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4 **MINUTES OF THE SPECIAL MEETING OF**
5 **THE MINNEHAHA CREEK WATERSHED DISTRICT**
6 **BOARD OF MANAGERS**

7
8 **October 30, 2014**
9

10 **CALL TO ORDER**

11
12 The special meeting of the Minnehaha Creek Watershed District Board of Managers was called
13 to order by President Sherry Davis White at 6:00 p.m. at St. Mary's Greek Orthodox Church,
14 3450 Irving Avenue South, Minneapolis, Minnesota.
15

16 **MANAGERS PRESENT**

17
18 Sherry Davis White, Brian Shekleton, Richard Miller, Jeffrey Casale Pam Blixt, James Calkins,
19 and William Olson.
20

21 **MANAGERS ABSENT**

22
23 None.
24

25 **OTHERS PRESENT**

26
27 Jeff Spartz, Interim District Administrator; Louis Smith, District Counsel.
28

29 **MATTERS FROM THE FLOOR**

30
31 None.
32

33 **APPROVAL OF AGENDA**

34
35 *It was moved by Manager Miller, seconded by Manager Shekleton, to approve the agenda as*
36 *distributed. Upon vote, the motion carried, 6-0 (Manager Olson absent).*
37

38 **REPORTING RESPONSIBILITY OF PUBLIC OFFICIALS-BOARD OF MANAGERS**

39
40 President White referred to the resolution tabled at the meeting of October 23, and noted this
41 would be an opportunity for any managers who have evidence to support allegations of misuse of
42 public funds to bring it forward. Manager Blixt asked to defer discussion of this matter until
43 Manager Olson arrived at the meeting, as he had been confused about the starting time of the
44 meeting.
45
46

47 **DISTRICT POLICIES DISCUSSION**

48
49 Mr. Smith referred to the memo of October 24 outlining several governance issues for the
50 Board's consideration. The managers turned to discussing the matter of decorum. Mr. Smith
51 noted that Manager Blixt also provided additional sample decorum policies from the City of
52 Eden Prairie, Minnesota Senate, and Minnesota Mayors Association.

53
54 Manager Shekleton stated that he felt that apart from personnel issues, the Board of Managers
55 had been guided by policy consensus on water resource issues and has exhibited good decorum.

56
57 *It was moved by Manager Shekleton, seconded by Manager Miller, to direct legal counsel to*
58 *prepare a draft code of conduct and decorum consistent with this discussion and the Board's*
59 *historic practices.* The managers also emphasize the importance of treating not only board
60 members but also members of the public with courtesy and respect.

61
62 Manager Olson arrived at this point in the meeting (6:25 p.m.).

63
64 President White noted that the Board of Managers has an existing code of conduct at Governance
65 Policy #4.

66
67 The managers discussed past practice in receiving comments from interested members of the
68 public on various agenda items, and noted that this has been typically subject to the discretion of
69 the Chair; rulings of the Chair may be overruled by the Board. *There being no further*
70 *discussion, upon vote, the motion to direct legal counsel to draft a policy of decorum for*
71 *insertion in the code of conduct carried, 7-0.*

72
73 **REPORTING RESPONSIBILITY OF PUBLIC OFFICIALS, CONTINUED**

74
75 *It was moved by Manager Shekleton, seconded by Manager Miller, to remove the Resolution*
76 *of October 23 from the table. Upon vote, the motion carried, 7-0.*

77
78 President White asked Managers Olson and Blixt if they had further evidence or information for
79 the Board's consideration. *It was moved by Manager Olson, seconded by Manager Blixt to*
80 *strike the entire draft Resolution and insert a new Resolution which was distributed, along*
81 *with additional attachments.*

82
83 Mr. Smith noted that the duty arising under Minnesota Statute 609.456 is a duty that lies with
84 individual public officials.

85
86 *Following discussion, it was moved by Manager Shekleton, seconded by Manager Miller to*
87 *table the substitute resolution. Upon roll call vote, the managers voted as follows:*

88
89
90

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 Minnehaha Creek Watershed District
 Board of Managers
 10-30-2014

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
91 Pam Blixt		X		
James Calkins		X		
Jeffery Casale	X			
Richard Miller	X			
William Olson		X		
Brian Shekleton	X			
Sherry Davis White	X			

92
 93 ***Upon vote, the motion to table the substitute resolution carried, 4-3.***
 94

95 ***It was moved by Manager Shekleton, seconded by Manager Miller, to direct that any manager***
 96 ***with evidence of misuse of public funds report the same to the State Auditor and law***
 97 ***enforcement officials. Upon roll call vote, the managers voted as follows:***
 98
 99

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Pam Blixt	X			
James Calkins	X			
Jeffery Casale	X			
Richard Miller	X			
William Olson	X			
Brian Shekleton	X			
Sherry Davis White	X			

100
 101 ***Upon vote, the motion carried, 7-0.***
 102

103 The managers discussed general governance concerns. President White noted the resignation of a
 104 member of the Citizen’s Advisory Committee (CAC), citing a “climate of bickering” among
 105 CAC members. President White stated that it may be worth considering suspending CAC
 106 meetings in order to reevaluate how it can best serve the purposes of the Watershed District.
 107 Manager Blixt stated that any such topic should be noticed and subject to extensive public
 108 discussion. Manager Olson asked legal counsel if there is a legal basis to suspend CAC meetings.
 109 Mr. Smith responded that the District is required by statute to have a Citizens Advisory
 110 Committee, but that CAC members serve at the pleasure of the Board of Managers.

111
 112 **DISTRICT POLICIES DISCUSSIONS, CONTINUED**
 113

114 The managers reviewed the draft governance manual, which is a consolidation and update of
 115 various governance policies. The managers directed counsel to add a communications policy to
 116 this manual, and finalize the document for consideration at the November 13 Board meeting.
 117
 118
 119

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120 **ADJOURNMENT**

121

122 There being no further business, the special meeting of the Board of Managers was adjourned at
123 8:55 p.m.

124

125 Respectfully submitted,

126

127

128

129 Jeffery Casale

130 Secretary

DRAFT