



Joint Powers Entity

Board Meeting Agenda Packet

Date / Time:	June 5, 2025 11:00pm – 1:00pm
Location:	In-Person: Sherburne History Center – 10775 27 th Ave SE, Becker MN 55308 Remote option* through Microsoft Teams Calendar link: Meeting link <i>*Voting members participating remotely must post position in accordance with Open Meeting Law</i>
Officers:	Chair: <i>Tina Diedrick</i> , Vice Chair: Scott Johnson
Note Taker:	Griffen Northrop
1w1p Website:	https://www.millelacsswcd.org/mississippi-river-st-cloud-watershed/
Committee Representatives Invited:	Benton County – Scott Johnson, Benton SWCD – Wade Bastian, Meeker County – Steve Schmitt, Meeker SWCD – Bob Schiefelbein, Mille Lacs SWCD – Dan Campbell, Sherburne County – Andrew Hulse, Sherburne SWCD – Shelly Binsfeld, Stearns County – Tarryl Clark, Stearns SWCD – Tom Gregory, Wright County – Tina Diedrick, Wright SWCD – Chris Uecker
Individuals Copied:	Policy Committee Alternate Members Implementation Planning Committee Members and Alternates BWSR staff – Zach Guttormson & Brad Wozney City of St. Cloud staff – Noah Czech

Meeting Preparatory Work

- Review information for CRP incentive grant program
- Review staff input for deed restriction policy topic

Meeting Objectives

- Consider motions to update bylaws, approve financial authority, and insurance
- Determine if MRSCWE should have a deed restriction policy
- Consider Sub-Contract Agreements and Statement of Work Agreements

Supplemental Items

- [MRSCWE Boundary \(page 33\)](#) – Watershed boundary map which may be a useful reference.
- [Policy Committee Meeting Norms and Guidelines \(page 34\)](#) – Best practices for JPE Board meetings.
- [MRSCWE Common Acronyms \(page 35-36\)](#) – Terms and acronyms common to the MRSCWE.



Joint Powers Entity

Board Meeting Agenda Packet

Meeting Agenda				
Item	Page	Time	Topic	Task
1		11:00	Welcome and Introductions (<i>Chair</i>)	INFORMATION
2	2	11:05	Review and approve agenda (<i>Chair</i>)	ACTION
3	3-8	11:07	Review and approve 05-01-2025 meeting minutes (<i>Chair</i>)	ACTION
4	9-16	11:10	Review and approve updated bylaws (<i>Chair</i>)	ACTION
5	17-18	11:15	General Updates <ul style="list-style-type: none"> • Timeline and activities (<i>Cibulka</i>) • CRP incentive grant (<i>Cibulka</i>) 	INFORMATION
6	19-20	11:25	Financial Update <ul style="list-style-type: none"> • Update on bank and funding items (<i>Weimann</i>) • Consider Resolution 25-02 (<i>Chair</i>) • Consider motion for fiscal agent spending authority (<i>Chair</i>) 	INFORMATION ACTION ACTION
7	21-25	11:40	Insurance Update <ul style="list-style-type: none"> • Review cost estimate from MCIT (<i>Weimann</i>) • Consider Resolution 25-03 (<i>Chair</i>) 	INFORMATION ACTION
8	26-29	12:00	Deed Restriction Policy <ul style="list-style-type: none"> • Review and discuss deed restriction information (<i>Cibulka</i>) • Consider motion for a deed restriction policy, no policy, or policy with criteria (<i>Chair</i>) 	DISCUSSION ACTION
9	30	12:25	Subcontract Agreements <ul style="list-style-type: none"> • Consider motion for subcontract agreements (<i>Chair</i>) 	ACTION
10	31	12:40	FY25 WBIF Statement of Work (SOW) Agreements <ul style="list-style-type: none"> • Consider motion for SOW agreements (<i>Cibulka</i>) 	ACTION
11	32	12:55	Set Next Meeting Date <ul style="list-style-type: none"> • Consider timing of next JPE Board meeting (<i>Chair</i>) 	DISCUSSION
12		1:00	Adjourn	ACTION



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Agenda Item #3: May 1st, 2025 JPE Board Minutes

REQUEST FOR ACTION: Consider a motion to "approve the MRSCWE Joint Powers Board's May 1st, 2025 meeting minutes".



Joint Powers Entity

Board Meeting Minutes

Proceedings of the Mississippi River St. Cloud Watershed Entity Joint Powers Board held on May 1st, 2025. Tina called the meeting to order at 11:00 am

Date / Time:	May 1st, 2025 11:00 AM – 12:44 PM
Location:	Sherburne History Center – 10775 27 th Ave SE, Becker MN 55308 Remote option available through Microsoft Teams
Officers:	Chair: Tina Diedrick, Vice Chair: Scott Johnson
Note Taker:	Griffen Northrop
1w1p Website:	https://www.millelacsswcd.org/mississippi-river-st-cloud-watershed/
Voting Representatives Present:	Benton County – Scott Johnson, Benton SWCD – Wade Bastian[1] Meeker County – Steve Schmitt, Meeker SWCD – Bob Schiefelbein[2] Mille Lacs SWCD – Dan Campbell, Sherburne County – Andrew Hulse[3] Sherburne SWCD – Shelly Binsfeld, Stearns County – Tarryl Clark* Stearns SWCD – Tom Gregory, Wright County – Tina Diedrick, Wright SWCD – Chris Uecker
Voting Representatives Absent:	
Alternate Representatives Present:	Christine Jurek – Sherburne SWCD*
Partners and Staff Present:	Wright SWCD – Alicia O'hare, Benton SWCD – Emily Forbord BWSR – Zach Guttormson Sherburne SWCD – Francine Larson* Sherburne SWCD – Miranda Wagner* Stearns County - Angela Beckman* Stearns County - Becky Schlorf* Stearns SWCD – Kye Weimann Stearns SWCD - Stephanie Hatzenbihler

**Indicates virtual attendance*

[1] Bastian was not eligible to vote due to Open Meeting Law requirements

[2] Schiefelbein arrived during discussion of Agenda Item #4

[3] Hulse left during discussion of Agenda Item #8



Joint Powers Entity

Board Meeting Minutes

Agenda Item #1: Welcome and Introductions

1. No discussion held.
2. Northrop recorded attendance.

Agenda Item #2: Review and Approve Agenda

1. **Approve Meeting agenda.**
 - a. **Motion by Johnson** to approve meeting agenda; **second by Hulse and Uecker.**
 - i. **By roll call vote**, Affirmative: Johnson, Schmitt, Campbell, Hulse, Binsfeld, Clark, Gregory, Diedrick, Uecker. Opposed: None. Motion carried.

Agenda Item #3: Review and Approve 04-03-2025 meeting minutes

1. Discussion:
 - a. Campbell brought forth a grammatical issue that Agenda Items #5, #7, #8, and #9 on the 04-03-2025 meeting minutes did not include his last name in the roll call vote.
 - b. Northrop will make edits to the 04-03-2025 meeting minutes to reflect these requested edits.
2. **Approve Meeting Minutes with edits**
 - a. **Motion by Johnson** to approve 04-03-2024 meeting minutes with edits; **second by Binsfeld.**
 - i. **By roll call vote**, Affirmative: Johnson, Schmitt, Campbell, Hulse, Binsfeld, Clark, Gregory, Diedrick, Uecker. Opposed: None. Motion carried.

Agenda Item #4: General Updates

1. Discussion:
 - a. Timeline and Activities brought up by Cibulka
 - i. Cibulka discussed the potential expectation to meet quarterly instead of monthly.
 - ii. Discussion was held regarding the timeline of when funds need to be spent by.
 - b. Bylaws discussion led by Cibulka
 - i. Reiterated goals of last meeting which is to ensure bylaws and joint powers agreement mesh.
 - ii. Since the last meeting, attorneys had a few small changes to the Bylaws document.
 1. After 30-day review, revised document is eligible for approval.

Agenda Item #5: Review and Approve Organizational Budget

1. Discussion:
 - a. Organizational budget presented by Weimann representing Stearns SWCD
 - i. Weimann brought up expectations of Stearns SWCD as the acting fiscal agent of the MRSCWE JPE.
 - ii. Discussed need to approve of an organizational budget before bank account establishment and insurance options chose.
 1. Organizational budget presented was for 2025-2026.
 2. Gregory inquired regarding the types of insurance provided by the organizational budget.
 - a. Weimann responded regarding insurance expectations and the desire to reduce potential liability to the MRSCWE

2. Approve Organizational Budget

- a. **Motion by Binsfeld** to approve organizational budget; **second by Hulse**.
 - i. **By roll call vote**, Affirmative: Johnson, Schmitt, Campbell, Hulse, Binsfeld, Clark, Gregory, Diedrick, Uecker, Schiefelbein. Opposed: None. Motion carried.

Agenda Item #6: Review MCIT Exposure Survey and Approve MCIT Coverage

1. Discussion:
 - a. Presentation from Weimann on logistics and costs of anticipated insurance coverage
 - i. Minnesota Counties Intergovernmental Trust (MCIT) suggested.
 - ii. Weimann walks through the General Exposure Survey application.
2. **Approve the MCIT Exposure Survey to request insurance coverage**
 - a. **Motion by Johnson** to approve MCIT Exposure Survey to request insurance coverage; **second by Binsfeld**.
 - i. **By roll call vote**, Affirmative: Johnson, Schmitt, Campbell, Hulse, Binsfeld, Clark, Gregory, Diedrick, Uecker, Schiefelbein. Opposed: None. Motion carried.

Agenda Item #7: Financial Account Establishment

1. Discussion:
 - a. Weimann presented regarding steps taken to establish account at Bremer bank of behalf of the JPE and MRSCWE Resolution needing approval
2. **Approve Establishment of Financial Accounts**
 - a. **Motion by Hulse** to approve Resolution #25-01 to establish financial accounts and set signing authority; **second by Johnson**.
 - i. **By roll call vote**, Affirmative: Johnson, Schmitt, Campbell, Hulse, Binsfeld, Clark, Gregory, Diedrick, Uecker, Schiefelbein. Opposed: None. Motion carried.

Agenda Item #8: Grant Programs Policies Discussion

1. Discussion:
 - a. Potential establishment of Deed Restriction Policy led by Cibulka
 - i. Dan shared MRSCWE organizational budget flowchart
 1. The primary reason for deed restriction is for when a new landowner takes over a property and must keep practice in place for the length of the agreed upon contract.
 - ii. Discussion held regarding the policies of individual SWCD's and the Rum River Watershed Partnership (RRWP)
 1. Binsfeld discussed landowner reluctance to engage in projects because of deed restriction.
 2. Schiefelbein shared the difficulty of a deed restriction specific to Meeker County agricultural producers.
 3. Bastian brought forward previous discussion with Benton SWCD board that when a project involved multiple SWCD's, that the strictest policy of those involved should be adopted.
 - iii. Discussion regarding the policy standard the JPE could implement
 1. Hulse discussed a policy that allows SWCD's to be more restrictive, but not less.
 2. Johnson wanted a policy that the SWCD's must follow.
 3. O'Hare discussed potential for roadblocks as a staff member.

4. Group discussion about whether there could be policy differentiated by project type or category.
 5. It was decided that bringing this discussion to county boards, attorneys, and staff was appropriate with the expectation of discussing further at the next meeting.
- b. Failed Project Eligibility Policy led by Cibulka
- i. Cibulka discussed what falls under "failed projects."
 - ii. Oversight error in design and construction likely not eligible for grant funds to aid repairs.
 - iii. In the case of a third-party contractor not meeting specifications, contract language often holds them liable for project repairs and additional costs.
 - iv. "Act of God" events generally are covered for additional grant funds.
 - v. If a project fails outside of the contract timeline, it can be eligible for grant funds, but it needs to meet updated practice standards.

Agenda Item #9: MRSCWE Grant Program Policies and Procedures Document

1. Discussion:
 - a. Review of MRSCWE Grant Program Policies and Procedures draft document led by Hatzenbihler
 - i. Special attention was paid to section "Section 2. Best Management Practice Cost-Share Policy."
 - ii. Cibulka added additional context.
 1. Staff members wanted to give flexibility for individual SWCD's to have rates (e.g., cost-share, in-kind) that worked best for them.
2. **Approve MRSCWE Grant Program Policies and Procedures Document**
 - a. **Motion by Binsfeld** to approve MRSCWE Grant Program Policies and Procedures Document without Deed Restriction Policy; **second by Campbell and Schiefelbein**.
 - i. **By roll call vote**, Affirmative: Johnson, Schmitt, Campbell, Binsfeld, Clark, Gregory, Diedrick, Uecker, Schiefelbein. Opposed: None. Motion carried.

Agenda Item #10: Subcontract Agreement and Statement of Work Template

1. Discussion:
 - a. Contracting Process representation
 - i. Cibulka shared MRSCWE Contracting Flowchart.
 - ii. Cibulka displayed and talked through Member Subcontract Agreement and the Statement of Work templates.
 1. Model similar to those implemented by RRWP
 - iii. Cibulka detailed that not all applicable attorneys have reviewed these documents.
 1. Binsfeld shared that this is a standard template and expressed support for approval.
 2. Schmitt discussed the need for Meeker's attorney to review documents.
 3. Clark expressed interest in having Stearn's attorney review documents.
 - iv. Cibulka expressed that staff desired for documents to be approved at the June meeting.
 1. Approval is necessary for projects to be reviewed and approved.



MISSISSIPPI RIVER
ST. CLOUD
WATERSHED

Joint Powers Entity

Board Meeting Minutes

Agenda Item #11: Adjourn

Chair Diedrick adjourned the meeting at 12:44 PM.

I certify that the foregoing is a true and correct copy of the minutes approved by the MRSCWE JPE Board.

Signature & Title

Date

Meeting minutes respectfully submitted by Griffen Northrop, Sherburne SWCD District Technician on behalf of the Mississippi River St. Cloud Watershed Entity.

DRAFT



Joint Powers Entity

Board Meeting Agenda Packet

Agenda Item #4: Updated Bylaws

Since approval of the JPE bylaws in early April 2025, there has been additional review of the bylaws by county attorneys and specifically one new attorney. The group of attorneys were asked to review the document for consistency with the Joint Powers Agreement and comment upon the change in Board Officer terms that the JPB requested at the April meeting.

All attorneys representing JPE members have reviewed the bylaws and reached consensus on several minor changes. The edited bylaws document is included in the pages that follow.

REQUEST FOR ACTION: Consider a motion to “approve the updates to the MRSCWE Joint Powers Board Bylaws”.



MISSISSIPPI RIVER ST. CLOUD WATERSHED ENTITY

Joint Powers Board Bylaws

Vision Statement: Collaborating to conserve, improve, and achieve measurable progress toward natural resource goals in our shared watershed.

Adopted 04.03.2025

These bylaws establish rules governing the conduct of business by the Mississippi River St. Cloud Watershed Entity for implementation of the Mississippi River St. Cloud Comprehensive Watershed Management Plan (the Plan).

ARTICLE I. AUTHORITY AND NAME OF ORGANIZATION

1. The name of this joint power's entity developed through a Joint Powers Agreement for managing the Mississippi River St. Cloud Comprehensive Watershed Management Plan shall be the Mississippi River St. Cloud Watershed Entity.
2. These Bylaws are adopted pursuant to Sections 3 (e) and 3(i)(vi) of the Joint Powers Agreement establishing the Mississippi River St. Cloud Watershed Entity Board.

ARTICLE II: PURPOSE

1. The purpose of the Mississippi River St. Cloud Watershed Entity Board (the Board) is to implement the Mississippi River St. Cloud Comprehensive Watershed Management Plan within the governance structure outlined in the Joint Powers Agreement.
2. The Mississippi River St. Cloud Watershed Entity operates under a Joint Powers Agreement. Eligible member parties are pursuant to section 2(b) and 2(c) of the Joint Powers Agreement.
3. The Board will operate until termination of the Joint Powers Agreement as described in Section 4(b) of the Joint Powers Agreement.

Article III. MEMBERSHIP PROVISIONS

1. The Board shall be composed of one appointed representative from each Party to the Joint Powers Agreement. Each Party will also appoint an alternate representative. All representatives, whether primary or alternate, must be current members of the Party's Board and must be appointed by the respective Boards.
2. The term of a Board representative shall be for a period of two years with the ability of the Party to appoint a representative to successive terms.
3. Each Board member shall have one vote. If both the representative and alternate are present at the meeting, only the representative will be able to participate on the Board and cast a vote.
4. In the event that a member of Board resigns or is otherwise unable to complete his or her term, the member shall notify his or her appointing authority of the vacancy as soon

as practicable. The local unit of government shall appoint a replacement member as soon as possible.

5. The Board will request participant Party to consider replacing their primary and alternate representatives if that Party's representatives miss two (2) consecutive meetings. The Party's governing board can consider reasons for absences and the likelihood of future attendance in deciding whether replacement is necessary, however replacement is required after four or more consecutive absences.
6. A Board member shall not take any action that may materially benefit the financial interest of that member, a member's family member, or a member's close associate, unless and until that member first discloses that interest for the record. The member who so discloses an interest may be present to answer questions related to that interest but shall not advocate for nor vote on the action. If a Board member concludes that his or her interest does not create a conflict, but that there not be an appearance of a conflict, he or she shall disclose the interest for the record before participating in discussion or voting on an action.

ARTICLE IV: OFFICERS

1. The Officers of the Board shall consist of a Chairperson and Vice Chairperson elected by the Board.
 - a. The Chairperson shall:
 - i. Serve as Chairperson for all meetings; and
 - ii. Sign and deliver in the name of the Entity any correspondence pertaining to the business of the Entity.
 - b. The Vice Chairperson shall:
 - i. Discharge the Chairperson's duties in the event of the absence or disability of the Chairperson.
2. The traditional duties of a Board Secretary shall be filled by a Entity Coordinator identified in the Entity's annual work plan and formalized through a contract for services between the Board and Coordinator. These duties shall include:
 - a. Assist the Fiscal Agent in maintaining ~~Maintain~~ non-financial records of the Entity.
 - b. Ensure public notice of all records and meetings.
 - c. Ensure minutes are recorded and made publicly available in a timely fashion.
 - d. Prepare the Entity's annual work plan in coordination with the Fiscal Agent.
 - e. Prepare meeting agendas and packets.
 - f. Track progress toward Plan and work plan goals. Provide the Board with project updates on work being completed under the Plan, with assistance from the

2. The Board shall meet twice a year or more often as deemed necessary by the Board.
3. The conduct of all meetings of the Board shall be generally governed by the most recent edition of Robert's Rules of Parliamentary Law.
4. A quorum of the Board shall consist of a simple majority of the members.
5. Notice of Board meetings and a proposed agenda shall be emailed, or mailed upon request, to all Board members and alternates. A good faith effort will be made to distribute these documents not less than seven days prior to the scheduled meeting date of the Board.
6. The minutes of any meeting shall be made available to all Board members prior to the next meeting as part of the distributed meeting packet.

ARTICLE VI - VOTING

1. Each representative present shall have one vote. A super majority of 75% of the Board is required to approve the budget for the organization and the work plan. Other actions may be approved by a simple majority. All votes shall be made in person or virtually as allowed by MN Open Meeting Law. No representative may appoint a proxy for any question coming before any meeting for a vote.

ARTICLE VII – COMPENSATION

1. Board members may be compensated by the [political subdivision or](#) local unit of government they represent for meetings and expenses incurred, according to the policies of the local unit of government.
2. Board members may not be compensated for meeting time and expenses using funds granted by the State for the purpose of implementing the Mississippi River St. Cloud Comprehensive Watershed Management Plan.

ARTICLE VII-F- SUBCOMMITTEES OF THE JOINT POWERS BOARD AND OTHER COMMITTEES

1. The Board may establish committees for the purpose of implementation of the Plan.
2. An Implementation Planning Committee is charged with drafting a workplan following ~~the process described in Exhibit A~~ [direction from the Board.](#)

- a. Membership: The Implementation Planning Committee will be comprised of one representative from each party who is appointed by the party's governing board and is a staff member from the party. Each party's governing board shall also select an alternate consistent with the criteria outlined for a representative. Each person appointed shall have one vote. If both the committee member representative and the alternate are at a meeting, only the representative will be allowed to vote. The Implementation Planning Committee may have ex officio members to assist the Committee in its efforts. The ex officio members shall not have a vote on the Committee.

ARTICLE IX: WORK PLANS

1. Work plan development process shall follow Exhibit A direction provided by the board. The annual work plan shall include activities, lead(s) party for each, and measurable outputs for any activities to be funded with the Entity's Watershed Based Implementation Funds. The work plan shall have two parts which may be completed separately:
 - a. Entity-funded programs - Projects or programs to be funded with State grants or other funds to the Entity.
 - b. Party-funded programs - Projects or programs that accomplish Plan goals but are funded and led by Parties to this agreement.
2. The Implementation Planning Committee will solicit from each Party projects and/or programs that are consistent with the Plan and further the goals of the Plan for consideration of the Implementation Planning Committee as a whole.
3. A project or program cannot proceed without the execution of an agreement or contract by an eligible local party to this agreement whose jurisdictional area covers the project location.
4. Work plan implementation shall follow the process and roles provided through direction of the Board described in Exhibit B.

ARTICLE IX: MEETING LOCATION

1. All regular meetings of the Board will be held at a location within the Mississippi River St. Cloud watershed. Meetings may be held online if in accordance with Minnesota Public Meeting Laws.

ARTICLE X: MISCELLANEOUS

1. Portions of these bylaws may be suspended temporarily by a quorum of the Board.
2. Addition to, alteration, or repeal of any part of these bylaws by the Board may be made at any meeting by a quorum of the Board, provided that thirty (30) days advance written notice of the proposed change has been given to each member of the Board.
3. Bylaws and rules of procedure shall comply with relevant statutory provisions and be consistent with the terms of the Joint Powers Agreement. In the event of conflict or ambiguity, the terms of the Joint Powers Agreement shall prevail.
4. These bylaws are intended to be consistent with applicable provisions of Minnesota Statutes Chapters 103B, 103C, and 103D. In all cases of omission or error, Minnesota Statutes Chapters 103B, 103C, and 103D will govern.

ARTICLE XI- CERTIFICATION

1. These By-laws were adopted by a vote of _____ ayes and _____ nays by the members of the Joint Powers Board on _____, 2025.

(Chair signature & organization)

(Date of Signature)



Joint Powers Entity

Board Meeting Agenda Packet

Agenda Item #5: General Updates

Recent and Anticipated Activities (Apr 2025 - July 2025)

Funding Request & Work Plan Submittal
(Apr / May 2025)

- FY25 WBIF funding request submitted before deadline.

Organization Establishment
(May - Jun 2025)

- Policy and Procedures document approved.
- Progress on insurance options and bank account.

LGU subcontracts
(May / Jun 2025)

- Discussion of subcontracting process and vetting of documents by attorneys (May).
- Completion of subcontract language and submittal of projects and programs to the IPC, then considered by JPB (June).

Begin Work!
(Jun / Jul 2025)

- Approval of initial projects, programs, administration is anticipated for July 2025 but is contingent upon the completion of previous tasks.

Continue Organization Establishment
(Jul / Aug 2025)

- Consider additional SOWs as they come in.
- Consider insurance package.
- Consider proposals for attorney.
- Consider additional policies (CRP incentive, retention)



Joint Powers Entity

Board Meeting Agenda Packet

CRP Incentive Grant

The BWSR FY25 Conservation Reserve Program State Incentive Grant Program is made possible through appropriation from state general funds. It provides eligible Comprehensive Watershed Management Plan partnerships with funds to incentivize landowner enrollment and re-enrollment into the federal Continuous Conservation Reserve Program (CCRP) for the installation or preservation of CCRP practices. These practices are designed to improve or protect surface water or groundwater pollution, drinking water, soil health, pollinator and wildlife habitat, and other conservation enhancements.

- CCRP is a voluntary land conservation program administered by the Farm Service Agency.
- Landowners can enroll or reenroll land into 10-15 year contracts and receive an annual payment to establish and maintain required natural vegetative cover.
- This state grant opportunity provides watershed groups with a means to offer an extra "incentive payment" to landowners which aims to get more natural cover on the ground, particularly in sensitive areas that provide environmental benefits.

If the MRSCWE elected to receive these funds, roughly \$40,000 to \$45,000 would be made available to our group. No more than 10% of the funds can be used for administrative and project development costs. Staff would complete a local policy for this program and bring to the JPB for approval. The funding expires on December 31st, 2026.

Staff have discussed this funding opportunity at their May 21st IPC meeting. Enrollment in CCRP is low for this area of the state for a variety of reasons. Low payment rates are one reason enrollment may be lower compared to other areas of the state. As a result, there is currently low to moderate interest in the program for this watershed area however that may change if an effective incentive payment is offered.

Staff are bringing this topic to the JPB as an information item. The board may take time at the meeting to discuss this opportunity, ask questions, share experiences with CRP, etc. Staff will make a determination at their June 18th IPC meeting if pursuing this program is desired, prior to a July 1st deadline.

More detailed information can be found here:

FY25 CRP Incentive Grant Profile: <https://bwsr.state.mn.us/node/12801>

Program FAQ: <https://bwsr.state.mn.us/sites/default/files/2024-08/CRP%20FAQs.pdf>

Program Requirements: <https://bwsr.state.mn.us/sites/default/files/2024-8/CRP%20Incentives%20Program%20Requirements%20Exhibit%20A.pdf>



Joint Powers Entity

Board Meeting Agenda Packet

Agenda Item #6: Financial Update

Kyle Weimann, Stearns Conservation District, will provide an update on the status of our Bremer bank account and funding items.

A resolution and motion pertaining to financial items will be considered. Please see "Resolution 25-02" on the following page.

REQUEST FOR ACTION: Consider Resolution 25-02 to "update MRSCWE Bank Signers to include new SCD Administrator John Maile and authorize SCD to make future updates for SCD staff/Supervisors as necessary".

REQUEST FOR ACTION: Consider a motion to "authorize the Fiscal Agent to spend such funds as necessary to complete duties of the Fiscal Agent, such as checks, organization supplies for record-keeping, etc., not to exceed \$1,000 (within SCD's Fiscal Agent 'Administration' \$50,000 WBIF allocation)".



Coordinator
Sherburne SWCD
425 Jackson Ave NW
Elk River, MN 55330
(763) 220-3434

Fiscal Agent
Stearns Conservation District
110 2nd Street S, Ste 12
Waite Park, MN 56387
(320) 251-7800 x3

MRSCWE Resolution #25-02

Resolution Updating Financial Account Signing Authority

WHEREAS, Mississippi River St. Cloud Watershed Entity (MRSCWE) is a Joint Powers Entity formed in 2025 pursuant to Minnesota Statutes section 471.59 in order to implement the state-approved Comprehensive Watershed Management Plan; and

WHEREAS, MRSCWE has assigned Stearns Conservation District to act as Fiscal Agent for the entity; and

THEREFORE BE IT RESOLVED, that MRSCWE adds the following individuals from Stearns Conservation District (SCD), acting as the Fiscal Agent, to conduct business on behalf of MRSCWE for all financial accounts:

John Maile, Administrator – effective 6/30/2025

BE IT FURTHER RESOLVED, that MRSCWE authorizes Stearns Conservation District (SCD), as the Fiscal Agent, to make future updates to the list of signers from SCD pursuant to its own policies, subject to internal controls.

Passed by the Mississippi River St. Cloud Watershed Entity Board this 5th day of June, 2025.

Tina Diedrick, Chair
Mississippi River St Cloud Watershed Entity

ATTEST: _____
Dan Cibulka, Watershed Coordinator
Sherburne Soil & Water Conservation District



Joint Powers Entity

Board Meeting Agenda Packet

Agenda Item #7: Insurance Update

Please review a cost estimate from Minnesota Counties Intergovernmental Trust (MCIT) on the following page to join the risk pool. The listed amount is for a full year, cost to be pro-rated. The Property/Casualty Coverage as quoted is to cover faithful performance of any individual acting on behalf of MRSCWE, even if not an employee. Although MRSCWE does not currently have property or scheduled inland marine, coverage will be available in the future should it be required. Workers Compensation coverage should not be necessary since Board members are covered under their own LGU.

Coverage will require an MCIT member COUNTY to sponsor MRSCWE with Board action (sample attached in the pages that follow). There is no additional obligation of the sponsoring County, but it is a requirement for MRSCWE join. Discuss among County members who would be willing to do so. MCIT Board will ultimately need to take action to approve at their subsequent monthly Board meeting (likely 7/11 if other items can be arranged).

REQUEST FOR ACTION: Consider Resolution R25-03 to *“authorize joining MCIT risk pool and declining Workers’ Compensation coverage, pending County sponsorship and MCIT Board approval”*.

MCIT Coverage Summary and Cost Estimate for Mississippi River – St. Cloud Watershed Entity

PROPERTY COVERAGE:

Coverages: Buildings, Contents and Property in the Open

- Applies to scheduled properties only
- Physical damage arising from covered perils
- Replacement cost valuation (with few exceptions)
- Limit of coverage based on scheduled value subject to 125% valuation provision
- Per schedule
- \$1,000 deductible

Inland Marine

- Applies to scheduled equipment only
- Per schedule
- EDP equipment based on the EDP Inventory
- \$1,000 deductible

Valuable Papers and Records

- \$5,000 coverage limit per claim

Extra Expense Coverage

- \$10,000 coverage limit per claim

Money and Securities

- \$100,000 coverage limit per claim

GENERAL LIABILITY COVERAGES:

Limits of Liability: \$500,000 each claimant/\$1.5 million each occurrence.

For liability losses not subject to Minnesota Statutes Sections 466.01 – 466.15, \$2 million per occurrence.

Deductible: \$1,000

Coverages: Bodily Injury and Property Damage liability

Personal and Advertising Injury liability

Medical Payments coverage:

Limit: \$2,500; no deductible. Its use is discretionary.

Public Employees liability coverage (errors & omissions):

Limits match those shown above in the general liability section. A deductible of \$2,500 per wrongful act applies. This is a claims-made coverage form with a retroactive date that is the effective date of the coverage or other date as approved by MCIT.

Employee Benefits liability coverage:

Limits match those shown above in the general liability section. A deductible of \$1,000 per wrongful act applies. This coverage responds to claims made for damage resulting from a wrongful act related to the administration of the member's benefits package. This is a claims-made coverage form with a retroactive date that is the effective date of the coverage or other date as approved by MCIT.

AUTOMOBILE COVERAGES:

Limits of Liability: \$500,000 each claimant/\$1.5 million each occurrence.
For claims not subject to Minnesota Statutes Sections 466.01 – 466.15,
\$2 million per occurrence.

Coverages: Comprehensive - \$500 deductible

Collision - \$1,000 deductible

Bodily Injury/Property Damage

Personal Injury Protection—statutory

Uninsured/Underinsured Motorist \$25,000/\$50,000 each coverage

Vehicle schedule: Per schedule

PRIVACY OR SECURITY EVENT (CYBER) COVERAGE:

Response expense

Liability, defense and settlement cost

Electronic equipment damage, electronic data damage and network interruption

Cyber extortion

Misdirected payment fraud and computer fraud

\$250,000 annual aggregate limit

\$5,000 deductible

EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY (BOND) COVERAGE:

Provides coverage for loss or damage to the member's money, securities and property other than money and securities as defined, caused by employee dishonesty or an employee's lack of faithful performance of duty.

Limit of Coverage: \$50,000 per occurrence

Deductible: \$0

WORKERS' COMPENSATION

Statutory Coverage for staff and board members

OTHER COVERAGES designed for our members:

Department of Human Rights coverage

Legal fees paid in addition to limits of liability

Enhanced defense coverage

Open Meeting Law coverage

ANNUAL COST ESTIMATE:

Estimated Contribution

Property/Casualty **\$ 3,270**

Workers' Compensation (optional board coverage only) **\$ 575**

Total \$ 3,845

Note: The coverages described above are subject to the terms, conditions, limitations and exclusions contained in the MCIT Coverage Document.

This Cost Estimate is not an invoice. Do not send payment until coverage is bound and you receive an actual MCIT invoice.

The contribution and coverage estimates as listed on this summary are valid for 90 days.



Coordinator
Sherburne SWCD
425 Jackson Ave NW
Elk River, MN 55330
(763) 220-3434

Fiscal Agent
Stearns Conservation District
110 2nd Street S, Ste 12
Waite Park, MN 56387
(320) 251-7800 x3

MRSCWE Resolution #25-03

Resolution Seeking Membership in Minnesota Counties Intergovernmental Trust Risk Pool and Declining Workers Compensation Coverage

WHEREAS, Mississippi River St. Cloud Watershed Entity (MRSCWE) is a Joint Powers Entity formed in 2025 pursuant to Minnesota Statutes section 471.59 in order to implement the state-approved Comprehensive Watershed Management Plan; and

WHEREAS, MRSCWE has a fiduciary responsibility to limit risk and protect public resources; and

WHEREAS, Minnesota Counties Intergovernmental Trust (MCIT) provides coverage to limit said risks and protect public resources through its statewide risk pool.

THEREFORE, BE IT RESOLVED, that MRSCWE requests membership in the MCIT risk pool and authorizes approval of a Joint Powers Agreement with MCIT to that effect; and

BE IT FURTHER RESOLVED, the Joint Powers Board for the Mississippi River St. Cloud Watershed Entity (MRSCWE) does hereby resolve that, pursuant to the requirements of Minn. Stat. §176.011, subd. 9 (6), that all officers of MRSCWE who are elected or appointed to a regular term of office, or to complete the unexpired portion of a regular term, shall not be included within the definition of “employee” as that term is defined in Minn. Stat. §176.0121, subd. 9 for purposes of coverage under the Workers Compensation Laws of the State of Minnesota.

Passed by the Mississippi River St. Cloud Watershed Entity Board this 5th day of June, 2025.

Tina Diedrick, Chair
Mississippi River St Cloud Watershed Entity

ATTEST: _____
Dan Cibulka, Watershed Coordinator
Sherburne Soil & Water Conservation District

RESOLUTION 04-2019
Sponsorship of the Wilkin County Economic Development Authority for
Minnesota Counties Intergovernmental Trust Membership

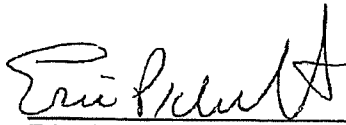
WHEREAS, Wilkin County is a member of the Minnesota Counties Intergovernmental Trust; and

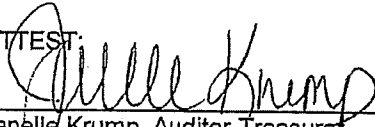
WHEREAS, a current member of the Minnesota Counties Intergovernmental Trust must sponsor a new entity for membership; and

WHEREAS, the Wilkin County Economic Development Authority desires to become a member for the purpose of obtaining property and workers compensation coverage.

NOW, THEREFORE, BE IT RESOLVED, that Wilkin County sponsors the Wilkin County Economic Development Authority for membership.

Adopted this 12th day of February, 2019.


Eric Klindt, Chairman

ATTEST:

Janelle Krump, Auditor-Treasurer
(Seal)

SAMPLE



Joint Powers Entity

Board Meeting Agenda Packet

Agenda Item #8: Deed Restriction Policy

At the May 1st, 2025 meeting the JPB discussed deed restrictions and the opinions of members regarding adoption of a MRSCWE deed restriction policy. Several individual members have deed restriction policies for certain projects, others have policies in development, and some have no policies. The discussion resulted in several recommendations for continued discussion and information - 1) board members encouraged to discuss with their staff, LGU board and county attorneys, 2) staff at the IPC to pull together a list of potential options and language and 3) staff to share written narratives of their experiences with a deed restriction policy.

At the May 21st 2025 IPC meeting, staff developed language pertaining to several potential policies and provided a written statement of their experience and preferences. The IPC also took a vote as to which potential deed restriction option they would recommend. The example deed restriction policy options, staff votes, and staff narratives are included below and on the next page.

REQUEST FOR ACTION: Discuss deed restriction options and input from member staff and boards. Attempt to reach consensus, but ultimately come to a decision on a path forward with a formal motion.



Joint Powers Entity

Board Meeting Agenda Packet

Deed Restriction Example Language / Options

1. **No Policy:** The MRSCWE elects to not establish a deed restriction policy of its own. Individual member boards may adopt a local deed restriction policy if they would like.
2. **Criteria Based Policy:** Members utilizing MRSCWE funds will follow a deed restriction policy. The policy is applicable based upon the project type, a dollar amount threshold, an effective lifespan threshold, or a combination of these factors. Example language below:
 - a. Project Type:
 - i. The project is considered a "structural project" (exempts vegetative planting projects). Structural projects defined as those including earthwork with large equipment, use of rip-rap or concrete, construction of physical structures, and all plans requiring sign-off from a licensed engineer.
 - ii. The project is considered a "non-structural project" (exempts structural projects). Non-structural projects are defined as those involving primarily vegetative planting or enhancement with minimal earthwork.
 - iii. Specific project type - wetland, shoreland, etc.
 - b. Dollar Amount:
 - i. The project receives \$XX,XXX or greater in grant funds.
 - ii. The project has a total construction cost of \$XX,XXX or greater and receives any amount of grant funds.
 - c. Lifespan:
 - i. The project has an anticipated XX-year or longer effective lifespan as described within the USDA-NRCS Field Office Technical Guide practice standards or other applicable standards.
 - d. Combination of Above Options:
 - i. The project receives \$XX,XXX or greater in grant funds and has a 10-year or longer effective lifespan as described within the USDA-NRCS Field Office Technical Guide practice standards or other applicable standards.
 - e. Risk Based (Case by Case)
 - i. Example: If the removal of a project could negatively affect landowners downstream.
 - ii. Example: If the project is located near a city that could be developed later.
3. **All Projects Policy:** Members utilizing MRSCWE funds will follow a deed restriction policy for any vegetative or structural on-the-ground projects that receive grant funds. Projects without a physical installation are not applicable (e.g. planning projects, studies, policy developments, staff time, etc.).

Other Considerations:

- May elect to have a policy but exempt certain projects, such as those located on permanently protected land, publicly owned land, public waters, etc.



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- BSWCD board would like to see a specific policy for one or more LGUs working together on a project or that the group would follow the more strict deed restriction policy of the LGUs working together.

May 21st Implementation Planning Committee Voting on Deed Restriction Options

- 1 - JPE adopts no deed restriction policy
- 2 - JPE adopts a criteria-based policy
- 3 - JPE adopts a deed restriction policy for all projects

Benton County - not present	Benton SWCD - 1
Meeker County - not present	Meeker SWCD - 1
Mille Lacs SWCD - 1	
Sherburne County - abstain	Sherburne SWCD - 2
Stearns County - 1	Stearns SWCD - 1
Wright County - abstain	Wright SWCD - 1

Staff Comments and Experiences with Deed Restrictions

Benton County: Speaking strictly from my experience with deed restrictions required by my office for projects, they are extremely useful in upholding requirements or restrictions and they are great for ensuring future buyers are aware of restrictions placed on their land and holding the property owner accountable. They must be clearly laid out to be effective.

Benton SWCD: We haven't had a deed restriction policy in the past, but we will be having one going forward due to our county attorneys recommendation.

Most/all of the issues Benton has been with lower cost projects on residential properties where there are more frequent ownership changes. Septics, lakeshore buffers and windbreaks have had the most issues with the new owners not knowing about the project.

Meeker County:

Meeker SWCD: **No Policy** Opposed: Staff would be opposed to the requirement of a deed restriction for ALL projects. Getting landowners to participate in voluntary conservation practices is a big enough challenge without the threat of adding an encumbrance on the property. We have not had an issue with projects being removed ahead of their lifespan. We would consider as part of this plan the requirement of the deed restrictions for shoreline practices. We do support other Districts using their own local policies utilizing deed restrictions.

Mille Lacs SWCD: We haven't had one in the past but are looking at the pros and cons and utilizing them in the future for projects over a certain price point.

Sherburne County:

Sherburne SWCD: The SSWCD Board has a deed restriction policy based upon a dollar amount and 10-yr lifespan. It is a fairly new policy that has not triggered a deed restriction yet. It makes



Joint Powers Entity

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sense to exempt projects that are completed on permanently protected land, public land and public waters.

Stearns County: Agree with Stearns SWCD.

Stearns SWCD: **No Policy** Stearns SWCD has not utilized deed restriction to date, the staff and board had a discussion and is opposed to requiring deed restrictions at the watershed level. If member organizations have their own policies that they follow, similar to how we are letting members follow their own cost-share policies, then that is fine with us. We were hesitant to utilize a JPE as our organizational structure, but moved forward as that is what other members wanted. The JPE as a government entity would be requiring other government entities to adopt a policy that our government entity is not interested in. Additionally we haven't had land ownership changes causing any problems, therefore deed restrictions are solving a problem that doesn't exist for us. We understand that the MRSWCE is passing on the risk to Stearns SWCD for land ownership changes and a project is removed prematurely. Additionally the staff time and cost for adding deed restrictions and then after the lifespan of the project needing to spend time and cost to remove the deed restrictions is another con.

Wright County:

Wright SWCD: **No Policy** Wright SWCD has not utilized deed restriction to date, but we are looking in utilizing them on shoreland and streambank projects going forward. We have heard from agricultural producers that we would not have gotten some high priority projects if a deed restriction was required. Because of this, the Wright SWCD Board of Supervisors does not support deed restrictions on agricultural practices. We will be reviewing our internal cost share policy in the coming months, where a minimum cost share threshold will be discussed for shoreland and streambank deed restrictions. SWCD Staff, the county attorney, and JPE board members are meeting Thursday (5/22) to discuss.



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Agenda Item #9: Sub-contract Agreements

Members of the JPE that are requesting funding will need to have a formal agreement between their board and the MRSCWE outlining the terms and conditions of accepting those funds. At this time, six of the 11 members are requesting funds for the FY25 WBIF grant that the MRSCWE holds.

The Member Sub-contract Agreement is based upon a document used in another watershed entity. The six attorneys representing our members have been sent the document in early May however have not completed a full review and come to consensus on potential edits.

If the attorneys are able to come to consensus on contract language prior to the June 5th JPB meeting, the final contracts will be sent out and we will consider moving forward with this agenda item. If the review has not occurred, this agenda item will be stricken and we will move it to the next meeting date.

REQUEST FOR ACTION: Consider a motion to “*approve the Member Sub-contract Agreements between the MRSCWE and Benton SWCD, Mille Lacs SWCD, Sherburne County, Sherburne SWCD, Stearns CD, and Wright SWCD*”.



Joint Powers Entity

Board Meeting Agenda Packet

Agenda Item #10: FY25 WBIF Statement of Work Agreements

The Member Sub-Contract Agreement spells out the general terms and conditions between the MRSCWE and a member organization. As an addendum to this document, a second document, a "Statement of Work" identifies finer details pertaining to the funding that member organization receives. Specifically, the SOW identifies the funding source, funding amount, tasks to be completed, and deliverables anticipated.

Six organizations (Benton SWCD, Mille Lacs SWCD, Sherburne County, Sherburne SWCD, Stearns CD, and Wright SWCD) have requested funding at this time for projects, programs, or administrative duties. These request have been reviewed and approved by the IPC at a May 21st, 2025 meeting. Additional funding remains so future SOWs will be presented when those requests are made.

The six attorneys representing our members have been sent the SOW contract document in early May however have not completed a full review and come to consensus on potential edits.

If the attorneys are able to come to consensus on SOW contract language prior to the June 5th JPB meeting, the final contracts will be sent out and we will consider moving forward with this agenda item. If the review has not occurred, this agenda item will be stricken and we will move it to the next meeting date.

REQUEST FOR ACTION: Consider a motion to "approve the Statement of Work agreements between the MRSCWE and Benton SWCD, Mille Lacs SWCD, Sherburne County, Sherburne SWCD, Stearns CD, and Wright SWCD".



Joint Powers Entity

Board Meeting Agenda Packet

Agenda Item #II: Set Next Meeting Date

As the MRSCWE is a new entity we have been meeting monthly to get the organization established. Eventually we anticipate meeting less regularly, perhaps quarterly.

At the June 5th meeting the staff and board will discuss future JPE meeting topics and determine the appropriate time to meet. Traditionally the JPE has reserved the first Thursday of the month to meet, however a July 2025 meeting would fall on July 3rd. The board may choose an alternate date in July or consider meeting next on the first Thursday of August.

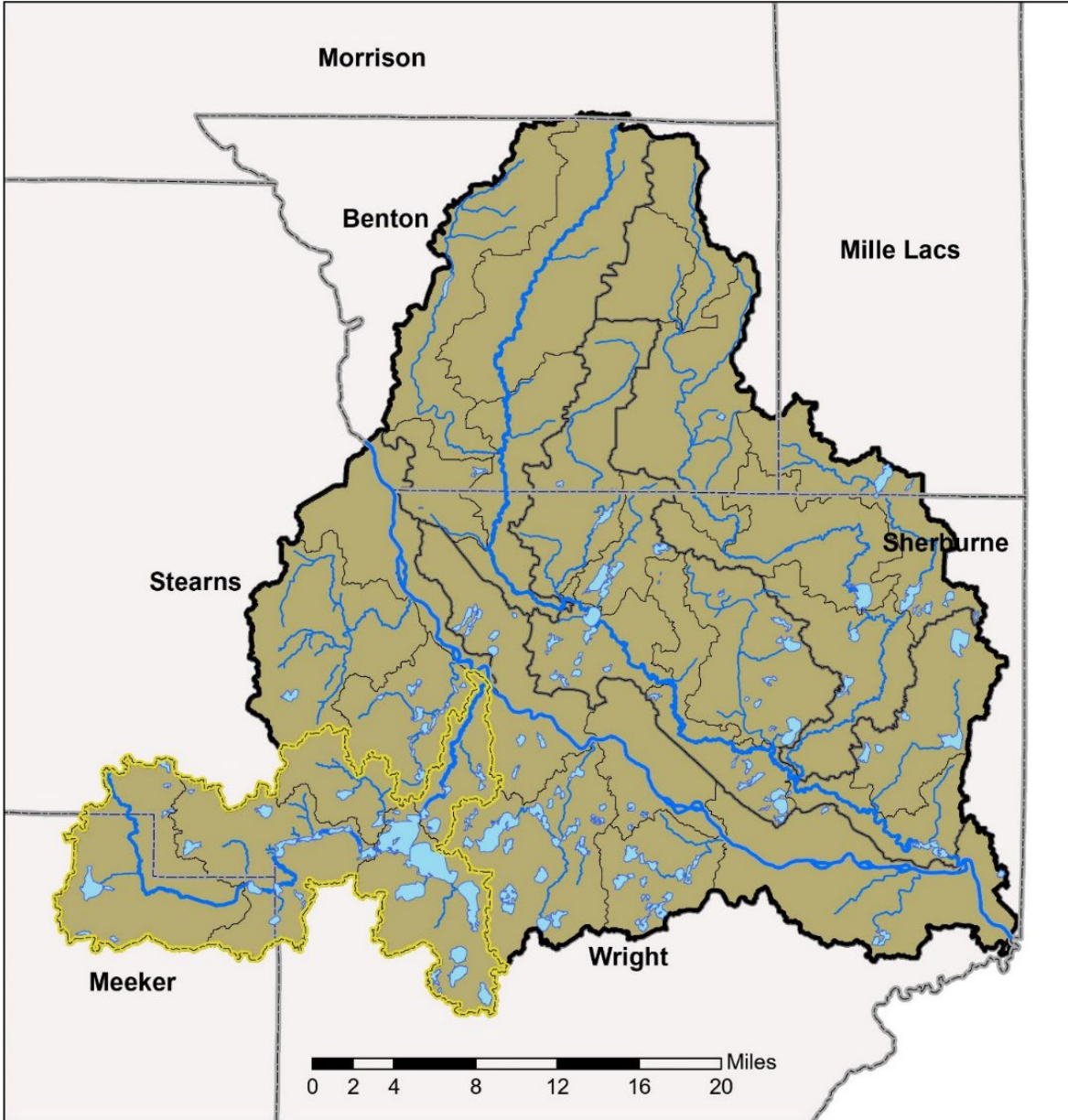


**MISSISSIPPI RIVER
ST. CLOUD
WATERSHED**

Joint Powers Entity

Board Meeting Agenda Packet

MRSCWE Boundary



- | | |
|-------------------------------------|------------------|
| Planning Boundary | HUC 10 |
| Clearwater River Watershed District | HUC 12 |
| Named Lakes | County Boundries |
| Large Rivers | Streams |





Joint Powers Entity

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MRSCWE Joint Powers Board Meeting Norms and Guidelines

Process Norms

- Follow Robert's Rules of Order
- Everyone will contribute to the conversation
- Strive for consensus and support the final outcomes/decisions
- Decisions will be based in sound science
- All voices count. All opinions are valid, but offer reasoning behind your thinking
- Ask clarifying questions to seek further understanding
- Note-taker is to capture highlights of the discussion and decisions made, but not detailed minutes

Preparation Norms

- Meetings will start / end on time
- Members will complete pre-work, read materials, and be prepared to meet
- Request additional information prior to meeting if necessary
- We will identify clear deadlines for when tasks are assigned to members and strive to meet them (both in developing materials and responding / providing feedback)

Communication Norms

- Be respectful and promote open communication
- Listen to understand
- Respect each other's opinions
- Stay on topic and pay attention
- Silence phones and exercise proper meeting decorum



Joint Powers Entity

Board Meeting Agenda Packet

MRSCWE Common Acronyms

IWIP: One Watershed One Plan (the planning project that resulted in the 10-year Comprehensive Watershed Management Plan)

AIS: Aquatic Invasive Species

BMP: Best Management Practice

BWSR: Board of Water and Soil Resources

CD: County Ditch

CIP: Capital Improvement Project

CREP: Conservation Reserve Enhancement Program

CRP: Conservation Reserve Program

CWMP: Comprehensive Watershed Management Plan

DNR: Department of Natural Resources (Minnesota)

DWSMA: Drinking Water Supply Management Area

EPA: Environmental Protection Agency

EQIP: Environmental Quality Incentives Program

FSA: Farm Service Agency

GIS: Geographic Information Systems

GPR: Groundwater Protection Rule

GRAPS: Groundwater Restoration and Protection Strategies

HAB: Harmful Algal Bloom

HUC: Hydrologic Unit Code

IBI: Index of Biological Integrity

IPC: Implementation Planning Committee

JPA: Joint Powers Agreement

JPE: Joint Powers Entity

LGU: Local Government Unit

LiDAR: Light Detection and Ranging

LSOHC: Lessard-Sams Outdoor Heritage Council

LSP: Landscape Stewardship Plan

MAWQCP: Minnesota Agricultural Water Quality Certification Program

MDA: Minnesota Department of Agriculture

MDH: Minnesota Department of Health

MDM: Multipurpose Drainage Management

MGS: Minnesota Geological Survey

MOA: Memorandum of Agreement

MPCA: Minnesota Pollution Control Agency

MRSCWE: Mississippi River St. Cloud Watershed Entity

MS4: Municipal Separate Storm Sewer System

NGO: Non-Governmental Organization

NRBG: Natural Resources Block Grant

NRCS: Natural Resources Conservation Service

NWI: National Wetland Inventory

O&M: Operation and Maintenance

PF: Pheasants Forever

RIM: Reinvest in Minnesota

SOW: Statement of Work



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MRSCWE Common Acronyms (continued)

SSTS: Subsurface Sewage Treatment System (commonly called a septic system)

SWA: Subwatershed Assessment

SWCD: Soil and Water Conservation District

TMDL: Total Maximum Daily Load

TN: Total Nitrogen

TP: Total Phosphorus

TSP: Technical Service Provider

TSS: Total Suspended Solids

µg/L: Micrograms per Liter

UMN: University of Minnesota

USACE: United States Army Corps of Engineers

USDA: United States Department of Agriculture

USFS: United States Forest Service

USFWS: United States Fish and Wildlife Service

USGS: United States Geological Survey

WASCOB: Water and Sediment Control Basin

WBIF: Watershed-Based Implementation Funding

WCTSA: West Central Technical Service Area

WD: Watershed District

WRAPS: Watershed Restoration and Protection Strategy