

# Lower Minnesota River East One Watershed One Plan

## Draft Meeting Minutes

Thursday, February 11<sup>th</sup> 2022

**Attendees at meeting:** Holly Kalbus (Le Sueur County), Mike Schultz (Le Sueur SWCD), Barb Peichel (BWSR), Melissa King (BWSR), Steve Pahs (Rice SWCD), Meghan Darley (Scott SWCD), Brad Behrens (Rice County), Vanessa Strong (Scott County/Scott WMO), and Linda Loomis (Lower MN River WD)

### Welcome & Review Agenda

- The Lower Minnesota River One Watershed One Plan (1W1P) meeting started at 10:00am on Thursday, February 11<sup>th</sup> 2022. The meeting was held virtually. Holly briefly went over the agenda. The main goals of the meeting were to provide an update about the budget, workplan, timeline, and MOA, review a draft of subagreements, review an updated draft of the RFQ, review a draft of the bylaws, and lastly develop an agenda for the upcoming March policy committee meeting.

### Recap Last Meeting

- Holly briefly went over discussion at our last meeting which was January 20, 2022. We went through a quick update of the budget, timeline, workplan, and MOA. The steering team also went through a draft RFQ for hiring consultants. A majority of the meeting discussing this item. Lastly, the steering team also reviewed a bylaws template and had some discussion on what should be included with this document.

### Update “Final Draft” Budget, Workplan, Timeline, and MOA

- A final proposed budget, workplan, and timeline documents that were submitted in late December 2021.
  - All of the documents were considered completed and approved.
    - The additional funds that were requested in our proposed budget, which is \$10,851, was also “approved.”
  - The partnership cannot move forward to execute a grant agreement and obtain planning grant funds until the MOA is signed and adopted by all partners.
- Holly asked if Melissa had an update about how many additional planning areas submitted the required documents in order to move to a grant agreement.
  - Melissa stated that one to two more planning areas submitted the required documentation.

- Melissa did emphasize again that Julie Westerlund would give her a courtesy heads up if the funds are going to essentially run out where we will not be able to ask for those additional grant dollars.
  - If this does happen, we will need to resubmit a new budget.
- The steering team shared their timelines of when the MOA would go to their boards
  - Rice and Le Sueur SWCDs already received board approval for their MOA and have sent the signature pages.
  - Le Sueur County's next board meeting is February 15<sup>th</sup>.
  - Scott SWCD's next board meeting is February 17<sup>th</sup> and Meghan stated it was on the agenda for approval.
  - Holly mentioned that Linda had went to her board for approval of the MOA, but did not receive the signature page. She would check in with her.
  - Holly would also check in with Brad to see Rice County's update.
  - Vanessa stated that the MOA will be going to the Scott County Board meeting in March (either the 1<sup>st</sup> of 15<sup>th</sup>).
    - County board will approve and sign. The county attorney will still complete a final review.

### **Subagreements**

- Holly had an example of a subagreement to present to the Steering Team. Barb had sent Holly an example from a different 1W1P.
  - The major amendments that would be needed within the subagreement is listing the local partner information, listing the specific tasks that each local partner would be completing, and lastly listing the total funds allocated for the tasks that the each local partner would be completing.
- Vanessa had asked if subagreement were needed because the MOA did mention which LGU would take on specific roles.
  - Melissa and Barb stated that yes subagreements are needed because the MOA didn't specify those specific tasks and total dollar amounts to complete the work.
  - Vanessa asked if everyone would have the same subagreement?
    - The response from the steering team was yes. The only differences in the subagreements would be the tasks that were assigned to each local partner and the total funds allocated for completing those tasks.
- Meghan stated that Scott SWCD does have their own subagreement template as well. She said that Scott SWCD's template and the template provided today at the meeting will go before the Scott SWCD board next week to see which template they like the best.
  - From there, we can work on individual subagreements.
- Barb did mention that the subagreements can go to the Scott SWCD board soon.

- They can be executed before the grant agreement is complete. Or we can try to get the grant agreement and subagreements approved at the same board meeting.
  - Melissa stated as long as the proposed budget for this planning effort doesn't change than yes, the subagreements can go before the grant agreement.
- Melissa did mention that another thing we may want to add in the subagreements can be found in the administration standards (GAM).
  - Specifically, language that talk about BWSR's billable rates, time tracking, and so forth.

### **Draft RFQ**

- Holly discussed how at the steering team in January we went through a rough draft of the Lower Minnesota River East 1W1P RFQ. The majority of information was written, but some areas needed further discussion and were highlighted yellow.
  - This RFQ was a hybrid of the Lower Minnesota River West and the Rum River. Combined the two documents to make this draft.
- As a group, we went through each section to discuss anything that needed to be added or removed.
  - The major amendments that were suggested and made included:
    - Adding additional information about current data and information that is available and we would like the consultant to utilize the existing data.
    - Defining the roles of the consultant, staff, advisory committees, and policy committee more.
    - Facilitation roles
      - The consultant will be facilitating the advisory group meetings. More than likely will not be attending every policy committee meeting, but would like them there at times.
      - The Project Coordinator will be facilitating the steering team meetings.
    - Specifying the number of meetings we would like the consultant to attend.
    - Section 1.7 had some major deadlines listed.
    - We also discussed RFQ submittal requirements.
      - Page limits, format, layout, and so forth.
    - Appendix B.
      - Adding or removing certain studies or plan listed. Especially when it comes to groundwater.

- Appendix E would need to be updated by Scott SWCD. List specific insurance requirements-MCIT.
  - The major amendments listed and suggested previously were okayed by the steering team.
    - Melissa suggested for the schedule/major deadlines/timelines to add the anticipated Grant Agreement expiration date.
      - We talked about listing specific deliverables as well. Meghan suggested that in the contract we can correlate specific deliverables with when the consultant would get reimbursed.
        - Barb agreed this would be a great idea.
        - This holds the consultant a little more accountable. It doesn't leave the group in position to make difficult decisions about using contingency funds or not having not funds to finish the plan.
    - For section 3.3, Meghan stated that having just an electronic copy is sufficient. Scott SWCD can just print off hardcopies if needed.
    - For Appendix B, Linda stated that any Rivers and Streams Reports that are in the Sand Creek would be the only additional data she could think of that would need to be added.
    - For Appendix E, Meghan stated she would take a look at it with other Scott SWCD staff, and make revisions as needed.
- Also, during this discussion item, we talked about different consulting firms we have worked with in the past.
  - For both Vanessa and Meghan, the consultants that they have worked with was usually geared more towards BMPs, not necessarily plan writing.
- The list of consultants that the group came up with includes:
  - Barr Engineering
    - (Experience with Zumbro River, Cedar River, and Lower Minnesota River West 1W1P)
  - Bolton & Menk
  - ISG
    - (Experience with Le Sueur 1W1P)
  - Houston Engineering Inc.
    - (Experience with Leaf-Wing-Redeye River, and North Fork Crow River 1W1P)
  - Stantec
    - (Experience with Snake 1W1P)
  - Freshwater Society

- Often are working in collaboration with other consultants. Have done a lot of work with facilitation.
  - Respec
  - LimnoTech
  - EOR
    - (Experience with the Cannon River and St. Louis River)
    - Steve, Mike, and Holly were not happy with how things went with EOR for the Cannon. Would like to remove them from the list.
  - WSB
    - Vanessa stated that since Scott County works with WSB on so many other things she would feel more comfortable if we removed them from the list.
  - Young Environmental Consulting Group, LLC
    - Vanessa suggested checking with Linda to see if there was a conflict with Young Environmental.
- Holly mentioned that at some point we may need to rank and score consultants. She would gather some examples and the steering team can review them together.
  - The ranking and scoring process will depend on the final list of consultants and who responds to the RFQ.
  - Helpful for group to start thinking about this process.

### **Bylaws-Template & Examples**

- Holly utilized the bylaws template from BWSR and other examples of Bylaws to create the first draft.
  - Holly mentioned that much of language used in the Bylaws did not change from one watershed planning effort to another.
  - The policy committee roles, meeting location, and timelines are examples of where there were some differences.
- The steering team went into further discussion about the Policy Committee roles.
  - Since staff will be taking notes, do we need a secretary role?
    - Barb suggested maybe keep secretary in there but alter their responsibilities. For example, still want some type of record retention and fill in/cover roles if chair and vice chair are absent.
  - Vanessa suggested that we add in a Treasurer role.
    - Have the treasurer coordinate with the Fiscal Agent, Scott SWCD about budget/financial updates.
      - Something along the lines of receiving monthly or quarterly updates.

- She stated that it is nice to have at least one individual have a better understanding of the financial records.
      - That way they can communicate with other policy committee members.
- The other discussion item we had with the bylaws was the meetings.
  - Define quorum better. Under item 3 it is currently listed as 50% plus one of the total membership.
  - Additionally, do we want to add in an option for policy committee members to attend the virtual meeting and be able to vote.
    - There was discussion about what the current requirements are. Legal counsel has interpreted this a bit differently across the state.
    - Each county staff member, will go back to their legal counsel to determine how they interpret open meeting law and the option to vote virtually.

### **Develop March Policy Committee Agenda**

- Meeting is set for Thursday, March 17<sup>th</sup> from 3-5pm. The third Thursday of the month seemed to work well for policy committee members.
- Open to attend in person and virtually.
- A regular meeting schedule hasn't been set due to a bunch of housekeeping items that need to be completed.
  - Once we have the formal business taken care of, we can ask the policy committee how often they would like to meet. For example: monthly, bimonthly, etc.
- The policy committee meeting agenda will include:
  - Election of Officers
  - Update on Planning Efforts (especially about MOA and Grant Agreement)
  - Go over LGU staff roles
  - Draft Bylaws
  - Update about Hiring Consultant and process
  - Introduction to Public Kickoff Meetings
- Vanessa asked if Melissa Bokman could be added to the PC email list.
  - Vanessa will not be able to attend these meetings.
  - Holly stated of course, and she has Melissa's email address. She will send a separate email to Melissa to get her up to speed with planning efforts.

## Next Steps

- Holly will follow up with Brad and Linda about the MOA.
  - Estimated timelines on when it will go to their boards for approval.
- Steering team provide comments and feedback for draft RFQ and bylaws.
  - Le Sueur, Rice, and Scott Counties should ask legal counsel about open meeting law as it relates to virtual meetings.
- Consultants
  - Steering team continue to add or think about which consultants we would like to work with.
- Subagreements
  - Meghan will get direction from Scott SWCD board on which subagreement template to go with.
    - Work with LGU staff on creating drafts for each role.
- Next Steering Team Meeting: **Thursday, March 3<sup>rd</sup> from 10:00am-1:30pm**
- Next Policy Committee Meeting: **Thursday, March 17<sup>th</sup> from 3:00-5:00pm**