

RESOLUTION 23-014
Riley-Purgatory-Bluff Creek Watershed District
Board of Managers

Adopting electronic-signature policy

Manager Pedersen offered the following resolution and moved its adoption, seconded by Manager Crafton.

WHEREAS the Uniform Electronic Transactions Act, Minnesota Statutes chapter 325L, establishes the legal validity of electronic signatures and section 325L.18 directs each governmental agency of the state to determine whether, and the extent to which, it will utilize and accept electronic signatures as legally effective and binding for purposes of RPBCWD's conduct of official transactions and business, and otherwise create, generate, communicate, store, process, use and rely on electronic signatures; and

WHEREAS RPBCWD has determined that use of reliable systems of third-party electronic-signature technology provides valuable efficiency in the administration of RPBCWD agreements and other legally effective documents.

NOW, THEREFORE BE IT RESOLVED that the RPBCWD Board of Managers hereby adopts the following electronic-signature policy to authorize the use of electronic signatures for documents to which the RPBCWD is a party:

1. RPBCWD may accept and utilize electronic signatures that create digitally authenticated signatures – those that produce “an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record,” Minnesota Statutes section 325L.02(h) – as ascertained by the RPBCWD administrator on advice of counsel as to compliance with applicable law, provided that such electronic authentication includes the date and time of the signature, the signatory's internet protocol address, and indication of intent of the signatory to sign. RPBCWD will accept the signatory's electronic signature as concurrence in the acceptability of the use of such technology for the purpose.
2. RPBCWD may utilize electronic signatures for the execution of funding commitments; land-use licenses; contracts and task orders for goods, services, utilities, construction and professional and technical services; project agreements; and documents necessary and pertinent to the efficient administration of RPBCWD operations and business, including but not limited to resolutions and minutes.
3. Forms of electronic signatures unacceptable for RPBCWD use include:

- a. An image of a signature placed into or on a document by digitally pasting the image into the document, unless such signature image is digitally authenticated; or
- b. A signature created by typing the name of the person into the document, except that RPBCWD may accept such electronic signatures on permit applications when the administrator confirms the intent of the applicant.

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution does not confer on the RPBCWD administrator the authority to subdelegate signing authority conferred by the board of managers to any other person.

NOW THEREFORE BE IT FINALLY RESOLVED that the board of managers directs the administrator to incorporate this electronic-signature policy into RPBCWD's General Governance Policies.

The question was on the adoption of the resolution and there were 4 yeas and 1 nay as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CRAFTON	X			
DUEVEL	X			
KOCH		X		
PEDERSEN	X			
ZIEGLER	X			

Upon vote, the president declared the resolution adopted on this 4th day of January, 2023.

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I, Dorothy Pedersen, secretary of the Riley-Purgatory-Bluff Creek Watershed District, hereby certifies that I have compared the above resolution with the original thereof as the same appears of record and on file with RPBCWD and find the same to be a true and correct transcription thereof, and further that the resolution is in full force and effect on this date, and Resolution 23-014 has not been modified, amended or rescinded since its adoption.

IN TESTIMONY WHEREOF, I set my hand this 20th day of January, 2023.



 Dorothy Pedersen, Secretary