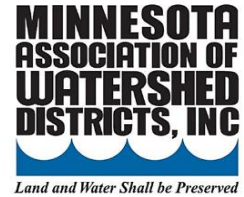


Minnesota Association of Watershed Districts (MAWD)
Board of Directors Meeting
March 16, 2022



1. CALL TO ORDER

President Texer called the meeting to order at 1:01 p.m. A quorum was present.

MAWD Board of Directors (BOD) present: Mary Texer, Sherry Davis White, Ruth Schaefer, Peter Fjestad, Gene Tiedemann, Linda Vavra, and Jackie Anderson; Wanda Holker by Zoom
Board Members absent: none

Others present: Joe Collins, Board of Water and Soil Resources (BWSR); Marcie Weinandt, Clean Water Council (CWC); LeRoy Ose, BWSR; Dennis Kral, Pelican River WD (WD); John Waller, Rice Creek WD; and Greg Holmvick, Wild Rice WD

2. GENERAL HOUSEKEEPING

Agenda

Director Fjestad moved to approve the agenda with the addition of a closed session to discuss the Executive Director's performance review. The motion was seconded by Director Vavra and carried unanimously.

Member Comment Period

Dennis Kral addressed the Board regarding Pelican River WD's (PRWD) membership. At their February meeting, the motion to pay dues failed. They will no longer be members. Their reasons were:

- Basic communication. It was not communicated to the Region 1 members that a quorum was necessary during the regional caucus.
- Dues' structure. WDs with the least ability to pay have seen their dues increase while WDs with larger budgets have had their dues frozen. It was promised that a Finance Committee meeting would be held in January or February and so far, there has not been a meeting.
- Comments made by Executive Director Javens during the Region 1 caucus.

The PRWD Board wants to see agendas, timetables for the MAWD BOD addressing issues, and more information regarding what is happening at MAWD. While the Strategic Plan survey has questions regarding communication, in general, information is not reaching the MAWD membership. The PRWD Board is hoping that in the next couple of months, there can be improvement in communication and that the dues' structure can be addressed. Mr. Kral hopes that if this is done, he can make the PRWD Board realize the value of MAWD.

Discussion was held regarding:

- MAWD is here to serve WDs. Criticism makes us better.
- The PRWD Administrator has represented their WD on the Finance Committee. She has asked to have the dues' structure examined. That will be done, but as yet, a date to meet has not been set.

- A question was asked about the deadline for paying dues. The PRWD Board assumed that the dues they have paid to date would carry them as members through the legislative event.
- In order to vote, quorums are always required. No communication should be needed for members to realize that. Part of the problem with the Region 1 caucus meeting is that it was virtual, people got busy, and left before the meeting was complete. In the case of Region 2, there never were enough members present to vote.
- The MAWD BOD agendas are posted on the website. It was the opinion of the PRWD Board that agendas do not provide adequate information to know what is happening. It would be helpful to have board packets, as well as a calendar that shows when certain topics are discussed on an annual basis.
- The MAWD BOD or individual Directors are available to attend member meetings and would be willing to meet with the PRWD Board.

Introductions were made.

Secretary's Report

Director White made a motion to approve the minutes of the December 3, 2021 meeting with the correction that Gene Tiedemann was absent. The motion was seconded by Director Vavra and carried unanimously. Director White made a motion to approve the minutes of the January 10, 2022 meeting. The motion was seconded by Director Vavra and carried unanimously.

Treasurer's Report

Director White reported that the current account balances are:

- Checking: \$63,529.40
- Savings: \$259,737.34
- Total: \$323,266.74

There was one correction to the Statement of Financial Position. The \$16,200 shown under staff should be under Lobbying – Contracted Services. The MAWD BOD policy is to post financial statements on the website on a quarterly basis. March is the end of the quarter. Directors were asked to submit their per diem statements. Crooked Creek did not pay dues for 2021. Capitol Region WD needs to submit invoices so payments can be made.

3. REPORTS

President's Report

Director Texer reported that she is meeting with the Executive Director Javens on a regular basis. The Summer Tour will be held on August 24 in East Grand Forks. She has been working with Executive Director Javens on the Legislative Event. Given the low attendance, discussion will be held regarding options to do things differently in 2023. The Strategic Plan survey has been distributed. The Minnesota Association of Watershed Administrators (MAWA) will be submitting a group response.

Executive Director's Report

Jan Voit gave an update on behalf of Executive Director Javens who was testifying at a hearing on the general operating levy. She reported on the Strategic Plan, monthly newsletters,

MAWD Handbook, petition to BWSR for rulemaking, Clearwater River Watershed District and 1W1P, MAWD Committees, Board of Water and Soil Resources (BWSR) Academy, BWSR Water Quality and Storage Program, and the BWSR paper entitled *Water Storage: A Planning and Decision Support Framework*.

MAWD Regional and Committee Reports

Director Vavra gave an update on Region 1. They are pleased to have the Summer Tour in their region. The Red River Watershed Management Board (RRWMB) will be part of the tour. The RRWMB is also helping to support the bonding bill for water projects.

Director Schaefer gave an update for Region 2. After speaking with several members, they have decided not to have regular meetings. They do not feel the need to meet on a monthly basis. They will meet in conjunction with MAWD events.

Director Texer gave an update for Region 3. The next Metro MAWD meeting will be April 18. Director White requested a presentation at that meeting from the CRWD staff person working on Diversity, Equity, and Inclusion.

Strategic Plan Committee – April 12

Director Texer reported that the next meeting of the Strategic Plan Committee will be held on April 12. On the agenda will be review of the survey results.

Partner Reports

MAWA

MAWA met on March 16. Partner updates were given by the Commissioner of the Department of Natural Resources, Assistant Commissioner of the Minnesota Pollution Control Agency, and the Executive Directors of the RRWMB, MAWD, and BWSR. Committee updates were given and assignments made. Discussion was held regarding the BWSR Water Quality and Storage Program, eminent domain legislation, and the Lessard-Sams Outdoor Heritage Council funds the legislature directed BWSR to apply for and how reporting would be done.

[Director Anderson arrived at 1:45 p.m.]

BWSR Board Meeting – January 26

Joe Collins reported on issues with BWSR staffing. He appreciates the information in the MAWD newsletters. He has not read the BWSR water storage paper. He was not aware of the issues with Clearwater River WD and 1W1P or the frustrations with BWSR Academy.

The remainder of his comments were regarding Watershed-based Implementation Funding (WBIF). It is his understanding that MAWD supports a locally-funded, comprehensive watershed-based approach. Over the last two years, the plan areas in the metro have been made smaller, though not directly in line with specific watersheds. That's a win. The Soil and Water Conservation Districts (SWCDs) have to write an enhanced plan, notify partners, and hold a public hearing. The SWCD enhanced plans have to include prioritized, targeted, and measurable goals. Those plans are reviewed by BWSR. MAWD has achieved what you wanted, even though it was done through BWSR's approach. BWSR is strongly encouraging

SWCDs to consider a plan amendment with supplemental language that has been added in the guidance document.

Mr. Collins did not know what the last letter from MAWD actually wanted. Fighting rulemaking would be costly and deference would likely be given to the state agency. It is his personal view that when WBIF was addressed in October, there was some dissension on the BWSR Board, but they have no interest in talking about this again. The guidance has been adopted. Relative to WBIF, the discussion is over.

It seems that MAWD is questioning whether the BWSR Executive Director has been delegated authority to make decisions on petitions without consulting the BWSR Board. Perhaps that discussion should happen in the administrative committee. The rulemaking petition should have been reviewed by the BWSR attorney. While he could not specifically say, he believes that the BWSR Board has given their Executive Director authority make decisions on petitions.

The BWSR Executive Director and staff operate on behalf of the BWSR Board. Those are typical operations. Mr. Collins did raise concerns with the BWSR Executive Director regarding the lack of a 60-day review period for policies, lack of board discussion on committee recommendations, and decision-making procedures in general. He believes that a facilitated discussion with MAWD and MAWA would be beneficial.

Discussion was held regarding:

- The differences in the legislated principles and duties of an SWCD and WD. WBIF should not be a dead issue. MAWD still does not have clarity on what BWSR has in mind.
- What is BWSR's objective with Clean Water Funds (CWF)? They are taking in so much money, they don't know how to disburse it, and they can't tell legislature how it is being spent.
- For BWSR, measurement of success isn't how much pollution has been stopped, it appears to be how many actions have been taken.
- Counties and SWCDs have historically been charged with keeping rural agricultural ditches clean. With 1W1P, they are using CWFs to clean up something they should have been doing all along.
- BWSR watershed representatives asked that MAWD members call them regarding issues they have with BWSR.

CWC

Marcie Weinandt explained that she was appointed to the CWC last June. In her application, she indicated that as a WD representative, she would need to know what WDs are dealing with on a statewide basis. That is why she is here today – to learn about what is being done at MAWD. She has experience working on county comprehensive plans. She recently retired from the Minnesota Department of Agriculture where she had been working on the Minnesota Ag Water Quality Certification Program.

Minnesota is the envy of many states because we have been able to excel in watershed management and protection of our resources with CWFs. In the performance report to the legislature, some of the value is counting projects. Rather than just capacity building money,

the funds should be going to projects. The CWF legislation has to be reauthorized in 2030. We need to think ahead to be prepared to present information to the legislature and the public.

It is important to conduct outreach to our communities. One of her favorite projects to fund is *We Are Water*. Approximately six to eight areas put together a steering committee on an annual basis. The committees include schools, libraries, arts organizations, WDs, and SWCDs. With the curriculum developed, they are able to reach children about water issues.

The CWC has adopted a Strategic Plan that addresses guiding values and requirements for drinking water, ground water, surface water, and how Minnesotan's value water. The CWC will meet on a monthly basis over the next nine months, hearing proposals from state agencies and developing their recommendations.

Discussion was held regarding:

- What will happen with the CWC recommendations? There is a lot more money in the budget. And there continues to be more good projects than money available.
- Projects are happening sooner, are prioritized and targeted, and are done on a larger scale by leveraging local and federal funds with CWFs. Without the clean water money, this would not happen. Could the CWC provide MAWD with information on watersheds that are funded so we can help promote reauthorization?
- CWFs have been used for capacity money all for SWCDs. Those funds are administered by BWSR. Every SWCD has gotten \$800,000. Rural WDs have the same capacity needs. It was noted that the CWC did not recommend capacity funding for SWCDs. That was done by the legislature. There is an attempt to backfill the capacity funds that were sent to SWCDs from the general fund. There is also a proposal to provide on-going capacity funding for SWCDs through the general fund.
- SWCDs and WDs are not alone in their need for capacity funds. Public health is also facing that issue.

4. UNFINISHED BUSINESS

Region 2 Director Appointment

The appointment of a Region 2 Director will be an agenda item until the position is filled. There are no candidates at this time. Director Schaefer suggested that the by-laws be amended to address vacancies. The by-laws could be amended with the following language: after a vacancy has occurred for certain period of time [yet to be determined], two people from the same WD can serve on the MAWD board.

5. NEW BUSINESS

Pryor Learning Licenses

A one-year subscription to Fred Pryor Online Webinars was included in the registration for watersheds that had three or more managers and/or staff attending the MAWD 2021 Annual Conference. MAWD bought a 50-license package and has assigned 32 licenses to date. Approval was requested to distribute the remaining licenses on a first-come, first-served basis to remaining MAWD members and/or education committee members.

Director Fjestad made a motion to direct staff to distribute the remaining Pryor Learning accounts to MAWD members and/or education committee members on a first-come, first-served basis. This was seconded by Director Vavra and unanimously approved.

Relationship-building between BWSR and MAWD/MAWA

MAWD and MAWA have been discussing ways to better the relationship with BWSR. Unfortunately, it seems we have gotten to the point where we need to bring in a third party to facilitate conversations that can get us back on track to a healthy relationship. CRWD faced with same issue with the City of St. Paul. They hired a facilitator and through the process, the relationships improved.

Director White made a motion to direct staff to investigate options to bring in a third party to navigate the tense relationship between BWSR and MAWD/MAWA. This was seconded by Director Anderson and the motion carried unanimously.

Future Meeting Dates

Future meeting dates have been tentatively set in conjunction with events and necessary MAWD BOD decisions on approximate timing of once per month. The MAWD BOD policy is that each meeting will be reviewed against the necessity of meeting and cancelled if there is no time-sensitive business. With our summer tour changing from June to August, the following schedule contains the tentative dates for meetings.

Tentative MAWD Meeting Schedule

• Monday, April 18	8-10 am	Zoom
• Monday, May 16	8-10 am	Zoom
• Wednesday, June 24	1-4 pm	Summer Tour
• Change to: Monday, June 20	8-10 am	Zoom
• Monday, July 15	8-10 am	Zoom
• Change to: August 23 (or 25)	TBD	Summer Tour
• Monday, September 26	8-10 am	Zoom
• Monday, October 24	8-10 am	Zoom
• Wednesday, November 30	TBD	Annual Conference (General Business)
• Saturday, December 3	TBD	Annual Conference (Elections)

6. CLOSED SESSION – EXECUTIVE DIRECTOR’S PERFORMANCE REVIEW

The purpose of the closed session was to discuss the performance evaluation of Executive Director Javens. President Texer presented a summary of the results of the surveys completed by the Directors. A favorable performance evaluation was noted.

A motion was made by Director Fjestad and seconded by Director Anderson to approve a four percent raise for 2022, retroactive to January 1, 2022. The motion passed.

7. ADJOURNMENT

The meeting was adjourned at 4:30 pm.

Ruth Schaefer, Secretary