

**MINUTES OF THE SPECIAL MEETING
OF THE
COMFORT LAKE–FOREST LAKE
WATERSHED DISTRICT
Thursday, December 12, 2019**

1. Call to Order

President Spence called the December 12, 2019 special board meeting to order at 6:30 p.m. in the offices of the Comfort Lake-Forest Lake Watershed District, 44 Lake Street South, Suite A, Forest Lake, MN.

Present: President Jon Spence, Vice President Jackie Anderson, Secretary Jen Oknich, Treasurer Steve Schmaltz, Manager Jim Dibble.

Others: Mike Kinney, Jessica Lindemyer (CLFLWD staff)

2. Workload Analysis

The District received three proposals in response to the Request for Proposals (RFP) published in October. Mr. Kinney explained that staff prepared a few suggestions for questions to ask select firms during an interview in January. Manager Schmaltz noted that the proposals received seem pretty general and open-ended. Mr. Schmaltz explained that he attended a session given at the annual MN Association of Watershed Districts Conference on a related topic. Based on the information provided, of five watershed districts that moved to a new or different office space, only one paid to have an outside consultant perform an analysis beforehand. The other watershed districts had stressed that it is important to work with the public, the city and the board.

President Spence suggested that multiple phases will be needed in order to progress from the workload analysis to a full office space visioning. Manager Anderson indicated that we can't assess the office space needs until the staff needs projection is complete. She indicated that the District needs to assess what is left to do on the current 10-year plan and how the next 10 years will be different. For example, if the District is going to take its monitoring program in-house, what sort of staffing and office space will be needed for that? Manager Anderson suggested that the first couple of months of the assessment will be exploratory; the firm will need to have discussions with the Board and staff to understand the District's vision and therefore how to proceed. Local stakeholders, such as municipalities and lake associations, should be involved as well. Manager Schmaltz recommended that the District compile its thoughts on paper before discussing with the firm. There was discussion about projected growth and development in the area and how that will affect the District.

The Board then discussed the proposal submitted by Big River Group. Manager Schmaltz noted that this firm has been helping facilitate the District's Watershed Management Plan update public listening sessions. Manager Anderson suggested that this firm is better suited

to facilitation than an assessment such as this. Managers Dibble and Schmaltz agreed that the proposal was lacking compared to the others.

It was noted that Houston staff member, Doug Thomas, was once an Administrator for the CLFLWD. Lisa Tilman, Wenck staff member, was once the District Engineer and served as the lead engineer for the Sunrise River Water Quality and Flowage Study and development of the District rules. Manager Anderson expressed that these two people know the District well. She noted that the current 10-year plan was based on a comprehensive study by Wenck.

Manager Anderson suggested that the District should evaluate what it wants staff to be doing over the next 10 years, which will inform how many staff are needed. In order to do this, the District should consider what was completed or not completed during the last 10 years, projected growth and development in the northern 35W corridor, number of permits issued per year, and water monitoring needs and changes. Administrator Kinney suggested that having help from an outside source on these topics would be beneficial and ensure the District is not operating in a vacuum. Some of these firms have experience with other watershed districts and may be able to provide some information or insight that the CLFLWD had previously not considered. There was further discussion about projected community growth and development. Manager Anderson suggested that where appropriate, the District should be working with local communities in preserving land which will be more cost-effective than fixing problems arising from development later. There was discussion about projected long-term shifts in the District's activities toward maintenance and public education. President Spence expressed that Wenck's and Houston's watershed experience should be helpful in performing the workload analysis.

There was then discussion about interview timing. President Spence suggested that at least 45 minutes will be needed. Manager Anderson suggested holding the interviews as separate meetings and that the two engineering firms should be selected for interviews. Manager Oknich agreed that the engineering firms seem well-suited to the task. She suggested sending the firms extra questions, so they know what to expect. Manager Schmaltz suggested that a two-way discussion, with the firms potentially asking their own questions, would be helpful in deciding who to select. There was discussion about questions for the firms including comparison to other watershed districts, relationship between projected development and staff needs, public involvement in the process, office space needs, the District's funding strategy utilizing the Clean Water Partnership loan and performance of tasks in-house versus contracting out.

There was consensus that each manager submits potential interview questions to Mr. Kinney by Tuesday, December 17th. Staff will compile the questions into a single document and bring that to the December 19th meeting for finalization. There was then further discussion about which firms to interview. Mr. Kinney suggested that Big River Group may bring a different perspective compared to the engineering firms, which could be beneficial. Manager Schmaltz expressed that Big River Group won't be able to project the District's workload and doesn't know the District as well as the others. Manager Anderson agreed and suggested that Big River Group not be interviewed. There was consensus to select

Wenck and Houston to move forward with the interview process. There was consensus to set two separate interview dates: Monday, January 6th and Tuesday, January 7th, both at 6:30 pm. An additional meeting will be on January 9th for the Board to deliberate a decision on which firm to select. Firms will be required to submit a cost estimate by January 9th as well. There was discussion about involving the District Engineer, Emmons & Olivier Resources (EOR), in the interview process, as it may have input on the District's vision for the next 10 years. Manager Anderson suggested that the interview discussions won't be technical, so EOR need not join. There was consensus not to involve EOR in the interviews.

3. One Watershed One Plan

Manager Anderson noted that the last Lower St. Croix (LSC) One Watershed One Plan (1W1P) Policy Committee meeting was at the end of November. She reported on the meeting discussion regarding the LSC forming an entity structure to implement the 1W1P or to go with a collaborative structure among existing organizations. Manager Anderson had recommended to the LSC group that CLFLWD is in favor of a specific entity structure, and it recommends using a prioritized science-based process focusing on phosphorus, which was prevalent in all of the reports that have been done to date on waterbodies in the LSC basin. She reported that seven LSC partners were in favor of the entity structure, four were in favor of a collaborative structure and five indicated either would work (with three of those five leaning toward the entity structure). Manager Anderson suggested that levying authority is an important tool for an organization to have in order to get things done; relying on Clean Water Land and Legacy funds alone isn't nearly enough based on the project implementation. She indicated that, at the end of the Policy Committee meeting, it seemed that there was a general movement toward the entity structure. She explained that there was agreement among the partners to send out the presentation slide deck, which Manager Anderson will work on and send out along with the legal memo and engineering memo. There are some updates that need to be made to both the engineering and legal memos. Manager Anderson asked for the Board's consensus on whether to move forward with this.

Manager Schmaltz reported that the revised plan has been distributed. Mr. Kinney reported that Board of Water and Soil Resources (BWSR) has indicated that the current plan is approvable. He expressed concern for the low return on investment for projects resulting from the current plan, as it is not prioritized or targeted nearly enough based on the goals and needs. BWSR staff has indicated that this plan should be a step up for counties as their water plans were previously voluntary. Manager Schmaltz noted that the implementation plan indicates a proposed phosphorus reduction of 15 pounds per best management practice (BMP). The next Policy Committee meeting is scheduled for January 27th.

It was clarified that if CLFLWD drops out of the 1W1P partnership, it will lose access to the grant funds being directed to 1W1P. President Spence expressed that those grant funds will be spread thin among all the different partners anyway. Mr. Kinney explained that the LSC 1W1P currently has two main funding sources: Watershed Based Funding which is only for the Washington County portion of the LSC, and the LSC 1W1P CWF allocation which is for the whole basin. The Watershed Based Funding funds could be redirected outside of Washington County only if there is agreement among the Washington County

entities, but it's unclear whether it's a majority or unanimous vote that would be needed. Mr. Kinney stressed the importance of addressing legacy phosphorus loading in the basin. Manager Anderson suggested that she and Manager Schmaltz perform a review and gap analysis with the BWSR guiding documents, as previously recommended by BWSR staff. This would provide a record of the District's recommendations for getting the plan on track to being fully prioritized, targeted and measurable, as required in the BWSR guidance documents. Mr. Kinney noted the significant amount of time that this process has required of managers and staff to date. Manager Dibble asked how it would affect future funding availability if the District were to pull out now. Manager Anderson indicated that there are still other grant programs such as the competitive grants.

Mr. Kinney noted that the District could take Valley Branch Watershed District's approach and opt out of the planning process, but still participate in the implementation process if an opportunity arises. There was consensus to direct Managers Anderson and Schmaltz to review the plan and provide comments in order to record the District's recommendations and opinions, then to withdraw from the planning process.

4. Adjourn

- a) Next regular board meeting – December 19, 2019**
- b) Next special board meeting – January 9, 2019**

Manager Anderson moved to adjourn the meeting. Seconded by Manager Schmaltz. Upon vote, the motion carried 5-0, and the meeting was adjourned at 8:24 p.m.

Jen Oknich, Secretary _____