



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, November 6, 2024

Agenda Item

Item 9. A. - Update on realignment of representation of Managers

Prepared By

Linda Loomis, Administrator

Summary

At the August 21, 2024, Board of Managers meeting, the Board asked that staff research the process for adding an additional manager to the Board. There are several options that can be considered. The first is to have Scott County petition the Board of Soil & Water Resources (BWSR) to redistribute the Managers. MN Statute §103D.301 states; “After ten years from the establishment of the watershed district, the county board of commissioners of a county affected by the watershed district may petition the board to redistribute the managers.” Since the taxable market value of properties in Scott County have surpassed those in Hennepin County, the area of Scott that lies within the LMRWD is larger than that of Hennepin and the portion of Scott County has more population than Hennepin County, a case could be made that the managers should be redistributed.

In 2010, Scott County filed a petition (attached) with BWSR to redistribute the managers, by asking that Scott County be represented by two managers. No increase in the number of managers was requested. A hearing was scheduled and notice of the hearing was given; however, Scott County withdrew its petition in January 2011, before the hearing.

The second option would be to increase the number of managers. Minnesota Statutes §103D.305, allows for increasing the number of managers. To begin this process a petition must be filed with the BWSR Board. According to Statute, a petition can be filed by “one or more of the following groups:

- (1) one-half or more of the counties within the watershed district;
- (2) counties with 50 percent or more of the area within the watershed district;
- (3) a majority or greater number of the cities within the watershed district;
- (4) 50 or more resident owners residing in the watershed district, excluding resident owners within the corporate limits of a city if the city has signed the petition; or
- (5) the managers of the watershed district.”

Both options were shared with Scott County Commissioner Brennan, who referred the information to County Administrator Lezlie Vermillion. On October 29, 2024, I was invited to discuss this with Ms.

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Vermillion, Commissioner Brennan and Brad Davis, Scott County planning and resource management director.

Ms. Vermillion, rather than discuss redistribution or increasing the number of managers, bought up the option of terminating the LMRWD. We discussed what should be considered if the Counties made a request that the LMRWD be terminated. Scott County seemed to be willing to take over as the local sponsor for maintenance of the 9-foot Navigation Channel.

Ms. Vermillion plans to bring the topic before the County Board of Commissioners.

Attachments

Scott County Petition for Redistribution of Manager Positions – Lower Minnesota River Watershed District dated, October 5, 2010

Recommended Action

No action recommended



SCOTT COUNTY BOARD OF COMMISSIONERS

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JOSEPH WAGNER, DISTRICT 1
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JERRY HENNEN, DISTRICT 3
BARBARA MARSCHALL, DISTRICT 4
JON ULRICH, DISTRICT 5
October 5, 2010

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OCT 12 2010

Bd. of Water & Soil Resources
St. Paul

Mr. John Jaschke, Director
Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, MN 55155

Re: Petition for Redistribution of Manager Positions – Lower Minnesota River Watershed District

Dear Mr. Jaschke:

Scott County hereby petitions the Board of Water and Soil Resources for the redistribution of Manager positions comprising the Board of the Lower Minnesota River Watershed District as provided for under Minnesota Statute 103D.301. Specifically the Scott County Board requests a change from the current appointment distribution of one Manager from Scott County to two.

Our reasons for this petition are:

1. The LMRWD has been in existence for 50 years with Hennepin County having two positions over most if not all of this period,
2. Scott County portion of the LMRWD levy is nearly the same as the Hennepin County portion (38.7% versus 44.9%),
3. Most of the businesses benefiting from maintenance of the 9-foot shipping channel are located in Scott County.

For these reasons the Scott County Board believes it is now time for Scott County residents to receive greater representation. This action was considered and approved by the Scott County Board of Commissioners October 5, 2010.

Sincerely:

Barbara Marschall
Chair Scott County Board of Commissioners

Cc: Scott County Commissioners
Gary Shelton, Scott County Administrator