

Mgr Koch report clean

Thursday, April 20, 2023

5:47 PM

1. Admin tj
 - a. Email to me "indefatigable" critique
 - i. Failed to even address tj email - continued retaliation for my whistleblower actions
 - ii. termination as three strikes; same "alleged offense" for which bom called for my removal;
 - iii. Perhaps you should stop looking up the "big" words and do your job
 - b. Repeated violation of the OML
 - i. Copies not made available
 - ii. Open mtg law
 1.

Subd. 6. Public copy of members' materials. (a) In any 5, and section 13D.02 must be open to the public, at least on agenda items of the meeting prepared or distributed by or employees and:

(1) distributed at the meeting to all members of the gove

(2) distributed before the meeting to all members; or

(3) available in the meeting room to all members;

shall be available in the meeting room for inspection by the p subject matter.

(b) This subdivision does not apply to materials classif chapter 13, or to materials relating to the agenda items of : procedures in section 13D.03 or other law permitting the clo
 - iii. This meeting
 - iv. Multiple warnings
 - v. Yet no action?
 - c. Repeated violations of the MDPA and Mn Stat 103D.315, subds. 3 and 5, failure to provide the data requested in violation of the law and the District policies
 - i. Just the past two weeks
 1. Invoices of Barr and Smith Partners
2. Repeated violation of RRO
 - a. Interrupted me in violation of RRO; motion was out of place
 - b. DZ clearly showed partiality in his statement and ruling regarding my questions on the Staff report although he stated the information was important - if it was why cut off the discussion?
3. Retaliation in Violation of the whistleblower act -
 - a. Failure to equally enforce the rules

- b. Removal from positions without cause although I am the most qualified,
 - i. More experience than Mgr Duval in parliamentary action
 - ii. More experience and training in governance
- 4. 3/31/2023 8:01 AM Mn data practices actc
- 5. PRAP applications
- 6. Nothing in the Chanhassen quarterly book
- 7. Ponds -
 - a. action plan?
 - b. - direct feeds to lakes and work upstream
- 8. Rebecca L <rlprochaska@gmail.com>
 - a. Noble hills litigation; plans
- 9. Constituent Mr. Mellby re trees
 - a. EP report [2023 03 29 13 13 27 Mellnor info re trees](#)
 - b. Questions if followed
 - c. Should be addressed in district policies and rules
- 10. Agenda issues
 - a. Emails to and from tj [RE Annual Report etc 13D 01 Subd 6](#)
 - b. Check out the agenda
 - i. Bylaws V.e.
 - e. Board Meeting Packet. No later than 5:00 p.m. of the third business day preceding a meeting of the Board of Managers, the administrator shall prepare a copy of all materials which are to be presented or discussed at the upcoming meeting, and post these materials to the District website.
- 11. Provide a one link download of agenda and documents
- 12. Failed to include items I requested on agenda
- 13. Need for old business on agenda - follow-up - best practice/bmp
- 14. Not all items copy over with links
- 15. Minutes - failure to followed agreed upon protocol for review and distribution
- 16. Bd packet and Agenda
 - bd packet supposed to go out Friday; wasn't
 - Should include all material correspondence and materials
 - If supplemented - notice to those who request info
 - Need to distribute on Friday as per the process adopted
 - Updates need to be distributed to managers or notice of update need to be distributed
 - Need to be noted on the agenda and the notice
- 17. COVID Status of plan for live meetings
 - a. Another strain coming
 - b. End of pandemic? May 11, 2023?
 - c. HVAC status? HEPPA?
 - d. Cost of broadcasting and technology small amount - big benefits in future with or without a pandemic
 - e. Proposed to allow zoom meetings regardless - shot down by out of state
 - i. Maybe metro wsd need to break off from state wide mw, outstate holding us back

- f. Diabetes, is a disease - entitled to reasonable accommodation under the law - which would include use of zoom - override statutes to the contrary
- 18. Email requesting [8b Feb Treasurer s Report PDF](#)
 - a. Invoices and commentary
 - b. Did you send? Not received?
- 19. Annual report
 - a. Does not comply
 - b. Not provided with tools to review efficiently
 - i. Solicitations
 - ii. MDPA - requested notice when sent
- 20. Staff report -
 - a. Not given the time to ask reasonable questions regarding the staff and engineer's report
 - b. If want to take a break go ahead - tune out -
 - i. Don't you want to be informed?
 - ii. If you don't care, maybe you should resign?
 - iii. Is this how you represent your constituents
 - iv. Per rro, chair to remain neutral - dz not
 - c. Did you read the reports?
 - i. No level of trust, one year on the job (two if count the contingent year)
- 21. RRO - need to follow and need to know them before you invoke them
 - a. Once recognized have the floor until relinquish

What are the time limits for speaking in Roberts Rules of Order?

Speech and time limits

Under the rules in Robert's Rules of Order Newly Revised, the right of members to participate in debate is limited to **two ten-minute speeches per day** on a question. Riddick's Rules of Procedure also specifies a default limit of ten minutes.

[Debate \(parliamentary procedure\) - Wikipedia](#)

W

[wikipedia.org](https://en.wikipedia.org)

[https://en.wikipedia.org/wiki/Debate_\(parliamentary_procedure\)](https://en.wikipedia.org/wiki/Debate_(parliamentary_procedure))

From

<<https://www.google.com/search?q=when+can+speaker+be+stopped+from+speaking+under+roberts+rule+of+order&og=when+can+speaker+be+stopped+from+speaking+under+roberts&aqs=chrome.1.69i57j33i160i3.15248j0j9&sourceid=chrome&ie=UTF-8>>

- 22. <http://www.rulesonline.com/rror-07.htm>
- 23. Proponent goes first and last
- 24. Can ask for more time

25. No interruptions while have the floor

26. Website

- a. Status of my comments on the website?
- b. Missing minutes as adopted in violation of MnRules 8410 [Bswer rules and checklist](#)
- c. Add video or sound recording link to website for each meeting
- d. Revise agenda to the adopted agenda
- e. Update descriptions of projects
- f. Need to hire someone to review?

27. Minutes of meetings

- a. Who has read the bylaws?
- b. Bylaws V.j. Minutes and Records. Minutes of all meetings of the Board and committees will be made by the **secretary** or, with respect to a committee meeting, the Board member responsible for making the minutes. When approved and signed, the minutes will constitute the official record and journal of the Board proceedings. Except in extenuating circumstances, at the regular meeting of the Board, draft minutes of the preceding Board meeting will be reviewed by the Board and adopted as may be amended. A copy of the adopted minutes as amended shall be reduced to writing showing the changes made to the draft minutes and a copy of the adopted minutes without designation of changes will be presented to the Board of Managers at the next meeting and unless further corrected by a majority vote of the Board of Managers, shall be signed by the Secretary or the Secretary Pro Tem in that form. The signed copy of the adopted minutes shall be kept at the District office and posted to the District's website. All written communications addressed to the Board, other materials included in a Board meeting packet, and all documents and materials submitted to the record in the course of a Board meeting will be filed in the District office with the minutes of the meeting in the meeting folder, including in electronic form.
- c. Process - efficiency
 - i. Draft from recorder
 - ii. Review by staff
 - iii. Review staff markup by secretary
 - iv. Distributed to managers
 - v. Comments from managers
 - vi. Consolidated comments in bd packet
- d. If don't want to follow the process, resign.
 - i. Waste time there, takes away from time to go over the staff report?
- e. Add recordings to meeting information
 - i. Change join zoom mtg to recording
- f. Add to website and YouTube channel
 - i. Not all are on either

MEETING AGENDAS + MINUTES

Meeting agendas, minutes and other materials are listed below.

2023 meetings

January 6, 2023 | Governance Committee Meeting

- January 6, 9 AM
- [Join Zoom Meeting Here](#)

February 3, 2023 | Governance Committee Meeting

- February 3, 9 AM
- [Draft Agenda](#)
- [Join Zoom Meeting Here](#)

March 3, 2023 | Governance Committee Meeting

- March 3, 9 AM--to be rescheduled
- [Join Zoom Meeting](#)

March 21, 2023 | Governance Committee Special Meeting

- March 21, 2023 10:30 am
- The purpose of the March 21st meeting is to review the 2023 budget and to discuss the 2023-2024 fiscal year.
- [Join Zoom Meeting](#)

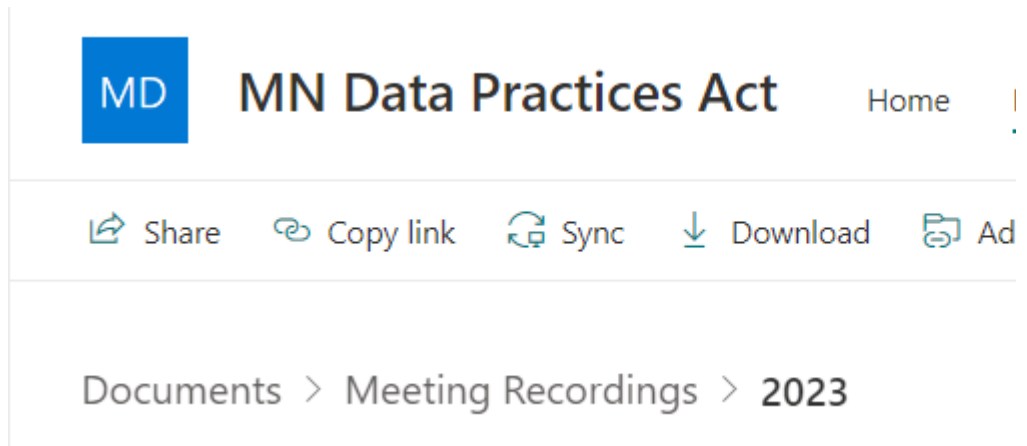
April 14, 2023 | Governance Committee Meeting

- April 14, 2023 9:00 AM
- [Agenda](#)
- [Join Zoom Meeting](#)

2022 Meetings

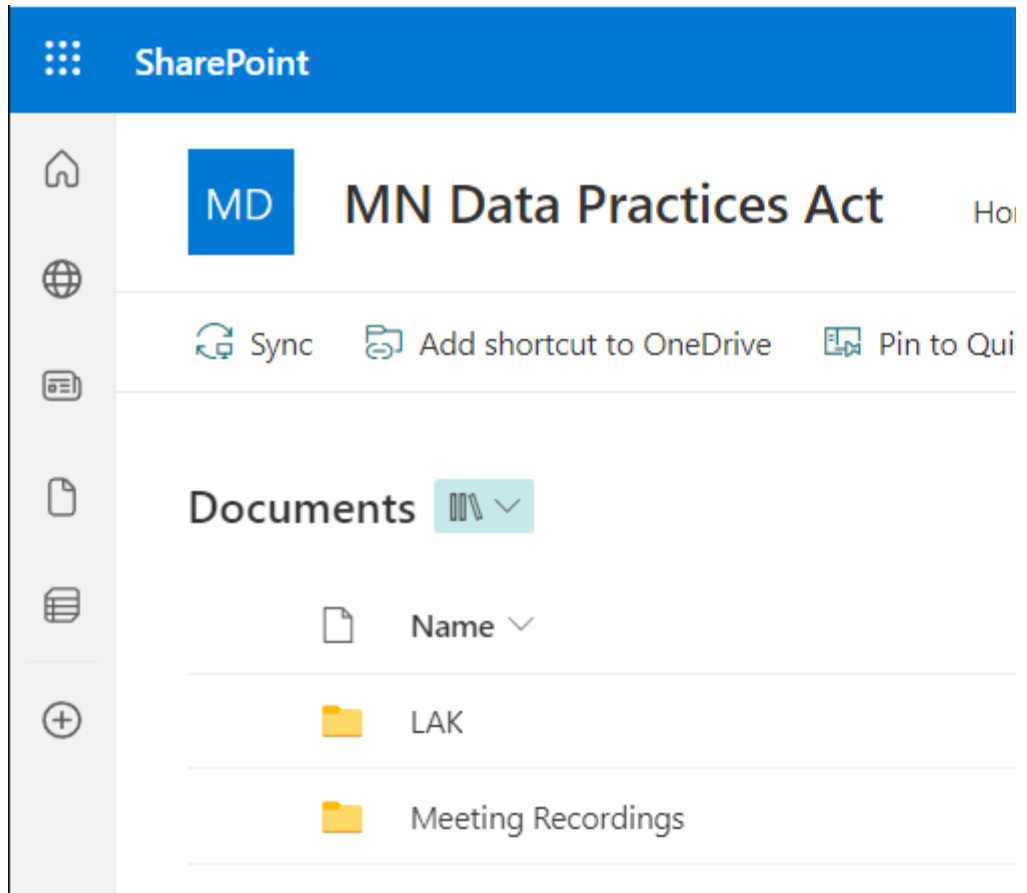
Screen clipping taken: 4/15/2023 10:44 AM

- 28. Document organization
 - a. Nearly impossible to find items



The screenshot shows a document interface. At the top left is a blue square logo with the letters 'MD' in white. To its right is the title 'MN Data Practices Act' in a large, bold, black font. Further right is the word 'Home' in a smaller, grey font. Below the title and logo is a horizontal line. Underneath this line are five icons with corresponding text: a share icon followed by 'Share', a link icon followed by 'Copy link', a sync icon followed by 'Sync', a download icon followed by 'Download', and a folder icon followed by 'Ad'. Below these icons is another horizontal line. At the bottom of the screenshot, there is a breadcrumb trail: 'Documents > Meeting Recordings > 2023', where '2023' is in a bold, black font.

Screen clipping taken: 4/15/2023 11:00 AM



Screen clipping taken: 4/15/2023 11:01 AM

103D315 subd 5 The managers must keep efficient records of all proceedings, minutes, certificates, contracts, bonds of the board's employees, and all other business transacted or action taken by the managers. The records must be open to inspection by the property owners within the watershed district and all other interested parties at all reasonable times.

From <<https://www.revisor.mn.gov/statutes/cite/103D/full>>

29. Gov Committee

- a. Violate open mtg law - no copy available
- b. Statement that Oct 2020 duly adopted
 - i. Not comply iwht 30 day notice in bylaws
 - ii. Not comply with
- c. 103D3.15 Subd. 5. **Records.**

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From <<https://www.revisor.mn.gov/statutes/cite/103D/full>>

30. 103D.315 Subd. 10. **Meetings.**

The managers shall meet annually and at other necessary times to transact the business of the watershed district. A meeting may be called at any time at the request of any manager. When a manager requests a meeting, the secretary of the watershed district **must mail a notice of the meeting to each member at least eight days before the meeting**

From <<https://www.revisor.mn.gov/statutes/cite/103D/full#stat.103D.315.10>>

31. Per diem

- a. Status of review?
- b. 103D.315 Subd. 8. Compensation. The compensation of managers for meetings and for performance of other necessary duties **may not exceed \$125** a day. Managers are entitled to reimbursement for traveling and other necessary expenses incurred in the performance of official duties.

i. NOTE:

- 1. Does not limit hourly rate or number of hours
- 2. Preempted by FLSA to the extent inconsistent
- 3. Mgr is an employee under federal tax law
- 4. Exemption from overtime but not hourly rate

c. FLSA pre-emption

- i. Min 7.25/hr

d. \$125 is max per day but preempted?

- i. Equiv to \$15.625/hr for 8 hr day
- ii. Law is can't not pay even if violate the rules
- iii. Time is reasonable and necessary to do my job as a manager

e. Why tj complain about 1/mo?

- i. Will he wait to be paid qtrly?

f. Laws says to pay at least monthly

g. "per diem" is a misnomer - wages, get paid for a day if work one minute

h. Can not waive minimum wage

i. Not exempt from fed overtime

32. Mn Stat 103B.205 Subd. 3. Capital improvement program. "Capital improvement program" means

an itemized program for at least a five-year prospective period, and any amendments to it,
subject to at least biennial review, setting forth the schedule, timing, and details of specific contemplated capital improvements by year, together with their estimated cost, the need for each improvement, financial sources, and the financial effect that the improvements will have on the local government unit or watershed management organization

33. DZ emails

Not getting notified of delivery

Get notification re TJ