



Minnesota Association of Watershed Districts
Board of Directors Meeting

December 18, 2021 | 10:00 am – 1:00 pm
Via Zoom

IN ATTENDANCE

Mary Texer, President
Tim Dritz, Vice President
Ruth Schaefer, Secretary
Sherry Davis White, Treasurer
Jackie Anderson, Co-Treasurer
Peter Fjestad, Director
Wanda Holker, Director

Gene Tiedemann, Director
Linda Vavra, Director

Emily Javens, Executive Director
Ray Bohn, Lobbyist
Margaret Johnson, MAWA
Louis Smith, Attorney

CALL TO ORDER

Texer called the meeting to order at 10:02 a.m.

GENERAL HOUSEKEEPING

Agenda

Texer moved and Dritz seconded to approve the agenda with the following additions:

- Add December 1, 2020 meeting minutes to the secretary's report.
- Add record retention to the treasurer's report.
- Add a Heron Lake WD update under old business.

Motion passed 9-0.

Secretary's Report

Schaefer presented minutes for the November 30, December 1 and 4, 2020 meetings.

- Schaefer moved and Vavra seconded to approve the November 30, 2020 minutes. Motion passed 9-0.
- Schaefer moved and Davis White seconded to approve the December 1, 2020 minutes as amended with the correct spelling of Fjestad's name. Motion passed 9-0.
- Schaefer moved and Tiedemann seconded to approve the December 4, 2020 minutes. Motion passed 9-0.

Treasurer's Report

Davis White reviewed the year-to-date budget report included in the board packet and reported the current account balances to be:

- Savings - \$269,700.56
- Checking - \$61,227.68
- Total - \$330,928.24

Record Retention

Davis White reported Angie Obremski, CPA, brought issues of record retention to her attention and suggested they shred non-essential documents older than 2014. Davis White moved and Anderson seconded to direct Obremski LTD, the MAWD accountant, to retain all treasurer's reports and Review of Agreed Upon Procedures reports and to shred all other documents dated before November 1, 2013 (beginning of FY2014). Motion passed 9-0.

REPORTS

President's Report (Texer)

Texer addressed the Board with the following message:

"Since the end of the Conference and Annual Meeting most of my time has been spent on wrap-up activities, preparing for this meeting and thinking about goals for next year. This past year, the Board did a great job of documenting the processes and procedures it follows to ultimately facilitate smoother turnover as people switch board assignments. The Board also documented committee responsibilities.

This year the focus will be on setting and attaining organization and committee goals, all with the ultimate goal of moving MAWD forward as the premier water organization.

As we look at and set goals, keep in mind that this does not all fall to Emily. In order to really become the premier water organization all of us have to be active participants.

As I see it, organizational goals will focus on our members:

- 1. Increase Member Communication*
- 2. Increase Member Engagement*
- 3. Increase Member Educational Opportunities*

Increasing member communications means developing a communications plan and putting the resources in place to make it happen.

Increasing member engagement includes active committees, working with MAWA, and developing work groups to interact with and work on issues with the various departments – BWSR, DNR, MPCA.

Increasing member educational opportunities includes reviewing, updating, and continuing to execute our education plan, implementing an online library and maximizing partner resources.

These are the Whats I think we need to focus on. The Hows need to be defined by all of us and the committees."

Executive Director's Report (Javens)

Javens gave an update of recent activity and provided a written update following the meeting. Javens agreed with the President's goals to focus on communication, engagement, and education. Work has already begun on a communications plan that will be further developed in the year ahead. She affirmed that since resources are limited, the only way to make accelerated progress next year will be to engage more members. The administrators have offered strong support and assistance to further MAWD's goals. As far as education goes, focusing on setting up our online libraries in 2021 will have benefits for many years to come.

MAWA President's Report (Johnson)

Johnson thanked the Board for including MAWA in the meetings. She stated that Administrators are willing to help as needed. MAWA committee meetings will be set up every other month to assist with projects, such as the MAWD Handbook Update. Administrators are looking forward to the day when new managers can go online for training when appointed rather than waiting for the one-day-per-year training held in conjunction with the annual convention.

Region Caucus Reports (Javens)

Javens directed the Board to their packet for minutes of the regional caucus meetings held during the convention. Fjestad and Vavra described the discussion held during the Region 1 meeting; Dritz and Schaefer summarized the Region 2 meeting; and Texer and Davis White reported on Region 3. All reports will be posted on the MAWD website.

Drainage Work Group Report (Javens)

Javens highlighted discussion topics at the most recent drainage work group meeting. Notes from the meeting were included in the board packet.

Local Government Water Roundtable's Report (Davis White)

Davis White provided an update of the meeting she attended with Holker and Tiedemann. It was an intense 3-hour discussion where members from the MN Association of Soil and Water Conservation District, the Association of Minnesota Counties, and MAWD shared their legislative platforms, discussed funding concerns, received BWSR budget and program updates, and worked on affirming a shared vision for the 3 associations. The group had not met as planned in 2020 due to COVID and realized how important the partnership is to each of them. They agreed to meet more frequently and affirmed their commitment to working together.

OLD BUSINESS

Buffalo Red River WD Manager Removal

Louis Smith provided an update of conversations with the Clay County Attorney Brian Melton and former Buffalo Red River WD Manager Jay Leitch. Leitch is willing to serve out his term if reappointed. Melton his view for why the commissioners removed Leitch from the BRRWD Board. When asked for the public record of the reasons, the attorney stated that the county commissioners wanted to keep it private. Melton felt the commissioners would not reinstate Leitch without a legal order to do so. Smith stated the Board had three options: (1) Seek an opinion from the Attorney General office, (2) address the matter in court, or (3) walk away. The MAWD organization cannot seek an opinion from the Attorney General office because those requests can only come from a local government office. Fjestad stated he will put ask the BRRWD Board to consider the request at their January meeting. There was discussion on whether other watersheds could sign on to the letter. Tiedemann stated he would ask their Board if they were interested in lending support. R. Schaefer asked if a letter could be drafted to all WDs to seek their support. R. Bohn asked if we could ask the Attorney General office for a remedy. Smith stated that the office cannot give a remedy and could not order a reinstatement of the manager. The questions for the Attorney General office would be "Was Manager Leitch legally removed?" R. Schaefer made a motion to direct Louis Smith to draft a letter stating the facts of the removal of Manager Leitch for use in requesting an Attorney General opinion on whether the removal of Manager Leitch was legal. This would occur after a WD agreed to request the opinion. Then a second letter would be drafted to Watershed Districts who may want to support this request of opinion. Anderson seconded the motion. Fjestad asked for a letter from Louis Smith that he can present to his Board for their January 11th meeting. Smith stated he would do so and send it to Javens and she can forward it to Fjestad. First the Buffalo Red River WD or another WD would need to seek the request of opinion. Then a letter of support would be made available to other WDs. The motion passed 9-0.

Heron Lake WD Drainage Authority and Financing

Smith gave an update on discussions between the Heron Lake WD and Jackson County. Members from each board met in committee. Jackson County continues to want to control the drainage process and refuses to bond for existing projects unless the watershed turns over all drainage authority.

MAWD Rebranding

This item was tabled to the next meeting.

Virtual Legislative Briefing and Day at the Capitol Date Change

Javens proposed rescheduling the February dates to March; she felt the February dates would be too soon. R. Bohn stated that Capitol Security has released stricter rules; guests must be invited and escorted in and out of the Capitol. Remote public viewing will be available and individuals will be able to sign up to testify. The Board had no issue with moving the event to March.

NEW BUSINESS

2021 Legislative Platform (Anderson)

Anderson presented the recommendations of the legislative committee. She reported it will be difficult to do business as usual without in-person options to interact with legislators this year. The committee recommended the following priorities for the 2021 legislative platform and thinks 2021 will be best spent educating people on the value of watershed organizations. The committee recommends the following legislative platform:

Top Priorities for 2021 Legislative Action:

- Preserve Clean Water Funds for local implementation of programs and projects.
- Increase or remove the \$250,000 general fund tax levy limit.
- Work to secure bonding money for the flood hazard mitigation program.
- Defend watersheds from legislation that impairs the abilities of members to protect water.
 - Oppose legislation that dictates spending on political boundaries.
 - Oppose provisions in the “Developer’s Bill of Rights” that negatively impact water.

Top Legislative Issues to Support (MAWD will not be the lead, but will support):

- Provide a method to appeal public waters designations outside of court proceedings.
- Limit negative impacts from wake boats.
- Limit liability for certified commercial salt applicators.
- Support increased storage and watershed-based management in the MN River Basin

The following administrative priorities were also recommended. Any of these issues could move up to the legislative platform, but MAWD will first pursue non-legislative options as time allows.

- Clarifying county financing obligations or allowing general obligation bonding for watershed districts for drainage system improvements.
- Allowing temporary water storage on DNR wetlands during major flood events.
- Adding a soil health goal for metropolitan watershed management plans.
- Reinforce existing rights to maintain/repair MN Statute 103E drainage systems.
- Set a default classification for artificial watercourses that serve as public drainage ditches.

Davis White moved and Vavra seconded to accept the recommendations in the legislative committee report dated December 14, 2020 and approve the 2021 Legislative Platform as presented. The motion passed 9-0.

2021 Committees and Other Appointments

This item was tabled to the next meeting.

Committee Member Appointments and Goal Setting

This item was tabled to the next meeting.

2021 Program Manager Contract

The Board reviewed and discussed a contract with MB Consulting for event planning and communications and administrative assistance. Davis White moved and Schaefer seconded the approval of the 2021 contract with MB Consulting. Motion passed 9-0.

2021 Lobbyist Contract

The Board reviewed and discussed a one-year and two-year option for hiring Media & Government Affairs to provide lobbying services. Anderson moved and Vavra seconded approval of a 2-year contract with Media and Government Affairs. Motion passed 9-0.

2021 Calendar

Texer stated she would like to implement monthly virtual meetings for 2021 and would like to get started with a survey to find the best times to hold the first meetings through July. The next meeting will be January 13, 2021 from 3 to 6 pm via Zoom.

ADJOURNMENT

Davis White moved and Fjestad seconded to adjourn the meeting. Motion passed 9-0.
The meeting adjourned at 12:48 p.m.

Submitted by,

Ruth Schaefer
Secretary