

**CASS COUNTY SOIL AND WATER  
CONSERVATION DISTRICT**

**OPERATING  
POLICIES**

**July 2, 2009**

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**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**OFFICE HOURS AND MEETING LOCATION**

Issued by  
**THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 1**

**Date Issued: June 4, 2009**

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1. Office hours will be 8:00 am. to 4:30 pm, Monday through Friday.
2. The regular monthly board meetings will be held in the County Commissioner meeting room at the Courthouse complex in Walker, MN, on the first Thursday of each month beginning at 10:00 am. and will be transacted within two hours, unless extended by the Board.

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**SWCD MEETING PROCEDURES**

**Issued by  
THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 2** **Date Issued: June 4, 2009**  
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The following Meeting Procedures will guide board meetings and shall be made available to and inform the public as to meeting procedures. The listings of staff, board members, and chair or other officer positions shall be updated from time to time to reflect then current positions.

**MEETING PROCEDURES**

**Cass County SWCD Staff**

District Manager	John Sumption	547-7256
Secretary	Brenda Tooker	547-7399
GIS, Wetland Technician	Bob Wright	547-7365

**Cass County SWCD Board of Supervisors Meeting Procedures**

Welcome to this meeting of the Cass County SWCD Board of Supervisors. We are extremely pleased that you have shown your interest in Cass County affairs by attending this meeting. It is the wish of the SWCD Board of Supervisors that interested citizens participate in the deliberations of its meetings and that residents of the County become aware of the procedures to be followed.

This pamphlet has been prepared to familiarize you with the function and the organization of the Cass County SWCD Board of Supervisors, and to outline for you the procedures that must be followed if you wish to actively participate in the meeting.

We are pleased that you have decided to attend a meeting and we wish to invite you to attend our future meetings.

**The Cass County SWCD Board of Supervisors**

**Board Members**

Your SWCD Board of Supervisors is composed of five members elected to serve over-lapping terms. The District Secretary serves as the recording clerk to the Board and prepares the agendas for consideration. The election of Board members takes place on the first Tuesday in November of even numbered years and members are elected county-wide. New Board members take office on the first Monday in January.

Your Board members this year are:

<b>District I</b>	<b>Ken LaPorte</b>	<b>(218) 746-3927</b>
<b>District II</b>	<b>Tom Kuschel</b>	<b>(218) 587-2910</b>
<b>District III</b>	<b>Jim Ballenthin</b>	<b>(218) 682-2055</b>
<b>District IV</b>	<b>Dave Harder</b>	<b>(218) 363-2213</b>
<b>District V</b>	<b>Will Pehling</b>	<b>(218) 547-3173</b>

**2009 Board Chairman: Jim Ballenthin**

### **Board Meeting**

The Cass County SWCD Board of Supervisors meets on the first Thursday of each month.

Meetings begin at 10:00 a.m. in the Commissioners Board Room, 1<sup>st</sup> Floor of the Cass County Courthouse, Walker, MN.

There is always a possibility of conflict, necessitating a change of meeting date or location. Although rare, when it is necessary, the public will be informed through the local news media whenever possible.

Business at certain periods during the year sometimes makes it necessary to recess a meeting to a future date. There are also instances when a special meeting must be called to consider certain specified actions. In both instances the public will be informed of such meetings whenever possible.

All meetings of the full Board (regular, special, emergency and adjourned) are open to the public. In fact, the public is urged to attend.

### **Board Actions**

The SWCD Board of Supervisors must have a quorum, or three members, present before it can take official action. Most board actions may be approved by a simple majority of the membership present.

The SWCD Board of Supervisors has complete and final control over SWCD matters subject only to the limitations imposed by state law, and of course, ultimately the will of the local residents.

### **Public Participation at Board Meetings**

Meetings of the SWCD Board of Supervisors will follow a standard agenda. Items not placed on the agenda may be considered at the meeting upon agreement of the members of the board present. To place an item on the agenda, the following procedures should be used.

The applicant should file a written request with the SWCD Office at least ten days prior to the scheduled meeting. The request should include the name, address and telephone number of the person or persons making the request; a statement describing the action the applicant wishes the Board to take and background information outlining the reasons for the request.

The SWCD Board of Supervisors desires public participation at its meetings, but at the same time has the responsibility for conducting its business in an orderly fashion. The Chairman will provide the audience with an opportunity to amend the agenda. This will be done at the beginning of the meeting.

Members of the audience are encouraged to be heard prior to board discussion of an agenda item. Each speaker will be allowed 3 minutes for his/her presentation unless the time limit is waived by a majority of the Board members present. When there are a large number of speakers to be heard, the SWCD Board of Supervisors may shorten this time. Interruption or other interference with the orderly conduct of SWCD Board of Supervisors business cannot be allowed. Defamatory or abusive remarks

are always out of order. The presiding officer (Chairman) may terminate the speaker's privilege of address if, after being called to order, he/she persists in improper conduct or remarks.

At a public meeting of the Board, no person shall orally initiate charges or complaints against individual employees of the SWCD (due to laws governing data practices) or debate any subjects under jurisdiction of the Courts. All such charges, if presented to the Board directly, shall be referred to the County Attorney's Office for investigation and report.

No action will be taken on any item not considered a part of the agenda on the same day it is presented unless action is considered necessary by a majority of the Board.

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**PROGRAM FUNDING AND PROMOTION**

**Issued by  
THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 3** **Date Issued: June 4, 2009**  
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1. The district will seek all available funds, service, and facilities to carry out its program.
2. The district will encourage participation in the district programs by local units of governments and private individuals, and will acquaint them with technical and financial assistance that is available.
3. The district will promote the use of the Soil Survey in making wise land use decisions.
4. The district shall strive to carry out an information and education program to convey the conservation message to various entities and help get conservation practices on the land.

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**COMPENSATION RATES**

Issued by  
**THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 4**

**Date Issued: June 4, 2009**

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1. The per diem and mileage rates for supervisor attendance at meetings will be—as determined by the Board, but not to exceed the amounts specified by then current state law or IRS guidelines, as applicable.
2. Supervisors shall be compensated for expenses incurred while at official district functions, or while conducting district business. Allowable expenses shall include, but not be limited to meals, lodging, telephone charges and postage. All expenses are subject to approval by the board.
3. When private persons are called upon to advise the Board or to speak at functions authorized by the Board, they may be compensated at such rate determined by the Board, but not to exceed the amount specified by BWSR guidelines or other law. The rate for mileage compensation will be as determined by the Board, but not to exceed the then current IRS guidelines.

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**REVIEW OF BUDGET AND POLICIES**

Issued by  
**THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 5**

**Date Issued: June 4, 2009**

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1. It will be the policy of the district to review the operating budget annually at the regular March Board meeting.
2. These policies as adopted by the board of supervisor's shall be reviewed by the board at the first regular meeting of the board during the month of January. Furthermore, these policies are subject to change as the supervisors deem necessary by unanimous vote of those supervisors present at the meeting.

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**SUPEVISOR ATTENDANCE AT MEETINGS**

**Issued by  
THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 6**

**Date Issued: June 4, 2009**

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1. It is the policy of district that any supervisor that is absent from two consecutive board meetings without prior notice, may be asked to resign. Furthermore, any supervisor that is absent from six board meetings per year may be asked to resign.
2. Because of distances that some supervisors must travel for board meetings and because three supervisors must be in attendance to conduct a meeting, supervisors are asked to call the SWCD office at least two days in advance of a meeting if they are unable to attend a regularly scheduled meeting. If a quorum can not be present, a meeting may be cancelled or rescheduled.

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**ROTATION OF OFFICERS**

Issued by  
**THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 7** **Date Issued: June 4, 2009**  
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1. In order to help all supervisors gain experience in the various official positions, and so as not to burden one supervisor with several years in a position, the rotation of positions is as follows:
  - a. Recommended sequence will be 1) Member, 2) Treasurer, 3) Secretary, 4) Vice-Chairman, 5) Chairman.
  - b. In the event that a supervisor resigns, is dismissed, or election, the new supervisor will assume the Member position.
  - c. Rotation will be automatic at the January meeting of each year.

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**SWCD-COUNTY SERVICE AGREEMENT**

**Issued by  
THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 8**

**Date Issued: June 4, 2009**

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**THIS AGREEMENT, Made** and entered into this \_\_\_\_day of \_\_\_\_\_, 2009, by and between the COUNTY of CASS (hereinafter "County"), a political subdivision of the State of Minnesota, and the CASS SOIL AND WATER CONSERVATION DISTRICT, a political subdivision of the State of Minnesota (hereinafter "SWCD"), WITNESSETH:

WHEREAS, The County is a duly organized and existing political subdivision of the State of Minnesota, and,

WHEREAS, SWCD is a Soil and Water Conservation District organized and operating in accordance with Minnesota Statutes Chapter 103C, and,

WHEREAS, The parties hereto are authorized and empowered by M.S. 375.18 and M.S. 1 03C.231 to enter into cooperative agreements for the purpose of the powers of each of the parties hereto, and,

WHEREAS, SWCD desires to concentrate its time, energy and effort on the establishment and management of conservation practices and on stewardship promotion and conservation education, and,

WHEREAS, The County has, or will have, available the personnel, office space and equipment necessary to provide all administrative, personnel, financial management and other operational functions necessary to carry out the duties and programs of the SWCD;

NOW THEREFORE, It is agreed by and between the parties hereto as follows:

1. RECITALS: The recitals set forth in the whereas clauses are incorporated by reference as if fully set forth herein.
2. DUTIES OF COUNTY: That the County shall provide without cost to the SWCD:
  - a. All office space, equipment, and supplies;
  - b. All other office services such as telephone, copying and similar services, and;
  - c. All personnel necessary to administer and operate the programs and projects of the SWCD. All personnel shall be and remain employees of the County and under its direction and control.
  - d. That the County shall make available for lease by the Natural Resources Conservation Service such space as is necessary to fulfill their service obligation to the SWCD.
  - e. That the County shall retain ownership of all such equipment, supplies, and furniture acquired for the purpose of complying with this paragraph.

Notwithstanding the foregoing, the SWCD may employ, at its own expense and as employees of the SWCD, part-time and/or temporary employees.

3. DUTIES OF SWCD: That the SWCD shall retain authority and shall be responsible for the development of soil and water conservation policy, a comprehensive SWCD plan, and the approval, development, and management of conservation projects and all other powers generally enumerated in M.S. 103C.331, except as otherwise herein specifically designated and allocated to the County. The County hereby designates the SWCD responsibility for developing policy, writing an annual plan of work, and administering the following:
  - a. Education programs related to land stewardship, water quality, and resource conservation;
  - b. Provide advisory input to Environmental Services and Land Department;
  - c. Appoint SWCD representatives to the Board of Adjustment.

4. SWCD BUDGET

- a. Project Funds: The SWCD shall retain the control, management and approval authority for all funds for conservation projects and practices including, by example, the receipt and disbursement of State grant funds, the receipt, disbursement and collection of loan funds, and any other funds specifically and directly related to a conservation practice. The SWCD shall maintain SWCD administrative and project funds in segregated accounts.
- b. Administrative Funds. The SWCD shall retain the control, management and approval authority for all general, discretionary and administrative funds received by it.
- c. Operating Budget: The SWCD shall present to the County an annual operating budget for program-related and other expenses to carry out duties listed in paragraph 3 above.

5. LIABILITY: Nothing in the agreement shall obligate or cause either party to incur any liability as the result of the actions of the other party as to any specific duty or responsibility assumed or retained hereunder. The County shall not incur any liability by reason of any action taken by SWCD under the authority retained under Paragraph 3. SWCD shall not incur any liability by reason of any action taken by the County under Paragraphs 2 and 3.

6. LIAISON COMMITTEE: That there shall be established a resource conservation liaison committee consisting of two members of the County Board of Commissioners and two members of the Soil and Water Conservation District Board of Supervisors. The County Administrator and Environmental Services Department Director or their assigns shall serve as non-voting advisory members. Said committee shall meet upon the request of its members for purposes of program and policy review. At least annually, prior to June 1 of each year, said committee shall meet for the purpose of reviewing the effectiveness of this agreement, discussing budgets, and making a recommendation to their respective Boards as to the desirability of continuing the agreement.

7. DIRECTOR: That the County shall not appoint an Environmental Services Director without prior consultation with the SWCD. That the SWCD shall be entitled to offer input and advice as relates to the selection of a Director, but the County shall have the final authority.

8. EFFECTIVE DATE: CONTINUING EFFECT: This agreement shall be effective on the date set forth in the first paragraph of this Agreement and shall continue thereafter, from year to year, unless specifically terminated by either of the parties to this agreement to the other.

9. TERMINATION: This agreement shall terminate with either party giving 60 days written notice to the other party of their desire to terminate the agreement prior to July 1 of any year of this agreement or of any extension thereof.

10. AMENDMENTS: Any amendments, deletions, or waivers of the provisions of this agreement shall be valid only when reduced to writing and signed by the parties.

11. ENTIRE AGREEMENT: This agreement shall constitute the entire agreement of the parties and shall supersede all oral and any prior agreements and negotiation between the parties relating to the subject matter herein.

12. SIGNATURE

COUNTY OF CASS

BY \_\_\_\_\_  
Chairman, Cass County Board of Commissioners

ATTEST \_\_\_\_\_  
Cass County Administrator

DATE \_\_\_\_\_

CASS COUNTY SOIL AND WATER CONSERVATION DISTRICT

BY \_\_\_\_\_  
Chairman, Cass Soil and Water Conservation District Board

ATTEST \_\_\_\_\_  
Secretary, Cass County SWCD

DATE \_\_\_\_\_

# CASS SOIL AND WATER CONSERVATION DISTRICT

## OPERATING POLICIES AND PROCEDURES

### DISTRICT MANAGER DUTIES

Issued by  
**THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 9** **Date Issued: June 4, 2009**  
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The Environmental Services Director shall serve, or designate an ESD employee to serve, as the SWCD District Manager, with duties including but not limited to the following:

1. Conservation Project Management and Implementation
  - a. Serves as lead project manager and staff coordinator in order to carry out the provisions of the SWCD strategic plan.
  - b. Works closely with the SWCD chairman and Board members.
  - c. Works with the ESD Director to fulfill the District's obligations under the current version of the SWCD-County Service Agreement.
  - d. Prepares quality grant proposals that result in obtaining needed operational funding for the district.
  - e. Provides technical assistance to landowners as directed by the District Board.
  
2. Program Planning
  - a. Works with the Board, staff, and partners to review and update the District's strategic and annual plans.
  - b. Serves as the primary liaison for the district between other agencies, the media, and the general public pertaining to SWCD program direction. This includes evening meetings as directed by the Board. Networking with agency partners, community leaders, landowners, and others ensures public opportunity to bring new ideas and direction to the district's program.
  - c. Solicits and receives input from agencies, the public, staff, and others to formulate conservation strategies that will address priority concerns.
  
3. Financial Responsibilities
  - a. Oversees financial affairs for the district in conjunction with the Board Treasurer and the District Secretary.
  - b. Oversees compliance with State fiscal policy.
  - c. Works closely with the Board to prepare the SWCD annual budget.
  - d. Acts as fiscal, budget, and contract officer
  - e. Keeps the Board informed regarding financial affairs and contracts for audits as required.
  - f. Ensures compliance with relevant laws and rules pertaining to district expenditures.
  - g. Develops and administers grants and contracts obtained by the district to ensure compliance with grant agreements.
  - h. Prepares, reviews, and negotiates contracts, leases, and grant agreements associated with district projects.

#### 4. Personnel Management

- a. Coordinates efforts with Natural Resources Conservation Service staff to assist in delivery of USDA programs in the County.
- b. Works in cooperation with the ESD Director to coordinate and oversee activities of staff to ensure timely progress and completion of grants/projects and subsequent timely reporting.
- c. Works with the ESD Director to evaluate staff performance and training needs.
- d. Makes recommendations to the Board related to staffing and position descriptions to meet district goals. Review job descriptions to ensure progress toward strategic plan and annual plan objectives.
- e. Facilitates a productive working environment of the SWCD team promoting good staff moral and conflict resolution.
- f. Recommends appropriate training for employees to the Board.
- g. Oversees and coordinates work by volunteers, as needed, to complete work in a professional manner.

#### 5. Education and Outreach

- a. Participates in outreach activities to raise public awareness about natural resource concerns and successful projects of the SWCD.
- b. Prepares and delivers effective presentations to agencies and the public.
- c. Participates in inter-office editing of content of written material that the SWCD distributes.
- d. Works with the annual meeting/tours/awards committee for planning and coordinating of these events.
- e. Oversees the District's web page to insure that information is provided to the public regarding the District and its programs, and to insure compliance with relevant rules, laws, and regulations.

# CASS SOIL AND WATER CONSERVATION DISTRICT

## OPERATING POLICIES AND PROCEDURES

### DISTRICT SECRETARY DUTIES

Issued by  
**THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 10** **Date Issued: June 4, 2009**  
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The Environmental Services Director shall designate an ESD employee to perform the duties of District Secretary, as follows:

1. District
  - a. Process and assists in administration of office communications.
  - b. Process in-coming mail and email.
  - c. Process correspondence, plans and reports as necessary for District operations.
  - d. Maintain SWCD electronic files.
  
2. Maintains records
  - a. Maintains bookkeeping system according to state standards.
  - b. Interprets and projects the financial standing of the District for the Board on a monthly basis.
  - c. Assists in formulation of annual and long range budget.
  - d. Maintains records according to procedures and standards set by the District.
  
3. Provides support for District Board and other meetings
  - a. Prepares of Board meeting agendas.
  - b. Serves as secretary to Board --records minutes and prepares information for Board actions.
  - c. Presents monthly treasurer's report.
  - d. Maintains monthly calendar of activities.
  - e. Provides background support information for individuals representing the District at other meetings.
  - f. Performs other duties as assigned by the District Board.
  
4. Assists in preparation of reports and plans
  - a. Assists in data collection for use in annual plans and reports.
  - b. Assists in editing reports and plans.
  - c. Prepares and submits fiscal year end financial statements as required.
  
5. Scheduling
  - a. Set up appointments in absence of District Technician and District Manager.
  
6. Secretarial - Receptionist
  - a. Receive public.
  - b. Answer telephone.

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**COUNTY PERSONNEL RULES AND PERFORMANCE EVALUATIONS**

**Issued by  
THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 11**

**Date Issued: June 4, 2009**

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1. All employees of Cass County provided to the Board under the Service Agreement between Cass County and the Board shall be subject to the most current personnel rules and policies of the County in performing their services to the Board. Such employees of Cass County shall be responsible to administer and operate the programs and projects of the Board, as provided by the Service Agreement.
2. Each County employee is expected to do the best job possible. To assist the employee in attaining such performance, the Board shall periodically review the employee's performance.
3. Performance evaluations shall be done on an annual basis and coordinated with the performance evaluation of the employee by the County.
4. The employee and the employee's supervisor shall be present during the evaluation to answer questions and to give an explanation of duties and responsibilities.
5. A copy of the evaluation shall be given to the employee and the original shall be given to the employee's supervisor to be filed in accordance with the County's policies regarding such evaluations.

# CASS SOIL AND WATER CONSERVATION DISTRICT

## OPERATING POLICIES AND PROCEDURES

### COST-SHARING POLICIES AND RATES

Issued by  
**THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 12** **Date Issued: June 4, 2009**  
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1. The Board will allocate cost-share funds on a first come-first served basis.
2. Any district supervisor's application must have unanimous approval of the district board.
3. Additional federal, state, local, or private matching funds should be sought for cost-share projects.
4. All cost estimates, by the design engineer, will be the basis of payment, except, if the actual cost is less than the cost estimate, then payment will be made on actual cost. Any overruns must be presented to the board for further consideration and approval.
5. All ag-waste applications must be accompanied by a feedlot permit application.
6. Rates for approved cost-share practices shall be as approved by the Board but not to exceed the rates for practices approved under Board of Water and Soil Resources Rules, Minnesota Administrative Rules, Chapter 8400, and the Administrative Guidelines of BWSR. Unless otherwise determined by the Board, cost-share rates for the following practices shall be as follows:

• Erosion Control Structures	10%
• Stripcropping	75%
• Terraces	25%
• Diversions	75%
• Stormwater Control Systems	75%
• Field Windbreaks	75%
• Animal Waste Control Systems	25%
• Critical Area Stabilization	50%
• Streambank, Lakeshore, Roadside Erosion Control	50%
7. Shoreline Protection Cost-sharing.
  - a. It is the policy of the Cass SWCD that conservation practices other than rock riprap to control shoreline erosion are to have priority and be implemented where feasible and prudent. Riprap will be recommended by Cass Environmental Resource Specialists (ERS) only if there is no other reasonable practice to control erosion.
  - b. Cost-share funds for shoreline protection shall be allocated according to the following tier system:
    - Tier 1--\$500 maximum per project
      - a. \$10 per lineal foot
      - b. Riprap must include a 10 foot vegetated shoreline buffer according to a plan approved by ERS

- Tier 2--\$1000 maximum per project
  - a. \$15 per lineal foot
  - b. Riprap must include a 20 foot vegetated shoreline buffer according to a plan approved by ERS
  - c. Proper guttering on all structures
  - d. Use of rain barrels
  - e.
  
- Tier 3--\$1500 maximum per project
  - a. \$20 per lineal foot
  - b. Riprap must include a 30 foot vegetated shoreline buffer according to a plan approved by ERS
  - c. Proper guttering on structures
  - d. Rain gardens
  - e. Use of rain barrels
  
- Other potential practices
  - a. Remove structures from shore impact zones 1 & 2
  - b. Divert runoff away from shore impact zones 1 & 2
  - c. Reduction of impervious surfaces in shore impact zones 1 & 2
  - d. No maintenance in shore impact zones 1 & 2
  - e. Other options approved by the ERS

**CASS SOIL AND WATER CONSERVATION DISTRICT**

**OPERATING POLICIES AND PROCEDURES**

**PROCESSING OF APPLICATIONS**

**Issued by  
THE SWCD BOARD OF DISTRICT SUPERVISORS**

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**Policy # 13**

**Date Issued: June 4, 2009**

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1. All applications will be handled in order of date of application. Applicants not granted funds in the current fiscal biennium, will be required to refile in order to be eligible for moneys in the next fiscal biennium. Letters will be sent to applicants explaining the boards decision, applicants on file in the previous fiscal biennium will be given priority, in accordance with the date stamped on previous applications. The priority will be held for 30 days, at which time the applicant will be removed from the file, if he has not refiled.