



Lac qui Parle Soil and Water Conservation District
Operations Policy

Adopted: January 17, 2019

I. Overview

A. Purpose

The Lac qui Parle Soil and Water Conservation District (SWCD) hereinafter referred to as “District” or “SWCD”, assists land occupiers in both rural and urban settings to protect soil, water, and related resources. The SWCD is a legal subdivision of the State of Minnesota, operating under a charter issued by the Secretary of State on November 12, 1946. SWCD’s receive their authority from [Chapter 103C of Minnesota Statutes](#). The SWCD 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 SWCD Board functions within the statutory framework of Minnesota law. General duties, powers and responsibilities are found in Minnesota Statutes, especially but not exclusively Chapters 103C. Minnesota Statutes supersede all bylaws, rules and policies established by the Board.

This policy is designed to provide information on the policies of the SWCD. This is in addition to policy set by the Minnesota Board of Water and Soil Resource and the SWCD Employee Policy. Tree and Grass Policies are included in this document. Cost-share, data, and employee policies are stand-alone documents. Policies within the Operational Handbook supersede all other document if not in agreement.

B. Statement of Principles

The 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. Policies within the Operational Handbook supersede policies within the Employee Handbook.

Mission Statement

To make technical, financial and educational resources available to the residents and landowners of Lac qui Parle County and coordinate them to help protect Lac qui Parle’s natural resources.

C. Effective Date

These rules shall become effective upon passage by the SWCD Board.

II. Amendments to the Operating Rules

The SWCD Board shall review, amend if necessary, the operating rules as necessary.

Any time throughout the year, the SWCD 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 SWCD 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 will be reflected in the next draft

of the rules.

III. SWCD Board Organization

A. Membership

The SWCD Board of Supervisors consists of five (5) members elected from five districts. Each Supervisor is elected county-wide by voters.

B. Supervisor Districts

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

C. Terms of Office

The term of each Board member is four years, except as otherwise established pursuant to Minnesota Statute 103C.

D. Statement of Economic Interests

All elected Supervisors must file a Statement of Economic Interest with the Minnesota Campaign Finance and Public Disclosure Board. The Statement of Economic Interest is a financial disclosure form filed annually by certain elected and appointed officials in state and local government. It is intended to disclose the sources of a public servant's income so that members of the public know where a public servant's personal financial interests lie. It does not disclose the amount of income a public servant receives. The Statement of Economic Interest promotes compliance with the Ethics in Government Law disclosing potential conflicts of interest. All information disclosed is for the previous calendar year.

E. 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.

F. Removal of a Supervisor

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

G. Officers

The SWCD 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 Offices, 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'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 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 not present at a meeting, the secretary will proceed as chair. 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.

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.

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.

H. 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. A well-planned meeting should take no longer than 1½ to 2 hours.
- 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.

I. Compensation

SWCD Board members receive as compensation for services, a per diem amount which cannot exceed the maximum daily amount as stated in Minnesota Statutes 103C.315 Subd. 4. The per diem will be set at the January SWCD Board meeting each year, and is effective January 1 of the new year, or as amended at a Board meeting.

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 SWCD that he or she was elected to serve. A verbal or written report summarizing the meeting is required to be presented to the board at the next regular scheduled meeting.

I. Supervisors Expenses

Each member of the Board is reimbursed for expenses while doing business on behalf of the SWCD. 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.

IV. SWCD Board Meetings

A. Regular Meetings

The regularly scheduled SWCD Board meetings are established the first meeting of the year. If a Board meeting date, time, or location needs to be changed, an official notice is posted on the official bulletin board in the District office at least three days prior to the scheduled meeting.

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 SWCD Board meets at the District office, for the transaction of business. The SWCD Board transacts organizational business during this meeting, including:

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

C. Open Meeting Law

All meetings of the SWCD Board are subject to the Open Meeting Law (Minnesota Statute 13D).

D. Closed Meetings

The SWCD Board may by motion convene in closed session for the purposes of transacting business. Business which may be considered in closed session is in accordance with the attorney/client privilege, to consider strategy for labor negotiations, or as otherwise required or permitted by the Minnesota Open Meeting Law.

E. Special/Emergency Meetings

The SWCD Board may establish a special or emergency meeting if necessary. Procedures to schedule a special or emergency meeting shall be in accordance with Minnesota Statutes 13D.

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

A joint meeting with the SWCD 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 SWCD meetings:

1. Respect the dignity of each individual.
2. Respect one another's facts, 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. Audience/Citizens Requests

The SWCD Board prefers all business matters initiated by citizens coming before them to first be reviewed by staff and scheduled for discussion on the appropriate agenda.

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

Any individual attending a SWCD Board meeting will be granted appropriate time to give a presentation or explanation in regards to their presence at the meeting.

H. Public Attendance

The public is invited and encouraged to attend and participate in SWCD Board meetings. All approved minutes of Board meetings are kept in the SWCD office and can be reviewed by the public during business hours. Minutes are, also, posted on our website.

I. Quorum

A quorum shall be necessary for the transaction of business. A majority of the members of the Board shall constitute a quorum and no business shall be transacted unless voted on by a majority (three votes) of the whole SWCD Board (MN Stat. 103C.315 Subd. 3). Less than a majority of members may convene a meeting, but no business may be transacted.

Any SWCD Board member who, for any reason, anticipates or plans an absence at any regular or special meeting is encouraged to contact the SWCD office 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 meetings of the SWCD Board.
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 for 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

Any member of the SWCD Board or members of the public may speak on any matter before the SWCD Board when recognized by the Chair and within established procedures as outlined in these Rules.

L. District Manager

The District Manager or designee shall attend all meetings of the SWCD Board. If a staff member requests an item be on the SWCD Board agenda but cannot attend the Board meeting, the District Manager will represent the staff at the meeting. The District Manager or District staff may participate in the discussion or recommend a resolution or action to the SWCD 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 or designee shall prepare a written agenda for all regular and special meetings of the SWCD Board. The District Manager 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; and 4) perform such further duties as designated by the Board.

The District Manager or designee shall have the authority to sign non-controversial agreements on behalf of the SWCD Board to insure timely and efficient administration of programs. All signed agreements will be reviewed by the SWCD Board at their next regularly scheduled Board meeting. Non-controversial agreements may include grant agreements and cost-share contracts when funding is available.

V. CONDUCT OF DEBATE

A. Principles

The Rules of Parliamentary Procedure embodied in Robert's Rules of Order shall guide the Board in all cases applicable, except as modified by the rules herein and applicable Minnesota Statutes. In all cases, except where Minnesota Statutes dictates, a majority vote will prevail when deciding a question.

B. Parliamentarian

The Rules of Order governing SWCD Board meetings shall be referred to the SWCD Board Chair for interpretation and enforcement. The SWCD 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 whole Board (MN Stat. 103C.315).

E. Voting

It is the duty of every member to vote. Voting shall be recorded as a "yes" or "no" vote by the Minute Taker or District Manager 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 District Manager 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 SWCD Chair or District Manager, 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 Lac qui Parle County SWCD 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. 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 an 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.

VI. TYPES OF SWCD BOARD ACTION

A. Resolution

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

Since it is the basic motion for the transaction of business, only one subject may be considered at a time and the main motion may be proposed only when no other motion is before the SWCD Board. (See Section IV.)

B. General Consensus

The SWCD 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 verbal 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

Authority for the development of policies for the District is granted to the SWCD Board through MN Statute 103C.331. With the powers granted within this statute, the SWCD 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 SWCD Board may at any time refer an item or resolution to a Committee for further review and deliberation.

VII. SWCD BOARD AGENDA

A. Preparation and Distribution

The SWCD Board Chair and District Manager shall prepare the agenda and supporting material for each regular and special meeting. The Board Chair will notify the District Manager about the item. Members of the Board may request that an item be placed on the agenda by information 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 being prepared.

The Board agenda packet, including the meeting agenda and supporting materials, shall be received by each member of the Board several days prior to the regular Board meeting.

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 SWCD Board shall be as follows:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes
4. Acceptance of the Checks and Treasurer's Report
5. Cost Share Action
6. Correspondence
7. Old Business
8. District Staff/Board Oral Reports
9. Other Reports
 - a. Reports on Meetings and Presentations
 - b. Committee Reports

10. New Business
11. Calendar of Events
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 SWCD Board consensus.

PUBLIC COMMENT AT REGULAR MONTHLY BOARD MEETINGS

A public comment period of 10 minutes will be added to the agenda if members of the public are in attendance and wish to address the Board. Participants must request to be recognized by the Board Chair and may or may not be granted permission to speak. The Chair may define the topic to be addressed, and reserves the right to limit an individual's presentation if redundant, overly argumentative, abusive, not relevant to an issue that is part of the SWCD's responsibilities, or a forum for politics or campaign-type presentation. The 10 minute comment period will be divided by the number of persons wishing to speak. Each speaker may speak only once. Public comment shall be comment only, not debate. Questions from Supervisors shall be for point of clarification only. Speaker handouts are public information.

Personal complaints against a District employee may not be heard initially at a Board meeting, but must be submitted to the Board in writing via the District Manager. If the complaint is against the District Manager, it should be submitted in writing to the Board Chair.

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.

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 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 SWCD 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 SWCD Board meetings shall be prepared and submitted for approval at the next succeeding Regular SWCD Board Meeting.

The official public record of SWCD Board meetings shall be available in the District Office, and are also available on the SWCD website: www.lacquiparleswcd.org

The resolutions shall be numbered consecutively followed by the last four digits of the calendar year.

VIII. SWCD BOARD COMMITTEES

A. Policy

The District Board Chair will appoint members of the Board to the standing committees of the SWCD Board at the January Board Meeting. These committees may include:

1. Personnel/Policy
2. Finance/Budget
3. Grant/Long-term Planning Committee
4. Public Relation/Legislative Committee
5. Water Plan Advisory Committee

B. Special Committees

The SWCD Board, by general consensus, may add standing committees, or remove them as they see fit.

The Board may establish a special Committee as deemed necessary. A special Committee shall advise the Board as directed and may report recommendations to the Board for appropriate action. Unless expressly stated in the creation of the special Committee, it shall automatically dissolve when its work is accepted by the Board.

C. Reporting Requirements

The Committees shall report their activities to the SWCD Board as needed. 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 SWCD 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 SWCD Board has placed on Ethical Standards.

In the execution of their official duties, all SWCD 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.
- Place cooperation, trust, and respect at the heart of all that is done.

- Behave ethically as daily responsibilities are carried out.
- Support one another at and beyond the SWCD 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.
- Maintain a sense of levity – public service should be fun as well as work.
- 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 SWCD Board are subject to the Open Meeting Law (MN Stat. 13D.01.)

The SWCD 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.

SWCD 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 SWCD Board;
3. For preliminary consideration of allegations or charges against an individual subject to the SWCD 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. Audience Participation at Board Meetings

It is the intention of these rules to support the interest of the general public in following Board business during their meetings.

1. Audience/Citizen's comments:

The District Manager will notify the Board Chair and members of a citizen's wish to address the Board and include a discussion or action item on the Board meeting agenda addressing the topic or issue indicated by the citizen's request. The notification by the District Manager may occur at any time previous to approval of the agenda for the Board meeting.

To the extent possible, interested citizens shall notify the District Manager of their interest to speak at the meeting and the issue to be discussed. The District Manager will notify the Chair. In an effort to encourage efficiency and early resolution of issues, the SWCD Board recommends that citizens first contact staff to try to resolve matters before coming formally to the SWCD Board meeting. Questions directed to the Board may not be answered immediately, however, whenever possible, all appropriate questions will be responded to in a timely and effective manner by the Board and/or SWCD staff.

2. Distribution of Agenda

The agendas are sent several days prior to the regularly scheduled SWCD Board meeting.

C. Responding to Correspondence/ Inquiry/Processing of Complaints from Citizens

SWCD Board members and staff are committed to customer service and will endeavor to provide timely and efficient response and communication to the citizens of Lac qui Parle 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, staff 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.

Telephone calls requesting information about specific areas of District business are forwarded to the appropriate SWCD staff member. Customer service is of primary importance to the SWCD Board and staff and an appropriate method of tracking the information requests and responses will be utilized.

XII. Staff

A. District Manager

The District Manager is the Administrator of the SWCD, responsible for the administration of the affairs of the SWCD delegated to him/her by the SWCD Board. The SWCD Board hires the District Manager, and has approved a job description which outlines in detail the duties and responsibilities of the District Manager. For more information about the hiring process of the District Manager, please refer to the Personnel Handbook, Section X, District Manager.

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

The District Manager recommends to the Board proposed policies concerning the administrative affairs of the SWCD. 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 SWCD 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 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, answer inquiries and requests regarding issues and concerns brought by Board members or the citizens of Lac qui Parle 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 change 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.

C. Legislative Protocol for Staff and SWCD Supervisors

This following policy applies to all staff and SWCD Board members that lobby as a representative of the Lac qui Parle County SWCD.

Staff and/or Board members who choose to lobby on a policy issue that would affect the operations of the SWCD are expected to confine their efforts to the SWCD'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 SWCD's legislative agenda, a SWCD Board position should be sought prior to any lobbying effort on your part.

If a member of staff or Board member lobbies in a professional capacity, either at the request of a legislator or a professional association, s/he must note in testimony s/he is speaking on his/her own behalf, not as a SWCD representative.

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

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

XII. Fiscal Management

A. GENERAL FUND BALANCE POLICY

Purpose: It is important to establish sound financial management policies to ensure financial stability of the Lac qui Parle Soil and Water Conservation District for the benefit of residents and businesses. Fund balance reserves are an important component in ensuring the overall financial health of a community, by giving the SWCD sufficient funds to meet contingency and cash-flow needs. In establishing an appropriate fund balance, the SWCD needs to consider the demands of cash flow, need for emergency reserves, ability to manage fluctuations major revenue sources, credit rating and long-term fiscal health.

Policy:

Governmental Fund Balance Classifications are defined as follows:

- Non-spendable Fund Balance includes amount not in spendable form, such as inventory, or amounts required to be maintained intact legally or contractually (e.g. inventory, pre-paid items, long term notes receivable).
- Restricted Fund Balance includes amounts constrained for a specific purpose by external parties such as debt covenants or grantors and taxes designated to a specific purpose (e.g. Debt Service, Capital Projects, State and Federal Grant Funds). This is the same as how you have been reported under GASB 34.
- Committed Fund Balance are resources that are constrained by Board resolution for a specific purpose. Fund balance commitment resolutions must be completed before December 31 to be effective for that fiscal year and remain in effect until the commitment is changed or eliminated by Board resolution.
- Assigned Fund Balance are intended for a specific purpose. This would include any remaining positive fund balance in all funds other than the general fund. The Board or administrator/clerk shall have the authority to assign fund balance.
- Unassigned Fund Balance will occur in the general fund or in other funds when there is a negative fund balance that cannot be eliminated by reducing restricted, committed, or assigned fund balances.

When both restricted and unrestricted resources are available for use, it is the SWCD's policy to use restricted resources first, then unrestricted resources as they are needed.

When any combination of committed, assigned, and unassigned resources are available for use, it is the SWCD's policy to use committed resources first, then assigned, then unassigned resources as they are needed.

The SWCD has formally adopted a fund balance policy for the General Fund. The SWCD's policy is to maintain a minimum unassigned fund balance between the range of 35% - 50% of budgeted operating expenditures for cash flow timing needs.

B. CREDIT CARD POLICY

SWCD issued credit cards are to be used only for conducting officially approved SWCD business. Under no circumstances are they to be used for personal reasons.

1. Eligible – The credit card may be used to:
 - a. Guarantee rooms for conferences and/or meeting attendance.
 - b. Purchase lodging during overnight stays while attending authorized conferences, meetings, or training sessions.
 - c. Purchase supplies, materials, training, and Information-Systems approved software.
 - d. Purchase meals for employees when a group of 2 or more attends an authorized meeting during a typical meal time for the benefit of the employer, e.g., a working lunch. Receipts must include names of all employees present at the meeting. Meals may not be purchased for non-employees.
 - e. Purchase gasoline only when employee is authorized to use a SWCD or county owned vehicle and for the SWCD/county owned vehicle only.
 - f. Parking while at conferences, meetings, and training.

2. Ineligible uses shall include but are not limited to the following:
 - a. Personal purchases. Absolutely no personal use of the card is allowed.
 - b. Meals except as listed above.
 - c. Gratuities greater than official policy.
 - d. Gasoline for any personal vehicle.
 - e. Back ordered items billed but not received.
 - f. Cash advances.
 - g. Alcoholic beverages.
 - h. Purchase of any goods or services which are contrary to appropriate public purpose expenditures.

Procedure for Use of Credit Card

Employees are responsible to obtain an itemized proof of purchase for credit card use. A credit card receipt is not always an official receipt. This documentation must be submitted to the Administrative Assistant within seven days of the purchase/charge or return to work when extended travel is involved (ex. a weeklong conference) along with a completed claims voucher. The claims voucher must be signed by the department head or designee and list the actual vendor as the claimant as opposed to the credit card company. If no documentation is produced to verify a purchase, the employee must immediately reimburse the purchase amount.

If the SWCD is not reimbursed within 30 days, the amount owed will be garnished from the employee's wages. Any use of a SWCD credit card without proper documentation will be considered misappropriation of County funds. Misappropriation of funds is illegal based on the following Minnesota Statutes: M.S. 609.43 Misconduct of Public Officer or Employee, M.S. 609.465 Presenting False Claims to Public Officer or Body, and 609.52 Theft. This may result in criminal charges and/or disciplinary action up to and including termination of employment.

The Program Assistant will reconcile the monthly statement and organize all original receipts and the billing statement on or before the due date for processing the monthly bill to the Board. After review by the Program Assistant and District Manager, any charge permanently denied for payment by the Board will be immediately reimbursed by the employee who incurred the charge. If the SWCD is not

reimbursed within 30 days, the amount owed will be garnished from the employee's wages. Any purchase that after review is denied by the Board is considered misappropriation of County funds. Misappropriation of funds is illegal based on the following Minnesota Statutes: M.S. 609.43 Misconduct of Public Officer or Employee, M.S. 609.465 Presenting False Claims to Public Officer or Body, and 609.52 Theft. This may result in criminal charges and/or disciplinary action up to and including termination of employment.

The procedures and rules may be changed by Board action at any time deemed necessary.

Lost or Stolen County Issued Credit Cards

If a credit card is lost or stolen, it is the responsibility of the employee to notify the Program Administrator immediately. Notification may be in person, by phone, by text or by email.

Disputed Charges

All billing statements must be carefully reviewed upon receipt to detect any questionable charges that may occur. It is the responsibility of the Administrative Assistant to notify the Program Administrator if there is an unauthorized charge appearing on the billing statement. Credit card companies are not required to investigate a dispute if they are notified more than 60 days after the charge first appears on the statement.

Penalty for Misuse of SWCD Issued Credit Card

Any deviation from this policy may be grounds for discipline up to and including termination of employment from the Lac qui Parle SWCD.

C. PAYMENT OF BILLS

The Lac qui Parle Soil and Water Conservation District will follow these practices to maintain internal control of financial activities with limited personnel.

- The Board will be presented with a list of accounts payable at each monthly Board meeting and will take action to approve payment. The Treasurer (or other Board member) will sign the Financial Report which will include that list.
- Staff may issue and sign checks for usual and ordinary payments (such as payroll) between Board Meetings or when a normal monthly Board meeting has been cancelled.
- The District Manager has discretion up to \$2,000 monthly and may issue a check for payment in an emergency without Board approval between Board meetings. Larger emergency payments must be approved by the Board Chairman.
- Board members will receive at each regular monthly Board meeting a list of all transactions on all accounts for the previous month.
- The Board Treasurer will receive all bank statements in the mail and bring them into the office for reconciliation.
- Checks issued require two signatures. Except in an emergency, the individual issuing a check will not sign it.
- The SWCD will not keep petty accounts.

D. DEPRECIATION SCHEDULE

The SWCD will follow a straight line of depreciation for reporting purposes. The fixed assets depreciation schedule will include assets over \$1,000. A separate assets inventory list will be kept current.

E. SUPERVISOR COMPENSATION AND EXPENSES

Compensation is set at \$75.00/day. The IRS sets mileage rate at the single standard mileage allowance for tax purposes. The Board will review rates at the first meeting of each year.

F. REIMBURSEMENT FOR EXPENSES

Expenses incurred in the course of a supervisor's or employee's official duties (i.e. meals, parking, lodging, registration fees, etc.) will be reimbursed by the SWCD. Reimbursement will not be allowed for expenses incurred within Lac qui Parle County unless approved by the Board or District Manager. Expense receipts must be provided within 30 days of incurring expense. If supervisor or employee chooses not to take advantage of meals or other benefits included as part of a paid registration fee, creating additional expense, those expenses are not eligible for reimbursement. The SWCD will not pay for personal expenses such as phone calls and movies. Purchase of supplies and/or materials for the SWCD, with prior approval from the District Manager, are eligible for reimbursement by submitting a receipt within 30 days of purchase.

G. SUPERVISOR COMPENSATION FOR COMMITTEES

A Supervisor serving on a state or area committee will be paid compensation by the Lac qui Parle Soil and Water Conservation District if they aren't paid through the MASWCD, SWMASWCD, and BWSR or whichever agency/organization calling the meeting.

A Supervisor or employee serving on a state or area committee will be reimbursed expenses not covered by the sponsoring agency or organization.

H. STATE CONVENTION

The District will pay the registration, convention meals, hotel, compensation or salary and mileage to those supervisors and employees attending the state convention. The Outstanding Conservationist will be offered mileage to the State Convention.

I. CONVENTION ATTENDANCE

Employees may attend the NACD meeting and the MASWCD state convention at District expense at Board discretion.

J. EMPLOYEE INVOLVEMENT

The Lac qui Parle Soil and Water Conservation District employees may attend MASWCD and MASWCDE, SWMASWCD and SWMASWCDE meetings and committee meetings on District time and may be reimbursed for expenses.

K. EMPLOYEE ADMINISTRATIVE LEAVE

When the Farm Service Center closes the office due to inclement weather or holiday leave, the SWCD will follow suit. The District Manager has authority to close the office in the case of weather or holiday leave also.

L. FINANCE CHARGE ON OUTSTANDING ACCOUNTS

A 1-½% finance charge will be added monthly to outstanding accounts after 30 days from the billing.

XIII. Tree & Grass Program Policy

A. TREE PROGRAM

The District administers a tree & grass program to provide tree/shrub stock to landowners for conservation purposes as well as native seed and planting. The District may plant trees and seed for a set rate and sell and install a fabric weed barrier to reduce weed competition.

- Tree Prices - Charges for trees, planting, fabric and related merchandise will be set annually for the year. A notice will be added to the tree advertising that special species and sizes of stock may be ordered through the District, but may vary in price.
- Tree Replacement Policy - The Lac qui Parle Soil and Water District guarantees that the trees planted by the District Technician are alive and will grow. Trees that fail to take hold will be replaced at "cost" the following year. We cannot guarantee that trees will survive drought, rodent or insect damage, winter kill, mechanical or chemical destruction, or improper planting.
- Liability for Prevented Plantings - If a tree planting cannot be installed because the customer does not have the planting site prepared, the customer is liable for the cost of trees that were ordered for him and will be charged for them.
- Left Over Tree Sales - End-of-season trees can be sold to non-profit groups (like 4-H for a Community Pride project) at cost and with no replacement guarantee.
- Minimum Charge for Planting - A minimum of \$100 will be charged on all plantings done by the SWCD. A minimum of \$200.00 will be charged for application of fabric weed barrier.

B. GRASS DRILL PROGRAM

A grass no-till drill was purchased with funds from various sources. It is to be made available for use by any individual within the District boundaries at a fee established by the Board. The District will provide the drill, tractor, and operator, and will transport to and from field locations. The District has the right to refuse planting or apply an additional charge if a site is not properly prepared.

- Liability - The District shall not be responsible for the outcome of the planted acres i.e. disease, chemical damage, yield variances, etc.
- Billing - The District shall bill the landowner/landuser for contract acres planted for program plantings. For non-conservation program plantings, the acre meter numbers will be used. Staff will use ArcGIS or another measurement tool in office.

The farmer/landuser agrees to pay the District a \$100 mobilization fee plus \$30 per acre as identified on plan maps. The charges will be paid within 30 days from the date of the invoice.

C. SEED SALES

The SWCD offers native seed sales separate from the Grass Drill Program. Seed may be purchased through the district no matter who is providing the planting services. Seed sales will be set at 125% of actual seed costs plus all applicable fees and taxes.

- Liability – the District shall not be responsible for the outcome of seed germination.
- Billing – The District will bill the purchaser for cost of seed

XIV. Miscellaneous

PLAN APPROVAL AUTHORITY

The District Manager has plan approval authority to sign current federal conservation plans and state cost-share programs. The District Manager is authorized to sign contracts that are deemed noncontroversial or are time sensitive.