

**MEETING DATE:** June 18, 2015

**TITLE:** Clarification and update to delegation of hiring authority to administrator

**RESOLUTION NUMBER:** 15-059

**PREPARED BY:** David Mandt; Smith Partners

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**TELEPHONE:** 952-641-4503

**REVIEWED BY:**  Administrator  Counsel  Program Mgr. (Name): \_\_\_\_\_  
 Board Committee  Engineer  Other

**WORKSHOP ACTION:**

<input type="checkbox"/> Advance to Board mtg. Consent Agenda.	<input type="checkbox"/> Advance to Board meeting for discussion prior to action.
<input type="checkbox"/> Refer to a future workshop (date): _____	<input type="checkbox"/> Refer to taskforce or committee (date): _____
<input type="checkbox"/> Return to staff for additional work.	<input type="checkbox"/> No further action requested.
<input checked="" type="checkbox"/> Other (specify): <u>Action</u>	

**PURPOSE or ACTION REQUESTED:** Adoption of governance policy revisions consistent with the action taken by the managers June 18, 2015, clarifying and refining the delegation of hiring authority to the administrator.

**PROJECT/PROGRAM LOCATION:** N/A

**PROJECT TIMELINE:** Ongoing

**PROJECT/PROGRAM COST:**

Fund name and number:  
Current budget:  
Expenditures to date:  
Requested amount of funding:  
Is a budget amendment requested?  
Is additional staff requested?

**PAST BOARD ACTIONS:** Numerous prior adoptions of policy and amendments; adoption of Governance Manual, November 20, 2014; adoption of resolution 15-056, clarifying and refining delegation of hiring authority to administrator June 18, 2015.

**SUMMARY:** Under direction from the Board of Managers, staff has been working with legal counsel to ensure that MCWD's governance materials are not only consistent with state law and meet required minimums, but articulate best practices, speak to specific characteristics of MCWD, and demonstrate to the public, the state and MCWD fellow local governmental entities MCWD's diligence in ensuring that its operations and management are as efficient and effective as possible. The board adopted the first major component of this

effort in November 2014, the MCWD Governance Manual. The Governance Manual consolidated and optimized numerous prior policies pertaining to board's role and functions as the body overseeing and setting the direction of the organization. The manual's policies also address the relationship of the board to the administrator and staff.

Following from staff's work with human resources and organizational consultants at Springsted, the Board of Managers clarified and updated the administrator's hiring authority and oversight of human resources through maintenance of a useful and up-to-date Employee Handbook by adoption of resolution 15-056 at the June 18 meeting. The resolution also directed the administrator to revise MCWD Governance Policy No. 4 – Board-District Administrator Relationship and other policies as necessary to reflect the new articulation of hiring authority and updated human resources terminology, then bring the policy revisions forward for adoption on the July 9 consent agenda. This resolution fulfills that direction.

**RESOLUTION**

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**RESOLUTION NUMBER:** 15-059

**TITLE:** **Adoption of updated governance policies consistent with administrator hiring authority**

**WHEREAS** the Board of Managers has adopted and regularly updated and amended a complete set of governance policies to institutionalize sound management of the District's business, finances and affairs;

**WHEREAS** by action at the November 20, 2014, meeting, the Board of Managers adopted an updated, consolidated and definitive Governance Manual, which included governance policies pertaining to the Board of Managers' role in the hiring of MCWD department heads and the delegation of authority to the administrator;

**WHEREAS** in accordance with direction from the Board of Managers at the February 13, 2014, meeting, District staff worked with human resources consultants at Springsted to organize and professionalize MCWD's human resources function; and

**WHEREAS** the Board of Managers, at its June 18, 2015, meeting, adopted Resolution 15-056, delegating to the administrator the authority hire all staff, subject to the notice and review requirements of Governance Policy No. 4 – Board-District Administrator Relationship for the hiring of department heads and the creation and hiring of any new full-time equivalent position, and maintain a current and useful Employee Handbook that does not establish MCWD policy but rather provides for the efficient and effective operation of MCWD's human resources function.

**NOW THEREFORE BE IT RESOLVED** that the Board of Managers adopts the attached updated governance policies and directs the administrator to ensure that the MCWD Governance Manual is updated accordingly and continues to be maintained, further updated and made readily available to the MCWD managers, staff and consultants.

Resolution Number 15-    was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_.  
Motion to adopt the resolution \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions. Date: \_\_\_\_\_.

\_\_\_\_\_  
Secretary Date: \_\_\_\_\_

MINNEHAHA CREEK  
WATERSHED DISTRICT  
**GOVERNANCE POLICIES**

The Minnehaha Creek Watershed District Board of Managers developed these policies, with the help of the Wilder Center for Communities, to give more specific parameters to the operations of the organization and the roles and responsibilities of the Board and Executive Director.

**At all times, the District's bylaws and relevant statutes will supersede these policies.**

ADOPTED BY THE BOARD OF MANAGERS  
APRIL 24, 2003

*Amended:      October 9, 2003  
                      October 23, 2003  
                      March 1, 2007  
                      October 18, 2007  
                      January 28, 2010  
                      March 22, 2012  
                      January 24, 2013  
                      November 20, 2014  
                      July 9, 2015*

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## POLICY #2: EXECUTIVE LIMITATIONS

### STAFF TREATMENT

With respect to treatment of paid and volunteer staff, the District Administrator may not cause or allow conditions, which are illegal, inhumane, unfair, or undignified.

Accordingly, s/he may not:

1. Violate the guidelines contained within the ~~board-approved~~ *Employee Handbook*.
2. Prevent staff from appealing to the MCWD board when internal grievance procedures have been exhausted, if the employee alleges that he/she has been harmed because:
  - a. board policy has not been followed or
  - b. board policy does not adequately protect his/her human rights.

# Minnehaha Creek Watershed District

## POLICY #4: BOARD-DISTRICT ADMINISTRATOR RELATIONSHIP

### HIRING OF DEPARTMENT HEADS/DIRECTORS, ADDING POSITIONS

The following procedures shall be used to hire Department Heads ~~staff directors~~ (MCWD grade level 6 or greater or as defined in the most current Salary Structure) and creating and hiring full-time equivalent positions.

1. The Board of Managers Executive Committee shall be notified of Department Head director vacancies and all proposed new full-time equivalent positions to be created.
2. The Executive Committee will advise the administrator on whether a director position should be filled through promotion or transfer of current staff or posted. The administrator will consider and respond to the Executive Committee's comments prior to filling a director position by promotion or transfer of current staff.
3. When a director position is posted, the following procedure will be followed:
  - The position will be posted on web sites and/or in publications with wide distribution.
  - The District Administrator and/or personnel consultant shall review all applications and conduct preliminary interviews of qualified candidates.
  - The Executive Committee will interview the top three or four candidates recommended by the District Administrator and/or consultant and will make a recommendation to the Board of Managers on appropriate steps and the appropriate forum for further consideration of candidates.
  - The District Administrator will consider the recommendation of the Executive Committee and board interviews, application materials, etc. and forward an offer to the candidate that he or she determines best qualified and suited to the position.
  - The successful candidate will be introduced to the Board at the first possible Board meeting.
4. The creation and hiring of new full-time equivalent positions at MCWD will be subject to review and approval by the Executive Committee, except that new full-time equivalent positions also may be created through the usual process for approval by the board of managers of annual departmental work plans and budgets.