Manager Pacovsky offered the following motion:
Move to approve the amended agenda.
Manager DeBoer seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

Manager DeBoer offered the following resolution:
Move to approve Resolution 2016-06 as follows:

Resolution 2016-06
Fountain Lake Restoration Project
Authorization for Purchase Agreement on Stadheim Property

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, project goals and objectives set forth in the Plan include:

- Implement rehabilitation that improves water quality and clarity in Fountain Lake;
- Employ lake management techniques to restore and improve aquatic vegetation;
- Consolidation, removal and stabilization of lake bottom sediments;
- Control of rough fish populations;
- Enhancement of aesthetic values;
- To reduce water and wind erosion;
- Reduce soil loss during storm events; and
- Reduce sediment delivery to surface waters;

(the “Project Goals”).
WHEREAS, in 2005, Albert Lea voters overwhelmingly approved a .5% sales tax to fund local water projects;

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, in furtherance of the Project Goals and direction of the citizens in the District, the District acquired a dredge in 2012;

WHEREAS, in furtherance of the Project Goals, the District obtained funding approval from the State of Minnesota for up to $7,500,000.00 pursuant to Minnesota Session Laws 2014, Chapter 295, Section 2, Subdivision 3 for Sediment removal and cleanup of Fountain Lake, including engineering, permitting, and land acquisition for deposit of removed sediment and actions related thereto;

WHEREAS, by resolution 2013-02, the Board authorized District staff and the District’s attorney to negotiate with area landowners for any necessary easement or fee title acquisition, subject to approval by the Board.

WHEREAS, staff has reviewed numerous properties in the District for potential locations for sediment removal and project staging and has identified property comprising of approximately 95 acres of property in Section 29, Township 103N, Range 21W; and approximately 20 acres of property in Section 28, Township 103N, Range 21W (the “Property”) as a proper location for such activities;

WHEREAS, on December 17, 2015 the District approved a letter of intent with the landowner of the Property and authorized Staff to proceed with further investigation and due diligence on the use of the Property for the Project Goals;

WHEREAS, the District has completed additional investigation on the Property and further clarified the boundaries of the Property;

WHEREAS, the District has presented a final purchase agreement for the purchase of approximately 95 acres of property in Section 29, Township 103N, Range 21W (the “Purchased Property”); and the Option to purchase approximately 20 acres of additional property in Section 28, Township 103N, Range 21W (the “Option Property”) at a purchase price that is within 110% of the appraised value of the Property;

WHEREAS, the Board pursuant to Minn. Stat. 13D.05 adjourned to closed session to discuss the confidential details of this potential purchase;
WHEREAS, The Board having returned to a regular meeting for final review and public discussion determines in furtherance of the Fountain Lake Restoration Project and the Project Goals that the District should enter into a purchase agreement for the acquisition of the Purchased Property; and the option to purchase the Option Property.

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

Section 1: Authorizes the District to enter into a Purchase Agreement for the acquisition of the Purchased Property and an option to acquire the Option Property;

Section 2: Further authorizes District staff to take all steps necessary to comply with the terms of the purchase agreement; and

Section 3: Further authorizes District staff to conduct necessary actions and hire outside consultants to review and accomplish the acquisition of this Property and execute any documents necessary to complete the closing.

Manager Hanson seconded the resolution.
After discussion, a roll call vote was taken.
Manager Delger-Yes
Manager Haugsdal-Yes
Manager Pacovsky-Yes
Manager Hanson-Yes
Manager DeBoer- Yes
Manager Pistorious- Yes
The resolution was unanimously approved.

Manager Haugsdal offered the following resolution:
Move to approve Resolution 2016-07 as follows:

Resolution 2016-07
Fountain Lake Restoration Project
Authorization for Purchase Agreement on Wangen Property

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, project goals and objectives set forth in the Plan include:
• Implement rehabilitation that improves water quality and clarity in Fountain Lake;
• Employ lake management techniques to restore and improve aquatic vegetation;
• Consolidation, removal and stabilization of lake bottom sediments;
• Control of rough fish populations;
• Enhancement of aesthetic values;
• To reduce water and wind erosion;
• Reduce soil loss during storm events; and
• Reduce sediment delivery to surface waters;

(the “Project Goals”).

WHEREAS, in 2005, Albert Lea voters overwhelmingly approved a .5% sales tax to fund local water projects;

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, in furtherance of the Project Goals and direction of the citizens in the District, the District acquired a dredge in 2012;

WHEREAS, in furtherance of the Project Goals, the District obtained funding approval from the State of Minnesota for up to $7,500,000.00 pursuant to Minnesota Session Laws 2014, Chapter 295, Section 2, Subdivision 3 for Sediment removal and cleanup of Fountain Lake, including engineering, permitting, and land acquisition for deposit of removed sediment and actions related thereto;

WHEREAS, by resolution 2013-02, the Board authorized District staff and the District’s attorney to negotiate with area landowners for any necessary easement or fee title acquisition, subject to approval by the Board.

WHEREAS, staff has reviewed numerous properties in the District for potential locations for sediment removal and project staging and has identified property comprising of approximately 4.5 acres of property in Section 29, Township 103N, Range 21W (the “Wangen Property”) as a proper location for such activities;

WHEREAS, the District has completed additional investigation on the Property and further clarified the boundaries of the Property;

WHEREAS, the District has presented a final purchase agreement for the purchase of the Wangen Property at a purchase price that is within 110% of the appraised value of property in the same section and township;
WHEREAS, the Board pursuant to Minn. Stat. 13D.05 adjourned to closed session to discuss the confidential details of this potential purchase;

WHEREAS, The Board having returned to a regular meeting for final review and public discussion determines in furtherance of the Fountain Lake Restoration Project and the Project Goals that the District should enter into a purchase agreement for the acquisition of the Purchased Property; and the option to purchase the Option Property.

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

   Section 1: Authorizes the District to enter into a Purchase Agreement for the acquisition of the Wangen Property;

   Section 2: Further authorizes District staff to take all steps necessary to comply with the terms of the purchase agreement; and

   Section 3: Further authorizes District staff to conduct necessary actions and hire outside consultants to review and accomplish the acquisition of the Wangen Property and execute any documents necessary to complete the closing.

Manager Pacovsky seconded the motion.

After discussion, a roll call vote was taken.
Manager Delger-Yes
Manager Haugsdal-Yes
Manager Pacovsky-Yes
Manager Hanson-Yes
Manager DeBoer-Yes
Manager Pestorious-Yes

The resolution was unanimously approved.

Manager Pacovsky offered the following resolution:
Move to approve Resolution 2016-08 as follows:

Resolution 2016-08
Shell Rock River Watershed District
District Administrator Approval of Goods and Services

WHEREAS, the Shell Rock River Watershed District (the “District”) pursues the mission of implementing reasonable and necessary improvements to the water-related and other natural resources within its boundaries;
WHEREAS, the District is charged with implementing the Shell Rock River Watershed District Watershed Management Plan (the “Plan”);

WHEREAS, in implementing the Plan, the Shell Rock River Watershed District Board of Managers (the “Board”) initiates projects consistent with the Plan and applicable law (“Projects”),

WHEREAS, the By-Laws of the Shell Rock River Watershed District (the “By-Laws”) where adopted on March 15, 2005;

WHEREAS, the By-Laws provide authority for the Board to, by resolution, authorize the District Administrator to purchase goods and services or otherwise bind the District by contract up to an amount or amounts specified in the resolution;

WHEREAS, the Board desires efficient due diligence and progress on Projects;

WHEREAS, the District revised and approved a Conflict of Interest Policy on August 9, 2011;

WHEREAS, the District is not required under Minnesota law to competitively bid projects under $25,000;

NOW THEREFORE, consistent with the By-Laws and in furtherance of the Shell Rock River Watershed District Watershed Management Plan, be it hereby resolved:

Section 1: The District hereby authorizes the District Administrator to purchase goods and services or otherwise bind the District by contract in an amount up to and not exceeding $20,000, on initiated Projects, unless a conflict of interest exists.

Section 2: All purchases must be presented to the Board at the next District meeting for final approval.

Manager Hanson seconded the resolution.
After discussion, a roll call vote was taken.
Manager Delger-Yes
Manager Haugsdal-Yes
Manager Pacovsky-Yes
Manager Hanson-Yes
Manager DeBoer- Yes
Manager Pestorious- Yes
The resolution was unanimously approved.

Manager Hanson offered the following motion:
Move to approve letters of support for City bonding request for Stables Area.
Manager Haugsdal seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

Manager’s Items:  Board Chair Pestorious introduced a letter to Mayor Vern Rasmussen requesting a member of the City Council to act in the capacity of a formal liaison between the City and Watershed.  Administrator Behnke read the letter as follows:

March 21, 2016

Mayor Vern Rasmussen
City of Albert Lea
221 E. Clark St.
Albert Lea, MN 56007

RE: Request for City Liaison

Dear Mayor Rasmussen,

Please accept this letter as our formal request that the City appoint a member of the City Council as a representative to act in the capacity of a formal liaison between the City and Watershed.

This was a recommendation made many months ago and is long overdue.

On November 10, 2016, the Shell Rock River Watershed District appointed Manager Mick Delger to act as the City Liaison; and Al Bakken as the alternate. Since that time, they have endeavored to attend as many City Council meetings and activities as possible and we have found that communication to be quite meaningful.

Reciprocation from the City would be greatly appreciated.

In recent months, our staff has committed tremendous time and resources responding to the numerous inquiries from every level of City Hall. While we recognize that exchanging information is important, at some point, there needs to be some initiative demonstrated by your peers to obtain this information through the multiple available public channels.

Like you, we are a public entity, with open meetings that are televised and all of our actions and materials are available on the website which can be found at www.shellrock.org.

Our staff has also attended the Clean Water Collaboration meetings on November 18, December 18 and January 18. We have committed tremendous time and resources at these meetings in the hope of building consensus on a path forward on the Sales Tax. We are hopeful that the consensus and spirit of cooperation from those meetings translates into your support of our efforts.
For your information, I am also attaching a copy of the City of Albert Lea resolution 04-268 from December 27, 2014, which states in part as follows:

“That a bi-annual review of progress toward goals be formally conducted by the City Council.”

Since I have been on the Shell Rock Board, I am not aware of the City ever conducting such a formal review.

I am pointing out these items as there have been numerous public statements made by your council that the District has been somehow lax in their communication. We want to emphasize that communication is a two-way street.

It is my sincere hope that you will agree to appoint this liaison to allow for mutual communication and continued collaboration for the good of our community and our lakes.

Thanks for your time and consideration.

Gary Pestorious

Manager DeBoer offered the following motion:
   Move to approve formal request for City Liaison.
Manager Delger seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

Manager DeBoer offered the following motion:
   Move to adjourn the meeting.
Manager Haugsdal seconded the motion.
Meeting was adjourned.