



# Sherburne **SWCD**

Bylaws, Operating Rules & Guidelines

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Adopted January 9th, 2020



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## **I. OVERVIEW**

### **A. Purpose**

The Sherburne Soil and Water Conservation District (SSWCD) (hereinafter referred to as “District” or “SSWCD”), assists land occupiers in both rural and urban settings to protect soil, water, and related resources. The SSWCD is a legal subdivision of the State of Minnesota, operating under a charter issued by the Secretary of State. The SSWCD receives its authority from Minnesota Statutes Chapter 103C. The SSWCD Board of Supervisors (hereinafter “Board”) operates as a deliberative and legislative assembly, meeting to discuss and determine the direction and policies of the District within the confines of state and federal law.

The SSWCD Board functions within the statutory framework of Minnesota law. General duties, powers and responsibilities are found in Minnesota Statutes, especially but not exclusively Ch. 103C. Minnesota Statutes supersede all bylaws, rules, and policies established by the Board.

### **B. Statement of Principles**

These Operating Rules intend to strike a procedural balance that considers all principles and enunciates a specific process by which those principles interact and work. The rules are representative of the organization's values and mission.

#### ***Mission Statement***

*The Sherburne County Soil & Water Conservation District is dedicated to working directly with landowners and agencies in order to promote the wise and sustainable use of our land and water related resources; to educate and inform the public about these uses; to help solve the resource problems within the District and to serve as a county wide natural resource information and referral center.*

### **C. Effective Date**

These Rules shall become effective upon passage by the SSWCD Board.

## **II. AMENDMENTS TO THE OPERATING RULES**

During the January meeting, the Board shall review, amend if necessary, and adopt the Operating Rules for the year.

Any time throughout the year, the Board may amend (or suspend) the Operating Rules by an affirmative vote of the members. Changes shall be effective immediately upon passage.

Any member of the Board may initiate action to amend the Operating Rules. Amendments to the Operating Rules may also be recommended by the District Manager.

The statute references included in the text are current as of the adoption of the Operating Rules. Any changes in statute or law affecting the Rules are effective immediately and may be reflected in a future draft of the Rules.

## **III. SSWCD BOARD ORGANIZATION**

### **A. Membership**

The Board consists of five (5) Supervisors elected from five districts. Each Supervisor is elected pursuant to Minn. Stat. Secs. 103C.305 and .311, as amended.

## B. Supervisor Districts

The boundaries of Supervisor districts, including the procedures to follow in the event that a redistricting is required, are established pursuant to Minnesota Statute 103C.311 (as amended).

## C. Terms of Office

The term of each Board member is four years, except as otherwise established pursuant to Minnesota Statute 103C.315, Subd. 2 (as amended).

## D. Vacancy

If a vacancy occurs in the office of an elected supervisor more than 56 days before the next state primary, the district board shall fill the vacancy by appointment pursuant to Minn. Stat. Sec. 103C.305, Subd. 6a (as amended). The supervisor appointed shall hold office until the second Monday in January following the next general election. A successor shall be elected at the general election following the appointment and hold office for the remainder of the term or for the next regular term, whichever is appropriate.

If a vacancy occurs less than 56 days before the next state primary, the Board shall fill the vacancy by appointment pursuant to Minn. Stat. Sec. 103C.305, Subd. 6b. The appointed supervisor shall hold office until the expiration of the term or until the second Monday in January following the second succeeding general election, whichever is shorter. A successor shall be elected at the general election preceding expiration of the appointed term and hold office for the remainder of the term or for the next regular term, whichever is appropriate.

If a vacancy occurs on the Board, a Public Notice will be put in the official District newspaper announcing the vacancy. Other advertising may be done as well. The Public Notice will direct the applicant to send a letter of interest and resume to the Board of Supervisors. The Board will then choose the applicant based on the information provided or may request an interview process with any interested applicants.

## E. Removal of a Supervisor

A supervisor may be removed from office in accordance with the procedures under sections 351.14 to 351.23 for malfeasance or nonfeasance in office, but for no other reason.

## F. Officers

The Board, at its January Board meeting, elects from its members a Chair, Vice-Chair, Recording Secretary, Treasurer, and Reporter. If the Board chooses to rotate Officers, the Reporter would serve as Treasurer, Treasurer to Secretary, Secretary to Vice-Chair, Vice-Chair to Chair, and Chair to Reporter.

The Chair presides at all Board meetings, decides on questions of order, and signs all documents requiring signature of the Board. The chair is authorized to sign checks. The Chair's signature, attested to by the District Manager or designee, is binding as the signature of the District Board.

The Board elects from its membership a vice-chair at the same time and place and in the same manner as provided for the election of the chair. The vice-chair performs the duties of the chair when the chair is unable to perform those duties. The vice-chair is authorized to sign checks.

The Board elects from its membership a recording secretary at the same time and place and in the same manner as provided for the election of the chair and vice chair. If the Chair and Vice-Chair are absent from any official meeting, the Secretary will act as temporary Chair, and all documents requiring the signature of the SSWCD Chair shall be signed by the temporary Chair and attested to by the District Manager. The secretary is authorized to sign checks. The recording secretary signs all District Board's Minutes.

The Board elects from its membership a treasurer at the same time and place and in the same manner as provided for the election of the chair and vice chair. The treasurer is authorized to sign checks. The treasurer also is assigned to the Budget Committee to oversee finances of the District.

The Board elects from its membership a reporter at the same time and place and in the same manner as provided for the election of the chair and vice chair. The reporter is liaison between the district and the public. The reporter is authorized to sign checks.

Committees may be formed, by majority vote of the Board, for any purpose in furtherance of the business of the Board. The Chair shall have the authority to appoint members of the Board to any committee of the Board.

## G. Office Duties

### **Chair**

The Chair is the steering mechanism of the District. It is up to the Chair to do that little extra to motivate board members and other public-minded individuals to do what they can to assist in serving the present and future citizens of the District. After receiving a few years of board experience, a supervisor should welcome the opportunity to be Chair of the board. It provides an opportunity to become more closely involved and gain a broader perspective of the total program and its purpose.

Specific responsibilities of the Chair are to:

- Preside at all meetings.
- Call special meetings when necessary.
- Meet with District office staff members, the District Conservationist, and heads of other agencies involved at least one week prior to the scheduled meeting to address agenda items. This can be done by a short office visit and perhaps a few telephone calls or emails. A formal meeting may not be necessary.
- Refer regularly to the long-range goals of the District and the District Annual Plan of work and operations when preparing the agenda, trying to ensure that all planned activities are addressed.
- Ensure a copy of the agenda, minutes of the previous meeting, and a financial statement (at a minimum) are sent to each board member three to four days prior to the meeting.
- Ensure that agendas and pertinent material are sent to all individuals who should attend the meeting and take part in the discussion.
- Keep in contact with other supervisors on the progress of various programs delegated. Insist on regular attendance of supervisors.
- Call meetings to order promptly and at the specified time. Follow proper rules of order for a business meeting.
- Recognize visitors and other individuals present at the board meeting.
- Assume the role of facilitator. This will encourage all supervisors to participate in discussion of existing issues.
- Complete an item of business in the order listed before taking up the next item. Stick to the agenda.
- Utilize special committees to involve individuals other than board members and require committee reports at board meetings.
- Avoid the "rubber stamp approach." Encourage board members to question staff or individual presenters regarding clarification of a specific point, thus allowing them to draw conclusions to adequately make their own decisions.
- Adjourn meeting promptly after all business has been completed.

### **Vice Chair**

The Vice-Chair position becomes most important in the absence of the chair. The Vice-Chair should note the activities of the Chair and how they are carried out, in case it is ever necessary for the Vice-Chair to chair a meeting.

Specific duties of the Vice-Chair are to:

- Assume the duties of the Chair in the absence of the Chair.
- Assist in organizing and implementing the District programs.
- Oversee the work of committees and coordinate their reports as delegated by the Chair.
- Be familiar enough with the programs of the District to be able to work closely with the Chair and fill in when necessary.

### **Secretary**

The primary responsibility of the District Board Secretary is to arrange for the recording of official proceedings of the board and to see that the entire board approves the minutes as the legal record of the District. As elected officials using public funds, these minutes should then be signed, becoming the permanent record of what is done and why. Copies for general information purposes should be forwarded or made available to the area and central office of the Board of Water and Soil Resources. They can also be sent to other interested organizations, such as the local chapter of the employees association, other state agencies, etc.

Specific duties of the Secretary are to:

- Make a complete record of all proceedings.
- Indicate date and place of meeting, refer to whether it is a regularly scheduled meeting or a special meeting, official presiding, names of all those present including visitors, organizations represented, and names of supervisors absent.
- Record each motion in full.
- Complete action on each item of business so that a record can be made of what was addressed and completed.
- Initiate correspondence on behalf of the Board as the need arises.
- Inform the Chair of any business that should come before the Board.
- Sign the official copy of the Board minutes after approval by the Board at the next meeting and see that the Chair does likewise.

### **Treasurer**

The District Treasurer is responsible for the financial matters of the District, including the financial records.

Specific duties of the Treasurer are to:

- Oversee the completeness and accuracy of District receipts and expenditures.
- Be prepared to answer questions from other Board members regarding monthly and/or quarterly financial statements, as well as year-end figures.
- Oversee payment of bills approved by the Board and issuance of receipts for incoming funds.
- Assure that all bills authorized for payment by the District Board are recorded in the minutes of the meeting.
- Work with the District Manager to develop a fiscal year budget.
- Arrange for surety bonds covering appropriate SWCD Supervisors and staff.

### **Reporter**

The Reporter is the liaison between the District and the public. This person assures that the District's purpose, activities, and value are understood by the public and elected officials. He or she also oversees education programs that address priority natural resource issues in the District. The Reporter represents

the District when communicating with the media and at public events where official representation from the District Board is beneficial. The Reporter should work with the District Manager to develop a District information and education strategy that is reviewed annually and revised as needed. The strategy should address, but not necessarily be limited to:

- Working with the media to communicate District messages and to establish the District as a reliable source of natural resources information.
- Utilizing community events and meetings of community organizations to share District information.
- Informing others that serve district clientele of the District's services so they can provide referrals and accurate information. Examples include agri-businesses, bankers, land improvement contractors, university extension educators, and county department staff.
- Maintaining communication and establish relationships with township, county, state, and federal elected officials so they are informed on priority soil and water resource issues in the district and are aware of the District's activities and value.
- Working with K-12 schools, technical colleges, colleges, University of Minnesota Extension Service, and other educational institutions to provide natural resources education and service learning opportunities to children and adults.
- Assuring the District office is readily located by clientele, and that District information is easily found in the phone book, on the Internet, and from county offices, libraries, and other common sources of public information.

## H. Compensation

Board members receive as compensation for services, a per diem amount which cannot exceed the maximum daily amount as stated in Minn. Stat. Sec. 103C.315 Subd. 4. The current per diem amount is **\$75.00**. The per diem will be set at the January Board meeting each year, and is effective January 1 of the new year, or as amended at a Board meeting.

## I. Supervisors Expenses

Each member of the Board is reimbursed for expenses while doing business on behalf of the SSWCD. Typical expenditures subject to reimbursement include mileage, parking, telephone calls, and expenses pertaining to conferences, seminars, trainings, and meetings related to District activities including meals, mileage, and lodging. No reimbursement for any expenses pertaining to any conference, training, seminar, or meeting will be paid unless the Board Member first obtains the advanced approval by an official Board action. No expenses are subject to reimbursement unless necessarily incurred by a Board Member in order to fulfill the duties of office. Receipts for all expenses are required to obtain reimbursement.

## J. Meetings

Supervisors may be able to attend meetings, seminars, updates of elected duties, that would affect the ability of a SWCD supervisor to gain knowledge to further the SSWCD. A verbal or written report summarizing the meeting is required to be presented to the board at the next regular scheduled meeting.

## K. Electronic Communications

SSWCD provides Supervisors with individual electronic mail (e-mail) accounts. This resource is provided to the Supervisors in an effort to allow them to be more efficient, productive and to have access to information that is necessary for them to carry out their roles as a Supervisor.

E-mail accounts are not to be used for personal gain or to support or advocate for non-district related business or purposes.

The SSWCD reserves the right, as reasonably necessary, to search, review, audit, intercept or access any Supervisor's e-mail account. All messages created are the property of the SSWCD.

The contents of electronic data sent by, between and/or to individuals may be subject to the Minnesota Government Data Practices Act. Under the Minnesota Government Data Practice's Act the public has broad access to government records. All email messages are subject to the SSWCD's retention policy.

## **IV. SSWCD BOARD MEETINGS**

### **A. Regular Meetings**

The regularly scheduled Board meetings for the upcoming year are set during the January Board Meeting each year. All Board meetings are held at the SSWCD District office, located at 425 Jackson Ave NW, Elk River, Minnesota, unless noticed to take place at a different location. If a Board meeting date, time, or location needs to be changed, an official notice is posted in the District office and on the District website at least three days prior to the scheduled meeting. All regular Board meetings are open to the public and posted at the SSWCD District office and on the District website.

A District supervisor must be permitted to take time off from their regular employment to attend meetings required by their public office (M.S.211B.10,subd.2). The District supervisor is responsible to come to an agreement with their employer as to whether the time off will be without pay, with pay, or made up with other hours. Retaliatory action cannot be taken by the employer for absences to attend meetings required by the District Supervisor's office.

### **B. January Meeting**

The Board, during the January meeting, transacts organizational business including:

1. Administer oath of office (if required).
2. Elect officers.
3. Approve Agenda
4. Adopt District Board Bylaws, Operating Rules & Guidelines
5. Appoint Supervisors to District committees
6. Establish Meeting Dates and Times for the remainder of the calendar year
7. Designate Financial Institution
8. Designate Official Newspaper
9. Adopt Fee Schedule
10. General Business

### **C. Open Meeting Law**

All meetings of the Board are subject to the Open Meeting Law, (Minn. Stat. ch. 13D).

### **D. Closed Meetings**

The Board may convene in closed session as required or permitted by law.

### **E. Special/Emergency Meetings**

The Board may hold a special or emergency meeting if deemed necessary by the Chair or District Manager. Procedures to schedule a special or emergency meeting shall be in accordance with Minn. Stat. Sec. 13D.04 (as amended).

The Board may schedule work sessions, retreats, forums, or additional meetings at such times and in such places and concerning such subjects as deemed necessary to further Board business. A schedule of such meetings shall be maintained in the SSWCD Office. Work sessions and other informal meetings of the Board, not regularly held shall be subject to the notice requirements of the Open Meeting Law.

A joint meeting with the Board and any other political subdivision may be held within the boundaries of either subdivision as will be specified in the meeting notice.

## F. Meeting Conduct

The following meeting conduct rules shall apply for all Board meetings:

1. Respect the dignity of each individual.
2. Respect one another's opinions and right to speak.
3. We realize that our thinking processes are shaped by our backgrounds. None of us can be completely objective as a result. We all have our natural biases that we may not even be aware of. We must respect that in one another. Backgrounds are neither right nor wrong; they just are. Diversity, differences, conflict are all inevitable.
4. We choose to deal with conflict in a healthy manner. Therefore there will be no name calling and putdowns of individuals or ideas. This does not mean you can't openly disagree and support your ideas, opinions and facts.
5. Listen respectfully - no interruptions.
6. In the interest of time, time limits may be established.
7. Questions may be asked of the presenters during the time allotted.
8. It is the duty of the Chair to enforce decorum at all meetings.

## G. Open Forum

All business matters initiated by citizens coming before the Board must first be reviewed by the Chair and District Manager, and scheduled for discussion on the appropriate agenda.

If an individual seeks to appear before the Board he/she should notify the Chair and District Manager of his/her intention and the issue to be presented. The Chair and District Manager will confer with the individual, address the issue and, with the approval of the Chair, schedule the issue accordingly on the appropriate Board agenda.

Any individual attending a Board meeting will be granted 5 minutes time to give a presentation or explanation in regards to their presence at the meeting, at the Chair's discretion.

1. The purpose of the Open Forum section of the SSWCD Board Meeting is to allow the public input and/or information to be presented to the Board that does not require action by the Board;
2. Personal attacks of any kind against another person are not allowed;
3. Campaign-type presentations are not allowed;
4. All input or information is to be addressed to the Board and not members of the audience;
5. Speaker handouts are public information. The SSWCD may make copies of such handouts for the public if needed;
6. The Board Chair will ensure that the Open Forum Policy is followed.

## H. Public Attendance

The public is allowed to attend and participate in all open Board meetings. All approved minutes of Board meetings are kept in the SSWCD office, and can be reviewed by the public during office hours.

## I. Quorum

A quorum shall be necessary for the transaction of business. A majority of the members of the Board shall constitute a quorum. No business shall be transacted unless voted on by a majority of the Board members present. Less than a majority of members may convene a meeting, but no business may be transacted.

Any Board member who, for any reason, anticipates or plans an absence at any regular or special meeting shall contact the Board Chair or the District Manager to indicate his or her planned absence.

## J. Role of Presiding Officer

The presiding officer of the meeting will be the Chair. In the absence of the Chair, the presiding officer will be the Vice-Chair. The duties and powers of the presiding officer shall include the following:

1. Preside at all Board meetings.
2. Preserve order and decide questions raised by members subject to appeal to the Board.
3. Require the vote on all questions regularly moved and to announce the result.
4. Review and comment on the draft agenda with the manager before each regular and special meeting of the Board.
5. Serve as representative of the Board in execution of contracts, orders, resolutions, determinations and minutes of the Board.

The Chair of the Board may make a motion and has the same voting rights and responsibilities as other members.

## K. Addressing the Chair

Formal protocol will be used when speaking to the Board. The Board Chair shall be addressed as "Mr. /Madam Chair." Members of the Board shall be addressed as "Supervisor (last name)."

Any member of the Board, or members of the public, may speak on any matter before the Board when recognized by the Chair and within established procedures as outlined under item G. Open Forum.

## L. District Manager

The District Manager or designee shall attend all Board meetings. If a staff member requests an item be on the Board agenda but cannot attend the meeting, the District Manager will represent staff at the meeting. The District Manager or District staff may participate in the discussion or recommend a resolution or action to the Board. A member of the Board may call on the District Manager or staff member to participate in the discussion or provide a verbal recommendation on any subject pending before the Board. The District Manager has authorization to sign checks. The District Board has delegated Grant Agreement and Contract Approval Authority to the District Manager. Contracts exceeding \$10,000.00 will be brought before the Board for approval.

The District Manager, Chair or designee shall prepare a written agenda for all regular and special meetings of the Board. The District Manager, Secretary or designee shall also: 1) make regular entries of all Board resolutions and decisions upon all questions; 2) record the vote of each member on any question submitted to the Board; 3) preserve and file all business acted upon by the Board; 4) certify copy any and all resolutions or decisions of the Board; and 5) perform such further duties as designated by the Board.

# V. CONDUCT OF DEBATE

## A. Principles

The Rules of Parliamentary Procedure embodied in Robert's Rules of Order may, in the Chair's discretion, govern the Board in all cases applicable, except as modified by the rules herein and applicable Minnesota Statutes.

## B. Parliamentarian

The Rules of Order governing Board meetings shall be referred to the Board Chair for interpretation and enforcement. The Board Chair may consult with Board members and/or the County Attorney in interpreting and deciding upon rules and questions of order.

## C. Role of the Chair

The Chair shall preside over the debate, ensuring equality and fairness in discussion. If necessary, the Chair may restate or ask the District Manager or the minute taker to restate who made the motion, who seconded the motion, and announce the result of the vote.

## D. Adoption

A motion or resolution shall be adopted if approved by a majority of the Board members present. (MN Stat. 103C.315)

## E. Voting

Voting shall be recorded as a "yes" or "no" vote by the minute taker or Secretary and duly noted in the minutes. Unless a Supervisor signifies an abstention or vote in the negative on any given issue, the minute taker or Secretary shall be directed to record that each Supervisor has voted in the positive on that particular matter which is before the Board. A roll call, if requested by any member, shall be called by the Chair, in a predetermined order based on the seating of the members and rotating with each resolution voted upon.

## F. Policy Changes

A 4/5th vote is required to make policy changes to the Sherburne Soil & Water Conservation District Board Bylaws and Operating Rules manual.

## G. Conflict of Interest

*"Conflict of Interest"* is defined as: an individual or organization that is involved in multiple interests, one of which could *possibly* corrupt the motivation for an act in the other.

### **Board**

The Board expects ethical conduct by itself and its members. This includes proper use of authority and appropriate decorum when acting as Board members, whether as a group or individually. Any Board member must disclose to the Board any conflict of interest or potential conflict of interest that member has or may have with any person, organization, or entity that is the subject of or may be affected by any Board action; and affirmatively requires that member not vote, and not to otherwise participate in, any discussion or formal or informal action of the Board with respect to that item.

### Gifts and Gratuities

In compliance with limits established by MN State Statutes pertaining to acceptance of gifts and benefits by elected officials;

- Board members should not accept gifts or benefits likely to place them under an actual or perceived financial or moral obligation to other organizations or individuals.
- Board members will not demand or accept in connection with their official duties any fee, favor, reward, gratuity or remuneration of any kind, outside the scope of their entitlements as a board member.
- Board members should not use their position for personal gain or accept a gift if it could be seen by the public, knowing the full facts, as intended or likely to cause a member to act in a particular way or deviate from public duty.

## Private Interests

Board members are expected to place public interest above personal interests and not to use their position for personal gain. Conflicts between private interests and public duties can arise when:

- A member stands to make a financial gain from a board decision.
- A member's spouse, children or near relative stands to make a financial gain.
- A member holds membership of another organization likely to benefit from a board decision.
- A member's spouse, children, near relatives, or close associates are members of an organization affected by board decisions.

Accordingly, board members will:

- Openly declare matters of a private interest such as investments, relationships, voluntary work and membership of other groups that may conflict or be perceived to conflict with the member's public duty.
- Record any issues of conflict to ensure they are transparent and capable of review.
- Disqualify themselves from any board discussions and decisions where a conflict of interest has, or could occur.

## Staff

An employee shall not engage in any employment, private enterprise, participate in any professional activity, or perform any act of service during or outside their employment with the District, including volunteer work, which could adversely affect the employee's ability to perform the normal duties and responsibilities of their position, or which is adverse to the interests of the District.

The performance of an act in other than the capacity as an employee which may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement by said employee that is employed by the District is prohibited.

Employees shall notify the District Manager, in writing, when they obtain outside employment, including the nature, place, and working hours. The District Manager shall examine whether the outside employment or activity is of a similar nature to District employment. The District Manager will indicate approval or disapproval in writing with a copy forwarded to the Personnel Committee. In instances where the Personnel Committee finds an actual or apparent conflict of interest, the District can disapprove a District employee's outside employment only in cases of potential conflict of interests or time conflicts. In such cases, the aggrieved employee may appeal the determination to the District Board, whose decision shall be final. An employee's failure to disclose non-District employment as referred to in the Employee Discipline and Discharge rule, Section XI, may be grounds for disciplinary action, including suspension or termination.

If an employee is participating in any non-compensated activity that may cause a conflict, as referred to in the Employee Discipline and Discharge rule, Section XI, he/she is encouraged to discuss the activity with the District Manager. If a potential for conflict exists, the Personnel Committee will make a determination as to actual or apparent conflict of interest. If the activity is disapproved by the Personnel Committee, the aggrieved employee may appeal the decision to the District Board, whose decision shall be final.

## VI. TYPES OF BOARD ACTION

### A. Resolution/Motion

The Board takes formal action only by a verbally stated motion or written resolution, both of which are initiated through a motion. A motion may be introduced only by a member of the Board.

Since it is the basic motion for the transaction of business, only one subject may be considered at a time, with the exception of motions to amend a motion under consideration, and a new motion may be proposed only when no other motion is before the Board.

## B. General Consensus

The Board provides informal direction by consensus. Informal direction is most often used to provide staff with preliminary Board perspective on a matter which will require future formal action by resolution or motion. Informal direction is also used to provide additional insight into formal actions previously taken. Informal direction standing alone does not establish Board policy or authorize action.

## C. Policy Development

The Board may delegate certain authority, as appropriate, through Board resolutions. These delegations of authority may be rescinded at any time by the Board.

## D. Notice of Resolution

Any member of the Board may introduce a resolution for consideration and action pursuant to general rules and operating procedure. A copy is provided to other Board members and the District Manager with as much advance notice as reasonable and practical.

The introduction of resolutions during the Board meeting occurs by motion and second as more fully set forth in Section IV. Resolutions not included on the printed Board Agenda that is sent out one week prior to the Board meeting, needs to be added to the Revised Agenda, by a request from the Supervisor requesting the resolution.

The Board may at any time refer an item or resolution to a Committee for further review and deliberation.

# VII. SSWCD BOARD AGENDA

## A. Preparation and Distribution

The SSWCD District Manager and Board Chair shall prepare the agenda and supporting material for each regular and special meeting. Members of the Board may request that an item be placed on the Agenda by informing the District Manager or the Board Chair. The District Manager or Board Chair shall include an item on the agenda if a member directs that the item be placed on the agenda at least seven (7) days prior to the meeting for which the agenda is to be prepared.

The Board agenda packet, including the meeting agenda and supporting material, shall be received by each member of the Board approximately one week preceding the regular Board meeting (second Thursday of each month).

Copies of the agenda and supporting material shall be made available to the District staff, public, and media as appropriate. A distribution list shall be maintained in the District Office. Members of the public who are interested in following issues considered by the Board may register their name and address with the District Office for placement on the agenda distribution list.

If possible, Board members are encouraged to identify and request future agenda topics before the Board meeting adjourns. Early identification of future agenda items informs the Board that a particular subject will be discussed and provides staff an opportunity to conduct any research, study and background sufficient to support the Board discussion.

## B. Order of Business

The Order of Business for each regular meeting of the Board may be as follows:

1. Call to Order

2. Pledge of Allegiance
3. Open Forum
4. Approval of Agenda
5. Approval of Consent Agenda
  - a. Approval of Minutes
  - b. Acceptance of the Financial Report
  - c. Payment of Bills
6. Sherburne SSWCD Committee Reports
7. District Manger's Report
8. District Staff & NRCS Staff Monthly Reports
9. Old Business
  - a. Cost Share/Loan Programs
10. New Business
  - a. Contracts
11. Upcoming Meetings/ Correspondence
12. Adjournment

The Order of Business may be changed as needed to accomplish objectives and priorities of the meeting. The Order of Business may be changed at the recommendation of the Chair, any member of the Board or the District Manager subject to Board consensus.

### C. Board Meeting Agenda and Discussion

The Regular Agenda will consist of items which are likely to and/or require additional discussion and review. Items of business on the Agenda shall be considered individually and in the order of business as noted on the agenda unless modified by the Board Chair.

If an Agenda item requires Board discussion and analysis of major issues of District business prior to formal action, the item will be discussed during the regularly scheduled Board meeting. The District Chair will determine if adequate discussion has been held on the item for the Board to make a formal decision on the item, and will call for a motion or resolution.

### D. Official Records

The Secretary, District Manager or designee shall prepare the official minutes of each meeting. Board meeting minutes shall be kept in accordance with all provisions of statute in order to provide an accurate record of Board actions. The record is not intended to be a verbatim transcript of all discussion and debate; the record is primarily a compilation of official actions.

The minutes of the Board meetings shall be prepared and submitted for approval at the next succeeding Regular Board Meeting. The Official Board Minutes are also distributed to staff and interested parties.

The official public record of Board meetings shall be available in the District Office. The resolutions shall be numbered consecutively followed by the last two digits of the calendar year.

## VIII. SSWCD BOARD COMMITTEES

### A. Policy

The Board Chair will appoint members of the Board to any committees of the Board. These committees may include:

1. Personnel/Policy Committee
2. Finance/Budget Committee
3. Grants / Long-term Planning Committee

4. Public Relations / Legislative Committee
5. Water Plan Advisory Committee
6. AIS Task Force Committee
7. Metro Conservation District JPB
8. MACD
9. Plant Materials Learning Center Board
10. MN SWCD Forestry Association
11. Rum River One Watershed One Plan Policy Committee

## B. Special Committees

The Board, by general consensus, may create, add, dissolve or remove committees, as they see fit.

## C. Reporting Requirements

The Committees shall report their activities to the Board. A verbal or written report summarizing the meeting is required to be presented to the board at the next regular scheduled meeting.

# IX. CODE OF ETHICS

It is the belief of the Board that the trust bestowed upon them as elected officials is of utmost importance in the relationship between themselves and the public. With this belief, the following statements further emphasize the priority and commitment the Board has placed on Ethical Standards.

In the execution of their official duties, all Board Members shall strive to:

- Observe the highest moral and ethical standards.
- Maintain and respect the confidentiality of private and confidential information.
- Avoid discrimination against any person on the basis of race, color, sex, religion, creed, national origin, age, disability, sexual orientation, marital status, place of residence, or status with regard to public assistance.
- Comply with the ethical obligations imposed by law, including Minn. Stat. §10A.07, 10A.071, 382.18, 471.87-.895, including, where appropriate, disclosing conflicts of interest, abstaining from decision-making, eliminating conflicts of interest, and declining gifts.
- Work to create a positive environment in public meetings where all individuals may feel comfortable in their roles as observers or participants.
- Allow citizens, staff, or colleagues sufficient opportunity to present their views. Be tolerant, respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, staff or colleagues.
- Behave ethically as daily responsibilities are carried out.
- Support one another at and beyond the SSWCD Board table.
- Operate as an effective team, continually improving that effectiveness.
- Work for “win-win” situations instead of “win-lose.”
- Actively listen, keep an open mind and suspend judgment.
- Be pro-active in the exercise of the office.
- Do the best to answer questions posed by one another, the employees, and the community.
- Honor “discussion” before “decisions.”

- Be consistent in process and operation.
- Be honest and candid with one another.
- Focus on working “with” instead of “for” or “under.”
- Not take differences of opinion personally.
- Disagree agreeably and professionally.
- Realize that people make mistakes – forgive and forget.
- Realize and honor varying work styles, personalities, and process needs.
- Share information and avoid surprises.
- Uphold the Oath of Office taken *“to solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Minnesota, and that I will faithfully discharge the duties of the office of supervisor, upon which I am now about to enter.”*

**Sanctions for violation of these rules**

Violation of any portion of these Rules may result in any of all of the following sanctions:

- Private or Public Censure
- Limitation of the Board member’s authority to appear and act on behalf of the Board
- The docking or stripping of the Board member’s per diem
- The petition by the Board to the Board of Water and Soil Resources for the removal of the Board member pursuant to Minnesota Statute.

**X. CITIZENS**

**A. Open Meeting Law**

All regular and committee meetings and Notice of Meetings of the SSWCD Board are subject to the Open Meeting Law (MN Stat. 13D.01.)

The SSWCD Board may hold closed meetings as authorized by MN Stat. 13D.01. Before closing a meeting, the Board will state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.

SSWCD Board meetings may be closed under the following circumstances:

1. To consider strategy for labor negotiations
2. To evaluate the performance of an individual under the authority of the SSWCD Board;
3. For preliminary consideration of allegations or charges against an individual subject to the SSWCD Board’s authority;
4. To discuss subjects which involve non-public data listed in MN Stat. 13D.05;
5. If otherwise expressly authorized by statute or permitted by the attorney-client privilege.

**B. Responding to Correspondence/Inquiry/Processing of Complaints from Citizens**

Board members and staff will endeavor to provide timely and efficient response and communication to the citizens of Sherburne County.

Upon receipt of a written inquiry, request for information, or complaint about District business which has been sent to a Board member, upon notification and direction from the District Manager or designee, the District Manager will confer with the member and the District Chair to determine the appropriate course of action. The inquiry will be handled timely as directed with the District Chair and District Manager or designee advising the Board member upon completion.

Incoming telephone calls requesting a specific Board member should be forwarded to the Board Member per his/her instructions.

Telephone calls requesting information about specific areas of District business are forwarded to the appropriate SSWCD staff member, and an appropriate method of tracking the information requests and responses will be utilized.

## **XI. STAFF**

### **A. District Manager**

The District Manager is the Manager of the SSWCD, responsible for the administration of the affairs of the SSWCD delegated to him/her by the Board. The Board hires the District Manager, and shall create a job description which outlines in detail the duties and responsibilities of the District Manager.

In general, the District Manager shall exercise supervision of the District staff which function under the jurisdiction of the Board. The District Manager shall coordinate the various activities of the SSWCD, unify the management of its affairs, and make recommendations to the Board regarding the functions of the SSWCD. The District Manager is accountable for hiring, training, advising, and appraising the performance of staff. The District Manager and the SSWCD Budget Committee recommends the annual budget and long-range capital expenditure programs to the Board for approval.

The District Manager recommends to the Board proposed policies concerning the administrative affairs of the SSWCD. The District Manager will keep the Board informed, make recommendations, and comment upon legislative initiatives which affect the District and, as directed by the Board, will represent the SSWCD in its relations with other public and private entities. The District Manager will recommend short and long-term goals to the Board, and periodically measure and report to the Board the organizational and individual accomplishments against goals, objectives, and timetables.

### **B. Role of Staff**

The District Manager, with the support of staff will in a timely and responsible manner, address inquiries and requests regarding issues and concerns brought by Board members or the citizens of Sherburne County. In certain instances Board members may want assistance or District staff involvement in evaluating policy and/or programmatic changes. Board members who wish to initiate policy or program changes are encouraged to first present their initiative to the Board for discussion. The Board may then direct staff to assist in evaluation or development of the initiative.

For functions which are deemed routine such as interpretation of policy and procedure, general constituent business, and/or research which require minimal time may be directed, by the Board or individual member, to the District Manager or designee for action.

For routine matters, staff and Board members must respect the coordination role of the District Manager by making requests through the Manager. For non-routine matters or for matters which may involve grievance between SSWCD employees; staff may make requests directly to the Personnel Committee. In such cases, the Board members of the Personnel Committee will inform the Board Chair and other members and request time on the agenda for discussion or action. The Board may close the meeting as per the requirements of the Open Meeting Law.

### **C. Legislative Protocol for Staff and SSWCD Supervisors**

This following policy applies to all staff and Board members that lobby, either as a representative of the Sherburne SSWCD or in any other capacity.

Staff and/or Board members who lobby on a policy issue that would affect the operations of the SSWCD are expected to confine their efforts to the SSWCD's current legislative agenda.

Staff and/or Board member participation should be immediately communicated to the District Manager or Board Chair.

If the issue has not been addressed by the SSWCD's legislative agenda, a Board position should be sought prior to any lobbying efforts.

If a staff member or Board member lobbies in any other personal or professional capacity, either upon their own initiative or at the request of a legislator or a professional association, s/he must clearly state at both the beginning and at the conclusion of their testimony that they are speaking on his/her own behalf, not as a SSWCD representative.

The Board Chair, District Manager, or designated personnel, will organize the SSWCD's lobbying efforts. Staff/Board members should assume that s/he speak for the SSWCD Board, unless s/he has reviewed their positions or have checked with them on specific issues.

When the SSWCD is paying the dues for membership in a professional association, staff/Board members shall not take a position within that professional association that is inconsistent with Board policy.

All staff and/or Board members and appointed representatives shall notify the Board Chair and/or the District Manager of a pending appointment to an advisory board or task force initiated outside of the scope of Board authority.

## **XII. DISTRICT FINANCIAL OPERATIONS**

### **A. Fiscal Year**

The fiscal year of the District shall run from January 1 through December 31.

### **B. Segregation of Financial Duties**

To ensure financial checks and balances, the District Manager, Office Administrator, Treasurer, and full Board of Supervisors all serve distinct and overlapping roles.

Task	District Manager	Office Admin	Treasurer	Board
Prepare checks to pay bills	X			
Record payments and receipts in QuickBooks	X			
Deposit revenues		X		
Review monthly financial statements prior to distribution to Board	X	X		
Review and approve monthly bills			X	X
Reconcile bank statements to monthly financial statements	X	X	X	
Sign checks	X		X	X
Prepare year-end financial statements	X			
Assist CPA with audit of financial statements	X	X		
Review and approve year-end financial statements			X	X
Maintain/update budget projections and present to the Board	X		X	
Review and approve budgets				X
Maintain/update the program register	X			

### **C. Policy Limiting the District Manager's Expense Authorization**

The District Manager may authorize routine expenditures, all expenditures specifically noted in the approved budget, and expenditures up to \$1,500 that fall outside of these two categories without board approval.

## D. Petty Cash

The District shall have a petty cash box in the office with a monthly balance of not more than \$200.00. Management of the petty cash fund will be the responsibility of the Office Administrator and monthly reconciliation of the ledger and receipts will fall upon the District Manager. District employees will be expected to provide a receipt for expenses prior to receiving reimbursement.

## XIII. ACTIVITIES/PROGRAMS

### A. Ag. BMP Loan, Agriculture Best Management Practices Loan Program

This program loans money to farmers, agricultural supply businesses, and rural landowners for implementing practices that prevent or mitigate nonpoint source water pollution and are listed as priorities in locally developed water plans.

### B. Aquatic Invasive Species Program (AIS)

Sherburne County has delegated the responsibility of developing and implementing an AIS Prevention Plan, utilizing the funds provided by the State of Minnesota through the AIS Prevention Fund [Chapter 308, HF3167: Omnibus tax bill. Article 1: Property Tax Aids and Credits. Section 11]. The SWCD (with assistance from a local AIS Task Force) developed a five year plan which will be updated annually and provided to the County Board for approval. Plan elements include initiatives to prevent AIS introduction to/from Sherburne County and limiting the spread within the county limits. Activities include efforts such as education and awareness, enforcement of AIS laws through watercraft inspections, early detection and rapid response actions. The SSWCD will also empower local lake associations and districts through a county AIS grant program and collaborative Coalition of Lake Associations (COLA).

### C. BWSR Grant Programs

The Minnesota Board of Water and Soil Resources (BWSR) is a state agency that assists local governments to manage and conserve their irreplaceable water and soil resources. BWSR accomplishes this mission by providing financial, technical and administrative help to local governments throughout the state.

### D. Buffer Program

The Minnesota Buffer Law was passed in 2015 and requires landowners to install buffer strips along State Protected Waters and Public Drainage Ditches. It is the responsibility of the SWCD to provide notification that a parcel may be deemed non-compliant and to help ensure that compliance is reached by the dates required. It is the responsibility of the SSWCD to track compliance in BuffCAT, the Board of Water and Soil Resources tracking tool, and provide technical assistance to landowners in an effort to meet compliance. The SSWCD is not a regulatory agency and does not provide enforcement of the Buffer Law.

### E. Educational/Contest/Awards

Environmental Education Days

Envirothon

Sherburne County Poster Contest

Sherburne County Fair Booth/Parade

News Articles

Outstanding Conservationist

Annual Meeting and Appreciation Dinner/Luncheon or Tour of Practices

Long Lake Conservation Camp Essay Contest

Business Expo's and Job Fairs

Community Education Programs

### F. Interagency Relations

Memorandums of Understanding will be reviewed by the Board annually, when changes have to be implemented, or at the Boards discretion. Memorandums of Understanding will remain in effect unless officially canceled by action agreed to in the understanding.

## G. Metropolitan Soil and Water Conservation Districts Technical Service Area Joint Powers Board

Coordinate and assist with the operations of the Districts and with projects for the mutual benefit of the Districts.

## H. MN State Cost Share

The state cost-share program was established in 1977 to share the cost of practices for erosion or sedimentation control or water quality improvement that are designed to protect and improve soil and water resources. Refer to District Erosion Control Management Program Policy.

## I. Local Water Management Plan

The Water Management Plan focuses on the quality and quantity of surface water and groundwater, and related uses that effect water resources. The purpose of the Water Management Plan is:

- Identify existing and potential problems or opportunities for the protection, management, and development of water resources and related land resources in the county.
- Identify priority concerns to be addressed during the effective time frame of the plan.
- Develop and implement a plan of action to address priority concerns.

The Water Management Plan applies to the entire geographic area of Sherburne County including incorporated and unincorporated area.

## J. Tree Program

The tree program will only sell bare root stock trees in multiples of 25; thereby promoting the District philosophy of selling trees for conservation (woodlots, windbreaks, shelterbelts, erosion control, soil and water conservation, or permanent food and cover for wildlife) and not ornamental uses. A cost study will be prepared yearly which will determine the cost of the trees and will be reviewed by the District Board.

## K. Prairie/Pasture Management Program

The Prairie/Pasture Management Improvement Program is available to all county residents who own or manage prairie/pastures. This program was developed to assist landowners in improving the quantity and quality their prairie/pastures. It includes soil testing, interpretation of the University of Minnesota soil test results, evaluation, and a prairie/pasture management plan.

## L. Tree Planting

The SSWCD will assist landowners in establishing windbreaks and other tree plantings by providing tree planting services for a fee.

## M. TMDL / WRAPP/ 1W1P

Total Maximum Daily Load (TMDL) is mandatory for impaired waters under the Federal Clean Water Act. The SSWCD provides consulting services, equipment, and monitoring activities. Watershed Restoration and Protection Project (WRAPP) is a watershed wide assessment and monitoring effort that will result in an implementation plan that will prescribe restoration and protection strategies for the surface water resources within the watershed. The One Watershed One Plan (1W1P) was developed to align water planning on major watershed boundaries with state strategies towards prioritized, targeted and measurable implementation plans.

## N. Plant Material Site

The SSWCD will conduct studies and determine performance and area of adaptation; development and release of improved plant materials; and transfer of technical information.

#### O. RIM, Re-invest in Minnesota Resource Program

The RIM conservation easement program retires marginal, highly erodible agricultural land to protect soil and water quality and support fish and wildlife habitat.

#### P. Shoreland Program

The Shoreland program provides statewide standards that local governmental units must adopt into their own land use controls to provide for the orderly development and protection of Minnesota's shorelands (both rivers and lakes).

#### Q. Vegetative Cover Incentive Programs

The District works with local landowners interested in planting cover crops or establishing native prairie and buffers to improve soil health and wildlife habitat.

#### R. WCA

The SSWCD assists landowners with project applications and wetland determinations. The SSWCD is a member of the Technical Evaluation Panel that reviews all projects that may impact a wetland. The Wetland Conservation Act is administered by several local governmental units in Sherburne County.

