

## **6.0 ADMINISTRATION**

### **6.1 PLAN AMENDMENTS**

This plan remains in effect for 10 (ten) years from the year it is approved by BWSR, unless it is superseded by the adoption and approval of a subsequent plan. All amendments to this plan must follow the procedures set forth in this section, or as required by Minnesota laws and rules. Amendments to the plan may be proposed by any person, special interest group, local government LGU, or federal, state, or regional agency to the District Managers. All proposed amendments must be submitted to the District Administrator in writing identifying the problem and need, a rationale for District involvement, and a cost estimate. The District will review all proposals at their monthly Managers' meetings to determine whether or not proposed changes fit state laws and rules governing minor or major amendments.

#### **6.1.1 Major Amendments**

MN Rules 8410.0140, Subp. 2, requires that all plan amendments adhere to the procedure documented in M.S. 103B.231, Subp. 11, except when the proposed amendments constitute minor amendments and:

- The District has held a public meeting on the amendments and published a legal notice of the meeting twice, at least seven days and fourteen days before the date of the meeting;
- The District has sent copies of the amendments to the affected local units of government, the Metropolitan Council, and the state review agencies for review and comment; and
- BWSR has either agreed that the amendments are minor or failed to act within 45 days of receipt of the amendments.

Major changes or changes that affect other jurisdictions within the District shall be submitted to those jurisdictions for review and comment as required by M.S. 103B.231, Subp. 11 and, if applicable, subparts 7, 8, or 9. The District staff shall notify the sponsor of each proposed amendment of the time and place of the public meeting and shall publish or distribute meeting notices summarizing all proposed changes. Furthermore, before any action on the proposed amendment, LGUs shall be given a period of sixty (60) days review, if the action proposes changes in funding. Changes requiring LGU and agency review will indicate the impact on LWP and will identify those local plans that will require revision upon approval of the change. The review period shall be limited to sixty (60) days.

Concurrently, the proposed changes shall be submitted to the Metropolitan Council, DNR, MPCA, and BWSR. Following the prescribed review period, or upon receipt of all comments, the District shall publish a notice of public hearing on the proposed plan amendments in at least one legal newspaper in each of the municipalities covered under the Plan

### **6.1.2 Minor Amendments**

MN Rules 8410.0140, Subp. 3 considers amendments to the approved capital improvement program to be minor plan amendments if the following conditions are met:

The original plan set forth the capital improvements but not to the degree needed to meet the definition of “capital improvement program” as provided in M.S., section 103B.205, subdivision 3; and

The affected county or counties approve the capital improvement in its revised, more detailed form.

The following examples of other minor plan amendments are given in MN Rules 8410.0020, Subp. 10:

... Recodification of the plan, revision of a procedure meant to streamline administration of the plan, clarification of the intent of a policy, the inclusion of additional data not requiring interpretation, or any other action that will not adversely affect a local unit of government or diminish a water management organization's ability to achieve its plan's goals or implementation program.

### **6.1.3 Amendment Format and Distribution**

Upon completion, the District will submit the plan amendment to the appropriate review authorities in a format consistent with MN Rules 8410.0140, Subp. 4. The rule requires that, unless the entire document is reprinted, all amendments adopted must be printed in the form of replacement pages for the plan, each page of which must:

- Show deleted text as stricken and new text as underlined;
- Be renumbered as appropriate; and
- Include the effective date of the amendment.

The District will maintain a distribution list of everyone who receives a copy of the Plan. Within 30 days of adopting an amendment, the District will distribute copies of the amendment to everyone on the distribution list.

## **6.2 ANNUAL REPORTING**

MN Rules 8410.0150 requires the District complete annual financial, activities, and audit reports within 120 days of the end of the fiscal year. The District shall submit to BWSR the aforementioned reports, separately or combined as a single document, for the preceding fiscal year if it has expended or accrued funds during that time.

### **6.2.1 Financial Report**

MN Rules 8410.0150, Subp. 2., requires that all annual financial reports have the following information:

- District approved budget;
- Reporting of revenue; and
- Reporting of expenditures.

### **6.2.2 Activity Report**

The activity report shall include the following, as outlined in MN Rules 8410.0150, Subp.3:

- A list of the District manager, advisory committee members, and manager vacancies at the end of the reporting year, including the names of designated officers and members and contact information, and indicating the county that each member is appointed;
- A list of District employees and consultants, including mailing addresses and telephone numbers;
- An assessment of the previous year's annual work plan that indicates whether the stated goals and objectives were achieved and, if they were not achieved, indicates why they could not be achieved;
- A projected work plan for the next year indicating the desired goals and objectives;
- A summary of water quality monitoring data collected by the District or its local units of government;
- An evaluation of the status of local plan adoption and implementation based on a review of LGU activities by the District during the past year;
- A copy of the written communication required by part 8410.0100, subpart 3;
- The District's activities related to the biennial solicitations for interest proposals for legal, professional, or technical consultant services under M.S., section 103B.227, subdivision 5; and
- An assessment of changes in fund balances, including a description of the costs of each program element with respect to the overall annual budget.

### **6.2.3 Audit Report**

A financial audit report, prepared by a certified public accountant or the state auditor, shall include a balance sheet, a classification of revenues and expenditures, an analysis of changes in final balances, and any additional statements considered necessary for full financial disclosure.

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