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

Chairman DeBoer called the Special Meeting to order March 29, 2018 at 5:30 p.m. at the Albert Lea City Council Chambers, 221 East Clark Street, Albert Lea, MN 56007.

Manager Hanson offered the following motion:
  Move to approve the agenda with addition: Motion to approve Personnel Committee recommendation.
Manager Kramer seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

Manager Kramer offered the following motion:
  Move to accept the Best Value Evaluation Committee meeting minutes.
Manager Delger seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

Andy Henschel, Shell Rock River Watershed District, introduced Resolution 2018-14 with a brief history of the Fountain Lake Restoration Project.

Manager Pacovsky offered the following resolution:
  Move to approve Resolution 2018-14 as follows:
  Resolution 2018-14
  FOUNTAIN LAKE RESTORATION PROJECT DREDGE PROJECT CONTRACT NO. 1 PROJECT NO. 2013-02 BID AWARD

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, project goals and objectives set forth in the Management 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; and

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, the District initiated the Fountain Lake Restoration Project, Resolution 2013-02, (the "Project") on January 8, 2013;

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

WHEREAS, Minnesota Session Laws 2014, Chapter 295, Section 2, subdivision 3, appropriated $7,500,000 from the general fund for a grant to the District, for sediment removal and cleanup of Fountain Lake, including engineering, design, permitting, and land acquisition for deposit of removed sediment;

WHEREAS, the District established the first component of the Fountain Lake Restoration Project on July 12, 2016, for the construction of the Confined Disposal Facilities (CDF) by Resolution 2016-13;

WHEREAS, the CDF construction was completed in the fall of 2017;

WHEREAS, on April 4th, 2017 the Freeborn County Commissioners approved a Petition of Freeborn County for the completion of the Dredge Contract No.1 Component of the Fountain Lake Restoration Project as provided for under Minn. Stat. 103D.705, subd. 2;

WHEREAS, the District retained the engineering firm of Natural Resources Technology and the Board of Managers was presented with an engineering proposal for the dredging of Fountain Lake Contract No. 1 dated April 6th, 2017 from Natural Resources Technology (the “Project Plan”);
WHEREAS, on April 11th, 2017, by Resolution 2017-02, the Board of Managers initiated Project 2013-02, Fountain Lake Restoration - Dredge Contract No. 1 (the “Project”) and approved the specifications for the Project Plan;

WHEREAS, the Project Plan was forwarded to the Board of Water and Soil Resources and the Department of Natural Resources for their review and comment by letters dated April 12th, 2017;

WHEREAS, the Board of Managers received, reviewed, and considered comments from the Board of Water and Soil Resources regarding the Project Plan;

WHEREAS, no comments were received from the Department of Natural Resources;

WHEREAS, a public hearing was held on May 16th, 2017 to review the Project Plan; and

WHEREAS, on May 16, 2017, by Resolution 2017-05, the Board of Managers established Project 2013-02, Fountain Lake Restoration – Dredge Contract No. 1;

WHEREAS, following bid advertising for the construction of Contract No.1 Dredge Project, the bid opening was held on March 2, 2018;

WHEREAS, six bids were submitted ranging between the amounts of $4,992,613 and $11,918,810 for the completion of the Dredge Project pursuant to the bid specifications;

WHEREAS, Magruder Construction Company, Inc.’s bid was disqualified at bid opening, for failure to provide a total project price;


WHEREAS, the bids from Veit & Company, Inc. and White Lake Dock & Dredge, Inc. failed for failure to meet the minimum Contractor Past Performance/Evaluation;

WHEREAS, the Best Value Evaluation Committee met on March 20, 2018 and completed the Best Value Bid Evaluation Process;

WHEREAS, of the three bids that were evaluated, the Best Value Committee made a motion to award J.F. Brennan Company, Inc. as the best value bidder in the best interests of the District for the Dredging Contract 1;

WHEREAS, the Board of Managers having reviewed the Best Value Evaluation Committee's recommendation has determined that approval of the bid award will further the objectives of the Management Plan;

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 as set forth above.

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

Section 1: The Contract is awarded to J.F. Brennan Company, Inc. as the best value bidder 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.

Approved by the Board of Managers of the Shell Rock River Watershed District on the 29th day of March, 2018.

Manager Bakken seconded the resolution. After discussion, a roll call vote was taken:
Manager Delger – Yes
Manager Kramer – Yes
Manager Pacovsky – Yes
Manager Bakken – Yes
Manager Hanson – Yes
Manager Pestorious – Yes
Manager DeBoer - Yes
The resolution passed.

Andy continued with a discussion of the Fountain Lake Restoration Drainage Diversion for Confined Disposal Facility Project including cells 2 & 3.

Manager Hanson offered the following resolution:

Move to approve Resolution 2018-15 as follows:

Resolution 2018-15

FOUNTAIN LAKE RESTORATION DRAINAGE DIVERSION FOR CDF PROJECT

BID AWARD

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, project goals and objectives set forth in the Management 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; and

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, the District initiated the Fountain Lake Restoration Project, Resolution 2013-02, (the "Project") on January 8, 2013;

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

WHEREAS, Minnesota Session Laws 2014, Chapter 295, Section 2, subdivision 3, appropriated $7,500,000 from the general fund for a grant to the SRRWD for sediment removal and cleanup of Fountain Lake, including engineering, design, permitting, and land acquisition for deposit of removed sediment;

WHEREAS, on July 12, 2016 by Resolution 2016-13, the Board of Managers established Project No. 2013-02 (the"CDF Project");

WHEREAS, the construction and upland of the CDF began in the spring of 2017 and was completed in the fall of 2017;

WHEREAS, additional work needs to be completed to divert standing water as a result of the CDF construction;

WHEREAS, following bid advertising for the installation of Drainage Diversion for the CDF, the bid opening was held on March 9, 2018;
WHEREAS, four bids were submitted ranging between the amounts of $35,000 and $94,200 for the completion of the Drainage Diversion for CDF pursuant to the bid specifications;

WHEREAS, Jensen Excavating & Trucking LLC’s bid was disqualified for not including the total project price;

WHEREAS, following the bid opening for the CDF Project, WSB and Associates presented a bid tabulation of the responsible bidders and letter recommendation dated March 13, 2018 (the "Bid Tabulation");

WHEREAS, the Bid Tabulation identified DULAS Excavating Inc., as the lowest responsible bidder in the best interests of the District for the Drainage Diversion for CDF;

WHEREAS, the Board of Managers having reviewed the Engineers' recommendation has determined that approval of the bid award will further the objectives of the Management Plan;

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 Management Plan as set forth above.

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

Section 1: The Contract is awarded to DULAS Excavating Inc. as the lowest responsible bidder in the best interests of the District pursuant to the terms of the Contract attached to this Resolution; 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 29th day of March, 2018.

Manager Kramer seconded the resolution.
After discussion, a roll call vote was taken:
Manager Delger – Yes
Manager Kramer – Yes
Manager Pacovsky – Yes
Manager Bakken – Yes
Manager Hanson – Yes
Manager Pestorious - Yes
Manager DeBoer – Yes
The resolution passed.
Andy introduced the next motion with an explanation of the equipment purchase including water monitoring equipment.

Manager Pestorious offered the following motion:
   Move to approve equipment purchase.
Manager Delger seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

During Manager’s Items, Manager Delger offered the following motion:
   Move to approve the Personnel Committee recommendation for Andy Henschel of a 5% increase effective March 30, 2018.
Manager Pestorious seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.

Manager Pestorious offered the following motion:
   Move to adjourn the meeting.
Manager Hanson seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.