

BENTON COUNTY WATER RESOURCES ADVISORY COMMITTEE

Rules and By Laws

Revised December 19, 2006

I) Mission Statement

- a) To provide coordination between units of government, citizens, and others involved in the protection, management, and improvement of the water resources in Benton County.

II) Purpose

- a) Advise the Benton Soil and Water Conservation District regarding Comprehensive Local Water Management Plan review, adoption, implementation, and recommendation of amendments pursuant to *Minnesota Statutes section 103B.301-103B.335*
- b) Inform the Benton County Board of Commissioners regarding water resources.

III) Application of Rules and By Laws

- a) Rules and By Laws should apply to the transaction and administration of all Benton County Water Resources Advisory Committee Board business and meetings.

IV) Compliance and Applicable Law

- a) The Benton County Water Resources Advisory Committee shall perform all their duties and conduct all their hearings and meeting in accordance with all applicable Federal Law, State Statutes and Regulations, and Roberts Rules of Order.
- b) Advises and works cooperatively with the Benton Soil and Water Conservation District

V) Membership, Officers, Duties, Terms and vacancies

- a) Membership - Appointed by the Benton County Board of Commissioners and members shall consist of:

Voting members

- (1) Benton County Board of Commissioner,
 - (1) Benton County Soil and Water Conservation District Supervisor,
 - (1) Elected chairperson of Benton County Township Officers Association or designated representative,
 - (1) Benton County municipality elected official (rotate between all municipalities),
 - (1) Representative from each lake association,
 - (1) Representative from each watershed organization
- At least 3 Benton County resident members at-large

All voting members must be Benton County residents and all shall have equal rights and privileges.

Ex-officio members:

(Local government, state, and federal agency personnel; special interest groups, private industry/business/commercial groups – members will provide technical input and be called upon as references)

Benton Soil and Water Conservation District Water Plan Technician

Benton County Public Health Nursing Service Staff Person,

Benton County Highway Department Staff Person,

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Benton County Planning and Zoning Staff Person,
Natural Resources Conservation Service Staff Person,
Minnesota Extension Service Staff Person,
Minnesota Department of Natural Resources - Fisheries Division Staff Person
Minnesota Department of Natural Resources - Waters Division Staff Person
Minnesota Department of Natural Resources - Wildlife Division Staff Person
Minnesota Department of Health Staff Person
Minnesota Department of Agriculture Staff Person
Minnesota Pollution Control Agency Staff Person,
Minnesota Rural Water Association
Board of Water and Soil Resources Staff Person,
Environmental professional representative(s)

b) Officers

i) The officers of the Benton County Water Resources Advisory Committee shall be: Chairperson, Vice Chairperson, and Secretary. The officers shall be elected every 3 years at the first business meeting of the calendar year (2009 next election year). The Water Resources Advisory Committee shall elect from its membership a chair, vice-chair, and a secretary who shall serve for a term of three years and shall have such powers as may be prescribed in the rules of said Committee. Officers shall serve for three years and shall be eligible for re-election.

c) Duties

i) Chairperson:

- (1) Supervise the affairs of the Water Resources Advisory Committee
- (2) Preside at all meetings
- (3) Appoint sub-committees as necessary
- (4) Schedule special meetings
- (5) Determine meeting locations in the event a change is needed prior to scheduled meeting

ii) Vice Chairperson

- (1) Perform those duties delegated by the Chairperson
- (2) Act as Chairperson in the event of the Chairpersons illness, disability, absence from a meeting.
- (3) Be familiar with the total program to be able to work closely with the Chairperson and fill in when necessary

iii) Secretary

- (1) Act as temporary Chairperson in the absence of the Chairperson and Vice Chairperson
- (2) Record all meeting minutes

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VI) Terms, dismissals, and vacancies

a) Terms

- i) Member's length of term shall be 3 years. Maximum of 3 consecutive terms. Upon completion of the terms, a member may be eligible for reappointment after one (1) year of non-membership, with the exception of the municipality voting member
- ii) The municipality member is limited to one (1) three year term

b) Early Dismissal

At the recommendation of the Water Resources Advisory Committee, any voting member of the Water Resources Advisory Committee who misses three consecutive meetings per year, or acts in a manner inappropriate to the duties of the Committee is subject to removal at the discretion of the County Board of Commissioners.

c) Vacancies

i) Voting member vacancies

- (1) Any vacancy in the voting membership prior to term expiration shall be filled by the County Board of Commissioners and such appointee shall serve for the unexpired term so filled. Said appointee may serve additional terms pursuant to Article V, Section a), and Article VI, Section a).

ii) Officer(s) Vacancies

- (1) If a vacancy occurs in the office of Chairperson, the Vice Chairperson shall become Chairperson
- (2) If a vacancy occurs in the office of Vice Chairperson or Secretary, the Water Resources Advisory Committee shall elect a replacement at their next meeting

VII) Facilitator/Coordinator

- i) The Benton County Board of Commissioners has designated the Benton Soil and Water Conservation District to be the administrative agency to the Water Resources Advisory Committee.

- (1) An employee of the Benton Soil and Water Conservation District will be responsible for facilitating the Water Resource Advisory Committee meetings and correspondence.

VIII) Open Meetings, Notice, Agenda, and Records

- i) All meetings will be held pursuant to *Minnesota Statutes Section 13D.01, et al.*

(1) Open Meeting

- (a) All meetings of the Water Resources Advisory Committee shall be open to the public. Water Resources Advisory Committee regular meeting dates, locations, and times will be set at the first business meeting of the calendar year. A minimum of four quarterly meetings will be held each year. Schedule of regular meetings shall be available at the Benton County Soil and Water Conservation District Office during normal business hours. The schedule will include time, date, and place of regular business meetings. Additionally, the schedule shall be posted on the bulletin board in the main lobby of the Benton County Courthouse. Notice requirements for all meetings will comply with Minn. Stat. 13D.04.

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(2) Notice

(a) Regular Meeting Changes

1. Notice of regular meeting changes shall be published in the official newspaper of the county at least three days in advance of the scheduled meeting. The notice shall contain a brief summary of the meeting purpose and will follow all the requirements for publication of special meetings.

(b) Special Meetings

1. Written notice of a special meeting shall be posted at the Benton County Courthouse- main lobby bulletin board. Additionally, notice shall be published in the official newspaper of the county at least three days in advance of the special meeting. The notice shall contain a brief summary of the meeting purpose.

(c) Emergency Meetings

1. For an emergency meeting, the public body shall make good faith efforts to provide notice of the meeting to each news media that has filed a written request for notice if the request includes the news medium's telephone number. Notice of the emergency meeting shall be given by telephone or by other method used to notify the member of the public body. 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. Notice shall include the subject of the meeting.

(3) Agenda and Records

(a) Agenda Materials

1. In any meeting, at least one copy of any printed materials relating to the agenda items of the meeting which are prepared or distributed by or at the discretion of the governing body or its employees which are:

- i. Distributed at the meeting to all members of the governing body,
- ii. Distributed before the meeting to all members, or
- iii. Available in the meeting room to all members;

Shall be available in the meeting room for inspection by the public. The materials shall be available to the public while the governing body considers their subject matter. This shall not apply to materials classified as other than public as defined in chapter 13 or closed meeting materials.

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(b) Records

1. A permanent journal shall be kept for the Water Resources Advisory Committee. The journal shall contain meeting minutes, votes of the members, records and the vote of each member on each appropriation of money. The journal shall be available for public inspection during normal business hours at the Benton County Soil and Water Conservation District office.

IX) Meeting Quorum

- a) Regular meetings of the Water Resource Advisory Committee shall have over fifty percent (50%) of the voting members required to be present at the meeting in order to conduct business. A simple majority of voting members present will be required to take official action except as provided in Section XIII of these by-laws.

X) Per Diem

- a) Per diems will be paid to those Water Resource Advisory Committee voting members not compensated by the agency they are representing. The per diem rate will be set at the current Benton County meeting per diem rate. Mileage reimbursements will also be paid using the IRS standard rate. Mileage reimbursement claims must be submitted quarterly using the official Benton Soil and Water Conservation District Water Resources Advisory Committee Claim Form to be approved for reimbursement. Form must be completed for payment to be processed. These payments will be made through the Benton County Soil and Water Conservation District out of the Comprehensive Water Plan budget.

XI) Information to Benton Soil and Water Conservation District Board

- a) The Benton County Soil and Water Conservation District Facilitator/Coordinator will send a copy of all meeting minutes to the Benton Soil and Water Conservation District Board.

XII) Information to County Commissioners

- a) The Benton County Soil and Water Conservation District Facilitator/Coordinator will send a copy of all meeting minutes to the Benton County administrative assistant, who will copy the minutes to each of the Benton County Commissioners.
- b) A least twice a year, the Facilitator/Coordinator will make a short presentation to the Benton County Board of Commissioners at a regular board meeting. The presentation will include a progress report on the Comprehensive Local Water Management Plan and associated activities.

XIII) Amendments

- a) Any amendments to the by laws must be submitted in writing. The by laws may be amended by a 2/3 vote of the voting members.

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SIGNATURE SECTION:

By laws approved by: _____ Date: _____
(Signature)
Water Resources Advisory Committee Chairperson

By laws approved by: _____ Date: _____
(Signature)
Benton County Board of Commissioners Chairman