



BOARD OF DIRECTORS Minutes

*Executive Board Meeting
April 7, 2017
Territory Golf Course
St. Cloud, MN*

Members in Attendance:

Pam Flitter, Martin Co. (E)	Chris Pence, Crow Wing Co. (C)
John Biren, Lyon Co. (D)	Dave Rush, Douglas Co. (C)
Jennifer Breberg, Lac qui Parle Co. (D)	Mandy Landkamer, Nicollet Co. (E)
Terry Neff, Aitkin Co. (B)	Tim Nelson, Cook Co. (B)
Kyle Krier, Pipestone Co. (D)	
Dale Oolman, Steele Co. (F)	

Members Absent:

Angie Knish, Mower Co.

Josh Johnston, Marshall Co. (A)

Others in Attendance

Jennifer Berquam, AMC
Doug Thomas, BWSR
Dave Weirens, BWSR

Call to Order-

Attendance Roll Call-Quorum

Approval of Agenda with the additions

- Dave Weirens, BWSR, to discuss Buffers
MSP: Dave R./Kyle to accept agenda with the addition.

Approval of Minutes of the February 3, 2017 Meeting

MSP: Kyle K./Dale O.

Treasurer's Report – Angie Knish (Absent)

Angie sent out a report with the notice of the meeting. Angie noted that Carver County will be adding two to the membership and other county memberships are still coming in.

1st Quarter Audit report: Dale O., Everything was in order.

MSP: Mandy L./Chris P. to accept audit report.

Old Business

BWSR – Time Tracking – Doug Thomas, BWSR

- The grant monitoring and reconciliation is driven by two policies that were adopted by the Office of Grants Management as part of the Department of Administration.
- The first policy is 08-08, which is policy on grant payment. Reimbursement is the preferred method of making grant payments. Although, advanced payments like are done with NRBG's, cost share, etc. make advance payments at 100% up front. The Auditors really don't like this practice, but the law and policy do allow this.
- Grant verifications are gone, these were basically illuminated with the new policy that was adopted by the board in January, 2017.
- State policy says that all advance payments on grants over \$50,000 must be reconciled within 12 months of issuance or within 60 days of the end of grant period. This is where the \$50,000 threshold comes from.
- Policy 08-10 is a policy on grant monitoring. Policy states that the state is to conduct at least one monitoring visit per year on all state grant over \$50,000, and must also conduct a financial reconciliation of grantees expenditures at least once during the grant period. There are only a few NRBG's that would exceed the \$50,000.
- This policy defines grant monitoring and financial reconciliation. So after two years they recognized that this thing called verification was actually something that was existing for a few years and when looked at it was something created by the agency, it was burdensome and was taking on the flavor of an audit, which it is not. So in January the board adopted a new grants monitoring and financial reconciliation policy that conforms or complies with those two policies from the Office of Grants Management. These will apply now starting with FY2017 grants, those that were issued after July 1, 2016. Some grants will fall under the old policy so you will have to comply with the policies of that time.
- BWSR recognizes the inconsistencies in how their staff are implementing some of the grant monitoring procedures. They are in process of developing guidance on monitoring procedure and all monitoring will be done by board conservationists. Grant specialists will only be involved for grant reconciliation or if something occurs or issues arise that warrant taking a closer look.
- Most significant thing that is happening is BWSR has, in the budget bill an exemption for general fund, non-competitive grants would be exempt from those two Office of Grants Management policies. Jennifer is tracking this in both the House and Senate finance bill. They would still do monitoring but would not do any reconciliation. The argument for the exemption is simple, general fund grants that they do are statute mandated; they are to local government and we have a working relationship with local government. Along with the auditing that is required of the county every year, and with the monitoring that we do, that is sufficient oversight of our Counties and the same is true of the SWCD's.
- Grant reconciliation would continue on Clean Water Fund Grants.
- Monitoring is their review to make sure grant goals are being met and address issues before the end of the grant period.
- Doug added that if you encounter issues, contact the regional managers. If they don't know about the issues they can't work with their staff to resolve these issues.
- Group had discussion with Doug about the requirement of putting indicators in the E-link reporting for septic systems using the fix-it grant dollars, he was not familiar with this requirement but would ask.

Annual Conference update: Josh J. (absent): Pam had received information from Josh to present. The proposed budget and agenda were presented to the group for review. The hotel is booked, speakers are lined up, block of rooms are reserved. Items left to do is to get a cost agreement signed for food and refreshments, line up tour details, work on registration and printing of conference material.

MSP: Dave R./Kyle K. to approve the budget and agenda for the 2017 fall conference in Bemidji, as presented.

2017 Zoning Office Survey – Jen B. reported from Ben that 56 counties have responded to the survey, the list of those that have not responded was read. If a county is in your District please contact them and remind them to complete the survey. It

was discussed that they would close the survey in two weeks so they would have time to compile some information for the Spring Conference.

Legal Training May 19th – not a lot of responses yet, please encourage your people to attend. It is in St. Cloud.

MN Public Utilities Letter – Jen shared an email received from Jon Tuma, requesting input on three main issues. They are updating rules on Certificate of Need, changes to repowering and decommissioning. Jean C., Murray County is on the Committee. Jen made a request that maybe there should be one more person on this committee with Jean. Angie Berg was suggested as a representative. Jen will contact Angie.

New Business:

Scholarship: This was brought up at our Annual meeting at fall conference to possibly put together a scholarship. Josh Johnston had reported that the by-laws committee will be meeting in June to start working on this to bring back to the board.

2017 MACPZA Emergency Contact List: This will be put together so that everyone will have this information.

Spring Conference 2017 –

- Draft agenda was handed out for review.
- Tim Nelson went over the agenda.
- Thursday afternoon the speaker is Hector the canine man. He will present on dog encounters and dealing with and responding to difficult people.
- MACPZA Executive Board Meeting will be 9:00 AM, Thursday, June 1st.
- Registration starts at 12:30 with conference starting at 1:00 pm.
- Welcome will be Chris Pence, Past President & Legislative Chair
- Discussion on speakers; Buffers with update on legislative progress or not. The reporting and tracking issues with BWSR. Doug Thomas will be asked to present on this. Dan Petrick on Shoreland Ordinance and McCullen to speak on Building Codes, which will be an extension of his presentation given at last fall's conference.
- Fees are one day \$45.00 or \$80.00 for both.

MSP: Chris P./ Terry N. to accept the agenda and fees as discussed.

District Rep for Districts A, C, & E: Pam reported that District "A": Josh Johnston, alternate is Eric Buitenwerf; District "C" : Dave Rush, alternate is Angie Berg; District "E": Mandy Landkamer, alternate is Kathy Brockway.

MACPZA Message Board: Pam discussed that they have had a request from septic professionals in the southern regions to be able to access the message board on the web site to facilitate questions they have concerning Septics. This could also benefit the Counties that have septics to see what questions are out there and the answers. After discussion it was determined that they could have access if they were affiliate members of MACPZA, they would however not be voting members.

AMC Update – Jen requested feedback on Buffering dollars. The request was for \$10 million. What we ended up with is \$2 million per year in the House legacy bill. This is not carried anywhere else and is not general fund money right not. Rep. Torkelson is looking for why we believe we need the \$10 million. What is it used for and for how long, 5, 7, 10 years for example. A list of reasons will be compiled and presented to Rep. Torkelson and the environmental staff. The group discussed that it will take a considerable amount of time and money, but we also don't know yet exactly what we will all need to do. Jen asked if money would be used to update technology for tracking and mapping. Response to this was what can the money be used for and her response was that it is pretty open. Suggestions of seed to landowners if the counties wanted, mapping, County Attorney fees, etc.

MACPZA Committee Reports

Legislative Committee: Chris P.; Chris shared a handout with the group, which he said Jen covered most everything he had to report on. Whats moving in the legislature; PILT is in both House and Senate, Lot Split Bill in the House, Base SSTS funding, SCORE dollar increase, but it doesn't look like they will keep this.

Concerning Wetland Midigation issue, the replacement is mostly for the mining problems, they may separate and piece this one out. Jen did add that AMC & MACPZA don't have issues with the wetland banking issue.

Professional Development Committee: Tim Nelson; Spring Conference was discussed earlier. Discussion had on separate training events and if we need one or not. The group thought yes, because there are a large amount of new staff and elected officials this year. This will be brought to the committee.

By-Laws: Josh Johnston – No Report

Other Committee Reports

SSTS: Terry N: No report

SIETF: Chris P.;

MSP: Chris P./Terry N. to appoint Mark Latterell, from District “C” to SIETF committee.

There is discussion by the committee to amend the rules that tanks must be pumped before inspection if not done within the last three years. They hope to have something in place by 2018. The committee also discussed the guidance document for inspectors, which was created by Mark Westpedahl, but it’s a 50 page document, which is too long.

Buffer Work Group: Dave turned it over to Dave Weirens to give his presentation on Buffers.

Dave Weirens, BWSR, Enforcement & Compliance on Buffers.

Handouts entitled Model County Buffer Ordinance, Policy 9: BWSR’s review of County and Watershed District Buffer Rules and Official Controls; and Administrative Penalty Order Plan for Buffer Law Implementation.

- About 18 LGU’s have communicated about handling enforcement, 8 were with conditions, 6 metro watersheds said no, and Lyon, Big Stone and Nobles said yes.
- BWSR is still working on how enforcement will be handled.
- Comment period will concluded before the BWSR Board meeting in May on Policy 9 and APO.
- The ordinance was reviewed by BWSR before
- APO handout gives 2 plans for implementation, one for County’s and/or watersheds and second plan is for BWSR doing the enforcement.
- Dave reviewed the procedure for APO’s and penalty amounts.
- The ordinance can be a standalone document, but if it is put with Shore land ordinance, then DNR would have to review it.

Dave Rush, who sits on the **Buffer Work Group** at this time shared with the group what they have been discussing.

- If the enforcement is done locally, how are appeals going to be handled.
- What is the process for appeals
- What about verification process when violations are corrected, who will be checking on the progress of corrective actions.
- Recommendation from the group was that they need to take a hard look at the wordage used to describe the 30’ minimum – 50’ maximum buffer requirements.
- The group was instructed by Mr. Weirens to send their comments and concerns on to Jen B. at AMC and have them compiled and passed on to BWSR during the comment period.

MSP: Chris P./Terry N.; to support the Buffer Work Group’s points/issues and send them on to Jen B. at AMC

Adjourn:

MSP: Chris P./ Terry N.

Next Meeting will be at 9:00 am, Thursday, June 1, 2017, at the Arrowwood Lodge, Baxter, MN

Respectfully Submitted,

Jennifer Breberg
Secretary