



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, March 19, 2025

Agenda Item

Item 8. C. – Distribution of Managers

Prepared By

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Summary

At the February Board of Managers meeting, Manager Lammers brought forward a Resolution to petition for the redistribution of managers, assigning two Managers to Scott County and reduce the number of Managers from Hennepin County. The rationale for Manager Lammers resolution was that Scott County has the greatest area within the Lower Minnesota River Watershed District (LMRWD), it now has the largest population of the county within the LMRWD, and it now provides the greatest amount of tax base to the LMRWD.

The motion failed, however the Board asked for more detailed information regarding options to more equitably provide representation on the Board of Managers.

Distribution of Managers is governed by MN Statutes Chapter 103D.301. 103D.301 states that, “if more than one county is affected by a watershed district, the board (board in this case means the Board of Water and Soil Resources) must provide that managers are distributed by residence among the counties affected by the watershed district and in consideration of the counties portion of the land area and net tax capacity of the watershed.”

Regarding redistribution, the Statute allows the county board of commissioners of a county affected by the watershed district to petition the board (BWSR) to redistribute managers. BWSR must hold a public hearing on redistributing managers and after a hearing may redistribute managers among the counties affected by the watershed district if the redistribution is in accordance with 103D.301. A petition for redistribution may not be filed with the board (BWSR) more often than once in 10 years.

Scott County filed a petition to redistribute the managers of the Lower Minnesota River Watershed District in 2011, but withdrew its petition before BWSR was able to hold a public hearing.

Another option that the Board had suggested in 2024 is to increase the number of managers on the Board. In the Twin Cities Metropolitan Area, Minnesota Statute allows for 5 to 9 managers. According to MN Statute Chapter 103D.305, “A proceeding to increase the number of managers of a watershed district must be initiated by filing a petition with the board.” The board means BWSR in this case.

The petition to increase the number of managers must request the increase and must be signed by one or more of the following groups:

1. One-half or more of the counties within the watershed district;
2. Counties with 50 percent or more of the area within the watershed district;
3. A majority or greater number of the cities within the watershed district;
4. 50 or more resident owners residing in the watershed district, excluding resident owners within the corporate limits of a city if the city has signed the petition; or
5. The managers of the watershed district, by resolution adopted by a majority of the managers of the watershed district.

When BWSR receives a petition to increase the number of managers of a watershed district, the board must order a hearing on the petition. The Board must determine at the hearing that the increase in the number of managers would benefit the public welfare, public interest and the purpose of 103D.305. The board (BWSR) must make findings and an order accordingly and file a certified copy of the findings and order with the secretary of state, the auditor of each county affected by the watershed district, the director (of BWSR) and the watershed district. If the watershed district affects more than one county, the board's order must direct the distribution of the managers among the affected counties.

If another manager is added to the LMRWD Board of Managers, that would make six managers on the board which would make tie votes more possible and tie votes of the board are considered "no" votes.

Attachments

No attachments

Recommended Action

No action recommended – for discussion only