



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, February 16, 2022

Agenda Item

Item 6. B. – Lower Minnesota River East One Watershed One Plan

Prepared By

Linda Loomis, Administrator

Summary.

At the January Board meeting the LMRWD Board of Managers appointed Manager Amundson as the representative to the Policy Committee and authorize execution of the Memorandum of Agreement. The next meeting of the Policy Committee is scheduled for Thursday, February 17, 2022 from 3:00pm to 5:00pm. I have not seen an agenda for this meeting yet.

The Steering Committee for the Plan met on February 11, 2020 to discuss the draft Budget, Workplan & Timeline. The Steering committee also reviewed the sub-agreement between the Scott SWCD and other partners for work completed under the workplan. A Draft Request for Qualifications was presented and discussed. Draft bylaws were presented and are attached for the Board's review. The LMRWD Board will be asked to approve the Bylaws.

The Steering Committee moved its meeting from 10:00 am the third Thursday of the month to 10:00 am the first Thursday of the month beginning March 3, 2022.

Attachments

Lower Minnesota River East Bylaws

Recommended Action

No action recommended



One Watershed One Plan

Policy Committee Bylaws of the
Lower Minnesota River East-One Watershed One Plan (1W1P)
Policy Committee

Partnership Members:

The counties of Le Sueur, Rice, Scott (counties), by and through their respective County Board of Commissioners, and the Le Sueur, Rice, Scott Soil and Water Conservation Districts (SWCDs), by and through their respective Soil and Water Conservation District Board of Supervisors, the Lower Minnesota River East Watershed District (WD) by and through their Board of Managers, and the Scott Watershed Management Organization (WMO) by and through their Board of Managers

ADOPTED _____

(date adopted)

These bylaws establish rules governing the conduct of business by the Policy Committee of the Lower Minnesota River East 1W1P.

ARTICLE I: PURPOSE

1. The purpose of the Policy Committee is to recognize the importance of partnerships to plan and implement protection and restoration efforts, to review the recommendations of the Advisory Committee, and make final decisions about the content of the plan pertaining to the planning area of the Lower Minnesota River East.
2. The Policy Committee operates under a Memorandum of Agreement. The Member local units of government are Le Sueur County, Le Sueur County Soil and Water Conservation District, Lower Minnesota River Watershed District, Rice County, Rice Soil and Water Conservation District, Scott County, Scott Soil and Water Conservation District, and Scott Watershed Management Organization.
3. The Policy Committee will facilitate the approval and adoption of the final Lower Minnesota River East 1W1P by their respective local government unit boards.

ARTICLE II: MEMBERSHIP PROVISIONS

1. The membership of the Policy Committee shall be comprised of at least 8 members with membership composed of one County Commissioner from each County, one Soil and Water Conservation District Supervisor from each County, one manager from the Watershed District, and one manager from the Watershed Management Organization with the respective individual representative as designated by the governing board of each member local unit of government.
2. Members of the Policy Committee shall serve for one-year term to run concurrently with each Policy Committee member's term on his/her respective board. Members may be reappointed by their respective local unit of government.
3. Existence of the Policy Committee shall continue until **Grant Agreement Termination Date**, or until the Memorandum of Agreement is terminated.
4. An alternate member may also be appointed by the respective board of the respective local unit of government. Only in the absence of the particular Policy Committee member for whom the alternate member was appointed is the alternate member given voting responsibilities on behalf of the absent Policy Committee member.
5. In the event that a member of the Policy Committee 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.

6. A Policy Committee 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 interested Policy Committee member may be present to answer questions related to that interest, but shall not advocate for nor vote on the action. If a Policy Committee member concludes that his or her interest does not create a conflict, but that there may 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.
7. The Policy Committee will request the respective LGU member to replace their representative member after the representative member misses 2 consecutive meetings without notice to the Chairperson.

ARTICLE III: OFFICERS

1. The Officers of the Policy Committee shall consist of a Chairperson, Vice Chairperson, and a Secretary elected by members of the Policy Committee at their first meeting. *(Note: some formal agreements may establish an entity legally able to receive and disburse funds, in which case the Policy Committee shall also elect a Treasurer. The duties of the Treasurer will be similar to those of the Secretary in item c below, except will apply to financial records of the organization.)*
 - a. The Chairperson shall:
 - i. Serve as Chairperson for all meetings; and
 - ii. Sign and deliver in the name of the Lower Minnesota River East Watershed 1W1P any correspondence pertaining to the business of the Lower Minnesota River East 1W1P.
 - b. The Vice Chairperson shall:
 - i. Discharge the Chairperson's duties in the event of the absence or disability of the Chairperson.
 - c. **The Secretary** shall (under the assistance of the day-to-day contact; Le Sueur County):
 - i. Maintain records of the Partnership.
 - ii. Certify records and proceedings of the Partnership.
 - iii. Ensure that minutes of all Policy Committee meetings are recorded and made available in a timely manner to the Policy Committee, and maintain a file of all approved minutes including corrections and changes.
 - iv. Provide for proper public notice of all meetings.
 - v. The Secretary may delegate a representative to record the minutes and perform other duties of the Secretary. The elected Secretary will sign the official minutes of all meetings following approval by the Policy Committee.

2. An Officer will serve until replaced by the election of a successor. No Policy Committee member may hold more than one office at a time.
3. In the event that an Officer cannot complete his or her term of office, the Policy Committee shall immediately elect from among its members an individual to fill the unexpired portion of the term. The individual designated to complete the unexpired term of another officer may not already be serving as an officer of the Policy Committee. Upon completion of an unexpired term, the Policy Committee shall elect an officer to fill the new term, which may or may not be the individual elected to complete the preceding unexpired term.

ARTICLE IV: MEETINGS

1. All meetings of the Policy Committee will comply with statutes and rules requiring open and public meetings.
2. The conduct of all meetings of the Policy Committee shall be generally governed by the most recent edition of Robert's Rules of Parliamentary Law.
3. A quorum of the Policy Committee shall consist of a simple majority of the members. . A quorum shall consist of 50 percent plus one of the total membership (5 members).
4. All votes by Policy Committee members shall be made in person, and no member may appoint a proxy for any question coming before any meeting for a vote. Do we want to add option for virtual?
5. Notice of Policy Committee meetings and a proposed agenda shall be mailed to all Policy Committee members not less than seven (7) days prior to the scheduled meeting date of the Policy Committee.
6. The minutes of any meeting shall be made available to all Policy Committee members prior to the next meeting.

ARTICLE V – VOTING

1. A motion or resolution shall be approved by a favorable vote of a simple majority of the members present, provided enough members are present to make a quorum.
2. A supermajority vote of 75 percent of those members present shall be required for final plan approval for submittal to review.
3. *Include additional voting or decision-making requirements, such as actions that may require consensus only, a supermajority, or an absolute majority.*

ARTICLE VI – COMPENSATION

1. Policy Committee members may be compensated by the member local unit of government they represent for meetings and expenses incurred, according to the policies of the local unit of government.
2. Policy Committee members may not be compensated for meeting time and expenses using funds granted by the state for the purpose of developing the Lower Minnesota River East 1W1P.

ARTICLE VII – SUBCOMMITTEES OF THE POLICY COMMITTEE AND OTHER COMMITTEES

1. The Policy Committee may appoint subcommittees for the purpose of assisting the Policy Committee in the performance of its duties. Except for a Policy Committee member appointed to a subcommittee, no other member of a subcommittee shall be able to make motions for consideration to the Policy Committee, or vote on matters put before the Policy Committee.
2. The Policy Committee shall appoint an Advisory Committee and act to approve all Advisory Committee members. The Advisory Committee will routinely advise the Policy Committee on the content and development of the One Watershed, One Plan, on plan implementation, and on issues of policy and administration related to the plan.
 - a. A member of the Policy Committee or an alternate will be assigned by the Chairperson to meet with the Advisory Committee as an ex-officio member.
 - b. Each Partnership member local government unit shall designate a representative to the Advisory Committee.
 - c. The Advisory Committee shall also include representatives from Minnesota’s principal water management or plan review state agencies (Board of Water and Soil Resources, Department of Agriculture, Department of Health, Department of Natural Resources, and Pollution Control Agency). Each agency will designate a lead contact person from its agency to participate on the Advisory Committee. Additional agency or other persons may participate as Advisory Committee members depending on the desire of the Policy Committee or the needs of the Advisory Committee.
 - d. The Advisory Committee may form subcommittees to increase Advisory Committee effectiveness or to address specific topics or project areas. Each subcommittee shall report to the Advisory Committee.

(Consider adding these Advisory Committee provisions)

d. The term of membership of the Advisory Committee shall be ...

e. The members of the Advisory Committee shall elect a chairperson, a vice chairperson, and a recording secretary to serve for the duration of the Planning Phase, or for a term of one (1) calendar year.

ARTICLE VIII: MEETING LOCATION

- 1. All regular meetings of the Policy Committee will be held at a location within the **Le Sueur County Justice Center**. The Policy Committee, at its own discretion, may change the location.

ARTICLE IX: MISCELLANEOUS

- 1. Portions of these bylaws may be suspended temporarily by a two-thirds (2/3) vote of the Policy Committee.
- 2. Addition to, alteration, or repeal of any part of these bylaws by the Policy Committee may be made at any meeting, provided that thirty **(30, 60)** days advance written notice of the proposed change and the changes are approved by a super majority vote (75%) of the Policy Committee members present.
- 3. The Policy Committee’s official records and the requirements of the BWSR grant agreement shall be maintained by the **Le Sueur County (as agreed upon in the Memorandum of Agreement)**. The maintenance and disposition of these records shall be in accordance with applicable laws.
- 4. The Policy Committee’s fiscal agent for the purposes and requirements of the BWSR grant agreement shall be maintained by the Scott Soil and Water Conservation District (as agreed upon in the Memorandum of Agreement). The maintenance and disposition of these records shall be in accordance with applicable laws.
- 5. All expenses incurred by the Policy Committee or its subcommittees must have prior approval of the Policy Committee, and include a signed claim form or invoice itemizing expenses that is submitted to the Policy Committee for approval at their next meeting. All claims must be submitted within thirty **(30, 60)** days after the month in which they were incurred.
- 6. 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 X – CERTIFICATION

- 1. These By-laws were adopted by a vote of _____ ayes and _____ nays by the members of the Policy Committee on _____, 20__.

(Secretary signature & organization)