



Mississippi River St. Cloud One Watershed, One Plan

Policy Committee Meeting Minutes

Proceedings of the Mississippi River – St. Cloud 1W1P Policy Committee Meeting held March 29, 2022.

Dan Cibulka called the meeting to order at 1:01 p.m.

Date / Time:	March 29 th , 1 p.m. – 2:45 p.m.
Location:	In-Person: Sherburne County History Center - 10775 27th Ave SE, Becker, MN 55308 Virtual: https://us02web.zoom.us/j/83941875096
Note Taker:	Brittany Lenzmeier, Stearns SWCD
1W1P Website:	WEBSITE COMING SOON
Committee Representatives Present:	* Benton County – Scott Johnson, Benton SWCD – Wade Bastian, * Clearwater River WD – Bob Schiefelbein, * Meeker County – Danny Schiefelbein, * Meeker SWCD – Bob Schiefelbein, * Mille Lacs SWCD – Dan Campbell, Sherburne County – Barb Burandt, Sherburne SWCD – Shelly Binsfeld, * Stearns County – Tarryl Clark, Stearns SWCD – Tom Gregory, Wright County – Mary Wetter, Wright SWCD – Jeff Burns, * Sherburne SWCD – Kerry Saxton
Individuals Copied:	Policy Committee Alternate Members, Steering Committee Members, Jason Weirnerman – BWSR, Brad Wozney – BWSR, Keenan Hayes – Mille Lacs County Staff, Dilan Christiansen – Mille Lacs County Staff, Amy Kowalzek – Morrison County Staff, Brittany Lenzmeier – Stearns SWCD Staff, Shannon Wettstein – Morrison SWCD Staff, Lance Chisolm – Morrison SWCD Staff
Partners and Staff Present:	Brad Wozney – BWSR, *Rebecca Carlson – Clearwater River WD, Francine Larson – Sherburne SWCD, Dan Cibulka – Sherburne SWCD, Luke Johnson – Wright SWCD, Alicia O’ Hare – Wright SWCD, Cole Loewen – Stearns County, Kendra Sommerfeld – Benton SWCD, Jerry Maciej – Benton SWCD, *Dennis Fuchs – Stearns SWCD, Brittany Lenzmeier – Stearns SWCD, *Susan Shaw – Mille Lacs SWCD

*Attendees joined virtually via Zoom

Welcome and Introductions.

- a. **Name, LGU.** Introductions of Policy Committee (PC) members, partners, and staff.
- a. **What is your favorite spring activity?** PC members, partners, and staff shared their favorite spring activity.

Review and Approve Agenda.

- a. Cibulka reported the agenda in place will be used, however some flexibility is needed due to recent conversations on the Memorandum of Agreement (MOA). **Motion by Gregory to approve the agenda as presented, second by Burandt.** Affirmative: Johnson, Bastian, B. Schiefelbein, D. Schiefelbein, Campbell, Burandt, Binsfeld, Clark, Gregory, Wetter, Burns, Saxton. **Motion carried.**

Review and Approve Minutes (3.1.2022).

Meeting #2

- a. **Motion by Wetter to approve the March 1, 2022, minutes as presented, second by Clark.** Affirmative: Johnson, Bastian, B. Schiefelbein, D. Schiefelbein, Campbell, Burandt, Binsfeld, Clark, Gregory, Wetter, Burns, Saxton.
Motion carried.

Project Updates.

- a. **Project Timeline Update.** Cibulka reported a project timeline is available in the meeting packet. Currently, there is a draft work plan in place and staff have been working on the Memorandum of Agreement (MOA). BWSR notified staff that the grant agreement must be submitted by May 1, however each participating entity must act on it. If the first deadline (May 1) is not met, the next deadline to submit the grant agreement is July 1. Once the grant agreement is executed, formal notifications and kick-off meetings will take place.

Draft MOA.

- a. **Feedback on draft document.** Maciej reported that two options are available for organizational structure: Memorandum of Agreement (MOA) or Joint Powers Agreement (JPA). The attorney group representing the LGUs met on March 24 to review the draft MOA but declined to make a recommendation pending each LGU meeting with their attorney. Attorneys will be meeting with each LGU prior to the next attorney meeting on April 20.

Burns requested more information on what the difference is between a JPA and the MOA. Burns asked if there is verbiage available for the PC members to review on the JPA. Maciej stated that additional verbiage beyond the original draft MOA has not been provided at this time.

Wetter reported that she spoke with the Wright County Attorney, and he suggested moving forward with the JPA for more liability protection. Wozney reported as of now there are two existing 1W1P partnerships (one has completed the planning process and one is going through the planning process) that formed a Joint Powers Entity prior to any planning; this would be the first group who would form a Joint Powers Entity for the purpose of planning.

Binsfeld asked why the attorneys recommended a JPA rather than proceeding with the current MOA. Maciej reported that when the attorneys met, they recommended proceeding with the JPA. There was no updated MOA sent after the attorneys met in preparation for the meeting.

Loewen reported that the Sauk River Watershed 1W1P executed a Joint Powers Collaborative Agreement (JPCA) via a simple MOA following the BWSR template for the planning process. As the plan was being developed, the PC discussed what the structure should be to implement the plan. The PC had Minnesota Counties Intergovernmental Trust (MCIT) present on the different options, and they decided to continue using a collaborative model for implementation. A new JPCA was drafted for implementation as the JPCA for planning expired once planning was completed. Loewen stated that the Stearns County Board is not in favor of creating new entities as there are existing government entities that can collaborate and work together. Burns reported that the North Fork 1W1P is operating under an MOA and is currently in the implementation stage. Carlson reported that the Clearwater River Watershed District (CRWD) is working with their attorney and BWSR on some elements for the MOA agreement about planning alternatives for CRWD.

Binsfeld stated there is less of a liability risk during the planning process and moving forward with the MOA would give the PC members the opportunity to evaluate which direction to proceed once the planning process is completed. Burandt stated that the Sherburne Attorney recommends the Joint Powers Entity due to liability coverage. Bastian reported that the Benton SWCD Board will proceed based on the guidance provided from their attorney. S. Johnson stated that Benton County met with their attorney, and they suggested proceeding with the JPA.

Meeting #2

Binsfeld requested that both options be available (MOA & JPA) at the next PC meeting to determine which direction to proceed. Burns stated that the PC could update verbiage from the drafts at the next meeting. Burandt stated that even if verbiage changes were small, it can still make a significant impact and recommends the attorneys review the final draft. Gregory stated that the documents should be available one week prior to the meeting. Maciej will request a draft from the attorneys and for an attorney (Benton County) to be present to go through the materials and answer questions.

- b. **Approve MOA (for LGB April Board Meeting consideration).** No MOA was approved due to feedback (see Draft MOA line-item a.).

DRAFT Consultant Selection Process.

- a. **Process discussion.** Maciej provided an update on the RFP process and timeline.

Topic	Date/Deadline
RFP Issued	February 15, 2022
RFP Questions Due	March 1, 2022
RFP Questions Returned	March 15, 2022
RFP Proposals Due	March 30, 2022 @ 4PM
RFP Interviews and Consultation Selection	Late April 2022-Early May 2022
Award Project	May 25, 2022

Once proposals are received, staff (on the steering committee) will review and score the proposals on the following criteria (total of 150 points):

- Qualifications/Experience in Firm (watershed-based planning experience, 1W1P experience, local knowledge/experience)
- Project Manager/Personnel Qualifications Experience (project manager, facilitator team, staff contingency planning)
- Approach (technical and facilitation approach)
- Process (schedule, budget)
- Disadvantaged Business Enterprise (DBE)

Once the proposals are reviewed and scored, staff will complete reference checks on the three finalists (verifying accuracy of proposals). Currently, if the PC moved forward with the MOA, the three would be invited to the PC meeting. The PC would select and provide a recommendation to Benton SWCD (the fiscal agent) who will make the official approval of the consultant. If the PC moves forward with a Joint Powers Agreement, the PC would be making the decision on the consultant. Binsfeld requested a new timeline on the consultant selection process to be available for the next meeting. Maciej will provide an updated timeline.

Next Meeting Date/Schedule.

- a. Clark recommended sending a poll out once all the Boards have met to determine the next meeting date. Binsfeld suggested April 27, April 28, or May 2 for possible future dates along with the second or third week of May. Cibulka will follow up with a poll.

Cibulka adjourned the meeting at 2:37 p.m.