

Shell Rock River Watershed District
Regular Meeting Minutes
July 13, 2021

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

Chairman Delger called the Regular Meeting to order July 13, 2021 at 8:30 a.m. at the Albert Lea City Council Chambers, 221 East Clark Street, Albert Lea, MN 56007 and turned the meeting over to Freeborn County Administrator, Tom Jensen, to swear in the newly appointed managers.

Administrator Jensen swore in Manager Joe Pacovsky and Manager Mike Hanson

Manager Bakken offered the following motion:

Move to cast votes for the Election of Officers by roll call.

Manager DeBoer seconded the motion

On a roll call vote, the following managers voted in favor of said motion: Pestorious, Kramer, Bakken, Pacovsky, Hanson, DeBoer and Delger. Chairman Delger declared the motion passed.

Administrator Jensen presided over the Election of Officers.

Administrator Jensen asked for nominations for Chairman.

Manager DeBoer nominated Manager Pestorious for Chairman of the Shell Rock River Watershed District Board. Manager Delger seconded the motion.

Administrator Jensen called for nominations for Chairman numerous times and closed nominations. A vote was taken and Administrator Jensen declared Manager Pestorious Chairman of the Shell Rock River Watershed Board.

Manager Bakken nominated Manager Delger for Vice-Chairman of the Shell Rock River Watershed District Board. Manager Pacovsky seconded the motion.

Administrator Jensen called for nominations for Vice-Chairman numerous times and closed nominations. A vote was taken and Administrator Jensen declared Manager Delger Vice-Chairman of the Shell Rock River Watershed Board.

Administrator Jensen asked for nominations for Secretary.

Manager Bakken nominated Manager Kramer for Secretary of the Shell Rock River Watershed District Board. Manager Delger seconded the motion.

Administrator Jensen called for nominations for Secretary numerous times and closed nominations. A vote was taken and Administrator Jensen declared Manager Kramer Secretary of the Shell Rock River Watershed Board.

Administrator Jensen asked for nominations for Treasurer.

Manager Kramer nominated Manager Bakken for Treasurer of the Shell Rock River Watershed District Board. Manager Hanson seconded the motion.

Administrator Jensen called for nominations for Treasurer numerous times and closed nominations. A vote was taken and Administrator Jensen declared Manager Bakken Treasurer of the Shell Rock River Watershed Board.

Administrator Jensen declared the elections complete and turned over the meeting to the Chairman Pectorious.

Manager DeBoer offered the following motion:

Move to approve the consent agenda as follows:

- a. Minutes of the June 2, 2021 SRRWD Dredge Committee Meeting
- b. Minutes of the June 8, 2021 SRRWD Regular Board Meeting
- c. Minutes of the June 22, 2021 SRRWD Personnel Committee Meeting
- d. June 2021 Treasurer's Report Subject to Audit
- e. June 2021 Project Fund Treasurer's Report Subject to Audit
- f. Authorize Payment of Claims
- g. Authorize Payment of Project Fund Disbursements
- h. 2nd Quarter Transfer

Manager Hanson seconded the motion.

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

Manager DeBoer offered the following motion:

Move to approve the agenda without any further additions, corrections or deletions.

Manager Hanson seconded the motion.

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

Chairman Pectorious opened the public forum. No one from the public wished to speak.

Administrator Henschel reported that the Personnel Committee met on June 22, 2021, to discuss staff's performance reviews and complete his performance review. Manager Delger explained that SRRWD staff did not receive a wage increase in 2020 due to the financial uncertainty of the pandemic. Administrator Henschel presented his recommendations for staff salary increases: Education/Outreach Coordinator and Administrative Assistant a 5% increase, Program/Project Manager 1 a 5% increase, Financial Tech 2 a 3.5% increase, and Technical Specialist 1 a 0% increase.

Manager Kramer offered the following motion:

Move to approve the Personnel Committee's recommendation.

Manager Pacovsky seconded the motion.

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

Administrator Henschel stated that the SRRWD Committee List was distributed before the meeting. Managers were asked to review the list and decide which committees they wanted to join or be removed from. Alternates were added to the list.

Manager Kramer offered the following motion:

Move to approve the SRRWD Committee List.

Manager DeBoer seconded the motion.

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

Administrator Henschel provided a legislative update on behalf of lobbyist, Judy Erickson. The Legislature did not pass a bonding bill during the regular or special session. However, there is still a desire among members to pass a bonding bill this year and there could be one later in the year as it appears there will be another Special Session in September. The District did apply for the Minnesota Management and Budget (MMB) for financial assistance, plus inflation, for 2022. The 2020 and 2021 Legislative-Citizen Commission on Minnesota Resources (LCCMR) recommendations were included in the Environment and Natural Resources Finance and Policy Omnibus Bill. The 2021 LCCMR recommendations included the District's proposal of \$467,000 to acquire and restore wetlands on a key parcel of land with numerous downstream benefits. The Legacy Finance Omnibus Bill included the recommendations from the Lessard-Sams Outdoor Heritage Council. Phase X of the Shell Rock River Watershed Habitat Restoration Plan was included in the recommendations and funded at \$1.547 million.

Administrator Henschel provided an update on the Fountain Lake Restoration Project using progress and design maps. He discussed the depths and lake-bottom contours in the Main Bay

and Dane's Bay. In some areas, the dredging contractor is not meeting the design depths because they are reaching the natural bottom of the lake. Per permitting, the contractor will stop dredging and make up the volume in different areas of the lake. Over 70,000 cubic yards of material has been removed from Dane's Bay. With the exception of some spot dredging, the bay is complete and the dredge will be demobilized on July 22, 2021. Administrator Henschel discussed the abandoned 3-inch pipeline that was previously discovered while dredging in the Main Bay. The contractor will dredge that area with a 15-foot offset north and south of the pipeline.

Administrator Henschel provided an update on Confined Disposal Facility (CDF) cells. The Department of Natural Resources (DNR) issued approval to fill cell 3 to maximum capacity so the dredging contractor has been pumping dredged material exclusively into cell 3.

Dave Copeland, Board of Water and Soil Resources (BWSR) Board Conservationist, and Administrator Henschel discussed the details of the upcoming Board of Waters and Soil Resources (BSWR) Conservation Project Tour. The tour of conservation projects in Mower and Freeborn Counties will be hosted by the Shell Rock River Watershed District, Turtle Creek Watershed District, Cedar Watershed District, Mower County and Soil and Water Conservation District and Freeborn County and Soil and Water Conservation District on Wednesday, August 25, 2021, and in conjunction with the Board meeting on the following day, Thursday, August 26, 2021. Managers who wish to join the tour should contact Leah Stadheim.

Project/Program Manager, Courtney Phillips, discussed the Pickerel Lake project. This property is approximately 56 acres and is located east of Pickerel Lake. This is an acquisition project that is funded from the Lessard-Sams Outdoor Heritage Council.

Manager Hanson offered the following motion:

Move to introduce Resolution 2021-15 as follows:

Resolution 2021-15
Executing Pickerel Lake Property (Belshan)
Option Agreement

WHEREAS, the Shell Rock River Watershed District Board of Managers ("Board of Managers") pursues the mission of implementing reasonable and necessary improvements to the water-related and other natural resources within its boundaries;

WHEREAS, the Shell Rock River Watershed District (the "District") is charged with implementing the Shell Rock River Watershed District Watershed Management Plan (the "Plan");

WHEREAS, the Original Option Agreements was recorded as Document A-547849 in the Office of the Freeborn County Recorder, on March 25, 2021;

WHEREAS, funding for the acquisition of the Pickerel Lake Property was approved by the Lessard-Sams Outdoor Heritage Council;

WHEREAS, the District received an appraisal establishing the appraised value of the Pickerel Lake Property at Four Hundred Ten Thousand and 00/100 (\$410,000.00);

WHEREAS, the Lessard-Sams Outdoor Heritage Council allows cost of 110 percent of the appraised value in the amount of Four Hundred Fifty-one Thousand and 00/100 (\$451,000.00);

WHEREAS, the District reached an agreement on purchase price of Four Hundred Twenty-seven Thousand Five Hundred and 00/100 (\$427,500.00)

WHEREAS, the Board of Managers now desires to exercise the Option Agreement and complete the purchase of the real estate.

NOW THEREFORE, be it resolved that the Shell Rock River Watershed District:

1. Authorizes Exercise of the Option granted in the Option Agreement dated March 24th; and
2. Authorizes District staff to execute all documents properly exercisable by District staff to facilitate and affect this purchase of real estate.

Manager Pacovsky seconded the motion.

On a roll call vote, the following managers voted in favor of said resolution: Pestorious, Kramer, Bakken, Pacovsky, DeBoer, Hanson, and Delger. Chairman Pestorious declared the resolution passed.

Courtney continued with a One Watershed, One Plan update. The Memorandum of Agreement was discussed including how all the entities will work together once the group receives money for implementation. The SRRWD will be the fiscal holder of the funds and the day to day contact for the 1W1P. The agreement is planned to mirror the Cedar River Watershed plan. The Policy Committee will meet in the near future for approval.

Courtney continued with a Credit Trading update. Funded through the LCCMR, the pilot program is going to soon be complete and available for any city's Municipal Separate Storm Sewer System (MS4) to apply for a permit if they wish.

Technical Specialist, Scott Christenson, reported that 5 Lessard-Sams Outdoor Heritage Council funded projects were recently completed including the Upper Twin Lake pump station, Lower Twin Lake fish barrier and stream restoration, Pickerel Lake Site 12, Wedge Creek Reach 1 and 6. Using photos, he discussed the projects and the benefits.

Scott continued by providing a water monitoring update. Using graphs, he discussed water clarity, phosphorus standards, and lake temperatures. Temperatures above 75 degrees Fahrenheit can produce harmful blue-green algal blooms.

Manager's Reports: Manager Mick Delger reported that he attended the Freeborn County board meeting and met the newly elected commissioners. Manager Joe Pacovsky reported that the Lakes Foundation will meet tomorrow.

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.