

**Shell Rock River Watershed District  
Regular Meeting Minutes  
June 14, 2022**

Managers present: Dan DeBoer, Mick Delger, Brad Kramer, Al Bakken, Joe Pacovsky, and Gary Pectorious

Managers absent: Mike Hanson

Chairman Pectorious called the meeting to order at 8:30 a.m. on June 14, 2022 at the Shell Rock River Watershed District, 214 W. Main St., Albert Lea, MN 56007.

No one from the public was present to speak during the Public Forum.

Manager DeBoer offered the following motion:

Move to approve the consent agenda as follows:

- a. Minutes of the May 10, 2022 SRRWD Monthly Board Meeting
- b. May 2022 Treasurer's Report Subject to Audit
- c. May 2022 Project Fund Treasurer's Report Subject to Audit
- d. Authorize Payment of Claims
- e. Authorize Payment of Project Fund Disbursements
- f. Quarterly Transfer

Manager Pacovsky seconded the motion.

After discussion, a vote was taken and the motion was unanimously approved.

Manager Delger offered the following motion:

Move to approve the agenda.

Manager Pacovsky seconded the motion.

After discussion, a vote was taken and the motion was unanimously approved.

Administrator Henschel reported that the Freeborn County Board of Commissions have reappointed Manager Delger, Manager Bakken, and Manager DeBoer to the Shell Rock River Watershed District (SRRWD) Board of Managers. At the next SRRWD board meeting, the managers will take the Oath of Office and presiding official will conduct the Election of Officers.

Administrator Henschel continued with a legislative update. The SRRWD requested \$8.45 million from the Minnesota Legislature in 2022 complete the third and final phase of the Fountain Lake Restoration Project. The Legislature failed to pass a bonding bill. Administrator Henschel thanked Representative Bennett and Senator Dornink for their support. Other funding options were discussed but ruled out due to the nature and size of the project. The SRRWD will continue to seek bonding dollars in the future.

Administrator Henschel reminded the Board of Managers of the gravel lease at the Headwaters Property. The Request for Bids were published in the paper and available via [www.shellrock.org](http://www.shellrock.org). Boring information is available to contractors via the SRRWD office. Bids are due at 3:00 PM on June 17, 2022.

Administrator Henschel reminded the Board of Managers of excess clay material available for purchase at the Confined Disposal Facility (CDF). The District will be selling the clay by the truckload to any interested party at a cost of \$45.00 per standard truckload (12-15 ton truck). Purchaser is responsible for loading all purchased clay. Purchaser must agree to all terms and conditions of the District's Release, Indemnification, and Hold Harmless Agreement.

Administrator Henschel stated that the District is preparing the Country Club site for sale.

Administrator Henschel provided an update regarding CDF Cells 2 and 3. Mediation has been postponed due to a conflict of interest with the mediator.

Project and Program Manager, Courtney Phillips, discussed the adoption of the Shell Rock River Winnebago River Comprehensive Watershed Management Plan. The Board of Water and Soil Resources (BWSR) Board approved the plan at their April 27<sup>th</sup> meeting. After local adoption, the planning group will work with BWSR to fund projects identified in the plan.

Manager Pacovsky offered the following motion:

Move to introduce Resolution 2022-08 as follows:

**Resolution 2022-08**

**Adopt and Implement the Shell Rock River- Winnebago River  
Comprehensive Watershed Management Plan**

WHEREAS, the Shell Rock River Watershed District has been notified by the Minnesota Board of Water and Soil Resources that the Shell Rock River – Winnebago River Comprehensive

Watershed Management Plan (Plan) has been approved according to Minnesota §103B.801 and Board Resolution #22-19;

WHEREAS, the District will have the authority to enter into associated agreements and bylaws;

Now, therefore, be it resolved, the Shell Rock River Watershed District Board hereby adopts and will begin implementation of approved Shell Rock River – Winnebago River Comprehensive Watershed Management Plan and may enter into associated agreements and bylaws to implement the Plan.

Manager Bakken seconded the motion.

After discussions, a roll call vote was taken and the resolution was unanimously approved.

Chairman Pestorius declared the resolution passed.

Courtney Phillips explained the Memorandum of Understanding with U.S. Fish and Wildlife Service (USFWS) to expand more parcels and update new dates with grant funding.

Manager Delger offered the following motion:

Move to approve Memorandum of Understanding with U.S. Fish and Wildlife Service.

Manager Kramer seconded the motion.

After discussion, a vote was taken and the motion was unanimously approved.

Courtney Phillips continued with an update on the petition with Miller Tract/IC&E. The project is located north of Interstate 90 and east of Alden and contractors have prepared the site for restoration including mowing, spraying, and seeding. Phase 2 of the project is currently being engineered and will include the creation of additional wetland basins. This project is in collaboration with USFWS and funding was made possible by the Lessard-Sams Outdoor Heritage Council (LSOHC). Both the SRRWD and USFWS will be petitioners as part of this process, the District is working on submitting a petition to abandon and reroute part of County Ditch 54.

Courtney Phillips provided a LSOHC funding update. The SRRWD received \$1,438,000 out of their Phase 11 proposal. Courtney also updated that they requested \$4,641,900 million for their Phase 12 proposal and projects include acquisitions and restorations, including the Fountain Lake Channel.

Courtney concluded with an update on the Vandegrift Wetland Restoration Project. Located at the intersection of Highway 13 and Interstate 90, a water control structure is being installed near the railroad berm. This restoration was funded by the LSOHC and will recreate floodplain storage that was historically cut off by the railroad.

Technical Specialist, Scott Christenson, discussed the Fountain Lake In-Lake Habitat listening session scheduled for June 29, 2022. Local entities will discuss habitat features and ideas with MNDNR.

Scott Christenson furthered the Fountain Lake habitat discussion by explaining the Scope of Services within the Engineering Services Contract from ISG.

Manager Kramer offered the following motion:

Move to approve engineering services with ISG.

Manager DeBoer seconded the motion.

After discussion, a vote was taken and the motion was unanimously approved.

Scott Christenson concluded with a Lower Twin Lake Dam update. The Minnesota Department of Natural Resources removed the beaver deceiver, fish grates, and stop logs. After numerous site visits and the use of a level logger, the water level has been lowered to below DNR management levels.

During Manager's Items, Manager Pestorius questioned the status of the Confined Disposal Facility (CDF) cells. Administrator Henschel discussed removing and stockpiling sediment from Cell 1 instead of constructing a fourth cell. Additional funding sources were discussed for Phase 3 of the Fountain Lake Restoration Project. The CDF litigation was discussed including the new mediation date of September 27<sup>th</sup> or 28<sup>th</sup>.

Administrator Henschel discussed the upcoming meetings. The next board meeting has been scheduled for July 12, 2022 at 8:30AM at the SRRWD office.

Manager Kramer offered the following motion:

Move to adjourn the meeting.

Manager Pacovsky seconded the motion.

After discussion, a vote was taken and the motion was unanimously approved.