

Rum River "One Watershed, One Plan"

Rum River Watershed Partnership Board Meeting Minutes

Coming together to identify shared goals.
Planning together to leverage unique capacity.
Working together to achieve results.

November 30, 2022
4:30PM – 6:30PM

Vision Statement

- Clean, abundant water for consumption, recreation and habitat
- Collaborative partnership among communities working towards a common goal
- Community members and decision makers understand the challenges and opportunities facing the watershed
- Innovative strategies to meet our goals

In-Person Meeting
 MLC Courthouse,
 lower level, Conf rm D, 635 2nd St SE,
 Milaca, MN 56353

Note taker: Lydia Godfrey, Isanti SWCD

Voting Members Present:

Colleen Werdien - Anoka Conservation District
 Laurie Westerlund – Aitkin County
 Wade Bastian – Benton SWCD
 Greg Anderson – Isanti County
 Al Koczur – Isanti SWCD
 Kim Johnson – Kanabec SWCD - *(virtual attendance-no voting)*
 Kelly Applegate– Mille Lacs Band of Ojibwe
 Jake Janski – Mille Lacs SWCD
 Dale Scholl – Morrison SWCD
 Lisa Fobbe – Sherburne County
 Kerry Saxton – Sherburne SWCD

Alternates Present:

Barbara Burandt – Sherburne County - *(virtual attendance)*
 Val Anderson – Isanti SWCD, Alternate *(virtual attendance)*

Partners and Staff Present:

Jamie Schurbon – Anoka Conservation District
 Sam Seybold – Aitkin SWCD - *(virtual attendance)*
 Emily Forbord – Benton SWCD
 Tiffany Determan – Isanti SWCD
 Lydia Godfrey- Isanti SWCD
 Deanna Pomije – Kanabec SWCD - *(virtual attendance)*
 Susan Shaw – Mille Lacs SWCD
 Francine Larson – Sherburne SWCD - *(virtual attendance)*
 Dan Cibulka – Sherburne SWCD
 Barb Peichel –BWSR - *(virtual attendance)*
 Darren Mayers –BWSR - *(virtual attendance)*
 Michelle Jordan –BWSR - *(virtual attendance)*

Voting Members Absent:

Bob Janzen – Aitkin SWCD
 Ed Popp – Benton County
 Mike Wilson – Morrison County

1. Meeting called to order by Janski at 4:30 pm. Introductions led by Janski. Only members present in-person may vote.
2. Approve Agenda

Motion by Saxton to approve the agenda; second by Koczur. Affirmative: All. Opposed: None. **The Motion Carried.**

3. Approve September 22, 2022, Rum River Watershed Partnership Board meeting minutes

Saxton noticed a typo on page four of the meeting minutes that should be changed.

Motion by Saxton to approve the September 22nd, 2022 outcomes with the amended typo; second by Westerlund. Affirmative: All. Opposed: None. **The Motion Carried.**

4. Progress Report and Updates

Determan reminded the board of the progress made so far. The 45-day courtesy review period for the annual work plan ended on November 14th. The IPC reviewed draft policies at their last meeting. Now, there are a few remaining items that need to be modified. Draft contracting has also begun, so when the entity has received the funding contracts are already in place. The education and outreach subcommittee met in November. V. Anderson and Werdien were the board liaisons. The education and outreach plan is currently being drafted. Tonight, the hope is to approve the work plan for submittal to BWSR so there can be a grant agreement to sign at the next board meeting.

5. Approve 2023 Work Plan

Determan included a memo of the one comment received on the annual work plan during the courtesy 45-day review period. The comment was from Isanti County about the pie chart on page four of the work plan. They want the labels to match the labels in the work plan. It was decided that the pie chart would be amended to include the work plan labels but would group them in the same color to remain visually simple.

Motion by Fobbe to update the pie chart in the annual work plan to include the work plan labels while keeping them in the same color block; second by Bastian. Affirmative: All. Opposed: None. **The Motion Carried.**

Motion by Westerlund to approve 2023 work plan as amended and authorize staff to submit FY23 Watershed Based Implementation Funding request and Work Plan to the Board of Water and Soil Resources; second by Saxton. Affirmative: All. Opposed: None. **The Motion Carried.**

Discussion:

There was a discussion about changing the pie chart. The intent of the pie chart was to simply show the percentage of funding that was going to projects. G. Anderson believed that the pie chart should include labels in the work plan so people can understand the plan better. Westerlund asked if the pie chart would impact any funding sources if it changed, and Janski assured it would not. Janski reminded the group that changing the labels on the chart would change its intent since it would no longer be a simplistic way to show the ratio of funding going to projects. He then suggested the project breakdowns are grouped under the same color.

G. Anderson asked for clarity about the meaning of the years in the work plan, and if it referred to a calendar year or a fiscal year. Determan answered that the funding will follow the state's fiscal year 2023, which will cover calendar years 2023 and 2024. Therefore, the planning

covers 2023 and 2024.

6. Draft FY23 WBIF Policies Review

Draft policies are included in the agenda packet. Determan provided a brief overview so board members can familiarize themselves and ask questions. It will go back to the IPC on December 19th to finish the remaining details.

The policies provide a template so that every partner and project is treated equally when selecting projects and cost-share rates. There are three sections to the policy document: project selection and approval process, contracting and payment process and policies, and cost share rates and policies.

Section 1: Project Selection and Approval Process.

Before submitting a project to the board, a partner would determine if their project is eligible. There are three targeted questions that must all be answered "yes" to be eligible. After they determine their eligibility, partners will fill out the Excel Sheet to determine their ranking score. A score above 40 will allow projects to be considered by the IPC to recommend or not recommend to the board for approval. IPC members may vote instead to hold a meeting to discuss the project more thoroughly. Projects will be sent to the IPC for voting on a quarterly basis. The board will meet to approve projects in March, June, September, and December. JPE members will see project information in the agenda packets before the meeting.

There is an appeal process if a project isn't recommended to the board by IPC members. Partners may resubmit a project after they address the JPE or IPC's concerns.

Partners may also submit funding requests for staff time which would go through the same project approval process. Some projects may be grouped for approval, such as cover crops which may be approved by acreage amount.

Discussion:

K. Johnson asked to be reminded how the coordinator will be compensated for their time. It is budgeted as an administration item

There was a discussion about all projects requiring board approval. Saxton stated he would be fine if the IPC approved a high-ranking project rather than risk losing the opportunity to wait for board approval. Schurbon provided context that lawyers believe the JPE should approve all projects, and a project's ranking score does not encapsulate all the finer details of a project. Janski and Bastian added that landowners desiring funding must respect the approval timeline to be a good project. The board will meet every three months with the times set intentionally when projects are expected to be submitted.

Section 2: Contracting and Payment Process and Policies

Schurbon walked the board through the second section. A partner that receives funds would enter into a sub-agreement with the board that would include described deliverables and a timeline. A landowner agreement about maintenance would be needed if the project is on private land. However, the agreement loses weight if the private land is sold. Therefore, the partnership has been discussing deed restrictions and easement agreements for projects. Deed restrictions and easement agreements would require a project to be maintained for the lifespan of the project and allow staff to inspect to ensure projects are still there. Not all partners currently have deed agreements. The proposed policy would require agreements for projects over \$5,000 that are not on publicly or tribally owned land, permanently protected land, or fee-to-trust land. Today, the board is asked to provide their input and in January they will make decisions about the policies.

The board affirmed they should focus on protecting the watershed and the entity with which deed agreements could help. However, the topic will be revisited.

Discussion:

Deed restrictions and easement agreements were discussed at length. There is a risk that the entity, or partners, could be required to repay grant dollars if a project is not maintained for its required lifespan. A deed agreement would also help communicate to a landowner buying the property about the project. Members agreed it is important for new landowners to be aware of the project on their land. Applegate asked for clarification about the state requiring a time limit for the projects. Determan shared the state does have project life requirements based on the cost. Janski questioned if the policy would be up to individual LGUs or apply entity-wide. The current policy applies to all LGUs, but it could change to be left up to individuals. Anoka Conservation District has experience with deed agreements and does not find it difficult to do.

Section 3: Cost Share Rates and Policies and The Excel Ranking Sheet.

Section three, Cost Share Rates and Policies, describes the rates at which projects will be funded using WBIF and match rates. Determan reviewed the section. Numbers are based on achieving the required match and partner input.

Non-structural projects will need to adopt the non-structural policy that fulfills BWSR requirements, and therefore will be required for 3 years and need to be a newly adopted project. It may be possible to get an exemption on a project to have a 1-year contract. The partnership is currently proposing paying for these three-year projects with one lump sum at the beginning to avoid running out of WBIF. Landowners can use their time as grant match, but the partnership is still discussing labor rates.

Schurbon provided an overview of the Excel Ranking Sheet. The Excel Ranking Spreadsheet has many tabs so all the information can be in one place. When the excel form is completed a score will be calculated. If a project meets a certain threshold, then the project is eligible to receive funding and will go to the IPC for recommendation before being presented to the board.

Discussion:

There were a few questions about non-structural project contract lengths. Scholl asked if the size of the project has an influence on contract length, and G. Anderson asked if multiple 3-year contracts can be done with the same landowner. Determan provided clarity. Contract length would be based on farmer willingness, so a skeptical farmer may pursue a 1-year contract. Landowners could only do multiple projects if they were adding onto the practices, such as increasing to a multi-species cover crop mix. Janski inquired about the funding percentage a landowner would be required to pay back if they did not complete their 3-year contract since the value of benefits goes up each year. It is uncertain and possibly up to BWSR.

Applegate wondered what the benefit of providing one upfront payment was to landowners. Shaw responded that it would provide a safety net for those trying a new crop. G. Anderson wondered if the grant had legal issues that would prevent up-front payments. Determan assured that other watersheds have successfully used up-front payments and BWSR has approved them.

7. JPE Insurance

The board must decide if they would like to add worker's comp to their insurance plan. After a discussion, the entity chose not to add workers comp.

Currently, the board has a coverage limit of \$5,000 which could be increased if desired. The board did not choose to increase the coverage limit.

Insurance will become effective once the entity receives the grant funds.

Motion by Fobbe to authorize the Chair to execute documents necessary to accept MCIT insurance coverage and pricing including the MCIT Joint Powers Agreement and a letter from the RRWP accepting coverage and pricing. Direct the Fiscal Agent to order coverage to commence on the date of the RRWP WBIF grant execution and authorize payment of \$2856 MCIT contributions for 2023 at that time; second by Bastian. Affirmative: All. Opposed: None. **The Motion Carried.**

Discussion:

At the last JPE meeting members were uninterested in workers comp due to the assumption that they would be covered under their own insurance while attending JPE meetings. However, Schurbon learned that is not the case since members are representing the entity and not individual boards at watershed meetings. Westerlund asked who would be covered under the workers comp. It would only cover JPE board members and not staff. Many members felt they did not need workers comp.

8. Liaison: December 19th IPC

A liaison is needed for the December 19th IPC meeting. Fobbe volunteered.

9. January Board Member Changes

Janski reminded the group there will be new representatives at the next meeting due to election turnover. Thanks were given to retiring board members. Determan will need contact information for new board members. Board members should plan to be appointed for at least two years.

10. Next Steps

Provide Determan with contact information for any new board members.

11. **Next Meeting Date:**

January 26, 2023, at 4:30 pm.

At MLC Courthouse, Conference room D, 635 2nd St SE, Milaca, MN 56353

12. Janski called to adjourn the meeting at 6:12 pm.