



MEETING MINUTES

BOARD OF SUPERVISORS MEETING

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, January 7, 2016

8:30 a.m.

4100 220th Street, Suite 102
Farmington, Minnesota

Board Members Present:

Chris Nielsen, Chair
Joe Meyers, Vice Chair
Laura Zanmiller, Secretary
Kevin Chamberlain, Treasurer
Marian Brown, Public Relations

SWCD Staff Present:

Brian Watson
Lana Rotty
Brad Becker
Todd Matzke
Ashley Gallagher
Lindsey Albright

Others Present:

Joel Beckman, Dakota County Staff
Andy Lokken, Dakota County Staff

1. Call to Order

Chair Meyers called the meeting to order at 8:30 a.m. A quorum was present.

2. Pledge of Allegiance

Chair Meyers led the Board of Supervisors in the Pledge of Allegiance.

3. Election of Officers

Chair Nielsen opened nominations for Chair.

16.001 Motion by Meyers, second by Chamberlain to nominate Laura Zanmiller as Chair. Chair Nielsen called for nominations three times; hearing no further nominations, nominations were closed. All members voting in favor. Motion carried.

Nielsen turned the meeting over to Chair Zanmiller.

Chair Zanmiller opened nominations for Vice-Chair

16.002 Motion by Nielsen, second by Chamberlain to nominate Joe Meyers as Vice-Chair. Chair Zanmiller called for nominations three times; hearing no further nominations, nominations were closed. All members voting in favor. Motion carried.

Chair Zanmiller opened nominations for Secretary.

16.003 Motion by Chamberlain, second by Meyers to nominate Chris Nielsen as Secretary. Chair Zanmiller called for nominations three times; hearing no further nominations, nominations were closed. All members voting in favor. Motion carried.

Chair Zanmiller opened nominations for Treasurer.

16.004 Motion by Meyers, second by Nielsen that the remaining offices of Treasurer and Public Relations and Information Officer remain the same as 2015 and that a unanimous ballot be cast. All members voting in favor. Motion carried.

4. Audience

Chair Zanmiller asked if there was anyone in the audience that wished to address the board on an item that is not on the agenda. No one appeared.

5. Approval of Agenda

16.005 Motion by Nielsen, second by Brown to approve the agenda as presented. All members voting yes. Motion carried.

CONSENT AGENDA

6. Designation of 2016 Financial Depositories as Castle Rock Bank and Vermillion State Bank

Designate the Castle Rock Bank as the primary savings and checking account and to designate the Vermillion State Bank as secondary savings and checking account.

7. Designation of 2016 Official Newspaper

Designate the Farmington Rosemount Independent Town Pages as the official newspaper for 2016.

8. Amendment of District Board Operating Rules and Guidelines

Adopt amendments to the Board Operating Rules as presented.

9. Approve 2016 Membership Dues

Metropolitan Conservation Districts Joint Powers Board - \$600.

Minnesota Association of Soil and Water Conservation Districts - \$300 (Area) and \$4,6778.78 (State).

National Association of Conservation Districts - \$775.

10. Authorization to Provide Final Payment to Marlys Weber for Repair of Water and Sediment Control Basin (12-FRG-27b)

Authorize final payment to Marlys Weber for repair of water and sediment control basin in Douglas Township, Cannon River Watershed at \$5,180.

11. Authorization to Provide Final Payment to Molitor Brothers LLP for Installation of Water and Sediment Control Basins (12-FRG-38)

Authorize final payment to Molitor Brothers LLP for installation of water and sediment control basin in Douglas Township, Vermillion River Watershed at \$7,256.42.

16.006 Motion by Meyers, second by Chamberlain to approve the consent agenda. Members voting yes: Zanmiller, Chamberlain, Nielsen, Meyers. Members abstaining: Brown. Motion carried.

REGULAR AGENDA

12. Secretary's Report – December 3, 2015 Board Meeting Minutes

16.007 Motion by Nielsen, Second by Meyers to approve the December 3, 2015 Meeting Minutes. All members voting yes. Motion carried.

13. Treasurer's Report

7.1 December 31, 2015 Accounts Payable

16.008 Motion by Chamberlain, second by Nielsen to approve the December 31, 2015 Accounts Payable. Members voting yes: Brown, Chamberlain, Nielsen, Meyers, Zanmiller. Motion carried.

7.2 January 7, 2016 Accounts Payable

16.009 Motion by Chamberlain, second by Meyers to approve the January 7, 2016 Accounts Payable. Members voting yes: Chamberlain, Nielsen, Meyers, Zanmiller, Brown. Motion carried.

14. Rural Lands Committee

14.1 Authorization to Provide Final Payment to Thomas Endres for Installation of Water and Sediment Control Basin (15-IPP-12)

Meyers stated that Tom Endres has completed installation of a water and sediment control basin. The contract was approved at the August 2015 Board meeting at 75% cost share, not to exceed \$3,465. The final costs are \$3,131.24.

16.010 Motion by Meyers, second by Nielsen to approve final payment to Thomas Endres for installation of water and sediment control basin in Hampton Township, Cannon River Watershed at \$3,131.24 (75%). Member voting yes: Nielsen, Meyers, Zanmiller, Brown, Chamberlain. Motion carried.

15. Committee of the Whole

15.1 Resolution to Establish New Supervisor Nomination Districts

Watson stated that at the October 1, 2015 Board meeting discussion occurred on the amended statute requiring the 7-County metro area to be elected by nomination districts rather than at large. The legislation requires nomination districts be contiguous, as compact as possible, and nearly equal in population. Direction was given to work with County staff to determine possible options for maintaining a five member Board. Watson attended two meetings with County staff and three alternatives with a five member Board and one with the seven member Supervisor Board aligned with County Commissioners were drafted.

Joel Beckman (Director of Dakota County Property Taxation and Records) and Andy Lokken (Manager, Dakota County Elections) were on hand to review the options and respond to questions.

Chair Zanmiller stated that she is in favor of the five member board and preferred option B as she felt it appears to be fairest to rural landowners.

Meyers stated he was in favor the Supervisor Boundaries remain as they currently are as land area and not population best moves forward the mission of soil and water conservation districts who do not have taxing or land use authorities and need to work with landowners to voluntarily implement practices however, that no longer appears to be an option. Meyers then stated that he favors a five member board and preferred option C as priority and then option B second.

Brown asked about the advantages of each option.

Beckman noted that staying with the County Commissioner boundaries is clear and straightforward. Following County Commissioner boundaries would also include representation of a lower number of constituents than the other options that include five SWCD Supervisors. There would also be continuity as the County Commissioner and SWCD Supervisors would represent the same area of the County. In contrast, there would be just one representative for the townships and there would be some increased costs with seven Supervisors although it appears to be minimal.

With two of the options provided (Option B, and Option C) for a five SWCD Supervisor Board, two Supervisors would represent the townships and rural land areas.

Beckman pointed out that Farmington, Empire, and Castle Rock; as well as a portion of Nininger and Hastings have precincts that must be contiguous. That makes it more difficult to divide those areas. Also, less than 15% of the County population resides within the townships of Dakota County even though it is approximately 50% of total land area.

He further stated that the next time boundaries will need to be reviewed will be after the 2020 census and redistricting would then occur in 2022.

Meyers again stated he would like to keep SWCD Supervisor Districts the same as it best represents land area within the County. Watson stated that State legislation no longer allows us to retain our current nomination districts and the Board is required to redistrict based on population.

16.011 Motion by Chamberlain, second by Nielsen to approve that all Dakota SWCD Supervisors be elected based on population as required in Minnesota Statue 103C.311. Members voting yes: Meyers, Zanmiller, Chamberlain, Nielsen, Brown. Motion carried.

16.012 Motion by Meyers, second by Chamberlain resolving that the SWCD Board of Supervisors selects Option C, with five Supervisor Districts, be forwarded to the County Board for consideration. Members voting yes: Zanmiller, Chamberlain, Nielsen, Meyers. Members voting no: Brown. Motion carried.

15.2 Authorization to Request Funds and Execute FY2016 Grant Agreement with the Minnesota Board of Water and Soil Resources for Local Capacity Services

Watson stated that new legislation provided \$100,000 of FY16 funds to each SWCD across Minnesota. The Minnesota Board of Waters and Soil Resources (BWSR) provided guidance on November 30 on how these funds can be used and SWCDs were allowed to submit work plans in early December. No match is required and all funds must be spent by December 31, 2018. Watson presented the following work plan items and funding amounts for the work plan:

- \$50,000 Cost Share within Cannon River Watershed (pass through funds to landowners)
- \$10,000 Staff time for pre-project planning to install BMPs in Cannon River Watershed
- \$10,000 Staff time to update GIS Land Cover Data (Cannon River Watershed)
- \$10,000 Staff time to promote Soil and Groundwater Health (Countywide)
- \$10,000 Staff time to increase compliance inspections and reporting of past contracts (Countywide)
- \$10,000 Advance Staff Credentials and Training

Watson indicated that the work plan amounts may change some as more staff discussion occurs but the general concepts for using the funds will be provided into the BWSR required work plan.

16.013 Motion by Meyers, second by Nielsen to approve the FY16 BWSR work plan for Local Capacity Services and execution of the grant agreement. All members voting yes. Motion carried.

15.3 Authorization to Execute Host Agreement with the Metropolitan Conservation Districts Joint Powers Board for Engineering and Technical Assistance Special Program Services

Watson stated that at Metropolitan Conservation Districts Joint Powers Board (MCD) approved an agreement at their December 16 meeting authorizing the Dakota SWCD to serve as the Host to the Engineering and Technical Assistance Special Program. The JPA includes a term of January 1, 2016 to December 31, 2016 and provides up to \$6,300 for administrative services. Watson stated that the MCD Board also amended the 2015-2016 work plan to include new engineering funds provided. The amended work plan fundamentally changes how engineering funds are distributed. Rather than providing funds on a first come first serve basis funds will be provided, at least initially, on an equally shared basis equally the 11 Members of MCD. The role of the Host will be to coordinate the application and reporting process among all 11 Members and make entries in the State's grant reporting system.

16.014 Motion by Chamberlain, second by Meyers to authorize execution of the agreement with the Metropolitan Conservation Districts Joint Powers Board for Engineering and Technical Assistance Special Program Services. All members voting yes. Motion carried.

15.4 Authorization to Execute Agreement with the Black Dog Watershed Management Organization for Services

Watson stated that staff has developed a 2016 work plan and budget with the Black Dog WMO for services. The work plan includes a total cost not to exceed \$24,950 and the term of the agreement would be for the 2016 calendar year. The Black Dog WMO Board approved the work plan back at their July meeting.

16.015 Motion by Nielsen, second by Meyers to approve and authorize execution of the 2016 Work Plan and Budget with the Black Dog Watershed Management Organization. All members voting yes. Motion carried.

15.5 Authorization to Execute Agreement with the Vermillion River Watershed Joint Powers Organization for Services

Watson stated that staff has developed a 2016 work plan and budget with the Vermillion River Watershed JPO for services. The work plan includes a total cost not to exceed \$281,200 and the term of the agreement would be for the 2016 calendar year. Watson noted some changes from the 2015 agreement. He further stated that it is anticipated this agreement will be approved at the VRW JPO meeting on January 28, 2016.

16.016 Motion by Meyers, second by Chamberlain to approve and authorize execution of the 2016 Work Plan and Budget with the Vermillion River Watershed Management Organization. All members voting yes. Motion carried.

15.6 Authorization to Execute Agreement with the Lower Minnesota River Watershed District for Services

Watson stated that staff has developed a 2016 work plan and budget with the Lower Minnesota River WD for services. The work plan includes a total cost not to exceed \$12,300 and the term of the agreement would be for the 2016 calendar year. The agreement includes an increase to purchase five additional data logger for 5 additional wells to be monitored. The work plan was approved at the Lower Minnesota River WD Board meeting on January 6, 2016.

16.017 Motion by Chamberlain, second by Nielsen to approve and authorize execution of the 2016 Work Plan and Budget with the Lower Minnesota River Watershed District. All members voting yes. Motion carried.

15.7 Resolution Accepting Certain Wetland Conservation Act Responsibilities from City of Inver Grove Heights

Watson stated that the City of Inver Grove Heights passed a resolution at their November 9, 2015 council meeting to delegate its decision and administrative authority to the SWCD for the following purposes: Official Listing as WCA Contact, Wetland Delineations and Determinations, No Loss Determinations, Exemption Determinations and Providing State Required Annual Reports. The SWCD currently performs this role for all Dakota County townships with the exception of Empire Township. This is the first City that has delegated these responsibilities to the SWCD.

16.018 Motion by Meyers, second by Chamberlain to accept the City of Inver Grove Heights resolution delegating certain decision and administrative authorities under the Minnesota Wetland Conservation Act. All members voting yes. Motion carried.

15.8 Establish Board Committees and Appointments for 2016

Current Board Committees and Appointments were reviewed. Meyers stated that Chair, Zanmiller should replace Nielsen on the Personnel Committee. It was also noted that Zanmiller be the primary and Brown the alternate, on the MCD, Black Dog WMO, and Lower Minnesota River WD.

16.019 Motion by Meyers, second by Nielsen that the 2016 SWCD Board Committees and Assignments be approved as stated. All members voting yes. Motion carried.

<u>Committee</u>	<u>Member</u>	<u>Member</u>
Community Development.....	Laura Zanmiller	Marian Brown
Finance.....	Kevin Chamberlain.....	Chris Nielsen
Personnel	Laura Zanmiller	Joe Meyers
Rural Land.....	Joe Meyers	Kevin Chamberlain
<u>Assignment</u>	<u>Primary</u>	<u>Alternate</u>
Metropolitan Joint Powers Board	Laura Zanmiller	Marian Brown
Legislative Assignment	Kevin Chamberlain.....	Brian Watson (staff)
NRCS Local Work Group	Joe Meyers	Chris Nielsen
Vermillion River Watershed JPO	Kevin Chamberlain.....	Marian Brown
North Cannon River WMO	Chris Nielsen.....	Joe Meyers

Black Dog WMO.....	Laura Zanmiller	Marian Brown
Eagan-Inver Grove Heights WMO	Laura Zanmiller	Marian Brown
Lower Mississippi River WMO	Laura Zanmiller	Marian Brown
Lower Minnesota River WD	Laura Zanmiller	Marian Brown

16. Interagency Reports and Announcements

Natural Resources Conservation Service

Michelle Wohler’s provided the Natural Resources Conservation Services (NRCS) agency report. She stated that they processed 23 Environmental Quality Incentive Program (EQIP) applications. The funding will be announced in March but with payment rates approximately 50% of the estimated cost, down 25% from last year, they anticipate some landowners will decline funding. The payment schedule is the same for the entire state so costs to install conservation practices vary significantly depending on location.

It is now required that all entities they work with have a Duns and Bradstreet number, as well as have that number registered on www.sam.gov, so they have been spending time working with entities to be in compliance.

Wohler’s also stated that she is working with Al Singer of Dakota County and Brad Becker of Dakota SWCD on monitoring easements that use federal funds.

She will be attending an Irrigation Monitoring Workshop on Monday at the University of Minnesota. Wohler’s added that irrigator EQIP applications are few compared to previous years.

Minnesota Board of Water and Soil Resources

The Board of Water and Soil Resources (BWSR) report was provided by Watson. He stated that he recently became aware of several staffing changes at BWSR including new hires, a new Buffer Coordinator position and a new Wetland Section Manager. He has not seen any press releases or announcements to local units of government regarding reorganization by BWSR.

Watson stated that our Comprehensive Plan expired as of December 31 2015. The plan is being developed and was originally scheduled back in November to be presented at today’s meeting. However, with the new SWCD Board Supervisor redistricting and other new grant work plans being develop, it was decided to wait until the March or April Board meeting to present to the SWCD Board of Supervisors. Based on communications with BWSR staff no implications to existing grant applications or work plans will occur until early May.

Minnesota Association of Soil and Water Conservation Districts

There was no Minnesota Association of Soil and Water Conservation Districts (MASWCD) report provided.

Metro Conservation Districts Joint Powers Board

All Metro Conservation Districts Joint Powers Board (MCD) items have been previously discussed . The next meeting is scheduled for February 24.

Dakota County

There was no Dakota County report provided.

Watershed Management Organizations

There were no Watershed Management Organization (WMO) updates.

20. Upcoming Meetings and Events

The upcoming events were reviewed.

21. District Managers Report

Watson stated that he will be out of the office on February 4 and inquired if the Board wanted to reschedule the meeting.

16.020 Motion by Meyers, second by Nielsen to re-schedule the February Board meeting to Wednesday, February 3 at 8:30 a.m.

Watson indicated that staff has started promotion and outreach activities associated with the Minnesota Ag Water Quality Certification Program. He asked the Supervisors if they knew of anyone who might be interested in signing up to please contact Ashley Gallagher of staff.

Watson stated that all Board Supervisors have likely received a letter from the Minnesota Campaign Finance and Public Disclosure Board notifying them that the annual recertification of your Statement of Economic Interest is due by January 25. Watson reminded Supervisors to re-submit their information.

Watson added that he is in the process of completing annual performance reviews for staff. His annual performance review is planned for the February Board meeting and stated that he would like to schedule a Personnel Committee meeting in January.

Watson reminded the Supervisors of the February 12 Dakota County Board of Commissioners Physical Development Division meeting where the Dakota SWCD Nomination Boundaries will be on the agenda and discussed.

23. Adjourn

16.021 Motion by Nielsen, second by Meyers to adjourn the meeting. All members voting yes. Motion carried.

The meeting was adjourned at 10:00 a.m.

Respectfully submitted,

Chris Nielsen, Secretary