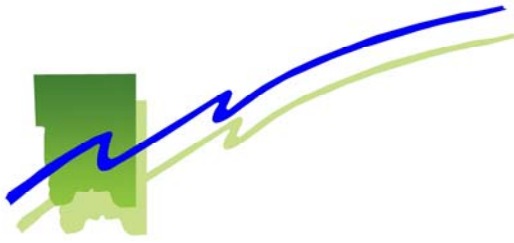
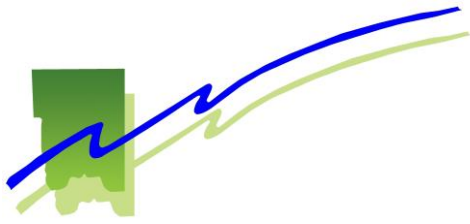


Ramsey Conservation District



1425 Paul Kirkwold Drive
Highway 96 & Hamline Avenue
Arden Hills, MN 55112
Telephone 651-266-7270
Fax 651-266-7276

**Items Presented at June 1, 2017 RCD Board Meeting that
were not included in the board packets**



Meeting Date:06/01/2017

Prepared by: Ann WhiteEagle

N. Purpose/Action Requested:

FY16/17 WCA (Decision)

Summary:

The WMOs have been asked for their WCA invoices, but since the inspection period runs to the end of May 31st, we won't have the final invoices until the end of the day on May 31st. They will be available for board review at the board meeting. This is one of the challenges of having board meetings on the first week of the month.

Proposed Resolution:

Whereas, BWSR has provided \$16,677 in funds for FY16 and for FY17 for the purpose of reimbursing the RCD and LGUs for the administration of WCA in Ramsey County; and

Whereas, FY16 funds must be spent by June 30, 2017 and have a balance of \$3,538.38; and

Whereas, FY17 funds must be spent by June 30, 2018 and have a balance of \$16,677; and

Whereas, the RCD has long-standing program (1992 to the present) to reimburse LGUs and the RCD for administrating WCA, and Whereas, the RCD has agreements with the Ramsey- Washington Metro Watershed District (RWMWD), Rice Creek Watershed District, and Vadnais Lake Area Water Management Organization (VLAWMO) to reimburse for the administration of WCA;

Whereas, VLAWMO, RWMWD, RCWD and the RCD have all submitted documented reimbursable WCA administrative expenses for the period of January 1, 2017 through May 31, 2017; and

Now Therefore Be It Resolved, the entities shall be reimbursed in the following amounts from the FY2016 WCA Administrative funds: VLAWMO \$701.88; and RCD \$2,836.50; and

Further Be It Resolved, the entities shall be reimbursed in the following amounts from the FY2017 WCA Administrative funds: RCWD \$525.00; VLAWMO \$321.62; RWMWD \$322.35.

Explanation of Fiscal/FTE Impact:

These payments are made from the Wetland Conservation Act grant that Ramsey County delegates to the Ramsey Conservation District.

Supporting Documents:

None

The ~~Powers~~- **Authorities** and Responsibilities of the Ramsey Conservation District

Minnesota Statutes 103C.331 established soil and water conservation districts as governmental and political subdivisions of the State of Minnesota with certain inherent powers and duties. The Ramsey Conservation District (RCD) is that subdivision for Ramsey County. The following are duties of the RCD:

The RCD **board of supervisors** shall develop a comprehensive plan for the conservation of soil and water resources.

The RCD **board of supervisors** shall present an annual budget to the Board of Ramsey County Commissioners. **As Minnesota Statutes 103C.331 states the RCD is a independent state level special unit of government. All correspondence and communications from this office and or board of supervisors will on official; RCD letterhead.**

The RCD Board shall compile an annual budget that includes funds for Supervisor Per Diem as described by Minnesota Statute. The budget shall also afford funding for outreach and education including but not limited to an independent Web Site separate and apart from Ramsey County. The RCD is not a department of Ramsey County.

Minnesota Statutes 103C.331 established soil and water conservation districts as governmental and political subdivisions of the State of Minnesota.

The Ramsey Conservation District (RCD) is that subdivision for Ramsey County.

The following are discretionary powers of the RCD:

The RCD may construct, install, improve, maintain and operate any structures and works necessary or convenient for the performance of any of the operations authorized within Minnesota Statutes, Chapter 103C.

The RCD **board of supervisors/district** may conduct resource surveys and demonstration projects.

The RCD **board of supervisors/district** may sue or be sued.

The RCD **board of supervisors/district** may require compensation or contributions for goods and services provided.

The RCD **board of supervisors/district** may carry out soil and water conservation measures on any lands within Ramsey County with the consent of the fee owner.

The RCD **board of supervisors /district** may cooperate or enter into agreements with any governmental agency or individual landowner within Ramsey County for the purpose of carrying on a program of erosion prevention and control.

The RCD **board of supervisors/district** may purchase or accept gifts of real or personal property, earn from the property and provide equipment and supplies with will bring about conservation practices within Ramsey County.

The RCD **board of supervisors** may assume land by purchase, lease or otherwise to improve, maintain, operate and administer any RCD project undertaken by the federal or state government.

The RCD **board of supervisors** may make application or enter into an agreement with any designated authority for federal assistance.

The RCD **board of supervisors** may appropriate necessary funds to provide membership in state and national associations which have as their purpose the betterment and improvement of soil and water conservation district operations.

The RCD **board of supervisor/district** may procure insurance directly or through Ramsey County.

The RCD **board of supervisors/district** may publish **board approved** information relating to the activities of the RCD.

The RCD **board of supervisors/district staff** may provide advice or consult with county and municipal representatives.

The RCD **board of supervisors** may employ technical experts and such other officers, agents and employees both permanent and temporary as may be required and shall determine their qualifications, duties, and compensation.

The Powers and Responsibilities of the RCD Supervisors:

RCD Supervisors are **elected to and** obligated to **represent and** conduct the business of the RCD.

RCD board supervisors will provide supervisor orientation to newly elected board supervisors.

RCD Board Supervisors shall represent the RCD at all meetings and events. Staff may be requested or required to attend as well.

The RCD Board of Supervisors is a policy board. The primary focus is on setting overall policy, budget, comprehensive planning and objectives. In addition, the RCD board of supervisors is the authority for staffing the RCD.

As an elected official, each RCD Supervisor is responsible for operating the RCD as a ~~political-nonpartisan state level special unit of government~~ subdivision of Minnesota State Government.

Supervisors shall determine the long-term objectives for the RCD and prioritize which resource ~~problems-activities~~ the RCD will address.

All supervisors will actively participate in activities in their nominating district to further engage and advance the mission of this office and the public they serve.

Each RCD Board Supervisor will engage their nominating district and initiate one project per year. They will actively participate and lead the project start to completion with quarterly progress reports. They will report on each project as we feature them during our annual tour.

The RCD Supervisors will periodically review the ~~overall-situation activities~~ within Ramsey County and develop board policies, which address county resources.

RCD Staff shall carry out these policies. In conjunction with board oversight and preapproval.

The RCD Board of Supervisors shall do their due diligences ~~make-best-efforts-to~~ and conduct a comprehensive evaluation on RCD policies and practices.

RCD Board of Supervisors will contribute to the monthly board meeting agenda and will be provided a complete board-meeting packet with said agenda and supporting documentation via electronic file and via the US Postal Service no less than one (1) week prior to the meeting.

All meeting notices and packets will be provided to the public online and available at all meetings.

All meeting minutes will be posted online within two (2) days after board approval.

Ramsey Conservation District:

Location: The principal place of business of the RCD is 1425 Paul Kirkwold Drive, Arden Hills, MN, 550012.

Geographic Divisions: The RCD is divided into five districts at the discretion of the RCD. Consistent with Ramsey County Elections and the State of Minnesota.

Each RCD Supervisor is elected to nominating districts but represents Ramsey County at large.

Term of Office: Each RCD Supervisor term is for four years. Terms are staggered and there shall be no more than two terms expiring in a given year.

In the event of redistricting as is the case in 2016. The entire board of supervisors is up for election. Districts 1 & District 2 are up for election in 2018. Districts 3, 4 and 5 are up for election in 2020.

Eligibility:

In order to be an RCD Supervisor the following qualifications apply:

1. Legal residency in the RCD
2. Residence in the nominating district for which the filing is specific
3. File sixty (60) days prior to a general election at the Ramsey County Elections Office
4. Complete necessary filing forms including the statement of interest form
5. Submit either a nominating petition along with a filing fee or file a petition signed by qualified voters within the nominating district.

Incompatibility of Office Source: Based on a September 12, 1973 ruling by the MN State attorney General, the Office of Supervisor if a Soil and Water Conservation District is incompatible or a conflict of interest with that of a city or village council person, town board supervisor or county commissioner, if the city, village, town or county is located within the soil and water conservation district This ruling is based on the MN Supreme Court statement that public offices are *"incompatible when their functions are inconsistent, their performances resulting in antagonism and a conflict of duty, so that the incumbent of one cannot discharge with fidelity and propriety the duties of both."*

Resignation:

If a Supervisor wishes to or is asked to resign for failure to do their due diligences or to fulfill their oath of office from RCD service, the Supervisor shall submit his or her resignation in writing to the RCD Board.

Removal of Supervisor:

2016 Minnesota Statutes

103C.315 SUPERVISORS.

Subd. 5. Removal of supervisor.

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

351.14 DEFINITIONS.

Subdivision 1. Applicability.

The definitions in this section apply to sections 351.14 to 351.23.

Subd. 2. Malfeasance.

"Malfeasance" means the willful commission of an unlawful or wrongful act in the performance of a public official's duties which is outside the scope of the authority of the public official and which infringes on the rights of any person or entity.

Subd. 3. Nonfeasance.

"Nonfeasance" means the willful failure to perform a specific act which is a required part of the duties of the public official.

Subd. 4. Misfeasance.

"Misfeasance" means the negligent performance of the duties of a public official or the negligent failure to perform a specific act which is a required part of the duties of the public official.

Subd. 5. Elected county official.

"Elected county official" means any public official who is elected to countywide office or appointed to an elective countywide office, including county attorney, county sheriff, county auditor, county recorder, county treasurer, and soil and water conservation supervisor. "Elected county official" also means a county commissioner elected or appointed from a commissioner district or a soil and water conservation district supervisor elected or appointed from a supervisor district established under section 103C.311, subdivision 2.

History:

1986 c 418 s 1; 2003 c 104 s 31

Relocation:

Supervisors must be legal voters residing within the nominating district of their residence within Ramsey County. If a Supervisor relocates his or her residence outside of the nominating district in Ramsey County, the Supervisor no longer qualifies to serve as Supervisor.

Vacancy:

If a vacancy shall occur within the office of an elected or appointed RCD Supervisor the

RCD shall place notice of said vacancy in the local official publication or other publications within the nominating district prior to appointment or election.

If a vacancy shall occur more than sixty (60) days before the next succeeding general election, the RCD Board shall fill the vacancy by appointment.

The official board photo shall be removed and the District information shall be removed and or replaced with "vacant" until the vacant seat is filled.

Attendance:

1. The RCD shall hold one regular monthly board meeting each month. Supervisors not attending three consecutive RCD board meetings without agreed upon justification (family, medical, ~~personal, or employment~~) will be asked to resign.
2. Supervisors unable to attend an RCD regular board meeting shall contact the Vice Chair of the Board of Supervisors, who will step in to chair the scheduled meeting. The RCD office will be notified prior to the meeting so that the agenda may be updated to reflect the changes.
3. Any supervisor failing to attend two consecutive committee assignment meeting will be asked to resign.
4. Meetings of the RCD are governed by the Minnesota Statutes, section 471.705 that is the Open Meeting Law. Except for limited situations described in MS 471 all meetings of the RCD Board are open to the public. All meetings and events will be held in a location accessible to public transportation for public engagement opportunity.
5. Any two (2) Supervisors or the board chair may call a special meeting with notice to the RCD office for posting in accordance with the Minnesota Statutes, section 471.705. Which is the Open Meeting Law. All related events will be posted as all supervisors are expected to attend.
6. Cancellation of meetings will be made online, on the announcement board at the RCD office and via social media. The cancellation will be made no less than 24 hours before the public meeting is scheduled to begin.
7. Closed sessions will be noticed and made within Minnesota State Statute

CHAPTER 13D OPEN MEETING LAW MEETINGS MUST BE OPEN TO THE PUBLIC; EXCEPTIONS. 13D.01 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS. 13D.015 MEETINGS CONDUCTED BY INTERACTIVE TV; CONDITIONS. 13D.02 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS; CONDITIONS. 13D.021 CLOSED MEETINGS FOR LABOR NEGOTIATIONS STRATEGY. 13D.03 13D.04 NOTICE OF MEETINGS. MEETINGS HAVING DATA CLASSIFIED AS NOT PUBLIC. 13D.05 CIVIL FINES; FORFEITURE OF OFFICE; OTHER REMEDIES. 13D.06 13D.065 USE OF SOCIAL MEDIA. 13D.07 CITATION.

13D.08 OPEN MEETING LAW CODED ELSEWHERE. 13D.01 MEETINGS MUST BE OPEN TO THE PUBLIC; EXCEPTIONS. Subdivision 1. In executive branch, local government. All meetings, including executive sessions, must be open to the public (a) of a state (1) agency, (2) board, (3) commission, or (4) department, when required or permitted by law to transact public business in a meeting; (b) of the governing body of a (1) school district however organized, (2) unorganized territory, (3) county, (4) statutory or home rule charter city, (5) town, or (6) other public body; (c) of any (1) committee, (2) subcommittee, (3) board, (4) department, or (5) commission,

1 MINNESOTA STATUTES 2016 13D.01 of a public body; and (d) of the governing body or a committee of: (1) a statewide public pension plan defined in section 356A.01, subdivision 24; or (2) a local public pension plan governed by sections 424A.091 to 424A.096, or chapter 354A, or Laws 2013, chapter 111, article 5, sections 31 to 42. Subd. 2. Exceptions. This chapter does not apply (1) to meetings of the commissioner of corrections; (2) to a state agency, board, or commission when it is exercising quasi-judicial functions involving disciplinary proceedings; or (3) as otherwise expressly provided by statute. Subd. 3. Subject of and grounds for closed meeting. Before closing a meeting, a public body shall state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed. Subd. 4. Votes to be kept in journal. (a) The votes of the members of the state agency, board, commission, or department; or of the governing body, committee, subcommittee, board, department, or commission on an action taken in a meeting required by this section to be open to the public must be recorded in a journal kept for that purpose. (b) The vote of each member must be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute. Subd. 5. Public access to journal. The journal must be open to the public during all normal business hours where records of the public body are kept. Subd. 6. Public copy of members' materials. (a) In any meeting which under subdivisions 1, 2, 4, and 5, and section 13D.02 must be open to the public, at least one copy of any printed materials relating to the agenda items of the meeting prepared or distributed by or at the direction of the governing body or its employees and: (1) distributed at the meeting to all members of the governing body; (2) distributed before the meeting to all members; or (3) available in the meeting room to all members; shall be available in the meeting room for inspection by the public while the governing body considers their subject matter. (b) This subdivision does not apply to materials classified by law as other than public as defined in chapter 13, or to materials relating to the agenda items of a closed meeting held in accordance with the procedures in section 13D.03 or other law permitting the closing of meetings.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2; 1Sp2001 c 10 art 4 s 1; 2010 c 359 art 12 s 3; 1Sp2011 c 8 art 8 s 2,14; 2013 c 111 art 5 s 4,80 13D.01

MINNESOTA STATUTES 2016 2 13D.015 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS. Subdivision 1. Application. This section applies to: (1) a state agency, board, commission, or department, and a statewide public pension plan defined in section 356A.01, subdivision 24; and (2) a committee, subcommittee, board, department, or commission of an entity listed in clause (1). Subd. 2. Conditions. An entity listed in subdivision 1 may conduct a meeting governed by this section and section 13D.01,

subdivisions 1, 2, 4, and 5, by telephone or other electronic means so long as the following conditions are met: (1) all members of the entity participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony; (2) members of the public present at the regular meeting location of the entity can hear all discussion and all votes of members of the entity and participate in testimony; (3) at least one member of the entity is physically present at the regular meeting location; and (4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded. Subd. 3. Quorum; participation. Each member of the entity participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings. Subd. 4. Monitoring from remote site; costs. If telephone or another electronic means is used to conduct a meeting, the entity, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The entity may require the person making a connection to pay for documented marginal costs that the entity incurs as a result of the additional connection. Subd. 5. Notice. If telephone or another electronic means is used to conduct a regular, special, or emergency meeting, the entity shall provide notice of the regular meeting location, of the fact that some members may participate by electronic means, and of the provisions of subdivision 4. The timing and method of providing notice is governed by section 13D.04. In addition, the entity must post the notice on its Web site at least ten days before any regular meeting as defined in section 13D.04, subdivision 1. History: 2009 c 80 s 1; 2012 c 290 s 63 13D.02

MEETINGS CONDUCTED BY INTERACTIVE TV; CONDITIONS. Subdivision 1. Conditions. A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section may be conducted by interactive television so long as: (1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present; (2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body; (3) at least one member of the body is physically present at the regular meeting location; and (4) each location at which a member of the body is present is open and accessible to the public. Subd. 2. Members are present for quorum, participation. Each member of a body participating in a meeting by electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings. Subd. 3. Monitoring from remote site; costs. If interactive television is used to conduct a meeting, to the extent practical, a public body shall allow a person to monitor the meeting electronically from a remote location. The body may require the person making such a connection to pay for documented marginal costs that the public body incurs as a result of the additional connection. Subd. 4. Notice of regular and all member sites. If interactive television is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location and notice of any site where a member of the public body will be participating in the meeting by interactive television. The timing and method of providing notice must be as described in section 13D.04. Subd. 5. School boards; interactive technology with an audio and visual link. A school board conducting a meeting under this section may use interactive technology with an audio and visual link to conduct the meeting if the school board complies with all other requirements under this section.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2; 1Sp2011 c 11 art 2 s 1 13D.021

MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS; CONDITIONS. Subdivision 1. Conditions. A meeting governed by this section and section 13D.01, subdivisions 1, 2, 4, and 5, may be conducted by telephone or other electronic means so long as the following conditions are met: (1) the presiding officer, chief legal counsel, or chief administrative officer for the affected governing body determines that an in-person meeting or a meeting conducted under section 13D.02 is not practical or prudent because of a health pandemic or an emergency declared under chapter 12; (2) all members of the body participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony; (3) members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body, unless attendance at the regular meeting location is not feasible due to the health pandemic or emergency declaration; (4) at least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the health pandemic or emergency declaration; and (5) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded. Subd. 2. Members are present for quorum, participation. Each member of the body participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings. 13D.02 MINNESOTA STATUTES 2016 4 Subd. 3. Monitoring from remote site; costs. If telephone or another electronic means is used to conduct a meeting, to the extent practical, the body shall allow a person to monitor the meeting electronically from a remote location. The body may require the person making a connection to pay for the documented additional cost that the body incurs as a result of the additional connection. Subd. 4. Notice of regular and all member sites. If telephone or another electronic means is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of subdivision 3. The timing and method of providing notice is governed by section 13D.04 of the Open Meeting Law.

History: 2007 c 110 s 1 13D.03

CLOSED MEETINGS FOR LABOR NEGOTIATIONS STRATEGY. Subdivision 1. Procedure. (a) Section 13D.01, subdivisions 1, 2, 4, 5, and section 13D.02 do not apply to a meeting held pursuant to the procedure in this section. (b) The governing body of a public employer may by a majority vote in a public meeting decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25. (c) The time of commencement and place of the closed meeting shall be announced at the public meeting. (d) A written roll of members and all other persons present at the closed meeting shall be made available to the public after the closed meeting. Subd. 2. Meeting must be recorded. (a) The proceedings of a closed meeting to discuss negotiation strategies shall be tape-recorded at the expense of the governing body. (b) The recording shall be preserved for two years after

the contract is signed and shall be made available to the public after all labor contracts are signed by the governing body for the current budget period. Subd. 3. If violation claimed. (a) If an action is brought claiming that public business other than discussions of labor negotiation strategies or developments or discussion and review of labor negotiation proposals was transacted at a closed meeting held pursuant to this section during the time when the tape is not available to the public, the court shall review the recording of the meeting in camera. (b) If the court finds that this section was not violated, the action shall be dismissed and the recording shall be sealed and preserved in the records of the court until otherwise made available to the public pursuant to this section. (c) If the court finds that this section was violated, the recording may be introduced at trial in its entirety subject to any protective orders as requested by either party and deemed appropriate by the court.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2 13D.04

NOTICE OF MEETINGS. Subdivision 1. Regular meetings. A schedule of the regular meetings of a public body shall be kept on file at its primary offices. If a public body decides to hold a regular meeting at a time or place different from 5 MINNESOTA STATUTES 2016 13D.04 the time or place stated in its schedule of regular meetings, it shall give the same notice of the meeting that is provided in this section for a special meeting. Subd. 2. Special meetings. (a) For a special meeting, except an emergency meeting or a special meeting for which a notice requirement is otherwise expressly established by statute, the public body shall post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the public body, or if the public body has no principal bulletin board, on the door of its usual meeting room. (b) The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings with the public body. This notice shall be posted and mailed or delivered at least three days before the date of the meeting. (c) As an alternative to mailing or otherwise delivering notice to persons who have filed a written request for notice of special meetings, the public body may publish the notice once, at least three days before the meeting, in the official newspaper of the public body or, if there is none, in a qualified newspaper of general circulation within the area of the public body's authority. (d) A person filing a request for notice of special meetings may limit the request to notification of meetings concerning particular subjects, in which case the public body is required to send notice to that person only concerning special meetings involving those subjects. (e) A public body may establish an expiration date for requests for notices of special meetings pursuant to this subdivision and require refiling of the request once each year. (f) Not more than 60 days before the expiration date of a request for notice, the public body shall send notice of the refiling requirement to each person who filed during the preceding year. Subd. 3. Emergency meetings. (a) For an emergency meeting, the public body shall make good faith efforts to provide notice of the meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number. (b) Notice of the emergency meeting shall be given by telephone or by any other method used to notify the members of the public body. (c) Notice shall be provided to each news medium which has filed a written request for notice as soon as reasonably practicable after notice has been given to the members. (d) Notice shall include the subject of the meeting. Posted or

published notice of an emergency meeting is not required. (e) An "emergency" meeting is a special meeting called because of circumstances that, in the judgment of the public body, require immediate consideration by the public body. (f) If matters not directly related to the emergency are discussed or acted upon at an emergency meeting, the minutes of the meeting shall include a specific description of the matters. (g) The notice requirement of this subdivision supersedes any other statutory notice requirement for a special meeting that is an emergency meeting. Subd. 4. Recessed or continued meetings. (a) If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

13D.04 MINNESOTA STATUTES 2016 6 (b) For purposes of this subdivision, the term "meeting" includes a public hearing conducted pursuant to chapter 429 or any other law or charter provision requiring a public hearing by a public body. Subd. 5. Closed meetings. The notice requirements of this section apply to closed meetings. Subd. 6. State agencies. For a meeting of an agency, board, commission, or department of the state required or permitted by law to transact public business in a meeting: (1) the notice requirements of this section apply only if a statute governing meetings of the agency, board, or commission does not contain specific reference to the method of providing notice; (2) all provisions of this section relating to publication are satisfied by publication in the State Register or posting on the Web site of the agency, board, commission, or department; and (3) a schedule of the regular meetings shall be kept on file at the primary offices or posted on the Web site of the agency, board, commission, or department. Subd. 7. Actual notice. If a person receives actual notice of a meeting of a public body at least 24 hours before the meeting, all notice requirements of this section are satisfied with respect to that person, regardless of the method of receipt of notice. History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2; 2014 c 274 s 1

13D.05 MEETINGS HAVING DATA CLASSIFIED AS NOT PUBLIC. Subdivision 1. General principles. (a) Except as provided in this chapter, meetings may not be closed to discuss data that are not public data. (b) Data that are not public data may be discussed at a meeting subject to this chapter without liability or penalty, if the disclosure relates to a matter within the scope of the public body's authority and is reasonably necessary to conduct the business or agenda item before the public body. (c) Data discussed at an open meeting retain the data's original classification; however, a record of the meeting, regardless of form, shall be public. (d) All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the expense of the public body. Unless otherwise provided by law, the recordings must be preserved for at least three years after the date of the meeting. Subd. 2. When meeting must be closed. (a) Any portion of a meeting must be closed if expressly required by other law or if the following types of data are discussed: (1) data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults; (2) active investigative data as defined in section 13.82, subdivision 7, or internal affairs data relating to allegations of law enforcement personnel misconduct collected or created by a state agency, statewide system, or political subdivision; (3) educational data, health data, medical data, welfare data, or mental health data that are not public data under section 13.32, 13.3805, subdivision 1, 13.384, or 13.46, subdivision 2 or 7; or 7

MINNESOTA STATUTES 2016 13D.05 (4) an individual's medical records governed by sections 144.291 to 144.298. (b) A public body shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting.

Subd. 3. What meetings may be closed. (a) A public body may close a meeting to evaluate the performance of an individual who is subject to its authority. The public body shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the public body shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting. (b) Meetings may be closed if the closure is expressly authorized by statute or permitted by the attorney-client privilege. (c) A public body may close a meeting: (1) to determine the asking price for real or personal property to be sold by the government entity; (2) to review confidential or protected nonpublic appraisal data under section 13.44, subdivision 3; and (3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property. Before holding a closed meeting under this paragraph, the public body must identify on the record the real or personal property that is the subject of the closed meeting. The proceedings of a meeting closed under this paragraph must be tape recorded at the expense of the public body. The recording must be preserved for eight years after the date of the meeting and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the governing body has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of members and all other persons present at the closed meeting must be made available to the public after the closed meeting. If an action is brought claiming that public business other than discussions allowed under this paragraph was transacted at a closed meeting held under this paragraph during the time when the tape is not available to the public, section 13D.03, subdivision 3, applies. An agreement reached that is based on an offer considered at a closed meeting is contingent on approval of the public body at an open meeting. The actual purchase or sale must be approved at an open meeting after the notice period required by statute or the governing body's internal procedures, and the purchase price or sale price is public data. (d) Meetings may be closed to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures and to discuss security deficiencies in or recommendations regarding public services, infrastructure and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting. Before closing a meeting under this paragraph, the public body, in describing the subject to be discussed, must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.

13D.05 MINNESOTA STATUTES 2016 8 A closed meeting must be tape recorded at the expense of the governing body, and the recording must be preserved for at least four years.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2; 1999 c 227 s 22; 2002 c 379 art 1 s 5; 2004 c 276 s 1; 2004 c 290 s 18; 2007 c 110 s 2; 2007 c 147 art 10 s 15; 2008 c 335 s 1; 2010 c 365 art 1 s 8 13D.06

CIVIL FINES; FORFEITURE OF OFFICE; OTHER REMEDIES. Subdivision 1. Personal liability for \$300 fine. Any person who intentionally violates this chapter shall be subject to personal liability in the form of a civil penalty in an amount not to exceed \$300 for a single occurrence, which may not be paid by the public body. Subd. 2. Who may bring action; where. An action to enforce the penalty in subdivision 1 may be brought by any person in any court of competent jurisdiction where the administrative office of the governing body is located. Subd. 3. Forfeit office if three violations. (a) If a person has been found to have intentionally violated this chapter in three or more actions brought under this chapter involving the same governing body, such person shall forfeit any further right to serve on such governing body or in any other capacity with such public body for a period of time equal to the term of office such person was then serving. (b) The court determining the merits of any action in connection with any alleged third violation shall receive competent, relevant evidence in connection therewith and, upon finding as to the occurrence of a separate third violation, unrelated to the previous violations, issue its order declaring the position vacant and notify the appointing authority or clerk of the governing body. (c) As soon as practicable thereafter the appointing authority or the governing body shall fill the position as in the case of any other vacancy. Subd. 4. Costs; attorney fees; requirements; limits. (a) In addition to other remedies, the court may award reasonable costs, disbursements, and reasonable attorney fees of up to \$13,000 to any party in an action under this chapter. (b) The court may award costs and attorney fees to a defendant only if the court finds that the action under this chapter was frivolous and without merit. (c) A public body may pay any costs, disbursements, or attorney fees incurred by or awarded against any of its members in an action under this chapter. (d) No monetary penalties or attorney fees may be awarded against a member of a public body unless the court finds that there was an intent to violate this chapter. (e) The court shall award reasonable attorney fees to a prevailing plaintiff who has brought an action under this section if the public body that is the defendant in the action was also the subject of a prior written opinion issued under section 13.072, and the court finds that the opinion is directly related to the cause of 9 MINNESOTA STATUTES 2016 13D.06 action being litigated and that the public body did not act in conformity with the opinion. The court shall give deference to the opinion in a proceeding brought under this section.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2; 2008 c 335 s 2 13D.065

USE OF SOCIAL MEDIA. The use of social media by members of a public body does not violate this chapter so long as the social media use is limited to exchanges with all members of the public. For purposes of this section, e-mail is not considered a type of social media. History: 2014 c 274 s 2 13D.07
CITATION. This chapter may be cited as the "Minnesota Open Meeting Law." History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1;

1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2

RCD Officers:

Each of the five RCD Supervisors shall hold an officer position which consists of the following: Chair, Vice Chair, Secretary, Treasurer and Education and Information Officer.

All officers shall be elected by majority vote at the first meeting of the RCD each year.

The office of Chair and Vice Chair will be not be held by the same two supervisors for more than one year.

*All Supervisors must be actively engaged in all meetings, including but not limited to committee assignments and activities related to the work of this elected office and the work of the RCD to be considered for Chair or Vice Chair of the RCD Board of Supervisors.

All other officer position may be held for consecutive years as approved by the majority of the board.

Chair: Responsible for guiding **along with the board** the overall activities of the RCD and presiding at official RCD meetings.

*The RCD board elected Chair will participate at all RCD and partner related functions.

**No RCD Board of Supervisors meeting will be cancelled or changed due to the inability or availability of the Board Chair to attend or participate.

Vice Chair: Assumes the position of the Chair when the Chair is unable to be present.

*The RCD board elected Vice Chair will participate at all RCD and partner related functions.

Secretary: Responsible for the official RCD record.

*The RCD board elected Secretary will take detailed notes, including the audio recording at all board meetings and email them to the board for review.

*The RCD office administrator will receive a copy for posting after official board approval.

Treasurer: Responsible for the financial record of the RCD.

*The RCD board elected Treasurer will work with the RCD Office Administrator to accurately document and compile each treasury report to the RCD board for consideration and approval.

Education and Information: Serves as a liaison between the RCD and the public.

*The RCD Office Administrator and staff will supply the RCD Board elected Education & Outreach Chair with announcements and briefs on a bi-weekly schedule for promotion of the RCD activities and upcoming events and program announcements.

* The RCD Board elected Education and Information Chair will work with RCD partners to promote and engage participation in all activities relating to our common goals.

*The RCD Board will have access to the web site and all advertising and promotional tools, including social media. Including logo and stationary etc.

RCD Committees:

An RCD Supervisor shall designate which of the following committees they will attend and represent the RCD at said meeting. If a Supervisor cannot attend the meeting, a replacement ~~should~~ must be found so that the RCD may be represented.

*All RCD Supervisors are encouraged to attend all public meetings relating to the work of the RCD and networking and engaging our partners and public as per our elected office.

RCD Committees include:

Internal: Budget
Comprehensive Plan
Legislation
Personnel

*All Supervisors participate as members of all as Committees of the whole.

External: Capital Region Watershed District's Citizens' Advisory Committee
Metro Conservation Districts Board
Ramsey Washington Metro Watershed District Board
Rice Creek Watershed District Advisory Committee
Vadnais Lake Area Water Management Organization
White Bear Lake Level Resolution Committee- Supervisor Behrens as the appointed member.
Ramsey County League of Local Governments Board and related meetings
Any supervisor appointed to any panel, committee, commission, board, or any other leadership role relating to the role of elected supervisor shall be recognized as such. In addition, may claim related per Diem for such activities per MN State Statute relating to per diem.

Compensation and Expenses Reimbursement:

The position of RCD Supervisor is a non-salaried position. Compensation is set on an individual per diem basis. ~~The rate of the per diem is established by the Board of Soil and Water Resources (BWSR)~~ in accordance of MN State Statues.

Currently the maximum compensation allowed per day is \$75.

Mileage traveled to and from a Supervisor's main residence for the purpose of attending ~~approved~~ RCD business will be reimbursed at the federal rate established annually.

Compensation for regular, special, committee and other meetings ~~must be agreed upon and is set by the RCD Board of Supervisors. In addition,~~ will be claimed in accordance to the MN State Statutes. ~~It cannot exceed the maximum rate set by BWSR.~~

~~The following is the compensation rate for meetings as currently set by the RCD Board:~~

~~Regular Board meetings ————— \$75~~

~~Special Board meetings ————— \$75~~

~~Standing Committees (see above) \$50~~

~~"Other" meetings, conventions etc. \$25~~

~~Prior RCD Board approval is required for compensation at all functions.~~

Travel must be directly related to the business of the RCD. Moreover, in accordance to Minnesota State Statute. ~~At least two RCD Supervisors must nominate a specific meeting to have that meeting designated as a special internal or external meeting and available for compensation and reimbursement for mileage.~~

If the RCD prepays the cost of a seminar, training session, etc. and the Supervisor does not attend without ~~prior~~ justification, the Supervisor shall reimburse the RCD in full for all advance payments if said payment is non-refundable.

Expense Reports: Compensation rates, mileage reimbursement rates, events, and meetings attended requiring compensation and expense claims must be ~~approved~~ **provided to the RCD Board** and recorded in the minutes. All travel expenses such as lodging and meals are reimbursed at actual costs. All claims must be accompanied by required receipts.

Expenses will be reimbursed only when within the current reporting period.

Ramsey County Budgeting and Accounting issue reimbursement checks to the RCD.

~~RCD staff have no control over the processing of reimbursements.~~ **The RCD staff will submit for reimbursement to Ramsey County immediately as expense claims are submitted to the district for the public record.**

Amendment Procedures:

The RCD Supervisor Handbook shall be adopted by a majority vote of the RCD Supervisors. Revision of non-statutory ~~or BWSR requirements~~ shall require the affirmative vote of a majority of the RCD Supervisors.

Minnesota Statutes:

All conduct and procedures not provided for herein are governed by Minnesota Statutes. Rules of Procedure, if not covered under Minnesota Statutes, shall be consistent with Robert's Rules of Order.

Written by Supervisor Margaret Behrens and Supervisor Lena Buggs,

Submitted June 1, 2017.

RCD SUPERVISOR EXPENSE CLAIM

Supervisor: Margaret Behrens

For Period: May 2017

Date	Description	Per Diem	Miles	Total @ .535/mi.	Parking*	Other	Amt.*	Total for Day
5/4/17	RCD Personnel/Board Mtgs	\$75.00	18	\$9.63				\$84.63
5/9/17	RCLLG Executive Mtg	\$50.00	10	\$5.35				\$55.35
5/12/17	VLAWMO	\$50.00	12	\$6.42				\$56.42
5/16/17	NOHOA'S Nest	\$50.00	18	\$9.63				\$59.63
5/24/17	NOHOA'S Nest-Mary Hil Park	\$50.00	18	\$9.63				\$59.63
5/25/17	RCLLG	\$50.00	18	\$9.63				\$59.63
				\$0.00				\$0.00
				\$0.00				\$0.00
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TOTALS		\$325.00	94	\$50.29	\$0.00		\$0.00	\$375.29

PER MINNESOTA STATUE 471.391 SUB.1
 I declare under penalties of law that this claim is just and correct and that no part of it has been paid.

*No payment without receipt.

APPROVED:

Claimant's Signature _____ Date _____

District Manager _____ Date _____

RCD SUPERVISOR EXPENSE CLAIM

Supervisor: Lena Buggs

For Period: May 2017

Date	Description	Per Diem	Miles	Total @ .535/mi.	Parking*	Other	Amt.*	Total for Day
5/4/17	RCD Board Meeting	\$75.00		\$0.00				\$75.00
5/3/17	CRWD Board Meeting	\$50.00		\$0.00				\$50.00
5/17/17	CRWD Board Meeting	\$50.00		\$0.00				\$50.00
5/23/17	D6 Land Use Committee	\$25.00		\$0.00				\$25.00
				\$0.00				\$0.00
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				\$0.00				\$0.00
TOTALS		\$200.00	0	\$0.00	\$0.00		\$0.00	\$200.00

PER MINNESOTA STATUE 471.391 SUB.1
 I declare under penalties of law that this claim
 is just and correct and that no part of it has
 been paid.

*No payment without receipt.

APPROVED: _____

Claimant's Signature

Date

RCD Board

Date