

# Cannon River One Watershed, One Plan

"Aligning local water planning on major watershed boundaries with state strategies towards prioritized, targeted and measurable implementation plans"

## AGENDA

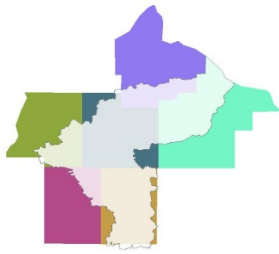
### Cannon River One Watershed, One Plan

#### Policy Committee Meeting

March 13, 2019 – 9:00 a.m.

Rice County Government Center  
320 Third Street Northwest Faribault, MN 55021

1. Call to order
2. Approval of agenda
3. Approval of minutes of January 23, 2019 meeting
4. Financial summary and invoices for payment
5. EOR work change order
6. Joint Powers Agreement update
7. Implementation Vision
  - A. Purpose, Mission and Vision *(45 min)*
  - B. Administration – Day-to-Day, Fiscal Agent, Legal Counsel *(15 min)*
  - C. Bylaws *(10 min)*
  - D. To Do List *(5 min)*
8. Adjourn



# Cannon River One Watershed, One Plan

"Aligning local water planning on major watershed boundaries with state strategies towards prioritized, targeted and measurable implementation plans"

## DRAFT Minutes Policy Committee Meeting January 23, 2019

Rice County Government Services Building  
320 Third St NW, Faribault, MN 55021

**Policy Committee Members:** Brad Anderson (Goodhue County), Kevin Chamberlain (Dakota SWCD), Dough Christopherson (Waseca County), Richard Cook (Rice SWCD), Rick Gnemi (Steele County), Cletus Gregor (Le Sueur SWCD), Dan Hansen (Goodhue SWCD), James Hedeem (Belle Creek WD), Jeff Beckman (Goodhue SWCD), Galen Malecha (Rice County), Keith Morgan (Waseca SWCD), Mike Slavik (Dakota County), Steven Rohlfing (Le Sueur County), Peg Varien (North Cannon River WMO).

**Also in Attendance:** Brad Becker (Dakota County staff), Brad Behrens (Rice County staff), Mark Leiferman (Waseca County staff), Ashley Gallagher (Dakota SWCD staff), Eric Gulbransen (Steele SWCD staff), Beau Kennedy (Goodhue SWCD staff), Holly Kalbus (Le Sueur County staff), Shaina Keseley (BWSR), Dave Copland (BWSR), Dale Oolman (Steele County staff), Steve Pahs (Rice SWCD staff), Glen Roberson (Goodhue SWCD staff), Mark Schaetzke (Waseca SWCD staff), Mike Schultz (Le Sueur SWCD staff), Brian Watson (Dakota SWCD staff), Camilla Correll (EOR)

1. Call to Order

Chair Rohlfing called the meeting to order at 9:02 am.

2. Approval of Agenda

**Motion by Anderson, second by Gnemi to approve the agenda. Motion carried.**

3. Approval of Minutes

**Motion by Cook, second by Gregor to approve the minutes of the September 26, 2018 Policy Committee meeting. Motion carried.**

4. Invoices for Payment

Gallagher mentioned that the fiscal agent, Rice SWCD, has submitted a request for additional funds to Board of Water and Soil Resources (BWSR). This as well as the full use of the contingency funds is reflected in the updated budget column.

**Motion by Cook, second by Anderson to recommend approval of invoices for payment. Motion carried.**

5. Draft Joint Powers Agreement (JPA)

Watson presented the Draft JPA. The Request for Board Action included in the Board packets outlined the comments received from county attorneys and changes made. There was discussion on the tiers for membership dues, as drafted it seems as Belle Creek Watershed District (BCWD) and North Cannon River Watershed Management Organization (NCRWMO) residents could be paying portions of membership dues through local property taxes three times due to geographical overlap. Staff noted that dues would be set annually and that the future Joint Powers Board could choose to not have any membership dues be paid by these entities in a given year, but having everyone listed reiterates the team approach to watershed management. Options discussed included removing BCWD and NCRWMO, adding a caveat that BCWD and NCRWMO only pay dues if projects are planned in their jurisdictions, only counties pay dues and adding a fourth tier just for BCWD and NCRWMO. Upon approval of the JPA staff would bring to their respective Boards for approval.

**Motion by Galen, second by Slavik to approve the JPA with the addition of a fourth membership dues tier for BCWD and NCRWMO where their maximum annual dues would be \$500. Motion carried.**

6. Draft Plan

Correll presented an overview of the Draft Plan, work planning, what the first year may look like and next steps. Board asked what BWSR's concerns were over the past few months and whether those concerns have been addressed. Response was that concerns mostly revolved around the measurability of goals and the use of tools for targeting and measuring. Staff have had multiple meetings and conference calls with BWSR staff to determine what was needed. A number of additions were made to the plan to address concerns including adding tables showing measurability of goals, justification for goals, and a table for targeting and measuring tools. The 60-day and 90-day review process does still allow for changes to be made if they are needed based upon comments received.

The Board asked who the official notice is sent to. The 60-day planning notice is required to be sent to state agencies and affected entities including cities, townships, counties, adjacent entities and the Metropolitan Council due to the involvement of metro entities.

**Motion by Cook, second by Christopherson to submit the Draft Plan for 60-day review. Motion carried.**

7. Schedule

Gallagher presented details on the schedule that was included in the meeting packet. The schedule includes all required elements that are written in statute as well as some extra meetings that will help ensure public awareness and input. It was stressed that this is an ideal schedule and one item could potentially shift the entire schedule

Staff were directed to look into February 20<sup>th</sup> as an alternate date for the Open House due to the Association of MN Counties legislative conference on the 13<sup>th</sup>.

**Motion by Anderson, second by Slavik to approve the meeting schedule as presented, including Policy Committee meeting March 13<sup>th</sup>, and Public Hearing and Policy Committee meeting on April 24th. Motion carried.**

8. Adjourn

**Motion by Hedeem, second by Hansen to adjourn the meeting. Meeting adjourned at 10:25 am.**

Respectfully Submitted,

Galen Malecha, Secretary  
Cannon River Watershed 1W1P Policy Committee

# Cannon River 1W1P

## Revenues

ESTIMATED REVENUES <sup>1</sup>	Original Budget	Updated Budget	2017			2018			2019		Current Grant Totals	Remaining to Original	Remaining to Updated
			Mar 10 - August 2	August 3- November 8	November 9- January 10	January 11- April 4	April 5- June 27	June 28- September 26	September 27- January 23	January 24 - March 13			
BWSR Grant - Payment 1 (50%)	\$117,961.50	\$117,961.50	\$117,962.00								\$117,962.00	\$117,961.50	\$117,961.50
BWSR Grant - Payment 2 (40%)	\$94,369.20	\$94,369.20					\$94,369.00				\$94,369.00	\$94,369.20	\$94,369.20
BWSR Grant - Amendment <sup>6</sup>	-	\$12,000.00									\$0.00	-	\$12,000.00
BWSR Grant - Payment 3 (10%)	\$23,592.30	\$23,592.30									\$0.00	\$23,592.30	\$23,592.30
<b>TOTAL</b>	<b>\$235,923.00</b>	<b>\$247,923.00</b>	<b>\$117,962.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$94,369.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$212,331.00</b>	<b>\$235,923.00</b>	<b>\$247,923.00</b>

## Actual Expenses

ESTIMATED EXPENSES	Budget <sup>2</sup>	Budget <sup>3</sup>											
<b>Administration and Grant Reporting</b>													
Fiscal Coordination	\$4,125.00	\$2,000.00		\$316.25		\$562.75					\$879.00	\$3,246.00	\$1,121.00
Grant Reporting (eLINK)	\$3,850.00	\$2,000.00		\$330.00		\$220.00	\$275.00	\$137.50	\$412.50		\$1,375.00	\$2,475.00	\$625.00
											\$0.00	\$0.00	\$0.00
<b>Committee, PWG and Consultant Coordination</b>											\$0.00	\$0.00	\$0.00
Policy Committee, PWG and Stakeholder	\$22,250.00	\$22,250.00	\$7,617.50	\$7,975.00		\$3,630.00	\$6,077.50	\$4,235.00	\$8,030.00		\$37,565.00	-\$15,315.00	-\$15,315.00
Consultant Coordination	\$8,250.00	\$8,250.00	\$1,540.00	\$1,457.50		\$1,127.50	\$1,072.50	\$2,640.00	\$5,610.00		\$13,447.50	-\$5,197.50	-\$5,197.50
Meeting Expenses (facilities,materials,food)	\$3,000.00	\$3,000.00	\$641.47	\$835.83		\$142.32	\$22.07	\$419.80	\$86.24		\$2,147.73	\$852.27	\$852.27
Publication Expenses (notices,invites,etc.)	\$2,000.00	\$2,000.00									\$0.00	\$2,000.00	\$2,000.00
Hours Over Original Workplan <sup>5</sup>	-	\$16,709.00						-\$3,985.00	-\$14,052.50		-\$18,037.50	-\$18,037.50	-\$1,328.50
<b>Plan Development (Consultant)</b>													
Task 1: Aggregate Watershed Data	\$27,502.00	\$25,560.45	\$22,833.10	\$2,727.35							\$25,560.45	\$1,941.55	\$0.00
Task 2: PTM Mapping	\$38,365.00	\$38,453.45	\$4,399.50	\$34,053.95							\$38,453.45	-\$88.45	\$0.00
Task 3: Measurement Goals	\$25,100.00	\$20,563.03				\$20,563.03					\$20,563.03	\$4,536.97	\$0.00
Task 4: Implementation Plan & Schedule	\$25,493.00	\$25,444.44	\$3.60				\$24,651.34	\$789.50			\$25,444.44	\$48.56	\$0.00
Task 5: Draft Management Plan	\$40,692.00	\$56,130.63	\$905.00	\$6,599.75	\$5,138.75	\$3,140.50	\$4,628.24	\$3,351.25	\$11,672.75	\$6,788.00	\$42,224.24	-\$1,532.24	\$13,906.39
Task 6: Final Management Plan	\$13,727.00	\$13,727.00								\$563.50	\$563.50	\$13,163.50	\$13,163.50
Task 7: Additional Meetings <sup>5</sup>	\$11,835.00	\$11,835.00						\$5,155.50	\$3,945.13	\$1,624.25	\$10,724.88	\$1,110.12	\$1,110.12
Retainage <sup>4</sup>	-	-	-\$2,814.13	-\$4,338.11	-\$513.88	-\$2,370.36	-\$2,927.95	-\$3,124.09	-\$1,226.72	-\$1,006.40	-\$18,321.64	\$18,321.64	\$18,321.64
<b>TOTAL</b>	<b>\$226,189.00</b>	<b>\$247,923.00</b>	<b>\$35,126.04</b>	<b>\$49,957.52</b>	<b>\$4,624.87</b>	<b>\$27,015.74</b>	<b>\$33,798.70</b>	<b>\$9,619.46</b>	<b>\$14,477.40</b>	<b>\$7,969.35</b>	<b>\$182,589.08</b>		
<b>Balance</b>			<b>\$82,835.96</b>	<b>\$32,878.44</b>	<b>\$28,253.57</b>	<b>\$1,237.83</b>	<b>\$61,808.13</b>	<b>\$52,188.67</b>	<b>\$37,711.27</b>	<b>\$29,741.92</b>	<b>\$29,741.92</b>		

1 = only actual costs are reimbursed 2 = does not include full contingency 3 = includes full contingency of \$21,448 4 = 10% withheld until deliverables are received 5 = use of contingency funds 6 = pending BWSR approval

Notes on Amendment: Task 5 (\$9,000) and Hours Over Workplan (\$3,000)

**Invoice**

Emmons & Olivier Resources, Inc.  
7030 6th Street N  
Oakdale, MN 55128-6146  
Phone 651.770.8448  
Fax 651.770.2552  
www.eorinc.com



**Invoice Total \$6,109.20**

Ashley Gallagher  
Dakota County SWCD  
4100 220th Street W  
Suite 102  
Farmington, MN 55024

January 15, 2019  
Invoice No: 01335-0001 - 19

Job 01335-0001 Cannon River 1W1P

Summary of Work Performed:  
Made final revisions to the Plan based on comments received from BWSR. Prepared for and attended planning work group meeting on 12/19/2018.

Project Budget: \$170,879  
% Complete: 89%

Additional Meetings Budget: \$11,835  
% Complete: 77%

**Professional Services from December 1, 2018 to December 31, 2018**

Phase 05 Draft Management Plan

**Professional Personnel**

	Hours	Rate	Amount
Professional 4	16.00	161.00	2,576.00
Professional 3	26.25	143.00	3,753.75
Professional 1	1.00	96.00	96.00
Technician 3	3.50	99.00	346.50
Support Staff	.25	63.00	15.75
<b>Totals</b>	<b>47.00</b>		<b>6,788.00</b>
<b>Total Labor</b>			<b>6,788.00</b>
		<b>Total this Phase</b>	<b>\$6,788.00</b>

**Retainage**

Current Retainage	678.80 (10.00 % of 6,788.00)	<b>-678.80</b>
Prior Retainage	15,455.86	
Retainage-To-Date	16,134.66	
	<b>Total this Invoice</b>	<b>\$6,109.20</b>

**Billings to Date**

	Current	Prior	Total
Labor	6,788.00	152,400.75	159,188.75
Expense	0.00	2,157.49	2,157.49
<b>Totals</b>	<b>6,788.00</b>	<b>154,558.24</b>	<b>161,346.24</b>

**Invoice**

Emmons & Olivier Resources, Inc.  
7030 6th Street N  
Oakdale, MN 55128-6146  
Phone 651.770.8448  
Fax 651.770.2552  
www.eorinc.com



**Invoice Total \$2,948.40**

Ashley Gallagher  
Dakota County SWCD  
4100 220th Street W  
Suite 102  
Farmington, MN 55024

February 21, 2019  
Invoice No: 01335-0001 - 20

Job 01335-0001 Cannon River 1W1P

Summary of Work Performed:  
Finalized draft plan for submittal for formal review. Prepared for and attended Policy Committee Meeting on 1/23/2019.

Project Budget: \$170,879  
% Complete: 90%

Additional Meetings Budget: \$11,835  
% Complete: 90%

**Professional Services from January 1, 2019 to January 31, 2019**

Phase 05 Draft Management Plan

**Professional Personnel**

	Hours	Rate	Amount	
Professional 3	7.50	143.00	1,072.50	
Support Staff	.25	63.00	15.75	
Totals	7.75		1,088.25	
<b>Total Labor</b>				<b>1,088.25</b>
				<b>Total this Phase \$1,088.25</b>

Phase 06 Final Management Plan

**Professional Personnel**

	Hours	Rate	Amount	
Professional 4	3.50	161.00	563.50	
Totals	3.50		563.50	
<b>Total Labor</b>				<b>563.50</b>
				<b>Total this Phase \$563.50</b>

Phase 07 Additional Meetings

**Professional Personnel**

	Hours	Rate	Amount	
Professional 4	8.75	161.00	1,408.75	
Professional 3	.50	143.00	71.50	
Professional 1	1.50	96.00	144.00	
Totals	10.75		1,624.25	
<b>Total Labor</b>				<b>1,624.25</b>

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Job	01335-0001	Cannon River 1W1P	Invoice	20
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<b>Total this Phase</b>	<b>\$1,624.25</b>
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**Retainage**

Current Retainage	327.60 (10.00 % of 3,276.00)	-327.60
Prior Retainage	16,134.66	
Retainage-To-Date	16,462.26	

<b>Total this Invoice</b>	<b>\$2,948.40</b>
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**Billings to Date**

	<b>Current</b>	<b>Prior</b>	<b>Total</b>
Labor	3,276.00	159,188.75	162,464.75
Expense	0.00	2,157.49	2,157.49
<b>Totals</b>	<b>3,276.00</b>	<b>161,346.24</b>	<b>164,622.24</b>



**CANNON RIVER ONE WATERSHED, ONE PLAN  
POLICY COMMITTEE**

Request for Action

EOR Change Order

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Meeting Date: 3/13/2019

Prepared by: Staff

**PURPOSE/ACTION REQUESTED:**

Provide an update on the grant amendment request to BWSR.

**SUMMARY:**

Fiscal agent made a request to BWSR on behalf of the group for an increase to the planning grant. BWSR has approved a \$12,000 increase pending updates in eLink. The updated budget is presented in the financial summary. The new budget divides the additional dollars between hours over budget for Committee/PWG Coordination (\$3,000) and Task 5: Draft Management Plan (\$9,000).

The change order will increase the total costs of services from \$182,714 to \$191,714 and extend the contract completion date from March 2019 to September 2019. Board action is requested to approve the change order.

# change order



<b>Project Name</b>	Cannon River 1W1P	<b>Date</b>	March 5, 2019
<b>Contract Number</b>	NA	<b>Contract Date</b>	May 3, 2017
<b>Regarding</b>	Additional Work Performed for Task 5	<b>Change Order #</b>	2
<b>From / Contact Info</b>	Camilla Correll, EOR	<b>To / Contact Info</b>	Brian Watson and Ashley Gallagher, Dakota SWCD

**Purpose:**

The purpose of this change order is to articulate the additional work performed to complete the Cannon River 1W1P. This change order identifies additional meetings and coordination completed to address concerns expressed by the Board of Water and Soil Resources (BWSR) during internal review of the DRAFT Plan

**Scope of Services:**

Task 5A. Complete Draft Plan

1. Water Storage Goal Coordination

- Prepared for and convened group meeting to discuss options, coordination with member communities, coordination with MPCA, calculating storage using HSPF output
- Cost to perform tasks – \$3,178.25

Task 5B. Internal and Formal Review

1. Coordination on Plan Content Requirements

- Coordination with Dakota SWCD and BWSR, conference calls with BWSR on 9/5 and 9/13, revisions to goals, development of Justification for the Goals and Pace of Progress.
- Cost to perform tasks – \$5,821.75

The following table documents changes to the total cost of services and the contract completion date over the course of the two change orders requested for this project. As the following table indicates, the first change order was approved by the Policy Committee on June 27, 2018. The requested change order increases the total cost of services by \$9,000 and extends the contract to September of 2019.

Previous Agreement		Changed Agreement Change Order #1 (approved at June 27, 2018 Policy Committee Meeting)		Changed Agreement Change Order #2	
1) Total cost of services	\$170,879	Total cost of services	\$182,714	Total cost of services	\$191,714
2) Contract completion date	October 2018	Contract completion date	March 2019	Contract completion date	September 2019
3) Scope of services described in original contract	NA	Scope of services described in original contract	See scope of services described in Change Order #1	Scope of services described in original contract	See scope of services as described above

**Signatures:**

Emmons & Olivier Resources, Inc.

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Contractor

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Signature

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Signature

**Greg Graska**

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Name

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Name

**Chief Financial Officer**

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Title

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Title

## **CANNON RIVER ONE WATERSHED, ONE PLAN POLICY COMMITTEE**

Information Item

Joint Powers Agreement Update

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Meeting Date: 3/13/2019

Prepared by: Staff

### **PURPOSE/ACTION REQUESTED:**

Provide an update on which entities have signed the Joint Powers Agreement (JPA) for creation of the Cannon River Watershed Joint Powers Board (CRWJPB).

### **SUMMARY:**

A number of entities have signed the JPA. This includes Le Sueur County, Le Sueur SWCD, Rice County, Rice SWCD and Steele SWCD. Other entities that reviewed but had minor question before reconsidering include Waseca SWCD and Goodhue SWCD.

Goodhue County and SWCD plan to discuss the JPA at a joint meeting in March. Dakota County, Dakota SWCD and NCRWMO are waiting on a decision from BWSR on the Watershed Based Funding (WBF) policy for the 7-county metropolitan area. Depending upon how the policy is written, it may influence these entities to choose between the metro 1W1P process and the greater Minnesota 1W1P process. Policy for the 7-county metropolitan area WBF policy is anticipated to be final by the BWSR Board in August 2019.

There is currently no deadline as to when the JPA should be signed. It is anticipated that BWSR Board will approve the Plan in June or August. Then the Plan needs to be adopted locally. The current MOA that has been executed is not sufficient for local adoption of the Plan. The intent would be to have the JPA finalized and the CRWJPB established, as the CRWJPB would then have the authority to adopt the Plan.

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### **Supporting Documents:**

None

**CANNON RIVER ONE WATERSHED, ONE PLAN  
POLICY COMMITTEE**

Information Item

Implementation Vision

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Meeting Date: 3/13/2019

Prepared by: Staff

**PURPOSE/ACTION REQUESTED:**

Begin discussions on roles and processes for the new Cannon River Watershed Joint Powers Board (CRWJPB).

**SUMMARY:**

Policy Committee (PC) members and staff will start to address items needed for the new CRWJPB. Some items will require discussion, and facilitation will be provided by Shaina Keseley, BWSR Clean Water Fund Specialist.

**Purpose, Mission and Vision**

Shaina will lead PC members and staff in an activity that will help us develop a purpose, mission and vision. The focus will be on completing a draft vision statement.

**Administration**

An update of options and what decisions will need to be made in the future will be provided. PWG would like Dakota SWCD to continue as day-to-day but feel that a Plan B is needed in case Dakota SWCD does not sign-on to the CRWJPB. Dakota SWCD intends to be a part of the CRWJPB pending BWSR's decision on Watershed Based Funding policy that will be made in August, as stated in JPA updates.

The second item that will need to be addressed in the future is whether day-to-day and fiscal agent remain as separate roles or combined. Currently roles are separate while operating under an MOA. However the new entity will be subject to audit, and BWSRs grant reconciliation process which will provide checks and balances. PWG supports both options.

**Bylaws**

An introduction to Bylaws will be provided. In the future members will provide input on content, however staff are willing to create a first draft for review.

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**Supporting Documents:**

None