

302. Administration & General

302.1. Administrator's Authorities

Purpose: This policy has been adopted by the CRWD Board of Managers in order to delegate authority to the Board's Administrator to act on the Board's behalf and in the interests of the CRWD. All authorities may be revoked by or added to by the Board at any time. This list of delegate authority is not intended to be exclusive; the Board of Managers may delegate additional specific or general authority from time to time as it sees fit and necessary to efficiently and cost-effectively complete the work of the CRWD.

Authority 1: Unless explicitly prohibited by the CRWD Board, the CRWD Administrator may delegate work assignments to other staff, or to the CRWD Engineer. Such assignment of tasks and responsibilities notwithstanding, the CRWD administrator remains responsible to the Board of Managers for the conduct and completion of the business of the CRWD.

Authority 2: The Administrator can enter into contracts on behalf of the Board with any party without a Board resolution if the following conditions are met:

- The Board Chair is informed and agrees to the contract prior to entry
- The fiscal responsibility of the CRWD under the contract is less than \$5,000 per contract
- The CRWD's professional service template is used for the contract, on advice of District legal counsel, with no material deviation from terms
- The CRWD Board of Managers is informed of the entry at the following regular meeting of the Board

Otherwise, a duly adopted Board resolution is required.

Authority 3: The Administrator may draft and execute task orders with the CRWD's engineering firm without a Board resolution if the following qualifiers are met:

- The Board Chair is informed and agrees to the task order prior to entry
- The fiscal responsibility of the CRWD under the task order is less than \$5,000 per task order
- The CRWD Board of Managers is informed of the entry at the following regular meeting of the Board

Otherwise, a duly adopted Board resolution is required.

Authority 4: The Administrator may contact CRWD legal counsel to solicit legal advice and opinions on behalf of the Board if the following qualifiers are met:

- The matter to be discussed is of importance to the CRWD
- The Administrator does not expect the fiscal responsibility of the solicitation to be greater than \$2,500
- The CRWD Board of Managers is informed of the solicitation at the following regular meeting of the Board

Otherwise, a duly adopted Board resolution is required.

Authority 5: The Administrator may procure goods and services on behalf of the Board without a Board resolution and without a contract if the following qualifiers are met:

- The fiscal responsibility of the CRWD via the procurement is less than \$1,000 per each procurement event

- The CRWD Board of Managers is informed of the procurement at the following regular meeting of the Board

Otherwise, a duly adopted Board resolution is required.

302.2. Annual Report

Purpose: This policy has been adopted by the CRWD Board of Managers in order to provide standards for the development of the CRWD's annual report. Under MN Statutes 103D.351, the CRWD is required to create and disseminate an annual report.

Standard 1: The report must follow annual reporting requirements as contained in Minnesota Statutes 103D.

Standard 2: The report for the previous year is to be completed annually by June 30th each year.

Standard 3: Copies of the report are to be transmitted to the MN Board of Water and Soil Resources, the Commissioner of the MN DNR, and the Director of the Division of Water & Ecological Resources of the MN DNR annually by July 31st.

302.3. Rules & Regulations

Purpose: This policy has been adopted by the CRWD Board of Managers in order to provide standards for drafting and implementing rules and regulations of the CRWD. Under MN Statutes 103D.341, the CRWD Board of Managers must adopt rules to accomplish the purposes of MN Statutes Chapter 103D and to implement the powers of the managers.

Standard 1: The CRWD Board will review its Rules and Regulations on a five-year rotation.

302.4. Manager Appointments

Purpose: This policy has been adopted by the CRWD Board of Managers in order to provide standards for handling changes of appointments to the CRWD Board.

Standard 1: 45 days prior to the expiration of a manager's appointment, the CRWD administrator will reach out to the county board of commissioners to remind of the need to appoint a person to the CRWD Board per MN Statutes 103D.911.

Standard 2: The CRWD will notice all applicable entities when a change of appointments to the CRWD Board occurs. These entities include (but are not limited to):

- CRWD financial depositories
- MN BWSR
- Meeker, Stearns and Wright County Auditors

Standard 2: The CRWD Administrator will contact new manager appointments to welcome them to the Board, inform them of the next Board meeting, and provide the welcome packet, which includes:

- A copy of the MAWD Watershed District Handbook
- The CRWD's Watershed Management Plan
- Employment documents (ex. W-4 and 1099)
- Request for contact information for display on website and for office contact
- Continuing education plan template

Standard 3: All new appointments are required to:

- Attend the MN Association of Watershed District's new manager training program within one year of their appointment as a form of orientation training

- Develop and implement their own continuing education plan (the CRWD will provide a template plan for manager use as part of their welcome packet)

Standard 4: The CRWD will carry a single fidelity, schedule, position or faithful performance bond for all members of the CRWD Board of Managers. Minimum bond amount is \$1,000.

Standard 5: At the next regular Board meeting, the CRWD Administrator will administer the oath of office to new manager appointments as well as reappointed managers. Copies of the signed oaths will be timely filed with the MN Board of Water and Soil Resources.

302.5. Insurance Requirements

Purpose: This policy has been adopted by the CRWD Board of Managers in order to provide standards for insurance to be carried by the CRWD.

Standard 1: The CRWD will carry general liability insurance at a minimum amount of \$1.5 million aggregate/ \$500 occurrence.

Standard 2: The CRWD does not waive municipal tort liability established under MN Statutes 466.04.

Standard 3: The CRWD can carry additional insurance as needed.

Standard 4: Contractors completing work items for the CRWD greater or equal to \$50,000 must demonstrate that they carry general liability insurance at a minimum of \$ 500,000 per occurrence and \$1.5 million aggregate, plus workers compensation per statute; other as appropriate for the work.

302.6. Receipt of Solicitations from Outside Vendors

Purpose: The purpose of this policy is to guide how the Board handles the receipt of an unsolicited proposal from a vendor seeking to offer various services and/or supplies to the CRWD.

Standard 1: All solicitations from outside vendors are to be forwarded by CRWD staff to the CRWD Administrator for response.

Standard 2: The CRWD Administrator is to notify the solicitor(s) that their solicitation will be presented to the Board at their next regular meeting. Such solicitations are to be placed on the consent agenda under informational items.

302.7. Board and Staff Training

Purpose: This policy has been adopted by the CRWD Board of Managers in order to provide standards for board and staff training

Standard 1: Both staff and members of the Board are to develop a personal continuing education plan. The plan is to be reviewed by each staff person and Board member annually and updated as needed. Use of an example plan provided by the CRWD is not mandatory.

Standard 2: The CRWD will develop and periodically update an example of a continuing education plan for use by its staff and its Board of Managers

Standard 3: Both staff and members of the Board are to complete at least one element from their plan annually.

Standard 4: Both staff and members of the Board are to keep record of their progress in implementing their plans, and are to report their plan and their progress record to the CRWD Administrator annually by December 31st for filing in the CRWD office.

Standard 5: The CRWD administrator will keep on file at the CRWD office copies of continuing education plans for each staff person and Board member. The administrator will update these files annually.

302.8. Gifts

Purpose: The policy sets forth the terms for which gifts may be accepted by either the Board or its staff.

General prohibition: Generally, members of the Board and its staff may not receive a gift from any “interested person.” (MN Statutes 471.895).

Exceptions: The following types of gifts to the Board or its staff are permitted under the law (MN Statutes 211A.01, subd. 5 and 471.895, subd. 3):

- Lawful campaign contributions
- Services to assist Board or staff in performance of duties. Ex. providing advice, consultation, information and communication in connection with legislation and services to constituents.
- Services of insignificant monetary value
- A plaque or similar memento. Permitted when given in recognition of individual services in a field of specialty or to a charitable cause.
- A trinket or memento costing \$5 or less
- Informational material of unexceptional value
- Food or beverage given at a reception, meal or meeting. This exception only applies if the recipient is making a speech or answering questions as part of a program that is located away from the recipient’s place of work
- Gifts between family members. However, the gift may not be given on behalf of someone who is not a member of the family
- Gift because of the recipient’s membership in a group. The majority of this group’s members must not be members of the Board or its staff and an equivalent gift must be given or offered to the other group members
- Food or beverages given to national or multi-state conference attendees. The majority of dues paid to the organization must be paid from public funds and an equivalent gift must be given or offered to all other attendees

Gifts to CRWD: Gifts of real or personal property given to the CRWD (not the members of the Board or its staff) are welcome. The CRWD may accept such gifts and use them in accordance with the terms prescribed by the donor. A resolution accepting the gift and the donor’s terms must receive an affirmative vote of two thirds of the members of the Board. Such gifts may not be accepted for religious or sectarian purposes.

302.9. Social Media Use

Purpose: Social networking in government serves two primary functions: to communicate and deliver messages directly to citizens and to encourage citizen involvement, interaction, and feedback. Information which is distributed via social networking must be accurate, consistent, and timely and meet the information needs of the Clearwater River Watershed District's (CRWD) citizens. Since social media is used for social networking, this policy seeks to ensure proper use of the CRWD social media sites by its representatives.

The CRWD wishes to establish a positive and informative social media presence. CRWD representatives have the responsibility to use the CRWD's social media resources in an efficient, effective, ethical and lawful manner pursuant to all CRWD policies. This policy also provides guidelines and standards for CRWD representatives regarding the use of social media for communication with residents, colleagues and all other followers.

Policy: The CRWD will determine, at its discretion, how its web-based social media resources will be designed, implemented and managed as part of its overall communication and information sharing strategy. CRWD social media sites may be modified or removed by the CRWD at any time and without notice, as described in this document.

CRWD social media accounts are considered a CRWD asset and administrator-level access to these accounts must be securely administered. The CRWD reserves the right to shut down any of its social media sites or accounts for any reason without notice.

All social media sites created and utilized during the course and scope of a CRWD representative's performance of his/her job duties will be identified as belonging to the CRWD, including a link to the CRWD's official web site.

Definition: Social media are internet and mobile-based applications, websites and functions, other than email, for sharing and discussing information, where users can post photos, video, comments and links to other information to create content on any imaginable topic. This may be referred to as "user-generated content" or "consumer-generated media." Social media includes, but is not limited to:

- Social networking sites such as Facebook, LinkedIn, Twitter, and online dating services/mobile apps
- Blogs
- Social news sites such as Reddit and BuzzFeed
- Video and photo sharing sites such as YouTube, Instagram, SnapChat, and Flickr
- Wikis, or shared encyclopedias such as Wikipedia
- An ever emerging list of new web-based platforms generally regarded as social media or having many of the same functions as those listed above

As used in this policy, "CRWD representatives" means all persons function as a representative of the CRWD when using one of the CRWD's social media accounts, including its administrator and other agents of the CRWD, such as independent contractors or Board members.

Rules of Use: The CRWD administrator is responsible for managing all CRWD social media accounts. Any other CRWD representative wishing to have a new social media presence must submit a request to the CRWD administrator in order to ensure social media accounts are kept to a sustainable number and policies are followed. All approved accounts will be clearly marked as the CRWDs site and will be linked with the official CRWD website www.crw.org. No one may establish social media accounts or websites on behalf of the CRWD unless authorized in accordance with this policy.

Administration of all social media web sites must comply with applicable laws, regulations, and policies as well as proper business etiquette.

CRWD social media accounts accessed and utilized during the course and scope of a representative's performance of his/her duties may not be used for private or personal purposes or for the purpose of expressing private or personal views on personal, political or policy issues.

No social media website may be used by the CRWD or any CRWD representative to disclose private or confidential information. No social media account should be used to disclose sensitive information; if there is any question as to whether information is private, confidential or sensitive, the CRWD administrator should be contacted.

When using social media sites as a representative of the CRWD, the representative will act in a professional manner. Be aware that content will not only reflect on the writer but also on the CRWD as a whole. List below is a sampling of professional conduct to be followed when using social media sites on behalf of the CRWD.

- Postings should be reviewed by the CRWD Administrator prior to posting.
- Avoid postings that can give the impression of endorsing a particular vendor, service provider, or business.
- Postings should focus on items related to the CRWD's mission and should be informative in nature.
- Postings on social media sites by the CRWD should occur at a minimum of once per month in order to maintain interest and use by the public.
- Endorsements of any political candidate or party should be avoided.
- Private or confidential information, including names, or the use of such material as part of any content to-be-added to a site, should be avoided.
- Negative comments on community partners or their services, or the use of such material as part of any content to-be-added to a site, should be avoided.
- Not providing information related to pending decisions that would compromise negotiations.
- Be aware that all content added to a site is subject to open records/right to know laws and discovery in legal cases.
- Always keep in mind the appropriateness of content.
- Comply with any existing code of ethical behavior established by the CRWD.
- Make sure information is accurate and free of grammatical errors.

Where moderation of comments is an available option, comments directly from the public will not be permitted. Where moderation prior to posting is not an option, sites will be regularly monitored by CRWD staff as time allows.

CRWD's staff with administrative rights will not edit any posted comments. However, comments posted will be removed if they are deemed to be abusive, obscene, defamatory, in violation of the copyright,

trademark right or other intellectual property right of any third party, or otherwise inappropriate or incorrect. The following are examples of content that may be removed by CRWD staff before or shortly after being published:

- Comments not topically related to the particular content being commented upon
- Profane language or content
- Use of harassing language or tone
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation
- Obscene sexual content or links to obscene sexual content
- Solicitations of commerce
- Conduct or encouragement of illegal activity
- Information that may tend to compromise the safety or security of the public or public systems
- Content that violates a legal ownership interest of any other party
- Promotion or opposition of any person campaigning for election to a political office or promoting or opposing any ballot proposition
- Disclosure of information which an agency and its employees are required to keep confidential by law or regulation.
- Potentially libelous comments
- Obscene or racist comments
- Personal attacks, insults, or threatening language
- Plagiarized material
- Private, personal information published without consent
- Comments totally unrelated to the topic of the forum
- Commercial promotions or spam
- Hyperlinks to material that is not directly related to the discussion

Personal Social Media Use: The CRWD respects its representatives' rights to post and maintain personal websites, blogs and social media pages and to use and enjoy social media on their own personal devices during non-work hours. The CRWD requires its representatives to act in a prudent manner with regard to website and internet postings that reference the CRWD, its personnel, its operation or its property. Representatives affiliated with the CRWD may not use a CRWD brand, logo or other CRWD identifiers on their personal sites, nor post information that purports to be the position of the CRWD, without prior authorization.

CRWD representatives are discouraged from identifying themselves as CRWD representatives when responding to or commenting on blogs with personal opinions or views. If a representative chooses to identify him or herself as a CRWD representative, and posts a statement on a matter related to CRWD business, a disclaimer similar to the following must be used:

“These are my own opinions and do not represent those of the CRWD.”

Data Ownership: All social media communications or messages composed, sent, or received on CRWD equipment in an official capacity is the property of the CRWD and will be subject to the Minnesota Government Data Practices Act. This law classifies certain information as available to the public upon request. The CRWD also maintains the sole property rights to any image, video or audio captured while a CRWD representative is representing the CRWD in any capacity.

The CRWD retains the right to monitor any representative's social media use on CRWD equipment and will exercise its right as necessary. Users should have no expectation of privacy. Social media is not a secure means of communication.

302.10. Reviewing Governmental Units' Permits and/or Plans

Purpose: The CRWD reviews proposed land disturbance in order to limit pollution and sedimentation of surface waters; preserve groundwater recharge; prevent local and regional flooding; preserve wetland resources and their functions; promote the preservation and use of native vegetation for stormwater runoff abstraction, pollutant removal and habitat protection; provide potential assistance to governmental units to protect and improve water quality; and generally protect the beneficial public uses of surface and groundwater resources in the CRWD.

This policy serves to provide standards for said review and corresponding commenting of governmental units' permits, surface water plans, drainage plans, road or bridge work plans that may affect a waterbody, plans involving water resources of the CRWD, plans including lands abutting any lake or stream within the CRWD.

Standard 1: Review is to focus on the effect the proposed land use/ alteration change and/or plan creation/ amendment stated in the governmental notice will have on water resources in the CRWD.

Standard 2: Comments are to be constructive in nature, with focus on encouraging governmental units to 1) follow existing standards, rules, ordinances and laws, 2) minimize deviation from same and 3) incorporate water resource protection measures as much as possible/ practical.

Standard 3: The CRWD Administrator is authorized to solicit engineering firm assistance in reviewing and commenting on land use or land alteration change notices, with costs not to exceed \$1,000 without Board approval.

Standard 4: CRWD staff comments on governmental units' land use notices are to be reviewed by the CRWD Administrator prior to submittal to said units.

302.11. Management of Land Owned by or Eased to the CRWD

Purpose: This policy provides standards for the management of land owned by or eased to the CRWD. For most parcels, vegetation management is the principal management activity. For parcels that have CRWD infrastructure, management of that infrastructure is covered by separate operation plans.

Standard 1: When practical (and allowed by easement terms), CRWD-owned land or land held in easement is to be managed to encourage a diverse habitat of native species. The promotion of habitat for pollinator species is to be encouraged.

Standard 2: Every three years the CRWD will solicit quotes from multiple vendors offering land management services that specialize in the management of native habitats for land owned or held in easement by the CRWD. This standard does not require any such quotes be accepted.

Standard 3: Any noxious species on CRWD-owned land or land held in easement is to be managed for eradication, either by the CRWD or by the property owner.

302.12. Other Governmental Units' Water Plans

Purpose: This policy provides standards for CRWD involvement in other governmental units' various water plans as well as the incorporation of said units' plan contents into the CRWD's Watershed Management Plan.

Standard 1: When practical, the CRWD shall seek either a member of its Board of Managers or a staff member (preferably its administrator) to serve on the county water plan committees for Meeker, Stearns and Wright Counties.

Standard 2: The CRWD will incorporate applicable elements of other governmental units' water plans into its Watershed Management Plan as part of its plan amendment schedule as detailed in MN Statutes 103D, unless some other statutory requirement exists.

Standard 3: The CRWD is not required to incorporate an element of another governmental unit's water plan if such incorporation is deemed by the CRWD Board of Managers to result in a conflict with CRWD purposes and goals as described in its plan, unless a statutory requirement exists to the contrary.