

**MEMORANDUM**

To: MCWD Board of Managers
From: James Wisker
Date: February 20, 2018
Re: District Administrator Transition

Purpose:

To frame the discussions to date and a shared understanding between Mr. Wisker and the Board of Managers, regarding the pending transition of the Minnehaha Creek Watershed District (MCWD) Administrator position.

Background:

At the January 11, 2018 meeting of the MCWD Board of Managers, the Board passed a resolution requesting President White, Manager Loftus and Manager Miller meet with James Wisker to discuss terms for him assuming the responsibility of District Administrator, as of March 1, 2018 and report back to the Board of Managers on February 8.

The Board Liaisons, Louis Smith and James Wisker met on January 30, 2018 to initiate discussions. That discussion covered:

- The focus and skills needed for District Administrator position
- Mr. Wisker's strengths, and outline of potential challenges
- Organizational culture and structure
- Accountability framework for the District Administrator

A second meeting to continue the discussion between the Board Liaisons, Louis Smith and James Wisker occurred on February 2, 2018. That discussion covered:

- Organizational situation report
- Expectations for the Administrator position
- Direction of organizational culture and structure
- Expectations for Administrator accountability
- Mentoring resources and professional development needs for Mr. Wisker

Those discussions continued on February 8, 2018 with the full Board of Managers during the annual Board Retreat, with an emphasis on developing a clear and shared set of expectations between Mr. Wisker and the Board prior to refining any potential terms of employment.

We collaborate with public and private partners to protect and improve land and water for current and future generations.

Attached to this memorandum are a series of documents that provide an outline of the shared understanding and expectations established through the discussions between Mr. Wisker and the MCWD Board of Managers. This framework of understanding serves as a basis of partnership between Mr. Wisker and the Board in collectively advancing the MCWD vision and mission with District staff.

The attached documents outline a common understanding in the following areas:

- Organizational situation
- Expectations of the Administrator position (“The Job”)
- Importance of defining and investing in organizational culture
- Organizational structure and leadership team expectations
- Accountability framework for the Administrator
- Mentor resources and professional development of the Administrator

These materials will accompany the proposed employment agreement between the Minnehaha Creek Watershed District and Mr. Wisker, and be discussed as needed at the February 22, 2018 Board Meeting.

Should you have any questions in advance of the meeting, please feel free to contact James Wisker at Jwisker@minnehahacreek.org or 952.641.4509

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The Situation

The Minnehaha Creek Watershed District (MCWD or District) is currently undergoing a significant organizational transition, away from an old model of watershed planning-implementation to a new one.

This transition began in 2014 with the definition of a vision policy *Balanced Urban Ecology*, which defined a focus on high impact capital improvements, integrated with the planning of sustainable cities, facilitated through broad support of the land use planning community and multijurisdictional partnerships.

This vision policy codified through a year-long strategic planning effort, completed in February 2017, culminating in a newly defined:

- Vision, Mission, Goals, and Guiding Principles
- Program priorities
- Level of desired organizational alignment
- Strategic focus:
 - Capital improvements
 - Integration of land use and water policy

To operationalize this significant shift in organizational approach, the MCWD has turned its focus towards aligning finances, technology and people with the identified strategy.

The District is currently in the middle of what could be a two to three year effort to successfully operationalize its strategic plan.

To be clear, success will not be easy. Many organizations fail to successfully execute their strategy. According to "Why Strategic Plans Fail To Get Executed":

It's a tale we see all too often. We work with members of a leadership team to create an inspiring and potentially transformative strategic plan, and they leave motivated to tackle the world. A few weeks later when the reality of daily business sets in, conversations quickly take a different tone. Inspiration quickly turns to overwhelm when the team realizes how much has to get done to achieve the vision, and how little time exists every day to do so. The team is left scratching their heads wondering, where do we even start?

MCWD has a significant amount of difficult and complex work ahead in order to successfully transition its operational model. It must:

- Reposition the work focus of its programs, to a new "baseline"
- Quickly and cleanly restructure over half of its work groups
- Create high and clear expectations for performance and accountability

And it must do these things while:

- Implementing the highest volume, scale and complexity of projects ever carried at one time
- Maintaining energy and reinvesting in organizational culture
- Undergoing a transition in leadership

The Job

Based on the District's current situation, and setting aside the job description for the District Administrator, the "Job" can be thought of in terms of short and long term areas of emphasis.

Short Term (2-3 years):

In the short term, the Job will principally be focused in two areas:

1. Change management (changing people, culture and work)
2. Executing existing high priority externally facing initiatives

This work will require:

- Strong leadership in a highly dynamic environment
- Many difficult decisions to be made
- High levels of transparent communication across the organization
- Strong partnerships between the Administrator-Board-Staff-External Partners
- Clear tactical priorities, recalibrated on a routine basis
- Execution or follow through

Short into Long Term:

As the strategic shift begins to take shape, the Job will increasingly require an Administrator that:

- Refines and communicates a clear vision-direction-strategy for organizational success
- Practices servant leadership, cultivating and empowering high performance teams for success
 - Getting the right people doing the right things
 - Motivating, inspiring and professionally developing individuals and teams
 - Creating high positive accountability, coaching people up, sideways or out
- Serves as a visible face of the organization that external partners know and trust
- Strong partnership with the Board
- Skills to organize and systematize work, implemented through a clear delegation strategy
- Focus on:
 - Planning-Projects-Policy ~50%
 - Leadership and Staff Development ~20%
 - Program Output ~20%
 - Operations-Administration-Miscellaneous ~10%

The Job – Leadership

Below are a collection of thoughts on leadership, to help frame the Board and Administrator's common understanding of leadership.

Leaders make sure people not only see the vision – they live and breathe it. Leaders inspire risk taking and learning by setting the example.

- Jack Welch, former CEO General Electric

The leader's job is to provide an empowering environment that enables employees to serve their customers and provides them the training, education, and support they need.

- Bill George former CEO, Medtronic

The true measure of leadership is influence – nothing more, nothing less.

- John Maxwell – Expert on Leadership

Leadership is a matter of how to be, not how to do it. It is the quality and character of the leader that determines the performance, the results.

- Francis Hesselbein, Chairman of the Leader to Leader Institute

There are many brilliant administrators, but only a few renewers of the systems they administer. Leaders must be renewers. All too often, on the long road up, young leaders become 'servants of what is' rather than 'shapers of what might be'.

- John Gardner, Served six Presidents of the U.S. in various leadership capacities

True leadership must be for the benefit of the followers, not the enrichment of the leaders

- Robert Townsend, Author of Up the Organization – How to stop the corporation from stifling people and strangling profits.

Former Secretary of Defense Robert Gates outlines several thoughts on leading reform in his book "A Passion For Leadership":

If you don't have the guts as the leader to make tough and timely decisions, for God's sake, don't take the job.

A leader implementing reform within the consensus of law and regulation, must decide how much analysis is needed before making a decision and acting. Analysis must not be an excuse for paralysis.

Be wary of consensus. When it comes to implementing reform, you must look closely at any recommendation for action characterized as the consensus of a group. Does it advance the agenda? Is it as bold as you want or need.

A successful leader must always be evaluating the people around and below her. She should empower the strong, try to help those who show promise despite shortcomings, and get rid of the dead-wood.

Implementing reform, a leader must master all available information, make decisions, assign responsibilities for action, have a regular reporting mechanism that allows her to monitor progress and performance, and hold people accountable. And then she must get out of the way. "Micro knowledge" is necessary; micromanagement is not.

LEVELS OF COMPETENCE

We evaluate executives on their mastery of eight leadership competencies (listed in the far left column), assessing where they fall on a spectrum from 1 (baseline) to 7 (extraordinary). We have found that four traits—curiosity, insight, engagement, and determination—predict how far managers will progress. Below each competency are the traits linked to strength in it.

	1	2	3	4	5	6	7
RESULTS ORIENTATION PREDICTED BY • DETERMINATION • CURIOSITY	Completes assignments	Works to make things better	Achieves goals	Exceeds goals	Improves firm's practices and performance	Redesigns practices for breakthrough results	Transforms business model
STRATEGIC ORIENTATION PREDICTED BY • INSIGHT • CURIOSITY	Understands immediate issues	Defines plan within larger strategy	Sets multiyear priorities	Defines multiyear strategy for own area	Changes business strategy in multiple areas	Creates high-impact corporate strategy	Develops breakthrough corporate strategy
COLLABORATION AND INFLUENCE PREDICTED BY • ENGAGEMENT • DETERMINATION • CURIOSITY	Responds to requests	Supports colleagues	Actively engages with colleagues	Motivates others to work with self	Facilitates cross-group collaboration	Establishes collaborative culture	Forges transformational partnerships
TEAM LEADERSHIP PREDICTED BY • ENGAGEMENT • CURIOSITY	Directs work	Explains what to do and why	Gets input from team	Inspires team commitment	Empowers teams to work independently	Motivates diverse teams to perform	Builds high-performance culture
DEVELOPING ORGANIZATIONAL CAPABILITIES PREDICTED BY • ENGAGEMENT • INSIGHT • CURIOSITY	Supports development efforts	Encourages others to develop	Actively supports team members' growth	Systematically builds team's capability	Aids development outside team	Builds organizational capability	Instills culture focused on talent management
CHANGE LEADERSHIP PREDICTED BY • ENGAGEMENT • DETERMINATION • INSIGHT • CURIOSITY	Accepts change	Supports change	Points out need for change	Makes compelling case for change	Mobilizes others to initiate change	Drives firmwide momentum for change	Embeds culture of change
MARKET UNDERSTANDING PREDICTED BY • INSIGHT • CURIOSITY	Knows immediate context	Knows general marketplace basics	Investigates market and customer dynamics	Deeply understands market	Generates insights about market's future	Identifies emerging business opportunities	Sees how to transform industry
INCLUSIVENESS PREDICTED BY • ENGAGEMENT • INSIGHT • CURIOSITY	Accepts different views	Understands diverse views	Integrates other points of view	Functions well across diverse groups	Facilitates engagement between factions	Strategically increases employee diversity	Creates inclusive culture

SOURCE EGON ZEHNDER

Culture – Why It Matters

It has been said that culture trumps everything, even strategy. To promote the success of the organization the Administrator must invest, with the Board and staff, in clearly defining a culture that guides how the organization will function.

Culture is the invisible stuff that glues organizations together. It includes things like norms of purpose, values, approach. Things that are hard to codify, hard to evaluate, and certainly hard to measure and therefore manage. This “invisibility” causes many managers to treat culture as a soft topic, but it has been increasingly proven to determine how big things get done (Harvard Business Review, March 2011).

Ray Dalio, Author of Principles, and founder of Bridgewater the largest hedge fund firm in the world, defines organizations as machines that consist of two major parts: culture and people. Great organizations have both great people and great culture.

- Great people have both great character and great capabilities
- Great cultures bring problems and disagreements to the surface and solve them well

Bridgewater’s culture is renowned for its radical level of transparency, and the efforts taken to facilitate a believability weighted idea meritocracy. At its heart, this model promotes two foundational tenets of organizational health or culture:

- Trust – achieved through radical transparency
- Believability weighted idea meritocratic decision making – achieved through healthy conflict

Encouragingly, the culture outlined by Dalio in 2017 closely parallels ideas preliminarily established by District staff in 2014, which place value on an open culture promoting idea generation, and leadership, problem solving, and accountability at all levels of the organization – unimpeded by hierarchical or departmental boundaries (see following page). These concepts were recently reinforced during the January 2018 staff retreat.

Transparency and healthy conflict is a recurring theme in many pieces written on organizational health. Patrick Lencioni has written on the five dysfunctions of teams and why organizational health/culture provides competitive advantage. He defines healthy conflict as productive ideological conflict, the willingness to disagree, even passionately when necessary around important issues and decisions that must be made. He observes the following principles.

- When there is trust, conflict becomes nothing but the pursuit of truth, an attempt to find the best possible answer.
- People who trust and care about one another and are engaged in something important should feel compelled to disagree, and sometimes passionately, when they see things differently.
- Avoiding conflict creates problems.

Many other references could be cited, touting the benefits of similar definitions of productive conflict.

Culture has never been clearly defined or reinforced throughout the District’s organizational structure. To succeed moving ahead, investment must be made in clearly defining a culture supported by the Board and staff that emphasizes trust, openness and transparency, vigorous debate and healthy conflict, to support the best decision making.

MCWD 2014 Organizational Culture: A Foundation of Core Values

Below is an excerpt from the August 12, 2014 memorandum from MCWD Program Staff to the Board of Managers.

Building on recent Board direction to operationalize the *Balanced Urban Ecology* policy, staff first recommends the development, adoption and implementation of an organizational culture. A culture that established and supports staff collaboration, innovation and execution, with the purpose of improving the Minnehaha Creek Watershed District's (MCWD) delivery of service to its constituents.

Historically, the operational framework of the MCWD has often limited inter-departmental collaboration, individual initiative, program alignment, common priorities, entrepreneurialism, program and policy innovation, and leadership at all levels. Staff believes that a healthy and vibrant organizational culture ingrained with these values will most effectively advance the organizational mission.

Staff recognizes the organizational significance of individual employees understanding, identifying with and contributing towards the District's overarching goals, objectives and priorities on a daily basis. This culture that supports the questioning of status quo, reinforces the value of ideation and leadership at all levels, and facilitates interdepartmental collaboration outside of job descriptions to develop and implement innovative solutions by all staff.

In response to the recent transition in District leadership, staff was encouraged by management to reflect upon the internal structure of the organization and identify areas that should be strengthened to advance organizational renewal and ultimately, propel the District forward into a new era of operation.

Established repeatedly in leadership and business literature, the issue of engagement or fully committed and motivated employees is becoming one of the biggest differentiators in business success. Accordingly, staff desires to establish and operate in an environment that supports professional and personal growth at individual and team levels, cultivating an exciting, entrepreneurial, team oriented place of employment.

Therefore, we believe that:

- A healthy, successful organization requires a strong organizational culture rooted in shared values of honesty, integrity, and authenticity.
- A management culture supportive of a collaborative environment, where ideas from all staff are acknowledged and encouraged, creates the foundation of a strong organization.
- An environment of idea-generation and innovation, uninhibited by hierarchical (vertical) or inter-departmental (lateral) restriction, will promote professional development, creativity and the free flow of information, improving service delivery.
- An organization which empowers and celebrates leadership and accountability at all levels will enhance productivity and increase the successful execution of innovative ideas, serving to perpetually advance the organizational mission.

Culture – Getting it Right

The Board and Administrator recognize the importance of defining and investing in organization culture for the continued success of MCWD. Below, to frame common expectations, are some of Bridgewater's core principles for getting culture right:

Trust in radical truth and radical transparency:

- Realize that there is nothing to fear from knowing the truth.
- Create an environment in which everyone has the right to understand what makes sense, and no one has the right to hold a critical opinion without speaking up
 - Speak up, own it, or get out. Be extremely open

Cultivate meaningful work and meaningful relationships:

- Be loyal to a common mission and not to anyone who is not operating consistent with it.
- Treasure honorable people who are capable and will treat you well even when you aren't looking.

Know how to get in sync and disagree well:

- Surface areas of possible out-of-syncness
- Watch out of people who think it is embarrassing not to know
- Don't have anything to do with close minded people
- Worry about substance more than style

Cultivate a culture in which it is okay to make mistakes and unacceptable not to learn from them:

- Recognize that mistakes are a natural part of the evolutionary process. Fail well.
- Don't worry about looking good – worry about achieving goals
- Observe patterns of mistakes to see if they are products of weaknesses
- Remember to reflect when you experience pain and make sure your people do as well
- Know what types of mistakes are acceptable and what types are unacceptable, and don't allow the people who work for you to make the unacceptable ones.

Believability weight your decision making:

- Recognize that having an effective idea meritocracy requires that you understand the merits of each person's ideas.
- Find the most believable people possible who disagree with you and try to understand their reasoning.
 - Remember that believable opinions are most likely to come from people 1) who have successfully accomplished the thing in question at least three times, and 2) have a great explanation of the cause-effect relationship that lead them to their conclusions.
 - If someone hasn't done something but the idea can be stress tested, then test it.
 - Don't pay as much attention to conclusions as much as to reasoning
 - Inexperienced people can have great ideas too, sometimes far better ones than experienced people.
 - Everyone should be up front in expressing how confident they are in their thoughts.

Organizational Structure - Questions

The District has invested considerable effort in developing a revised organizational structure.

The following questions regarding organizational structure were raised and discussed through conversations regarding the pending transition of the District Administrator.

1. The potential need for an Assistant Administrator
2. The significance of the Operations Manager position actively being recruited
3. The potential need to backfill the Director of Planning and Projects
4. The need to constitute a leadership team to support the Administrator

With regards to current answers to these questions, there is a shared understanding that it is often advisable to consider organizational charts to be drawn in pencil, recognizing that good organizations are living bodies that grow new muscles to meet new challenges (Townsend).

That said, it is recommended that the Administrator and the Board periodically revisit the organizational chart as a routine part of maintaining the alignment of the District's human resources to accomplish strategic priorities. This will allow for the monitoring and evaluation of the success of the transition for the organization. Should any needs for change be identified, the Administrator and the Board can identify optimal solutions at that point in time.

Regarding Questions 1 and 2:

It is projected that an Assistant Administrator is not required at this juncture. The significance of the Operations Manager has been satisfactorily defined as strong supporting role for the organization, but not one presently approximating an Assistant Administrator.

Regarding Question 3:

Given the substantial transition proposed for the Planning and Project's department in 2018, and the amount of learning and growing that is projected to occur, coupled with the pending transition of the Director of Planning into the Administrator role, it is not advisable to modify this part of the organizational chart at this time.

Regarding Question 4:

The Board and Mr. Wisker have developed a clear and shared understanding on the purpose of leadership teams, and the potential need/benefit and membership of a leadership team within the adopted organizational structure for the District.

Building from discussion at the Board Retreat, the following page provides a preliminary outline of the purpose and qualities of leadership teams, serving to frame a shared understanding for the Board and Administrator moving forward.

Organizational Structure - Leadership Team

In Patrick Lencioni's book, *Advantage*, he outlines that the basics of achieving organizational health involve:

- Building a cohesive leadership team
- Creating clarity
- Reinforcing clarity
- Over communicating clarity

He identifies that, if an organization led by a team that is not behaviorally unified, there is no chance it will become healthy. The importance of leadership cohesion is almost never overtly disputed. However, few organizations invest nearly enough time and energy into it, and certainly not with the level of rigor that building a cohesive leadership team requires and deserves.

The following outline includes additional excerpts from *Advantage*.

Defining a Leadership Team:

The word team has been so overused and misused in society that it has lost much of its impact. The truth is few groups of leaders actually work like a team, at least not the kind that is required to lead a healthy organization.

Most act like working groups, comprised of department heads drawn down divisional lines. A working group is like a golf team, where players go off and play on their own and then get together and add up their scores at the end of the day.

Conversely, A leadership team is a small group of people who are collectively responsible for achieving a common objective for their organization.

Collectively Responsible:

This is perhaps the most important distinction between a working group and a real leadership team. Collective responsibility implies, more than anything else, selflessness and shared sacrifices from team members.

Members of cohesive teams spend many hours working together on issues and topics that often don't fall directly within their formal areas of responsibilities. They go to meetings to help their team members solve problems even when those problems have nothing to do with their departments.

And perhaps most challenging of all, they enter into difficult, uncomfortable discussions, even bringing up thorny issues with colleagues about shortcomings, in order to solve problems that might prevent the team from achieving its objectives.

Common Objectives:

Though straightforward, it is worth stating that most leadership team objectives should be collective ones. Whatever the most important organizational priorities, the team should work together to address. Most teams rely far too heavily on people working exclusively within an area of expertise without full team engagement.

Behavioral Principles of Leadership teams:

In order to be collectively responsible for common objectives, successful leadership teams are founded on a level of trust that allows for healthy conflict and vigorous debate, commitment to action, and peer to peer accountability focused on generating organizational results.

1. Trust
2. Conflict
3. Commitment
4. Accountability
5. Results

MCWD's Leadership Team:

Given some of the challenges that lie ahead, the Board and Mr. Wisker agree that there is merit in establishing a leadership team to collaborate with and assist the Administrator in:

- Creating and implementing strategic alignment
- Effectively managing change
- Establishing and communicating clear and high expectations
- Supporting organizational accountability
- Serving as examples of the District's culture
- Daylighting organizational problems
- Stress testing ideas/solutions with implement the organization's highest priorities

There is agreement that the potential leadership team members should:

- Be collectively responsible for common organizational objectives
- Reflect the thoughts on leadership outlined above
- Represent the cultural principles outlined above
- Exhibit the behavioral principles outlined above
- Have a track record of selflessly executing organizational initiatives
- Live and breathe the vision and mission
- Not be selected based merely on divisional lines or based on hierarchy
- Not represent a new management system with new lines of direct reporting

The Administrator and Board of Managers will refine the purpose, and define membership, of the MCWD's leadership team through the ongoing human resource planning effort in March 2018.

Accountability Framework

The Board and Mr. Wisker agree that effort must be invested through the pending transition to establish a clear accountability framework for the District Administrator.

At a minimum, the accountability framework should include:

- Clear written expectations for work accomplishments (priorities, deliverables and timelines)
- Frequent briefings to the Operations Committee/Board on progress
 - Emphasis on clearly daylighting issues and collaborating with the Board on solutions
- Quarterly performance reviews with the full Board of Managers
- A clear structure and process for completing performance evaluations
- Emphasis on effectively daylighting issues and providing direct constructive feedback
- Process of partnering with the Administrator to define and take necessary corrective actions

The accountability framework should continue to be refined in 2018 through collaboration between the Board and District Administrator.

Mentoring Resources

To be successful in the role of the Administrator, mentoring resources should be identified to provide the greatest chance for success and to promote continuing education in areas of both strength and weaknesses.

Mr. Wisker already employs between 3 and 5 leadership coaches that provide guidance on leadership, management, conflict resolution, organizational management, etc.

Additional training may be needed in areas of:

- Human resources (law, benefits, etc)
- Strategies for effective delegation
- Strategies for developing and managing larger teams
- Public finance
- Etc.

This list of needed resources is something the Board and District Administrator will continue to refine on an ongoing basis, both through the pending transition, and as a component of the annual performance reviews.

EMPLOYMENT AGREEMENT

This **AGREEMENT** is made this 22nd day of February, 2018, by and between the Minnehaha Creek Watershed District, a Minnesota watershed district duly established pursuant to Minnesota Statutes Chapter 103D ("Employer"), and James Wisker ("Employee"). The parties agree as follows:

1. **POSITION.** Employer agrees to employ Employee as its District Administrator. Employee agrees to serve as District Administrator pursuant to the attached position description and in accordance with state law and the District's adopted policies, and to perform such other legally permissible and proper duties and functions as the Board of Managers may from time to time assign.
2. **TERM.** The term of the Agreement shall begin on March 1, 2018. Employee will serve on an at-will basis, serving at the pleasure of the Board of Managers and may be dismissed at any time with or without cause.
3. **SALARY.** Employer shall pay Employee an annual salary of \$125,000, payable in regular installments according to the Employer's normal payroll practices and subject to appropriate withholdings. Employer agrees that its personnel pay ranges and salary schedule will be reviewed in 2018, and Employer agrees to review and adjust Employee's salary once the new pay ranges and salary schedule are established. Except as otherwise provided herein, Employer will review Employee's compensation on an annual basis during the term of this Agreement and the Agreement shall be amended automatically to reflect any salary adjustments that are provided or required by the Employer's compensation policies.
4. **PERFORMANCE EVALUATION.** Employer and Employee agree that performance reviews will be conducted on Employee on a quarterly basis for the first two years, and at least annually thereafter. The process for the Employee performance evaluation will be mutually agreed upon by the Employer and Employee, and reflect a basic framework that includes the following elements: 1) goals are set with appropriate metrics, and performance evaluation will correspond to these goals; 2) quarterly reviews will identify any issues with performance and also add new goals as appropriate; 3) the process of issue identification and goal setting must be documented; and 4) a performance plan will identify corrective actions to address any issues of concern within a specific timetable. The process at a minimum will include the opportunity for both parties to: 1) prepare a written evaluation; 2) meet and discuss the evaluation; and 3) present a written summary for the personnel file.
5. **PENSION PLAN.** Employer shall contribute to PERA as required by State law for Employee. Employer shall also contribute to any other benefit plans consistent with the benefits provided to other full time employees that work for the District.
6. **VACATION AND SICK LEAVE.** Employee shall continue with any banked vacation time and sick leave accumulated as an employee of Employer, and shall continue to accrue vacation time and sick leave pursuant to the District's Employee Handbook. The administration and use of vacation by the Employee shall consistent with the District's Personnel Policy. In the event that Employee is terminated by the Employer during such time that Employee is willing and able to perform the duties of District Administrator, and not because of Employee's material failure to perform duties as assigned, malfeasance in office, gross misconduct, conviction for a felony, or conviction for an illegal act involving personal gain to Employee, then Employee shall be entitled to compensation for accumulated vacation and sick leave not to exceed a total of 1080 hours, notwithstanding any provision of the Employee Handbook.
7. **HOLIDAYS.** Employer shall provide Employee the same holidays as enjoyed by other full-time employees.

8. **GENERAL INSURANCE.** Employer shall offer and provide and pay on behalf of Employee for such health, life, dental and disability insurance benefits including the Employee's dependents at the same rate and upon the same terms as that which is offered and/or provided to all other employees.

9. **DUES AND SUBSCRIPTIONS.** Employer shall budget and pay the professional dues and subscriptions for Employee which are deemed reasonable and necessary for Employee's continued participation in national, regional, state and local associations necessary and desirable for Employee's continued professional growth and development. Dues and subscriptions may include, but are not limited to the Minnesota Association of Watershed Districts Association of District Administrators, International City Managers Association, Minnesota City Managers Association, or other local groups and associations.

10. **PROFESSIONAL DEVELOPMENT.** The Employee's professional growth and development is an important priority for the Employer and the Employee. Employer may budget and pay necessary and reasonable registration, travel and subsistence expenses of Employee for professional and official travel, meetings and occasions adequate to continue the professional development of Employee and to adequately pursue necessary official and other committees thereof which Employee serves as a member. Employee will develop an annual professional development plan for discussion with Employer. Employee shall use good judgment in Employee's outside activities and will not neglect his primary duties to the Employer. Appropriate professional development activities may include, but not be limited to coursework, conferences, membership in professional associations, leadership coaches and consultants, books and literature. Employer supports professional development activities of Employee outside of water resource management that complement the District's mission and commitment to Balanced Urban Ecology. Employee may request travel for professional development outside of Minnesota more than once annually. Attendance at annual conferences is subject to the District's budget and travel policies, and the President of the Board of Managers must approve any travel for professional development outside of Minnesota.

11. **AUTOMOBILE.** Employee may have the use of an Employer provided vehicle for official use and business. If the Employee uses his personal vehicle for official use and business he will be eligible for mileage reimbursement pursuant to the District's policy.

12. **GENERAL EXPENSES.** Employee shall be reimbursed for other job-related expenses which it is anticipated Employee will incur from time to time, with appropriate documentation and in accordance with District's policies and procedures.

13. **HOURS OF WORK.** Employee will be available during regular business hours. It is understood that the position of District Administrator requires attendance at evening meetings and occasionally at weekend meetings. It is understood by Employee that additional compensation and compensatory time shall not be allowed for such additional expenditures of time. Employer and Employee agree that long term success for staff and the organization requires an appropriate life-work balance. It is further understood that Employee may absent himself from the office to a reasonable extent in consideration of extraordinary time expenditures for evening and weekend meetings at other than normal working hours.

14. **TERMINATION PROVISIONS.** In the event that Employee is terminated by the Employer during such time that Employee is willing and able to perform the duties of District Administrator, then in that event, Employer agrees to pay Employee at the time of receipt of his last pay check a lump sum cash payment equal to six months aggregate salary. However, in the event Employee is terminated at any time because of Employee's material failure to perform duties as assigned, malfeasance in office, gross misconduct, conviction for a felony, or conviction for an illegal act involving personal gain to Employee, then Employer shall have no obligation to pay the termination benefits.

If Employer at any time during the employment term reduces the salary or other financial benefits of Employee in a greater percentage than across-the-board reduction for other full time employees, unless agreed upon by Employee, or if Employer refuses, following written notice, to comply with any other provisions of this Agreement benefiting Employee or Employee resigns following a formal suggestion by Employer that Employee resign, then Employee may, at his option, be deemed to be "terminated" on the effective date of Employee's resignation and the Employee shall also be entitled to receive the termination benefits set forth above.

If Employee voluntarily resigns his position with Employer, Employee agrees to give the Employer thirty (30) days advance notice. If Employee voluntarily resigns his position with Employer, there shall be no termination pay due to Employee. Employee shall be entitled to all other accrued benefits consistent with termination benefits granted to other full time employees pursuant to the limitations of the Employee Handbook.

15. GENERAL CONDITIONS OF EMPLOYMENT. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employer to terminate the services of Employee at any time, for any reason, subject only to the provisions of this Agreement and statutory requirements. Furthermore, nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time from his position with Employer, subject only to the provisions of this Agreement.

16. AMENDMENTS. The Agreement shall be amended only by mutual consent of both parties, unless otherwise provided herein.

17. CHOICE OF LAW AND VENUE. This Agreement shall be governed by and constituted in accordance with the laws of the State of Minnesota.

18. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the parties with respect to employment relationship between the Board of Managers as Employer and the Employee as District Administrator, replaces all prior discussions and understandings, and the parties agree that there were no inducements or representations leading to the execution of this Agreement except as herein contained.

19. SEVERABILITY. In case any one or more of the provisions of this Agreement shall be invalid, illegal, or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this Agreement will not in any way be affected or impaired thereby.

EMPLOYER

EMPLOYEE

Sherry Davis White, President
Board of Managers

James Wisker

Dated _____

Dated _____

Approved as to Form and Execution:

District Counsel