

**MINUTES OF THE REGULAR MEETING
OF THE
COMFORT LAKE–FOREST LAKE
WATERSHED DISTRICT
Thursday, August 27, 2020**

1. Call to Order

President Spence called the August 27, 2020 regular board meeting to order at 6:34 p.m. via online video conference.

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

Others: Mike Kinney, Jessica Lindemyer, Emily Heinz, Garrett Miller, Abigail Ernst (CLFLWD staff); Meghan Funke, Greg Graske, Cecilio Olivier (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Paul Girard (City of Forest Lake); Andrew Skwiot (Permit 20-017); Bob Weigert (Permit 20-015)

2. Setting of Meeting Agenda

Agenda item 8d St. Anthony Falls Laboratory Wake and Prop Study was added to the agenda.

Manager Anderson moved to approve the agenda as amended. Seconded by Manager Oknich. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Jim Dibble	X		

3. Consent Agenda

- a) **Regular Board Meeting Minutes – July 9, 2020**
- b) **Regular Board Meeting Minutes – July 23, 2020**
- c) **Special Board Meeting Minutes – July 30, 2020**

Manager Anderson moved to approve the consent agenda as presented. Seconded by Manager Dibble. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		

Jen Oknich	X		
Jim Dibble	X		

4. Public Open Forum

There were no comments.

5. Public Hearing 2021 Budget & Levy

President Spence opened the public hearing. There were no comments. President Spence closed the public hearing.

6. Citizen Advisory Committee Update

Operations & Outreach Specialist Lindemyer reported that only one Citizen Advisory Committee (CAC) member attended the last meeting. She noted the CAC is interested in hearing the Forest Lake street sweeping program results. CAC member Jack MacKenzie is interested in participating in the Watershed Cleanup Event in September, and staff will provide more information on that event in the future.

7. Aquatic Invasive Species Update

Watershed Assistant Miller reported that the District began inventorying purple loosestrife across the District and Blue Water Science put together a map for the Forest Lake area. PLM Lake and Land Management treated purple loosestrife on Forest Lake at no additional cost to the District, since it was able to complete the treatment at the same time as the Forest Lake flowering rush treatment. District staff surveyed purple loosestrife on Moody Lake and Little Comfort Lake, finding none on Moody Lake and a significant amount on Little Comfort Lake. Mr. Miller explained staff will likely propose a mechanical removal on Little Comfort Lake next year. Staff also performed a roadside purple loosestrife survey throughout the District finding several points, mostly composed of singular plants. There are a couple of points with populations of concern, specifically along Scandia Trail, south of Forest Lake east basin where a wetland is located. This location seems like a good candidate for beetle release biological control. There is an existing beetle population on Lake Keewahtin from which the District can source beetles.

Mr. Miller reported the District surveyed Bone Lake’s north shore for zebra mussels and found none. Blue Water Science will perform a dive at some high priority areas to further check for the presence of a reproductive population. The District will track zebra mussels as it expects them to spread and grow. Mr. Miller noted the District executed the MN Department of Natural Resources (DNR) Behavior Change Grant and can now begin work on the project. The District will partner with Washington Conservation District and Chisago County to create signage, stickers and bait disposal bins promoting proper disposal of unused bait, which will help prevent the spread of aquatic invasive species (AIS).

Mr. Miller reported as of August 19th, the District is on track to reach its goal hours for the watercraft inspection program. He explained this year’s program has surpassed the number of inspections performed from last year, suggesting the accesses are very busy this year. Overall, inspectors are performing an average of 3 inspections per hour across the 5 public boat launches in the District. Manager Schmaltz asked if DNR is providing any inspection hours. Mr. Miller indicated DNR has performed about 220 inspection hours on Forest Lake west basin this year.

Mr. Miller reported the District removed the temporary barrier to capture carp near Shields Lake. He explained this control method was not as successful as planned, and he proposes working with bow anglers in the area to control the remaining carp population.

Manager Anderson asked if staff knew why the Eurasian watermilfoil population was so low in Bone Lake this year and if this has allowed native aquatic plants to flourish in its absence. Mr. Miller explained Blue Water Science is not certain why the population decreased, but suspects winter conditions were part of the cause. Manager Anderson asked if an absence of zebra mussels on sampler plates might allow an infested lake to be delisted. Mr. Miller indicated it would be unprecedented to delist a lake for this reason because experience shows once zebra mussels are introduced, they are very difficult to remove from a waterbody. Just because they are not appearing on the sampler plates, does not mean they are not thriving elsewhere in the lake such as rocks, dock posts etc. Manager Schmaltz asked for an update on communications with lake associations and website updates. Mr. Miller noted website is updated as frequently as possible. He described the various outreach methods for AIS treatments including emails to lake associations, mailers, newspaper postings, and watercraft inspector handouts to boaters. Manager Dibble reported purple loosestrife appears to be turning brown on Forest Lake, which is likely a result of the herbicide treatment.

8. New Business

a) Permit 20-014 MnDOT TH61 Improvements

Engineer Graske explained the mill and overlay project will result in a small amount of new impervious surface. The project includes an infiltration basin which exceeds the stormwater treatment requirements. He indicated, as always, MnDOT has a very detailed stormwater pollution prevention plan (SWPPP) and erosion control plan which meet District requirements. Mr. Graske recommended approval with the conditions stated in the engineer’s memo.

Manager Oknich moved to approve permit application #20-014 with conditions stated in the engineer’s memorandum. Seconded by Manager Dibble. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		

Stephen Schmaltz	X		
Jen Oknich	X		
Jim Dibble	X		

b) Permit 20-015 Forest Lake Jeep Project

Mr. Graske explained the project is located at the Jeep dealership on 19th Street Southwest, in Forest Lake, south of Broadway Avenue. The proposed project will expand the show room. The project includes stormwater treatment through an infiltration basin, which exceeds minimum requirements. Mr. Graske explained the dealership may be interested in utilizing the additional treatment in the future for a potential parking lot redevelopment. The erosion control plan submitted by the applicant is acceptable. Mr. Graske recommended approval with conditions stated in the engineer’s memo. He noted street sweeping is required because stormwater pre-treatment was difficult to incorporate due to lot size.

Manager Schmaltz moved to approve permit application #20-015 with conditions stated in the engineer’s memorandum. Seconded by Manager Oknich. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Jim Dibble	X		

c) Permit 20-017 Veterinary Clinic

Mr. Graske explained the proposed project includes a building addition and parking lot improvements for an existing Veterinary Hospital at 380 Broadway Avenue West, Forest Lake. The proposed project includes a biofiltration basin meeting stormwater management requirements. The erosion control plan meets requirements. Mr. Graske recommended approval with the conditions stated in the engineer’s memo. He noted the applicant must ensure the biofiltration mix does not contain too much phosphorus in the form of compost which can result in phosphorus leaching.

Manager Anderson moved to approve permit application #20-017 with conditions stated in the engineer’s memorandum. Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		

Jim Dibble	X		
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Manager Dibble noted a house in Forest Lake recently paved a significant amount of its front yard. He asked if this triggered a permit. Mr. Graska indicated residential lots typically have a 25-30% maximum impervious surface threshold. Anything greater than that would require a variance from the City. Forest Lake Councilmember Paul Girard suggested contacting Donovan Hart, Zoning Administrator for City of Forest Lake. Permitting Coordinator Ernst indicated she would provide Manager Dibble with the contact information.

d) St. Anthony Falls Laboratory Wake and Prop Study

Manager Anderson noted this study will analyze the damage done to lakes by boats causing large wakes, which has been a topic of conversation for the Board recently. She explained the St. Anthony Falls Laboratory is requesting contributions to fund the study and recommended the Board consider making a donation to this research. The Board directed staff to forward information to the managers and to local lake associations and return with a recommendation to the Board regarding a contribution from the District.

9. Old Business

a) 2021 Draft Budget

Watershed Technician Heinz reported the estimated tax impact increased by 0.05% compared to the 2020 levy. While the levy would increase by about 5%, the impact will not measurably increase due to increasing property values. She confirmed the edits discussed at the August 20th meeting are reflected in the current budget. The total proposed budget is \$3.3 million, and the proposed levy is \$1.475 million.

Manager Anderson noted the budget contains \$0 in the 5100 Floodplain category and 5700 Public Education category. She requested staff make notations in the budget directing readers to the 3005 Education & Outreach Program and other projects that help protect the floodplain. Manager Schmaltz indicated the District normally underspends its annual budget. He suggested that by the end of the first quarter, staff should prepare a short list of backup projects that can be implemented quickly in the event it appears the District will underspend its budget. Manager Anderson noted the District has some ongoing studies which will inform what projects it will work on.

Manager Anderson moved to adopt resolution 20-08-01 adopting the 2021 budget and levy. Seconded by Manager Schmaltz.

Discussion: Administrator Kinney explained staff strive to implement practices that produce the best results for the least amount of money. For example, the Forest Lake Enhanced Street Sweeping Program and Castlewood Agricultural Best Management Practices are both very cost-effective ways to reduce pollutant loading to Forest Lake.

These practices provide a significant benefit to the target resource but do not cost a large amount of money. Manager Anderson noted that the District is getting close to achieving its long-term goals and benefits of programs should not be understated.

Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Jim Dibble	X		

b) Watershed Management Plan Update

There was discussion about the September 21st joint board-council meeting with the City of Forest Lake. Forest Lake Councilmember Girard explained the Council’s regular workshop on the 3rd Monday of the month typically is informal and only has a few agenda topics. Manager Schmaltz suggested a high priority for discussion on the 21st should be sharing of the City’s capital improvement plan so the District can coordinate with the City on joint projects. Manager Anderson indicated Forest Lake is the largest city in the District and is very important to the planning process. She suggested the Board and Council try to cover all topics provided in the presentation slides as all are important for the next 10-year planning process.

Manager Anderson urged that the City be advised in advance of the subjects the District would like to cover. Managers Schmaltz and Anderson noted that this should include attention to the City's 10-year capital improvement plan and any zoning changes that may be considered. Manager Anderson suggested that regional stormwater treatment as an alternative to individual commercial/industrial site facilities should be a topic of discussion. Engineer Graske noted this project is partially underway for Forest Lake’s downtown area with the ongoing joint study with the City. Manager Dibble suggested Forest Lake dead end streets should be a topic of discussion, especially the street on which the Forest Lake Lake Association proposes to install a public fishing pier using donated funds.

The managers discussed the staff memorandum related to regulatory and interagency coordination. There was consensus that managers would review the five discussion questions and provide staff with written comments. Legal Counsel Holtman clarified the five questions are directly related to the Watershed Management Plan (WMP). The Plan must address the scope of the regulatory program and how that will be coordinated with cities and towns. The questions, among other purposes, are also to give staff and consultants the feedback necessary to draft that section of the WMP. Mr. Holtman suggested the managers consider the current rules and the District’s relationship with the cities and counties. One option is, at city or township election, for the District to review and approve city and county ordinances as consistent with District standards, in

which case the District would not implement its own regulatory program. The alternative, which the District currently practices, is for both the District and its cities/towns to implement their own rules/ordinances. Mr. Holtman asked aside from formal regulation, what are the ways the Board would like to pursue coordination with LGUs. The last question in the list is a question of District resources. Whatever path the Board decides, do the managers feel comfortable dedicating the level of resources that would be involved?

10. Report of Staff

a) Administrator

Administrator Kinney requested the managers submit per diem requests in a timely manner to prevent a back log of requests at the end of the year. Timely submittals will also help staff estimate yearend expenditures accurately. There was discussion about computer purchases for managers. Mr. Kinney noted Ms. Lindemyer has been researching potential devices and obtaining cost estimates. The District should place the order soon to receive machines by the first of the year. He explained the District has discussed this topic even before the COVID-19 pandemic to reduce paper usage. Mr. Kinney explained the District would purchase a device for each manager, and all the devices would be on the same platform and have a managed IT contract with 24/7 support. He noted there are several other metro watershed districts that have done this as well. He summarized benefits to having board members and staff on the same IT system including ensuring access to email attachments, photo sharing, and accessing email in general. Ms. Lindemyer recommended putting this topic on a future agenda for discussion once staff receives the quotes for devices.

Mr. Kinney noted Ms. Heinz attended the Lower St. Croix One Watershed One Plan Planning Team meeting yesterday and drafted a schedule of upcoming events. Policy Committee members will have some upcoming meetings, and staff will bring more information to future District board meetings.

b) Emmons & Olivier Resources

Dr. Funke reported the District held a pre-quote meeting with contractors today for the Bone Lake “DCB” Drained Wetland Restoration Project. Manager Anderson asked for an update on the Chestnut Creek wetland buffer violations report. Mr. Kinney explained recent coordination with the developer on the subject and indicated a written summary will be sent to managers in the coming days.

c) Smith Partners

Nothing to report.

11. Report of Treasurer

a) Approval of Bills and Treasurer’s Report

Treasurer Schmaltz reported income for the period of \$759,865, largely due to levy income from Washington and Chisago Counties, and a fund balance just under \$1.9 million.

Manager Anderson moved to accept the Treasurer’s Report and pay the bills in the amount of \$197,290.07. Seconded by Manager Dibble.

Discussion: Legal Counsel Holtman noted the Smith Partners invoice is higher than usual this month as it includes the cost of the Steinke property appraisal for which Smith Partners contracted on behalf of the District.

Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Jim Dibble	X		

Ms. Lindemyer noted staff and managers should finish setting up bank signatories by next month so other managers can take turns signing checks each month.

12. Report of Officers and Managers

Manager Schmaltz reported the Forest Lake Lake Association (FLLA) raised \$13,000 in donations and is asking Hallberg Marine to match that amount. He noted FLLA has been distributing yard signs in support of the lake association which has been a successful marketing campaign. He indicated other lake associations have been calling FLLA President Jerry Grundtner asking how to duplicate this effort.

13. Summary and Approval of Board Direction

Board directives from the meeting were summarized:

- Ms. Ernst will send Donovan Hart’s contact information to Manager Dibble
- Staff will propose a donation amount for the St. Anthony Falls Laboratory study wake boat study
- Staff will print copies of the final approved budget for the managers
- Managers will provide written responses to the five regulatory-interagency discussion questions and feedback on the City of Forest Lake joint meeting PowerPoint slides.

14. Adjourn

a) Next regular board meeting – September 10, 2020

Manager Anderson moved to adjourn the meeting. Seconded by Manager Spence. Upon a roll call vote, the motion carried 5-0, and the meeting was adjourned at 8:30 p.m.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Jim Dibble	X		

Jen Oknich, Secretary _____