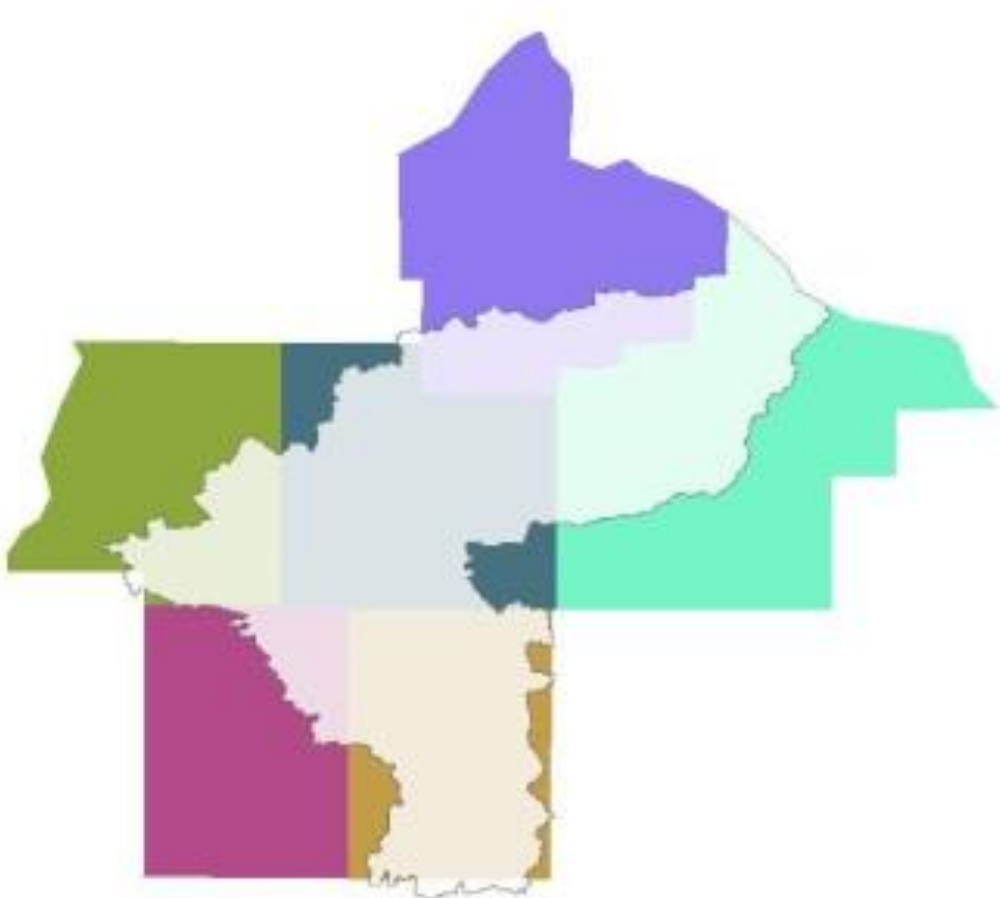


Cannon River Watershed Joint Powers Board

Operating Rules

2024



The mission of the Cannon River Watershed Joint Powers Board is to work collaboratively to improve and protect the natural resources within the Cannon River Watershed to ensure prosperity of our urban and agricultural communities.

**Cannon River Watershed Joint Powers Board
Membership**

Belle Creek Watershed District

Dakota County

Dakota County Soil and Water Conservation District

Le Sueur County

Le Sueur Soil and Water Conservation District

Goodhue County

Goodhue Soil and Water Conservation District

North Cannon River Watershed Management Organization

Rice County

Rice Soil and Water Conservation District

Steele County

Steele Soil and Water Conservation District

Waseca County

Waseca Soil and Water Conservation District

Administrative Contact:

Emmie Scheffler

c/o Rice Soil and Water Conservation District

302 1st Ave NW

Faribault, MN 55021

(507) 332-5408

emmie.scheffler@riceswcd.org

Table of Contents

- I. Overview
 - a. Introduction
 - b. Establishing Joint Powers Agreement
 - c. Joint Powers Board
 - d. Purpose of Operating Rules
 - e. Effective Date
 - f. Amendments
- II. Board Meetings
 - a. Open Meeting Law
 - b. Meeting Schedule and Location
 - c. Regular Meetings
 - d. Special Meetings
 - e. Public Hearings
 - f. Attendance
 - g. Quorum
- III. Board Committees
 - a. General Information
 - b. Executive Committee
 - c. Standing Committees
 - d. Special Committees
- IV. Role of Member Staff
 - a. General Roles
 - b. Administrative Role
 - c. Fiscal Role and Procedures
 - d. Watershed Plan Implementation Roles
 - e. Delegated Authorities to Member Staff
- V. Budget Development
 - a. Membership Dues
 - b. Annual Budget
 - c. Fund Balance
- VI. Advisory Committees
 - a. Technical Advisory Committee
 - b. Citizen Planning Committee
- VII. Contracting for Professional Services
 - a. Engineering
 - b. Legal
 - c. Auditing
- VIII. Data Practices and Official Notices
 - a. Records Retention Policy
 - b. Designation of Official Newspaper
 - c. Designation Financial Depositories
 - d. Data Requests

IX. Appendices

I. Overview

a. Introduction

The Cannon River Watershed is located south of the Twin Cities Metropolitan Area and is part of the Lower Mississippi River Basin. The Cannon River Watershed spans a portion of nine counties. The six counties with the largest land area include Dakota (9.8%), Goodhue (22.2%), Le Sueur (9.7%), Steele (24%), Rice (27.9%) and Waseca (5.3%) while small portions of Blue earth, Freeborn, and Scott Counties dot the perimeter.

The Cannon River and its approximate watershed of 963,000 acres is managed according to a joint power’s agreement signed by 14 local units of government in 2019. This agreement provided the mechanism to form a Cannon River Watershed Joint Powers Board (CRWJPB) which is responsible for coordinating water management authorities under Minnesota Statute.

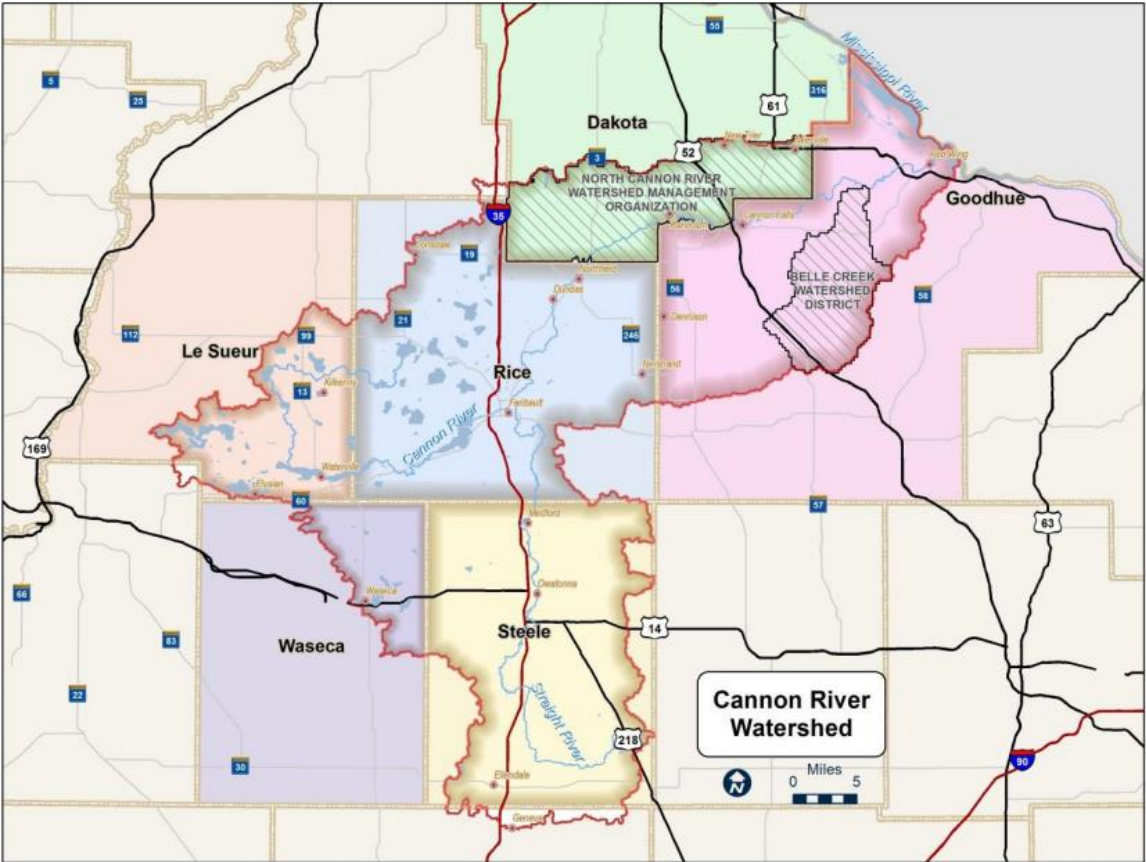


Figure 1 - Map of Cannon River Watershed Planning Area

b. Establishing Joint Powers Agreement

A Joint Powers Agreement (JPA) executed in 2019 by the governing bodies of the 14 Members outlines the CRWJPB responsibilities for fulfilling State requirements with water planning and establishes general powers of the CRWJPB.

c. Joint Powers Board

The CRWJPB consists of one representative from each of the 14 Members and acts on behalf of the Cannon River Watershed Joint Powers Organization (CRWJPO). Representatives (including alternates) to the CRWJPB are appointed by their respective Boards to provide direction for managing and protecting water resources within the identified Cannon River Watershed Planning Area (Figure 1). The CRWJPB has adopted Bylaws to provide a framework for its operation. The CRWJPB is responsible for adopting a Cannon River Comprehensive Watershed Management Plan, annual budgets, work plans and developing overall organizational policy. Additional duties of the Board include, but are not limited to:

- Exercise responsibility for the operation and financial condition of the CRWJPO.
- Ensure efficient operation of the CRWJPO.
- Develop and ensure effective administration of policies.
- Prepare and approve annual budget and provide notification of dues to Members.
- Collect revenue and process payments.
- Approve disbursement of CRWJPO funds for authorized expenses. Make advance temporary authorization of necessary routine payments required for efficient operations between Board meetings to be ratified at the next Board meeting
- Provide for a financial audit at least once every two years to be conducted by a certified public accountant.
- Enter into agreements or contracts to perform all duties set forth in the establishing JPA.
- Adopt and oversee policies of the CRWJPO.
- Evaluate programs and report on CRWJPO's accomplishments to Members.
- Purchase and hold necessary insurance.

d. Purpose of Operating Rules

The Operating Rules are intended to facilitate the transaction of business by the CRWJPB and provide a process the organization will use to move its mission forward. The CRWJPB has adopted bylaws which serve as the structural foundation to the CRWJPO. However, more formal operating policy is needed to develop the “day to day” process for both the CRWJPB and Member staff. For this reason, the Operating Rules should be reviewed and adopted by the CRWJPB at its Annual Meeting each year.

e. Effective Date

These rules shall become effective upon passage by the CRWJPB.

f. Amendments

Any member of the CRWJPB may initiate action to amend the Operating Rules. Amendments to the Operating Rules may also be initiated by member staff. At the Annual meeting, the CRWJPB shall review, amend if necessary, and adopt the Operating Rules for the year.

II. Board Meetings

a. Open Meeting Law

All CRWJPB meetings will be subject to the Minnesota Open Meeting Law. Meeting notices shall be posted and published in compliance with Minnesota Open Meeting Law.

b. Meeting Schedule and Location

The CRWJPB will adopt a schedule of regular meetings for the year. All CRWJPB meetings will be held at the Rice County Government Services Building, 320 Third Street NW, Faribault, Minnesota 55021. Meeting times and locations are subject to change with proper notice.

c. Regular Meetings

Member representatives (including alternates) shall be provided meeting agendas and support information at least five days in advance of the meeting. Meeting information may be sent via email. It is encouraged that Board action items involving either financial matters or policy not be added to the agenda after the five-day meeting notice unless there is a critical need.

d. Special Meetings

Special meetings may be called by the Chair or Vice Chair, or upon the written request of three Members either through their primary representative or their respective boards. A special meeting shall be preceded by at least three days' notice including a posting of the meeting notice and distribution to Member representatives. The meeting notice shall include the date, time, place and purpose of the special meeting. Meeting information may be sent to Member representatives via email.

e. Public Hearings

Public hearings may be required by law or the CRWJPB may hold public hearings on matters of business when it decides that such hearings are in the best interest of the general public. The order of business for public hearings generally follows this procedure:

1. Chair opens the hearing and state's purpose
2. Brief description of issue
3. Presentation if applicable
4. Open discussion by members of the public
5. Discussion by CRWJPB
6. Public hearing closed by resolution
7. Decision by CRWJPB

f. Attendance

Actual attendance is required in order to cast a vote or to meet quorum requirements with the exception of remote attendance through interactive technology options applicable under Minnesota

Statute 13D. Votes may not be cast by proxy whereby a member delegates voting power to another representative that has not been appointed by their respective Board.

g. Quorum

A quorum is necessary for the transaction of business. A majority of members on the Board constitutes a quorum. No business may be transacted without a quorum. Any Board member who anticipates being absent at a regular or special meeting is encouraged to contact the Board Chair and Administrator to indicate his or her absence.

III. Board Committees

a. General Information

Committees will be established to promote the efficient and effective conduct of business by the CRWJPB. Notes from Committee meetings will be developed and included with the next CRWJPB meeting agenda. The CRWJPO Administrator or the Fiscal Agent will attend all Committee meetings. Other Member staff will attend as needed or as requested.

b. Executive Committee

The Executive Committee is authorized to act on behalf of the CRWJPB between meetings on matters within the scope of the budget, to make budget recommendations, and to review other matters including the payment of bills, development of professional service contracts, and other areas of authority specifically granted by the CRWJPB. The Executive Committee shall not be authorized to perform any act or make any decision specifically reserved to the CRWJPB through the establishing JPA, Bylaws or by law. The 2024 Executive Committee will include:

Chair	Brad Anderson, Goodhue County
Vice Chair	Sandy Weber, North Cannon WMO
Treasurer	Richard Cook, Rice SWCD
Secretary	Galen Malecha, Rice County
Member	Mike Slavik, Dakota County

c. Standing Committees

There are no Standing Committees for 2024 but standing committees may be established.

IV. Role of Member Staff

a. General Roles

Member staff are responsible for coordinating information with their CRWJPB representative, respective Boards, and to answer inquiries regarding issues brought forward by the CRWJPB or citizens. Member staff will be responsible for implementing the Comprehensive Watershed Plan to the extent identified within their geographical areas. The CRWJPB has entered into a three-year joint power's agreement with the Rice SWCD and Dakota County SWCD that identifies supporting roles for providing both administrative tasks and Watershed Plan Implementation tasks. Under the executed joint power's agreement, these services are reciprocal between the Rice SWCD and Dakota

SWCD with the exception of the Fiscal Agent tasks; this task cannot be shared and will stay with the Rice SWCD during the life of the joint power's agreement or until the agreement is modified, amended or terminated.

b. Administrative Role

The Rice SWCD serves as the Administrator for the CRWJPO and is the main point of contact for inquiries. The Administrator is:

Emmie Scheffler, Rice SWCD
(507) 332-5408
emmie.scheffler@riceswcd.org

c. Fiscal Role and Procedures

The Rice SWCD serves as the Fiscal Agent for the CRWJPO. All financial transactions approved by the CRWJPB will be processed by the Rice SWCD. The Fiscal Agent is:

Steve Pahs, Rice SWCD
(507) 332-5408
steven.pahs@riceswcd.org

Signature authority for signing checks will be provided to each officer position (Chair, Vice-Chair, Treasurer and Secretary) as well as the Fiscal Agent. Two signatures will be provided on each check. Generally, one officer and the Fiscal Agent will sign checks. It is strongly encouraged that the Treasurer receive or review actual bank statements and reconcile these with those received by the Fiscal Agent on a quarterly basis. Payment for services to Members will be done through a quarterly reporting and invoicing process. A uniform quarterly reporting system is necessary to ensure that federal, state or other grant administrative processes and reporting requirements are being met.

d. Plan Implementation Roles

Several activities identified within the adopted Comprehensive Watershed Management Plan will require coordination among member staff, agencies, organizations or consultants. To streamline efforts with grant reporting, measuring accomplishments and to accelerate future implementation, roles have been established through an executed joint powers agreement. The identified roles and point of contacts for each of these roles include:

Education and Outreach (E/O)
Steve Pahs, Rice SWCD
(507) 332-5408
steven.pahs@riceswcd.org

Cost Share and Technical Assistance (TACS)
Ashley Gallagher, Dakota County SWCD
651-480-7781
ashley.gallagher@co.dakota.mn.us

Accelerated Implementation and Measuring (AIM)
Ashley Gallagher, Dakota County SWCD

651-480-7781

ashley.gallagher@co.dakota.mn.us

e. Delegated Authorities to Member Staff

Delegating signature authority to the Administrator or Fiscal Agent will create a more efficient process for approving grant agreements, developing grant reports, signing contracts and agreements. The CRWJPB may delegate signature authority to the Administrator or Fiscal Agent on specific items through board approval.

V. Budget Development

a. Membership Dues

Membership dues may be applied annually and in accordance with the JPA. Preliminary membership dues will be set by May 15 of each calendar year. Preliminary membership due amounts cannot increase for each Member after they are adopted. Final membership dues will be adopted by August 15 of each calendar year.

b. Annual Budget

A preliminary annual budget will be developed by August 15 of each calendar year and adopted by December 15.

c. Fund Balance

See appendix for fund balance policy.

VI. Advisory Committees

a. Technical Advisory Committee

The CRWJPB and Member staff will utilize a Technical Advisory Committee (TAC) to assist with prioritizing work tasks, measuring results and providing recommendations. Development of a TAC is a State requirement in order to receive Watershed Based Funding. Meetings will be held as needed but will occur at least once per year. Invited participants to TAC meetings, will include but are not limited to, the Minnesota Board of Waters and Soil Resources, Minnesota Department of Health, Minnesota Department of Agriculture, Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, Cannon River Watershed Partnership, City of Faribault, City of Owatonna, City of Red Wing, and City of Northfield, and Metropolitan Council.

b. Citizen Advisory Committee

A Citizen Advisory Committee (CAC) may be established to assist the CRWJPB and staff with planning processes and program implementation. The CAC strengthens the connection between the CRWJPB and watershed residents. No CAC is planned for 2024 but may be implemented in subsequent years.

VII. Contracting for Professional Services

a. Engineering

Implementation of the Comprehensive Watershed Plan may at times require a licensed professional engineer. Types of services could include feasibility studies, project planning and design and construction oversight. Engineering needs will first be evaluated through the current Technical Service Area Joint Powers Board (TSA JPB) structure that exists among soil and water conservation districts to determine if the needed skill set and staff time is available. If the appropriate skill set and timeline for project delivery is available, the CRWJPB will evaluate contractual options with these TSA JPB's. The CRWJPB may also contract with a consultant to obtain a licensed engineer. For efficiency, the CRWJPB may seek a request for qualifications (RFQ's) to retain engineering services under two-year time frame or other specific time period. The Executive Committee will be consulted with to review Member staff recommendations for professional engineering services.

b. Legal Services

The CRWJPB has entered into agreement with Campbell Knutson for legal services for 2023-2025.

c. Auditing Services

The CRWJPO will require an audit, at least once every two years, of its financial records by a certified public accountant. This professional service will require either selecting or certified public accountant or soliciting of bids. An audit will be required in 2024.

VIII. Data Practices and Official Notices

a. Records Retention Policy

The official depository for all records will be the office location of the Member who serves the Administrator role. See appendix for record retention policy adopted on April 6th, 2022.

b. Designation of Official Newspaper

The official newspaper for the CRWJPO will be the Faribault Daily News.

c. Designation of Financial Depositories

The Office of State Auditor recommends that each year local government entities designate their financial depositories for their funds. The 2024 financial depository for the CRWJPO will be Reliance Bank in Faribault, MN.

d. Data Requests

The government Data Practices Act, Minn. Stat. Sh. 13, applies to the CRWJPO. The Act specifies that each public body must designate a "responsible authority" to handle requests for data. The "responsible authority" for the CRWJPO is the Administrator. Thus, all requests or inquiries regarding CRWJPO data received or made by a Board member must be forwarded to the

Administrator. The Administrator shall be responsible for searching for the data, classifying the data within the scope of the request and for making the specific response to the request for data.

IX. Appendices

- a.** Resolution to Adopt and Implement the Cannon River Comprehensive Watershed Management Plan
- b.** Cannon River Watershed Joint Powers Board Workplan Amendment Policy
- c.** Ethics, Conduct and Conflict of Interest for CRWJPB Members
- d.** Cannon River Watershed Joint Powers Board Change Order Policy
- e.** Cannon River Watershed Joint Powers Board Fund Balance Policy
- f.** Records Retention