Lower Minnesota River East One Watershed One Plan

Draft Meeting Minutes

Thursday, May 5th 2022

Attendees at meeting: Holly Kalbus (Le Sueur County), Mike Schultz (Le Sueur SWCD) Steve Pahs (Rice SWCD), Troy Kuphal (Scott SWCD), Melissa Bokman (Scott County/WMO), Brad Behrens (Rice County), Barb Peichel (BWSR), and Melissa King (BWSR)

Welcome & Review Agenda

- The Lower Minnesota River East Meeting was held on May 5th 2022. The meeting was hybrid; held virtually and in person. Holly briefly went over the agenda. The main goals of the meeting were to provide an update about the workplan and grant agreement, review the bylaws draft, provide an update about hiring the consultant and answer some questions they had, start to plan the public notification and kickoff meetings, discussion about Advisory Committees, and develop an agenda for the May Policy Committee meeting.

Recap Last Meeting

- Holly briefly went over discussion at our last meeting which was April 07th 2022. We went through a quick update of timelines when each LGU would go to boards for approval of the MOA. The steering team sent out a RFQ for hiring consultants and only received one proposal from ISG. The steering team reviewed the proposal and talked about different options on how we want to move forward with a consultant. Additionally, the steering team discussed what should be included on the April Policy Committee Agenda. Lastly, the steering team briefly touched based about public notification and kickoff meetings.

Steering Team Meeting Attendance

- Holly mentioned that attendance at our steering team meetings have been relatively low. It has been difficult with planning efforts and keeping things moving forward when numerous partners are not attending meetings. Additionally, we don't want to leave anyone out if they have comments and feedback.
- She suggested having a required and optional attendance for certain partners.
  - Required participants would be Scott SWCD, Scott County or WMO, Le Sueur County, Le Sueur SWCD, either Rice County or Rice SWCD, and 1 representative from BWSR.

- o The partners that are considered optional would be either Rice County or Rice SWCD, Lower Minnesota River WD, and 1 representative from BWSR.
    - ▪ If decisions are made by the Steering Team and there are partners that are not in attendance, planning efforts will continue to move forward.
- There was discussion about virtual and in person meetings. The steering team decided to continue with a hybrid option for now.

Update Planning Grant & Grant Agreement

- Troy provided an update and stated the Grant Agreement was executed on May 4, 2022.
    - o The steering team is able to start billing time and other expenses towards the planning grant.
    - o Since subagreements may not be fully executed, we may have to amend the dates on when we started the work in order to be reimbursed.
    - o Melissa stated that she forwarded an email about what is considered eligible versus not eligible expenses.
- Troy sent out an email which included a copy of the workplan and grant agreement. Also within this email included information about what is needed to track time and submit documentation for reimbursement of certain roles/tasks for the partnership.
    - o Scott SWCD would like to receive invoices on a quarterly basis.
- Subagreements are needed for each LGU that has a reimbursable role with planning efforts.
    - o Scott County and WMO received their subagreement and is working on it.
    - o Le Sueur County didn't receive a subagreement with updated language that reflects their role. Not sure if it was sent out?

Bylaws-Revisions & Discussion

- Melissa K. stated that what is mentioned in the bylaws versus the approved MOA language is not matching as far as who is a representative for Scott County and WMO and who can vote on the policy committee.
    - o Right now the MOA mentioned that each entity gets one vote. Can one representative from either Scott County/WMO also act on behalf of the other LGU and vote?
        - ▪ Essentially can their representatives vote twice? One vote would be for Scott County and one vote would be for Scott WMO.
- Barb stated that we need to be super clear on who is voting for which entity for the policy committee.

- The steering team referenced the MOA, specifically on page 3 where it talks about who is considered a representative. The MOA states they must be appointed or an elected member of a governing board.
  - Melissa B. stated that both Rita Weaver and Virgil Pint are appointed members of a board.
- There was conservation about which entity Rita and Virgil were representing. The steering team thought both were primary members and had no alternates.
  - If one is not able to attend a meeting, then what does that mean? Can one representative get two votes?
  - This is a follow up item for Melissa B. to look into. What did we originally state when we were discussing appointing board members to the policy committee? What did Scott County and Scott WMO board vote on?
- The steering team went over the bylaws to review some additional revisions that were made or needed to be made.
  - On the first page, we changed the language of partnership members to state by and through their governing boards.
  - On the second page, article 2, number 1 we also changed the language to state a representative from each entity by their governing boards.
  - On the second page, article 2, number 4, we discussed how alternates are allowed to vote if the primary policy member is absent.
  - On page 3, article 3, number 1a, we decided to remove a few tasks/responsibilities of the secretary.
    - It didn't make sense for them to sign the minutes for approval. Additionally, the steering team did not feel it was necessary for them to certify the records or proceedings. It is already going through the Scott SWCD board.
  - On page 4, article 4, some language was updated to allow virtual and in person meetings, clarify language about quorums and voting when there are ties, and amended language about the timeframe on when to send meeting information out to policy committee members (3 days instead of 7 days).
  - Additionally, we discussed voting requirements and whether Scott County and Scott WMO can get two votes if there is only one representative present.
    - This decision would be added to the bylaws once we get more clarification on what the Scott County and WMO board voted for and how their legal team interpreted this.
  - The next section the steering team discussed was on page 5, article 7, about advisory committees and other committees.

- Holly mentioned that Linda had multiple questions about who really is doing the appointing? After some discussion with the steering team, we were able to link the appointing back to the policy committee and what is required by BWSR.
- There was a lot of discussion on who should be on the advisory committee. We talked about inviting state agencies and those LGUs that decided to opt out of planning efforts.
  - The advisory committee is whoever the policy committee decides.
  - Melissa K. mentioned that for example in the Cannon, the advisory committee was over 100 people. She thought it was too big and the meetings were too long.
    - Holly and Mike agreed with this.
  - The steering team discussed having stakeholder groups in addition to an advisory committee. This should help reduce the size of the committee.
- The steering team revised the language in the bylaws to include additional partners, LGUs, that opted out of planning efforts. Additionally, the steering team included language about the policy committee engaging other stakeholder groups within the planning process.
  - The stakeholder groups would be those that we would involve in the planning process when discussing certain issues or activities. It would be a more focused meeting on specific topic.
  - We want to be clear who is on the advisory committee and then others would be engaged in the stakeholder groups.
  - The steering team is going to make a recommendation to the policy committee on who should be on the advisory committee versus on stakeholder groups, and we will go from there.
    - Ultimately they have the decision on who they want to sit in on the advisory committee.
      - Have to have state agencies (5 entities and met council).
      - Include steering team staff.
      - Those LGUs that opted out of planning efforts.
  - Want people on the advisory committee that are going to actually have technical input.
- There was a brief discussion on page 6, article 8, about meeting location. The steering team decided to amend the current language and state the location of

the policy committee meeting must be in the Lower Minnesota River East Watershed. The posting of the meeting was changed to reflect current state requirements and what was listed earlier in the bylaws under page 4, article 4.

- The steering discussed page 6, article 9, miscellaneous.
    - Decided to be consistent and state a super majority vote is needed for any major decisions that the policy committee makes such as suspending the bylaws or approving the final plan.
    - Also under number 5 the steering team decided that it would be best to remove language that stated the policy committee needs to approve expenses. The Scott SWCD board is already doing this. Rather the fiscal agent will provide updates/financial reports to the policy committee quarterly.

Consultant Update & Discussion

- Meghan has been working with ISG. ISG sent her a list of questions that she wanted Holly to run by to the steering team before answering.
- The first question was about paying ISG upon deliverables.
    - ISG is not use to this method, and were curious on how this was going to work.
    - The steering team discussed breaking down the deliverables into different milestones.
        - Want to avoid paying them for something up front that we don't like.
        - No monthly bills.
        - Depending on the deliverable would determine the percentage we would pay for those milestones. Larger milestones such as measurable goals and the implementation table we would only pay certain percentages at a time until we have it completed.
    - Melissa K. said she could provide an example of a contract that includes pay upon deliverables.
    - Barb suggested using our workplan as a way to track and account for deliverables.
        - We can include a do not exceed amount for each section.
    - A few other questions related to the deliverables was how payment was going to be disbursed and how do we include meetings if paying upon deliverables?
        - Payment is based on a certain percentage of each deliverable that is completed. This might look something like revisions, updates, and drafts.
        - We can include a certain number of meetings with each deliverable.

- The next question had two parts to it. Whether we have sent out the 60-day public notification and also whether we could host public kickoff meetings before the 60-day notification period ends.
    - Holly stated that the 60-day public notification has not been started. She was hoping to work on that and complete by next week.
        - Barb stated that there were a few agency staff that have changed and she would send an update contact list.
    - Melissa K. stated that we can host our public kickoff meetings prior to the 60-day notification period ending.
- The next question that ISG had was about their role with the public kickoff meetings?
    - In the email, that Meghan sent Holly, she was thinking more along the lines of facilitation and developing an agenda.
        - Holly mentioned to the steering team that she agreed with this but would add helping develop visuals/maps.
        - The steering team also thought that these roles would be a good fit for the consultant.
    - The steering team discussed how we want to involve the public at this meeting?
        - Barb stated that she has seen it done many different ways.
            - Surveys (written or online), tables, presentations
        - We decided to have the consultant give a quick 20-minute presentation about one watershed one plan. Additionally, they would also help facilitate the group with brainstorming for the public input process.
- Another question ISG had was about the technical advisory committee or group.   How often do we think they will meet?
    - The steering team decided that in the beginning we would have them meet monthly, and overtime more than likely they will meet bimonthly.
- The next question was about how far along is the steering team with aggregating watershed data?
    - Holly mentioned that we have a pretty large list of plans, studies, reports, etc. for the watershed that was included with the RFQ.
        - Essentially it is just a list.
        - We can provide links or pdfs of the documents to ISG.
            - We talked about making sure we have access to all of the documents that are in the list.
    - Holly also mentioned when putting our planning grant proposal together we had talked about gaps in the data and priority issues and resources.

- Storage, soil health practices, education & outreach, protection of bluffs, groundwater, trout streams, and fens, sediment reduction practices were all mentioned.
- Barb stated that MDH selected different watersheds for the GRAPS, but the Lower Minnesota River East was not selected.
  - She said she would reach out to MDH to see if they would give us any data or information they have on groundwater.
  - Then the steering team talked about wanting to gather priority issues and resources from the public kick off meetings and the advisory committee meetings before we finalize and start indexing our plan.
  - This particular task is going to be a work in progress.

Sub agreements

- Discussed subagreements earlier when mentioning billing time to the planning grant.

Public Notification & Kick Off Meetings

- The public notification will be sent out next week. It shouldn't take too long to do this. Barb had provided Holly an example and will also provide an updated agency contact list.
- The steering team looked at the current stakeholder list that is in a shared google excel document. Holly asked the group to add as many stakeholders as you can think of before the policy committee meeting.
  - We brainstormed a few additional ideas of who to add onto the list such as coops (River Country, Ag Partners, CHS, Prairie County), Davis Co. Dairy, and industrial permittees.
- The steering team decided to host one in person and one virtual meeting.
  - We were thinking Cedar Lake Regional Park in New Prague. It is in a pretty central location for all partners.
    - The in person meeting would be held from 6pm-8pm on a week day, hopefully towards the middle to the end of July.
    - Melissa B. said she would look into the park's availability in July.

Advisory Committees

- There was a lengthy discussion about the advisory committees when the steering team went through the bylaws.

- The steering team is going to make a recommendation to the policy committee on who should be on the advisory committee versus on stakeholder groups, and we will go from there.
- We are hoping to host an Advisory Committee meeting at the end of June/early July. Once the policy committee decides who is on the committee at the May meeting, we can send an invite out for the first advisory committee meeting.
  - At the first meeting, we will probably do a quick introduction about one watershed one plan.
  - Additionally, Barb and Melissa stated they can reach out to those state agencies and have some conversations to get them up to speed with where we are in the planning process.

Policy Committee Agenda May 26th

- Since we have a grant agreement executed, and we went through the bylaws and cleared up some items, we still be on track to have a policy committee meeting on Thursday, May 26th.
- The agenda will include: updated draft of the bylaws, update about the public notification and kickoff meetings, discussion and approval of an advisory committee and stakeholder groups, updated budget, scope, and timeline, and lastly a draft timeline and schedule for the policy committee.

Next Steps

- Finish Draft of bylaws
- Continue to add individuals on stakeholder list that is in the google shared excel document.
  - Will share the list with the policy committee when other policy committee meeting information and documents are sent out.
- Finalize subagreements.
- Send out the policy committee meeting materials.
- Next Steering Team Meeting: **Thursday, June 2nd from 10:00am-1:30pm**
  - Will be a hybrid meeting. Meeting location will be at the Scott SWCD office, 7151 190th St W #125, Jordan, MN 55352.
- Next Policy Committee Meeting: **Thursday, May 26th from 3:00pm-5:00pm**
  - This meeting will be hybrid. The in person meeting location will be at the Le Sueur SWCD office, 181 W Minnesota St, Le Center, MN 56057.