**Lower St. Croix One Watershed, One Plan**

**Policy Committee, Meeting 19**

**Oct. 26, 2020 Board Minutes**

**APPROVED 1-25-21**

**Call to Order**

Meeting called to order at 4:02pm by Chair Fran Miron.

*Members Present:* Anoka SWCD – Sharon Lemay

Brown’s Creek Watershed District – Craig Leiser

Carnelian Marine St Croix WD – Wade Johnson

Chisago County – Chris DuBose

Chisago SWCD – Jim Birkholz

Comfort Lake Forest Lake WD – Jackie Anderson (alt.)

Isanti County – Susan Morris

Isanti SWCD – Jerry Schaubach

Middle St. Croix WMO – John Fellegy

South Washington Watershed District – Don Pereira

Sunrise River JP WMO - Janet Hegland

Washington County – Fran Miron

Washington SWCD – Diane Blake

Pine County- Stephen Hallan

*Members absent:* Pine SWCD – Doug Odegard

*Staff Present:* Angie Hong – EMWREP

Craig Mell – Chisago SWCD

Jamie Schurbon – Anoka SWCD

Maureen Hoffman – Washington County

Tiffany Determan – Isanti SWCD

Jerry Spetzman – Sunrise River WMO

Jay Riggs – Washington Conservation District

Matt Moore – South Washington Watershed District

Susanna Wilson-Witkowski – Chisago County

Mike Isensee – Carnelian-Marine-St. Croix Watershed District

Mike Kinney – Comfort Lake – Forest Lake Watershed District

Emily Heinz - Comfort Lake – Forest Lake Watershed District

*Others attending:* Barb Peichel – BWSR

**AGENDA ITEMS**

***Introductions; Approve Oct. 26, 2020 agenda***

Don Pereira has stepped down from the South Washington WD board but will continue to serve as the SWWD representative to the 1W1P Policy Committee through the end of the planning period. The SWWD board designated him as their representative at their October board meeting.

Sharon Schwartz will be moving outside the Brown’s Creek WD in November and will no longer be serving on the BCWD board or as the alternate to the 1W1P Policy Committee.

Janet Hegland joined the meeting during staff introductions.

John Fellegy motioned to approve the agenda. Steve Hallan seconded the motion. The motion passed on a roll call vote with all in favor.

***Approve July 27, 2020 meeting minutes***

Susan Morris moved to approve the July 27, 2020 minutes. John Fellegy seconded. Role call vote:

* Sharon Lemay, Chris DuBose, Jim Birkholz, Jackie Anderson, Susan Morris, Jerry Schaubach, John Fellegy, Diane Blake, Stephen Hallan, Janet Hegland - aye
* Craig Leiser, Don Pereira, and Fran Miron abstained because they were absent from the July 27 meeting.
* With 10/15 members voting yes, the motion to approve July 27, 2020 minutes passed.
* Chair Miron noted for future reference that board members can vote to approve meeting minutes even if they were not in attendance if they believe the minutes are accurate.

***Update on BWSR Central Region Committee Meeting***

Jay Riggs gave a short overview of the BWSR regional committee meeting. Barb Peichel said Jay and Fran Miron did a good job of presenting the LSC 1W1P plan and process to the committee. The plan was well received by the Committee and has been recommended for approval by the BWSR Board at its Oct. 28, 2020 meeting.

Fran Miron thanked staff for preparing a good presentation for the BWSR regional committee meeting and explaining the plan and process well.

Matt Moore congratulated the group for working as a team to complete the plan.

Wade Johnson joined the meeting.

***Update from LSC Steering Committee on 2021 annual plan development***

Angie Hong provided an update on Steering committee meetings held on Sept 24 and Oct 7. The steering committee will be meeting again on Dec. 14 after BWSR announces Clean Water Fund grant recipients. In 2021-22 $1.2M in Watershed Based Implementation Funds (WBIF) will be distributed based on Policy Committee recommendations. Angie provided summary of priority tasks to be funded. The Steering Committee will come back to Policy Committee with a proposed budget in January 2021.

Steve Hallan asked about the goal to work with farmers owning more than 3000 acres of land in the LSC watershed. Craig Mell clarified that goal is to work with the owners of at least 3000 acres TOTAL – not to identify one farmer with 3000 acres.

Jackie Anderson asked to clarify that the expanded education program will only serve the portions of Anoka, Pine and Isanti Counties that are part of the Lower St. Croix Watershed.

***Review Revised Joint Powers Collaboration Agreement***

Jamie Schurbon discussed proposed changes to the JPC recommended by legal counsel and the planning team.

Craig Leiser requested that the representatives from Chisago County have background or experience in water management. Commissioner Chris Dubose explained that the county’s intent is to have one county commissioner, one lake improvement district member, and one “other” representative, who will most likely be a farmer.

The group discussed proposed edits to section 7a that would change the approval needed from governing bodies from 2/3rds approval to less than 1/3rd in opposition. The edit was suggested by the attorney team to address Policy Committee concerns about a potentially cumbersome decision-making process. Both John Fellegy and Jerry Schaubach expressed concern about the proposed new language. John Fellegy prefered to have recommendations voted on and approved rather than automatically pass if there are no objections. Craig Leiser clarified that “no action” signifies approval with the new wording. Jackie Anderson said that the rest of the JPC requires 2/3 approval and that this change would be in conflict with the JPC. She suggested that this approach be explained in more common terms within the agreement. Fran Miron asked if the attorney team had concerns with the proposed change to section 7a. Jamie Schurbon clarified that the attorney team were the ones that recommended the change. Jim Birkholz suggested a minor wording change – that after adoption, the parties would also “communicate” their decision to the policy committee.

The policy committee decided to remove the 1/3 non-vote clause change in section 7a, and revert to the previous text with an approval structure requiring 2/3rds approval from the governing bodies.

Jerry Schaubach expressed concern about the language in section 4b that requires unanimous consent for any amendment to the agreement. After discussion, Policy Committee members decided to change the language to require 2/3rds approval for amendments to the agreement.

Craig Leiser provided additional grammatical edits.

Jackie Anderson expressed concern about Section 5f and 5g regarding data – that everyone maintain records the same way. It would be best if parties to the agreement maintained their data regarding the collaboration in a similar manner.

Jackie Anderson questioned section 8d that states a party to the agreement must bear the costs it incurs to participate, unless grant funds can cover the expense. She noted that this could be a heavy burden for Chisago SWCD and Washington Conservation District if they take on administrative roles. Craig Mell and Jay Riggs agreed and appreciated the comment, but said they were comfortable accepting the roles and risk of uncompensated work at this time.

***Consider approval of revised JPC agreement***

Jamie Schurbon summarized the policy committee preferences for changes the JPC:

* Section 2b: Change the time period for initial parties to join from 120 days to 60 days.
* Section 7b: Specify that all three Chisago County representatives do not need to be county commissioners.
* Section 8b: Change the initial administrative coordinator to Chisago and Washington SWCDs.
* Minor grammatical corrections throughout the document.
* Do NOT make the proposed change to 7a that would have changed the governing bodies approval threshold from 2/3rds approval to 1/3rds opposition.

Jerry Schaubach moved to recommend the revised JPC to each partner’s local governing body for approval. Chris Dubose seconded. The motion passed on a roll call vote with all in favor.

***Discuss plan adoption steps***

Jamie Schurbon summarized the plan adoption process. A sample resolution and guidance memo have been provided to the committee and staff, and a revised JPC will be provided to staff following this meeting. All parties should engage with their own legal counsel.

When updating the sample resolution, each adopting entity will need to change the language to explain what plan adoption means for them. Jackie Anderson asked if the options of “replace”, “supplement”, or “use as guidance” are defined by BWSR. Barb Peichel said that Julie Westerlund is working on those definitions, but none are presently available.

Jamie Schurbon stated that governing bodies will have 60 days following BWSR Plan approval to become initial parties to the agreement. Therefore, the anticipated deadline to join will be December 28, 2020. Partners may join the agreement later, but if they do, they will not be in place early enough to review and approve the 2021 annual work plan.

When parties join the JPC and adopt the plan, they also need to authorize a representative to serve on the Policy Committee. This will be a new Policy Committee for the purposes of plan implementation. Current members of the planning Policy Committee may serve this role, but will need a new authorization by their governing board. This must be done by Dec. 28, 2020, and can not wait until January 2021 when boards make other committee assignments.

John Fellegy asked how Valley Branch Watershed District would become part of the Joint Powers Collaborative. Craig Leiser said he has talked to VBWD engineer John Hansen and Board President Jill Lucas and offered to attend one of their meetings. Maureen Hoffman will help to coordinate. Jamie Schurbon noted that VBWD is an eligible party and will have an equal opportunity to participate in the plan implementation.

The new Policy Committee will need to meet in early January 2021 in order to stay on track for BWSR grant implementation deadlines. Angie Hong will send out an email poll to find a meeting date, most likely within the first week of January. The group suggested that it may work to continue meeting on Mondays from 4-6pm but move the meeting date from the fourth Monday of the month to the first.

***Wrap up and adjourn***

Fran Miron suggested that he could close meeting as chair without need to take a roll-call vote. Craig Leiser motioned to adjourn the meeting. John Fellegy seconded the motion. As such, the group was required to take a roll call vote. All members voted yes and the meeting was adjourned at 4:53pm.