

PLSLWD Board Staff Report

February 12, 2025


**PRIOR LAKE
SPRING LAKE
WATERSHED DISTRICT**
Subject | Manager Per Diems**Board Meeting Date |** February 18, 2025**Item No:** W.1**Prepared By |** Joni Giese, District Administrator**Attachments |** General Governance Policies**Proposed Action |** No action requested – For discussion only**Background**

On May 21, 2024, the Board of Managers adopted amended General Governance Policies that address manager per diems. The amended policies provided enhanced clarification regarding manager compensation for meetings and for performance of other necessary duties. Per diem rates are \$40 or \$125, depending on the activity, with a maximum daily per diem of \$125 in accordance with state statutes.

Discussion

One activity that was not anticipated at the time the policies were amended was the participation of managers on statewide committees for Minnesota Watersheds. Depending on the committee, the number of meetings per year can range from one to seven.

Manager participation in committees of Minnesota Watersheds benefits both Minnesota Watersheds and PLSLWD by bringing forward the District's perspective to the statewide organization and for the District to better understand the issues and topics being addressed at a statewide level. Consistent with other manager activities, per diems for Minnesota Watersheds committee participation should provide fair and adequate compensation.

This workshop item is intended to gain a better understanding of the level of effort required by managers for Minnesota Watersheds committee preparation and participation in order to assess whether the District's current per diem policy adequately addresses compensation for this activity or whether the policy requires an amendment.

Should an amendment be deemed necessary, a draft of the amended policy will be brought forward at a future board meeting for review and adoption.

Recommended Action

No board action requested.

Budget Impact

No budget impact.

Prior Lake - Spring Lake Watershed District

General Governance Policies

Adopted as amended 5/21/2024

The following general governance policies help ensure sound administration of District business and continued focus of District resources on protection and improvement of the water resources in the Prior Lake - Spring Lake Watershed.

I. Per diems

1. Managers may receive a per diem for participation in a meeting of the Board of Managers and participation in activities undertaken at the specific request of the Board of Managers or the administrator, and otherwise as may be more specified by resolution of the board of managers.
2. Managers will prepare claim forms for per diem payments and expenses in duplicate. The original will be submitted to the District Administrator to be reviewed for consistency with the rates and protocols adopted by the Board of Managers by resolution and approved in the same manner as other claims against the District. A claim for an expense must be submitted within 6 months of the date the expense was incurred. The manager will retain a copy for his or her personal records.
3. The District may establish a per diem rate by resolution, but the per diem rate will not exceed that specified in Minnesota Statutes section 103D.315, subdivision 8 which states, "the compensation of managers for meetings and for performance of other necessary duties may not exceed \$125 a day. Managers are entitled to reimbursement for traveling and other necessary expenses incurred in the performance of official duties." Traveling and other necessary expenses are separate and not considered in applying the \$125 a day limit. In the absence of a decision by the Board of Managers setting a different rate, the statutory rate will apply.
4. Travel and other necessary expenses incurred in the performance of official duties shall comply with the District's Public Purposes Expenditure Policy.
5. The District will include the managers in its payroll and provide payment for expenses and per diems. The District will provide a W2 form.
6. A manager may receive a per diem under this policy for meeting attendance whether it occurs in person, remotely, or by later observing a recording of the meeting.
7. A manager may receive a \$125 per diem if the manager:
 - Attends a regular board workshop or board meeting.
 - Attends a special board meeting where voting is required.
 - Is appointed as the District's delegate to the Minnesota Watersheds for the purpose of voting on Minnesota Watershed organizational matters. The manager will be eligible for a per diem for the day on which voting occurs, and for a per diem for one additional travel day if the meeting is located greater than 75 miles from the District office.
 - Chairs the PLOC Project Cooperators' meeting.

8. A manager may receive a \$40 per diem if the manager attends:
 - A meeting as the appointed liaison, or as a substitute liaison, for an organization listed on the Board approved document, *PLSLWD Liaison Appointments*.
 - A District sponsored educational tour, or a District sponsored educational or awards event.
 - A meeting with District staff that exceeds one hour, for the purpose of fulfilling their officer role.
 - A meeting as an appointed member of a special committee established by the managers in compliance with the District's bylaws.
9. If a manager attends a meeting, event, or training not indicated herein, the manager may receive a per diem of \$40 on District Treasurer approval. If the District Treasurer attends a meeting, event, or training not indicated herein, the District Treasurer may receive a per diem of \$40 on District President approval. The preference is to secure approval before the meeting, event, or training takes place.
10. Meetings other than those indicated or approved by the District Treasurer (or District President for the District Treasurer) are considered voluntary.
11. If the District Administrator needs clarification or a decision on a per diem, the District Treasurer is authorized to make the final decision.
12. A manager may receive multiple per diems in a given day for multiple activities listed above, provided that the manager's total per diem from the District for the day may not exceed \$125. A manager may not receive a District per diem for an activity for which the manager is receiving a per diem from another public entity.

II. Records management and retention

- a. The District will make and preserve all records necessary to ensure the availability of a full and accurate accounting of the District's official activities, in fulfillment of Minnesota Statutes sections 15.17, subdivision 1, and 138.17.
- b. The District has adopted and will maintain a records retention schedule, to be approved by the State Archives, governing the retention and/or disposal of records created by the District.
- c. In keeping with the direction of the Uniform Electronic Transactions Act, the District has determined that it will create and retain its records in electronic form to the greatest extent possible. The District's records retention schedule includes indication of records that may be retained in hard copy form, but District policy is to retain all records in electronic form. .
- d. The administrator is the responsible authority for purposes of District compliance with the Data Practices Act, Minnesota Statutes chapter 13.
- e. The administrator is the data practices compliance official for purposes of District compliance with the Data Practices Act.

III. Delegated authority

- a. No employee of the District may exercise authority beyond that which is allocated to the administrator by the District bylaws, the policies that constitute the Governance Manual, or a resolution of the Board of Managers.

- b. Authority delegated to the administrator may not be delegated to other employees or contractors of the District.
- c. Duties assigned to the administrator may be delegated to other employees or contractors by the administrator, however the administrator will remain responsible to the Board of Managers for the proper execution of all delegated duties.
- d. The administrator may not commit funds of the District without the approval of the Board of Managers.

IV. Managers' authority

- a. No manager may speak on behalf of the District unless authorized to do so by the Board of Managers.
- b. No individual manager may provide direction, instructions or authorization to the administrator unless specifically authorized to do so by the Board of Managers.
- c. Managers may request District copies of documents without authorization by the Board of Managers.

PLSLWD Board Staff Report

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**PRIOR LAKE
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WATERSHED DISTRICT**

Subject	Upper Prior Lake Delisting Request	
Board Meeting Date	February 18, 2025	Item No: W.2
Prepared By	Jeff Anderson, Water Resources Coordinator	
Attachment	None	
Action	No action requested – For discussion only	

Background

Upper Prior Lake was initially added to the 303(d) Minnesota Impaired Waters List in 2002 due to high levels of nutrients. This listing process, established by the Minnesota Pollution Control Agency (MPCA), aims to monitor and enhance water quality throughout the state. The main nutrient causing impairment in Upper Prior Lake is phosphorus. Phosphorus, while essential for plant and algae growth, becomes a pollutant when it stimulates excessive algae growth, which can interfere with recreational activities and harm aquatic life. The MPCA's assessments revealed that Upper Prior Lake's phosphorus levels significantly exceed the water quality standards set for shallow lakes in the region. In 2012, the MPCA with help from the District completed a Total Maximum Daily Load (TMDL) report assessing the lake's maximum amount of pollution the waterbody can receive while still meeting water quality standards. This plan outlines the necessary pollutant reductions to restore the lake's water quality. The TMDL has been instrumental not only in driving District projects, programs, grants, and regulations aimed at reducing pollutant loading to meet goals, but also in guiding the planning and implementation efforts of our partners. When progress toward reducing pollutant loading and water quality monitoring indicates the lake will sustain results long-term, the lake's management organization meets with MPCA and initiates a process for delisting from the Minnesota Impaired Waters List.

Discussion

Generally, MPCA's criteria for consideration of delisting a lake include meeting the phosphorus standard and chlorophyll-a or Secchi depth standards within the 2 most recent years' growing seasons, an improving 10-year average phosphorus concentration trend, and management activities in place to maintain improved water quality standards. Over the last 14 years the District along with its partners have implemented numerous projects and programs aimed at reducing phosphorus pollutant loading identified in the 2012 TMDL. Since 2020, Upper Prior Lake has met both the total phosphorus and Secchi standards while meeting the Chlorophyll-a standard for 3 of the 5 years. The current 10-year average phosphorus concentration in Upper Prior Lake is 52 micrograms per liter (µg/L), whereas the state standard is 60 µg/L. District staff have been working closely with MPCA to submit a delisting request for Upper Prior Lake with supporting monitoring data, planning documents, and project information. Next steps on the request will come later in the year which will include creating outreach material if approved.

Recommended Action

No board action requested.

Budget Impact

No budget impact.

PLSLWD Board Staff Report

February 12, 2025


**PRIOR LAKE
SPRING LAKE
WATERSHED DISTRICT**
Subject | County Ditch 13 Drainage Authority

Board Meeting Date | February 18, 2025

Item No: W.3

Prepared By | Joni Giese, District Administrator

Attachments | CD 13 Overview

Proposed Action | No action requested – For discussion only

Background

On January 29, 2025, Administrator Giese met with Scott County representatives to discuss the possibility of Scott County transferring Drainage Authority for County Ditch 13 to PLSLWD. Per State Statutes 103D.625, watershed districts shall take over a county drainage system within the watershed district and the right to repair and maintain the drainage system if directed by a county board.

On February 4, 2025, Manager Burnett and Administrator Giese attended the Scott County Board Workshop where the county commissioners discussed potential abandonment of several ditches in the County. Currently, Scott County serves as the drainage authority for all designated drainage systems in the county. County Ditch 13 (located in PLSLWD) was one of the ditches addressed in the presentation. At the workshop, the option of transferring the drainage authority to PLSLWD was mentioned. It was also discussed that a landowner adjacent to County Ditch 13 may initiate a petition process for abandonment. No decision regarding abandonment or transfer was made, and it is District Administrator Giese's understanding that no date has been set to make a decision.

Discussion

The intent of this workshop agenda item is to provide a brief, high-level overview of roles and responsibilities associated with being a drainage authority. It also provides an opportunity to discuss potential opportunities and challenges if the drainage authority is transferred to the District and for managers to identify any desired additional information.

Recommended Action

No board action requested.

Budget Impact

No budget impact.

CD 13 Overview

- Located in Spring Lake and Sand Creek Twp.
- Total length 8.53 Miles.
- Constructed in 1971.
- Repaired/Improved in 1984.
- Routine maintenance since then.
- Benefits role has not been updated since 1984 repair.
- Benefits role accounts for 718 acres (Watershed much larger).

Image and Data Source: Scott County, Soctt County Ditch 13 Presentation, 8/14/2024

