

Red River Valley Conservation Service Area Minutes

Red Apple Café

Mahnomen, MN

April 7, 2009

Jerome Flottesmesch, Becker SWCD supervisor, and currently Chairman of the WCMJPB, opened the meeting on April 7, 2009, at 10:10 AM and welcomed Board members and employees of both the WCMJPB and SWCD TSA 1.

The people in attendance when the meeting was called to order included:

Employees:

Brad Grant, Becker SWCD
Dean Hendrickson, Becker SWCD
Scott Johnson, Roseau SWCD
Jim Hest, SWCD TSA 1
Danny Thorstad, Marshall SWCD
Holly Anderson, Kittson SWCD
Gary Lee, East Polk SWCD
Kevin Kassenborg, Clay SWCD
Aaron Neubert, Mahnomen SWCD
Darren Newville, East Otter Tail SWCD
Jeff Haverland, WCMJPB
Cheryl Sistad, Marshall-Beltrami SWCD
Lori Thronson, Norman SWCD
Tanya Hanson, Red Lake SWCD
Sara Gronfeld, Traverse SWCD
Don Bajumpaa, Wilkin SWCD

Supervisors:

Ken Pederson, East Polk SWCD
Jerome Flottesmesch, Becker SWCD
Joe Stenger, Becker SWCD
Gary Johnson, Roseau SWCD
Carl Green, Marshall SWCD
Odell Christenson, Grant SWCD
Brenda Szymanski, Pennington SWCD
Linda Hanson, Pennington SWCD
Carol Schoff, Clay SWCD

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Pete Revier, Mahnomen SWCD
Victor Eiyneck, Mahnomen SWCD
Gary Zeise, East Otter Tail SWCD
Lyle Dittmann, East Otter Tail SWCD
Wallace Byklum, Marshall-Beltrami SWCD
Mark LaCrosse, Red Lake SWCD
David Miller, Red Lake SWCD
Julian Sjostrum, West Otter Tail SWCD
Richard Viger, West Otter Tail SWCD
David Rinke, Traverse SWCD
Alan Bruce, Traverse SWCD
Ross Aigner, Wilkin SWCD

Jerome said that this was a joint meeting of the WCMJPB and SWCD TSA 1 with the express purpose of approving and establishing a Joint Powers Agreement for creating the Red River Valley Conservation Service Area (RRVCSA). Jerome then stated that he and Ken Pederson, East Polk SWCD supervisor and member of the joint committee to establish the RRVCSA, would temporarily chair this meeting until the new RRVCSA is created and an election of officers is held.

Jerome then asked for a roll call of which SWCDs had a voting representative at this meeting. The results of the roll call were:

Becker- yes
Clay- yes
Grant- yes
Mahnomen- yes
Norman – no
East Otter Tail- yes
West Otter Tail- yes
Traverse- yes
Wilkin- yes
Kittson- no
Marshall- yes
Marshall-Beltrami- yes
Pennington- yes
East Polk- yes
West Polk- no
Red Lake- yes
Roseau- yes

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Jerome then asked if there were any additions to the agenda as handed out. Hearing no comments, Jerome said that one addition to the agenda must be the termination of the existing coverage by MCIT for the SWCD TSA 1. This termination by the SWCD TSA 1 was recommended by MCIT as the easiest option to include all SWCDs in the new RRVCSA in the MCIT coverage. Jerome said this termination action must be taken now while the SWCD TSA 1 was still in existence and before a vote is taken to establish the RRVCSA.

Motion by Gary Johnson (Roseau SWCD, SWCD TSA 1) that SWCD TSA 1 terminate the MCIT Insurance Coverage for SWCD TSA 1 and that the SWCDs of TSA 1 be added to the coverage currently given to the SWCDs of WCMJPB when the new RRVCSA is formed. Seconded by Wallace Byklum (Marshall-Beltrami SWCD, SWCD TSA 1). Motion carried unanimously by SWCDs that belong to the current SWCD TSA 1.

Jerome then reviewed the AMENDED AND RESTATED JOINT POWERS AGREEMENT ESTABLISHING THE RED RIVER VALLEY CONSERVATION SERVICE AREA. This agreement had been developed by a joint committee and has been sent to all SWCDs for review. Recommended changes were incorporated into the agreement as handed out.

Motion by Gary Zeise (East Otter Tail SWCD, WCMJPB) to accept the AMENDED AND RESTATED JOINT POWERS AGREEMENT ESTABLISHING THE RED RIVER VALLEY CONSERVATION SERVICE AREA as handed out. Seconded by Ross Aigner (Wilkin SWCD, WCMJPB). Discussion followed. Some Supervisors questioned page 3, section 6 Powers and Duties concerning the statement that the RRVCSA Board may be sued. Jerome pointed out that any Board is subject to being sued and that is why MCIT Insurance is purchased. Liability and insurance issues for Supervisors were discussed and answered to the satisfaction of the Supervisors present. Due to no further questions or discussion, a vote was then held. Motion carried by a unanimous vote by all supervisors present both from the WCMJPB and the SWCD TSA 1.

Jerome Flottesmesch then turned the Chairmanship of the meeting over to Ken Peterson (East Polk SWCD) for the purpose of conducting election of officers.

Ken asked for nominations for Chairman of the RRVCSA. Ross Aigner (Wilkin SWCD) nominated Jerome Flottesmesch for Chairman. Ken asked for further nominations. Being no other nominations Ken cast a white ballot for Jerome Flottesmesch as Chairman of the RRVCSA.

Ken asked for nominations for Vice Chairman of the RRVCSA. Wallace Byklum (Marshall-Beltrami SWCD) nominated Linda Hanson (Pennington SWCD) for Vice Chairwoman. Ken asked for further nominations. Being no other nominations Ken casted a white ballot for Linda Hanson as Vice-Chairwoman of the RRVCSA.

Ken asked for nominations for Secretary-Treasurer of the RRVCSA. Carol Schoff (Clay SWCD) nominated Pete Revier (Mahnomen SWCD) for Secretary-Treasurer. Ken asked for further nominations. Being no other nominations Ken casted a white ballot for Pete Revier as Secretary-Treasurer of the RRVCSA.

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Ken Pederson than turned the Chairmanship of the meeting back to the newly elected Chairman Jerome Flottemesch.

Jerome said that it was important that all of the 17 of the SWCDs in the new RRVCSA sign the AMENDED AND RESTATED JOINT POWERS AGREEMENT ESTABLISHING THE RED RIVER CONSERVATION SERVICE AREA. Jerome sent around a signature sheet accepting the agreement for all SWCDs to sign.

Motion by Dave Rinke(Traverse SWCD) that the two current Host Districts, Becker and Marshall-Beltrami, keep operating and servicing the SWCDs they currently service until July 1, 2009 at which time full time consolidation of the RRVCSA occurs, and full consolidation of finances will occur. On July 1, 2009 new Host Districts/Fiscal Agent will be formally implemented. Seconded by Carol Schoff. Motion carried.

Jerome then pointed out that the RRVCSA can have two Host Districts and one Fiscal agent when July 1, 2009 occurs. Jerome asked the Supervisors how they wanted to handle this issue—either make a decision now or form a committee to decide on the Host Districts/Fiscal Agent issue. Ken Pederson felt that the issue should be decided today when all the Supervisors are already present. Jerome than asked the Supervisors which SWCDs are interested in being Host Districts/Fiscal Agents. There was no response. Jerome than said that Becker SWCD would be interested in being the Host District/Fiscal Agent. Jerome than asked Brad Grant (Becker SWCD employee) to give a presentation on how Becker SWCD would handle the Host District/Fiscal Agent duties. Brad said that Becker SWCD has been the Host District/Fiscal Agent for the previous WCMJPB for many years. Brad gave a summary of the number of hours charged the past two years to the WCMJPB for support. In 2008, the total hours were 383 and 2007 it was 362. During the organization year of the RRVCSA the hours may exceed 383 due to extra workload for fully organizing the RRVCSA. Brad did point out that the only hours charged to the RRVCSA will be employee hours and not Supervisor hours. All Supervisor hours spent on RRVCSA work will be charged back to the SWCD that the Supervisor serves.

Lyle Dittman (East Otter Tail SWCD) made a motion to accept Becker SWCD's proposal to serve as Host District for the south portion of the RRVCSA (the previous WCMJPB Area-Becker, Clay, Grant, Mahnomen, Norman, East Otter Tail, West Otter Tail, Traverse, and Wilkin) and to serve as the Fiscal Agent for the entire RRVCSA (17 SWCDs). Seconded by Odell Christenson (Grant SWCD). Motion carried.

Ken Pederson (East Polk SWCD) made a motion that Marshall-Beltrami SWCD be the Host District for the north portion of the RRVCSA (the previous SWCD TSA 1-Kittson, Marshall, Marshall-Beltrami, Pennington, East Polk, West Polk, Red Lake, and Roseau). Seconded by Ross Aigner (Wilkin SWCD). Motion carried.

Gary Johnson (Roseau SWCD) made a motion that each area (WCMJPB, and SWCD TSA 1) that came into the RRVCSA conduct an audit of its financial records for the Fiscal Year ending June 31, 2009. Since these two audits will occur after July 1, 2009, and since full consolidation of the RRVCSA will occur after July 1, 2009, the RRVCSA will be responsible for paying for these two audits from the consolidated funds.

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Seconded by Linda Hanson (Pennington SWCD). Discussion was favorable towards each Area conducting an audit as that will keep all financial records "clean" going into the new RRVCSA in the new Fiscal Year of July 1, 2009. Motion carried.

Jerome pointed out that there are differences between the Employee Handbook used by the former WCMJPB and the former SWCD TSA 1. These differences will have an effect on the two employees of the RRVCSA-Jim Hest (former SWCD TSA 1 employee) and Jeff Haverland (former WCMJPB employee).

Jerome recommended that an Employee Handbook Committee be formed to negotiate the differences in personnel issues.

Linda Hanson (Pennington SWCD) made a motion that the Chairman Jerome Flottesch appoints a committee to develop an Employee Handbook for the RRVCSA and that the Committee meets with the employees and reviews the Employee Handbook. Seconded by Carol Schoff (Clay SWCD). Motion carried.

Jerome asked for volunteers to serve on the Employee Handbook Committee. Jerome said volunteers could consist of both employees and supervisors and that it was important to get equal representation from both the former WCMJPB and the former SWCD TSA 1. There were no volunteers so Jerome proceeded to appoint the following committee:

Darren Newville – District Manager, East Otter Tail SWCD (former WCMJPB area)

Byran Malone – Program Coordinator, Pennington SWCD (former SWCD TSA 1 area)

Linda Hanson – Supervisor, Pennington SWCD (former SWCD TSA 1 area)

Dave Rinke – Supervisor, Traverse SWCD (former WCMJPB area)

Cheryl Sistas- District Manager, Marshall- Beltrami SWCD and Host Manager for RRVCSA north portion

Brad Grant – District Manager, Becker SWCD and Host Manager/Fiscal Agent for RRVCSA south portion

All six of the appointees agreed to accept their appointment to the Employee Handbook Committee.

Jerome said that as Chairman he is an ex officio member of all committees and thus he also will serve on the Employee Handbook committee. Jerome also pointed out that the Host Manager north portion (Cheryl Sistas) and the Host Manager/Fiscal Agent south portion (Brad Grant) are also ex officio members of all committees of the RRVCSA. Jerome appointed Linda Hanson to be Chairman for this committee.

Jerome pointed out that we need to designate a financial institution for the RRVCSA funds. Brad Grant recommended Bremer Bank of Detroit Lakes as the Fiscal Agent will be located in Detroit Lakes. No formal action was taken.

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Jerome also pointed out that the RRVCSA needs to designate a public newspaper or newspapers to publish official meeting business in the legal notice section. Jerome said that as a public entity there are requirements concerning public notice of official business. Considerable discussion followed. Some supervisors questioned if putting notices in the SWCD web sites was good enough to meet the requirements of public notice. Jerome did not think that a web site would meet the official notice requirement. The question is what newspaper should be the official notice newspaper for the RRVCSA and does each of the 17 SWCDs need to publish the notice in their own official newspaper. Jerome appointed Brad Grant to investigate this issue. No formal action was taken.

Jerome said that he thought there was a difference between SWCDs in compensation for delegates to various meetings such as CTAC, etc. Jim Hest pointed out that there was no difference, that the compensation in the former SWCD TSA 1 was left up to the individual SWCDs just as it was done in the former WCMJPB.

Jerome brought up the issue of "Charging for Services". The former SWCD TSA 1 did not charge for any services to the SWCDs, while the former WCMJPB did charge for various services to SWCDs. Jerome said this "charging for services" must be resolved by the RRVCSA. Basically a decision must be made rather to charge for services or not to charge for services. Jerome said this issue can wait until July 1, 2009 to be resolved because of the earlier passed motion to have the former SWCD TSA 1 and former WCMJPB currently operate as status quo until July 1, 2009 when full consolidation of the RRVCSA occurs. Brad Grant said that when the new budget for the RRVCSA is discussed and "ironed out" the Charging for Services issue will be resolved.

Jerome pointed out that the RRVCSA needs a Budget Committee to complete a budget by July 1, 2009. Jerome felt that due to the complexity of the budget issue there should be both staff and supervisors on the committee. Jerome said that we could have an Executive Committee to take care of non policy issues such as budgets. Ken Pederson agreed that an Executive Committee would be a good way to take care of budget and other operational issues.

Dave Rinke made a motion that seven member Executive Committee be formed with the three elected officers (Chairman, Vice-chairwoman, Secretary/Treasurer), the two Host District Managers, and two other appointees by Chairman Jerome Flottesch. Seconded by Ross Aigner. Motion carried.

Jerome appointed Carol Schoff (Clay SWCD) and Tanya Hanson (Red Lake SWCD) to fill the two appointments on the RRVCSA Executive Committee. Thus the completed Executive Committee which is in charge of developing a budget for the RRVCSA consists of:

Jerome Flottesch – Becker SWCD Supervisor and Chairman of RRVCSA

Linda Hanson – Pennington SWCD Supervisor and Vice Chairwoman of RRVCSA

Pete Revier – Mahnomen SWCD Supervisor and Secretary/Treasurer of RRVCSA

Brad Grant – Becker SWCD District Administrator and Host SWCD Manager of south portion RRVCSA

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Cheryl Sistas- Marshall-Beltrami SWCD Manager and Host SWCD Manager of north portion RRVCSA
Carol Schoff- Clay SWCD Supervisor
Tanya Hanson – Red Lake SWCD Manager

Jerome asked the supervisors if the RRVCSA needed to meet again soon or if the RRVCSA needed to meet at all before July 1, 2009. The consensus of the supervisors was that they would like to meet some time at the end of June.

Linda Hanson made a motion that Host SWCD Manager/Fiscal Agent Brad Grant set a date for a meeting of the full RRVCSA full Board sometime in the later part of June and notify all 17 SWCDs in the RRVCSA. Seconded by Lyle Dittmann. Motion carried.

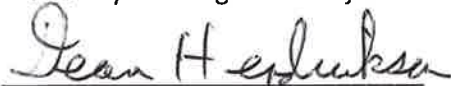
Jerome than asked the employees of the RRVCSA Jim Hest and Jeff Haverland if they had any questions.

Jim Hest said that he was confident that the Executive Committee would address any concerns he would have. Jeff Haverland mentioned that a SWCD requested him to sign a FOIA (Freedom of Information ACT) agreement. After reviewing the FOIA training website, he became aware of the \$5,000 penalty for the release of landowner information. Jeff is concerned with accepting additional liability for himself and the RRVCSA Board and asked if the RRVCSA Board's errors and omissions insurance would cover any possible penalty. Jeff also mentioned that the FOIA Agreement is an NRCS policy and he usually only works on SWCD projects which do not require a FOIA agreement. Jeff also asked why the landowner could not sign a notification and disclosure statement releasing information needed for design work. Jeff does not plan to sign the agreement unless directed to by the RRVCSA Board. No formal action was taken on the FIOA question.

The joint ownership of the ATV and Trailer with the Bemidji (North Central MN JPB) Office was discussed. No formal action was taken.

Brad Grant pointed out that there are alternate supervisors that do attend JPB meetings and this is encouraged as that way they are updated in case the regular supervisor is unable to attend.

Motion by Ross Aigner for adjournment. Seconded by Dave Rinke. Motion carried.



Dean Hendrickson
Becker SWCD



Pete Revier
Secretary-Treasurer