

BOARD OF MANAGERS:

Fred Corrigan; Curt Hennes; Charlie Howley; Mike Myser and Woody Spitzmueller

Note: Indicated times are estimates; actual times may vary considerably. Individuals with items on the agenda or who wish to speak to the Board are encouraged to be in attendance when the meeting is called to order.

Board Workshop 4:00 PM – Wagon Bridge Conference Room (Downstairs)

- 4:00-4:45 PM Jaime Rockney—monitoring cont'd
- 4:45-5:30 PM Start Governance Manual revisions review
- 5:30-5:45 PM 2019 Budget Check-in
- 5:45-5:50 PM District Christmas Get-together
- 5:50-5:55 PM Emerging issues

STAFF WILL TAKE A PHOTO OF THE MANAGERS

6:00 – 6:05 PM 1.0 **BOARD MEETING CALL TO ORDER & PLEDGE OF ALLEGIANCE**

6:05 – 6:10 PM 2.0 **PUBLIC COMMENT**

If anyone wishes to address the Board of Managers on an item not on the agenda or on the consent agenda please come forward at this time, turn on the microphone and state your name and address. (The Chair may limit your time for commenting.)

6:10 – 6:15 PM 3.0 **APPROVAL OF AGENDA** (Additions/Corrections/Deletions)

6:15-6:55 PM 4.0 OTHER OLD/NEW BUSINESS

6:15-6:25 PM 4.1 Manager Presentations

6:25-6:35 PM 4.2 Permit Presentation (Jeff Anderson)

6:35-6:45 PM 4.3 Programs and Projects Update

6:45-6:55 PM 4.4 MAWD Annual Meeting: Delegates, Budget, Resolutions and Bylaws—(Diane) (Vote)

6:55-7:00 PM 4.5 Twin Oaks Middle School/ Bridges Area Learning Center (Maggie) (Discussion Only)

7:00-7:15 PM 4.6 Scott County 2018-2028 Local Water Resources Management Plan Approval Resolution (Paul Nelson) (Vote)

7:15-7:30 PM 5.0 **CONSENT AGENDA**

The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Items can be removed from the consent agenda at the request of the Board member, staff member, or a member of the audience. Please state which item or items you wish to remove for separate discussion.

5.1 Meeting Minutes – October 9 Board Workshop and Board Meeting

5.2 CAC Meeting Minutes—October 25

5.3 Metro MAWD Notes—October 16

5.4 Claims List

7:30-7:45 PM 6.0 **TREASURER'S REPORT**

6.1 Cash & Investments (Discussion Only)

6.2 Financial Report (Discussion Only)

7:45 – 7:50 PM 7.0 **UPCOMING MEETING/EVENT SCHEDULE:**

- No CAC meeting in November

PRIOR LAKE – SPRING LAKE

W A T E R S H E D D I S T R I C T

4.1 Manager Presentations

Managers will provide information on recent events they're attended on behalf of the District.

PRIOR LAKE – SPRING LAKE WATERSHED DISTRICT

4.2 Permit Presentation

Jeff Anderson, District Technician, will provide an update on permits.

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

NOVEMBER 2018 PROGRAMS & PROJECTS UPDATE

Capital Projects

PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
CR 12/17 Wetland Restoration <i>(Class 741)</i> Project Lead: Maggie	<ul style="list-style-type: none"> Minor corrections were made to the anchoring controls of the outlet structures. The water level in the first basin was lowered for the season by placing the grated stop logs in the outlet structure. AES re-seeded the area by Sunset Avenue with a native seed mix. 	<ul style="list-style-type: none"> Continue to work with AES on invasive species control and vegetation establishment. Move the large sign to a better viewpoint, with City assistance.
Lower Prior Lake Diagnostic Study Implementation <i>LPDS Grant (Class 743)</i> Project Lead: Maggie	<ul style="list-style-type: none"> Worked with the City and EOR to start pulling together an RFQ for a small adjustment at Fairlawn Shores to improve the drainage into the biofiltration basin from the street. 	<ul style="list-style-type: none"> Solicit and receive quotes for Fairlawn Shores modification and engage contractor for the work. Additional trees/shrubs will be installed throughout the Sand Point Beach Park site. Install interpretive signs for projects.
Carp Management <i>In Lake Management (Class 611)</i> Project Lead: Amy & Maggie Carp Management Project (Class 747) Project Lead: Maggie & Kathryn	<ul style="list-style-type: none"> Tested Crystal (Mud) Bay for obstructions in the bottom of the lake by running a chain along the bottom. Gill netted in Upper Prior Lake and radio-tagged six carp. Continued to track radio-tagged carp throughout the lakes. Completed electrofishing efforts to try and tag additional carp in Upper Prior and Spring Lakes. 	<ul style="list-style-type: none"> WSB and PLSLWD staff will continue to track the radio-tagged tagged carp. Carp seines this fall/winter/spring as conditions are favorable in Upper Prior Lake. Final design and installation of the Northwood carp barrier once next grant funding is available.

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

Capital Projects

PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Clean Water Fund Grants: Fish Point Park <i>Fish Point Park (Class 745)</i> <i>Project Lead: Maggie</i>		<ul style="list-style-type: none"> Continue to work with Minnesota Native Landscapes on vegetation maintenance in the growing season. Make updates to system as needed to maintain effectiveness.
Flood Storage <i>Project Lead: Diane</i>	<ul style="list-style-type: none"> Met with a nearby landowner EOR met with the DNR and Blue Water Science EOR revised the design 	<ul style="list-style-type: none"> EOR will apply for a permit to the DNR and/or SWCD, depending upon their preference. Staff will meet with two other landowners Staff will set up another meeting with all of the landowners
Spring Lake Parcel Restoration Project <i>Project Lead: Maggie & Kathryn</i>	<ul style="list-style-type: none"> Monitored native plant establishment at the site. 	<ul style="list-style-type: none"> Order and install large sign visible from lake. Monitor restoration and control invasive species during growing season. Install small plant identification signs.
Raymond Park Restoration Project <i>Project Lead: Kathryn</i>	<ul style="list-style-type: none"> Completed design work for one of the interpretative signs. City installed steel bases for two interpretative signs. 	<ul style="list-style-type: none"> Order permanent educational interpretative signs. Continue coordinating with GRG and the City of Prior Lake. GRG will continue maintenance at park next year. Follow-up visits will keep buckthorn and other invasives at bay. Additional seeding will be done this year, if needed.
DU Wetland 2 Acquisition Project <i>Project Lead: Maggie</i>		<ul style="list-style-type: none"> Develop a management plan for this wetland.

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

Operations & Maintenance

PROGRAM	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Monitoring <i>Monitoring and Data Acquisition (Class 637)</i> Project Lead: Jaime	<ul style="list-style-type: none"> • Data management. • Database maintenance/entry. • Took samples. • Download levelloggers. 	<ul style="list-style-type: none"> • Data management. • Samples • Remove equipment •
Ferric Chloride System Operations <i>Ferric Chloride System (Class 611)</i> Project Lead: Jaime	<ul style="list-style-type: none"> • Completed monthly DMR report. • Took samples. • Weekly inspections. • Flow measurements. • 	<ul style="list-style-type: none"> • Monthly DMR Report. • Sample biweekly • Inspect 3x/wk • Get quote from new ferric delivery company
Farmer-Led Council <i>Ag/Farmer Initiatives (Class 611)</i> Project Lead: Maggie	<ul style="list-style-type: none"> • Worked with SWCD to plan a Cover Crop Tour in November. • Met with SWCD staff to plan next FLC meeting. • Coordinated with EOR on their Water Resources Management Plan update for the upcoming FLC Meeting. • SWCD engaged guest speaker for the FLC meeting. • Gathered two quotes for design work for the FLC logo and Lake Friendly Farm sign. 	<ul style="list-style-type: none"> • Lake Friendly Farm Program will be released this fall with the goal of having two fields certified by January for a large publicity event/release. • Get final designs for and order Lake Friendly Farm program signs for 2018. • Cover Crop Tour: November 20th • Next meeting: December 6th
Permitting <i>Regulation (Class 648)</i> Project Lead: Maggie & Jeff	<ul style="list-style-type: none"> • Completed permit site inspections and followed up with permittees on erosion & sediment control requirements. • EOR and staff corresponded with MnDOT on change to 18.05 permit that includes alteration of culvert by FeCl plant. • Worked with County and solar company on reviewing and providing feedback for two solar projects in the upper watershed. • Corresponded with City on Bridges Learning Center Project that was not reviewed in advance by PLSLWD due to an oversight in the process which will be corrected in the future. • Received permit application from Scott County for the 2019 project located at CSAH 21 & TH 13. 	<ul style="list-style-type: none"> • Continue to inspect, follow-up on and close remaining open permits. • Issue Permits #18.04 & #18.05 once conditional requirements are met. • Execute Stormwater Credits MOAs. • Present Permit 18.06 to the Board for approval at its December meeting.

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

Operations & Maintenance

PROGRAM	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
BMPs & Easements <i>Regulation (Class 648)</i> Project Lead: Maggie & Kathryn	<ul style="list-style-type: none"> Conducted site visits and/or corresponded with several landowners about the violations on their property and/or how to amend the easement. Sent post-inspection letters to landowners with no violations. Surveyed Dudin property easement. Working with several landowners on options for requesting an easement amendment. Corresponded with Trillium Cove on future conservation easements, developed draft agreements. Ordered and review title for several amendment properties, worked with Chuck on updating easement template. 	<ul style="list-style-type: none"> Review amendment requests as they are received and work with landowners towards closing out approved amendment requests. Work with landowners to resolve easement violations. Create baseline documentation for each conservation easement property. Complete follow-up letters to all landowners now that inspections are complete.
Citizen Advisory Committee <i>Education and Outreach (Class 652)</i> Project Lead: Diane & Kathryn	<ul style="list-style-type: none"> Meeting held on October 25 CWCU was held on October 28 	<ul style="list-style-type: none"> Next CAC meeting is on December 13 and they will provide input on the WRMP
Cost Share Program <i>Land Mgmt (Class 611)</i> Project Lead: Kathryn, Diane	<ul style="list-style-type: none"> Received over 40 applications for lake irrigation pumps and rain barrels this year. Verified installation of 1 lake irrigation pump. 	<ul style="list-style-type: none"> Process applications as they are received. Verify installation of completed projects.
Aquatic Vegetation Management and Surveys <i>(Class 626 and 637)</i> Project Lead: Jaime	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> BioBase report Reports from Steve

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

Operations & Maintenance

PROGRAM	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
<i>Planning (Class 626) and Admin (Class 405)</i> <i>Project Lead: Diane</i>	<ul style="list-style-type: none">• Weekly Staff Meetings.• Weekly One2One meetings with each staff member.• Monthly meetings with Chair and Board.• Prior Lake Coordination Monthly Mtg.• Prior Lake Association Presentation• Water Resources Conference• Outlook Organizational Tools training• FEMA Bank Erosion Tour• Joint Projects Meeting w/Paul Nelson• Review PRAP Status	<ul style="list-style-type: none">• Weekly Staff Meetings.• One2One meetings with each staff member.• 2 monthly meetings with Chair and Board.• Prior Lake Coordination Monthly Mtg.

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

Operations & Maintenance

<p>Website and Media</p> <p><i>Education and Outreach (Class 652)</i></p> <p>Project Lead: Kathryn</p>	<ul style="list-style-type: none"> • As of Nov 7, 12:00 pm: • Website articles posted—Successful Grand Opening at Sand Point; 2020 Public Mtg; Crystal Bay obstruction removal; Board mtg broadcast live on cable tv; Sign up for CWCU; Clean-Up Results • Scott Co. SCENE articles. • Prior Lake Am articles. CWCU announcement • Facebook & Twitter- continuing Trivia Tuesday (question posted on Tues, answer posted Wed). • Facebook: <ul style="list-style-type: none"> • 384 page likes, 9 new likes • 25 Posts w/ 100+ views • <u>Top Posts on FB:</u> <ul style="list-style-type: none"> ○ CWCU Event info posts (1300, 900, 857 views) ○ CWCU Event Thank You & Results (1200 views) ○ Carp seine video (634 post views, 30 link clicks) ○ PLA donation to District (479 views) ○ Trivia- Earliest ice on (362 views) ○ Trivia- Phosphorus & runoff (302 views) • Twitter: generally same as the FB articles. 9,900 total post impressions. 258 followers. 1 new follower. • 20+ Tweets w/ 100+ views • <u>Top Posts on Twitter</u> <ul style="list-style-type: none"> ○ Trivia-buckthorn (849 views) ○ Sweep leaves out of gutters (595 views) ○ Trivia-answer stormwater runoff (423 views) ○ Trivia-stormwater runoff (373 views) ○ Actions to reduce climate impact (234 views) 	<ul style="list-style-type: none"> • Continue writing posts and updates about projects • Will tweet and/or update Facebook about projects & news.
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PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

Prior Lake Outlet Structure & Channel

ACTIVITY	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Prior Lake Outlet Channel <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> Outlet channel inspections. 	<ul style="list-style-type: none"> Weekly channel inspections. Repair boat launch. gravel once erosion is taken care of up the hill.
Channel Bank Erosion (FEMA) <i>Project Lead: Diane</i>	<ul style="list-style-type: none"> Barr submitted a Cost/Benefit proposal to HSEM Staff worked with Barr on a bank erosion tour 	<ul style="list-style-type: none"> Waiting for FEMA approval to go ahead.
JPA/MOA & TAC Meetings & Admin <i>Project Lead: Diane & Jaime</i>	<ul style="list-style-type: none"> Cooperators Meeting held on October 11 	<ul style="list-style-type: none"> Waiting for final comments on the MOA and then will present it to Smith Partners for review
Invasive Species Removal <i>Project Lead: Jaime</i>	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none">
MS4 Permit <i>Project Lead: Diane</i>	<ul style="list-style-type: none"> Annual Report was submitted prior to the deadline 	<ul style="list-style-type: none"> Annual permit application has been delayed
PLOC Easements <i>Project Lead: Diane</i>	<ul style="list-style-type: none"> Asked Cooperators to find shapefile work on the PLOC easements—waiting for their response 	<ul style="list-style-type: none"> Put together a list of all the documents for the easements Provide copies of respective easements to Cooperators

PRIOR LAKE – SPRING LAKE

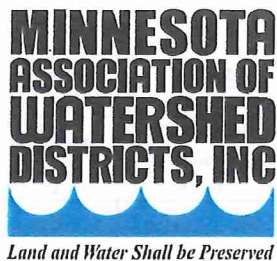
WATERSHED DISTRICT

4.4 MAWD Annual Meeting

The Board will vote on delegates to MAWD and on behalf of the delegates, take positions on MAWD's FY2019 Budget, District's Delegates, Resolutions and Bylaws Changes.

MAWD Proposed Fiscal Year 2019 Budget
October 1, 2018 - September 30, 2019

	FY2019	FY2018	FY2018	FY2017	FY2016
	Oct '18-Sep '19	Oct '17-Sep '18	Oct '17-Sep '18	Nov '16- Sep '17	Nov '15-Oct '16
INCOME	Proposed BUDGET	Last Year's BUDGET	FY2018 ACTUAL	FY2017 ACTUAL (11 months)	FY2016 ACTUAL
Dues - Watershed District Members	216,600	225,000	218,421	117,590	121,412
Dues - Associate Members (WMOs)	2,500	2,500			
Annual Convention					
Annual Meeting Registrations	55,000	55,000	59,129	52,068	49,390
Annual Trade Show	25,000	13,000	21,655	22,250	11,495
Pre Conference Workshop: Drainage	6,500	5,000	6,800	5,595	9,010
Pre Conference Workshop: Administration	2,400	600	2,550	775	600
Pre Conference Workshop: Managers	2,400	2,500	2,295	2,950	4,250
Legislative Day at the Capitol	9,000	9,000	8,185	8,325	7,450
Summer Tour	17,500	17,500	18,891	21,469	14,390
MAWD Workshops	2,500	2,500	0	2,720	3,000
Interest	100	100	66	111	241
TOTAL	339,500	332,700	337,992	233,853	221,238
EXPENSES					
Administration & Program Management					
General Administration - Staff	70,000	90,000	70,747	62,311	81,345
Benefits /Taxes for Salaried Employees	30,000	30,000	15,069		
General Administration - Contract	12,000				
Communications, Conferences - Contract	36,000	48,000	48,835	33,750	10,000
Legislative Affairs					
Lobbying - Staff (includes Administrative Lobbying)	24,500				
Lobbying - Contracted Services	40,000	35,000	48,251		
Lobbyist Expenses	1,000	1,000	1,395	3,647	1,754
Professional Services					
Legal Fees	2,000	2,000	1,377	1,308	
Accounting and Audit Fees	6,000	5,000	4,650	4,100	3,550
Liability Insurance	1,800	1,700	1,645	1,645	1,551
Office Expenses					
Rent	3,600	3,000	2,400		
Mileage and General Office Expenses	11,250	7,200	11,965	4,257	3,994
Dues, Other Organizations	500	500			
Memorials	250	250	50		
Board and Committee Meetings					
Per Diems and Expenses - Directors	20,000	34,000	16,448	22,092	26,400
Board and Committee Meeting Expenses	1,500	1,500	1,081	1,440	1,471
Special Projects					
WD Handbook, Surveys, etc.	1,600	1,500		1,361	7,250
Education and Events					
Annual Convention					
Annual Meeting	40,000	40,000	45,073	39,208	37,079
Annual Trade Show	8,500	9,000	8,631	6,322	9,569
Pre Conference Workshop: Drainage	2,500	2,000	2,871	1,817	2,993
Pre Conference Workshop: Administration	1,000	500	587	339	
Pre Conference Workshop: Managers	1,000	2,500	1,754	580	2,288
Legislative Breakfast	5,500	7,500	6,246	7,045	7,177
Summer Tour	12,500	20,000	9,483	16,000	14,402
Credit Card Processing Fees	3,500	3,500	3,020	3,323	2,791
Special Workshops	2,500	2,500		2,271	
Partner Event Participation	500				1,153
TOTAL	339,500	348,150	301,578	212,816	214,767
STATEMENT OF NET POSITION					
Assets, Cash and Equivalents, actual			217,693	154,113	140,033
Deposits received, deferred				(4,799)	(11,385)
Liabilities, accounts payable, taxes payable			(34,352)	(2,387)	(2,760)
ENDING NET ASSETS			183,341	146,927	125,888



Minnesota Association of Watershed Districts, Inc.
www.mnwatershed.org

MN Association of Watershed Districts, Inc. 2018 Delegate Appointment Form

The Prior Lake-Spring Lake Watershed District hereby certifies that it is a watershed district duly established and in good standing pursuant to Minnesota Statutes 103D and is a member of the MN Association of Watershed Districts, Inc. (MAWD) for the year 2018.

The Prior Lake-Spring Lake Watershed District hereby further certifies the following individuals have been appointed as delegates, or as an alternate delegate, all of whom are managers in good standing with the District.

Delegate #1: Charlie Howley

Delegate #2: Fred Corrigan

Alternate: _____

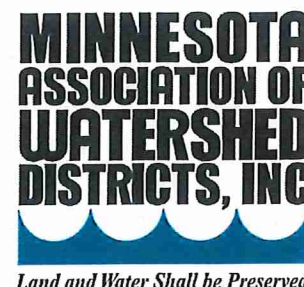
Authorized by: Diane Lepak 11/2/18
Signature Date
District Administrator
Title

** Please return this form to mnwatershed@gmail.com at your earliest convenience. **

2018 MAWD Resolutions Packet

DATE: October 31, 2018
TO: MAWD Members
FROM: Sherry Davis White, Resolutions Committee Chair
Mary Texer, Governance Committee Chair

**PLEASE BRING THIS PACKET TO THE
CONVENTION; EXTRA PRINTED COPIES
WILL NOT BE AVAILABLE ONSITE.**



RE: Committee Recommendations for 2018 Resolutions and Bylaws Amendment

Enclosed are items that will require a vote at this year's annual meeting. Please review them as a board and have your appointed delegates prepared to vote on Friday, November 30th. Here is a recap of our timeline, along with recommendations made by the Resolutions Committee on nine resolutions and the Governance Committee on proposed changes to the bylaws.

Timeline

End of October	Resolutions (along with committee feedback) will be emailed to districts
November	Districts should discuss the resolutions at their November meetings and name delegates for voting at the annual meeting
November 30	Debate and voting to take place at the Friday morning business meeting
December / January	Legislative Committee will review any newly adopted resolutions, along with existing ones, and make recommendations to the MAWD Board of Directors for the 2019 legislative platform
January	MAWD Board of Directors will finalize the 2019 legislative platform

Resolutions Committee Recommendations

#	Resolution Title	Committee Recommendation
1	Allow an Increase to Manager Compensation	Approve
2	Increase or Remove the \$250k General Fund Tax Levy Limit	Approve
3	Require Timely Appointments to the BWSR Board	Approve
4	Require Watershed District Permits for DNR	Approve
5	Adjust WD Statutory Borrowing Limit	Approve
6	Ensure Timely Updates to Wildlife Management Area (WMA) Plans	Approve
7	Remove Impediments to Common Carp Removal in Lakes	Approve
8	Reinforce Existing Rights to Maintain/Repair 103E Drainage Systems	Approve
9	Recommend Administrators for Clean Water Council Appointments	Forward to Membership for a Vote - See Notes in Packet

Governance Committee Recommendations on Bylaws Amendment

Description of Bylaws Changes	Committee Recommendation
(1) Allow Water Management Organizations (WMOs) to be full voting members of MAWD. (2) Make non-substantial language changes to clean up the document and make it consistent with language in the Manual of Policy and Procedures (MOPP).	The committee reviewed both the Bylaws and the MOPP in July 2018. In addition to cleaning up the language to make the documents consistent both internally and with each other, the committee recommends adding language to allow for WMOs to join MAWD with full voting rights. Dues would be calculated using the same formula as used for Watershed District members starting in 2020. The MAWD Board of Directors accepted the committee's proposed changes to the MOPP at the September 21 board meeting and further recommends the changes proposed to the Bylaws as presented.

BACKGROUND INFO on PROPOSED RESOLUTION #1

Allow an Increase to Manager Compensation

Proposing District:	Bois de Sioux WD	Roseau River WD
Contact Name:	Jamie Beyer	Tracy Halstensgard
Phone Number:	320-563-4185	218-463-0313
Email Address:	bds wd@runestone.net	rrwd@mncable.net

Background that led to submission of this resolution:

Board Manager compensation has not been adjusted since 2005, despite increasing water quality and water quantity demands and responsibilities placed on Watershed Districts.

If we want to recruit and retain competent, thoughtful, forward-looking individuals, compensation is an important tool - and the flexibility to customize pay according to regional norms could also be very important to some districts.

Ideas for how this issue could be solved:

Support the pursuit of legislation that increases the per diem for watershed district managers, or the ability for watershed districts to determine their own rates - similar to the authority granted to cities.

Anticipated support or opposition from other governmental units?

Opposition has told us that the per diem is a standard amount and is comparable to other government official per diems - however, those comparisons sometimes involve a government position that receives a base salary.

This issue is of importance (Check one):

To the entire State: ☒
Only our Region:
Only our District:

PROPOSED 2018 MAWD RESOLUTION #1

Allow an Increase to Manager Compensation

Submitted by: Bois de Sioux WD and Roseau River WD

WHEREAS Manager compensation is restricted to \$75 per day by 103D.315 Subd. 8;

WHEREAS Manager compensation has not been increased by the MN Legislature since 2005;

WHEREAS \$75 no longer reflects current pay standards, and does not represent fair compensation for the knowledge, skills, abilities, and effort provided by individuals serving in the highly-specialized public service of governing water quantity and quality; and

WHEREAS the ability to recruit and retain willing individuals to fill Board Manager positions is hampered by the outdated compensation limit.

THEREFORE, BE IT RESOLVED that MAWD supports legislation to lift and/or increase the maximum \$75 a day manager compensation rate set in MN Statute 103D.315 Subd.8. If the compensation rate is raised to a new dollar amount, MAWD supports the inclusion of an annual cost of living adjustment with the local board having authority to set their own rates for a lesser amount if deemed appropriate.

Notes:

1. If approved, this resolution would replace existing language from a resolution passed in 2015 that stated:

“MAWD supports amending Statute 103D.315 Subd 8 to reflect compensation not to exceed \$100 a day.”

2. MN Statute 103D.905 Subdivision 3 currently reads:

“MN Statute 103D.315 MANAGERS.

Subd. 8. **Compensation.** The compensation of managers for meetings and for performance of other necessary duties may not exceed \$75 a day. Managers are entitled to reimbursement for traveling and other necessary expenses incurred in the performance of official duties.”

3. Committee Recommendation: “Approve” since it allows more options than existing policy.

BACKGROUND INFO on PROPOSED RESOLUTION #2

Increase or Remove the \$250k General Fund Tax Levy Limit

Proposing District:	Bois de Sioux WD	Roseau River WD
Contact Name:	Jamie Beyer	Tracy Halstensgard
Phone Number:	320-563-4185	218-463-0313
Email Address:	bdswd@runestone.net	rrwd@mncable.net

Background that led to submission of this resolution:

The General Fund ad valorem tax levy has not been adjusted since 2001 despite increasing water quality and water quantity demands and responsibilities placed on watershed districts. At the very least, the figure could be updated based on an inflationary index.

Ideas for how this issue could be solved:

Support the pursuit of legislation that increases the maximum amount or net formula result or adds an annual inflationary adjustment.

Anticipated support or opposition from other governmental units?

unknown

This issue is of importance (Check one):

To the entire State: ☒
Only our Region:
Only our District:

PROPOSED 2018 MAWD RESOLUTION #2
Increase or Remove the \$250k General Fund Tax Levy Limit
Submitted by: Bois de Sioux WD and Roseau River WD

WHEREAS Minnesota watershed district administrative levies are restricted to \$250,000 by MN Statute 103D.905 Subd. 3;

WHEREAS the \$250,000 limit was legislatively enacted in 2001 and has not kept pace with the current needs and expectations placed on watershed district operations; and

WHEREAS the ability to fulfill water management expectations of local, state, and federal government regulations, as well as that of landowners in the District are hampered by the outdated levy limit.

THEREFORE, BE IT RESOLVED that MAWD supports legislation to increase or remove the \$250,000 general fund ad valorem tax levy limit set in MN Statute 103D.905 Subd. 3. If the limit is raised to a new dollar amount, MAWD supports an inflationary adjustment be added to statute.

Notes:

1. If approved, this resolution would replace existing language from a resolution passed in 2016 that stated:

“MAWD supports legislation to increase the cap on the general fund levy to \$500,000.”

2. MN Statute 103D.905 Subdivision 3 currently reads:

“MN Statute 103D.905 FUNDS OF WATERSHED DISTRICT.

Subd. 3. **General fund.** A general fund, consisting of an ad valorem tax levy, may not exceed 0.048 percent of estimated market value, or \$250,000, whichever is less. The money in the fund shall be used for general administrative expenses and for the construction or implementation and maintenance of projects of common benefit to the watershed district. The managers may make an annual levy for the general fund as provided in section 103D.911. In addition to the annual general levy, the managers may annually levy a tax not to exceed 0.00798 percent of estimated market value for a period not to exceed 15 consecutive years to pay the cost attributable to the basic water management features of projects initiated by petition of a political subdivision within the watershed district or by petition of at least 50 resident owners whose property is within the watershed district.”

3. Committee Recommendation: “Approve” since it allows more options than existing policy.

BACKGROUND INFO on PROPOSED RESOLUTION #3

Require Timely Appointments to the BWSR Board

Proposing District:	Bois de Sioux WD	Roseau River WD
Contact Name:	Jamie Beyer	Tracy Halstensgard
Phone Number:	320-563-4185	218-463-0313
Email Address:	bds wd@runestone.net	rrwd@mncable.net

Background that led to submission of this resolution:

Although there are two issues here - board member positions left vacant on the BWSR board and employing a policy of continuing the membership of board members whose terms have expired - we feel that the same solution can be applied to both: require that vacancies and expirations be filled within 90 days.

When vacancies occur on the BWSR Board, there is no statute that limits the length of time the position may be left vacant – and vacant board positions equate to public underrepresentation. We feel that unfilled vacancies can be used strategically, to lock-out specific organizations and/or regions of Minnesota out of the BWSR Board and allow the appointed Board to pass agency rules that are politically driven.

When board member terms expire, under Minn. 15.0575 Subd. 2 successors need not be appointed and qualified until July 1st, thus permitting the expired board member to serve up to an additional six full months past their term. We feel six months is unnecessarily long and is used as a political strategy to slow and delay board appointments. Board terms are clearly stated and understood; the Governor should be able to evaluate potential candidates ahead of board term expirations, and have appointees lined-up for succession in less than half a year.

Ideas for how this issue could be solved:

Support the pursuit of legislation that requires board member appointment within 90 days of a vacancy or board member term expiration.

Anticipated support or opposition from other governmental units?

Unknown

This issue is of importance (Check one):

To the entire State: ☒ _____
Only our Region: _____
Only our District: _____

PROPOSED 2018 MAWD RESOLUTION #3
Require Timely Appointments to the BWSR Board
Submitted by: Roseau River WD and Bois de Sioux WD

WHEREAS the Governor has statutory authority to appoint members to the Board of Water and Soil Resources (BWSR);

WHEREAS no statute limits the length of time the position may be left vacant once vacated;

WHEREAS vacancies equate to public underrepresentation; and

WHEREAS when board member terms expire, under MN Statute 15.0575 Subd. 2 successors need not be appointed and qualified until July 1st, then permitting the expire board member to serve up to an additional six full months;

THEREFORE, BE IT RESOLVED that MAWD supports legislation that requires the Governor to make BWSR Board appointments within **90 days** of a vacancy or board member term expiration.

Notes:

4. If approved, this resolution would replace existing language from a resolution passed in 2014 that stated:

“MAWD supports legislation that requires the Governor to appoint BWSR representatives within **30 days** of any occurring vacancy.”

1. MN Statute 15.0575 Subd. 2 currently reads:

“15.0575 ADMINISTRATIVE BOARDS AND AGENCIES.

Subd. 2. **Membership terms.** An appointment to an administrative board or agency must be made in the manner provided in section 15.0597. The terms of the members shall be four years with the terms ending on the first Monday in January. The appointing authority shall appoint as nearly as possible one-fourth of the members to terms expiring each year. If the number of members is not evenly divisible by four, the greater number of members, as necessary, shall be appointed to terms expiring in the year of commencement of the governor's term and the year or years immediately thereafter. If the number of terms which can be served by a member of a board or agency is limited by law, a partial term must be counted for this purpose if the time served by a member is greater than one-half of the duration of the regular term. If the membership is composed of categories of members from occupations, industries, political subdivisions, the public or other groupings of persons, and if the categories have two or more members each, the appointing authority shall appoint as nearly as possible one-fourth of the members in each category at each appointment date. Members may serve until their successors are appointed and qualify but in no case later than July 1 in a year in which a term expires unless reappointed.”

2. Committee Recommendation: “Approve” since 90 days is a more realistic timeframe to complete the appointment process.

BACKGROUND INFO on PROPOSED RESOLUTION #4

Require Watershed District Permits for the DNR

Proposing District: Wild Rice Watershed District
Contact Name: Kevin Ruud
Phone Number: 218-784-5501
Email Address: kevin@wildricewatershed.org

Background that led to submission of this resolution:

1. Watershed districts are local, special-purpose units of government that work to solve and prevent water -related problems (MAWD Website).
2. While all other government units, such as states, counties and cities have political boundaries, because water knows no boundaries and goes where it wants to, it makes sense to manage natural resources on a watershed basis. This type of management allows for an overall, holistic approach to resource Conservation (MAWD Website).
3. Watershed Districts have overall plans that are intended to protect, enhance, manage, and maintain the natural resources of the district in the best interest of the citizens and other stakeholders.
4. Watershed Districts currently have rules and permit requirement that are not intended to delay or inhibit development. Rather permits are needed so that the managers are kept informed of planned projects, can advise and in some cases, provide assistance, and can ensure that land disturbing activity and development occurs in an orderly manner and in accordance with the overall plan for the District.
5. The MNDNR owns, operates and maintains wildlife management area and other conservation-oriented property within the WRWD.
6. As part of the operation of this property, the MNDNR periodically does improvements (i.e. wetland restoration, channel modifications, etc.) on their land without going through the process of obtaining a permit from watershed districts, because they are currently not subject to 103D.345. Without requiring a permit, the watershed managers are not assured of being adequately kept informed of planned projects to ensure that land disturbing activity and development occurs in an orderly manner and in accordance with the overall plan for the District.

Ideas for how this issue could be solved:

MAWD could seek legislative authority to amend MN Statute 103D.345, Subd. 5 as follows:

"Subd. 5. **Applicability of permit requirements to state.** A rule adopted by the managers that requires a permit for an activity applies to the Departments of Transportation and Natural Resources."

Anticipated support or opposition from other governmental units?

We would anticipate support from watersheds and opposition from the MNDNR

This issue is of importance (Check one):

To the entire State: ☒
Only our Region: ☐
Only our District: ☐

PROPOSED 2018 MAWD RESOLUTION #4
Require Watershed District Permits for the DNR
Submitted by: Wild Rice WD

WHEREAS discussion was had that the Minnesota Department of Natural Resources has engaged in certain activity on property owned by the DNR which would require a permit for such activity as being within the scope of an existing rule of the WRWD, but the DNR asserts its position that it is exempt from obtaining any such permit; and

WHEREAS the WRWD has concerns that the non-permitted work being done by the DNR on its property impacts other property owners/residents within the WRWD resulting in such impacted property owners/residents having no recourse for water flowing, seeping, or otherwise being cast upon such other owners/residents; and

WHEREAS the WRWD desires that Minn. Stat. § 103D.345, Subd. 5 which pertains to the applicability of watershed permit requirements to the state and provides that a rule adopted by the managers that requires a permit for an activity applies to the Department of Transportation should be expanded to include the Minnesota Department of Natural Resources; and

THEREFORE, BE IT RESOLVED that MAWD supports an amendment to the Minn. Stat. § 103D.315, Subd. 5, to include the MN Department of Natural Resources as a state agency required to get permits from watershed districts when applicable.”

Notes:

1. Minn. Stat. § 103D.345, Subd. 5 currently reads:

“103D.345 PERMITS.

Subd. 5. **Applicability of permit requirements to state.** A rule adopted by the managers that requires a permit for an activity applies to the Department of Transportation.”

2. Preferred amendment language would be:

“103D.345 PERMITS.

Subd. 5. **Applicability of permit requirements to state.** A rule adopted by the managers that requires a permit for an activity applies to the Departments of Transportation and Natural Resources.”

3. Committee Recommendation: “Approve”

BACKGROUND INFO on PROPOSED RESOLUTION #5

Adjust WD Statutory Borrowing Limit

Proposing District: Heron Lake WD
Contact Name: Jan Voit, District Administrator
Phone Number: 507-793-2462
Email Address: jvoit@hlwdonline.org

Background that led to submission of this resolution:

- The Heron Lake Watershed District (HLWD), as drainage authority, is undertaking several substantial drainage system improvement projects.
- Minnesota Statutes §103E.635, subdivision 1, authorizes issuance of county drainage project bonds only after a contract for construction has been awarded. The extensive process leading to drainage project establishment, as well as design and other implementation acts in advance of construction contract award, must be financed in advance of funds from county project bonds or project assessments.
- Minnesota Statutes §103D.335, subdivision 17, limits watershed districts to \$2M in outstanding loans from counties and financial institutions. This is insufficient for a watershed district that has several substantial drainage projects in progress, as well as other watershed project financing needs. A proposed improvement project through the final hearing can cost in excess of \$500,000.
- County bonding practices can add to financing challenges. The county in which all of the HLWD's present improvement projects are located would prefer to wait to bond for a project until it is within one year of completion.
- Borrowing options should be preserved, as presently the HLWD is able to borrow from commercial banks at a better interest rate than its counties offer. The HLWD anticipates that costs for current improvement projects will exceed \$15 million, so minimizing borrowing costs will be important. Borrowing from local lenders also supports the local economy.
- The bank with which the HLWD has a relationship is willing and able to loan funds in excess of \$2 million.

Ideas for how this issue could be solved:

- Amend Minnesota Statutes §103D.335, subdivision 17, to increase the amount of outstanding loans that a watershed district may hold.
- More narrowly, add a term to the drainage code (Minnesota Statutes chapter 103E) authorizing drainage authorities to hold loans for drainage project financing that do not count against the outstanding loan cap of Minnesota Statutes §103D.335, subdivision 17.
- Amend Minnesota Statutes §103E.635, subdivision 1, to authorize counties to issue drainage project bonds before award of construction contract.
- Amend Minnesota Statutes §103E.635, subdivision 11, to remove any mandated interest rate for county loans to watershed districts and allow for competitive rates.

Anticipated support or opposition from other governmental units?

Positive

This issue is of importance (Check one):

To the entire State: ☒ X
Only our Region: ☐
Only our District: ☐

PROPOSED 2018 MAWD RESOLUTION #5

Adjust WD Statutory Borrowing Limit

Submitted by: Heron Lake WD

WHEREAS watershed districts serve as drainage authorities under the Minnesota drainage code, Minnesota Statutes Chapter 103E, and in that role fulfill statutory responsibilities to conduct extensive procedures to establish, design and construction major drainage projects, and

WHEREAS drainage projects are funded by multi-year assessment of benefited lands, but substantial costs are incurred in advance of the flow of funds from assessment, and

WHEREAS drainage project costs may be financed by county bonds, but the drainage code does not allow for county project bonds to be issued until the construction contract is awarded (Minnesota Statutes §103E.635, subdivision 1); and

WHEREAS a watershed district may finance project costs through loans but is constrained by statute (Minnesota Statutes §103D.335, subdivision 17) to holding no more than \$2 million in outstanding loans from counties and financial institutions, and

WHEREAS a watershed district may finance internally through a loan from another drainage account (Minnesota Statutes §103E. 655, subdivision 2), but this source is insufficient for substantial project financing.

WHEREAS these limitations constrain watershed districts' capacity to fulfill their responsibilities as drainage authorities.

THEREFORE, BE IT RESOLVED that MAWD supports amending the watershed law (Chapter 103D) and/or the drainage code (Chapter 103E) to improve the capacity of watershed districts to finance drainage projects, by:

- Increasing watershed districts' limit on borrowing;
- Allowing counties to issue drainage project bonds earlier in the project development process; and
- Enhancing watershed district ability to obtain competitive borrowing rates from both counties and financial institutions.

Notes:

1. MN Statute §103D.335, subdivision 17 reads:

"103D.335 DISTRICT AND MANAGERS' POWERS.

§Subd. 17. **Borrowing funds.** The managers may borrow funds from an agency of the federal government, a state agency, a county where the watershed district is located in whole or in part, or a financial institution authorized under chapter 47 to do business in this state. A county board may lend the amount requested by a watershed district. A watershed district may not have more than a total of \$2,000,000 in loans from counties and financial institutions under this subdivision outstanding at any time."

2. Committee recommendation: "Approve."

BACKGROUND INFO on PROPOSED RESOLUTION #6

Ensure Timely Updates to Wildlife Management Area (WMA) Plans

Proposing District: Roseau River
Contact Name: Tracy Halstensgard
Phone Number: 218-463-0313
Email Address: rrwd@mncable.net

Background that led to submission of this resolution:

It came to our attention that the planning process was underway for a WMA in the upper reaches of our District. It is the second of eight major WMA's in the state that will have their plans updated. We also learned that the planning writing process only involves DNR staff with, in our opinion, minimal opportunity for input from local counties and watershed districts where these WMA's are located.

Ideas for how this issue could be solved:

The DNR could include watershed districts in the process by allowing us to have more input as the plans are being updated. Most of the current plans view WMA land as independent from everything else around it. We understand the goal of the One Watershed One Plan to look at things from the watershed perspective. If that is the case, these WMA plans need to address water management issues in a way that is consistent with the watershed they are in. That can really only be accomplished if we are allowed to participate in the process.

Anticipated support or opposition from other governmental units?

Yes. Roseau County has expressed support, and we believe other counties that have authority over jurisdictional drainage systems near or on WMA's would also support more participation.

This issue is of importance (Check one):

To the entire State: ☒
Only our Region: ☐
Only our District: ☐

PROPOSED 2018 MAWD RESOLUTION #6
Ensure Timely Updates to Wildlife Management Area (WMA) Plans
Submitted by: Roseau River WD

WHEREAS Minnesota's Wildlife Management Area (WMA) system started in 1951, when the State established its "Save the Wetlands" program to buy wetlands and other habitats from willing sellers to address the loss of wildlife habitat in the state and has evolved into the present-day system of WMAs; and

WHEREAS today there are over 1.3 million acres of high-quality habitat in about 1,500 WMAs located throughout the state, making it one of the largest WMA systems in the country; and

WHEREAS the Minnesota Department of Natural Resources is responsible for the management of these acres.

WHEREAS consistency of written operation and maintenance plans for individual WMAs vary considerably from no written plan to extremely dated plans.

WHEREAS the state of Minnesota has made watershed management plans a priority with the One Watershed One Plan (1W1P) initiative.

WHEREAS effective management, including interagency coordination of said management, of our natural resources is imperative to the health and wellbeing of the visitors and residents of the state.

THEREFORE, BE IT RESOLVED that MAWD supports that Wildlife Management Area (WMA) Operation and Maintenance Plans and/or Management Plans are either drafted or brought current in a timely fashion, with input from local governmental entities, to ensure their consideration in future One Watershed One Plan efforts.

Notes:

1. Committee Recommendation: "Approve."

BACKGROUND INFO on PROPOSED RESOLUTION #7

Remove Impediments to Common Carp Removal in Lakes

Proposing District: Prior Lake-Spring Lake Watershed District
Contact Name: Diane Lynch
Phone Number: 952-440-0067
Email Address: dlynch@plslwd.org

Background that led to submission of this resolution:

1. The Legislature has given sole authority to the Commissioner of Natural Resources to issue special permits for taking, possessing, transporting and disposing of wild animals, which includes carp research, capture and removal.
2. The Department of Natural Resources allows electrofishing of common carp as "research projects" under an educational special permit. Common carp are categorized as a "nuisance species."
3. The Department of Natural Resources, by practice, does not allow carp removal under educational permits except where it is part of a clearly defined research project.
4. Carp removal is allowed under an "Inland Commercial Fish Removal Permit Class B." Under Rule 6260.2400, inland commercial fishing areas are assigned. Commercial fishing in state waters is allowed by license, permit or contract under Rule 6260.0200. The Department of Natural Resources licenses and assigns commercial fishermen to the inland commercial fishing areas. The fisherman assigned to the inland commercial fishing areas may be unavailable, unmotivated, lacking proper equipment etc., so removal may not happen when needed by the District. In addition, the licensed fisherman must give permission for other individuals to remove the carp as part of a management program.
5. Electrofishing is part of a District's carp management program. Other aspects of carp management include installing carp barriers, seining, carp tournaments and disposal.
6. It is in the best interest of a watershed district and the state of Minnesota to remove nuisance species when they are electrofished to aid a District's carp management program and to demonstrate to the public that efforts are being made to reduce common carp populations on multiple levels. It is also in the best interest of a District and the state of Minnesota to contract with other commercial fisherman besides the one assigned to the inland commercial fishing area to ensure removal can be implemented.

Ideas for how this issue could be solved:

Initiate legislation to require the Department of Natural Resources to routinely allow Class B permits to be issued in conjunction with "educational special permits" to watershed districts and the entities they hire to do the electrofishing for common carp. In addition, entities should be allowed to hire licensed commercial fishermen other than those assigned to a particular inland commercial fishing area for common carp removal only.

Anticipated support or opposition from other governmental units?

We would expect watershed districts to support it. The Department of Natural Resources may welcome legislation since they will not have to go through a lengthy rulemaking process.

This issue is of importance (Check one):

To the entire State: ☒ X
Only our Region: ☐
Only our District: ☐

PROPOSED 2018 MAWD RESOLUTION #7
Remove Impediments to Common Carp Removal in Lakes
Submitted by: Prior Lake – Spring Lake WD

WHEREAS the Department of Natural Resources (DNR) regulates the state's fisheries;

WHEREAS Common Carp are a nuisance species and destroy native vegetation habitat needed by native fish and wildlife; and

WHEREAS the activities of Common Carp cause turbidity, lack of water clarity and suspend pollutants in the water column; and

WHEREAS watershed districts use electrofishing as a way to estimate numbers of Common Carp as part of their aquatic invasive species management plans; and

WHEREAS the DNR does not allow carp removal permits with electrofishing except where removal is part of a clearly defined research project;

WHEREAS the DNR assigns commercial fishermen to inland commercial fishing areas as a sole source, the fisherman may be unavailable to assist the watershed districts and watershed districts are required to get their permission to capture and dispose of Common Carp;

WHEREAS it is in the best interest of the watershed districts and the state of Minnesota to remove Common Carp to enhance water quality;

THEREFORE, BE IT RESOLVED that MAWD supports legislation to require the DNR to allow Common Carp removal as part of an electrofishing program.

THEREFORE, BE IT FURTHER RESOLVED that MAWD supports legislation to require the DNR to license and assign multiple commercial fishermen to commercial fishing areas to ensure that watershed districts will have the ability to remove the carp as part of their management programs.

Notes:

1. If approved, this resolution modifies a resolution originally passed in 2014 as follows:

“MAWD supports ~~actions~~ legislation to require the DNR to allow Common Carp removal as part of an electrofishing program.”

“MAWD supports ~~actions~~ legislation to require the DNR to license and assign multiple commercial fishermen to commercial fishing area to ensure that watershed districts will have the ability to remove the carp as part of their management programs.”

2. Committee Recommendation: “Approve,” but the committee notes that the original resolution did not preclude legislation and this version would not preclude non-legislative options from being pursued if deemed appropriate.
3. We will vote on each “THEREFORE, BE IT RESOLVED” statement separately.

BACKGROUND INFO on PROPOSED RESOLUTION #8

Reinforce Existing Rights to Maintain/Repair 103E Drainage Systems

Contact Name: Phil Belfiori
Phone Number: 763-398-307
Email Address: pbelfiori@ricecreek.org

Background that led to submission of this resolution:

The State enacted a number of laws related to water resources after the establishment of the public drainage systems. However, there was a commitment that these laws would not restrict existing rights including those related to the existence of, and obligation to maintain public drainage systems.

The public waters inventory was never intended to restrict the right to maintain existing drainage systems. The legislature specifically exempted repairs from DNR permitting; gave the DNR a mechanism to ensure proposed work was repair; and directed the DNR to provide for the lawful function of public drainage systems that affected public waters. The DNR also adopted a rule exempting repairs from permitting and announced a policy in 1980 that stated repair of public drainage systems should be allowed without permits.

More recent DNR practices have departed from the 1980 policy. The agency has increasingly required permits, approvals, and conditions specifically contrary to current law and the 1980 policy. The DNR issued new guidance in February 2018 that has not addressed the public drainage authority concerns while creating more uncertainty, expense, and delays in the public waters regulatory program and for drainage system repairs.

HF2687 and SF2419 were introduced during the 2018 legislative session to restate the protections given to drainage system repairs. These bills were placed on hold in committee when the DNR indicated that its new guidance would address the concerns that drainage authorities had with its current practices (relating to permitting and permission requirements for work affecting public waters). Though these bills were never withdrawn by their authors, the start of a new biennium (2019-2020) requires that they be reintroduced for consideration in the new biennium.

The DNR policy and its implementation do not adequately address drainage authority concerns. Reintroduction and approval of new legislation modeled after HF2687 and SF2419 would restate in clear terms the DNR's role in drainage system repairs.

Ideas for how this issue could be solved:

Current issues with the DNR could be resolved through protracted litigation (least desirable course of action) or by clear legislative directive. New legislation, modeled after HF2687 and SF2419, will provide this clear legislative directive. The legislation would reinforce existing law regarding the DNR's and the drainage authorities' requirements when maintaining the public drainage systems.

Anticipated support or opposition from other governmental units?

All public drainage authorities (counties, watershed districts, and watershed management organizations) should support this legislation. Non-governmental environmental organizations in the state and the DNR may oppose this legislation.

This issue is of importance (Check one):

To the entire State: X
Only our Region:
Only our District:

PROPOSED 2018 MAWD RESOLUTION #8
Reinforce Existing Rights to Maintain/Repair 103E Drainage Systems
Submitted by: Rice Creek WD

WHEREAS courts have identified the rights of benefitted landowners to have public drainage systems maintained as a property right;

WHEREAS many watershed districts are 103E drainage authorities for all public drainage systems within their jurisdictional boundaries pursuant to statute chapter;

WHEREAS statute chapter 103E places an obligation on drainage authorities to maintain public drainage systems on behalf of benefitted landowners;

WHEREAS the State enacted laws related to water resources after the establishment of the public drainage systems with the commitment that these laws would not restrict existing rights to maintain public drainage systems;

WHEREAS DNR practices have departed from past policy and extended its authority by regulating, permitting and restricting drainage system repairs;

WHEREAS House File (HF) 2687 and Senate File (SF) 2419 were introduced during the 2017 legislative session to restate the protections given to drainage system repairs and were placed on hold in committee to await new DNR guidance that would address the concerns of the drainage authorities;

WHEREAS the DNR issued new guidance in February 2018 that did not address the public drainage authority concerns and has created more uncertainty, expense and delays in the public waters regulatory program and for drainage system repairs; and

WHEREAS Though HF2687 and SF2419 were never withdrawn by their authors, the start of a new biennium (2019-2020) requires that they be reintroduced for consideration in the new biennium.

THEREFORE, BE IT RESOLVED that MAWD supports legislation modeled after House File 2687 and Senate File 2419 of the ninetieth Legislature (2017-2018) reinforcing that the DNR cannot restrict existing rights to maintain and repair 103E public drainage systems.

Notes:

1. The following items are included for your review:
 - A fact sheet created by Rice Creek WD that highlights the issues
 - Letters of Support for the resolution from Sauk River and Lac qui Parle - Yellow Bank WDs
 - HF 2687 as introduced in the 90th legislature (Note: SF 2419 has the exact same language as HF 2687)
2. Committee Recommendation: "Approve."

BACKGROUND INFO on PROPOSED RESOLUTION #9

Recommend Administrators for Clean Water Council Appointments

Proposing District: MN Association of Watershed Administrators
Contact Name: Scott Henderson
Phone Number: 320.352.2231
Email Address: scott@srwdmn.org

Background that led to submission of this resolution:

The current watershed district representative to the Clean Water Council (CWC) is not currently employed by a watershed district or a member of a watershed district board. The CWC makes recommendations to the legislature and governor on how Clean Water Funds are spent throughout the state. Watershed districts have a vested interest in how those funds are apportioned and should have a strong voice to ensure funds are spent for implementation of water quality/quantity projects. Communication between the Minnesota Association of Watershed District (MAWD) membership and the representative has been virtually non-existent. To better align with the vision of MAWD and watershed districts, the Minnesota Association of Watershed Administrators (MAWA) supports a governor-appointed representative for watershed districts but believes the representative should be an individual with ties to MAWD and its membership. MAWA advocates for a representative that supports the vision of MAWD and watershed districts.

Ideas for how this issue could be solved:

This issue of communication and influencing watershed district perspectives on the CWC could be resolved by recommending a watershed district administrator for the position, from a watershed district in good standing with MAWD. Much like the soil and water conservation district and city representatives on the CWC, having an individual that works within a watershed district could guide recommendations that further the vision of MAWD and watershed districts. MAWA understands that MAWD is currently within a change; however, the CWC has an important function that warrants a more proactive stance and what better time to affect change than when change is occurring.

Anticipated support or opposition from other governmental units?

MAWA believes that this would be supported by SWCDs, counties and cities with local water plans and other state agencies. MAWA does not see any outside opposition to this resolution.

This issue is of importance (Check one):

To the entire State: X
Only our Region:
Only our District:

PROPOSED 2018 MAWD RESOLUTION #9
Recommend Administrators for Clean Water Council Appointments
Submitted by: MN Association of Watershed Administrators (MAWA)

NOTE: This resolution needs approval by the MAWD Board of Directors before it can come before the membership for a vote. See notes below.

WHEREAS the Clean Water Council is a 28-member council that advises the Legislature and the Governor on the administration and implementation of the Clean Water Fund;

WHEREAS the Clean Water Fund shall use priority funding as set by the Board of Water and Soil Resources for nonpoint restoration and protection;

WHEREAS the potential funding generated from Clean Water Fund appropriations could be utilized for projects at the local government level;

WHEREAS the current watershed district representative is not currently associated with a watershed district in any capacity; and

WHEREAS the appropriations are being utilized for things other than clean water implementation due to a lack of recommendations from the council in that manner.

THEREFORE, BE IT RESOLVED that MAWD asks any representative of the Clean Water Council to resign when they lose their direct association to a watershed district; and

THEREFORE, BE IT FURTHER RESOLVED that MAWD will recommend to the Governor's office that administrators in good standing with MAWD be appointed to the Clean Water Council.

Notes:

1. MAWA cannot submit resolutions on their own; but, the MAWD Board of Directors may review the resolution and move it forward for a vote by the membership. The MAWD Board will review the resolution and make a decision on how to proceed on November 29th. If approved, members will have an opportunity to vote on this resolution during the business meeting on November 30th.
2. Committee Recommendation: Committee recommends the MAWD Board move the resolution to a vote.
3. We will vote on each "THEREFORE, BE IT RESOLVED" statement separately.

2018 Proposed Changes to MAWD Bylaws

The Governance Committee reviewed both the Bylaws and the Manual of Policies and Procedures (MOPP) during the summer of 2018. In addition to cleaning up the language to make the documents consistent both internally and with each other, the committee recommends adding language to allow for Water Management Organizations (WMOs) to join MAWD with full voting rights. Dues would be set by the Board of Directors and will use the same formula as used for Watershed District Members starting in 2020. For 2019, WMOs will not see an increase in the dues they are charged to be associate members (\$500.)

The MAWD Board of Directors accepted the changes as proposed in the MOPP at the September 21st Board Meeting in Sauk Centre. The MAWD Board further recommends the changes proposed to the Bylaws as shown below.

BYLAWS

MINNESOTA ASSOCIATION OF WATERSHED DISTRICTS, INC.

St. Paul, Minnesota

ARTICLE I.

Offices and Corporate Seal

- 1.1 Official Name. The official name of the corporation is the Minnesota Association of Watershed Districts, Inc., hereinafter referred to as MAWD.
- 1.2 Purpose. The purpose of MAWD is to provide educational opportunities, access to information resources, interface with other agencies, facilitate tours, meetings, ~~and other educational opportunities~~ and lobby on behalf of ~~watershed districts~~ members. Additionally, MAWD will facilitate the exchange of information to help ~~members Watershed District Managers and Watershed staff~~ better comply with governmental regulations and laws while offering an informed interface with the community or communities being served.
- 1.3 Organized. The corporation is organized as a 501(c)(4) organization. Notwithstanding any provision of the Articles of Incorporation or Bylaws which may be interpreted to the contrary, MAWD shall not authorize or undertake any actions which jeopardize its status as a 501(c)(4) organization.
- 1.4 Office. The registered office of the corporation shall be designated by the Board of Directors.
- 1.5 Corporate Seal. The corporation shall have no corporate seal.
- 1.6 Manual of Policy and Procedures. The Board of Directors has established a management document identified as Manual of Policy and Procedures (MOPP) to support the orderly and timely details of regular operation. It may be revised at any time by a majority vote of the Board of Directors.

ARTICLE II. Membership

- 2.1 Regular Membership. Each dues-paying watershed district (WD) or water management organization (WMO) duly established and in good standing pursuant to Minnesota Statutes, Chapter 103B or 103D, shall be entitled to ~~a regular~~ membership in this corporation.
- 2.2 Delegates. Alternates. When a ~~watershed district~~ WD or WMO becomes a ~~regular~~ member of this corporation, it shall designate from among its ~~managers-board members~~ two delegates to represent it in this corporation. In addition, each ~~regular~~ member may designate alternate delegates to represent such member in the absence of any originally designated delegate. Thereafter, each ~~regular~~ member shall annually designate its delegates and alternate delegates so long as it remains a member in good standing of this corporation.
- 2.3 Termination of Membership. Any member that has failed to pay its dues ~~as provided in the Policy and Procedure Manual~~ is not in good standing and shall be stricken from the membership roll.
- 2.4 Resignation of Member. Any member may withdraw from this corporation effective immediately by notifying the secretary in writing. 45 days prior to the end of the fiscal year. Regardless of the date of termination, there shall be no refund of the annual dues paid by the member.
- 2.5 Associate Membership. The Board of Directors may from time to time extend associate membership to this corporation upon payment of dues as determined by the Board of Directors. An associate member shall not be entitled to submit resolutions, vote, or serve on the Board of Directors, but shall otherwise be afforded all the rights and privileges granted to ~~regular~~ members, their delegates and alternate delegates by law and by the Articles of Incorporation and Bylaws of this corporation.
- ~~2.6 Members or Memberships. Subject to the corporation's Articles of Incorporation and paragraph 2.5 herein, the terms "member" and "membership," or the plural of either, appearing in these Bylaws shall mean both regular members and associate members and memberships, unless a contrary meaning is clearly indicated.~~

ARTICLE III. Meetings of Membership

- 3.1 Annual Meeting. An annual meeting of this corporation shall be held to vote for the election of the Board of Directors and to transact such other business as shall properly come before them. Notice of the time and place of such annual meeting shall be mailed, either physically or electronically, by the secretary to all members at least thirty (30) days in advance thereof.
- 3.2 Special Meeting. Special meetings of the members of the corporation shall be called by the president upon request of a majority of directors of the Board of Directors or upon the written request of one-third of the ~~regular~~ members of the corporation in good standing. This request shall be in writing addressed to the president or the secretary of the corporation. Within thirty days of receipt of said request, the Board of Directors shall, mail (either physically or electronically) notice of said special meeting to all members. This notice shall state the objective of the meeting and the subjects to be

considered.

- 3.3 Quorum. A majority of the delegates (two per ~~regular~~ member) shall constitute a quorum for the transaction of business.
- 3.4 Voting. Any action taken by the ~~regular~~ members shall be by majority vote of the delegates present unless otherwise specifically provided by these Bylaws. Each member shall be entitled to one (1) vote for each delegate present.

ARTICLE IV.

Board of Directors

- 4.1 General Powers. The business activities of the corporation shall be directed and managed by the Board of Directors. ~~(hereinafter referred to as the board)~~. The Board of Directors shall be authorized to pay officers and directors of the corporation per diem allowances and expenses as may from time to time be submitted to the Board of Directors, and such other expenses as may from time to time be necessary for the furtherance of the corporation's business, consistent with the rate and provisions of watershed ~~manager board member~~ per diem allowances and expense reimbursement provided in state law. The Board of Directors is authorized to hire and/or contract for services needed.
- 4.2 Directors to be Elected by Regions. For the purpose of election of the Board of Directors, ~~the State of Minnesota is divided~~ members are grouped into three regions; three Directors shall be elected from each region, with staggered three-year terms. Members from each region shall elect one director for a three-year term at the annual meeting of the Association. No ~~Watershed District~~ WD or WMO shall have more than one ~~Manager board member~~ elected to be a Director on the Board of Directors of the Corporation. Regional caucuses shall elect a Chairman and Recording Secretary from its delegates for the purpose of its election procedure and report the election results to the Convention at a designated time.
- 4.3 Regions. ~~At the annual meeting, the delegates~~ The Board of Directors may re-align the regions or the ~~watershed districts~~ members contained therein, it being the intent and purpose that each region contain the approximate same number of ~~watershed districts~~ members. Any ~~watershed district~~ WD or WMO in Minnesota not presently a member of this corporation, upon admission to membership, will be assigned to a region by the Board of Directors. Regional membership shall be listed in the Policy and Procedure Manual.
- 4.4 Number. Qualification and Term of Office. The number of directors constituting the board shall be nine. Each director elected at the annual meeting shall be elected for a three-year term. Directors shall be on the board of a watershed member in good standing of this corporation.
- 4.5 Vacancies. If there be a vacancy among the officers of the corporation or among the directors by reason of death, resignation, termination of membership, or removal as provided by law, the Articles of Incorporation, or these Bylaws, or otherwise or for non-excused absences for three consecutive meetings, such vacancy shall be filled by the Board of Directors until the next Annual Meeting of the Association.

4.6 Removal of Directors by Members. At a special meeting of the Board of Directors called solely for that reason, the notice of which meeting shall have been given in writing to members of this board at least thirty days prior thereto and not more than fifty days prior thereto, a majority of the members of this board may remove one or more directors from their term of office without cause.

4.7 Meetings. Actions. The Board of Directors shall hold the annual meeting of the Board of Directors immediately after the annual meeting of the members of this corporation, and at such annual meeting shall elect the officers as above provided for. Regular meetings of the Board of Directors shall be held at a time and place to be fixed by resolution or adopted by the majority of the Board of Directors.

The majority of the Board of Directors shall constitute a quorum. Directors may participate and vote in Board of Directors meetings by telephone or other electronic means approved by the Board in the MOPP.

Actions may be taken by a majority vote of those Directors present or participating by telephone or other electronic means approved by the Board in the MOPP. The secretary of the board shall give written or electronic notice to each director at least ten (10) days in advance of any regular or special directors' meeting. Special meetings may be called at the discretion of the President of the board or upon demand in writing to the secretary by three (3) directors of the Board of Directors.

4.8 Conflicts of Interest. Members of the Board of Directors shall act at all times in the best interests of the corporation. This means setting aside personal self-interest and performing their duties in transacting the affairs of the corporation in such a manner that promotes public confidence and trust in the integrity, objectivity and impartiality of the Board. No Director shall directly or indirectly receive any profit from his/her position as such, and Directors shall serve without remuneration other than as provided in Section 4.1 of these Bylaws for the payment for reasonable expenses incurred by them in the performance of their duties. The pecuniary interests of immediate family members or close personal or business associates of a Director are considered to also be the pecuniary interest of the Director.

4.9 Indemnification. All directors and officers of the corporation shall be indemnified against any and all claims that may be brought against them as a result of action taken by them on behalf of the corporation as provided for and subject to the requirements of Chapter 317A of Minnesota Statutes as amended.

ARTICLE V. Board Officers

5.1 Officers and Duties. There shall be four officers of the board, consisting of a president, vice-president, secretary and treasurer. All officers shall be directors of the corporation. Their terms and duties are as follows:

5.2 President. The president shall serve a term of office of one year and may, upon re-election succeed himself/herself for two additional successive terms. The president shall have the following duties:

- Convene and preside over regularly scheduled board meetings.

- Have general powers and duties of supervision and management usually vested in the office of president.
- Appoint such committees as he/she shall deem necessary with the advice and consent of the Board of Directors.

5.3 Vice-President. The Vice-President shall serve a term of office of one year and may, upon re-election succeed himself/herself for two additional successive terms. The Vice-President shall have the following duties:

- Assume and perform the duties of the president in case of his/her absence or incapacity; and shall chair committees on special subjects as designated by the President.
- Have general powers and duties of supervision and management usually vested in the office of Vice-President.

5.4 Secretary. The Secretary shall serve a term of office of one year and may, upon re-election succeed himself/herself for two additional successive terms.

The Secretary shall be responsible for preparing and keeping all records of board actions, including overseeing the taking of minutes at all board meetings, sending out meeting announcements, distributing copies of minutes and the agenda to each board member, and assuring that corporate records are maintained.

5.5 Treasurer. The Treasurer shall serve a term of office of one year and may, upon re-election succeed himself/herself for two additional successive terms.

The treasurer shall chair the finance committee, maintain account of all funds deposited and disbursed, disburse corporate funds as designated by the Board of Directors, assist in the preparation of the budget, collect membership dues, and make financial information available to board members and the public.

ARTICLE VI.

Fiscal Year, Dues and ~~Audit~~ Annual Review of Financial Procedures

6.1 Fiscal Year. The fiscal year of the corporation shall end on September 30 each year.

6.2 Membership Dues. Dues will be determined annually by the Board of Directors as specified in the Policies and Procedures Manual.

6.3 Annual Dues. Annual dues shall be payable in ~~advance during the month of~~ January of each year. If a member's dues are not paid on or before April 30 of each year, such member's name shall be stricken from the membership roll. Reinstatement shall be upon such terms and conditions as prescribed by the Board of Directors.

The Board of Directors shall have the authority to suspend or defer dues of any newly organized ~~watershed-district~~ WD or WMO that joins this association until such member ~~watershed-district~~ WD or WMO is in actual receipt of its first authorized fund. The Board shall send out the annual dues statement with payment directed to the Authorized ~~District~~ Accounting firm. The Board of Directors

may consider deferring, suspending, or reducing dues on an individual case basis when an appeal is made by a ~~Watershed District member~~ because of hardship or funding problems.

- 6.4 Annual ~~Audit Review of Financial Procedures~~. The Board of Directors of this corporation shall provide for an annual audit review of financial procedures of all its resources and expenditures. A full report of such audit review and financial status shall be furnished at each annual meeting of the members. This audit review will be conducted by an auditing firm selected by the Board of Directors with experience in the field of government and water management. The audit review results shall be furnished to all members ~~districts~~ within forty-five days after receipt thereof by the Treasurer.

ARTICLE VII.

Employees

- 7.1 Employees. At the discretion of and under the direction of the Board of Directors, MAWD may choose to hire and administer various employees. Their positions and job expectations shall be individually developed and included in the Policies and Procedures Manual.

ARTICLE VIII.

Resolutions and Petitions

- 8.1 Resolutions: The Chair of the MAWD Resolutions/Policy Committee will send a request for resolutions, along with a form for submission, to the membership at least 3 months prior to the annual MAWD membership meeting. Resolutions and their justification must be submitted to the MAWD Resolutions/Policy Committee in the required format at least 2 months prior to the annual MAWD membership meeting for committee review and recommendation. The committee will present these resolutions and their recommendations to the ~~MAWD~~-Board of Directors and the MAWD membership at least 1 month prior to the start of the annual MAWD membership meeting. The ~~MAWD~~-Board of Directors may make additional recommendations on each proposed resolution through its board meeting process. This same procedure will be used when policy issues are to be considered at any special MAWD membership meeting.
- 8.2 Petitions: Any member or group of members may submit to the Board of Directors at any time a petition requesting action, support for, rejection of, or additional information on any issue of potential importance to the members. Such petitions require signed resolutions from that at least 15 members ~~watershed districts submit the petition~~ before a Special meeting of the membership will be convened.

ARTICLE IX.

Chapters

- 9.1 Chapters. Members ~~Districts~~ may form chapters to further the purposes stated in Article II of the Articles of Incorporation, to carry out policies of the Board of Directors, and to suggest policies for consideration by the Board of Directors. ~~The chapters shall report on their activities at the Annual Meeting of the Association.~~

**ARTICLE X.
Rules of Order**

10.1 Rules. When consistent with its Articles of Incorporation and these Bylaws, Robert's Rules of Order shall govern the proceedings of this corporation. For consistency in operation, a copy of Robert's Rules of Order shall be available for consultation if requested at every scheduled meeting of the Board of Directors and Membership meetings.

**ARTICLE XI.
Amendments**

11.1 Amendments. These Bylaws may be amended by a majority vote of the ~~regular~~ members of this corporation only as provided below.

11.2 Annual Meeting. At the annual meeting of the ~~regular~~ members of this corporation, the Bylaws may be amended by the majority of the ~~regular~~ members present if there is a quorum at said annual meeting and due notice has been given to the membership of the changes 30 days in advance of the meeting.

11.3 Special Meeting. These Bylaws may be amended by the ~~regular~~ members at a special meeting called for that reason but only by a majority vote of the entire ~~regular~~ membership of the corporation, and only if there has been thirty days' written notice to all ~~regular~~ members of such special meeting. Such special meeting may be called upon the request of one-third of the ~~regular~~ members of this corporation by notice in writing to the secretary or president, which notice shall ask for said special meeting and shall state the proposed Bylaws changes, and upon receipt of such request, the secretary or president must send written notice of the meeting to the members of this corporation within thirty days of receipt of such request, which shall be not less than thirty days nor more than fifty days of the date of the written notice.

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

4.5 Twin Oaks Middle School/Bridges Area Learning Center

Staff will provide information re. the District's recommendations on this project.

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

Approve Scott County's 2018-2028 Local Water Resources Management Plan Resolution 18-328

WHEREAS, The Prior Lake-Spring Lake Watershed District (PLSLWD) is established and authorized under Minnesota Statute 103D; and

WHEREAS, the PLSLWD has an approved Water Resources Management Plan (WRMP) under Minnesota Statutes Section 103B.231 that was adopted by the PLSLWD on July 13, 2010 and amended in May 2013 and June 2018; and

WHEREAS, the District has in effect certain Rules and regulations adopted pursuant to the Minnesota Watershed Law, Minn. Stat. Chapter 103D et seq., as amended; and

WHEREAS, Scott County has developed a revised 2018-2028 Local Water Management Plan under Minnesota Statute § 103B.235 that describes the existing and proposed physical environment and land use within the County and sets forth an implementation plan for bringing local water management into conformance with the PLSLWD WRMP; and

WHEREAS, the County's local water plan was submitted to the Metropolitan Council for review and comment and comments received from the Metropolitan Council have been reviewed and considered by the PLSLWD; and

WHEREAS, the PLSLWD staff reviewed the County's Local Water Management Plan and has determined that the Local Water Plan meets the requirements for approval set forth in its WRMP; and

WHEREAS, the County has demonstrated equivalency with PLSLWD Rules;

THEREFORE, BE IT RESOLVED that the PLSLWD Board of Managers hereby approves Scott County's 2018-2028 Local Water Resources Management Plan, as submitted on July 26, 2018.

The question was on the adoption of the Resolution on November 13, 2018 and there were ____ yeas and ____ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
CORRIGAN			
HENNES			
SPITZMUELLER			
HOWLEY			
MYSER			

Upon vote, the chair declared the resolution adopted.

Fred Corrigan, President

Dated: November 13, 2018

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

REGULAR MEETING MINUTES

Tuesday, October 9, 2018

Prior Lake City Hall

6:00 PM

Members Present: Mike Myser, Curt Hennes, Charlie Howley & Woody Spitzmueller

Members Absent: Fred Corrigan

Staff & Consultants Present: Diane Lynch, District Administrator
Maggie Karschnia, Water Resources Project Manager
Jaime Rockney, Water Resources Specialist
Kathryn Keller-Miller, Water Resource Assistant
Carl Almer, EOR, District Engineer

Others Present: Diane Langenbach, MnDOT
Emily Javens, MAWD
Melissa King, BWSR
Ernest Moen, Resident
Cheryl Johnson, Killian Sisters Farm

- **CALL TO ORDER/PLEDGE OF ALLEGIANCE:** Meeting called to order by Acting Chair Myser at 6:03 PM.
- **2.0 PUBLIC COMMENT:** None
- **3.0 APPROVAL OF AGENDA:**
Manager Spitzmueller moved to approve the agenda. Second by Manager Howley. All ayes. Motion passed 4-0.

OTHER OLD/NEW BUSINESS

- **4.1 MANAGER PRESENTATIONS**
Managers presented on liaison meetings they have attended and/or other events in the District they have participated in.
- **4.2 INTRODUCTION OF NEW BOARD CONSERVATIONIST, MELISSA KING**
Melissa introduced herself, gave information on her background and what she is currently doing, and what her role with the District will be.

- **4.3 PROGRAMS & PROJECT UPDATES**

Staff gave updates on ongoing District projects and activities.

- **4.4 CONSERVATION EASEMENTS UPDATE**

Kathryn Keller-Miller presented updates on easements and their current status.

- **4.5 PERMIT #18.05 TH13 PERMIT**

Manager Spitzmueller moved to approve the permit. Second by Manager Hennes. All ayes. Motion passed 4-0.

- **5.0 APPROVAL OF CONSENT AGENDA**

Manager Hennes moved to approve the consent agenda after removing the claims list for further discussion. Second by Manager Spitzmueller. All ayes. Motion passed 4-0.

After further clarification, Manager Hennes moved to approve the claims. Second by Manager Spitzmueller. All ayes. Motion passed 4-0.

- **6.0 TREASURER REPORT/FINANCIAL REPORT**

Manager Spitzmueller gave updates on current financial reporting.

- **7.0 UPCOMING MEETINGS/EVENTS**

- CAC Meeting, October 25th
- CWCU, October 28th

ADJOURNMENT

Manager Spitzmueller moved to adjourn meeting. Second by Manager Howley. All ayes. Motion passed 4-0. Meeting adjourned.

Charlie Howley, Secretary

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

WORKSHOP MEETING MINUTES

Tuesday, October 9, 2018

Prior Lake City Hall

Members Present: Curt Hennes, Woody Spitzmueller, Charlie Howley, Fred Corrigan & Mike Myser

Staff Present: Diane Lynch, District Administrator and Jaime Rockney, Water Resources Specialist

Others Present: Jim Fitzsimmons, SWCD; Marianne Breitbach, CAC; Dave Beer, Scott County and Annette Thompson, City of Prior Lake. Sherry White, MAWD Board and Emily Javens, MAWD Executive Director were special guests.

The meeting was called to order by President Fred Corrigan at 4:00 p.m.

MAWD

Key points made by Emily and Sherry included:

- The 2019 budget is less than the 2018 budget. Dues will remain the same
- WMOs will be invited to join as voting members, if approved by the members at the Annual Meeting. To encourage them to join, they will pay \$500 initially and subsequently, will have to follow the same formula as watershed districts
- Maddy Bohn's contract will be reduced by \$10-12,000 to allow CRWD's services to be used instead
- MAWD is now housed at the CRWD. Emily moved to St. Paul to assist with the commute challenges
- Ray Bohn was paid \$35,000 for lobbying and \$15,000 for administration in 2018. For each of the years of the biennium, he would like to be paid \$40,000
- District's carp resolution. Ray thought the issue re. commercial fishing was resolved. Emily will research what the DNR is doing and will coordinate this activity with PLSLWD
- The Annual Meeting's format has been revised

District's Monitoring Program

- Jaime reviewed her monitoring plan and answered managers' questions. Jaime will continue her review of monitoring and will provide information re. the low flow gate.

Emerging Issues

- None

Charlie moved and Woody seconded a motion to adjourn. The meeting adjourned at 5:55 p.m.

PRIOR LAKE – SPRING LAKE

WATERSHED DISTRICT

Citizen Advisory Committee

Thursday October 25, 2018

6:30-8:00 p.m.

Prior Lake City Hall

4646 Dakota Street SE Prior Lake, MN 55372

Attendees:

- **CAC Members present:** Steve P., Kim S., Jim G., Marianne B, Liz S, Larry R, Joe S, Jim W, Jerry M.
- **Others present:** District Water Resources Assistant: Kathryn Keller-Miller, District Manager: Curt Hennes, District Treasurer: Woody S.

- I. Call meeting to order 6:31pm – President Steve Pany
- II. Introductions of CAC members to newest member, Jerry M.
- III. Agenda-additions-Approval of Agenda & June meeting minutes.
 - a. Approved minutes.
 - i. One item about the crappie die off – caused by 2 different types of bacteria; it is also on tonight's agenda.
 - b. Approved agenda.
- IV. Watershed District Projects update / Discussion topics:
 1. Review of last CAC meeting. Water Resources Management Plan Meeting with EOR
 - i. A lot of good feedback came from CAC meeting and the public meeting too.
 - ii. EOR is now compiling the common themes.
 - iii. December 13th, EOR will return to the CAC meeting to talk about the next steps/items.
 - iv. Water resources plan is a 10 year plan.
 - v. Carl from EOR noted there were not as many concerns around flooding, which seems surprising for our area and lakes. The board is continuing to work on this area.
 - vi. Work is being considered for the Sutton lake area to use this as a holding area. Maybe the wetlands should be considered – or more studies into a 'temporary' holding area.
 - vii. Jim W expressed that the Watershed should have a clear statement that they are taking a lead on the water planning/water volume.
 2. Removal of debris at Crystal Bay Upper Prior Lake. Fall carp seining?
 - i. A chain was drug on the bottom towards the south end but no obstructions were found. Now commercial fishermen feel more confident that if the carp congregate there, they could seine the area.
 - ii. Going forward- this is a spot that they now are willing to seine.
 - iii. Will be tracking the carp this fall and winter to hopefully do a winter sein.
 - iv. Mary is working on tagging a couple more carp as some of the older tags batteries are dying (hit their life expectancy).
 - v. The carp removed from last Upper Prior Lake seining was in around 20% of total population. The goal is to get the population below or to the acceptable level.

PRIOR LAKE - SPRING LAKE

WATERSHED DISTRICT

- vi. Carp contest this past year was not done as the ROI was low. Tournament was passed off to the Knotty Oar and they did not organize the event this year.
- 3. Crappie die off update. Exotic aquarium fish released into lake?
 - i. Articles have indicated it was 2 different type of bacteria, but unlikely to have been an aquarium fish released- - the disease from released koi that affects carp is caused by a virus and not a bacteria.
 - ii. Nobody wants the exotic or aquarium fish released but this was not the cause.
- 4. Upcoming MAWD conference.
 - i. Marianne from the CAC has signed up
 - ii. Deadline might be passed but information will be sent to Jerry so he knows what it's about.
 - iii. Additional funds from the unused Water Quality Improvement Award money
 - 1. Can this money be moved over to next year if not used? - Woody indicated if money is in the budget it might be available.
 - 2. Note: update from Diane after the meeting is – the Watershed accounting is on a cash basis, so we cannot move the WQIA money over to 2019.
 - iv. Marianne provided insight into what the conference is about.
 - v. Steve is going to look for old information on the MAWD summer tour that was hosted in Prior Lake
- 5. Zebra mussels on Upper Prior Lake- fewer on dock/lift after removal this year – did anyone else notice this?
 - i. Woody and Jim noticed a more average year.
 - ii. Curt and Jim W have not seen any in Spring Lake.
 - iii. Spring doesn't have the traffic coming on /off the lake and maybe reducing the introduction to this lake.
 - iv. Upper PL access has the stations to clean the boats coming off the lake.
 - v. Hennepin county has stations, could we work with the county to add more to the other lakes to help clean boats that might travel to other nearby lakes?
 - vi. Jim W noticed other states (such as Utah) he traveled to had big signs publishing information to notify boaters of the need to clean boats of invasive species.
 - vii. Note from Diane after our meeting: Prior Lake is the only lake in Scott county that has zebra mussels. The District put up the signage at our lakes.
- 6. Review of: Sand Point Beach Park project Grand Re-opening event 10/3.
 - i. Went well, very warm day- with rain at the end. But everything looked really good.
 - ii. Some comments around the project that so many trees cut down; there are plans to replace some. But not in the prairie planted area.
 - iii. Good turnout.
 - iv. Great project- congrats to the watershed for pushing this one along.
 - v. Trees around the lake – Larry R asked if they should be limited due to the phosphorous produced from the leaves that fall? Trees may absorb the carbon and keep erosion away, it is a balancing act. Kathryn explained that some phosphorous is a necessary nutrient for plants, but it is the excess amount of phosphorus that causes the algae. There is a water quality standard for phosphorus in the lake. Question raised to understand what measurements are being done on the lakes. This is the partnership the watershed as with Three Rivers.
 - vi. Spring and Upper are impaired lakes and that is why projects to lower the phosphorus levels are important.

PRIOR LAKE - SPRING LAKE

WATERSHED DISTRICT

- vii. Stormwater runoff also brings in phosphorous, and not just the leaves. Filtering is important and contributes to lowering the phosphorus levels.
 - viii. Fish Point Park was a good project - Larry would like to have the phosphorous levels measured in the pond. Kathryn will check with Jaimie who has more interaction with the measurement program itself.
 - ix. Confirmed the city still does street sweeping. Which is good.
 - 1. Note from Diane after the meeting: The city still has a rigorous street sweeping routine and the District contributed \$10,000 towards its new sweeper.
 - x. People sweeping leaves into the lake – might be a good time to run an educational article that indicates there is a city ordinance against this.
 - xi. Hard to determine at these types of gatherings who is on the committees, suggestion to wear shirts/jackets that indicate you are a part of watershed/CAC etc.
7. Water Quality Improvement Award update.
- i. Results from Liz – no one applied this year.
 - ii. Was advertised in The SCENE.
 - iii. There is not the hoped for impact to inspire people to do good work.
 - iv. SWCD might be the starting point to have them create the awareness with people who are taking on such projects. Liz indicated they have gone to these meetings to promote the award.
 - v. There is a line item in the budget for this again.
 - vi. Idea was to try to educate through the schools as the next step in this programs evolution.
8. Review of Prior Lake Association meeting.
- i. Woody is the treasurer, Marianne attended.
 - ii. 60 people in attendance which is considered well attended.
 - iii. Tax assessor talked about the taxation process.
 - iv. Diane and Jaimie represented the watershed nicely.
 - v. Sheriff from the water patrol was in attendance.
 - vi. Both associations contribute to cost share projects and it is greatly appreciated.
 - vii. Meetings are now live (on cable) and replay versions now have a better quality. At this time, they are not on the website, but people can find the cable viewing times on the city website.
 - viii. Suggestions made - At the meetings (board/associations) for the public, have a do's and don'ts tips delivered.
 - ix. Volume in the room during the board meetings – Curt has mentioned this to the person who might be able to correct this.
9. Annual election of CAC officers.
- i. 3 officers, Chari/Vice Chair/Secretary – Larry nominated the 3 existing to remain. Jim W seconded and all accepted.
10. Fall Cleanup Event Sand Point Beach Park Sunday October 28, at 9:00-11:30 a.m.
- i. Weather is spotty rain, but stay tuned to postponement notices.
 - ii. If date changes it will be posted on the website – those signed up will receive an email.
 - iii. If you aren't signed up, still can do so. And it is encouraged.
 - iv. Quite a few leaves down and buckthorn to be taken care of.
11. Next meeting date: November 29th & December 13th

PRIOR LAKE - SPRING LAKE

WATERSHED DISTRICT

- i. Dates will be confirmed.
- 12. Comments, suggestions, questions.
 - i. Marianne – commented from the metro MAWD meeting- Emily provided an exercise – Moving the Watershed Forward – interacting with your connections - Marianne will provide copies to the CAC.
 - ii. Woody noticed more eagles flying around this year. And Larry and Woody have seen Golden Eagles.

V. Adjourn 7:57pm

PLSLWD: Our mission is to manage and preserve the water resources of the Prior Lake-Spring Lake Watershed District to the best of our ability using input from our communities, sound engineering practices, and our ability to efficiently fund beneficial projects which transcend political jurisdictions.

CAC: The Prior Lake-Spring Lake Watershed District Citizen Advisory Committee (CAC) consists of residents who provide input and recommendations to the Board on projects, reports, prioritization and act as the primary interface for the Board to address the current issues of concern of the local citizens

Projects: ferric chloride treatment facility, alum treatments, carp seining, carp management program, carp mapping, carp contests, carp barriers, easement enforcement, permits, 12/17 wetland, Lower Prior Lake protection program, outlet channel, outlet channel repair, invasive aquatic plant control, NW Spring Lake shore project, lake and stream water monitoring, flood reduction plan, Farm Led-Council, partnerships with other agencies, work shops, project cost share, Water Quality Improvement Award, Fish Point Park, Raymond Park, Indian Ridge Park, Sand Point Beach Project, Watzl's Beach shoreline restoration.

AGENDA

Metro Chapter Minnesota Association of Watershed Districts

Tuesday, October 16, 2018 7:00-9:00 PM

**Capitol Region Watershed District
1410 Energy Park Drive, Suite 4
St. Paul, MN 55108**

- I. Call to Order**
 - A. Attendance, Introductions & Approval of the **Agenda**
- II. Action Items**
 - A. Approve April 17, 2018 Minutes
 - B. Approve July 17, 2018 Minutes
- III. Special Reports**
 - A. Legislator Communications outside of the Session, Emily Javens, MAWD
 - B. 2018 MAWD Annual Meeting, Emily Javens, MAWD
 - C. Metro Watershed Based Funding**
 - 1) Watershed District Focus Group Meeting Summary, Mark Doneux
 - 2) Next Steps, Kevin Bigalke
- IV. Agency and Association Updates**
 - A. BWSR Updates, Kevin Bigalke
 - B. MPCA Updates, Marni Karnowski and Teresa McDill
 - C. DNR Updates, Jeanne Daniels
 - D. MDH Updates, Steve Robertson, Carrie Raber and Dereck Richter
 - E. MNDOT Updates, Beth Neuendorf
 - F. Met Council Updates, Judy Sventek
 - G. MAWD Update, Emily Javens
 - H. MAWA (Administrator's) Update, Matt Moore
- V. Unfinished Business**
 - C. Education
 - D. Permitting & Regulations
 - E. Governance
 - F. Stormwater Research
- VI. General Information**
 - A. Roundtable Discussion – Current Issues, Trends and Topics, All
- VII. Future meetings**
 - A. Metro MAWD, Tuesday, January 15, 2019, 7:00 – 9:00 PM, 595 Aldine St. St. Paul
- VIII. Adjournment**

10/18/2018 Metro Chapter MAWD summary

Special Reports

Item IIIA Legislator Communications outside of the Session, Emily Javens, MAWD

She presented a short exercise to help think outside the box about marketing and relationships. I have included it with all my scribbles on it. There are some very good suggestions and may be helpful opportunities.

Item IIIB 2018 MAWD Annual Meeting, Emily Javens, MAWD

The theme is Education and there will be an award presented at the banquet on Friday for the best education idea.

Several changes this year and the entertainment for the banquet will be music during the social hour only no entertainment after the awards are presented.

No business meeting on Saturday morning, just the MAWD board meeting and breakfast networking opportunities.

Item IIIC Metro Watershed Based Funding

- 1) Mark Doneux put together a packet of the notes that were emailed titled Watershed Based Funding Focus Group: Watershed District Meeting Summary Dated September 11, 2018. I can send it to you or if you are on the Metro MAWD email list you received it for this last meeting.
- 2) Next steps, Kevin Bigalke BSWR; this noncompetitive plan is hoping that LGUs work together to best fit projects. Looking at long term results. I understood it to be a yearly allocation and the money has to be used for a designated project that year not to be banked for a future large project. That would take a legislative process change. (Pam Blixt commented that Clean Water Council has 10 year loans with 0 interest.)

Item IV Agency and Association updates

- C) DNR October 26th there will be a presentation in Hugo on the NE Groundwater issue involving White Bear Lake. On the website there is the 3M settlement papers.
- G) Managers going to the annual conference, don't forget to get your voting delegates appointed.

Any other questions please let me know,

Marianne Breitbach

651-699-8005



MARKETING TO :

Moving the Watershed Mission Forward

Making Connections: Advocacy with Legislators Outside of Session

COMMITTEE, MAYOR, COUNCIL

III A.

Which activities have YOU or YOUR WD completed this year?

YOU WD

☐ ☒ Send them a paper copy of your ANNUAL REPORTS HIT THE GROUND READY PROJECTS/SHOVEL.

☐ ☐ Invite them to your ANNUAL MEETINGS/TOURS/PROJECTS GOOD IDEA.

☐ ☐ Ask them SPEAK at a watershed event.

☐ ☒ Send them a PAPER/HANDWRITTEN thank you note.

☐ ☐ Suggest stories for their NEWSLETTER/STAFFER.

☐ ☐ Mention their work on your SOCIAL MEDIA sites.

☐ ☐ Follow up if a CAMPAIGN STATEMENT resonates.

☐ ☐ Attend and ask questions at ATTEND FORUM/DEBATES.

☐ ☐ Wear WD APPAREL TO CAMPAIGN to campaign events.

☐ ☐ Make a PLAN CONTACT and track your progress.

☐ ☐ Tell your FAMILY & FRIENDS about our mission.

☐ ☐ Discuss as a board your ELEVATOR SPEECH.

☐ ☐ SEPARATE INDIVIDUAL OPION FROM WD BOARD SPEECH

☐ ☐ TRAINING MOMENT WITHIN PLSUUD

PAM BLIXT ISON
CLEAN WATER
COUNCIL

11/13/2018
Prior Lake Spring Lake Watershed District
Claims list for Invoice Payments due for the prior month

Managers will consider approving this claims list - Staff payroll and Manager per diems have already been paid via ADP.

After the managers vote, two Managers will sign checks within three days of the meeting for approve claims.

Then, staff will US mail checks (written on the Klein Bank) to the claims list parties.

Staff will request that all vendors provide information on their invoices to fit into the categories below

UPDATED 11/8/2018

Vendor	Invoice	Description	Amount
1. Watershed District Projects (excluding staff payroll)			
Hach Company	11164762	Monitoring Equipment	162.17
Applied Ecological Services	51032	County 12 Wetland Restoration	1,092.50
EOB	00758-0018	General Engineering	1,151.42
EOB	00758-0015	Permitting	2,553.00
EOB	00758-0018	District Plan Update	10,640.88
EOB	00758-0018	LGU Plan Review	1,443.00
EOB	00758-0018	Rule Revision	2,333.42
EOB	00758-0018	Public Infrastructure	1,175.50
EOB	00758-0014	Sutton Lake Outlet Modification Plan	13,682.90
EOB	00758-0018	FeCl Site & Desilt pond Monitoring	37.00
Gopher State One Call	8071287	Tickets	1.35
Metropolitan Council		Water Sampling Analysis	596.00
MN Native Landscapes	18810	Fish Point Park	300.00
RMB	426748	Water Sampling Analysis	270.00
RMB	426425	Water Sampling Analysis	170.00
RMB	425357	Water Sampling Analysis	355.00
RMB	427928	Water Sampling Analysis	680.00
RMB	428609	Water Sampling Analysis	170.00
RMB	427936	Water Sampling Analysis	355.00
RMB	402946	Water Sampling Analysis	270.00
RMB	404356	Water Sampling Analysis	355.00
RMB	408506	Water Sampling Analysis	270.00
Scott County Abstract & Title	SM1094	Easements	410.00
Smith Partners	40111	Permitting	784.80
Subtotal			39,258.94
2. Outlet Channel - JPA/MOA (excluding staff payroll)			
EOB	00758-0038	PLOC Engineering Assistance	650.25
EOB	00758-0085	PLOC Vegetation Stabilization Inspection	27.25
Messerli & Schadow		October	1,281.25
Smith Partners	40112	PLOC	436.00
Subtotal			2,394.75
3. Payroll, Office and Overhead			
ADP Manager Per Diems		Already Paid	1,791.95
ADP Staff Payroll		Already Paid	30,418.12
ADP Taxes & Benefits		Already Paid	19,128.45
Connexus Credit Union		Health Savings Account	115.38
H SA Bank		Health Savings Account	115.38
Henricksen PSG	657420	Cubicle Reconfiguration	1,208.50
Iceberg Web Design	25944	Website Hosting	29.99
MASWCD		Convention Registration	194.50
Messerli & Schadow		October	868.75
Metro Sales	1197458	Copy Machine Contract	110.60
MN Ground Water Association		Membership Renewal	45.00
NCPERS		Life Insurance	136.00
PC Force	202324	Computer Support	1,095.10
Scott County		Taxes	250.00
Smith Partners	40110	General Admin & Legal Services	43.60
SW News Media	100426	Legal Notices	40.89
VISA		October	2,695.73
Subtotal			58,287.94
4. Debt repayment and Interest			
Northland Trust Services		Principal	155,000.00
Northland Trust Services		Interest	6,737.50
Northland Trust Services		Agent Fee	495.00
Subtotal			162,232.50

TOTAL

262,174.13