

**DRAFT MINUTES OF THE REGULAR MEETING  
OF THE  
COMFORT LAKE – FOREST LAKE  
WATERSHED DISTRICT  
Thursday, July 28, 2016**

**1. Call to Order**

President Anderson called the July 28, 2016 Regular Board meeting to order at 6:34 p.m. in the Council Chambers of the Forest Lake City Center, 1408 Lake Street South, Forest Lake.

Present: President Jackie Anderson, Vice President Jon Spence, Secretary Wayne Moe, Treasurer Steve Schmaltz

Absent: Assistant Treasurer Jackie McNamara

Others: Michael Kinney, Emily Schmitz, Mike Sorensen, Jessica Lindemyer (CLFLWD staff); Margie Schmidt, Dave Bakke (Bone Lake Association); Meghan Funke & Greg Grasko (EOR, Inc.); Patrick Sejkora (SEH, Inc.); Chuck Holtman (Smith Partners)

**2. Setting of Meeting Agenda**

President Anderson asked that the meeting minutes be removed from the consent agenda and moved to the regular agenda.

Manager Moe moved to approve the agenda with the addition of the meeting minutes in the regular agenda. Seconded by Manager Spence. Upon vote, the motion carried 4-0.

**3. Consent Agenda**

There were no consent agenda items since the minutes were moved from the consent agenda to the regular agenda.

- a) **Special Board Meeting Minutes – June 2, 2016**
- b) **Regular Board Meeting Minutes – June 16, 2016**

The Managers discussed the meeting minutes from the special Board meeting on June 2, 2016. Legal Counsel Chuck Holtman noted that on page 3, under 6a, Rule Revision, his comments at the beginning of the second paragraph should be revised to say: “Attorney Holtman noted that it’s appropriate for the Board to step back and understand the rule making process, the level of effort required to go through the process, and how the District’s regulatory program fits into the District’s overall set of programs and priorities.

President Anderson also requested a change to the June 2, 2016 minutes, page 4, paragraph 4. She noted that during the meeting she was not referring to large regional treatment such as in Bixby Park, but rather the smaller treatment areas the District created to offset the commercial areas. She requested the minutes be corrected to reflect the discussion.

Manager Moe moved to approve the June 2, 2016 special meeting minutes as amended. Seconded by Manager Schmaltz. Upon vote, the motion carried 4-0.

Managers then reviewed minutes from the June 16, 2016 meeting. President Anderson requested more detail on the following items: 6a. AIS program; 7c. Forest Lake School District discussion; 8a. Administrator's report; and section 10 regarding a discussion about the St. Croix River TMDL.

Manager Moe moved to approve the June 16, 2016 meeting minutes with additions as outlined by President Anderson. Seconded by Manager Spence. Upon vote, the motion carried 4-0.

#### **4. Public Open Forum**

Ms. Margie Schmidt, former President of the Bone Lake Association, reviewed past activities of the District on Bone Lake including a carp harvest many years ago, installation of carp barriers, revegetating the areas around the carp barrier building, the carp evaluation, and studies by EOR. She noted that the District applied for a grant from the MN Board of Water and Soil Resources (BWSR) in 2015 for approximately \$500,000 for a project that was greatly anticipated by the Bone Lake Association. She noted that although grant funding was not received, the BWSR recommended the District complete project designs and reapply for funding in 2016. Ms. Schmidt wondered why the project had stalled and if project design would continue.

Administrator Kinney noted that some projects in the Bone Lake subwatershed have moved into the design phase, some of which may not be obvious to residents. He noted the District is working with an agricultural landowner on modifications to farming practices and implementation of the Moody Lake wetland rehabilitation project that will have impacts on Bone Lake. Administrator Kinney noted that the District is working with Chisago and Washington County Soil and Water Conservation Districts to complete rural assessments which are scheduled for later this year. Staff will go field to field to identify specific projects needed in those fields and rank them by capacity for pollutant reduction by cost.

Administrator Kinney further described the monitoring and modeling performed by Emmons and Olivier Resources (EOR) for Bone Lake and how those results are being used to further refine priority areas. He noted that the 2017 District budget includes funding (even without grant funds) for individual field projects and practices to reduce pollution in Bone Lake. He also described communications with one specific landowner to work on pollution reduction and described how future grant applications will tie multiple high priority projects together including wetland restoration within the Bone Lake drainage area. He provided further details and clarifying information on the status of potential projects in the area.

President Anderson noted that the Board of Managers has been working on the 2017 budget. She noted the Bone Lake water management district, which includes Moody Lake and some other minor lakes, encompasses one third (over \$1M) of the District's 2017 budget. She noted that the Moody Lake wetland restoration project received two State grants and is underway. She also noted that since the drainage area to Bone Lake is rural, it's not always apparent that

projects are underway. She noted the Board is committed to improving Bone Lake as they are with all their other lakes.

Ms. Schmidt asked that the District continue to communicate with the Bone Lake Association so the residents are kept apprised of projects. Manager Moe noted that many projects are moving forward although they can't all happen immediately or simultaneously. President Anderson noted that staff continues to work on improving communications with lake associations. Ms. Schmidt acknowledged that the carp barriers are appearing to work and have a positive impact on native plant species.

Mr. Dave Bakke, President of the Bone Lake Association, noted he was very encouraged that the District is putting funding into projects in the lake watershed. He noted that the high levels of rain have shed more light on the runoff issues within the watershed. Mr. Bakke shared the Association's mission statement: *To promote friendships, to celebrate events, and to improve the water quality to preserve the natural beauty of Bone Lake for future generations.* He noted the Association is looking to the future and looking for strategies to address the mission. He reported the Association is happy to have a partnership with the District and looks forward to working collaboratively to improve conditions there.

Manager Schmaltz encouraged the Bone Lake Association to reinstitute its fund raising efforts among homeowners to assist with the costs of AIS programs.

## **5. Citizen Advisory Committee Update – no update**

## **6. New Business**

### **a) AIS Program Update**

Mr. Sorensen gave a PowerPoint presentation summarizing the AIS activities including:

Boat launch improvements such as signs and compost bins (that are actually being used) have been installed on Bone, Comfort, and Forest Lake. He noted that pavement stenciling ("Clean In, Clean Out") will be done next week at all accesses.

The Bone Lake inlet/outlet fish barriers continue to be maintained and all activity is reported online.

Eurasian watermilfoil (EWM) was delineated for a 4<sup>th</sup> time on Bone Lake and nuisance levels were discovered in July. He reported they will treat 0.69 acres of EWM in July in the south portion of the lake and cannot treat more due to DNR restrictions and potential impacts to lilies.

EWM was delineated in Forest Lake on June 10<sup>th</sup>. There were 13.9 acres that were treated on July 18<sup>th</sup>. It was noted that 30.4 acres were treated last year.

The flowering rush delineation on Forest Lake shows 36 acres slated for treatment in early August and a second treatment in late August. Staff has been learning from

Pelican River Watershed District research on flowering rush control. DNR is allowing more treatment areas this year to target rush that still isn't above water line.

Education and outreach activities regarding flowering rush included sending a postcard to everyone on Forest Lake, submitting an informational press release to local newspapers, sending an email to Forest Lake Lake Association members, and having watercraft inspectors distribute flyers to boaters.

President Anderson requested that staff send Managers an email with materials that are widely distributed (such as at boat launches) before public distribution, so they can be prepared if asked questions.

**b) Gateway Green Permit Application**

Mr. Greg Graske, District Engineer, reported on the proposed project that will include two apartment buildings on 1.90 acres, resulting in 0.81 acres of impervious area. He noted this project was originally permitted before the economic recession and before the District had volume control requirements. He reported that in order to meet the volume control requirement, the developer is proposing to build a water reuse system to irrigate the property that will far exceed the typical volume requirement and that assumes full buildout. Further, Mr. Graske noted that this area drains to Mud Lake in the Rice Creek Watershed District. He reported that he was in communication with the RCWD and that RCWD staff agrees the reuse system is appropriate. He noted the recommendations as presented in the memo from EOR.

Manager Moe moved to approve permit #16-012 Gateway Green Apartments with conditions noted by the District Engineer. Seconded by Manager Spence. Upon vote, the motion carried 4-0.

There was some discussion about how this project is fairly new and innovative and how it alleviates not only runoff pollution but helps maintain and improve groundwater levels. President Anderson noted that Washington County is putting emphasis on groundwater preservation so it's exciting to see projects like this.

**c) Wyoming Street Improvements Permit Application**

Mr. Greg Graske, District Engineer, reported on permit #16-013, City of Wyoming's street improvement project located just west of Hwy. 61. He reported that the city is not adding curb and gutter or storm sewer to this section so a vegetated swale along the road will continue to be used, resulting in little or no runoff under existing and proposed conditions. He noted some infiltration basins will be added in two locations. He noted his recommendation to approve with conditions set forth in the engineer's memo.

Manager Schmaltz moved to approve permit #16-013 City of Wyoming Street Improvement Project with conditions noted by the District Engineer. Seconded by Manager Spence. Upon vote, the motion carried 4-0.

It was noted that this project doesn't drain directly to Comfort Lake, but it's in the Comfort Lake subwatershed.

**d) Insurance Liability Coverage Waiver**

Administrator Kinney reported that the League of Minnesota Cities Insurance Trust (LMCIT) annually requests each government entity to make a selection regarding the question as to waive or not to waive its limits of liability. He noted that under guidance from legal counsel, staff recommends that the Board of Managers elect not to waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04. President Anderson asked that "city" be changed to "District."

Manager Moe moved that the CLFLWD elect "The District DOES NOT WAIVE the monetary limits on municipal tort liability established by Minnesota Statutes 466.04." option provided on the LMCIT Section 1: Liability Coverage Waiver form. Seconded by Manager Spence. Upon vote, the motion carried 4-0.

**e) Sylvan Lake AIS Survey**

Mike Sorensen, District staff, reported that since Sylvan Lake has exceptional water quality and a healthy native plant community, it's important to conduct regular surveys of plants to make sure no new AIS enter the lake. He reported he recently surveyed the lake with a lake resident that offered use of his boat, and found no invasive plants such as Eurasian watermilfoil. He reported that he did find one small patch of curly-leaf pondweed that seems to be kept in check by the native plants. He reported on his intent to complete the survey at least once a year which is less expensive than using Blue Water Science.

There was consensus that staff should work to control curly-leaf pondweed in Sylvan with hand pulling as has been done successfully in Comfort Lake in the past. President Anderson commented that when citizens step forward to assist the District such as offering the use of their boat, they should receive a thank you note from staff and the Board.

**e2) Sylvan Lake Stormwater and Shoreline Best Management Practices – added to agenda**

Administrator Kinney reported on the proposed scope of work from EOR to begin this project. He added that staff had contacted the Washington Conservation District about using their Clean Water Fund grant to provide technical assistance with the project. He noted that no action is needed from the Board due to the small budget for this project.

**f) Bone Lake Fish Barriers O&M Plan**

Administrator Kinney reported that the original operations and management plan for the Bone Lake fish barrier is no longer completely applicable due to changes in techniques and structures. He reported that Mike Sorensen, in cooperation with the Bone Lake Association, has revised the document that is presented here for the Board's review.

There was discussion about the filter bed and how to backflush, if needed. Mr. Graska noted that it may be a challenge to get enough pressure to backflush the whole bed and that it might be necessary to remove the top layer of the filter bed and replace it. He noted that since flow data and real time water level data are available, they can be analyzed to determine a trend. There was further discussion about the possibility of the filter bed becoming clogged and its efficiency in removing phosphorus. President Anderson noted that all maintenance and activities should be logged to keep a clear record of activity on the structure. She also asked what would trigger more frequent inspections. Mr. Graska noted that high rain events would be one reason to inspect more frequently. Staff agreed that should be added to the document as an example of when more frequent inspection would be needed.

Mr. Sorensen noted that lake elevation sensors on both Comfort and Bone Lakes are currently malfunctioning in that they are logging data but aren't communicating properly with the website. He noted they are being repaired by technical services. It was suggested that information about the data disruption be posted on the District website.

Manager Moe moved to approve the Bone Lake fish barrier operations and management plan with suggested additions from Managers. Seconded by Manager Schmaltz. Upon a vote the motion carried 4-0.

#### **g) Professional and Technical Services RFP**

Administrator Kinney reminded Managers that the District is required to solicit, at least every two years, letters of interest and associated proposals for legal, accounting, and technical consultant services. He noted the solicitation must be noticed in the District's official publications and it's been the District's practice to also send requests for proposals (RFPs) to various firms. He noted his memo includes a proposed timeline and process for review. President Anderson noted that previous submissions had been very different and difficult to compare. She noted that a list of criteria would be good to include so proposals can be more easily compared. Administrator Kinney noted the letter or RFP can include more specifics as to types of engineering services. There was consensus that all the key elements of the watershed plan should be included in the RFP such as lake management, stream restoration, grants, MS4 work, etc. It was also noted that more than just an hourly rate may be needed including charges for meeting attendance, etc.

President Anderson and Manager Moe agreed to work with Administrator Kinney to review a revised RFP that would include a checklist of criteria on the desired services.

Manager Schmaltz moved to authorize the professional services solicitation after a list of criteria is finalized with review from Managers Anderson and Moe. Seconded by Manager Moe. Upon a vote the motion carried 4-0.

## **7. Old Business**

**a) Forest Lake South BMPs – SEH**

Administrator Kinney noted that SEH, Inc. had been contracted to assist the District with design and implementation of three selected BMPs within the south direct drainage to Forest Lake. He noted the District Engineer had reviewed the design plans and due to their comments, the plans had changed slightly. He distributed the revised plans and introduced Patrick Sejkora of SEH, Inc. Mr. Sejkora reviewed the BMPs and noted that a Clean Water Fund grant application is planned for implementation of these BMPs.

Mr. Sejkora presented plans for an iron enhanced filter weir that is a basin with a forebay. The basin would treat water diverted from 6<sup>th</sup> Street in the City of Forest Lake. Low flow runoff would flow through the weirs and into Forest Lake. High flows would bypass the weir or go over the weir. He noted this area services 33 acres of drainage area so not all the water can be treated. He reported the structure would remove an estimated 4.7 lbs phosphorus per year and 1,169 lbs of total suspended solids. The location is under city ownership and private driveways would be avoided.

Mr. Sejkora reviewed the BMP proposed for 10<sup>th</sup> Avenue (residential area) including a raingarden area with iron enhanced filtration and coconut fiber check dams to slow the water. He noted it would capture low flow events and high flows would bypass the BMP. He noted a drain tile under the BMP would allow discharge to the existing storm sewer and that cooperation with a landowner may be needed. He noted it could be extended further along 10<sup>th</sup> Street toward the lake in the future. This project could remove 0.7 lbs. phosphorus and 150 lbs. total suspended solids per year. He noted that there is a higher cost per pound of pollution removal due to its small catchment area.

Mr. Sejkora reviewed the third proposed BMP that includes improving currently inefficient raingardens on 2<sup>nd</sup> Ave. NE and 2<sup>nd</sup> Ave. SW. He noted that raingarden restoration is proposed here to improve efficiency. It was recognized that a split rail fence is currently keeping traffic out of the gardens and that would be maintained.

Mr. Sejkora provided more detail on the iron enhanced filter weir. Administrator Kinney reported that the District and SEH have worked with the City of Forest Lake staff to identify these three sites that were narrowed down from a longer list of possible BMP locations. It was noted the annualized cost of the projects includes the cost of annual maintenance. There was further discussion about how the BMPs would look after construction and during different conditions. It was noted the BMPs would be owned by the city and liability would held by the city. Legal Counsel Holtman, noted that water-holding features are common and it's important to be clear with the landowner and to design structures that are safe for the public. He noted the District is fairly well protected from actual liability through various statutory immunities, which should be explicitly preserved in any agreement with the city. He recommended that the design account for any safety concerns and that the agreement with the city be clear about allocation of responsibility for safety matters. President Anderson noted her concern about standing water being a safety issue in residential areas.

There was discussion about the proposed BMP on 10<sup>th</sup> Avenue, the low amount of pollutant removal and high cost per pound of removal. Mr. Sejkora noted this project was actually ranked as a high priority due to its location, the ability to cooperate with the city, and other criteria. Administrator Kinney noted that other District projects, such as cost share projects, have cost much more per unit of pollutant removal. He asked for leeway for staff to discuss the proposed BMPs with BWSR staff and the District Engineer and to possibly revise which BMPs are chosen to submit within a Clean Water Fund grant application. Manager Schmaltz noted the additional benefits of educational opportunities and cooperating with the city.

Manager Moe moved to accept the SEH plans and cost estimates pending EOR review and direct staff to work with SEH to complete the Clean Water Fund grant application with latitude to staff to remove the 10<sup>th</sup> Avenue BMP, as appropriate and to include educational signage in the project design. Manager Spence seconded the motion. Upon a vote the motion carried 4-0. [

President Anderson moved to direct Administrator Kinney to discuss liability issues with the City of Forest Lake. Seconded by Manager Spence. Upon a vote the motion carried 4-0. [

**b) Shields Lake Diagnostic Study**

Administrator Kinney introduced Megan Funke, EOR, to review the diagnostic study for Shields Lake. Dr. Funke reported that a full year of monitoring was completed with collection of 13 samples from most sites. She noted that the original 2007 model indicated 82% phosphorus coming from internal loading and 18% from watershed loading. However, this new study shows only 65% coming from internal sources and 35% from the watershed. She noted the high source from the “Ditch West” area and the possibility of using the new practice of water reuse in the golf course. She reported that the reuse project is proposed for a Clean Water Fund (CWF) grant application. Further, Dr. Funke noted that the Shields Lake drainage area is the single highest source of phosphorus entering Forest Lake. She reported that an in-lake alum treatment may also be included in the CWF grant application if discussions with BWSR staff warrants it.

Mr. Graske noted that if the loads coming out of Shields Lake are addressed (including addressing watershed load and internal load), phosphorus loading to Forest Lake could be reduced by 250 lbs per year. He noted the price tag is about \$1M for the two projects but is still economical, overall. Dr. Funke added that an alum treatment would be a component of decisively altering the water quality in the lake.

Mr. Graske reported that D soils and heavily used agricultural land is why the watershed contributes high loading to Shields Lake.

Manager Moe moved to accept the Shields Lake Diagnostic Monitoring report. Seconded by Manager Schmaltz. Upon a vote the motion carried 4-0.

**c) 2017 CWF Proposed Grant Applications**

Administrator Kinney reported that staff and the District Engineer have been planning to submit projects for Clean Water Fund applications for months. He reported that both the Bone Lake Ag BMP and Wetland Restoration Projects and the Forest Lake South Urban BMPs Project will be submitted for CWF grants. He noted that staff have been in discussions with the City of Forest Lake regarding an enhanced street sweeping program and that BWSR staff seems to be open to such an application. He also noted the Shields Lake Water Reuse & Phosphorus Removal Project would be submitted with the potential addition of an in-lake alum treatment component.

Manager Moe moved to direct staff to submit the four projects for Clean Water Fund grant funds. Seconded by Manager Spence. Manager Schmaltz noted the need to reflect the District's cost share in the budget. Upon a vote the motion carried 4-0.

In discussion, it was noted that final grant request amounts are not yet determined and that these are the best possible projects to submit right now, given current data and opportunity in the watershed.

**d) Land Acquisition Review**

Administrator Kinney reminded Managers that at the March 24, 2016 Regular Board Meeting the Board of Managers approved a scope of work for EOR to provide technical assistance supporting the District's Land Acquisition and Management Program. He noted the purpose of this agenda item is for the Board to review the resulting findings from that scope of work.

There was consensus that the Board had previously discussed Site A and decided that it was not worth acquiring. There was discussion that there was no reason to move on anything with Site B. Mr. Graske commented that if the District could acquire land along the corridor where Site B is located, it should be considered, especially if the price for the land was very low, as it may benefit the District to acquire land along the Sunrise River for flow/flood management purposes. Administrator Kinney reported that the landowner is interested in donating the land in Site B to the District.

Legal Counsel Holtman noted that even if the land is donated, there are transaction costs including environmental review, maintenance costs, and possibly property taxes. Administrator Kinney reported that recently a local developer inquired about the property as a potential wetland restoration/banking site.

The Board directed staff to continue working with the landowner on Site B in order to advance District consideration.

**e) Rule Revisions Scope of Work**

Administrator Kinney noted this agenda item is for the Board to review and consider accepting a scope of work from EOR to provide technical assistance in revising the District's rules. He noted this scope does not include legal counsel fees.

Manager Moe moved to authorize the administrator, on advice of counsel, to enter into an agreement with Emmons and Olivier Resources in accordance with the July 19, 2016 scope of work and in an amount not to exceed \$ 35,611. Seconded by Manager Spence.

Discussion: Manager Schmaltz pointed out that a previous recommendation regarding this item included getting input and feedback from the City of Forest Lake on its willingness to implement rules. Mr. Graske noted that this activity is included within Task 1 of the scope of work. There was clarification that no work would be done beyond Task 1 until after a report on Task 1 is presented to the Board and it makes sense to move onto further tasks.

The pending motion was withdrawn by unanimous consent.

Manager Moe moved to approve Task 1 of the scope of work from Emmons and Olivier Resources with the remaining tasks being conditional on the outcome of Task 1. Seconded by Manager Spence. Upon a vote the motion carried 4-0.

**f) Washington Judicial Ditch 6 Next Steps**

Administrator Kinney noted that he met with the administrator of the Rice Creek Watershed District and had relayed that the Board is generally amenable to the proposed boundary change and the transfer of drainage authority role with respect to WJD 6. He noted that staff recently tallied the property tax revenue collected by RCWD for the area in 2015 to be about \$4,000. He noted since the tax rate is slightly higher in the CLFLWD, he would expect the income to be closer to \$5,000 annually. He noted that now that the diagnostic work shows the pollutant input to Forest Lake, there's even a stronger reason to transfer the land to the District. He reported that he and the RCWD administrator will work with BWSR staff and legal counsel to work through the boundary change process.

At Manager Schmaltz's request, Legal Counsel Holtman discussed the District's liabilities and responsibilities with regards to the judicial ditch. He noted that the District must examine repair of the ditch for the benefit of landowners, if petitioned to do so, that repair may or may not be warranted based on benefit and cost including wetland compliance, and that if there is a repair, it can be assessed to the benefitting landowners. If the District were to engage in work on the drainage system, he likely would recommend that it go through a Plan Amendment process to create a water management district over the ditch's benefitted area. Mr. Holtman further described the water management district and the charge authority that could be exercised. President Anderson noted that the same subwatershed mapping would apply to this new area, if transferred.

It was noted the transfer wouldn't take place before 2017. President Anderson requested that staff pursue negotiations with RCWD to request transferring the taxes collected by the RCWD for that area in 2017 to the CLFLWD. Mr. Holtman noted that

the boundary change might be completed before the auditor's deadline for the 2017 levy, so revenue might be collected by the CLFLWD rather than the RCWD.

Manager Schmaltz reminded the Board that RCWD had set precedent by petitioning itself for repairs (rather than receiving a petition from a benefited landowner) and also that the RCWD uses its watershed-wide ad valorem property tax for ditch maintenance. He wondered how the CLFLWD would handle future requests from ditch landowners if the CLFLWD taxes the area differently. Mr. Holtman noted that a repair on an existing ditch system is initiated by a petition that can come from a landowner or the drainage authority can petition itself but that doesn't change the ways in which that work can be charged to the benefitted landowners. He noted RCWD has some different funding policies that CLFLWD does not have to follow.

Manager Schmaltz noted that the CLFLWD's goal is not only to reduce phosphorus but also to reduce sediment. He noted much sediment is coming from areas in disrepair due to lack of maintenance by RCWD. He noted that in talking with Administrator Kinney, the cost of repairing the ditch where needed is minor and likely under \$100,000. Administrator Kinney noted that although a field survey wasn't completed, in his opinion in looking at aerial photos, it appears the eroding area is not large. He noted there may be other areas causing sediment loading that aren't apparent, but that his "gut-level" opinion is that it's not a huge project to repair the eroding area. Manager Schmaltz added that if the costs to repair are significantly higher, it would be important for the RCWD to share in that cost since they let it go unrepaired for so long.

President Anderson noted that it's important for the area to be within the CLFLWD boundaries, regardless of the cost of repair.

Manager Schmaltz noted that improvements in the ditch are likely to increase the flows to Forest Lake. Other managers noted that the District wouldn't perform repairs/improvements to the ditch if they were detrimental to the watershed. Mr. Holtman noted there is a difference between "improvements" and "repairs." He noted that improvement means to increase the ditch's capacity which is rarely done in this type of setting. He noted that the CLFWLD would be required to analyze repairs if they are petitioned by landowners but that a cost-benefit analysis and environmental impact analysis would be done and considered, giving the District latitude in the implementation of repairs.

President Anderson asked if the ditch is tiled or a former stream. Mr. Graske noted that both are correct – a meandering stream once flowed through that area, but the upper portions are tiled.

Manager Spence moved that the District continue to proceed with the boundary change and the transfer of the drainage authority role for Washington Judicial Ditch #6, and to authorize the District Administrator to incur staff, engineering and legal

costs for the boundary change and drainage authority transfer procedures. Seconded by Manager Schmaltz. Upon a vote the motion carried 4-0.

## **8. Report of Staff**

### **a) Administrator**

Administrator Kinney reported that he asked staff to keep better track of their day-to-day activities in order to provide the Board with a snapshot in time of the requests, duties, and tasks the staff are completing each day and week. He reported that the District had received a nice note from Washington Conservation District staff regarding their good experience at the Arts in the Park event in Forest Lake. He recommended the District become member of the Chamber and that staff and Managers occasionally attend Chamber events to get the District's name and activities more recognized in the community. The Managers agreed.

President Anderson asked that Wetland Conservation Act violations (currently listed in the Administrator's Report) be more explicitly reported to the Board of Managers. She also noted that relationships with cities other than Forest Lake should also be pursued. There was some discussion about the possibility of sharing a staff person with the City of Forest Lake and how the District currently coordinates with city staff on wetland issues and other stormwater issues. Manager Schmaltz reiterated that the District should negotiate with the City of Forest Lake regarding adoption of possible future rules revisions. He is concerned about the District's spending a substantial amount on rule revision if its local government units are not prepared to revise their ordinances.

### **b) Emmons & Olivier**

Mr. Graske reported that the design phase and field work continues for the Moody Lake Restoration Project and the Third Lake Pond Project.

### **c) Smith Partners – No Comment**

## **9. Report of Treasurer**

### **a) Approval of Bills and Treasurer's Report**

Manager Schmaltz presented the Treasurer's Report and invoices to be paid and recommended approval.

Manager Moe moved to accept the Treasurer's Report and pay the bills in the amount of \$144,474.69. Seconded by Manager Spence. Upon a vote the motion carried 4-0.

## **10. Report of Officers and Managers**

Manager Moe asked about a spike in phosphorus in Sylvan Lake in 2014 – 2015, according to monitoring reports. He noted the agricultural activities in the subwatershed and wondered about the groundwater to the lake. Mr. Graske noted that the groundwater will be investigated during the current study. He noted that some of the groundwater source area is outside of the CLFLWD boundary and coordination with other watershed entities might be needed. It was noted the future solar garden is within that area but the ground will be planted with natives.

There was discussion about setting a final budget workshop before the August 25<sup>th</sup> Board meeting in order to arrive at a final budget. Manager Schmaltz noted that he would work with staff to finalize proposed budget figures.

Manager Moe moved to hold a budget workshop on August 4<sup>th</sup> at 4:30 p.m. Seconded by Manager Spence. Upon vote, the motion carried 4-0.

Administrator Kinney noted he wouldn't be at the workshop.

#### **11. Washington Judicial Ditch 6 Next Steps (continued)**

Legal Counsel Holtman asked that the Board return to the discussion of Judicial Ditch #6. He requested that the Board make a motion allowing the Chair to sign a petition or letter of concurrence to allow for the boundary change to be initiated.

Manager Spence moved to authorize the Chair to sign a petition or letter of concurrence to allow for a boundary change to be initiated. Seconded by Manager Schmaltz. Upon vote, the motion carried 4-0.

#### **11. Adjourn**

##### **a) Next regular board meeting – August 25, 2016**

Manager Spence moved to adjourn the meeting at approximately 9:14 p.m. Seconded by Manager Schmaltz. Upon vote, the motion carried 4-0.

Wayne S. Moe, Secretary \_\_\_\_\_