



# Agenda

## Vermillion River Watershed Joint Powers Board Meeting

March 21, 2024, 1 p.m., in-person and teleconference via Microsoft Teams

- |  |          |         |
|--|----------|---------|
| 1. Call to Order   |          |         |
| 2. Roll Call   |          |         |
| 3. Audience Comments on Items Not on the Agenda<br><i>(please limit audience comments to five minutes)</i> |          |         |
| 4. Approval of Agenda  | Action   | Page 1  |
| 5. Approval of Minutes from the January 25, 2024 Meeting   | Action   | Page 3  |
| 6. Consent Agenda  | Action   | Page 9  |
| a. Acceptance of Treasurer's Reports   |          |         |
| 7. Approval of Expenses  | Action   | Page 12 |
| 8. Business Items  |          |         |
| a. Strategic Planning Session  | Workshop | Page 15 |
| 9. Staff Reports   |          |         |
| 10. Adjourn  | Action   |         |

**Please note**, the March 21, 2024, Vermillion River Watershed Joint Powers Board meeting will take place **in-person** in Conference Room 106 at the Dakota County Western Service Center, 14955 Galaxie Avenue, Apple Valley, Minnesota **and via teleconference** on the web-based application, Microsoft Teams.

## Microsoft Teams meeting

### Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 274 796 947 549

Passcode: innhGN

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[+1 651-273-3070,,996551732#](#) United States, St. Paul

Phone Conference ID: 996 551 732#

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### Other Information

Next Meeting Date: **April 25, 2024**, at 1 p.m.

You will be notified if the meeting is cancelled due to an anticipated lack of quorum.



# Meeting Minutes

## Vermillion River Watershed Joint Powers Board (JPB) Meeting

Thursday, Jan. 25, 2024, 1 p.m., in-person at the Dakota County Extension and Conservation Center and virtual via Microsoft Teams

### Board Members in Attendance

Dakota County Commissioner Mike Slavik  
Dakota County Commissioner Bill Droste  
Scott County Commissioner Tom Wolf

### Others in Attendance

Nikki Stewart, Dakota County, Environmental Resources Department Director  
Travis Thiel, Dakota County, Vermillion River Watershed Joint Powers Organization (VRWJPO) Administrator  
Melissa Bokman-Ermer, Scott County, VRWJPO Co-Administrator  
Brita Moore-Kutz, Dakota County, VRWJPO Communications and Outreach Specialist  
Jeff Dunn, Dakota County, VRWJPO Water Resources Engineer  
Bruce Johnson, Dakota County Soil and Water Conservation District (SWCD) Supervisor  
Jessica Schaum, City of Apple Valley, Natural Resources Coordinator (virtual)  
Steve Johnston, Elan Design Lab, representing Kasprzyk, LLC (virtual)  
Josh Kasprzyk, Kasprzyk, LLC (virtual)

### Agenda

#### 1. Election of Officers

Commissioner Droste nominated Commissioner Slavik as Chair of the VRWJPB, seconded by Commissioner Wolf. No other nominations. Commissioner Slavik was elected chair on a 3-0 voice vote.

Commissioner Slavik nominated Commissioner Wolf as Vice Chair, seconded by Commissioner Droste. No other nominations. Commissioner Wolf was elected Vice Chair on a 3-0 voice vote.

Commissioner Wolf nominated Commissioner Droste as Secretary-Treasurer, seconded by Commissioner Slavik. No other nominations. Commissioner Droste was elected Secretary-Treasurer on a 3-0 voice vote.



## **2. Call to Order**

Meeting was called to order at 1 p.m.

## **3. Roll Call**

Commissioners Slavik, Droste, and Wolf were in attendance.

## **4. Audience Comments on Items Not on the Agenda**

No comments.

## **5. Approval of Consent Agenda**

### **a. Approval of Agenda**

Commissioner Slavik mentioned that the Treasurer's Report and Expense Report for December were added to the meeting packet, though they were not included when the packet was initially posted.

There was an item added to the agenda, 7d, to discuss scheduling a strategic planning session meeting date.

### **b. Approval of Minutes from the December 7, 2023, Meeting**

### **c. Acceptance of Treasurer's Reports**

### **d. Delegation of a Limited Authority for Contracts and Purchase Agreements to the Vermillion River Watershed Joint Powers Organization Administrator and Co-administrator**

### **e. Authorization to Release a Request for Qualification for Professional Services in 2024-2025**

*Res. No. VRW 24-01: Motion by Commissioner Wolf to approve the consent agenda, seconded by Commissioner Droste. Motion carried on a 3-0 vote.*

## **6. Approval of Expenses**

Travis Thiel presented expenses incurred between November 15 and December 11, 2023, totaling \$401,426.46.

Travis also presented expenses incurred between December 12-31, 2023, totaling \$596,700.88.

Commissioner Slavik asked if the expenses for the Watershed Plan development were paid from sources outside the watershed tax levy. Travis responded that Plan development is funded entirely by the watershed.



*Res. No. VRW 24-02: Motion by Commissioner Wolf to approve expenses, seconded by Commissioner Droste. Motion carried on a 3-0 vote.*

## **7. Business Items**

### **a. Authorization to Execute a Grant Agreement with the Minnesota Board of Water & Soil Resources (BWSR) for a FY24 Clean Water Fund Grant for the Alimagnet Lake Alum Treatment Project**

Travis presented the Grant Agreement and reasoning for pursuing the alum treatment, which is to reduce internal-load phosphorus in Alimagnet Lake.

Commissioner Droste asked if Alimagnet Lake is evenly split between the cities of Apple Valley and Burnsville and if VRWJPO is responsible for the water levels in the lake. Travis said that there is a pump outlet on the Apple Valley side of the lake that the City is responsible for operating.

*Res. No. VRW 24-03: Motion by Commissioner Droste to authorize executing the Grant Agreement, seconded by Commissioner Wolf. Motion carried on a 3-0 vote.*

### **b. Presentation of the Draft Vermillion River Watershed “Brand” Awareness Plan**

Travis opened discussion of brand awareness by sharing an example of a highly recognizable business in the Twin Cities area. The VRWJPO is similarly looking to make itself and its work more visible in its communities and with stakeholders.

Brita Moore-Kutz shared her process and ideas for the VRWJPO awareness campaign. The objective is to make the organization recognizable by its logo and give people a basic idea of what VRWJPO does. At this point, she is focused on identifying organic (non-paid) avenues for promotion, but paid promotions are not off the table. Part of the campaign is what is said, part is who hears the messages.

Commissioner Droste suggested contacting individual cities as well for ideas for their resident newsletters. It's a way to get into every household. Brita agreed this is a good idea.

Commissioner Slavik said that a challenge is that people understand what the Vermillion River is, but they don't understand the watershed aspect of it. Communities that have the main stem of the river in them have a different relationship to it than those that don't, as in, they see the river itself without the perspective of the work the VRWJPO does and the tributaries. People who have the Vermillion River running through their property might wonder why an alum treatment in a lake seemingly disconnected from them is using their tax dollars. Commissioner Droste added that it's important for residents to know that what they do affects the river. Brita hopes to address this with a dot board map to help people recognize that they live in the watershed.



Slavik said he liked the overall concepts. He asked if there was an overall timeline for the campaign. Brita said there's no end point on it, but she plans to go at least through the year 2024.

Droste suggested seasonal video ideas on different reaches of the river with the Commissioners.

Slavik suggested prioritizing ideas creating a high-level, timeline-based communications plan.

Travis said he wanted to make sure the Board could provide input on expenditures for paid media. Commissioner Droste said he was fine with it. Commissioner Slavik said he wanted to see what we could do in the next year and consider it for the next budget process.

*Information only.*

**c. Authorization to Approve Kasprzyk Agricultural Buildings**

Jeff Dunn presented the permit application and map for Kasprzyk, LLC to construct three greenhouses in Eureka Township. VRWJPO maintains water resources permitting authority in Eureka Township since 2017. This permit application came before the VRWJPB because it has more than one acre of new impervious surface. The project is planned to disturb about 4.5 acres. The property owner will construct a best management practice (infiltration basin) to reduce stormwater discharge rates, the stormwater runoff volume from the new impervious surface area and enhance water quality per VRWJPO Rules.

Commissioner Wolf asked what the buildings are being used for and the applicant, Josh Kasprzyk, replied that they are for indoor hemp production.

Commissioner Slavik commended Kasprzyk, LLC for going above and beyond the watershed's standards in its plans, and staff for handling this rare instance of permitting.

*Res. No. VRW 24-04: Motion by Commissioner Wolf to approve the permit, seconded by Commissioner Droste. Motion carried on a 3-0 vote.*

**d. Item added via agenda amendment - Discussion of meeting schedules and strategic planning session**

Commissioners suggested moving the February meeting date, originally scheduled for Feb. 22, to Feb. 29 due to an Association of Minnesota Counties event, if it is necessary to hold a February meeting at all. Travis said staff do not have any agenda items for February but can meet on the 29<sup>th</sup> if something comes up.

The Board also suggested holding the March meeting on Thursday, March 21, 2024, 12-3 p.m. to hold a strategic planning session. This is a week earlier than the originally scheduled March meeting date, March 28, and starting an hour earlier than usual.



*Information only.*

## **8. Staff Reports**

### **Melissa Bokman-Ermer**

The Niagara Bottling Company water bottling project proposed in the City of Elko New Market is seeking to use municipal water. This would require the City to increase its water appropriations permit from the Minnesota Department of Natural Resources, which it applied for in 2023 and was asked to complete pump testing of its aquifers. The City ran pump tests in the fall and submitted the data to the DNR, which indicated that they would contact the city by Feb. 1 if they noticed anything alarming. The City also monitored private wells.

Travis asked if they put monitoring equipment on the Vermillion to ask about impacts to the river itself. Melissa said she didn't think so.

### **Brita Moore-Kutz**

Phase 1 of the 2026-2035 Watershed Plan development is wrapping up, after the two Community Conversations in January. All Commissioners, plus alternate Commissioner Holberg, attended a Community Conversation. Brita didn't notice any hot-button issues popping up, other than people's specific property issues. The survey response has been higher than in past years.

### **Travis Thiel**

Travis participated in a DNR roundtable the previous Friday, along with the Executive Director of Minnesota Trout Unlimited, a staff member from Friends of the Mississippi River, and Janssen Hang, Executive Director of the Hmong American Farmers Association. The discussion surrounded stream restorations and watershed improvement project partnerships. There were questions about hurdles to getting projects done.

VRWJPO is in the final stages of hiring a new Senior Watershed Specialist and made an offer.

## **9. Adjourn**

*Motion to adjourn by Commissioner Wolf, seconded by Commissioner Droste. Motion carried on a 3-0 vote.*

Next Meeting Dates (both changed from original schedule):



**If need be:** Thursday, February 29, 2024, at 1 p.m. in Conference Room A at the Dakota County Extension and Conservation Center, 4100 220<sup>th</sup> Street West, Farmington, MN and via teleconference on the web-based application, Microsoft Teams.

Thursday, March 21, 2024, at 12 p.m., location TBD and on Microsoft Teams.

Respectfully submitted by

Brita Moore-Kutz

Communications & Outreach Specialist for the Vermillion River Watershed Joint Powers Organization

Attest

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Commissioner

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Secretary/ Treasurer

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Date





**REVISED**

3:00 pm, Mar 12, 2024

**2023 Vermillion River Watershed Joint Powers Organization  
Treasurer's Report  
December 2023**

|   | <u>Budget Amounts</u>  | <u>Expenses to Date</u> | <u>Expenses Pending</u> | <u>Account Balance</u> |
|---|------------------------|-------------------------|-------------------------|------------------------|
| A. Administration & Operations (601-5010001-00000000)                   | \$ 240,500.00          | \$ 136,690.08           | \$ 6,835.74             | \$ 96,974.18           |
| B. Research & Planning (601-5010001-50100130)                           | \$ 41,600.00           | \$ 40,195.08            | \$ 7,798.97             | \$ (6,394.05)          |
| C. Monitoring & Assessment (601-5010001-50100230)                       | \$ 156,900.00          | \$ 97,404.47            | \$ 31,861.98            | \$ 27,633.55           |
| D. Public Communications & Outreach (601-5010001-50100330)              | \$ 167,900.00          | \$ 158,504.90           | \$ 8,141.85             | \$ 1,253.25            |
| E. Irrigation and Irrigation Audit (601-5010001-50100431)               | \$ 20,000.00           | \$ 9,397.00             | \$ -                    | \$ 10,603.00           |
| F. Regulation (601-5010001-50100530)                                    | \$ 55,900.00           | \$ 14,874.65            | \$ 3,341.11             | \$ 37,684.24           |
| G. Coordination & Collaboration (601-5010001-50100531)                  | \$ 50,600.00           | \$ 14,692.73            | \$ 5,661.97             | \$ 30,245.30           |
| H. Feasibility/Preliminary Studies (601-5010001-50100631)               | \$ 220,000.00          | \$ 99,882.24            | \$ 10,407.76            | \$ 109,710.00          |
| I. Capital Improvement Projects (601-5020001-50200130)                  | \$ 480,920.00          | \$ 117,136.83           | \$ 49,160.11            | \$ 314,623.06          |
| J. CWF BWSR- Watershed Grant (601-5010001-50100848)                     | \$ 12,000.00           | \$ 8,783.67             | \$ 934.67               | \$ 2,281.66            |
| K. WBIF Grant (BWSR) 2020-2023 North Creek (601-5010001-50100853)       | \$ 387,500.00          | \$ 314,441.77           | \$ 1,614.58             | \$ 71,443.65           |
| L. WBIF Grant (BWSR) 2020-2023 Farmington Direct (601-5010001-50100854) | \$ 30,030.00           | \$ 28,740.00            | \$ -                    | \$ 1,290.00            |
| M. WBIF Grant (BWSR) 2020-2023 Hastings Direct (601-5010001-50100855)   | \$ 30,030.00           | \$ 29,380.18            | \$ -                    | \$ 649.82              |
| N. WBIF Grant (BWSR) 2020-2023 Ravenna Basins (601-5010001-50100856)    | \$ -                   | \$ 3,511.13             | \$ -                    | \$ (3,511.13)          |
| O. Lakeville East Lake Restoration (601-5010001-50100858)               | \$ 93,000.00           | \$ 40,856.16            | \$ 51,878.69            | \$ 265.15              |
| P. CWF Comp Grant (BWSR) Foxborough TSS (601-5010001-50100859)          | \$ 376,500.00          | \$ 1,993.57             | \$ 355,600.50           | \$ 18,905.93           |
| Q. CWF Comp Grant (BWSR) Ravenna Trail (601-5010001-50100860)           | \$ 545,000.00          | \$ 698.65               | \$ 55,146.40            | \$ 489,154.95          |
| R. 2022-2023 WBIF Grant (BWSR) Middle Creek (601-5010001-50100861)      | \$ 363,000.00          | \$ 383.46               | \$ 208,934.82           | \$ 153,681.72          |
| S. 2022-2025 WBIF Grant (BWSR) Alimagnet Alum (601-5010001-50100862)    | \$ 45,000.00           | \$ 32,044.78            | \$ -                    | \$ 12,955.22           |
| T. 2023 CWF Competitive Grant (BWSR) East Lake (601-5010001-50100863)   | \$ 337,500.00          | \$ 9,836.45             | \$ 154,982.22           | \$ 172,681.33          |
| U. Wetland Bank (601-5010001-50100930)                                  | \$ 189,800.00          | \$ -                    | \$ -                    | \$ 189,800.00          |
| <b>VRW JPO Revised Budget Expense TOTAL</b>                             | <b>\$ 3,843,680.00</b> | <b>\$ 1,159,447.80</b>  | <b>\$ 952,301.37</b>    | <b>\$ 1,731,930.83</b> |

**Budget Funding Sources**

|  |                       |
|--|-----------------------|
| Wetland Bank                                     | \$189,800.00          |
| CIP Reserve                                      | \$226,800.00          |
| CIP Reserve Grant Match                          | \$136,660.00          |
| Fund Balance from Underspending in Previous Year | \$271,810.00          |
| Grant Carryover                                  | \$12,000.00           |
| CWF Grant (BWSR) Competitive 2022                | \$841,500.00          |
| CWF Grant (BWSR) Competitive 2023                | \$300,000.00          |
| CWF Grant WBIF (BWSR) 2020-2023                  | \$487,180.00          |
| CWF Grant WBIF (BWSR) 2022-2025                  | \$396,000.00          |
| CPL Grant (DNR) 2022-2025                        | \$90,000.00           |
| Fee's on Permitting Activities                   | \$1,000.00            |
| Dakota County Levy                               | \$964,900.00          |
| Scott County Levy                                | \$35,100.00           |
| Investment Earnings                              | \$14,000.00           |
| <b>Total</b>                                     | <b>\$3,966,750.00</b> |



**2024 Vermillion River Watershed Joint Powers Organization  
Treasurer's Report  
January 2024**

|   | <u>Budget Amounts</u>  | <u>Expenses to Date</u> | <u>Expenses Pending</u> | <u>Account Balance</u> |
|---|------------------------|-------------------------|-------------------------|------------------------|
| A. Administration & Operations (601-5010001-00000000)                 | \$ 230,500.00          | \$                      | \$ 9,427.68             | \$ 221,072.32          |
| B. Research & Planning (601-5010001-50100130)                         | \$ 78,000.00           | \$                      | \$ 8,174.38             | \$ 71,825.62           |
| C. Monitoring & Assessment (601-5010001-50100230)                     | \$ 155,750.00          | \$                      | \$ 8,545.38             | \$ 147,204.62          |
| D. Public Communications & Outreach (601-5010001-50100330)            | \$ 179,080.00          | \$                      | \$ 7,870.78             | \$ 171,209.22          |
| E. Irrigation and Irrigation Audit (601-5010001-50100431)             | \$ 5,000.00            | \$                      | \$ -                    | \$ 5,000.00            |
| F. Regulation (601-5010001-50100530)                                  | \$ 55,930.00           | \$                      | \$ 9,910.21             | \$ 46,019.79           |
| G. Coordination & Collaboration (601-5010001-50100531)                | \$ 50,600.00           | \$                      | \$ 2,080.55             | \$ 48,519.45           |
| H. Feasibility/Preliminary Studies (601-5010001-50100631)             | \$ 340,000.00          | \$                      | \$ 3,036.80             | \$ 336,963.20          |
| I. Capital Improvement Projects (601-5020001-50200130)                | \$ 815,000.00          | \$                      | \$ 4,812.37             | \$ 810,187.63          |
| J. WBIF Grant (BWSR) 2020-2023 Hastings Direct (601-5010001-50100855) | \$ -                   | \$                      | \$ 86.96                | \$ 6,113.04            |
| K. WBIF Grant (BWSR) 2020-2023 Ravenna Basins (601-5010001-50100856)  | \$ -                   | \$                      | \$ -                    | \$ 26,500.00           |
| L. Lakeville East Lake Restoration (601-5010001-50100858)             | \$ 6,200.00            | \$                      | \$ 978.09               | \$ 26,521.91           |
| M. CWF Comp Grant (BWSR) Foxborough TSS (601-5010001-50100859)        | \$ 26,500.00           | \$                      | \$ 403.65               | \$ 20,596.35           |
| N. CWF Comp Grant (BWSR) Ravenna Trail (601-5010001-50100860)         | \$ 27,500.00           | \$                      | \$ -                    | \$ -                   |
| O. 2022-2023 WBIF Grant (BWSR) Middle Creek (601-5010001-50100861)    | \$ 21,000.00           | \$                      | \$ 658.29               | \$ 126,841.71          |
| P. 2022-2025 WBIF Grant (BWSR) Alimagnet Alum (601-5010001-50100862)  | \$ -                   | \$                      | \$ -                    | \$ -                   |
| Q. 2023 CWF Competitive Grant (BWSR) East Lake (601-5010001-50100863) | \$ 127,500.00          | \$                      | \$ -                    | \$ 189,800.00          |
| R. Wetland Bank (601-5010001-50100930)                                | \$ 189,800.00          | \$                      | \$ -                    | \$ 189,800.00          |
| <b>VRW JPO Revised Budget Expense TOTAL</b>                           | <b>\$ 2,308,360.00</b> | <b>\$ -</b>             | <b>\$ 54,885.62</b>     | <b>\$ 2,254,294.13</b> |

**Budget Funding Sources**

|  |                       |
|--|-----------------------|
| Wetland Bank                                     | \$189,800.00          |
| CIP Reserve                                      | \$350,000.00          |
| CIP Reserve Grant Match                          | \$21,500.00           |
| Fund Balance from Underspending in Previous Year | \$365,000.00          |
| Grant Carryover                                  | \$0.00                |
| CWF Grant (BWSR) Competitive 2022                | \$420,750.00          |
| CWF Grant (BWSR) Competitive 2023                | \$150,000.00          |
| CWF Grant WBIF (BWSR) 2020-2023                  | \$0.00                |
| CWF Grant WBIF (BWSR) 2022-2025                  | \$198,000.00          |
| CPL Grant (DNR) 2022-2025                        | \$4,500.00            |
| Fee's on Permitting Activities                   | \$1,000.00            |
| Dakota County Levy                               | \$965,600.00          |
| Scott County Levy                                | \$34,400.00           |
| Investment Earnings                              | \$14,000.00           |
| <b>Total</b>                                     | <b>\$2,714,550.00</b> |



**2024 Vermillion River Watershed Joint Powers Organization  
Treasurer's Report  
February 2024**

|   | <u>Budget Amounts</u>  | <u>Expenses to Date</u> | <u>Expenses Pending</u> | <u>Account Balance</u> |
|---|------------------------|-------------------------|-------------------------|------------------------|
| A. Administration & Operations (601-5010001-00000000)                 | \$ 230,500.00          | \$ -                    | \$ 7,110.82             | \$ 223,389.18          |
| B. Research & Planning (601-5010001-50100130)                         | \$ 78,000.00           | \$ -                    | \$ 5,728.58             | \$ 72,271.42           |
| C. Monitoring & Assessment (601-5010001-50100230)                     | \$ 155,750.00          | \$ -                    | \$ 7,600.90             | \$ 148,149.10          |
| D. Public Communications & Outreach (601-5010001-50100330)            | \$ 179,080.00          | \$ -                    | \$ 8,151.45             | \$ 170,928.55          |
| E. Irrigation and Irrigation Audit (601-5010001-50100431)             | \$ 5,000.00            | \$ -                    | \$ -                    | \$ 5,000.00            |
| F. Regulation (601-5010001-50100530)                                  | \$ 55,930.00           | \$ -                    | \$ 4,656.71             | \$ 51,273.29           |
| G. Coordination & Collaboration (601-5010001-50100531)                | \$ 50,600.00           | \$ -                    | \$ 3,218.44             | \$ 47,381.56           |
| H. Feasibility/Preliminary Studies (601-5010001-50100631)             | \$ 340,000.00          | \$ -                    | \$ 3,620.76             | \$ 336,379.24          |
| I. Capital Improvement Projects (601-5020001-50200130)                | \$ 815,000.00          | \$ -                    | \$ 1,434.67             | \$ 813,565.33          |
| J. WBIF Grant (BWSR) 2020-2023 Hastings Direct (601-5010001-50100855) | \$ -                   | \$ -                    | \$ -                    | \$ -                   |
| K. WBIF Grant (BWSR) 2020-2023 Ravenna Basins (601-5010001-50100856)  | \$ -                   | \$ -                    | \$ -                    | \$ -                   |
| L. Lakeville East Lake Restoration (601-5010001-50100858)             | \$ 6,200.00            | \$ -                    | \$ -                    | \$ 6,200.00            |
| M. CWF Comp Grant (BWSR) Foxborough TSS (601-5010001-50100859)        | \$ 26,500.00           | \$ -                    | \$ -                    | \$ 26,500.00           |
| N. CWF Comp Grant (BWSR) Ravenna Trail (601-5010001-50100860)         | \$ 27,500.00           | \$ -                    | \$ -                    | \$ 27,500.00           |
| O. 2022-2023 WBIF Grant (BWSR) Middle Creek (601-5010001-50100861)    | \$ 21,000.00           | \$ -                    | \$ 80.73                | \$ 20,919.27           |
| P. 2022-2025 WBIF Grant (BWSR) Alimagnet Alum (601-5010001-50100862)  | \$ -                   | \$ -                    | \$ -                    | \$ -                   |
| Q. 2023 CWF Competitive Grant (BWSR) East Lake (601-5010001-50100863) | \$ 127,500.00          | \$ -                    | \$ 291.89               | \$ 127,208.11          |
| R. Wetland Bank (601-5010001-50100930)                                | \$ 189,800.00          | \$ -                    | \$ -                    | \$ 189,800.00          |
| <b>VRW JPO Revised Budget Expense TOTAL</b>                           | <b>\$ 2,308,360.00</b> | <b>\$ -</b>             | <b>\$ 41,894.95</b>     | <b>\$ 2,266,465.05</b> |

**Budget Funding Sources**

|  |                       |
|--|-----------------------|
| Wetland Bank                                     | \$189,800.00          |
| CIP Reserve                                      | \$350,000.00          |
| CIP Reserve Grant Match                          | \$21,500.00           |
| Fund Balance from Underspending in Previous Year | \$365,000.00          |
| Grant Carryover                                  | \$0.00                |
| CWF Grant (BWSR) Competitive 2022                | \$420,750.00          |
| CWF Grant (BWSR) Competitive 2023                | \$150,000.00          |
| CWF Grant WBIF (BWSR) 2020-2023                  | \$0.00                |
| CWF Grant WBIF (BWSR) 2022-2025                  | \$198,000.00          |
| CPL Grant (DNR) 2022-2025                        | \$4,500.00            |
| Fee's on Permitting Activities                   | \$1,000.00            |
| Dakota County Levy                               | \$965,600.00          |
| Scott County Levy                                | \$34,400.00           |
| Investment Earnings                              | \$14,000.00           |
| <b>Total</b>                                     | <b>\$2,714,550.00</b> |



**REVISED**

11:41 am, Mar 14, 2024

**Vermillion River Watershed Joint Powers Organization**

4100 220th St. W., Suite 103, Farmington, MN 55024

The invoices submitted between November 15, 2023 and December 11, 2023 totalled \$401,426.46

The invoices submitted between December 12, 2023 and December 31, 2023 total:

| <b><u>Invoice</u></b> | <b><u>Vendor</u></b>                               |           | <b><u>Amount</u></b> |
|-----------------------|--|-----------|----------------------|
|                       | CoAttyNov23  | \$        | 1,544.51             |
|                       | CoAttyDec23  | \$        | 315.68               |
|                       | DC Staff Time                                      | \$        | 30,255.59            |
| 2024                  | Metro Watershed Partners                           | \$        | 5,000.00             |
| 023-048-4             | HKGi   | \$        | 2,163.75             |
| 3016                  | Fox Translation Services                           | \$        | 88.50                |
| 2023-084              | Scott County Soil and Water Conservation District  | \$        | 8,476.24             |
| 3352                  | Dakota County Soil and Water Conservation District | \$        | 80,081.46            |
| 36420                 | Moore Engineering                                  | \$        | 820.00               |
| 34857                 | City of Lakeville                                  | \$        | 51,071.40            |
| 01_RAV                | Dakota County Env Res                              | \$        | 54,823.48            |
| 34867                 | City of Lakeville                                  | \$        | 208,369.72           |
| 64868                 | City of Lakeville                                  | \$        | 153,690.55           |
| 34865                 | City of Lakeville                                  | \$        | 355,600.50           |
| <b>Total Expenses</b> |  | <b>\$</b> | <b>952,301.38</b>    |

**Action Requested:**



**Vermillion River Watershed Joint Powers Organization**

4100 220th St. W., Suite 103, Farmington, MN 55024

**Expense Report**

The invoices submitted between December 12, 2023 and December 31, 2023 totalled \$596,700.88

The invoices submitted between January 1, 2024 and February 12, 2024 total:

| <b><u>Invoice</u></b>    | <b><u>Vendor</u></b>                              |    | <b><u>Amount</u></b> |
|--------------------------|---|----|----------------------|
|                          | Dakota County Staff Time                          | \$ | 34,999.78            |
| IN30444                  | Scott County                                      | \$ | 1,045.12             |
| 91132669                 | Dept of Interior                                  | \$ | 2,213.50             |
| E 64954                  | DCP25438: United Promotions                       | \$ | 683.50               |
|                          | Commr Droste Payment                              | \$ | (120.34)             |
| 2184756                  | Stantec   | \$ | 2,982.00             |
| 4851                     | City of Rosemount                                 | \$ | 200.00               |
| 617654                   | Spartan   | \$ | 150.56               |
| 2023-019                 | Scott County Soil and Water Conservation District | \$ | 7,731.50             |
| 2024                     | Metro Watershed Partnership                       | \$ | 5,000.00             |
| <b>Total Expenses \$</b> |   |    | <b>54,885.62</b>     |

**Action Requested: Approval of all expenses as presented**



**Vermillion River Watershed Joint Powers Organization**

4100 220th St. W., Suite 103, Farmington, MN 55024

**Expense Report**

The invoices submitted between January 1, 2024 and February 12, 2024 totalled \$410,486.12

The invoices submitted between February 13, 2024 and March 11, 2024 total:

| <b><u>Invoice</u></b>    | <b><u>Vendor</u></b>      |    | <b><u>Amount</u></b> |
|--------------------------|---------------------------|----|----------------------|
|                          | DC Staff Time             | \$ | 30,597.21            |
| Jan-24                   | CoAttyJan24               | \$ | 1,255.95             |
| IN30581                  | Scott County              | \$ | 369.33               |
| PCard                    | Web Hosting               | \$ | 19.99                |
| PCard                    | Jeff Dunn Erosion Control | \$ | 400.00               |
| 23-161014                | 144Design                 | \$ | 1,260.00             |
| 23-197006                | 144Design                 | \$ | 95.00                |
| 617653                   | Spartan                   | \$ | 427.00               |
| 023-048-5                | HKGi                      | \$ | 7,470.47             |
| <b>Total Expenses \$</b> |                           |    | <b>41,894.95</b>     |

**Action Requested: Approval of all expenses as presented**

**8a. Vermillion River Watershed Joint Powers Organization (VRWJPO) Strategic Planning**

Meeting Date: 3/21/2024  
Item Type: Workshop  
Contact: Travis Thiel  
Telephone: 952-891-7546  
Prepared by: Travis Thiel

**PURPOSE/ACTION REQUESTED**

- Vermillion River Watershed Joint Powers Organization Strategic Planning

**SUMMARY**

From time to time the Vermillion River Watershed Joint Powers Board (VRWJPB) and staff find it prudent to review strategic direction of the Vermillion River Watershed Joint Powers Organization in meeting its statutory requirements as well as its efficacy in meeting its mission; planned goals, objectives, and actions; and locally identified needs. In 2024, VRWJPO staff will continue implementing the existing Watershed Management Plan while also developing a new Watershed Management Plan that will be adopted in early 2026.

There are three goals for the strategic planning session:

1. Discuss and identify priorities for the new Watershed Management Plan
2. Discuss and identify priorities for the remaining two years of the existing Watershed Management Plan
3. Discuss and provide direction to staff regarding revisions to the Joint Power Agreement that formed the Vermillion River Watershed Joint Powers Organization

VRWJPO staff have invited Commissioners who serve on the VRWJPB and those that rotate in or are alternates, the Vermillion River Watershed Planning Commission, and relevant staff to discuss and provide direction on the three goals listed above.

**EXPLANATION OF FISCAL/FTE IMPACT**

None

**Supporting Documents:**

Attachment A. 2024 Agenda-Strategic Planning Session  
Attachment B. Strategic Session 3-21-24 PowerPoint  
Attachment C. Issues identified by Agencies and Stakeholder in Initial Outreach  
Attachment D. TAG and WPC Rating of Relevance and Priority  
Attachment E. Public Engagement Highlights  
Attachment F. 2016 Plan Actions Not Initiated  
Attachment G. VRWJPO-Forming JPA with Proposed Revisions for Discussion

**Previous Board Action(s):**

- ;

**RESOLUTION**

Strategic planning workshop. Information only.



## Vermillion River Watershed Joint Powers Board Strategic Planning Session

March 21, 2024

### AGENDA

1. **Welcome, Introductions**, 10 min.
2. **Purpose of Session**, 5 min.
  - a. Discuss priorities for new VRWJPO Management Plan
  - b. Discuss priorities for remaining years of existing VRWJPO Management Plan
  - c. Update of Joint Powers Agreement to reflect current operating practices and desired changes
3. **Engagement Findings on VRWJPO Priorities**, 30 min.
  - a. Summary of agency comments, TAG and WPC prioritization, and public comments (see attachments C, D, and E)
4. **New Plan Scope and Priorities**, 60 min.
  - a. What are the greatest needs? How do they fit with the JPO's roles and responsibilities?
  - b. Approaches: Subwatersheds?
  - c. Desires for the new plan document: (e.g., streamline, outcome measures, prioritization level)
  - d. Board question - Do you envision this update as a:
    - i. Minor update
    - ii. Minor update with "stretch" to cover some of the emerging issues
    - iii. More exhaustive update
5. **Near-Term Priorities (Existing Plan)**, 30 min.
  - a. Current Plan accomplishments: What does the Board consider as the most positive outcomes?
  - b. Remaining Plan work (see attachment F)
    - i. What is most important for the VRWJPO to work on in the remaining two years?
    - ii. Should the VRWJPO address emerging issues that fit with the goals of the plan? If so, is there anything you would like staff to pivot away from?
    - iii. Based on experience and knowledge from the last 3-4 years, what VRWJPO activities, programs, projects, or policies haven't worked well or could use improvement?
  - c. Identify highest priorities for the remaining Plan life
6. **JPO Agreement Revisions**, 30 min. (see attachment G)

### Packet Materials:

- Attachment A. 2024 Agenda-Strategic Planning Session
- Attachment B. Strategic Session 3-21-24 PowerPoint
- Attachment C. Issues identified by Agencies and Stakeholder in Initial Outreach
- Attachment D. TAG and WPC Rating of Relevance and Priority
- Attachment E. Public Engagement Highlights
- Attachment F. 2016 Plan Actions Not Initiated
- Attachment G. VRWJPO-Forming JPA with Proposed Revisions for Discussion



# **Vermillion River Watershed Joint Powers Board Strategic Planning Session**

March 21, 2024

# Today's Agenda

1. Welcome and Introductions
2. Plan Update Engagement Findings
3. Discuss New Plan Priorities
4. Discuss Priorities for the Remaining Life of the Existing Plan
5. Joint Powers Agreement Revisions

# Introductions

## **Joint Powers Board County Commissioners**

Tom Wolf, Vice-Chair

Mike Slavik, Chair

Bill Droste, Secretary-Treasurer

Mary Liz Holberg

Mary Hamann-Roland

## **Watershed Planning Commission**

Jim Kotz, Chair

Josh Borton, Vice-Chair

Steve Hamrick

Andy Riesgraf

Linda Larson

Sandra Weber

Brad Blackett

Kevin Chamberlain

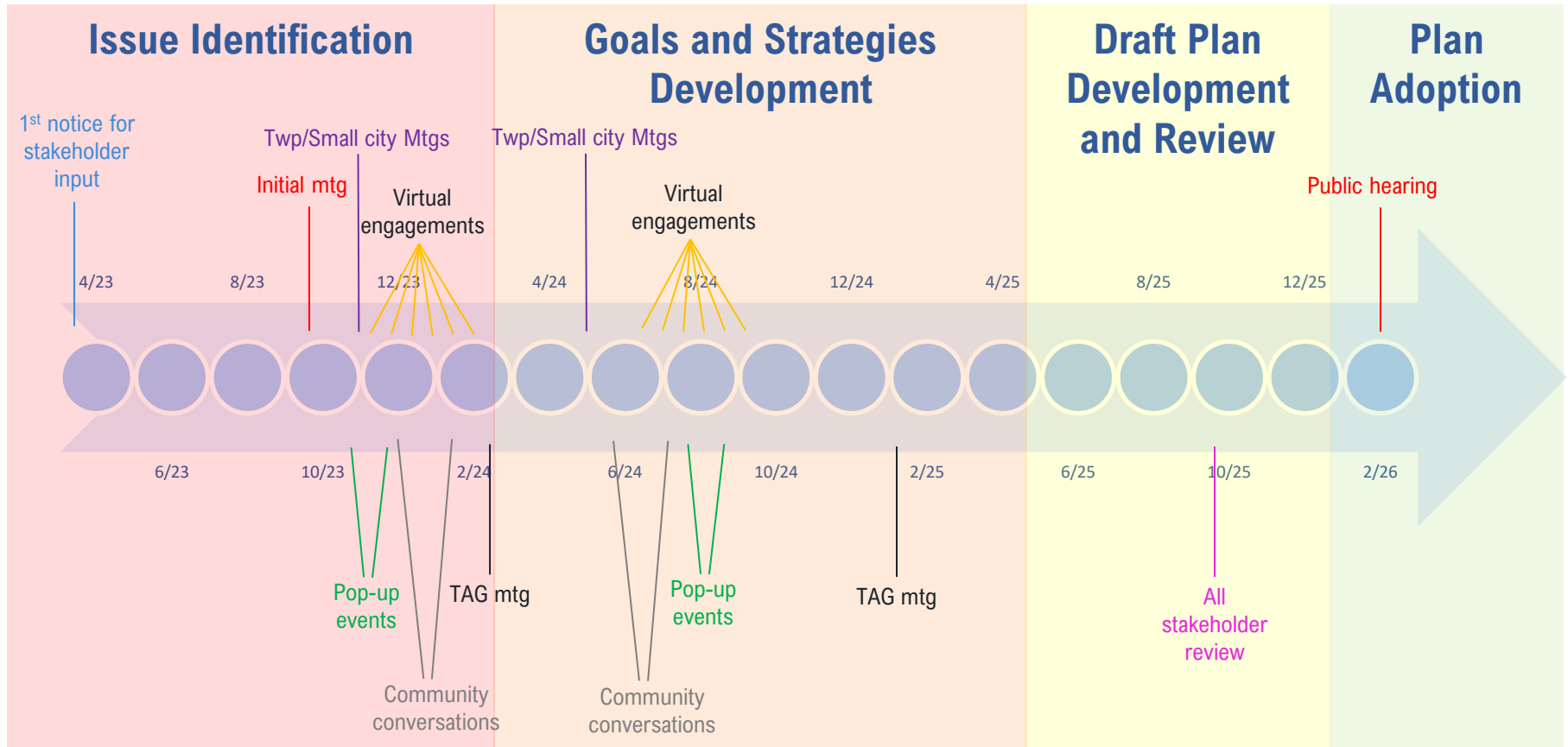


**VRWJPO and County Staff:** Travis Thiel, Melissa Bokman Ermer, Brita Moore-Kutz, Jeff Dunn, Kelly Perrine, Brian Wisdorf, Valerie Neppl, Paula Liepold, Mary Jackson

# Crossover Ideas

**Do the Joint Powers Board and  
the Watershed Planning Commission  
have interest in communicating and  
meeting together more frequently?**

# Engagement: Timeline



- + Vermillion River Watershed Joint Powers Board meetings throughout
- + Vermillion River Watershed Planning Commission meetings throughout
- + Online and paper surveys
- + Interactive and paper map-based feedback

# Engagement: Outreach

## **Outreach Efforts to Identify Issues**

- Online comments, public survey, and interactive map
- Public In-Person Meetings (3)
- Virtual Stakeholder Meetings (6)
- In-Person Intercepts (3)
- Unstaffed Interactive Displays (6)
- Township Updates (9)
- City Updates (4)
- Hmong American Farmers Discussion

# Engagement: Initial Issues

- Surface water quality
- Chloride
- Nitrate in agricultural areas
- PFAS and contaminants of emerging concern
- Groundwater sustainability
- Floodplains and impacts to flood-prone areas
- Stormwater management
- Climate change and resiliency
- Regulations: reasonable and enforceable by rural LGUs
- Keep some existing regulations as they are
- Agricultural practices
- Soil health
- Aggregate mining impacts
- Invasive species
- Recreational opportunity improvement
- Stream stability and natural channel restoration
- Changing demographics and engaging under-represented communities
- Edge matching with other plans and efforts
- Broad environmental education and engagement through earned and paid media
- Trout stream protection and restoration
- Wastewater biosolids application
- Monitoring effectiveness of watershed activities
- More collaboration with others on programs and practices
- More levy funding to support VRWJPO efforts



# Engagement: Initial Issues Evaluated

## Survey of Planning Commission and Technical Advisory Group

### 1. Watershed Role in the Issue

- Essential JPO activity
- Good for JPO to do when possible
- Not JPO's work

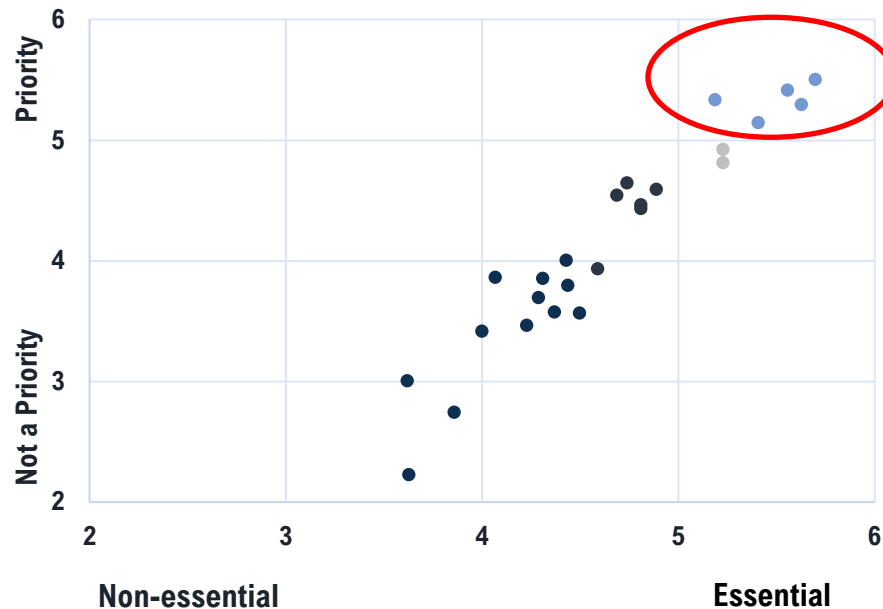
### 2. Priority (if Essential or Good to Do)

- High
- Medium
- Low

# Engagement: Initial Issues Evaluated

## Technical Advisory Group

TAG: VRWJPO Survey Results

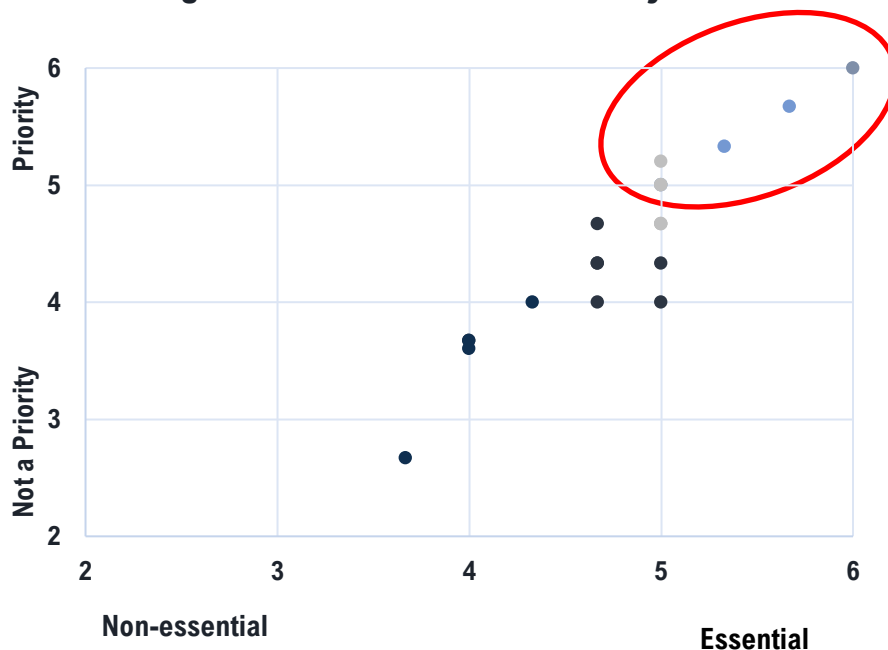


- Monitor effectiveness of JPO's watershed strategies and activities
- Continue to promote effective stormwater management
- Continue to address phosphorous
- Continue projects for stream stability and natural channel restoration
- Mitigate loss and preserve wetlands
- Improve collaboration and monitor effectiveness with LGU's
- Continue projects that address nitrogen levels in surface water and groundwater

# Engagement: Initial Issues Evaluated

## Watershed Planning Commission

Planning Commission: VRWJPO Survey Results



- **Continue projects for stream stability and natural channel restoration**
- **Monitor effectiveness of JPO's watershed strategies and activities**
- **Continue to address nitrogen levels in surface water and groundwater**
- **Continue to address phosphorous**
- **Mitigate loss and preserve wetlands**
- Collaborate/monitor with LGU's
- Continue chloride reduction
- Reevaluate floodplains and impacts
- Education and engagement with media
- Ensure regulations are reasonable and enforceable by rural LGUs
- Collaborate on groundwater sustainability

# Engagement: Public Issues

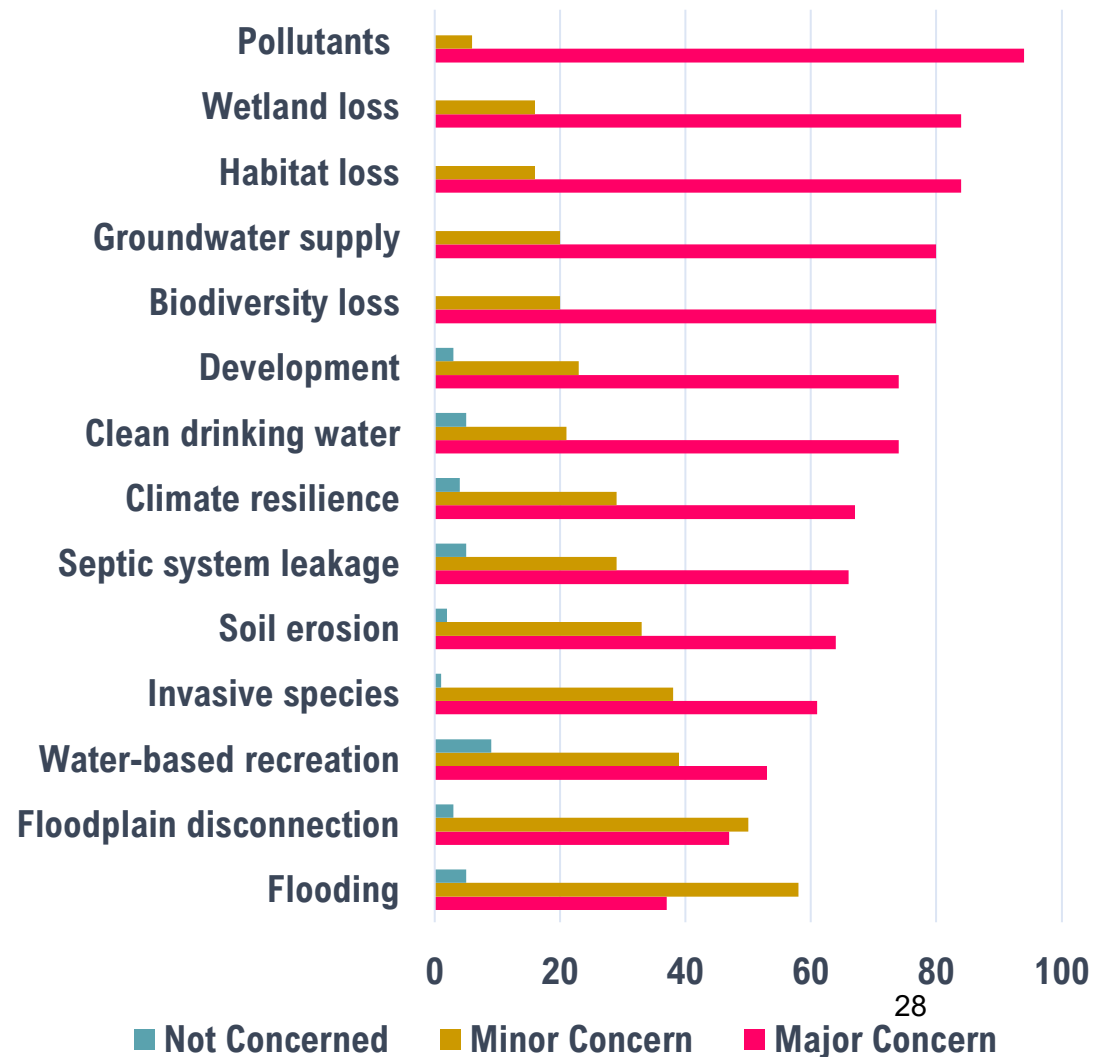
**Non-scientific online survey, 151 responses**

## Top concerns:

- Water quality
- Loss of natural ecosystems
- Groundwater supply and quality



Survey Issues of Concern



# Engagement: Comments

**Comments on the engagement findings?**

**Which issues are your highest priority?**

**Are there other emerging issues to consider?**

# Changes since 2016 Plan

## **Progress:**

- Groundwater Protection Rule
- Dakota County Groundwater and Agricultural Chemical Reduction Effort (ACRE) Plans
- Watershed-Based Implementation Funding
- Wetland Banking

## **Challenges:**

- Perfluoro “Forever” Chemicals, PFAS
- 21 new water quality impairments
- Lowest hanging fruit harvested

# New Plan: Priorities

1. Are there emerging issues the new plan should address?
2. Is the Board interested in placing greater emphasis on any continuing areas or past successes?

# New Plan: the Right Goal Areas?

- A. Surface water quality**
- B. Groundwater quality**
- C. Groundwater supply**
- D. Flooding**
- E. Public awareness**
- F. Climate impacts**
- G. Sensitive biological resources**
- H. Effective approaches, fiscal responsiveness, efficiency?**



# New Plan: Subwatershed Approaches

| Project Costs by Subwatershed (2016-2023) |                        |                     |                       |                                  |  |
|---|------------------------|---------------------|-----------------------|----------------------------------|--|
| Subwatershed                              | Priority Factor (Plan) | Total Project Costs | VRWJPO Direct Funding | Watershed Plan-Identified Amount | % VRWJPO Direct Funding Toward Plan-Identified CIP Estimates |
| Upper Mainstem                            | 25                     | \$185,497           | \$72,211              | \$495,000                        | 15%  |
| South Creek                               | 20                     | \$2,032,717         | \$471,088             | \$641,200                        | 73%  |
| North Creek                               | 15                     | \$3,343,266         | \$530,990             | \$950,000                        | 56%  |
| South Branch*                             | 15                     | \$1,679,545         | \$561,518             | \$605,800                        | 93%  |
| Middle Creek                              | 10                     | \$1,627,182         | \$297,727             | \$360,000                        | 83%  |
| Middle Mainstem                           | 7                      | \$256,935           | \$71,184              | \$290,000                        | 25%  |
| Lower Mainstem                            | 5                      | \$133,953           | \$82,439              | \$163,000                        | 51%  |
| Mississippi Direct                        | 3                      | \$1,189,557         | \$251,868             | \$152,750                        | 165%   |
| Total Costs                               |                        | \$10,448,652        | \$2,339,025           | \$3,657,750                      | 64%  |

\*VRWJPO Direct Funding includes \$500,000 toward Braun Wetland Bank, which will recoup CIP costs with future wetland credit sales

# New Plan: Subwatershed Approaches

1. Do we take a subwatershed approach based on science-indicated needs? (recognizing land ownership and the need for willing partners)
2. Or do we take an equitable approach to ensure resources are allocated to all taxpayers?
3. If we take a subwatershed approach, should the Plan address how we handle unspent funds?

# New Plan: Structure

1. **Goals** = Big picture statements of what the plan is trying to achieve. What is desired.
2. **Strategies** = Approaches for each goal. How we're addressing the issue.
3. **Tactics** = Specific activities under the strategies. What we'll be doing. Link to annual workplans.
4. **Outcome Measures** = track progress

Existing plan also included:

- **Subgoals**, breaking down each goal into areas
- **Packaging via JPO roles** (e.g., administration, regulation)
- **Standards**

# New Plan: Structure

## Should the new plan include these elements?

1. **Vision** = Biggest picture statement of what the plan is trying to achieve. Overall summary of what is desired.
2. **Policies** = Statements of what the JPO will generally do and support in specific areas. What people should expect.

## How much is too much of a good thing?

239 actions in the existing Plan, from highly specific to more general. Should there be fewer, and/or should they be higher-level?

# New Plan: Tracking Progress

**Outcome Measurements**, previously-identified area of Board interest

**Yes/No:** is a tactic or strategy being addressed in work?

**Activity-Based:** tracks number of efforts that have been made

**Results-Based:** tracks improvement in conditions (e.g., water quality measures, program participation)

In what areas would the Board like more outcome tracking?

# New Plan: Developing Actions

Staff review to classify existing plan actions

1. Keep – roll over to the new plan
2. Modify – change to reflect current state
3. Delete – eliminate completed and/or actions that are no longer relevant

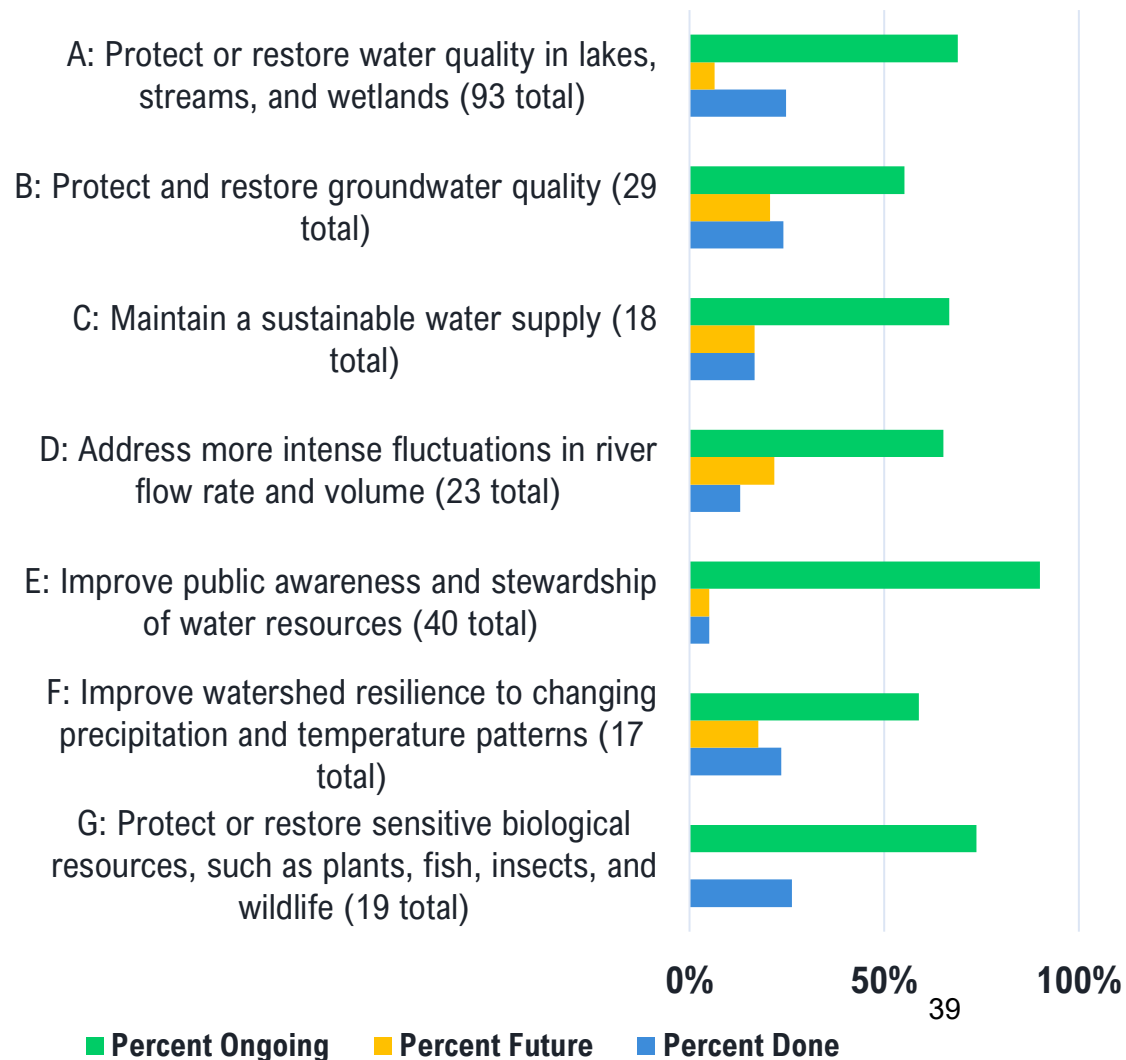
Will also develop new strategies and present to JPB and WPC this spring

# Existing Plan: Status of Actions

**239 Plan actions:**  
packaged into  
goals, objectives,  
and roles

Done: 47  
Ongoing: 167  
Future: 25

**Status by Goal Actions, Percent**



# Existing Plan: “Future Actions”

## Staff Evaluation of Priority for 25 “Future” Actions

Please refer to list in packet

| Priority | Number |
|----------|--------|
| High     | 2      |
| Medium   | 8      |
| Low      | 15     |



# Existing Plan: Priorities

1. What is the most important work that remains?
2. Are there programs or projects that you consider successful and would like to see more similar efforts?
3. Are there any emerging issues to address over the next two years?
4. Are there any programs, projects, or policies haven't worked well or could use improvement?

# Joint Powers Agreement

## **Reconcile to current operating practices**

- Board makeup, membership, and terms
- Contracts and delegation
- WPC membership and meetings

# Closing Thoughts

**Are there other topics the Board and Planning Commission would like to address?**

# Thank You

**Staff appreciates your time,  
thoughts, and direction**

# Reference Slides



# Past Strategic Planning Comments

## 2022:

Continue promoting watershed to public, concise and clear

Seek creative ways to offer more volunteerism

Federal and state grant opportunities

Collaborate and ensure partners are recognized (including JPO)

More outreach to businesses

# Past Strategic Planning Comments

**2019:**

Develop better outcome measures

Clarify priorities and focus on them

Improve JPB and staff communication

# Past Strategic Planning Comments

## 2016:

Implement WRAPPS

Outreach to service organizations and volunteer groups

Grant process improvement

Focus on highest priorities

Clarify buffer requirements to improve implementation

Address increases in E. coli levels

Nitrate contamination in private and public supply wells

Adjusting biomonitoring frequency



# Past Strategic Planning Comments

## 2015:

Improve outcome measures

More outreach and communication with earned and paid media

Recognition programs for people doing the right things

Identify and act on low hanging fruit, big problems

Nitrate contamination in private and public supply wells

Cover crop promotion

How much funding reserves to have

## **Issues Identified by Agencies and Stakeholders in Initial Outreach**

- Protect and restore surface water quality
- Chloride reduction initiatives
- Continued efforts addressing nitrate in ag areas
- Evaluation of PFAS and other contaminants of emerging concern
- Groundwater sustainability evaluation and actions
- Reevaluate floodplains and impacts to flood-prone areas
- Understanding stream stability and use of natural channel restoration
- Effective stormwater management
- Climate change and climate resiliency efforts
- Trout stream protection and restoration
- Address invasive species
- Regulations that are reasonable and enforceable by rural LGUs
- Keep some existing regulations as they are
- Advocating for and against changes to ag/farming practices
- Efforts to restore and protect soil health
- Wastewater biosolids application
- Minimize impacts of aggregate mining
- Recreational opportunity improvement
- Need for broad environmental education and engagement using earned and paid media
- Changing demographics and the need to engage underserved communities
- Monitoring effectiveness of watershed activities
- Continued and improved collaboration with others on programs and practices
- Edge matching with other plans and efforts
- More levy funding to support VRWJPO efforts

## Technical Advisory Group Rating of Relevance and Priority

| Issue   | Relevance Rating | Priority Rating | Average |
|---|------------------|-----------------|---------|
| Monitor effectiveness of JPO's watershed strategies and activities  | 5.7              | 5.5             | 5.60    |
| Continue to promote effective stormwater management   | 5.56             | 5.41            | 5.49    |
| Continue to evaluate, collaborate, and initiate projects that address phosphorous levels in surface water   | 5.63             | 5.29            | 5.46    |
| Continue to evaluate, collaborate, and initiate projects that promote stream stability and natural channel restoration.   | 5.41             | 5.14            | 5.28    |
| Continue to evaluate, collaborate, and initiate projects that mitigate loss and preserve wetlands.  | 5.19             | 5.33            | 5.26    |
| Improve collaboration and monitor effectiveness with LGU's on shared policies/standards, collaboration on beneficial projects, programs, and practices.   | 5.23             | 4.92            | 5.08    |
| Continue to evaluate, collaborate, and initiate projects that address nitrogen levels in surface water and groundwater  | 5.23             | 4.81            | 5.02    |
| Collaborate on initiatives that assess water resource impacts from riparian land changes/uses that aren't addressed though existing regulatory requirements to protect and restore soil health. | 4.89             | 4.59            | 4.74    |
| Continue efforts and collaborate on initiatives for chloride reduction (re: smart salting techniques)   | 4.74             | 4.64            | 4.69    |
| Continue to evaluate, collaborate, and initiate projects that address stormwater reuse.   | 4.81             | 4.46            | 4.64    |
| Review current regulations and make adjustments that are reasonable and enforceable by rural LGUs   | 4.81             | 4.43            | 4.62    |
| Evaluate and collaborate on groundwater sustainability.   | 4.69             | 4.54            | 4.62    |
| Collaborate on efforts to restore and protect soil health   | 4.43             | 4               | 4.22    |
| Continue to collaborate with other entities on climate change and climate resiliency efforts  | 4.59             | 3.93            | 4.26    |
| Increase levy funding to support VRWJPO efforts   | 4.44             | 3.79            | 4.12    |
| Reevaluate floodplains and impacts in flood-prone areas   | 4.31             | 3.85            | 4.08    |
| Continue to evaluate, collaborate, and initiate studies that address vegetation management  | 4.5              | 3.56            | 4.03    |
| Evaluate wastewater biosolids agricultural application impacts to surface water and groundwater   | 4.29             | 3.69            | 3.99    |
| Continue to collaborate with others on projects related to trash and debris clean-up along the river.   | 4.37             | 3.57            | 3.97    |
| Develop broader environmental education and engagement using earned and paid media  | 4.07             | 3.86            | 3.97    |
| Continue to evaluate, collaborate, and initiate projects that address invasive species  | 4.23             | 3.46            | 3.85    |
| Continue to monitor changing demographics and engage under-represented communities  | 4                | 3.41            | 3.71    |
| Evaluate PFAS and other contaminants of emerging concern and their potential impacts to groundwater   | 3.62             | 3               | 3.31    |
| Continue to evaluate, collaborate, and initiate projects that improve recreational opportunities  | 3.86             | 2.74            | 3.30    |
| Evaluate methods to minimize impacts of aggregate mining  | 3.63             | 2.22            | 2.93    |

**Relevance Scoring:** Not JPO's Job=2, Good to Do=4, Essential=6

**Priority Scoring:** Low Priority=2, Medium Priority=4, High Priority=6

## Watershed Planning Commission Rating of Relevance and Priority

| Issue   | Relevance Rating | Priority Rating | Average |
|---|------------------|-----------------|---------|
| Continue to evaluate, collaborate, and initiate projects that promote stream stability and natural channel restoration  | 6                | 6               | 6       |
| Monitor effectiveness of JPO's watershed strategies and activities  | 5.67             | 5.67            | 5.67    |
| Continue efforts to evaluate, collaborate, and initiate projects that address nitrogen levels in surface water and groundwater  | 5.33             | 5.33            | 5.33    |
| Continue efforts to evaluate, collaborate, and initiate projects that address phosphorous levels in surface water   | 5.33             | 5.33            | 5.33    |
| Continue to evaluate, collaborate, and initiate projects that mitigate loss and preserve wetlands.  | 5.33             | 5.33            | 5.33    |
| Improve collaboration and monitor effectiveness with LGU's on shared policies/standards, collaboration on beneficial projects, programs, and practices.   | 5                | 5.2             | 5.1     |
| Continue efforts and collaborate on initiatives for chloride reduction (re: smart salting techniques)   | 5                | 5               | 5       |
| Reevaluate floodplains and impacts in flood-prone areas   | 5                | 5               | 5       |
| Develop broader environmental education and engagement using earned and paid media  | 5                | 5               | 5       |
| Review current regulations and make adjustments that are reasonable and enforceable by rural LGUs   | 5                | 5               | 5       |
| Evaluate and collaborate on groundwater sustainability.   | 5                | 5               | 5       |
| Continue to promote effective stormwater management   | 5                | 4.67            | 4.835   |
| Continue to evaluate, collaborate, and initiate projects that address invasive species  | 5                | 4.67            | 4.835   |
| Continue efforts to evaluate, collaborate, and initiate projects that address stormwater reuse.   | 5                | 4.67            | 4.835   |
| Evaluate PFAS and other contaminants of emerging concern and their potential impacts to groundwater   | 4.67             | 4.67            | 4.67    |
| Evaluate wastewater biosolids agricultural application impacts to surface water and groundwater   | 5                | 4.33            | 4.665   |
| Evaluate methods to minimize impacts of aggregate mining  | 5                | 4               | 4.5     |
| Increase levy funding to support VRWJPO efforts   | 4.67             | 4.33            | 4.5     |
| Collaborate on initiatives that assess water resource impacts from riparian land changes/uses that aren't addressed though existing regulatory requirements to protect and restore soil health. | 4.67             | 4.33            | 4.5     |
| Continue to collaborate with others on projects related to trash and debris clean-up along the river.   | 4.67             | 4               | 4.335   |
| Collaborate on efforts to restore and protect soil health   | 4.33             | 4               | 4.165   |
| Continue to collaborate with other entities on climate change and climate resiliency efforts  | 4                | 3.67            | 3.835   |
| Continue to evaluate, collaborate, and initiate studies that address vegetation management  | 4                | 3.67            | 3.835   |
| Continue to evaluate, collaborate, and initiate projects that improve recreational opportunities  | 4                | 3.6             | 3.8     |
| Continue to monitor changing demographics and engage under-represented communities  | 3.67             | 2.67            | 3.17    |

**Relevance Scoring:** Not JPO's Job=2, Good to Do=4, Essential=6

**Priority Scoring:** Low Priority=2, Medium Priority=4, High Priority=6

## Key Takeaways

The following were noted as top priorities by participants:

### Protecting Water Quality and Quantity

Stakeholders voiced a desire to maintain or improve water quality in the watershed and expressed concerns about groundwater. Contaminants such as nitrates, phosphorus, and chlorides were frequently mentioned. They also want to ensure that groundwater production will remain sustainable, and that aquifers will not be at risk for excessive pumping or drawdown. Proposed ideas ranged from best management practices (such as new water treatment facilities and water reuse) to public education around these topics.

### Monitoring and Mitigating Impacts from New Developments

With a growing population, the impacts of development on habitat, biodiversity, wetlands, and shorelines within the watershed are concerning. Stakeholders want to know what rules developers must abide by, and if there's any way to monitor their impacts on the watershed. Education about authority, collaboration on rules/regulations, and strategies about enforcement were proposed.

### Desire for more Education/Outreach

Participants suggested ways to reach out to community members, connect with agricultural groups, and highlighted opportunities to become more involved with stakeholder groups (e.g., Master Gardeners, Trout Unlimited, Minnesota Lakes & Rivers) to publicize existing programs and funding opportunities.

### Support for More Investment

One of the questions posed throughout the process aimed to determine the level of financial support for future watershed improvement projects that are expected to be more expensive than some of the VRWJPOs earlier endeavors. Stakeholders expressed a desire to maintain the

## Virtual Stakeholder Meeting Attendees

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• Doug Moran (Rosemount Resident &amp; member of Twin Cities Trout Unlimited – TCTU)</li> <li>• Joe Beattie (Hastings Environmental Protectors)</li> <li>• Renee Christianson (City of Elko New Market)</li> <li>• Miranda Etienne (Bolton &amp; Menk)</li> <li>• Travis Hirman (MDA)</li> <li>• April Londo (MN DNR)</li> <li>• Taylor Huinker (MN DNR)</li> <li>• Jane Byron (City of Rosemount)</li> <li>• John Caven (City of Hastings)</li> <li>• Linda Larson (Vermillion River Watershed Planning Commission)</li> <li>• Valerie Neppi (Dakota County)</li> <li>• Curt Coudron (Dakota SWCD)</li> <li>• Jessica Schaum (City of Apple Valley)</li> <li>• Caleb Ashling (City of Burnsville)</li> <li>• Mac Cafferty (City of Lakeville)</li> <li>• Amy Timm (MPCA)</li> </ul> | <ul style="list-style-type: none"> <li>• Jeff Berg (MDA)</li> <li>• Anne Sawyer (BWSR)</li> <li>• Caroline Spurgeon (Ravenna Township)</li> <li>• Daryl Jacobson (City of Burnsville)</li> <li>• Samantha Berger (City of Apple Valley)</li> <li>• Matt Saam (City of Apple Valley)</li> <li>• Kristen Meyer (Freshwater)</li> <li>• Cynthia Ladzun (Vermillion Township)</li> <li>• James Sipe (Hampton Township)</li> <li>• Edward Rutledge (City of Farmington)</li> <li>• John Powell (City of Farmington)</li> <li>• Kellee Omlid (City of Farmington)</li> <li>• Mark Nemeth (MN DNR Fisheries)</li> <li>• Jessamyn Foley (MN DNR Watercraft Inspection)</li> <li>• Henry Stelten (Prairie Island Indian Community)</li> </ul> |
|---|--|

watershed's assets and a willingness to increase funding to ensure its protection, so long as there is continued education and information about where those dollars are being spent. **62% of respondents said they supported additional financial investment in the watershed, with 88% of that group indicating they'd be willing to pay \$20-100 more.**

### **Concerns about Trout Populations and Stream Health**

**66%** of survey respondents stated that they currently fish rivers and creeks within the watershed, and citizen groups such as Twin Cities Trout Unlimited attended virtual meetings and Community Conversations to express concern for the Vermillion River and its tributaries. Solutions offered included stream temperature monitoring and additional stocking and protecting spawning habitat.

### **Climate Change**

Climate change was a widely mentioned and discussed topic in all forms of engagement, from the effects it has on fish populations and stream temperatures to droughts and rainfall amounts. Stakeholders are interested in more ways to help mitigate the impacts.

### **Assistance, Programs, and Funding**

In many different forms, stakeholders wanted to learn more about what programs and funding were available both to and through the VRWJPO. Example topics range from existing programs that help farmers implement cover crop methods, to wondering what outside grants might be available for large scale watershed projects.

### **Role in the Region – Regulations and Enforcement**

The first phase of engagement was widely centered around educating the public and stakeholder groups about the VRWJPO, what it does for the community, and what role it plays in their day-to-day lives. During conversations, it was made clear that there is some confusion about what rules and regulations the VRWJPO can and cannot enforce. More education, public outreach, and clear messaging are needed to bring the VRWJPO's role to the forefront.

## 2016 Plan Actions Not Initiated

| Goal                  | Staff Priority | Action  |
|-----------------------|----------------|---|
| Surface Water Quality | Medium         | Convene one-time “summits” or short-term task forces that engage people with specific skills, knowledge, or interests to advise the VRWJPO staff or VRWJPB on unique watershed issues or problems (e.g., Water Monitoring Summit, WRAPS Watershed Engagement Team)                                    |
|                       | Medium         | Collaborate with park agencies to identify how different populations use public natural resources for fishing, swimming, or recreation  |
|                       | Low            | Set baseline measures reflecting current data for high and low flows.   |
|                       | Low            | Consider an “above and beyond” Stormwater Management certification for (re-) development interests seeking documentation of higher performance.   |
|                       | Low            | Work with landowners and other agencies to eliminate fencing across public waters and associated potential liabilities  |
|                       | Low            | Initiate discussions with local government units about barriers to stormwater infrastructure maintenance  |
| Groundwater Quality   | Medium         | Assist Dakota County’s efforts to inventory failing/noncompliant systems, prioritize areas for upgrades, and use cost-share or loans to fund upgrades if the state delegates this authority to the county   |
|                       | Low            | Collaborate with Scott County on groundwater monitoring for the Scott County portion of the watershed   |
|                       | Low            | Assist the MPCA in requiring communities to implement a septic system inventory, inspection, and upgrade program  |
|                       | Low            | Assist communities in assessing septic systems in wellhead protection areas and upgrading, replacing, or removing noncompliant systems  |
|                       | Low            | Consider outreach to real estate agents, to distribute the handbook to purchasers of property with a private well   |
|                       | Low            | Consider outreach to visitors’ bureaus and “welcome” organizations to include in information packets for new homeowners with a private well   |
| Groundwater Supply    | High           | Facilitate discussions with appropriate agencies (e.g., DNR and Southwest Metro Groundwater Workgroup) about well interference water appropriation conflicts, and groundwater management  |
|                       | Low            | Review 2006 inventory of groundwater recharge areas and update, if needed   |
|                       | Low            | Research strategies for water use, re-use, or infiltration that minimize groundwater use at mining sites  |
| Flooding              | Medium         | Continue to document intergovernmental hydrology through use and maintenance of the watershed hydrologic model  |
|                       | Medium         | Consider proposals to work with Goodhue County to resolve gully and erosion problems that originate in Goodhue County but have infrastructure and property impacts in Dakota County   |
|                       | Medium         | <i>Request state agencies evaluate the impacts of increased drain tiling on river flows and develop a strategy with stakeholders to minimize impacts</i> (Objective)  |
|                       | Low            | Work with partners to develop assessment techniques for channel blockages, define appropriate criteria for potential removal/ management, and identify funding sources to achieve activities. Ensure that removing blockages does not adversely affect river pattern, structure, wildlife, or habitat |
|                       | Low            | Implement a targeted program to inform landowners about liabilities associated with artificial river blockages located on/originating from private land   |
| Public Awareness      | Medium         | Work with partners to develop a watershed-wide education and outreach effort on preparing property to achieve flood/storm resilience  |
|                       | Low            | Update water resource management governance diagram to illustrate and concisely explain the roles of various government organizations in water resource management in the Vermillion River Watershed  |
| Climate Impacts       | High           | Consider providing 100 percent capital costs of BMPs not commonly used or well-understood by landowners that have high potential to mitigate flow, precipitation, or temperature extremes   |
|                       | Medium         | <i>Collaborate with local and regional land-use planning partners to address potential cumulative impacts of specific land-use changes that affect Vermillion River Watershed water resources or natural hydrology (e.g., expansive aggregate mining, impervious cover expansion)</i> (Objective)     |
|                       | Low            | <i>Establish a riparian habitat improvement program that includes tree shading in critical reaches</i> (Objective)  |

**JOINT POWERS AGREEMENT  
BETWEEN DAKOTA COUNTY AND SCOTT COUNTY  
FOR VERMILLION RIVER WATERSHED**

WHEREAS, Minnesota Statutes § 471.59 authorizes local governmental units to jointly or cooperatively exercise any power common to the contracting parties; and

WHEREAS, pursuant to Minn. Stat. § 103B.231 a watershed management plan is required for watersheds comprising all minor watershed units wholly or partly within the metropolitan area, in accordance with the requirements of § 103B.205 to § 103B.255; and

WHEREAS, the Vermillion River Watershed is a watershed comprising minor watershed units wholly within the metropolitan area, specifically, within Dakota County and Scott County; and

~~WHEREAS, pursuant to Minn. Stat. § 103B.231 if a watershed management organization within the metropolitan area is terminated, the counties containing the watershed unit shall prepare, adopt, and implement the watershed plan and shall have the planning, review, permitting, and financing authority of a watershed management organization specified in Minn. Stat. §§ 103B.211 to 103B.255; and~~

~~WHEREAS, the Vermillion River Watershed Management Organization, consisting of 21 20 cities and towns located within the Vermillion River Watershed ceased to exist as of August 1, 2000; and~~

WHEREAS, effective September 5, 2002, Dakota County and Scott County entered into a joint powers agreement ("2002 JPA")~~desire~~ to cooperatively carry out their responsibilities and duties pursuant to Minn. Stat. §§ 103B. 211 to 103B.255; and

WHEREAS, the Vermillion River Watershed Joint Powers Organization ("VRWJPO"), an independent joint powers entity organized under Minn. Stat. § 471.59, was created by the 2002 JPA to carry out Dakota County's and Scott County's responsibilities and duties pursuant to Minn. Stat. §§ 103B. 211 to 103B.255; and

WHEREAS, Dakota County and Scott County desire to update the terms and conditions of their joint powers agreement to cooperatively carry out their responsibilities and duties pursuant to Minn. Stat. §§ 103B. 211 to 103B.255 ~~do so~~ pursuant to the authority granted to them pursuant to Minn. Stat. § 471.59; and

WHEREAS, Dakota County and Scott County desire that the terms and conditions of this Agreement to replace the terms and conditions of the 2002 JPA moving forward effective upon the full execution of this Agreement by the parties to this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and benefits that Dakota County and Scott County shall derive herefrom, Dakota County and Scott County hereby enter into this joint powers agreement for the purposes herein.



I. Purposes.

This Agreement has been executed by Dakota and Scott Counties for the purposes set forth at Minn. Stat. § 103B.201 within the political boundary of the Vermillion River watershed located in Dakota County and Scott County, as shown on the attached Map A, hereby incorporated by reference. Specifically, the purpose of this Agreement is to establish a joint powers board that will (1) exercise leadership in the development of policies, programs and projects that will promote the accomplishment of the purposes found at Minn. Stat. § 103B.201, including the preparation, adoption and implementation of the plan required by Minn. Stat. § 103B.211 for the Vermillion River watershed and (2) guide and assist Dakota County and Scott County in acting jointly and individually to take actions that will promote the goals listed in Minn. Stat. § 103B.201 and fulfill their responsibilities under Chapter 103B.

II. Joint Powers Board.

A. Creation and Composition of Joint Powers Board.

A joint powers board, known as the Vermillion River Watershed Joint Powers Board (VRWJPB), ~~has been~~ established for the purposes contained herein with the powers and duties set forth in this Agreement. ~~The VRWJPB shall consist of one county commissioner from Scott County and two county commissioners from Dakota County.~~ The board of commissioners of each county shall appoint, by resolution, its representative(s) to the VRWJPB, together with one alternate commissioner. ~~Resolutions appointing representatives of each county shall be filed with the clerk to the board of commissioners of Dakota County.~~

[Are the board members compensated? Need to specify what compensation, if any, the board members are to receive.]

B. Terms.

Each county representative and alternate ~~on the VRWJPB~~ shall be appointed for a two-year term, except that the terms of the initial members shall extend from the date of their appointment through December 31, 2004. ~~In the event that any county representative or alternate shall not have been appointed by the board of commissioners prior to expiration of the representative's term, the incumbent representative shall serve until a successor has been appointed.~~

C. Vacancies.

If the appointment of any representative commissioner or alternate ~~to the VRWJPB~~ is vacated before the end of their term, the vacancy shall be filled by appointment by the appropriate county board of commissioners ~~in accordance~~

**Commented [TT1]:** At the request of a Commissioner and for discussion by the JPB regarding how many member board will exist, and how many from each county. If there was interest to move to a five member board (4-Dakota, 1-Scott), there would be no alternate from Dakota County per the existing rotating membership, so one would have to be identified that has a District that is within the VRWJPO.

**Commented [WB2R1]:** Both County Boards should keep in mind that having a number of board members on the VRWJPB that would be considered a quorum for their County Board may cause issues under the OML. To avoid such possible issues, Dakota County may want to limit its participation to 3 board members and Scott County may want to limit it to no more than 2 board members. The biggest issue under the OML is the "receiving of information" relevant to the County Boards.

**Commented [WB3]:** Required by Rule 8410.0030, Subpart 1 (L)

**Commented [TT4]:** For discussion by the JPB. Issues exist because the JPB is not following a two-year term, but could change the language to specify one-year terms. One-year terms would also reflect the current arrangement where some Dakota County Commissioners are rotating in annually.

**Commented [WB5R4]:** This should be revised to at least reflect the current terms/process.

with Minn. Stat. § 103B.227, subd. 1, and Minn. Stat. § 471.59, subd. 11.- A vacancy shall be deemed to have occurred when any of the conditions specified in Minn. Stat. § 351.02 exist or if a representative fails to qualify or act as a commissioner. Dakota County and Scott County shall notify the Minnesota Board of Water and Soil Resources of their appointments and vacancies to the VRWJPB pursuant to Minn. Stat. Stat. § 103B.227, subd. 1.

D. Chair and Vice-chair.

The VRWJPB shall elect a chair and a vice-chair from its membership for one-year terms. The chair shall preside at all meetings of the VRWJPB and shall perform other duties and functions as may be determined by the VRWJPB. The vice-chair shall preside over and act for the VRWJPB during the absence of the chair.

E. Secretary/Treasurer.

The VRWJPB shall elect a secretary/treasurer from its membership for a one-year term. The secretary/treasurer shall submit all minutes of VRWJPB meetings for approval by the VRWJPB and shall assist the chair in overseeing the VRWJPB's budget and finances.

F. Meetings.

Minn. Rule § 8410.0030 requires ~~the VRWJPB shall~~ have regular meetings at least annually. The VRWJPB shall determine such times and places to conduct the meetings and at such times and places as the VRWJPB shall determine. Special meetings may be held on reasonable notice by the chair or by a majority of the VRWJPB upon terms and conditions as the VRWJPB may determine. The presence of a majority of the VRWJPB at a meeting shall constitute a quorum. The VRWJPB shall be subject to the requirements of the Open Meeting Law, Minn. Stat. Ch. 13D.

[Insert notification process for the agenda, location, and time of meetings]

The VRWJPB shall adopt rules of order and procedure for conducting VRWJPB meetings.

G. Voting.

Each county representative shall be entitled to one vote. If a county representative is absent that county's alternate is entitled to one vote. If more than one Dakota County representative is absent, Dakota County's alternate shall be entitled to only one vote. The VRWJPB shall function by a majority vote of the county representatives present.

**Commented [WB6]:** Required by Rule 8410.0030, Subpart 1 (F)

**Commented [WB7]:** Required by Rule 8410.0030, Subpart 1 (N)

**Commented [WB8R7]:** May be included in Bylaws.

**Commented [WB9R7]:** If set forth in the Bylaws, there should still be a reference to that fact in the JPA.

[Insert voting requirements for decision making and capital improvements – decisions of the board shall not require more than a majority vote, except for decisions regarding capital improvement projects can require more than an majority vote, but not more than two-thirds vote.]

H. Staff.

Dakota County and Scott County shall provide staff support to the VRWJPB. Dakota County and Scott County shall provide legal services as needed, and in accordance with law.

Both the Dakota County Attorney's Office and Scott County Attorney's Office have statutory obligations to represent their County Board, pursuant to Minnesota Statutes Chapter 388, as well as, legal obligations imposed by various provisions of state statute. In the event that either the Dakota County Attorney's Office or Scott County Attorney's Office determines that a conflict of interest would exist if the County Attorney's Office represented both their County and the VRWJPO/VRWJPB on a specific matter, the County Attorney's Office will so inform the County and VRWJPB through its Administrator or Co-Administrator. In the event a County Attorney determines a conflict exists, the conflict of interest procedures of the applicable County Attorney's Office will be followed and the VRWJPO/VRWJPB will obtain independent legal counsel to represent the VRWJPO/VRWJPB in the matter where the conflict exists. The parties agree that there is no conflict of interest for either the Dakota County Attorney's Office or Scott County Attorney's Office to represent both their County and the VRWJPO/VRWJPB in preparation and execution of this Agreement. Requests for legal services made by the VRWJPO/VRWJPB will be handled on the same priority basis as that of the Counties.

Funding for the staffing services described herein are covered by the VRWJPO/VRWJPB revenues from the Counties, applicable grant funds or other State appropriations when available. The staffing services and payment for staffing services identified herein shall be in accordance to separate service agreements between the Counties and VRWJPO/VRWJPB.

I. Duties of the VRWJPB.

The VRWJPB shall have the responsibility to prepare, adopt and implement a plan for the Vermillion River watershed that meets the requirements of Minn. Stat. § 103B.231; the responsibility to review and approve local water management plans as provided in Minn. Stat. § 103B.235; the responsibility to regulate the use and development of land in the Vermillion River watershed if the conditions found at Minn. Stat. §. 103B.211, subd. 1 (a)(3)(i)(ii)(iii) are present.

**Commented [WB10]:** Required by Minn. Stat. Sec. 103B.211, subd. 1 (c) See also Rule 8410.0030, Subpart 1 (M)

**Commented [WB11R10]:** May be included in the Bylaws.

**Commented [WB12R10]:** If inserted in Bylaws, there should still be reference to the voting requirements being set forth in the Bylaws.

**Commented [WB13]:** Dakota County and the VRWJPO has a service agreement (9/25/2023) for Travis' administrative services. I will drafting a JPA for legal services.

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III. Powers of the VRWJPB.

A. General Powers.

The VRWJPB is hereby authorized to exercise such authority as is necessary and proper to fulfill its purposes and perform the duties identified in paragraph II(I) above. Such authority shall include, but not be limited to, those specific powers enumerated in paragraph III (Sections B through I) herein. The VRWJPB may refer decisions for approval by the boards of commissioners of Dakota County and Scott County. The VRWJPB shall not have the authority described at Minn. Stat. § 103B.211, subd. 1(a)(6).

B. Contracts.

The VRWJPB may enter into any contract necessary or proper for the exercise of its powers or the fulfillment of its duties and enforce such contracts to the extent available in equity or at law, including contracts with Dakota County and/or Scott County. Additionally, the VRWJPB may enter into agreements pursuant to Minn. Stat. § 471.59. The VRWJPB may approve any contract up to the amount included in the approved annual budget and may authorize its chair, Administrator or Co-Administrator to execute these contracts. No payment on any invoice for services performed by a consultant or any other person or organization providing services in connection with this Agreement shall be authorized unless approved by the chair and vice-chair or by the chair and secretary/treasurer or Administrator or Co-Administrator. The chair shall report to the VRWJPB and the VRWJPB shall ratify any such payments authorized under this provision at its next regular meeting.

**Commented [TT14]:** Revisions proposed in this section are noting that delegation to Administrator and Co-Administrator are needed in this JPA for the formal delegations currently approved through resolution annually to be valid.

C. Funds.

The VRWJPB may disburse funds in a manner which is consistent with the Agreement and with the method provided by law for the disbursement of funds by the parties to this Agreement.

D. Bylaws.

The VRWJPB shall have the power to adopt and amend such bylaws that it may deem necessary or desirable for the conduct of its business. Such bylaws shall be consistent with this Agreement and any applicable laws or regulations.

**Commented [TT15]:** Noting that these will need to be created, but nothing has to be revised in the JPA.

E. Grants and Loans.

The VRWJPB may apply for and accept gifts, grants or loans of money, other property or assistance from the United States government, the State of Minnesota, or any person, association or agency for any of its purposes; enter into any agreement in connection therewith; and hold, use and dispose of such

money, other property and assistance in accordance with the terms of the gift, grant or loan relating thereto.

F. Property.

The VRWJPB may hold such property as may be required to accomplish the purposes of this Agreement and upon termination of this Agreement make distribution of such property as is provided for in this Agreement.

G. Insurance.

The VRWJPB may obtain any liability insurance or other insurance it deems necessary to insure itself and Dakota County and Scott County for action arising out of this Agreement.

H. Exercise of Powers.

All powers granted herein shall be exercised by the VRWJPB in a fiscally responsible manner and in accordance with the requirements of law. The purchasing and contracting requirements of the county which is the lead for the project shall apply to the VRWJPB.

I. Public Participation.

The VRWJPB shall provide for such public participation in the conduct of its activities as will promote understanding of its activities among the public and local governmental units affected by the activities and the informal resolution of disputes or complaints.

IV. Reservation of Authority.

All responsibilities not specifically set out to be jointly exercised by the VRWJPB under this Agreement are hereby reserved to the Counties.

V. Budgeting and Funding.

A. Budget.

By September 1 of each year, the VRWJPB shall adopt a budget for the following calendar year in accordance with Minn. Stat. § 103B.211, subd. 1 (a)(5). Any proposed contribution from Dakota County or Scott County which the VRWJPB deems appropriate to be satisfied from the annual property tax levy must be recommended to Dakota County and Scott County prior to the date by which the counties shall establish their maximum levy pursuant to Minn. Stat. § 275.065, subd. 1. Other proposed contributions or assessments from Dakota County or Scott County may be made at any time.

B. County Funding.

If there is proposed funding from Dakota County or Scott County which is to be satisfied from the annual property tax levy, such proposed funding shall not become the obligation of either county unless and until the respective county has agreed to the funding as part of the county's annual budget and levy process pursuant to Minn. Stat. § 275.065. If there is proposed funding from

Dakota County or Scott County which is not to be satisfied from the annual property tax levy, such funding shall not become the obligation of either county until the respective county has agreed by resolution to the funding.

**Commented [WB16]:** Is there a formula for determining the share of the VRWJPO's annual operating budget for each County? See Rule 84100.0030, Subpart 1 (I).

**Commented [TT17R16]:** The Finance and Budget offices can provide details regarding the formula.

Any proposed funding from Dakota County or Scott County which has been included within the county's levy or which has been approved by resolution of the Dakota County or Scott County board of commissioners shall constitute an assessment against the county and shall be paid over to the VRWJPB pursuant to its terms, this Agreement, and as required by law.

C. Expenditure Policy.

Dakota County and Scott County agree that the budget for each year shall include expenditures which will benefit the portion of the Vermillion River Watershed located in Scott County.

D. Fiscal Agent.

Dakota County agrees to serve as the fiscal agent for the VRWJPB. Dakota County agrees to provide any and all budgeting and accounting services necessary or convenient for the VRWJPB. Such services include, but are not limited to, management of all funds, including county contributions and grant monies; payment for contracted services; relevant record keeping and bookkeeping. The ~~treasurer/auditor~~ Finance Department of Dakota County shall act as controller for the VRWJPB and shall draw warrants to pay demands against the VRWJPB when the demands have been approved by the VRWJPB. Scott County retains the authority to request reports pertaining to any and all budgeting and accounting services. All interest earned from VRWJPB funds shall be credited back to that fund.

**Commented [WB18]:** I will check with Lucie to see if an additional service agreement is needed for these services.

E. Accountability.

All funds shall be accounted for according to generally accepted accounting principles.

VI. Watershed Planning Commission.

As soon as practicable after appointment of the VRWJPB, the VRWJPB by resolution shall establish and make appointments to the Watershed Planning Commission (WPC). The VRWJPB shall utilize an open appointments process for making these appointments.

A. Responsibilities of WPC.

The WPC shall have the responsibility to advise the VRWJPB with respect to implementation of the ~~VRWJPB's~~ VRWJPB's duties pursuant to this

Agreement, including the responsibility to review, comment and recommend upon the proposed watershed management plan; review, comment and recommend upon the proposed annual work plan and budget; and recommend action regarding disputes pursuant to section IX hereof.

B. Membership.

The WPC shall consist of nine members who are residents of the Vermillion River Watershed. One shall be from Scott County and eight shall be from Dakota County. WPC members shall be appointed to three-year staggered terms. WPC members must be and remain residents of the watershed and the County from which they were appointed. WPC members are limited to serving two consecutive terms.

C. Conflict of Interest.

If any WPC member has a financial interest or personal interest with respect to the parties involved, or stands to realize a financial or personal gain or loss with respect to an action on any matter coming before the WPC, that member shall disclose this fact and be disqualified from taking part in any discussion or action on the matter as a member of the WPC. The chair of the WPC shall make rulings on such disqualifications. Any WPC member who believes that the WPC chair should be disqualified from any matter hereunder may refer the matter to the vice-chair who shall make a ruling on such disqualification.

D. Compensation.

Members of the WPC shall be eligible to receive a per diem payment ~~of \$35 in~~ an amount approved by each County per meeting in lieu of expenses.

E. Officers.

The WPC shall elect a chair and vice-chair from among its members. The chair and vice-chair shall serve for one-year terms.

F. Meetings.

The WPC shall meet regularly pursuant to a schedule established by the WPC. Special meetings may be called by the chair. ~~The WPC shall be subject to the Open Meeting Law, Minn. Stat. Ch. 13D.~~

G. Bylaws.

The WPC shall adopt bylaws governing its activities. Such bylaws shall be subject to approval by the VRWJPB and shall be consistent with law and terms of this Agreement.

**Commented [TT19]:** For discussion by the JPB. WPC members have previously discussed whether to require residency in the watershed, but perhaps land ownership only, or more flexibility yet as per MN Statute 103d.331 Advisory Committee, subpart 2 states:

(a) The advisory committee consists of at least five members. If practicable, the advisory committee members selected should include a representative from each soil and water conservation district, a representative of each county, a member of a sporting organization, and a member of a farm organization. Other advisory committee members may be appointed at the discretion of the managers. The members must be residents of the watershed district, except representatives from soil and water conservation districts and counties, and serve at the pleasure of the managers.

(b) In addition, the managers may appoint other interested and technical persons who may or may not reside within the watershed district to serve at the pleasure of the managers.

WPC members have also expressed interest in not setting term limits to maintain adequate WPC membership to conduct business, but members acknowledge they would step down should a willing applicant come forth and wish to serve.

**Commented [TT20]:** CAO will investigate language that will allow for the WPC (advisory committee) to not be subject to open meeting law, allowing for participation via virtual meetings.



H. Staff Support.

Dakota County and Scott County shall provide staff support to the WPC. The cost of such support will be funded through the budget of the VRWJPB. The VRWJPB also may make technical support available to the WPC.

VII. Indemnification.

If the VRWJPB incurs any expenses as a result of a claim for damages, the expenses and any damages paid shall be assessed against the counties in proportionate shares. Proportionality will be measured with reference to fault, percentage of county financial contribution, location of the project or other similar factors giving rise to the damages or expenses. Dakota County and Scott County hereby agree to indemnify, save, hold harmless and defend the VRWJPB, its officers, employees, and agents for negligent or intentional acts or omissions of itself, its officers, employees, and agents that result in expenses or damages assessed against the VRWJPB.

VIII. Records, Accounts, and Reports.

The books and records of the VRWJPB shall be subject to the provisions of Minn. Stat. Ch. 13. The VRWJPB annually shall give a complete written report of all financial activities for the previous fiscal year to the counties.

IX. Dispute Resolution.

Disputes between Dakota County and Scott County may be addressed by any means agreed upon by them, and may include the procedures set forth at Minn. Stat. § 103B.345.

X. Termination.

This Agreement shall continue until it is terminated upon the withdrawal of either member county. Either county may withdraw upon one year's written notice of intent to withdraw to the other county. Withdrawal shall not act to discharge any liability incurred or chargeable to the withdrawing county before the effective date of the withdrawal. Such liability shall continue until discharged by law or agreement.

XI. Distribution of Surplus Funds and Property.

Upon termination of this Agreement, funds and property held by the VRWJPB shall then be distributed to Dakota County and Scott County in proportion to their contributions.

XII. Amendments.

This Agreement may be amended only in writing and upon consent of each of the county boards of commissioners of Dakota County and Scott County.

XIII. Severability.

The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid, or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement unless the part or parts that are void, invalid or otherwise unenforceable shall substantially impair the value of the entire Agreement with respect to either party.

XIV. Replaces Prior Agreement.

This Agreement replaces the 2002 JPA executed by Dakota County and Scott County as it relates the powers, duties and obligations to be exercised hereunder commencing on the date that this Agreement is executed by the parties hereto.

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**IN WITNESS WHEREOF**, the parties have executed this Agreement on the dates indicated below.

Approved as to form:

**COUNTY OF DAKOTA**

\_\_\_\_\_  
Assistant Dakota County Attorney/Date

By \_\_\_\_\_  
Donald J. MaherJoe Atkins  
Chair, Board of Commissioners  
Date of Signature \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Mary Scheide???  
Clerk to the Board  
Date of Signature \_\_\_\_\_

Commented [TT21]: To be identified at a later date

Approved as to form:

**COUNTY OF SCOTT**

\_\_\_\_\_  
Assistant ~~Dakota~~Scott County Attorney/Date

By \_\_\_\_\_  
Barb Weckman Brekke  
Chair, Board of Commissioners  
Date of Signature \_\_\_\_\_

ATTEST:

???

Clerk to the Board

Date of Signature \_\_\_\_\_

**Commented [TT22]:** To be identified at a later date

K/K02-181 Vermillion River Watershed Board JPA

| [New Map to be Inserted](#)