



Shell Rock River Watershed District
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September 8, 2016

MEMO:
Previous Correspondence About Dredging Topic.

2003

- August 23rd
 - Manager Overgaard discussed a group that are trying to raise money privately to purchase a dredger. That would go along way to show there is a lot of interest and move that project up on the list. Governor Pawlenty has addressed water quality as a big concern and it would be wise to start investigating help through there.
- September 2nd
 - Ranking 45 goals. Possibly Dredge the lake within the confines of an approved lake management plan and dredge the west basin and limited dredging of the central basin, removal of the delta at Peter Lund Creek was listed.

2004

- November 2nd
 - Administrator Cathy Rofshus reviewed the Pickerel Lake Sub-committee meetings. Issues that arose concerned how to handle outside money and dredging. Department of Natural Resources Hugh Valiant discussed dredging values, affects and feasibility in terms of fish population, recreation, and watershed effects. Ray Hange, Ducks Unlimited discussed the benefits. Managers discussed the carp barrier, fish hatchery, aeration, dredging of up to 5 acres of the lake to enhance what was there and to not improve the boat landing. They also discussed whether the DNR would guarantee a permit for dredging in 2-3 years if they waited to see how the rest of the plan worked first and DNR Valiant advised it could not be guaranteed. A partnership between SRRW, DU, DNR and DNR Wildlife was of interest to all. Freeborn County Watershed Field Technician Andy Henschel discussed the increase of duck habitat and fish habitat, and without boat access it could be the perception of public money to improve a private lake. Managers discussed average access to lake for safety issues and restrictions.

2005

- August 16th
 - Manager Overgaard advised that dredging is a huge issue and recommended over winter to do testing to establish information on the depth of silt. The consensus of the Board was it would be a good suggestion.
- September 6th
 - Core Sampling for Preliminary Dredge Study is on Expenses

- October 18th
 - Manager Overgaard reported on lake improvement projects in Iowa, which had a positive attitude on dredging as it relates to getting rid of sediment for cleaner water. Discussion of a group that approached the Board of Managers early on to raise funds for a dredge followed. Manager Overgaard felt it was up to the citizens to push for dredging if they wanted it.

2006

- February 28th
 - Administrator Rofshus advised the Department of Natural Resources accepted Wenck Associates, Inc. Risk Assessment Report for Bancroft Bay Dredging Sediment Disposal, Albert Lea, Minnesota, dated February 2006.
- December 21st
 - Agenda Item # 2 – Strategic Planning for the SRRWD. We have 18 subwatershed districts within the SRRWD. Current projects include:
 - Albert Lea Dam replacement.
 - Velocity Culvert
 - Manchester Feasibility Study
 - Rolling Hills
 - ISTS
 - Edgewater Bay Dredging
 - South Industrial Park
 - Feed lot – Nutrient management plan.
 - Manager Clayton Petersen suggested that we make a publication to show what projects the watershed is planning to do, their cost, and projected time of completion. A suggestion made for a project committee to produce a publication of projects for SRRWD, consisting of project Chair Manager Clayton Petersen, Manager Ludtke, and Manager Pectorious.

The general plan as follows:

- Replacing Albert Lea Dam
- Stream past the dam.
- Clean-up water coming into Fountain Lake.
- Dredging Fountain Lake.
- Dredging Albert Lea Lake
- Maintenance

2008

- February 12th
 - Administrator Behnke began the meeting with stating; as we go through the projects must focus on our main goal, which is dredging our lakes. Fountain Lake is the start and our project list must be about accomplishing project which will help us get the dredging permit.
 - The process for applying for a dredging permit is 3 years. Projects that need to be accomplished are:

- Sediment survey
- Core sampling
- EAW –(Environmental Assessment Worksheet)
- Bottom contour
- Volume of sediment
- Volume of water

2009

- May 12th
 - Barr Engineering Company sent a draft of the Fountain Lake Sediment and Dredging Assessment. It was brought to Administrator Behnke attention that this report will be around for many years to come and should be looked at closely. Administrator Behnke would like to set up a working committee to go thru the report to make sure it is understandable for the public. It was decided that the Fountain Lake Committee would head up the work group.
- July 14th
 - Administrator Behnke wanted make a public record of Resolution 2009-14. On June 25, 2009 the executive committee approved Resolution 2009-14. This is to approve application for the 2010 Bonding Request for Fountain Lake Sediment Dredging. This was signed by the Executive Committee.
 - Manager Roger Peterson introduced the following resolution:
Resolution 2009-14
June 25, 2009

BE IT RESOLVED that the Shell Rock River Watershed District, hereinafter referred to as “Authorized Official” (Authorized Agent) acts as legal sponsor for the project contained in the 2010 Bonding Request application for Fountain Lake Sediment Dredging to be submitted on June 25, 2009, and that Authorized Official is hereby authorized to apply to the State of Minnesota, hereinafter referred to a “State,” for funding of this project on behalf of the applicant.

BE IT FUTHER RESOLVED that the Applicant has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate acquisition, maintenance and protection of the proposed project.

BE IT FURTHER RESOLVED that the Applicant has not violated any Federal, State, or local laws pertaining to fraud bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURHTER RESOLVED that upon approval of the application by the State, the Authorized Official may enter into an agreement with the State for the above – referenced project, and that the applicant certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

NOW, THEREFORE BE IT RESOLVED that Brett Behnke, Administrator for the Shell Rock River Watershed District, is hereby authorized to execute such Agreements as are necessary to implement the project on behalf of the Applicant.

I CERTIFY THAT the above was adopted by the Board of Managers of the Shell Rock River Watershed District on June 25, 2009.

Manager Ludtke seconded the motion.

After discussion, a roll call vote was taken;

Manager Clayton Petersen Yes

Manager Roger Peterson Yes

Manager Ludtke Yes

Manager Bakken Yes

- July 22nd
 - A huge part of the problem is the large volume of sediment coming into Fountain Lake and that we need find the source of the sediment. The district is trying to stop the sediment coming into the lake prior to dredging and also will continue the efforts of stopping the sediment coming into the lake after dredging.

This report is mainly for The District and MPCA information. The Managers are concerned that this report needs to be presentable for the community to understand. Report for the public should include all the projects that the district has done so far.

- Potential 2.2 million cubic yards of sediment to be removed
- Bancroft Bay 3.5 to 11 feet of soft sediment - Main Issues: Navigation, aesthetic, Highest Internal phosphorus loading, likely carp refuge, downstream impact.
- Edgewater Bay 3 to 7.5 feet of soft sediment
- Fountain Lake's Main Bay 2.5 to 8 feet of soft sediment
- Dane Bay 6 to 6.5 feet of soft sediment

Steps for dredging process:

- Determine objectives and outcomes- Water depths, water quality, and better fish habitat.
- Planning and permitting
- Engineering and design
- Selection of contractor
- Removal of sediment
- Dewatering and disposal of dredge spoils
- Dredge depth verifications

It will take 1.5 to 2 years from permitting process to actual dredging. Cost estimate \$12 to \$18 per cubic yard

- August 11th
 - Administrator Behnke discussed the Dredging workshop held on July 22, 2009. There was a presentation and discussion on the process of getting a dredging permit. The District is working with Barr Engineering on the few changes that needed to be made to the Fountain Lake Sediment and Dredging Assessment draft. Several more meeting will be held in the future.
 - A meeting has been requested by the Senate Capital Investment Committee to go over 2010 Fountain Lake Sediment Dredging Bonding Request. The meeting will be held on September 2, 2009. Administrator Behnke requested a workshop be held to make preparations for that meeting.

- August 24th
 - The meeting was organized to prepare for the upcoming visit by the Senate Capital Investment Committee on September 2, 2009 on the 2010 Fountain Lake Dredging Bonding request made by the District.

Items of focus:

The range of support , The SSRWD, City of Albert Lea and Freeborn County working together towards a common goal.

Link to the ultimate goal of dredging Albert Lea Lake

- First one of the 10,000 lakes seen when entering Minnesota
- The vision for the final results

Emphasis on Regional scope

- Fishing
- State benefits for people other than in Freeborn County
- Head waters of the Shell Rock River
- Chris Chalmers Community Ed and programs that he has and how in the future other area schools could use this educational tool

Economic development for recreation could increase tax revenue

- Thanking the State for previous investment
- 1/2 % sales tax (80% community approval)
- Edgewater Park Clean-up
- Flood Mitigation Grant
- Dam Safety Grant

Only asking for \$7.5 million of the \$15 million needed

- State the accomplishments that the District has completed and where Fountain Lake fits in
- Fish barriers
- Stream bank stabilization
- BMPs for erosion control

- Flood mitigation projects
- October 13th
 - 2010 Bonding request update - The House of Representatives Capital Investment Committee will be here Thursday, October 15, at 2:10 p.m. The meeting will be held at the Albert Lea Housing and Redevelopment building. A presentation will be given on our need for the \$7.5 million Bonding request we have submitted to dredge Fountain Lake.

2010

- January 12th
 - A Legislative Specialist is essential to help the District, with the Legislative process, in pursuit of our bonding request, of \$7.5 million to dredge Fountain Lake. Administrator Behnke asked the Board to consider approving a contract for \$12,000 plus expense to hire Judy Erickson, Conservation Strategies, Inc. Ms. Erickson has been very effective in the pursuit of our funding requests.
- February 9th
 - Administrator Behnke an update on the following; Legislative update: The Legislative session has started. The bill for the Fountain Lake Dredging Project has been introduced and will go on to the finance committee.
- March 4th
 - Administrator Behnke reviewed the work plan for 2010 as follows:
 - Bancroft Bay Rough Fish Barrier and Land Acquisition
 - Reclamation of White Lake and Wedge Creek
 - Cost Share Program
 - Dredging Pursuits – Fountain Lake
 - ISTS Program
 - Water Monitoring
 - County Technician
 - Rain Garden Education
 - Wedge Creek Restoration
 - City Storm Water Management
 - Albert Lea Dam
 - Completion of the Main Street Stormwater Park
- May 11th
 - Update on Dredging Conference – They showed the various way they do dredging and what the sediment dredged can be used for. It was a very interesting conference this year. We are the only group from Minnesota in this organization. It would be good for the Dredging Committee to go on field trip to see their processes.
- October 12th, 2010
 - Administrator Behnke gave a report on the following:
In starting the first steps to finding de-watering sites for dredging, Manager Bakken, Andy Henschel and I went to meet with a landowner to see a possible

water retention site. This is just the beginning of the process, all options must be evaluated.

- December 14th
 - A call was made to the Department of Natural Resources to discuss dredging plans. The District can put a plan together for dredging, but there is no guarantee. The next step is to develop plan for dredging on all the lakes. DNR thinks it would be better to present a plan for dredging on all the lake as a whole. A request was made to have a workshop on the dredging plan for the whole District.

2011

- March 10th
 - Legislative Update: Brett Behnke, Andy Henschel, Judy Erickson, and Matt Benda spent the day in St. Paul, talking about the three projects we have in the Legislature: Fountain Lake Dredging, Stables Area and Shell Rock River Headwaters Project. Our Shell Rock River Headwaters project in the Lessard-Sams Outdoor Heritage bill is intact, so far. It will be a more challenging time getting financing to help with the Stables Area Project, but we will be looking into other options to fund this project. The Dredging Fountain Lake funding request fell under the flood mitigation program, this is a highly sought after program. Our application is still out there, but there are many projects that have a higher priority than our dredging project.
 - Administrator Behnke reviewed the work plan for 2011 as follows:
 - Bancroft Bay Rough Fish Barrier and Land Acquisition
 - Reclamation of White Lake and Wedge Creek
 - Cost Share Program
 - Dredging Pursuits – Fountain Lake
 - ISTS Program
 - Water Monitoring
 - County Technician
 - Rain Garden Education
 - Wedge Creek Restoration
 - City Storm Water Management
 - Albert Lea Dam
 - Completion of the Main Street Stormwater Park
- April 12th
 - Administrator Behnke gave an update on the following: Legislative Agenda and update; the session has been interesting, Meyer's road project is not going to get through and the bonding request for dredging is being looked at, but unlikely for this year
- November 8th
 - Legislative Outlook – We have two Legislative bills in process for the next session: The Stables Area Project and the Fountain Lake Dredging Project.

- December 13th
 - Administrator Behnke gave a report on the following: Legislative Update – We are working thru some issues on some old projects. There are some new procedures in place and we have been working with our Attorney and Judy Erickson to resolve the issues. We will be proceeding with the Fountain Lake Dredging Project bonding request. The District might need a couple of people to go to Washington DC to make contact in regards to the funding for the 206 Albert Lea Restoration Project.

2012

- March 15th
 - Legislative Update- District Staff have been involved in presenting the Fountain Lake Dredging Project to committees in the Legislature.
 - Administrator Behnke reviewed the work plan for 2012 as follows:
 - Stables Area Flood Mitigation Project
 - Cost Share Program
 - Dredging Pursuits – Fountain Lake
 - ISTS Program
 - Water Monitoring
 - County Technician
 - Rain Garden Education
 - Wedge Creek Restoration
 - TMDL Implementation Plan
- April 10th
 - Administrator Behnke gave an update on Bonding Bill funding for the Fountain Lake Dredging. It is not in the Legislative or Governor’s version of the Bonding Bill. We are still working on the funding, but it is not hopeful.
- August 27th, 2012
 - Projects that were discussed:
 - Stables Area Flood Mitigation Project
 - Aerators funding request by the City of Albert Lea
 - Albert Lea Lake Restoration Project
 - Dredging – Land Pursuits
- September 21st

Administrator Behnke began the discussion by describing the dredge and the dredge equipment that was to be on auction at Ritchie Brothers on Monday September 24, 2012. Managers discuss the pros and cons of purchasing the dredge at this time. A determination on what would be the bidding limit for the dredge only and the dredging equipment would be a separate bidding limit, since items were separate lots to be bid on.

Manager Ludtke offered the following resolution:
Resolution 2012-16
Authorization to Purchase 2010 Dredge and Dredge Equipment

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

Dredge Fountain Lake (Appendix B, Page 5);
Dredge Albert Lea Lake (Appendix B, Page 2)
Remove fine flocculent sediment to minimize resuspension in identified areas;
Research purchasing a dredge;
Consider removing soft sediment in West Basin for deep-water fish habitat, improved water quality and recreation;
Consider very limited dredging in the Central Basin;
Clean out channel between Albert Lea Lake and Fountain Lake;
Minimize flood damage to property and preserve the function of the floodplain (Appendix E, Page 1)
Restore and retain water upstream throughout the watershed
Restore natural hydrological regimes

Referred to as “District Objectives”

WHEREAS, The District just learned of the potential to purchase a dredge at auction scheduled for September 24th, 2012 at Ritchie Bros. in Owatonna, Minnesota. The dredge is described as a 2010 IMS 7012HP 51 Foot Versi Dredge, with a John Deere 6135HF 485, 425 HP, 35 in. draft, Starwheel drive self propulsion system, together with various fixings, attachments, pumps and piping (collectively referred to as the “2010 Dredge”).

WHEREAS, the District has also learned of the potential to purchase a series of pumps, piping and other spoil disposal materials at the same auction, the “Dredge Equipment”;

WHEREAS, The District staff has reviewed size and capabilities of the 2010 Dredge and Dredge Equipment and have recommended that it would be appropriate for use by the District;

WHEREAS, The Chair of the District has called an emergency meeting of the District and determined that because of the quick development of this opportunity and therefore beyond the Districts control to have a Regular or Special meeting to review and authorize this acquisition of the 2010 Dredge;

THEREFORE, the Board of Managers hereby finds that an emergency meeting was necessary in the circumstances to review this opportunity and that a good faith effort was made to give notice of this meeting to the public;

The Board of Managers further finds that the acquisition of the 2010 Dredge and the Dredge Equipment will promote the public interest and welfare, is practicable, and conforms to the watershed management plan as it directly promotes the District Objectives.

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

Sec. 1: Authorizes District Staff to place a bid for the 2010 Dredge in an amount not to exceed \$350,000 exclusive of sales tax;

Sec. 2: Authorized the District staff to place a bid for the Dredge Equipment in an amount not to exceed \$550,000 exclusive of sales tax;

Sec. 3: And total amount not to exceed \$900,000.

Manager Bakken seconded the resolution.

After discussion, Manager Bakken rescinded his second on the resolution.

Manager DeBoer seconded the resolution.

After discussion, a roll call vote:

Manager Pectorious	Yes
Manager Roger Peterson	Yes
Manager Bakken	No
Manager Ludtke	Yes
Manager DeBoer	Yes
Manager Clayton Petersen	Yes

Resolution was approved.

- October 1
 - Administrator Behnke began by describing the new dredging equipment purchased. The dredge weighs 50,000 lbs and is 51' long by 12' wide. The 14" pipes are in large sections and there are 3 large pumps. This equipment has to be moved from the Ritchie Brother's site. The Staff has been working on getting some bids for hauling and storing the equipment.

Managers discussed:

Purchasing a trailer for moving dredging equipment or hiring someone to move it each time

Transportation of the equipment for the Ritchie Brother's site

Options for storing the equipment

Whether to store inside or outside

Possibility of building a shed to store the equipment in.

Managers would like to see more information on storage options and trailer purchase before making a decision. The decision on transportation of the

equipment needed to be made. Manager DeBoer recused himself from the discussion and will abstain from the vote.

Manager Ludtke offered the following resolution:

Resolution 2012-17

Shell Rock River Watershed District

Conflict of Interest - DeBoer

Transporting Purchased Dredge Equipment

WHEREAS, The Shell Rock River Watershed District Board of Managers (“Board of Managers”) purchased the dredge and dredging equipment at auction from Ritchie Bros. in Owatonna, Minnesota, on September 24, 2012,

WHEREAS, Dan DeBoer is the President of Pro Manufacturing;

WHEREAS, Dan DeBoer (“Manager DeBoer”), was appointed to the Shell Rock River Watershed District Board of Managers;

WHEREAS, the District is in immediate need of transporting capabilities and equipment to move the dredge and dredging equipment from Ritchie Bros. in Owatonna, Minnesota, to Albert Lea, Minnesota;

WHEREAS, the transportation costs for moving the purchased dredge, at a cost of \$350 per load plus loading fees, does not require competitive bids by law;

WHEREAS, the Board of Managers has determined that the contract price is as low as or lower than the price at which the commodity or service could be obtained elsewhere;

WHEREAS, the Board of Managers has determined having Pro Manufacturing transport the purchased dredge from the auction site to Albert Lea is in the District’s best interests.

NOW THEREFORE, in furtherance of the Shell Rock River Watershed District Watershed Management Plan and after disclosure of potential conflicts of interest, be it hereby Resolved by unanimous vote, Manager DeBoer abstained from voting and recused himself from discussion of this issue, as follows:

Section 1: The District hereby authorizes the District to engage the services of Pro Manufacturing and/or to enter a contract to transport the dredge and dredging equipment purchased at auction at Ritchie Bros. in Owatonna, Minnesota to Albert Lea, Minnesota, the cost of which shall not exceed \$350 per load plus loading fees.

Section 2: Before a claim is paid for the service, Dan DeBoer must file with the District an affidavit stating:

His name and the office held;
An itemization of the commodity or services provided;
The contract price;
The reasonable value;
His interest in the contract; and
That to the best of his knowledge and belief the contract price is as low as, or lower than, the price at which the commodity or services could be obtained from other sources.

Manager Pestorious seconded the resolution.

After discussion, a roll call vote was taken.

Manager Pestorious	Yes	
Manager Ludtke		Yes
Manager Erlandson	Yes	
Manager Bakken		Yes
Manager Clayton Petersen	Yes	

There will be a Welcome the New Dredge to Albert Lea Party at the Edgewater Park Pavilion, from 4pm to 6pm, on Wednesday October 3rd.

- December 7th
 - Manager Clayton Petersen wanted to discuss the project plan and went over the project list line by line. Managers need to decide which projects should be done and when. With the purchase of the dredge, the District needs to plan for the expenses that will occur in the processes that need to be done before the dredge can be put in the lake.
- December 12th
 - Andy Henschel, Director of Field Operations, asked the Board to consider an option agreement for 31 acres of the old golf course property being sold by Americana Bank. This property contains 15 acres of wetlands that can be used as wetland credits for use of projects in the future. The upland acres can be used as a staging area for dredging and can be resold after the dredging is complete. There will need to be some maintenance to the wetland and then BWSR needs to approve the wetlands credits.

2013

- January 8th
 - Manager Erlandson offered the following Resolution 2013-02
Resolution 2013-02
Fountain Lake Restoration Project
INITIATE PROJECT
2013-02

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; 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, in furtherance of the project goals and direction of the citizens in the District, the District acquired a dredge in 2012;

WHEREAS, the District has completed preliminary engineering to determine the feasibility of restoration efforts for Fountain Lake;

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

Sec. 1: Initiates “Project No. 2013-02 Fountain Lake Restoration Project”

Sec. 2: Authorizes District Staff to negotiate appropriate professional services agreements to promote and complete Fountain Lake Restoration efforts.

Sec. 3: Authorizes 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.

Sec. 4: Authorizes District Staff to conduct work as needed to present this project to the Board for review and public hearing as required by law.

Manager Bakken seconded the resolution.

After discussion, a roll call vote was taken:

Manager Bakken Yes

Manager Pestorious Yes

Manager Ludtke Yes

Manager Erlandson Yes

Manager DeBoer Yes

The Resolution was approved.

- Andy Henschel, Director of Field Operation, presented the Board with RFP's for the following projects:
 - Fountain Lake Restoration Project – Barr Engineering
- January 22nd
 - Jamie Bankston, Barr Engineering, gave a review the Fountain Lake Restoration Proposal.

Phase 1 - Preliminary Engineering: The purpose of the preliminary engineering phase is to collect and evaluate data that will be used to further define the project scope and aid with permitting and environmental review requirements that are critical for developing the path forward for the subsequent project phases. This project will take at least a year to complete.

Data Collection for Preliminary Design Development

- Sample Collection and Laboratory Analysis
- Obtain Existing Information
- Preliminary Design Development
- Stakeholder meeting and workshops

Phase 2 - Design, Environmental Review and permitting: The purpose of the design, environmental review, and permitting phase is to define the project scope so the project can be implemented or that enough information has been obtained to determine whether or not the project can be implemented as proposed.

Stages:

- 60% Design report
- 90% Design report
- Environmental Assessment Worksheet (EAW)
- Environmental Impact Statement (EIS)

Phase 3 - Construction, Planning and Contracting: This phase will utilize all the information collected from the previous project phases and will likely include:

- Acquiring or leasing property for dewatering.
- Preparing contract documents and obtaining bids
- Selecting a contractor for project implementation.

Phase 4 - Project Implementation: Project implementation will begin with construction of the sediment dewatering area(s). Dredging can occur once the

sediment dewatering area is operational and as allowed by the dredging permits. Once the initial phase of dredging is complete, the dewatered sediment will either need to be managed in place or prepared and transported for beneficial reuse. The Board will be asked to consider approving the contract with Barr Engineering at our next meeting. An itemized break down of the cost and deliverables for the next year will be presented with contract. Barr Engineering will give monthly reports on the progress of the project.

- February 12th
 - Manager Ludtke offered the following resolution:
Resolution 2013-05
Fountain Lake Restoration
Approval of Engineering Proposal

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 Fountain Lake Restoration Project (the “Project”) on January 8, 2013.

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 Fountain Lake Restoration Project from Barr Engineering (the “Engineering Proposal”);

WHEREAS, the Board of Managers having reviewed the Engineering Proposal, and has determined that approval of the Engineering Proposal will further the objectives of the 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 that the Shell Rock River Watershed District:

Sec. 1: Approves the Fountain Lake Restoration Engineering Proposal; and

- April 23rd
 - The DNR Dredging Project was discussed. DNR has a pilot project to dredge small area in the Mississippi and would like to lease our dredge for the project. Issues discussed:
 - District will have chance to hire and train someone to run the dredge.
 - Better for dredge to be used than to leave sit
 - Builds relationship with DNR
 - Help determine the cost to run the dredge
 - Lease contract will be complicated
- May 14th
 - Fountain Lake Restoration: Working on a landowner education piece on dredging spoils disposal sites. A workshop will be held for the Managers, in the near future.
- June 11
 - Manager Ludtke offered the following resolution:

Resolution 2013-16

Bonding Fund Application

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”);

BE IT RESOLVED that the Shell Rock River Watershed District, hereinafter referred to as “Authorized Official” (Authorized Agent) acts as legal sponsor for the project contained in the 2014 Bonding Request application for Fountain Lake Sediment Dredging to be submitted on June 20, 2013 and that Authorized Official is hereby authorized to apply to the State of Minnesota, hereinafter referred to a “State,” for funding of this project on behalf of the applicant.

BE IT FUTHER RESOLVED that the Applicant has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate acquisition, maintenance and protection of the proposed project.

BE IT FURTHER RESOLVED that the Applicant has not violated any Federal, State, or local laws pertaining to fraud bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURHTER RESOLVED that upon approval of the application by the State, the Authorized Official may enter into an agreement with the State for the above – referenced project, and that the applicant certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

NOW, THEREFORE BE IT RESOLVED that Brett Behnke, Administrator for the Shell Rock River Watershed District, is hereby authorized to execute such Agreements as are necessary to implement the project on behalf of the Applicant.

I CERTIFY THAT the above was adopted by the Board of Managers of the Shell Rock River Watershed District on June 11, 2013.

Manager Erlandson seconded the motion.

After discussion, roll call vote was taken

Manager Bakken Yes

Manager DeBoer Yes

Manager Pectorious Yes

Manager Ludtke Yes

Manager Erlandson Yes

Manager Roger Peterson Yes

Manager Clayton Peterson Yes

Resolution was unanimously approved.

- o Manager Erlandson offered the following resolution:

Resolution 2013-14

Shell Rock River Watershed District

Conflict of Interest - Pectorious

Storage of Dredge and Dredging Equipment

WHEREAS, The Shell Rock River Watershed District Board of Managers (“Board of Managers”) purchased the dredge and dredging equipment at auction at from Ritchie Bros. in Owatonna, Minnesota, on September 24, 2012,

WHEREAS, Cole Pectorious owns land and facilities with space available to store the newly purchased dredge and dredging equipment;

WHEREAS, Manager Pectorious, was appointed to the Shell Rock River Watershed District Board of Managers;

WHEREAS, the District is in immediate need of storage space in or near Albert Lea, Minnesota for the newly purchased dredge and dredging equipment;

WHEREAS, the rental storage costs for the purchased dredge and dredging equipment, at a cost of \$416.67 a month, does not require competitive bids by law;

WHEREAS, the Board of Managers has determined that the contract price is as low as or lower than the price at which the commodity or service could be obtained elsewhere;

WHEREAS, the Board of Managers has determined that the storage of the dredge and dredging equipment at Cole Pestorious' site is in the District's best interests.

NOW THEREFORE, in furtherance of the Shell Rock River Watershed District Watershed Management Plan and after disclosure of potential conflicts of interest, be it hereby Resolved by unanimous vote, Manager Pestorious abstained from voting and recused himself from discussion of this issue, as follows:

Section 1: The District hereby authorizes the District to enter a rental agreement with Cole Pestorious for storage of the dredge and dredging equipment at a price not to exceed \$416.67/ month.

Section 2: Before a claim is paid on the rental storage fee, Manager Pestorious must file with the District an affidavit stating:

- His name and the office held;
- An itemization of the commodity or services provided;
- The contract price;
- The reasonable value;
- His interest in the contract; and
- That to the best of his knowledge and belief the contract price is as low as, or lower than, the price at which the commodity or services could be obtained from other sources.

Manager Bakken seconded the resolution.
 After discussion, a roll call vote was taken.

Manager Bakken	Yes
Manager DeBoer	Yes
Manager Pestorious	Abstained
Manager Ludtke	Yes
Manager Erlandson	Yes
Manager Roger Peterson	Yes
Manager Clayton Petersen	Yes

Resolution was unanimously approved

Administrator Behnke gave an update on the Dredging Project. We are working with Barr Engineering on the Fountain Lake Plan. The District is moving forward with the design phase of the project, even though we did not get funding from bonding bill this year.

- Manager DeBoer offered the following resolution:

Resolution 2013-15
Fountain Lake Restoration Project
Purchase Agreement - American Bank

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; 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, in furtherance of the project goals and direction of the citizens in the District, the District acquired a dredge in 2012;

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 negotiated a Vacant Land Purchase Agreement with American Bank of St. Paul for the acquisition of approximately 50 acres of property.

WHEREAS, this property contains valuable wetland complexes that will further the objectives of the plan and provide a possible location for Fountain Lake Restoration activities.

NOW THEREFORE, approved this 11th day of June, 2013, be it hereby Resolved that the Shell Rock River Watershed District hereby:

Section 1: Accepts the Vacant Land Purchase Agreement with American Bank of St. Paul, for the purchase of approximately 50.20 acres as presented by SRRWD staff and authorizes the Chairman of the Board and Secretary to execute the Vacant Land Purchase Agreement;

Section 2: Further authorizes the payment of \$5,000 down payment; and

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

Manager Ludtke seconded the resolution

Manager Bakken	Yes	
Manager DeBoer	Yes	
Manager Pectorious	Yes	
Manager Ludtke	Yes	
Manager Erlandson	Yes	
Manager Roger Peterson	Yes	
Manager Clayton Petersen		Yes

Resolution was unanimously approved.

- October 8th
 - Administrator Behnke asked the Board to consider a Budget Workshop and a Dredging Plan Workshop. The meeting will be set for November 19, 2013.
- November 19th
 - Administrator Behnke went through a PowerPoint presentation regarding his visit to dredging operations last summer. He also gave a projection of the costs for the Fountain Lake Restoration Project with different scenarios.

2014

- February 11th
 - Legislative update: We will be making a few trips to meet with the Legislature to promote our bonding request for dredging and a couple of other projects. Any

Managers that would like to go along to any of the meetings; it would help show the support from our Board.

- March 10th
 - Administrator Behnke reviewed the work plan for 2013 as follows:
 - Dredging Pursuits – Fountain Lake Restoration Plan
 - TMDL Implementation Plan
 - Administrator Behnke reviewed the work plan for 2014 as follows:
 - Stables Area Flood Mitigation Project
 - Fountain Lake Restoration Plan – Dredging pursuits
 - ISTS Program
 - Update the Districts Management Plan
 - Securing grants
- March 25th
 - Items for discussion:
 - Fountain Lake Restoration Project Design: It is in the House Bonding Bill but needs to be added to the Senate Bill yet. Engineering costs are exceeding the contracted amount and an amendment will be needed for that contract. The proposed contract amendment will be considered at the next meeting.
- April 8th
 - Andy Henschel asked the Board to consider moving ahead with the Accelerated Phase 2 Plan for the Fountain Lake Restoration. Barr Engineering has a contract change order for \$107,500. A draft report will be done by the end of April. The Board should consider having a workshop to review the draft report.

Manager Pectorious made the following motion:

Move to approve moving ahead with Barr Engineering contract amendment for the Accelerated Phase 2 Engineering Plan for the Fountain Lake Restoration.

Manager DeBoer seconded the motion.

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

- May 19th
 - Manager Erlandson offered the following resolution: Move to approve Resolution 2014-04 Easement Agreement with St. John’s Lutheran Community.

Resolution 2014-04
Fountain Lake Restoration Project
Easement Exchange Agreement
St. John’s Lutheran Home

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; 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, in furtherance of the project goals and direction of the citizens in the District, the District acquired a dredge in 2012;

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 negotiated an Easement Exchange Agreement Exchange Agreement with St. John’s Lutheran Home of Albert Lea and is presented to the District for approval.

WHEREAS, this Easement Exchange Agreement provides access to complete the Fountain Lake Restoration Activities and otherwise furthers the objectives of the Plan;

NOW THEREFORE, approved this 19th day of May, 2014, be it hereby Resolved that the Shell Rock River Watershed District hereby:

Section 1: Accepts the terms of the Easement Exchange Agreement as presented by Staff and the District’s attorney; and

Section 2: Further authorizes District staff to conduct necessary actions and hire outside consultants to complete the terms of this agreement.

Manager Ludtke seconded the resolution.
After discussion, a roll call vote was taken;

Manager Ludtke	Yes
Manager Erlandson	Yes
Manager Bakken	Yes
Manager Clayton Petersen	Yes
Manager Pectorious	Yes (via phone)
Manager Roger Peterson	Didn't vote (via phone)

The resolution was approved.

- June 10th
 - Administrator Behnke gave an update on the following:
 - Dredge and pump storage. Per the contract with Cole Pectorious, the lease payment will go into a month by month payment from this point on. There will now be only a thirty day notice by either party to stop lease agreement.
 - Dredging update Budget and Planning 2015. We will need a workshop for the budget.

- July 9th
 - BARR Engineering gave a presentation on the Fountain Lake Restoration Project Preliminary Engineering Report. Presenters were Janna Kieffer and Jamie Bankston. Objectives of the meeting were:
 - Identify and discuss key project design decisions
 - Share findings of the preliminary report
 - Discuss project timeline and next steps

In a simplified perspective, the dredging project has two primary components: sediment removal and sediment dewatering/disposal. There are two dredging scenarios: Shallow Dredge Scenario removing 1.2 million cubic yards and Deep Dredge Scenario removing 2.1 million cubic yards. Key factors for moving forward are:

- Target dredge volumes for permits and design
- Production factors
- Update dredge prisms to include factors such as structures, habitat and recreation
- Use of SRRWD dredge and/or contracted dredge to meet desired project outcomes
- Discuss two primary sediment dewatering options: Confined Disposal Facility or Rapid Dewatering System
- Dredge sediment transport to dewatering site

Next steps:

- Complete design
 - Environmental Review
 - Permitting
- July 16th
 - Managers discussed the uses for dredge spoil from Fountain Lake.
- August 13th
 - Administrator Behnke gave an update on the following:
 - Dredging Process: met with dredging committee to discuss the dredging process. There are many items to discuss: Looking at the options for dewatering sites, decisions on dredging depths and maybe hiring a construction manager company. We will need to have a workshop to discuss these issues.
- September 3rd
 - Andy Henschel, Director of Field Operations, gave an update on the current status of the Dredging Project. The Managers were presented with a proposal from Barr Engineering for the next phase of the Fountain Lake Dredging Project. Managers talked about decisions that need to be made prior to negotiating on an Engineering Contract to proceed with the project. A choice between Rapid Dewatering or a Confined Dewatering Facility is one of the decisions to be made.
- September 9th
 - Rapid Dewatering System Presentation – Genesis Water Inc.
Presenters: Jamie Bankston and Janna Kiefer, Barr Engineering
Genesis Staff:
Howard Hartung, Regional Sales Manager
Michael Hodges, Chief Technology Officer
Rob Krause, Chief Executive Officer
Doug Harris, Director of Engineering
 - The Rapid Dewatering System is one option for handling of the dredge materials from the Fountain Lake Restoration Project.
 - Features of high speed dewatering:
 - Continuous 1:1 operating ratio of dredging to dewatering
 - Removal of sub-micron fines at high volumes
 - Production of stackable, truckable solids
 - Immediate release of clear water discharge
 - Mobility, minimal energy and maintenance
- October 3rd
 - 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 Pestorius, 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.
- October 14th
 - Administrator Behnke gave an update on the following: Fountain Lake Restoration Project: Staff would like to reach out to some consultants who specialize in the dredging processes. We would like to have a workshop to have these consulting firms present their proposals. The Board has many decisions that need to be made before a determination on what the cost will be for the dredging process.
- October 27th
 - Administrator Behnke asked the Board to consider a motion to approve Barr Engineering Contract Task 1.0 Data Collection – Geotechnical Investigation. This contract is for the Fountain Lake Restoration Project. An overview of the contract was given.

Manager Ludtke offered the following motion:

Move to approve Barr Engineering Contract Task 1.0 Data Collection – Geotechnical Investigation.

Manager Haugsdal seconded the motion.

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

- November 10th
 - Administrator Behnke gave an update on the following: Dredging Consultant - The Dredging Committee should set a meeting to discuss the best options for hiring a consultant to facilitate the design/build project. Dredging is a huge project and a consultant will have the expertise and experience that the District will need.
- December 15th
 - Administrator Behnke gave an update on the Fountain Lake Dredging Project. Administrator Behnke asked the Board to consider hiring Natural Resources Technology to help in developing a scope of work for a dredging project. They will provide the following services:
 - Initiate review of existing data and preliminary dredge plans.
 - Assist the District in evaluating a project schedule and feasibility, and the pros and cons of a large dredging operation; as a smaller, phased multi-year operation, or a combination of both.
 - Manager DeBoer gave a report for the Dredging Committee.

2015

- February 10th
 - Administrator Behnke asked the Board to consider approving Resolution 2015-02. This Resolution is Board approval for the \$7.5 million dollars that the District received through the bonding bill for the Fountain Lake Restoration.

Manager Haugsdal offered the following resolution:

Move to approve Resolution 2015-02 as follows:

Resolution No. 2015-02
For a DNR Grant Funding the Shell Rock
River Watershed District's Fountain Lake Restoration Efforts

BE IT RESOLVED that the Shell Rock River Watershed District, hereinafter referred to as the "Applicant" act as legal sponsor for the Fountain Lake Restoration Project request for funding to be submitted on 2014 and that is hereby authorized to apply to the Department of Natural Resources for funding of this project per Minnesota Session Laws 2014, Chapter 295, section 2, subdivision 3.

BE IT FURTHER RESOLVED that the Applicant has the legal authority to apply for financial assistance, and the institutional, administrative, and managerial capability to ensure completion of the project for which it seeks funding assistance.

BE IT FURTHER RESOLVED that the Applicant has the financial capability to provide any matching funds, if required.

BE IT FURTHER RESOLVED that the Applicant hereby pledges to complete the project if it exceeds the total funding provided by the Department of Natural Resources and any required local match.

BE IT FURTHER RESOLVED that the Applicant has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Applicant may enter into an agreement with the State of Minnesota for funding, and that the Applicant certifies that it will comply with all applicable terms, laws and regulations as stated in the contract agreement.

NOW, THEREFORE BE IT RESOLVED that the District Administrator is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the Shell Rock River Watershed District on February 10, 2015.
Manager Bakken seconded the resolution.

After discussion, a roll call vote was taken:

Manager Haugsdal Yes

Manager Ludtke Yes

Manager Petersen Yes

Manager DeBoer Yes

Manager Bakken Yes

Manager Pestorious Yes

Resolution was unanimously approved.

- Brett Behnke, District Administrator, gave an update on Natural Resource Technology Pre-Bid
 - The Board approved to hire consultants to help the District through the process.
 - The draft results are back with how the consultants want to proceed with the RFQ – gathering interested contractors. The process includes sending the contractors proposals and contractors sending the District proposals. The District then makes sure they are qualified, bondable, etc. Contractors would also send their methodology that they would use to do this project.
 - Several different options are available.
 - Budget is defined.
 - Aggressive timeline and schedule for process.
 - Moving in positive direction.

- March 12th
 - Brett Behnke, District Administrator, gave a dredging update:
 - Brett Behnke and Andy Henschel recently attended WEDA dredging conference in Milwaukee, WI.
 - Visited with dredging consultants NRT
 - Waiting for RFQ results for Fountain Lake Restoration project

- May 12th
 - Set up a Workshop with NRT, dredging consultants, to discuss results of Request for Qualifications for the Fountain Lake Restoration Project.
 - May 28, 2015 at 9:30 a.m. in the Freeborn Room.

- June 9th
 - Andy Henschel continued his report: Staff seeking Confined Disposal Facility (CDF) as primary option for dredging Fountain Lake

- August 11th
 - A dredging committee meeting has been requested for the end of this week. The committee will discuss information from dredging consultants, NRT.
- September 22nd
 - Brett Behnke, District Administrator, gave an update:
 - The Dredge Committee has met a couple times in an effort to secure several properties for a possible CDF.
 - Dredge consultants, NRT, will be visiting on September 23, 2015 to ground truth the desktop evaluations.
 - The Dredge Committee will meet after the consultants visit.
- October 13th
 - Administrator Behnke and Manager DeBoer gave an update on behalf of the Dredge Committee. A viable site has been located as a possible CDF for dredging of Fountain Lake and preliminary engineering on the property is taking place. The landowner is willing to work with the District and the property is in close proximity to Fountain Lake. When the Dredge Committee and the Board are certain that this property is the right one, the District will move forward with an option.
 - Al Bakken discussed the history of dredging on Fountain Lake. He recommended that the Tribune update the public with similar stories.
- November 10th
 - Dredge Committee Update –The SRRWD is continuing land pursuit for CDF site. Currently waiting on review of a potential site.
- December 17th
 - Matt Benda explained the Letter of Intent for property in Section 28 and 29, Township 103N, Range 21 (Bancroft). This letter is an agreement between the SRRWD and the landowner to enter into a definite purchase agreement for property for a Confined Disposal Facility (CDF) location north of Albert Lea. Andy Henschel discussed the Fountain Lake Restoration Project and defined a CDF. He detailed how the SRRWD is working with multiple agencies in the land pursuit. Matt Benda clarified the two-part acquisition, the purchase of the west cell and south-west cell with an option to add additional capacity later on the east cell.

2016

- January 12th
 - The Fountain Lake Restoration project was discussed with emphasis on dredging and the Confined Disposal Facility (CDF) Dam Break Analysis to be performed by BARR Engineering.
- March 10th
 - The NRT Contract for dredging was discussed.

- March 21st
 - 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 Pestorious- Yes
The resolution was unanimously approved

- o 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 WangenProperty 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 Pectorious- Yes
The resolution was unanimously approved

- April 21st
 - A Fountain Lake Restoration Plan binder was presented to the board. Administrator Behnke reviewed the funding for the project, including the bonding request. Andy Henschel, Director of Field Operations, discussed each section of the binder including the history and studies of the Fountain Lake Restoration Project, Request for Qualifications by Natural Resource Technology (NRT), Final Fountain Lake Restoration Dredge Design Contract, Confined Disposal Facility (CDF) Land Acquisitions, Permits and Engineering, and Deliverables to keep timeline for Basis of Design Report (BODR).
- April 28th
 - Andy Henschel, Director of Field Operations, explained the Basis of Design Report (BODR) from Natural Resource Technology (NRT) for the Fountain Lake Restoration Plan. Attorney Matt Benda highlighted the staff recommended changes to the draft BODR.
- May 24th
 - The Confined Disposal Facility (CDF) was reviewed including an update on land acquisitions from Matt Benda. Natural Resource Technology (NRT) was available via telephone to explain the CDF phasing and answer any questions from the board. NRT proceeded to discuss the draft outline for sediment dredging Basis of Design Report (BODR) and verified the target schedule with the board. Andy Henschel informed the board of upcoming dredge committee, workshops and special meetings to meet the target schedule.
- June 14th
 - The Resolution was presented

FOUNTAIN LAKE RESTORATION PROJECT CONFINED DISPOSAL
FACILITY
PROJECT NO. 2013-02

Approve Project Plan for Confined Disposal Facility

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, 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; 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 (the “Project”) on January 8, 2013;

WHEREAS, the District has identified numerous Project goals and objectives from the 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 February 18, 2016, the District contracted with Natural Resources Technology for the design of the Confined Disposal Facility;

WHEREAS, the Board of Managers has been presented with an engineering proposal for the construction of confined disposal facilities (CDF) for the Project dated June 3, 2016 from Natural Resources Technology (the "Project Plan");

WHEREAS, the Board of Managers having reviewed the Project Plan has determined that approval of the Project Plan will further the objectives of the 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 that the Shell Rock River Watershed District:

Sec. 1: Approves the Fountain Lake Restoration Confined Disposal Facility Project Plan to be sent to the Board of Water and Soil Resources and Department of Natural Resources for review and comment; and

Sec. 2: Authorizes District staff to conduct work as needed to present this project to the Board for final review and public hearing as required by law.

Manager Pacovsky seconded the resolution.
After discussion, a roll call vote was taken.

Manager Delger: Yes
Manager Haugsdal: Yes
Manager Pacovsky: Yes
Manager Bakken: Yes
Manager Pestorious: Yes

- Manager Pacovsky offered the following motion:
Move to send Engineering Report and Project Plan for CDF to BWSR and DNR for review and comment.
Manager Bakken seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.
- The Dress purchase agreement was discussed. This piece of land will be used for staging and stormwater control.
- Manager Delger offered the following resolution:
Move to approve Resolution 2016-11 as follows:

Resolution 2016-11
Fountain Lake Restoration Project

Authorization for Purchase Agreement on Dress 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 baitTiers, 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 13.35 acres located in NW1/4 SW1/4 Section 29-T103N-R21W (the "Dress Property") as a proper location for such activities;

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

WHEREAS, the District has presented a final purchase agreement for the purchase of the Dress Property at a purchase price that is within 110% of the appraised value of property in the same section and township;

WHEREAS, The Board 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 Dress 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 Dress Property;

Section 2: Further authorizes District staff to take all steps necessary to comply with the terms of the purchase agreement; and to negotiate the terms necessary (including the timing of the closing date); and

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

Manager Haugsdal seconded the resolution.
After discussion, a roll call vote was taken.

Manager Delger: Yes
Manager Haugsdal: Yes
Manager Pacovsky: Yes
Manager Bakken: Yes
Manager Pestorious: Yes

- July 12
 - Vice-Chairman DeBoer opened the public hearing at 8:31 a.m. to review project plan for Fountain Lake Restoration Confined Disposal Facility (CDF). Andy Henschel, Director of Field Operations, explained the CDF area, including location, project description and permit process. Andrew Millspaugh, Environmental Engineer for Natural Resource Technology (NRT), Inc., gave a detailed overview of the project, including the CDF design and how it operates.

- Manager Bakken asked for further clarification regarding the Dam Safety Permit. Andrew Millspaugh explained that due to the height of the designed berms and the quantity of material that could be contained in the site, the DNR required a Dam Safety Permit. This permit process required a lot of design, investigation and review. NRT’s findings have been favorable and the MN DNR is currently reviewing the application.
- Manager Bakken asked for further clarification regarding the stormwater plan that goes around the CDF. Andrew Millspaugh explained that due to the size of the land that will be disturbed as part of construction, a stormwater permit needs to be obtained. This permit outlines procedures that will be implemented during construction to prevent runoff of disturbed soil into surrounding water bodies. The Minnesota Pollution Control Agency (MPCA) regulates this permit.
- Manager Bakken questioned how many permits are needed for the construction of Cell 1. Andrew Millspaugh explained that 4-5 permits are needed for the construction and additional permits for operation and dredging.
- Andy explained that the Fountain Lake Restoration CDF Project plans were sent to the Board of Water and Soil Resources (BWSR) and DNR for review and comment.
- Manager Haugsdal offered the following resolution:
Move to approve Resolution 2016-13 as follows:

Resolution 2016-13

FOUNTAIN LAKE RESTORATION PROJECT CONFINED DISPOSAL
FACILITY
PROJECT NO. 2013-02
ESTABLISHMENT ORDER

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, 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; 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 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 February 18, 2016, the District contracted with Natural Resources Technology for the design of the Confined Disposal Facility;

WHEREAS, the Board of Managers was presented with an engineering proposal for the construction of confined disposal facilities (CDF) for the Project dated June 3, 2016 from Natural Resources Technology (the “Project Plan”);

WHEREAS, On June 14, 2016, by Resolution 2016-10, the Board of Managers approved the specifications for the Project(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 July 5, 2016;

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

WHEREAS, a public hearing was held on July 12, 2016 to review the Project Plan;

WHEREAS, the Board of Managers having reviewed the Project Plan has determined that approval of the Project Plan will further the objectives of the 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 that the Shell Rock River Watershed District:

Sec. 1: Establishes "Project No.2013-02 Fountain Lake Restoration Confined Disposal Facility Project";

Sec. 2: Authorizes District staff to complete the Project as set forth in the Project Plan; and

Sec. 3: Authorizes the District staff to obtain bids; requests for approvals and enter into any other agreements or contracts necessary to complete the Project.

Approved by the Board of Managers of the Shell Rock River Watershed District on the 12th day of July, 2016

- Andy Henschel continued his discussion and explained that the DNR is requesting an Environmental Assessment Worksheet (EAW). The timeline for the review of the EAW was discussed.
- Manager Delger offered the following motion:
Move to approve bid letting for Fountain Lake Restoration Project Confined Disposal Facility Cell #1.
Manager Haugsdal seconded the motion.
After discussion, a vote was taken and the motion was unanimously approved.
- Andy Henschel continued his discussion of the CDF as it pertains to Freeborn County and the Conditional Use Permit. The SRRWD attended the Freeborn County Planning Commission meeting on July 11, 2016 and answered questions. The County unanimously approved the Condition Use permit for CDF Cell 1 and 2.
- August 16th
 - The Fountain Lake Restoration Project was reviewed. On August 1, 2016, the SRRWD submitted an Environmental Assessment Worksheet (EAW) to the Environmental Quality Board (EQB) This EAW was for both the CDF and Fountain Lake Dredging Process. The EQB published this document on August 8, 2016, starting a 30 day review period. Comments are to be directed to District Administrator, Brett Behnke, and the comment deadline is September 7, 2016. To date, the SRRWD has not received any comments, but MN DNR comments are expected. The dredge committee meets weekly with Natural Resource Technology to topics such as dredge cuts and where to start dredging. After discussions, staff feels like Edgewater Bay is a logical starting point due to production - a lot of sediment can be removed here in the shortest amount of time.
 - Administrator Behnke reviewed the dredging Basis of Design Report (BODR) changes regarding Fountain Lake Restoration Project.

Manager Haugsdal offered the following motion:

Move to approve the dredging BODR.

Manager Pacovsky seconded the motion.

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

- Administrator Behnke gave an update of the Fountain Lake Restoration Project. SRRWD staff sent a letter to the City of Albert Lea and Freeborn County officials detailing the project progress and upcoming dates. This letter was read aloud to the board. Waterville Area Fisheries Supervisor, Craig Soupir, commented on the Minnesota Department of Natural Resource's

(MN DNR) 150 ft. recommendation to protect near shore spawning habitat. The aquatic plants in Bancroft Bay were discussed. These plants preserve and protect the water quality of Fountain Lake. Jeanine Vorland, MN DNR Area Wildlife Manager, explained the importance of Bancroft Bay as it relates to Blanding's Turtles, the species of concern. The lake access concern as it relates to vegetation may be handled better with a lake wide Vegetation Management Plan.