establishment of cover crops totaling 105 acres on three separate fields located in the City of Rosemount, Vermillion River Watershed. The projects were approved for funding at the May 11, 2023 Board meeting with an incentive payment not to exceed \$35 per acre.

23.117 Motion by Dee, second by Johnson to provide final payment of \$3,675 to Greg Fox (23-IPP-30, 23-IPP-31 and 23-IPP-32) for establishment of cover crops. Project funds are available through our agreement with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Johnson, Dee, Chamberlain and Zanmiller. Motion carried.

Supervisor Dee left the meeting.

20. Authorization to Provide Final Payment to Judith Baumann for Establishment of Cover Crop (1-year).

Judith Baumann has completed the establishment of cover crop on 56 acres in Marshan Township, Vermillion River Watershed. The project was approved for funding at the September 14, 2023 Board meeting with an incentive payment not to exceed \$35 per acre.

23.118 Motion by Johnson, second by Chamberlain to provide final payment of \$1,960 to Judith Baumann (23-IPP-40) for establishment of cover crop. Project funds are available through our agreement with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Johnson, Chamberlain, and Zanmiller. Motion carried.

Supervisor Dee returned to the meeting.

21. Authorization to Provide Final Payment to Arthur Kalmes for Installation of Native Prairie with Pollinator Habitat.

Arthur (Art) Kalmes has completed the installation of a 0.5-acre native prairie with pollinator habitat within the City of Burnsville, Minnesota River Watershed. The project was approved for funding at the April 13, 2023 Board meeting at 85% cost share not to exceed \$1,500.

23.119 Motion by Johnson, second by Chamberlain to provide final payment of \$821.75 to Arthur Kalmes (23-IPP-03) for installation of a native prairie with pollinator habitat. Project funds are available through our agreement with Dakota County. Members voting in favor: Dee, Chamberlain, Zanmiller, and Johnson. Motion carried.

22. Authorization to Provide Final Payment to Jeffrey Hoffman for Installation of Native Prairie with Pollinator Habitat.

Jeffrey Hoffman has completed the installation of a 1.9-acre native prairie with pollinator habitat within the City of Rosemount, Vermillion River Watershed. The project was approved for funding at the April 13, 2023 Board meeting at 85% cost share not to exceed \$5,700.

23.120 Motion by Chamberlain, second by Dee to provide final payment of \$5,700 to Jeffrey Hoffman (23-IPP-05) for installation of native prairie with pollinator habitat. Project funds are available through our agreement with Dakota County. Members voting in favor: Chamberlain, Zanmiller, Johnson, and Dee. Motion carried.

23. Authorization to Provide Final Payment to Noah and Cathy Blaha for Installation of Native Prairie with Pollinator Habitat.

Noah and Cathy Blaha have completed the installation of a 0.6-acre native prairie with pollinator habitat in Vermillion Township, Vermillion River Watershed. The project was approved for funding at the June 8, 2023 Board meeting at 85% cost share not to exceed \$1,615.

23.121 Motion by Johnson, second by Chamberlain to provide final payment of \$834.29 to Noah and Cathy Blaha (23-IPP-23) for installation of a native prairie with pollinator habitat. Project funds are available through our agreement with Dakota County and the Vermillion River Watershed Joint Powers Organization. Members voting in favor: Zanmiller, Johnson, Dee, and Chamberlain. Motion carried.

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

The City of Burnsville has completed the installation of a 0.8-acre native prairie with pollinator habitat within Interlachen Park located in the Minnesota River Watershed. The project was approved for funding at the May 9, 2023 Board meeting at 85% cost share not to exceed \$2,400.

23.122 Motion by Johnson, second by Dee to provide final payment of \$2,400 to the City of Burnsville (23-IPP-01) for installation of a native prairie with pollinator habitat. Project funds are available through our agreement with Dakota County. Members voting in favor: Johnson, Dee, Chamberlain and Zanmiller. Motion carried.

25. Adopt 2024 Budget

The Finance Committee met on October 30, 2023 to review a draft 2024 budget. The Personnel Committee met on December 7, 2023 to discuss the draft 2024 budget specific to payroll and staffing. The draft 2024 budget is \$2,274,454 and is balanced between anticipated revenues and expenditures. The budget will

change during the year and will be adjusted as recommended by the Finance Committee. State grant applications that are pending or those to be submitted are not included in the draft 2024 budget.

23.123 Motion by Dee, second by Johnson to adopt the 2024 budget. Members voting in favor: Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

26. Establish Board Meeting Schedule for 2024

For the past four years our monthly Board meetings have been held at 9:00 a.m. on the 2nd Thursday of the month. For calendar year 2024 the following days would be listed for monthly Board meetings:

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

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.

23.124 Motion by Chamberlain, second by Johnson to approve the Board meeting schedule for 2024. All members voting in favor. Motion carried.

27. Announcements and Reports

Natural Resources Conservation Service

The Natural Resources Conservation Services (NRCS) report was provided by Lizzy Dawson. Dawson provided a work schedule, training and construction update.

Dakota County

The Dakota County report was provided by Valerie Nepl. Nepl congratulated the Dakota SWCD on being awarded SWCD of the year. Nepl reported the CIP budget has been approved.

The Met Council is updating its 2025 Metro Water Supply Plan and are hosting a sub-regional workshop on January 4th at Western Service Center and she encouraged all to attend. The workshops will focus on building a shared vision for water supply in the Southeast subregion, prioritizing issues and opportunities, and developing actions plans to address priorities.

The Ag advisory group had their annual meeting December 7, 2023 and they received some great feedback for 2024 and will focus on outreach to help feature and encourage participation.

Nepl also reported on smart salt use and requested reporting salt over use to facilities management.

Cannon River Watershed Joint Powers Board

No report provided. The next meeting is February 7, 2024.

Vermillion River Watershed Joint Powers Organization

The Vermillion River Watershed Joint Powers Organization report was provided by Travis Thiel. Thiel congratulated the SWCD on being awarded SWCD of the year. Thiel reported the Vermillion River Watershed Joint Powers Board approved the SWCD workplan for 2024 at their December 7, 2023 meeting.

The watershed has two Community Conversation meetings, January 16th from 5 – 7 pm at the Lakeville Water Treatment Facility and January 24th from 5 – 7 pm at the Hastings Pleasant Hills Library to learn about the watershed, comment on goals, share concerns and inform residents about the watershed’s next generation management plan; Thiel welcomed all to attend.

Metropolitan Conservation Districts Joint Power Board

No report provided. The next meeting is February 28, 2024.

Minnesota Association of Soil and Water Conservation Districts

The MASWCD report was provided by Brian Watson. Watson provided a state convention update and reported the majority of the resolutions were passed. The Dakota County Board and Administration would like to recognize Dakota SWCD for being selected as SWCD of year at their Board Meeting on February 6th.

District Managers Report

Watson reported our next meeting will be January 11th and will include the election of officers and committees.

Board of Supervisors Announcements

Watson read a message from Chelsea Skog indicating her resignation from the Board due to her change in residence out of District 3. Watson will follow up on the next steps to appoint someone from District 3 and will provide an update at the January Board Meeting.

28. Upcoming Events

The upcoming events were reviewed.

29. Closed Executive Session: Conduct Annual Performance Review of District Manager

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

The SWCD Board recessed to Conference Room E to discuss the District Manager's year-end performance review. The Personnel Committee had previously met to conduct the review. The following were present, Supervisor Zanmiller, Supervisor Chamberlain, Supervisor Dee, Supervisor Johnson and Brian Watson, District Manager.

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

30. Adjourn

23.127 Motion by Dee, second by Johnson to adjourn. Motion carried.

The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

Laura Zanmiller
Chair

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Consent Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/11/2024

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Designate 2024 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: 1/11/2024

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Designate 2024 official newspaper as the Dakota County Tribune

SUMMARY:

The SWCD at times needs 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 2024.

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: 1/11/2024

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Adopt 2024 Board Operating Rules and Guidelines.

SUMMARY:

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

EXPLANATION OF FISCAL/FTE IMPACT:

None

Supporting Documents:

Draft 2024 Board Operating Rules and Guidelines

Previous Board Action:

None

Dakota County Soil and Water Conservation District
~~2023~~ 2024 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 ~~2023~~ 2024

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

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

These Operating Rules and Guidelines were adopted on ~~xx, xx, xxxx~~

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

OPERATING RULES AND GUIDELINES

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 (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 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 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 elected shall serve until a successor is elected.

3. Officers and Committees

- a. **Terms of Office.** The term of each Board member is four years, except as otherwise established pursuant to Minnesota Statute.

- b. **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 **through Board action**. The Chair shall have such other powers as may be granted by Minnesota law.
- c. **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.
- d. **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.
- e. **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.
- f. **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.
- g. **Committees.** The Board may establish committees composed of one or more 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.
- h. **Vacancy.** If the office of any officer or committee assignment becomes vacant, the Board members 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 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.

- a. **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.

- b. **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 provided to Board members (and the public in the manner described by the Open Meeting Law) 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 meeting agendas and relevant materials to be reviewed or discussed at the meeting at least three days prior to the meeting.
- c. **Quorum.** A majority of the total number of Board members constitutes a quorum. No business may be conducted by the Board unless a quorum is present.
- d. **Actual Attendance Required.** Actual attendance is required in order to cast a vote or to meet quorum requirements **with the exception of remote attendance through interactive technology options applicable under Minnesota Statute 13D**. Votes may not be cast by proxy **whereby a Board member delegates voting power to a representative in their absence**. 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 to the sanctions set forth in these Rules.
- e. **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 with data he/she needs in order to carry out his/her duties. Thus, SWCD data should not be accessed or modified by a Board member.

ARTICLE 2 RULES OF CONDUCT

1. Employee Policies Applicable to Board Members. 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))
- 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. A Board member 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.

- a. **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 appears in public and speaks on any issue concerning the SWCD and/or its general mission or specific projects or practices, such Board member shall express the official Board position on the issue. If a Board member 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.

b. **Per Diem and Reimbursement of Travel Expenses Incurred on Behalf of the**

SWCD. A Board member 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 may be reimbursed for the use of their 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.

- a. **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.
- b. **Supervision, Evaluation and Discipline of Staff.** While a Board member 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. However, nothing shall preclude the District Manager from eliciting the assistance of the Board, an Officer or an individual Board member in the performance of the District Manager's duties as personnel manager.
- c. **Problem Resolution.** If a problem arises between a Board member 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. If a problem arises between the District Manager and a Board member, 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 shall present the situation jointly to the Board. 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. The purpose of this Code

is to establish ethical standards of conduct for all Board members 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 private financial or other interest in matters affecting the County and SWCD.

2. Definitions.

- a. *Administrative action* means an action of a nonministerial nature by any Board member.
- b. *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.
- c. *Candidate* means any individual who files an affidavit of candidacy or petition to appear on the ballot for an elective public office.
- d. *Election* means a general, special, primary or special primary election.
- e. *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, 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.
- a. **Representation for a fee.** No Board member shall represent a client for a fee before the Board.
 - b. **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.
 - c. **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.
 - d. **Gifts.** If a person or entity shall offer to give a Board member, the Board member's spouse or dependent children, and the Board member 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 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 in the discharge of his or her duties.
 - e. **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.

- f. **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: 1/11/2024

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Approve 2024 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) - \$7,077.92
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) - \$350
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 2024 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: 1/11/2024

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Provide final payment of \$23,375 to Dan Harris for the installation of a grassed and rock lined waterway.

SUMMARY:

Dan Harris has completed the construction of a grassed and rock lined waterway in Hampton Township, Vermillion River Watershed.

The project was approved for funding at the October 12, 2023 Board meeting at 85% cost share not to exceed \$23,375 and based on a cost estimate of \$27,500.

Project installation has been certified by SWCD staff. Final eligible expenses were \$30,000. Staff is recommending final payment of \$23,375 (not to exceed contract amount) to Dan Harris.

EXPLANATION OF FISCAL/FTE IMPACT:

Project funds are available through our FY23 Vermillion WBIF Grant and our agreements with the Vermillion River Watershed Joint Powers Organization and Dakota County.

Supporting Documents:

23-IPP-47 Harris, Dan WW Factsheet

Previous Board Action:

Motion 23.087 on 10/12/2023
Authorization to Execute Contract



DANIEL HARRIS GRASSED WATERWAY & ROCK LINED WATERWAY



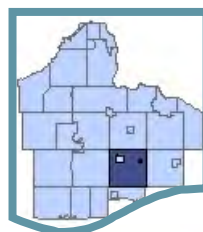
PROJECT: 200 feet of grassed waterway and 55 feet of rock lined waterway was constructed to reduce gully erosion.

FUNDING:	Project Cost:	\$30,000
	Cost Share Amount:	\$23,375
	Landowner Amount	\$6,625



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

LOCATION:
Hampton Township



PRACTICE:

- Grassed Waterway
- Rock Lined Waterway

BENEFITS:

- 3.7 tons of sediment per year prevented from traveling downstream
- 3.7 lbs. of phosphorous per year prevented from traveling downstream

PARTNERS:

- Dakota County
- Vermillion River Watershed Joint Powers Organization
- USDA - Natural Resources Conservation Service

WATERSHED:

- Vermillion River

RECEIVING WATERS:

- South Branch Vermillion River

INSTALLATION:

- Fall 2023



Concentrated runoff was causing gully erosion.



A 200 foot grassed waterway was constructed.



A rock lined waterway was constructed to protect soils where runoff had the greatest potential to cause erosion.



After the site was shaped, topsoil was re-spread and the project area was seeded and covered with erosion control blanket.

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 1/11/2024

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Authorization to submit proposal to the Minnesota Board of Water and Soil Resources (BWSR) for soil health supplemental staffing and to execute grant agreement if awarded

SUMMARY:

The BWSR has announced a three-phased approach for soil health initiatives resulting from recent legislative appropriations. Phase one of this soil health programming is to support additional local capacity to work with landowners on increasing the use of practices that advance soil health principles. Up to \$25 million is available via a competitive statewide Request For Proposal (RFP) process that opened on November 15, 2023 and closes on February 8, 2024. Successful applicants would execute grants agreements to fund positions through December 2027.

Funds must supplement traditional sources of funding and may not be used as a substitute for other funds, existing activities, or programs. No match is required. Funding of up to \$10,000 per FTE is also available for start-up costs such as computers and supplies.

Information regarding this unique opportunity has been shared over the past few months. Staff continues to evaluate the RFP documents including eligible activities and scoring criteria. We also continue to discuss potential tasks and deliverables with partners. The opportunity to add local capacity would not only accelerate the soil health and water quality initiatives within our comprehensive plan, but it would also assist Dakota County with implementing their Groundwater Protection Plan and the Vermillion River Watershed Joint Powers Organization and North Cannon River Watershed Management Organization with implementing their Comprehensive Watershed Management Plans.

Staff is recommending authorization to submit a proposal of up to \$350,000 and to execute the grant agreement if awarded. This would fully fund, or closely fund, one full-time employee over a 3.5-year period including salary, benefits, and start-up costs.

EXPLANATION OF FISCAL/FTE IMPACT:

If awarded State funding under this proposal, the additional revenue would positively impact our annual budget and staff plans for the second half of 2024 through 2027.

Supporting Documents:
BWSR RFP

Previous Board Action:
None



**BOARD OF WATER
AND SOIL RESOURCES**

Soil Health Supplemental Staffing Grants



TABLE OF CONTENTS

Table of Contents.....	2
Purpose.....	3
What is New for 2024	3
Timeline	3
Grant Eligibility and Requirements	4
Eligible Applicants	4
Funding Available and Match	4
Eligible Activities.....	5
Staffing	5
Project START Up	5
Grant Management and Reporting.....	5
Soil Health Staffing Application Questions.....	5
Answers to each question are limited to 2000 characters. The following questions need to be answered in eLINK. The character limit in eLINK is NOT the same as Microsoft Word.	5
Applying for a Grant	6
How To Submit A Question	6
How to Apply Using eLINK.....	6
Application Review	8
Conflict of Interest	8
Privacy Notice	8
Grant Recipient Information	8
Project Period.....	8
Payment Schedule.....	9
Reporting and Administration Requirements	9

PURPOSE

The Minnesota Office for Soil Health (MOSH) identifies a set of principles for soil health:

- Keep the soil covered
- Minimize disturbance
- Keep living roots in the ground
- Diversify rotations
- Integrate livestock when/where feasible

The purpose of this phase of programming is to create additional local points of contact to work with landowners on increasing utilization of soil health practices and systems that advance the principles of soil health.

1. **Trusted Local Expertise.** Among the common themes that emerged in stakeholder discussions for the state soil health action framework are the challenges of building expertise in soil health practices and meeting demands for that expertise, across both the public and private sectors. This grant program is designed to direct state resources toward staffing that can help meet these needs at the local level.
2. **Expand public-private partnerships across multiple sectors and activities.** Public agencies, NGOs, and private companies share many goals for improving soil health across the agricultural sector. In addition to supporting new staff positions, partnerships can expand and enhance collaboration in the areas of research and market and supply chain development.
3. Support and increase **mentorship and peer-to-peer learning support** through positions and people who can facilitate connections and farmer-driven learning opportunities.

WHAT IS NEW FOR 2024

1. This is a new grant which is proposing to fund supplemental staffing needs associated with accelerating implementation of soil health practices and systems.
2. Supplemental capacity is added in Fiscal year 2024 or later.
3. Awarded funds would be available through December 31, 2027.
4. There is no match requirement.
5. This RFP, the *BWSR Grants Administration Manual* and the grant agreement will provide the framework for this program and there is no additional program policy.

TIMELINE

No late submissions or incomplete proposals will be considered for funding. Applications must be submitted by 4:30 PM Wednesday February 8, 2024. Late responses will not be considered. The grant applicant is responsible for proving timely submittal.

Grant Cycle	Grant Cycle Dates
Application period open	November 15, 2023 – February 8, 2024
BWSR authorizes grant awards	By March 21, 2024
BWSR sends grant agreements to recipients	April 2024
Work plan submittal deadline	May 13, 2024
Grant Execution Deadline	June 10, 2024

GRANT ELIGIBILITY AND REQUIREMENTS

ELIGIBLE APPLICANTS

The following entities are eligible:

- Soil and Water Conservation Districts (SWCDs) individually or in partnership working under a current State approved and locally adopted local water management plan, comprehensive watershed management plan or soil and water conservation district comprehensive plan.

Applicable plans must be current when the Board approves awards to be eligible to receive grant funds as defined under the Board’s Local Water Plan Status and Grant Eligibility Policy. Applicants must also be in compliance with all applicable federal, State, and local laws, policies, ordinances, rules, and regulations.

Applicants who have previously received a grant from BWSR must be in compliance with BWSR requirements for grantee website and eLINK reporting before grant execution and payment.

FUNDING AVAILABLE AND MATCH

The appropriation language governing the use of these funds is in Laws of Minnesota 2023, Regular Session, Chapter 40, Article 2, Section 6(O) and Laws of Minnesota 2023, Regular Session, Chapter 60, Article 1, Section 4(K). Final funding decisions will be dependent on the actual funds available and the need to meet USDA NRCS-RCPP award requirements.

No match is required.

Funding availability will be partially dependent on USDA NRCS-RCPP awards and associated considerations. We anticipate awarding up to \$25,000,000 of state funding for this grant program.

The Clean Water Fund was established in Minnesota Statute 114D.50 to implement part of Article XI, Section 15, of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting ground water and drinking water sources from degradation. These funds must supplement traditional sources of funding and may not be used as to substitute for other funds. existing activities or programs.

ELIGIBLE ACTIVITIES

Consists of the employee's base hourly rate plus the costs of benefits, leave, and facilities; and administration costs necessary to keep a person employed and an office running.

STAFFING

Funds may be used to employ the proportion of an FTE or FTEs or for contractual staffing arrangements with other public or private sector organizations dedicated to Soil Health related Outreach, Education, Training and Technical support which also supplement the capacity of the district to deliver existing programming and the additional proposed soil health related activities.

PROJECT START UP

Awarded positions may request up to \$10,000 (prorated per full FTE) for ONE TIME position startup costs which can include but are not limited to office supplies, computers or other needed materials to ensure the position can be functional upon starting their duties. (See the *BWSR Grants Administration Manual* to ensure billing rates take these expenses into account when billed directly to the grant.)

GRANT MANAGEMENT AND REPORTING

All grant recipients are required to report on the outcomes, activities, and accomplishments. A reasonable use of grant funds may be requested for local grant management and reporting that are directly related to and necessary for supporting the proportion of FTEs or contractual staffing.

SUPPLEMENTAL

While soil health supplemental capacity itself may have been added in FY 24 only expenses incurred after the execution of the grant agreement are eligible for payment.

SOIL HEALTH STAFFING APPLICATION QUESTIONS

ANSWERS TO EACH QUESTION ARE LIMITED TO 2000 CHARACTERS. THE FOLLOWING QUESTIONS NEED TO BE ANSWERED IN ELINK. THE CHARACTER LIMIT IN ELINK IS NOT THE SAME AS MICROSOFT WORD.

1. Describe how the proposed staffing creates supplemental capacity in your office, office/partnership to assist landowners in implementing soil health systems and to deliver soil health related programming. Include the proportion of an FTE(s) for which you are requesting funding.
2. How will your proposed position(s) create new, expand existing, or enhance existing partnerships with a common vision of increasing utilization of soil health systems on production lands?
3. What specific efforts are planned to enhance local understanding and knowledge around utilization of Soil Health Practices and systems?
4. What specific efforts will be implemented to increase direct landowner outreach and engagement?
5. How will the position demonstrate or acquire sufficient technical expertise (e.g., Job Approval Authority, Technical Service Providers, etc.) to assist landowners in implementing soil health practices?
6. Describe the connection this position has with a state approved, locally adopted plan which provides goals for soil health related implementation.
7. How will you ensure that the added capacity will be used to deliver of soil health related tasks?

DRAFT Soil Health Staffing Program	
Scoring Criteria	Maximum Points Possible
<u>Creating Supplemental Capacity:</u> The applicant clearly and concisely identified how the proposed staffing creates supplemental capacity to assist landowners in implementing soil health systems and to deliver soil health related programing.	30
<u>Partnerships:</u> The applicant intends to create new, or expand or enhance existing partnerships with a common vision of increasing utilization of soil health systems on production lands.	25
<u>Education and Outreach:</u> The applicant proposes specific efforts to enhance local understanding and knowledge around the soil health practices proposed. The applicant proposes specific efforts to increase direct landowner communications and engagement.	20
<u>Additional Expertise:</u> The applicant has ensured that the position will have credentialed technical expertise (e.g., Job Approval Authority, Technical Service Providers) or related experience to assist landowners in implementing soil health practices.	5
<u>Local Priority:</u> The applicant has participated or is participating in the implementation of a state approved, locally adopted plan that includes goals or actions for soil health related activities.	10
<u>Soil Health Focus:</u> The applicant has described the steps that will be taken to assure that the supplemental capacity will be used to deliver soil health related outcomes that make progress towards identified goals for soil health related activities.	10
Total Points Available	100

BWSR reserves the right to consider other factors in award allocations such as but not including geographic distribution or consideration of federal funding awards and related programing.

APPLYING FOR A GRANT

HOW TO SUBMIT A QUESTION

Questions regarding grant applications should be directed to your Board Conservationist; a map of work areas and contact information is available at [BWSR Work area Maps](#). Questions may also be submitted by email to cwfquestions@state.mn.us. Responses may be posted on the BWSR website as a “Frequently Asked Questions” (FAQ) document and updated weekly throughout the RFP.

HOW TO APPLY USING ELINK

1. Set up your eLINK user account

Proposals need to be submitted via [eLINK](#). Eligible applicants without a current eLINK user account must register for an account at <https://elink.bwsr.state.mn.us> no later than seven days prior to the proposal deadline. For eLINK related

questions, first visit the eLINK section of the [Frequently Asked Questions \(FAQ\)](#) page. If your question is not addressed here, please contact elinksupport@state.mn.us.

2. Complete your funding request (proposal)

See the “[Completing a Funding Request in eLINK](#)” under the “eLINK Training Videos” tab on the eLINK webpage to view a 11-minute online module describing how to complete a Funding Request within eLINK.

- As part of the proposal, eLINK will require applicants to map the location of the proposed project area.
- Answers to each question is limited to 2,000 characters. Due to differences in how programs are encoded, be aware that the character limit in eLINK is not the same as Microsoft Word or other text editors.
- Proposals may include only one image to be submitted within their eLINK application. Only .jpg, .tiff, or .png file types are allowed.

Applicants must provide answers to the following questions as part of their proposal submitted in eLINK. The questions are related to the ranking criteria categories, which determine how proposals are scored by reviewers. The ranking criteria can be found in the “Application Review” section of this RFP.

APPLICATION GUIDELINES

- Proposals may receive partial funding based on eligibility or availability of funds. Prior to final selection, the Board may engage applicants to resolve questions or to discuss modifications to the project or funding request. Applications may receive partial funding for the following reasons: 1) an absence of or limited identification of specific project locations, 2) budgeted items that were not discussed in the application or have no connection to the central purpose of the application were included by an applicant; 3) to address budget categories out of balance with the project scope; 4) application contains ineligible components; and 5) insufficient funds remaining in a grant category to fully fund a project. Prior to final selection, the Board may engage applicants to resolve questions or to discuss modifications to the project or funding request.
- Proposals that do not comply with all proposal requirements will not be considered for funding, as provided below:
 - Components of the proposal are incomplete or missing;
- If appropriate proposals should clearly articulate what water resource is being targeted in the application. Proposals should demonstrate significant, measurable project outputs and outcomes targeted to critical pollution source areas that will help achieve water quality objectives for the water resource of concern; be consistent with a watershed management plan that has been state approved and locally adopted or an approved total maximum daily load study (TMDL), Watershed Restoration and Protection Strategy (WRAPS), Groundwater Restoration and Protection Strategy (GRAPS), surface water intake plan, or well head protection plan.
- Proposals should ensure they are citing the soil health related elements of current, state approved and locally adopted plan(s) for the project area(s). For example, once a Comprehensive Watershed Management Plan is adopted for an area, the County Water Plan or SWCD Comprehensive Plan can no longer be referenced for that watershed area since it is no longer the applicable plan in the project area, even if it continues to be used elsewhere in the county where a CWMP has not yet been developed and adopted. Improper plan references will negatively affect the prioritization score.
- Applicants should consider the impacts that climate change (such as fluctuating precipitation patterns and drought) may have on the ability of the proposed project to meet objectives and whether the proposed project increases landscape resiliency.

- Proposals from applicants that were previously awarded Clean Water Funds will be considered during the review process for applications submitted in response to this RFP. However, applicants that have expended less than 50% of previous award(s) at the time of this application will need to demonstrate organizational capacity to finalize current projects and to complete new projects concurrently.

APPLICATION REVIEW

BWSR staff initially review all applications for eligibility. Eligible applications will be reviewed and ranked based on the criteria in this RFP by an interagency scoring team.

The Executive Director is authorized to make final award decisions.

CONFLICT OF INTEREST

State Grant Policy 08-01, (see <https://mn.gov/admin/government/grants/policies-statutes-forms/>) Conflict of Interest for State Grant-Making, also applies to BWSR grantees. Grantees' conflicts of interest are generally considered organizational conflicts of interest. Organizational conflicts of interest occur when:

- A grantee is unable or potentially unable to render impartial assistance or advice due to competing duties or loyalties,
- A grantee's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties, or
- A grantee or potential grantee has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

PRIVACY NOTICE

Under Minnesota Statute 13.599, responses to an RFP are nonpublic until the application deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public. All other data is nonpublic until the negotiation of the grant agreement with the selected grantee is completed. After the application evaluation process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreement with the selected grantee(s) is completed.

GRANT RECIPIENT INFORMATION

PROJECT PERIOD

Notification of grant award will be in the form of an automated notification from the BWSR eLINK system or an email from BWSR Grants staff to the grantee. Notifications are sent to the Day-to-Day Contact(s) identified by the organization within the eLINK system. This notification includes instructions for further processing of the grant agreement and may also contain grant-specific information such as requirements for completing work plans, disbursement terms, or additional required documentation for processing the grant. Read these instructions carefully as requirements can vary by grant and fiscal year.

BWSR will use grant agreements, and an associated work plan, as contracts for assurance of deliverables and compliance with appropriate statutes, rules, and established policies. BWSR reserves the right to require a work plan revision or grant agreement amendment for changes in scope. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties on the grant recipient. Upon receiving the notification of grant award, which indicates

approval of an application, and prior to beginning work on the grant project(s) and receiving grant funds, the applicant is required to do the following:

1. Complete an IRS W-9 form or register as a vendor in SWIFT, the state's accounting system, and submit other required documentation within 30 days of award notification.
2. Sign a grant contract agreement indicating their intention to complete the project(s) contained in the application. The agreement also authorizes BWSR to monitor progress of the grant. The grant contract agreement must be signed within 30 days of being sent to the grantee.

The project period starts when the grant agreement is executed, meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds and cannot be used as match.

Grant contract agreement templates can be reviewed on the [Office of Grants Management Forms and FAQs website](#).

All grants must be completed by December 31, 2027. If a project receives federal funds, the period of the grant agreement may be extended to equal the length of time that the federal funds are available, subject to limitation. Applicants using federal funds are encouraged to contact BWSR soon after the award of funds to ensure the grant agreement can be developed appropriately.

If a project receives federal funds, the period of the grant agreement may be extended to equal the length of time that the federal funds are available subject to limitation. Applicants using federal funds are encouraged to contact BWSR soon after the award of funds to ensure the grant agreement can be developed appropriately.

PAYMENT SCHEDULE

Grant payments will be distributed via annual installments to the grantee. The payment for the first calendar year of the grant amount will be paid after work plan approval and execution of the grant agreement provided the grant applicant is in compliance with all BWSR website and eLINK reporting requirements for previously awarded BWSR grants. The subsequent payments will be made annually prior to the beginning of each calendar year funded.

REPORTING AND ADMINISTRATION REQUIREMENTS

- All grantees receiving funds for BWSR programs must follow the *BWSR Grants Administration Manual*, which can be found at <https://bwsr.state.mn.us/grants/manual/>
- All grant recipients are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants. Outputs will serve as surrogates for outcomes and will be reported as estimated pollutant reductions and progress towards goals based on the best available information.
- All BWSR funded grants are managed through eLINK. All proposals will be submitted electronically through eLINK. Successful applicants will be required to complete a work plan in eLINK. All required reporting will be completed through eLINK. For more information go to <https://bwsr.state.mn.us/elink>.
- BWSR Clean Water Funds will be administered via a standard grant agreement. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with appropriate statutes, rules and established policies.
- In the event there is a violation of the terms of the grant agreement, BWSR will enforce the grant agreement and evaluate appropriate actions, up to and including repayment of grant funds at a rate up to 100% of the grant agreement.
- When practicable, grant recipients shall prominently display on their website the legacy logo. Grant recipients must display on their website either a link to their project from the Legislative Coordinating Commission Legacy

Site (<http://legacy.leg.mn>) or a clean water project summary that includes a description of the grant activities, including expenditure of grant funds and measurable outcomes.

- When practicable, grant recipients must display a sign with the Legacy Logo at the project site or other public location identifying the project was built with assistance from Clean Water, Land and Legacy Amendment. When practicable, grant recipients must display the Legacy Logo on printed and other media funded with money from the Clean Water Fund. The logo and specifications can be found at <http://www.legacy.leg.mn/legacy-logo>.
 - The grantee board is the authority and has the responsibility to approve the expenditure of funds within their own organization. The approval or denial of expenditures of funds must be documented in the Grantee Board's meeting minutes.
 - Grant reporting, fiscal management, and administration requirements are the responsibility of the grant recipient.
 - BWSR recommends all contracts be reviewed by the grant recipient's legal counsel.
-

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Voice Vote

Meeting Date: 1/11/2024

Prepared by: Brian Watson

PURPOSE/ACTION REQUESTED:

Establish Board Committees and Appointments for 2024

SUMMARY:

Each year we assign Board members with the responsibility to attend membership organization meetings and advise the full Board on specific areas of operation. With our current vacancy in District 3, we will need to fill these committees and appointments with four Board members until a new appointment can be made.

Staff is recommending the renaming of our Community Development Committee to a Watershed and Comprehensive Planning Committee and adding a Building Facility Committee for 2024.

EXPLANATION OF FISCAL/FTE IMPACT:

Board of Supervisors participation and attendance at member organization meetings or committee meetings has been included in the 2024 budget.

Supporting Documents:

2024 Draft List of Committees and Appointments

Previous Board Action:

None

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

2024 Board Committees and Appointments

Committee	Board Member	Board Member
Community Development Watershed and Comprehensive Planning		
Finance		
Personnel		
Rural Lands		
Education and Outreach		
Building Facility		

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		
Legislative Affairs		
NRCS Local Work Group		
Cannon River Watershed Joint Powers Board		