Managers present: Gary Pestorious, Arthur Ludtke, Al Bakken, Dan DeBoer, Scott Erlandson, Bruce Haugsdal, and Clayton Petersen

Managers absent: none

Chair Manager Pestorious called the meeting to order at 8:30 a.m., at the Shell Rock River Watershed District Office, 214 West Main Street, Albert Lea, MN 56007.

Administrator Behnke asked the Board to consider approving Resolution 2014-13 Wedge Creek Restoration Easement Approval. The easements are with R. Randy and Julie M. Sorensen for Construction of Reach 5 on Wedge Creek Restoration.

Manager Haugsdal offered the following resolution:
Move to approve Resolution 2014-13 Wedge Creek Restoration Easement Approval.

Resolution 2014-13
Wedge Creek Restoration
Project 2011-03
Approving Easement Agreements

WHEREAS, The Shell Rock River Watershed District Board of Managers (“Board of Managers”) pursues the mission of improving water quality 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 Board of Managers has been presented with an engineering proposal for Reaches No. 1 - 6 of the Project dated July, 2011 from McGhie & Bhetts Environmental Services, Inc. (the “Project Plan”);

WHEREAS, on August 9, 2011, by Resolution 2011-08, the Board approved the Project Plan;

WHEREAS, the Project Plan was forwarded to the Board of Water and Soil Resources for their review and comment September 26, 2011;

WHEREAS, a public hearing was held on October 11, 2011 to review the Project Plan and thereafter the District approved an Establishment Order and authorized District Staff to proceed with Reach #5 of the Project;

WHEREAS, the Staff and the District attorney have negotiated the following landowner easement agreements necessary for the construction and maintenance of the Wedge Creek Restoration Reaches 1 and 5; two easement agreements with R. Randy Sorensen and Julie M. Sorensen.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Shell Rock River Watershed District hereby:

Section 1: Accepts the Easement Agreements with R. Randy Sorensen and Julie M. Sorensen as presented by SRRWD staff and authorizes the Chairman of the Board and Secretary to execute the Easement Agreement and any other necessary documents;

Section 2: Authorizes the Staff, Chairman of the Board and Secretary to execute all documents and expend all funds necessary to complete the terms of the Easement Agreement.
Manager Erlandson seconded the resolution.  After discussion, a roll call vote was taken:
Manager Bakken Yes
Manager DeBoer Yes
Manager Petersen Yes
Manager Ludtke Yes
Manager Erlandson Yes
Manager Haugsdal Yes
Manager Pestorious Yes

Administrator Behnke asked the Board to consider approving Resolution 2014-14 Bid Award for Wedge Creek Reach 1.
Manager Erlandson offered the following resolution:
Move to approve Resolution 2014-14 Wedge Creek Restoration Reach 1 Bid approval.

Resolution 2014-14
WEDGE CREEK RESTORATION PROJECT
Approve Reach 1 of Wedge Creek Restoration Project Bid Approval

WHEREAS, The Shell Rock River Watershed District Board of Managers (“Board of Managers”) pursues the mission of improving water quality 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 initiated the Wedge Creek Restoration Project (the “Project”) on August 9, 2011;

WHEREAS, the District has identified numerous Project goals and objectives from the Plan that are accomplished by the Project;

WHEREAS, the Board of Managers has been presented with an engineering proposal for Reaches No. 1 - 6 of the Project dated July, 2011 from McGhie & Bhetts Environmental Services, Inc. (the “Project Plan”);

WHEREAS, on August 9, 2011, by Resolution 2011-08, the Board approved the Project Plan;

WHEREAS, the Project Plan was forwarded to the Board of Water and Soil Resources for their review and comment September 26, 2011;

WHEREAS, a public hearing was held on October 11, 2011 to review the Project Plan and thereafter the District approved an Establishment Order and authorized District Staff to proceed with Reach #1 of the Project;

WHEREAS, following bid advertising, the bid opening was held on September 30, 2014;

WHEREAS, one bid was submitted for construction to complete of the Project pursuant to the bid specifications;

WHEREAS, following the bid opening for the Project, the engineer, McGhie and Betts, a Division of WSB and Associates, reported a bid tabulation of the qualified bidders dated September 30, 2014 (the “Bid Tabulation”);

WHEREAS, the Bid Tabulation identified Habitat Solutions Inc. as the lowest qualified bidder for the Project.
NOW THEREFORE, BE IT HEREBY RESOLVED, the bid for the Project is awarded as follows:

Section 1: The Contract is awarded to Habitat Solutions Inc. as the lowest qualified and responsible bidder; 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.

Approved by the Board of Managers of the Shell Rock River Watershed District on the 3rd day of October, 2014.

Manager Bakken seconded the resolution.

After discussion, a roll call vote was taken:

Manager Bakken  Yes
Manager DeBoer  Yes
Manager Petersen  Yes
Manager Ludtke  Yes
Manager Erlandson  Yes
Manager Haugsdal  Yes
Manager Pestorious  Yes

Administrator Behnke asked the Board to consider approving Resolution 2014-15 Bid Award Wedge Creek Reach 5.

Manager Erlandson offered the following resolution:

Move to approve Resolution 2014-15 Wedge Creek Restoration Reach 5 Bid Approval

WHEREAS, The Shell Rock River Watershed District Board of Managers (“Board of Managers”) pursues the mission of improving water quality 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 initiated the Wedge Creek Restoration Project (the “Project”) on August 9, 2011;

WHEREAS, the District has identified numerous Project goals and objectives from the Plan that are accomplished by the Project;

WHEREAS, the Board of Managers has been presented with an engineering proposal for Reaches No. 1 - 6 of the Project dated July, 2011 from McGhie & Bhetts Environmental Services, Inc. (the “Project Plan”);

WHEREAS, on August 9, 2011, by Resolution 2011-08, the Board approved the Project Plan;

WHEREAS, the Project Plan was forwarded to the Board of Water and Soil Resources for their review and comment September 26, 2011;

WHEREAS, a public hearing was held on October 11, 2011 to review the Project Plan and thereafter the District approved an Establishment Order and authorized District Staff to proceed with Reach #5 of the Project;

WHEREAS, following bid advertising, the bid opening was held on September 30, 2014;
WHEREAS, one bid was submitted for construction to complete of the Project pursuant to the bid specifications;

WHEREAS, following the bid opening for the Project, the engineer, McGhie and Betts, a Division of WSB and Associates, reported a bid tabulation of the qualified bidders dated –September 30, 2014 (the “Bid Tabulation”);

WHEREAS, the Bid Tabulation identified Habitat Solutions Inc. as the lowest qualified bidder for the Project.

NOW THEREFORE, BE IT HEREBY RESOLVED, the bid for the Project is awarded as follows:

Section 1: Subject to obtaining final easements from landowner, the contract is awarded to Habitat Solutions Inc. as the lowest qualified and responsible bidder,

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

Approved, by the Board of Managers of the Shell Rock River Watershed District, on the 3rd day of October, 2014.

Manager Ludtke seconded the resolution.

After discussion, a roll call vote was taken:

Manager Bakken Yes
Manager DeBoer Yes
Manager Petersen Yes
Manager Ludtke Yes
Manager Erlandson Yes
Manager Haugsdal Yes
Manager Pestorious Yes

Administrator Behnke asked the Board to consider approving Resolution 2014-16 Albert Lea Lake Fish Barrier Equipment Bid Rejection.

Manager Bakken offered the following resolution:

Move to approve Resolution 2014-16 Albert Lea Lake Dam Fish Barrier Equipment Bid Rejection.

Resolution 2014-16
Albert Lea Dam and Fish Barrier
Project 2013-01
Rejecting Bid

WHEREAS, the Shell Rock River Watershed District Board of Managers (“Board of Managers”) pursues the mission of improving water quality 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 “Management Plan”);

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

- Replacement of Albert Lea Lake Dam (Appendix B, Page 1, Objective 2); and
- Research and implement installing an electric weir on the Shell Rock River for rough fish control (Appendix B, Page 6, Objective 4, Action 3);

WHEREAS, Barr Engineering completed its Albert Lea Lake Dam and Fish Barrier Plan (“AL Lake Plan”) and presented the AL Lake Plan to the Board;
WHEREAS, on January 8, 2013, the District initiated the Albert Lea Lake Dam and Fish Barrier Project by Resolution 2013-01 (the “Project”);

WHEREAS, on February 12, 2013, by Resolution 2013-04, the Board of Managers approved the specifications for the Project (the “Project Plan”);

WHEREAS, on June 11, 2013, by Resolution 2013-11, the Board of Managers approved the Project Plan as presented by Barr Engineering, Smith-Root, Inc., and also approved sending it to the Board of Water & Soil Resources (“BWSR”), and holding a public hearing.

WHEREAS, the Project Plan was forwarded to the Board of Water and Soil Resources for its review and comment, which comments were received and reviewed by the Board of Managers;

WHEREAS, a public hearing was held on July 9, 2013 to review the project plan;

WHEREAS, on August 1, 2013, the Board of Managers, by Resolution 2013-18, passed an Establishment Order, authorizing the District to proceed with completion of the Project and initiating bids and requests for proposals or other necessary agreements;

WHEREAS, following bid advertising, the bid opening was held on September 30, 2014;

WHEREAS, One bid was submitted by Smith-Root, Inc., but the bid was non-responsive as it contained changed items to the terms of the bid;

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

Section 1: Rejects all bids submitted on September 30, 2014; and

Section 2: Authorizes District staff to perform the necessary steps to have the Project re-bid, together with completion of any necessary agreements or items to complete the Project.

Approved by the Board of Managers of the Shell Rock River Watershed District on the 3rd day of October, 2014.

Manager Erlandson seconded the resolution.

After discussion, a roll call vote was taken:

Manager Bakken Yes
Manager DeBoer Yes
Manager Petersen Yes
Manager Ludtke Yes
Manager Erlandson Yes
Manager Haugsdal Yes
Manager Pestorious Yes

Administrator Behnke asked the Board to consider approving Resolution 2014-17 Wedge Creek Restoration Easement Approval. The Easements are with the Vandergrift Family.

Manager Ludtke offered the following resolution:

Move to approve Resolution 2014-17 Wedge Creek Restoration Easement Approval

Resolution 2014-17
Wedge Creek Restoration
WHEREAS, The Shell Rock River Watershed District Board of Managers (“Board of Managers”) pursues the mission of improving water quality 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 Board of Managers has been presented with an engineering proposal for Reaches No. 1 - 6 of the Project dated July, 2011 from McGhie & Bhetts Environmental Services, Inc. (the “Project Plan”);

WHEREAS, on August 9, 2011, by Resolution 2011-08, the Board approved the Project Plan;

WHEREAS, the Project Plan was forwarded to the Board of Water and Soil Resources for their review and comment September 26, 2011;

WHEREAS, A public hearing was held on October 11, 2011 to review the Project Plan and thereafter the District approved an Establishment Order and authorized District Staff to proceed with Reach #5 of the Project;

WHEREAS, the Staff and the District attorney have negotiated the following landowner easement agreements necessary for the construction and maintenance of the Wedge Creek Restoration Reaches 1 and 5; two easement agreements with Tracy Vandegrift, as Trustee of the Douglas G. Vandergrift and Tracy Vandegrift Trust.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Shell Rock River Watershed District hereby:

Section 1: Accepts the Easement Agreements with Tracy Vandegrift, as Trustee of the Douglas G. Vandergrift and Tracy Vandegrift Trust as presented by SRRWD staff and authorizes the Chairman of the Board and Secretary to execute the Easement Agreement and any other necessary documents;

Section 2: Authorizes the Staff, Chairman of the Board and Secretary to execute all documents and expend all funds necessary to complete the terms of the Easement Agreement.

Approved by the Board of Managers of the Shell Rock River Watershed District on the 3 day of October, 2014.

Manager DeBoer seconded the resolution.

After discussion, a roll call vote was taken:

Manager Bakken Yes
Manager DeBoer Yes
Manager Petersen Yes
Manager Ludtke Yes
Manager Erlandson Yes
Manager Haugsdal Yes
Manager Pestorious Yes

Manager Pestorious gave update on the Personnel Committee meeting. The Personnel Committee recommends that the Personnel expense be capped at $445,000 and that the Administrator have the authority to administer the personnel changes to staff wages, as deemed necessary. Managers discussed the recommendation at length. Personnel Expense is now $423,000 and will be capped at $445,000.

Brad Haugen, 18893 800th Ave. Hayward, stated his opinion to the Board.
Manager Haugsdal offered the following motion:

Move to approve the Personnel Committee recommendation of capping personnel expense at $445,000 and that the Administrator has the authority to administer any changes to Staff compensation.

Manager Erlandson seconded the motion.

After discussion, a vote was taken and 4 Managers voted for and 3 Managers voted against. The motion was approved.

Administrator Behnke gave an update on the Dredging processes and what needs to be decided to move forward with the Fountain Lake Restoration Project. Manager DeBoer, Manager Pestorious, Manager Bakken and I met with a company that did the Clear Lake Dredging Project, to discuss the process of actually dredging. Discussion about the decisions that need to be made like:

- On using only our dredge
- Leasing a bigger dredge to work along with our dredge
- Hiring an Engineer to do a design/build, design only or a partial design for the project
- A decision on what dewatering process will be used: Rapid Dewatering or CDF
- When are we sending out RFP for Engineering
- How long we want the dredging project to take to complete

A workshop will be set up to for a presentation on the dredging process.

Administrator Behnke asked the Board to consider a motion to approve the Smith- Root, Inc. Contract Goose Lake Fish Barrier Equipment.

Manager Erlandson offered the following motion:

Move to approve the Goose Lake Fish Barrier Equipment Contract with Smith-Root Inc.

Manager Haugsdal seconded the motion.

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

Administrator Behnke stated that the next Regular Board Meeting is scheduled on November 11th, which is Veterans Day. The meeting will be rescheduled for November 10, 2014.

Manager Ludtke offered the following motion:

Move to adjourn the meeting.

Manager Erlandson seconded the motion.

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