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

Managers absent: Dan DeBoer

Chairman Delger called the Regular Meeting to order December 10, 2019 at 8:30 a.m. at the Albert Lea City Council Chambers, 221 East Clark Street, Albert Lea, MN 56007.

During the public forum, Virgil Schewe, 15243 700th Ave. Albert Lea, MN 56007, spoke in opposition to the beaver dams on Lower Twin Lake and requested to have input on the fish barrier project. Norman Bangert, 70678 154th St. Albert Lea, MN 56007, similarly spoke in opposition to the beaver dams and questioned who has control over the lake levels.

Manager Pestorious offered the following motion:
Move to approve the consent agenda as follows:
   a. Minutes of the September 18, 2019 Citizen Advisory Committee Meeting
   b. Minutes of the October 23, 2019 Citizen Advisory Committee Meeting
   c. Minutes of the November 12, 2019 SRRWD Monthly Board Meeting
   d. November 2019 Treasurer’s Report Subject to Audit
   e. November 2019 Project Fund Treasurer’s Report Subject to Audit
   f. Authorize Payment of Claims
   g. Authorize Payment of Project Fund Disbursements
Manager Pacovsky seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

Manager Kramer offered the following motion:
Move to approve the agenda with no addition, corrections or deletions.
Manager Pestorious seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

Administrator Andy Henschel reviewed the following budgetary items:

Manager Hanson offered the following motion:
Move to certify the 2020 Administrative Levy.
Manager Kramer seconded the motion. After discussion, a vote was taken and the motion was unanimously approved. Manager Pestorious offered the following motion:
Move to approve the 2020 Administrative Budget
Manager Bakken seconded the motion. After discussion, a vote was taken and the motion was unanimously approved.

Manager Hanson offered the following motion:
Move to approve the 2020 Administrative Budget
Manager Kramer seconded the motion. After discussion, a vote was taken and the motion was unanimously approved.

Manager Hanson offered the following motion:
Move to certify the Debt Service Levy.
Manager Kramer seconded the motion. After discussion, a vote was taken and the motion was unanimously approved.

Manager Hanson offered the following motion:
Move to approve the 2020 Project Fund Tax Budget.
Manager Kramer seconded the motion. After discussion, a vote was taken and the motion was unanimously approved.

Administrator Henschel recommended a Cost-of-Living Adjustment (COLA) for the Shell Rock River Watershed District staff.

Manager Bakken offered the following motion:
Move to approve a 2.5% Cost of Living Adjustment effective January 1, 2020.
Manager Kramer seconded the motion. After discussion, a vote was taken and the motion was unanimously approved.

Administrator Henschel discussed the 3-year extension of the Stadheim option agreement for 40 acres to be used for the Confined Disposal Facility (CDF) cell 4 for phase 3 of the Fountain Lake Restoration project.

Manager Pestorious offered the following motion:
Move to amend extension of Stadheim option agreement.
Manager Pacovsky seconded the motion. After discussion, a vote was taken and the motion was unanimously approved.

Administrator Henschel explained that the SRRWD will be asking the Minnesota legislature for an additional $7.5 million in 2020 in order to complete Phase 3 of the project (Main Bay East Basin, Bancroft Creek and parts of Bancroft Bay). The District was invited to present their bonding proposal to the Governor Walz’s staff on November 25, 2019. Additionally,
Minnesota’s budget and economic outlook has improved since the end of 2019 session. This means there is an opportunity for a robust bonding bill for the Shell Rock River Watershed.

Administrator Henschel provided an update on the Lower Twin Lake beaver dam issue. The District sent a letter to the Minnesota Department of Natural Resources (DNR) to remove the dams and staff has been on site. He invited the public to be involved in the project by attending board meetings and/or coming to the District office to meet with staff.

Administrator Henschel reported that several staff and board managers attended the Minnesota Association of Watershed District (MAWD) Annual Conference & Trade Show last week. This conference provided an opportunity for watershed districts managers, staff and key partners to join each other in professional development and training seminars. It also provided opportunities for watershed officials and staff to meet exhibitors, consultants, state and federal agencies from across the country. Administrator Henschel participated in the Minnesota Association of Watershed Administrators (MAWA) meeting, Mick Delger represented the District as the voting delegate, and Courtney Phillips presented on Credit Trading.

Project/Program Manager, Courtney Phillips, reviewed the 2020 Incentive and Cost-Share program. Since 2007, the District has implemented this program to provide cost-sharing for the installation of rain gardens, rock inlets, rain barrels, and Industrial, Commercial, and Municipal Stormwater BMPs. The 2020 work plan has a $50,000 budget.

Manager Hanson offered the following motion:

Move to approve the 2020 Incentive and Cost-Share Program.

Manager Pacovsky seconded the motion.

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

Courtney Phillips explained that Pheasants Forever recently asked the SRRWD to be a project partner for an upcoming NAWCA grant that they are applying for called Iowa-Minnesota Prairie Potholes 3. The SRRWD will not be providing a monetary match to this project but instead a previous LSOHC land transaction toward this grant. This $1,000,000 grant is focused on restoring wetlands and grasslands to become wildlife management areas or waterfowl productions areas.

Manager Pacovsky offered the following motion:

Move to support Pheasants Forever NAWCA Grant Application

Manager Bakken seconded the motion.

After discussion, a vote was taken and the motion was unanimously approved.
Courtney Phillips reported recent activity with the Watershed Restoration and Project Strategy (WRAPS). The SRRWD received a WRAPS document for review on November 12, 2019 and the SRRWD comments to the Minnesota Pollution Control Agency (MPCA) were due on December 5, 2019. A meeting is scheduled this week with staff from the MPCA, City of Albert Lea, Freeborn County, Soil and Water Conservation District (SWCD) and the SRRWD to go over comments and discuss the timeline.

Technical Specialist, Scott Christenson, discussed the updated plans including the No-Rise Certification for Lower Twin Lake Fish Barrier.

Manager Kramer offered the following motion:

   Move to approve Lower Twin Lake Fish Barrier – Part 1 – Updated Plan

Manager Pacovsky seconded the motion.

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

The bid advertising for the Lower Twin Lake Fish Barrier was held on December 6, 2019. Two bids were submitted for the completion of the project.

Manager Pestorious offered the following motion:

   Move to introduce Resolution 2019-23 as follows:

Resolution 2019-23
Twin Lake Fish Barrier
Bid Award

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, following bid advertising for Twin Lakes Fish Barrier, the bid opening was held on December 6, 2019;

WHEREAS, two bids were submitted in the amounts of $278,105.90 and $ 357,369.25 for the completion of the Project pursuant to the bid specifications;

WHEREAS, in a letter dated December 6, 2019, WSB and Associates recommended Minger Construction Co. Inc. as the lowest qualified bidder;
THEREFORE, the Board of Managers hereby finds that the Project has the potential to promote the public interest and welfare, is practicable, and conforms to the watershed management plan.

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

Section 1: The Contract is awarded to Minger Construction Co. Inc. as the lowest bidder and in the best interests of the District pursuant to the terms of the Contract; and

Section 2: The staff, the Chairman of the Board of Managers, and the Secretary are authorized to sign all contracts and documents necessary to proceed with the Project.

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

Scott Christenson explained the Lower Twin Lake Fish Barrier – Part 2 - Stream Enhancement Project that will take place downstream of the Lower Twin outlet/fish barrier. The plans were forwarded to the Board of Water and Soil Resources (BWSR) and DNR for their review and comment.

Manager Pestorius offered the following motion:

Move to approve Lower Twin lake Fish Barrier – Part 2 – 60% plans.

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

Manager Pacovsky offered the following motion:

Move to introduce Resolution 2019-24 as follows:

Resolution 2019-24
Lower Twin Lakes Fish Barrier Part 2
Establishment
Project - 2015-03

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 District has pursued a comprehensive watershed approach to reduce sedimentation and improve water quality including filter strips, rock inlets, nutrient management systems, water and sediment basin installations, rough fish management practices, installation of fish barriers, septic system inspections, stream bank and ditch restoration projects and the installation of rain gardens.

WHEREAS, On July 14, 2015, the District initiated the Lower Twin Lakes Fish Barrier Project by Resolution 2015-08;

WHEREAS, The Project Plan was forwarded to the Board of Water and Soil Resources (BWSR) and Department of Natural Resources (DNR) for their review and comment on December 6, 2019;

WHEREAS, On December 10, 2019, by motion, the Board of Managers approved the 60% specifications for Part #2 of the Project (60% Project Plan for part #2);

WHEREAS, a public hearing was held on November 12, 2019 to review the project plan;

THEREFORE, the Board of Managers hereby finds that the proposed Lower Twin Lakes Fish Barrier Part 2 Project has the ability to promote the public interest and welfare in conformity with the watershed management plans as set forth above.

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

Sec. 1: Establishes “Project No. 2015-03 Lower Twin Lakes Fish Barrier part #2”,

Sec. 2: Authorizes District Staff to complete the Project set forth in the Project Plan for part #2;

Sec. 3: Authorizes District Staff and the District’s attorney to obtain bids; request for approvals and enter into any other agreement or contracts necessary to complete the project

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

Scott Christenson explained that easements from landowners are needed to access the property for the Lower Twin Lake Fish Barrier – Part 2 – Stream Enhancement project.

Manager Pacovsky offered the following motion:

Move to approve Lower Twin Lake Fish Barrier Stream Enhancement Easements – Part 2 – and Authorize District staff to make non-material changes to easements.

Manager Kramer seconded the motion.

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

During Manager’s Reports, Manager Pacovsky discussed the Lakes Foundation’s fundraising efforts and the upcoming Reel Paddling Film Festival. Manager Kramer informed the Board of Managers about a new communication model.

Upcoming meetings were discussed.

Manager Pacovsky offered the following motion:

Move to adjourn the meeting.

Manager Kramer seconded the motion.

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