

**MINUTES OF REGULAR MEETING  
OF THE  
COMFORT LAKE - FOREST LAKE  
WATERSHED DISTRICT**

**THURSDAY, FEBRUARY 25, 2010**

**1) Call to Order**

The President called the February 25, 2010 regular Board meeting to order at 6:30 p.m. at the Forest Lake City Offices, 220 North Lake Street, Forest Lake, Minnesota

Present: President Richard Damchik, Vice President Jackie Anderson Secretary Wayne Moe, Treasurer John Lynch, Manager Spence

Absent:

Staff: Randy Anhorn (CLFLWD), Chuck Holtman (Smith Partners), Lisa Tilman (EOR)

Other: David Filipiak (SRF Consultant Group, Inc.), Paul Hornby (Bonestroo & Associates), Linda Nanko-Yeager (Wyoming City Councilmember)

**2) Open the Regular Meeting**

The President opened the regular Board Meeting.

**3) Reading and Approval of Agenda**

The President called for the reading and approval of the February 25, 2010 regular Board meeting agenda. Motion to approve the agenda with additions was made by Manager Anderson and seconded by Manager Moe. Upon vote, the motion passed unanimously.

**4) Reading and Approval of Minutes**

The President called for the reading and approval of the minutes of the January 28, 2010 regular Board meeting. Following discussion on the draft minutes, motion to approve the January 28, 2010 regular Board meeting minutes with edits was made by Manager Spence and seconded by Manager Lynch. Upon vote, the motion passed unanimously.

The President called for the reading and approval of the minutes of the February 16, 2010 Manager's Watershed Management Plan workshop. Following discussion on the draft minutes, motion to approve the February 16, 2010 Manager's Watershed Management Plan workshop minutes as presented was made by Manager Anderson and seconded by Manager Spence. Upon vote, the motion passed unanimously.

**5) Public Open Forum**

Nothing presented

**6) New Business**

*a) BMP cost-share program*

Administrator Anhorn provided an update on recent BMP cost-share site visits and ongoing Board approved projects.

***b) Permits and Reviews***

Administrator Anhorn mentioned that while there were no new permit applications submitted since the December Board meeting, there had been some pre-application discussions with various entities (including MNDOT where they are planning a continuance of the 35W mill/overlay and culvert lining they did in 2009, except in 2010 they plan on working on the segment north of TH 8 to North Branch), and some inquiries into other ongoing projects.

***c) Forest Lake 2010-2012 Road Projects***

Administrator Anhorn introduced David Filipiak (SRF Consulting Group, Inc.) and Paul Hornby (Bonestroo & Associates), engineers for Washington County and City of Forest Lake on the upcoming road projects in the City of Forest Lake, respectively. Both Mr. Filipiak and Mr. Hornby, walked the Board through four (4) different road projects each of which are connected to the other. All the projects are tied to the construction of a new bridge over 35W on Broadway Avenue. As part of the presentation, Mr. Filipiak, Mr. Hornby and the District Board discussed the general thought of meeting District stormwater permitting requirements as a combination of the projects as opposed to for each individual project (however, each individual project will meet requirements on-site as best each site allows). The four (4) projects include:

- ***CSAH 83 reconstruction including overpass over 35W*** (County Project). While this project is actually in Rice Creek Watershed District (RCWD) (on the very southern border of CLFLWD), it is the first phase to be constructed providing a east-west connection over 35W and on-ramp and off-ramp access for 35W once the Broadway Avenue bridge is torn down. Portions of this project are currently underway with actual construction to start in early 2010.
- ***HWY 61/Broadway Avenue roundabout*** (City Project). This project is currently slated for construction in 2010, with CLFLWD permit application submittal anticipated for March/April 2010. The reconstruction of the site will result in a reduction in the amount of impervious surface for the area. While all water quality, and most if not all of stormwater volume and rate requirements will be handled on site, and what little remaining stormwater volume and/or rate needs for the site remain, will be handled off site in connection with the larger Broadway Avenue project. While this project is fully funded, there is an outside chance that if a new round of ARRA stimulus monies become available this project could be submitted for such funds and if successful, could be pushed back to 2011 (which would result in the 12<sup>th</sup> Street project likely being pushed back to 2012-2013 after the Broadway Avenue construction is complete). In either case, a District permit will be applied for now, and extensions requested if needed.
- ***12<sup>th</sup> Street reconstruction*** (City Project). Twelfth Street will provide the north-south detour connection from Broadway Ave, to the newly constructed CSAH 83 35W overpass (for east-west connection), once the Broadway Ave bridge is torn down. The 12<sup>th</sup> street project will result in changing the current two lane road to a three lane configuration with some median green/native plant areas to handle as much stormwater management as possible. While the very southern end of 12<sup>th</sup> street drains to RCWD and permitting and stormwater management for this area will be handled in RCWD, the majority of the drainage to the 12<sup>th</sup> street section drains north and west to the drainage area between the two Wal-Mart ponds to the abandoned ditch now known as the Sunrise River. While all water quality requirements will be handled on site, the types of soils and compact nature of the urban setting will result in stormwater rate and volume requirement needs falling short on-site. The engineers are currently working on keeping stormwater volume and rates on-site as close to exiting as possible, and working on sizing stormwater management facilities associated with the Broadway Avenue project to a size capable of handling the needs for the 12<sup>th</sup> street project as well. This project is currently slated for construction in 2010, with

CLFLWD permit application submittal anticipated for March/April 2010. As mentioned above, however, if the Roundabout project is pushed back, the 12<sup>th</sup> Street project will likely be pushed back as well.

- ***Broadway Ave/35W Overpass*** (County Project). This project is currently slated for construction in early-2011 (to be completed in one (1) construction year), with CLFLWD permit application submittal anticipated for late-summer 2010. The project includes the complete redesign of Broadway Ave from Hwy 61 to the west side of 35W, the construction of a new bridge over 35W, and because of the incorporation of a median along the new Broadway Ave. restricting left turn accessibility to businesses when heading east on Broadway Ave, a backage road ending at the AmericInn. The backage road is just to service businesses to the south of the road and nothing will be allowed to be built on the north side of the road. Water quality and stormwater management rate and volume needs will be handled on-site with drainage for the bridge area handled within the MNDOT right-away, a portion of the backage road being handle near the AmericInn-Walgreens area, and the remaining to be handled in a stormwater management facility constructed along 8<sup>th</sup> Street where the compost site is now located (the compost site will be moved in 2010). The 8<sup>th</sup> Street stormwater management facility will be constructed at the same time as the backage road (early in the process) and will include a pre-settlement basin with an emergency overflow and a secondary infiltration/filtration area.

The Board asked Mr. Hornby that if the City currently did not have all of its stormwater infrastructure mapped per MS4 requirements, if they at least had the drainage areas contributing to the project areas identified and mapped. Mr. Hornby stated that yes the City did have the infrastructure in each project's drainage area mapped in order to hydrologically model the area to determine conditions and requirements. The Board requested that the stormsewer infrastructure maps be shared with the District once completed.

The Board also discussed the importance of the area to the overall water quality of the District's downstream water resources, due to the quantity of stormwater coming from the Forest Lake area. The Board also emphasized the importance of modeling the area and meeting volume standards, for when the District begins initiating the process of siting and designing a regional stormwater management facility downstream of the City.

Administrator Anhorn stated that staff would be continuing to meet with Mr. Filipiak and Mr. Hornby as they continue to work through the permitting process and will start to prepare portions of the Cooperative Agreement detailing requirements and stipulations for the needed stormwater requirements for the Roundabout and 12<sup>th</sup> Street projects to be met at a later date in association with the Broadway Ave project.

#### ***d) Chisago SWCD 2010 Service Contract***

Administrator Anhorn presented copies of the Chisago County SWCD's 2010 contract for technical services which includes costs for technical support of the District's BMP cost-share incentive program projects within Chisago County. A copy of the contract is annexed and incorporated by reference. Anhorn stated that contract followed the same template as that of the 2010 Washington Conservation District technical assistance and was requesting Board action to initiate the contract.

As a part of this discussion, the Board asked staff to consult with WCD as to the benefit of adding a automatic sampling site further upstream of the Bixby site (south of Broadway Ave), in order to determine loads prior to the 12<sup>th</sup> Street and Broadway Avenue reconstruction, for comparison after construction.

Motion was made by Manager Spence to initiate the contract for 2010, between CLFLWD and Chisago County SWCD for technical assistance. Manager Moe seconded the motion. Upon vote, the motion carried unanimously.

*e) Selection of Officers*

Discussion was held on the election of officers for 2010. The following slate of officers was presented (identical to that of 2009):

President:	Richard Damchik
Vice President:	Jackie Anderson
Secretary:	Wayne Moe
Treasurer:	John Lynch
Manager:	Jon Spence

Motion was made by Manager Anderson to accept the slate as presented to begin duties on March 1, 2010. Motion was seconded by Manager Spence. Upon vote the motion carried unanimously.

*e) Citizen Advisory Committee Appointments*

Administrator Anhorn stated that in accordance to Minnesota Statute section 103D.331, the District must annually appoint its CAC. Mr. Anhorn suggested the Board re-appoint those already participating on the CAC. Mr. Anhorn said that the District's current CAC members include; Bruce Anderson, Kathy Blomquist, Beryl Halldorson, Sam Hathaway, Curt Sparks and Ron Swenson. Anhorn also presented a recently received CAC application from Rod Negus who lives on Bone Lake, Manager Moe stated that he knew Mr. Negus and thought that he would be a good addition to the CAC committee.

Anhorn further stated that the District continues to seek more members and has postings on the District website, and has articles in the District's official papers.

Motion was made by Manager Damchik and seconded by Manager Moe to appoint the current CAC members as well as Mr. Rod Negus to the District's 2010 CAC. Upon vote, the motion carried unanimously

**7) Old Business**

*a) Watershed Management Plan Update*

Administrator Anhorn presented a memo the new draft Mission and supporting paragraphs stemming from discussions at the February 16, 2010 Manager's workshop. A copy of the memo is incorporated by reference and annexed within. Anhorn reminded the Board that at their workshop, they had tried to draft a succinct Mission statement that would portray the District's overall vision, and then asked staff to support the Mission by adding definitions and verbiage providing more detail on the District's adaptive management approach and importance of education and outreach.

The Board held discussion on the resulting mission and supporting paragraphs and suggested a slight modification to the presented Mission. The resulting draft Mission statement to be brought to the upcoming TAC/CAC stakeholder meeting is:

***The Mission of the District is to protect and improve its water resources through adaptive management approaches, education, and whenever possible, partnerships with local stakeholders.***

Per the Board's request, Lisa Tilman presented a memo (A copy of the memo is incorporated by reference and annexed within) providing example vision statements from other local watershed districts. The Board held discussion on the presented visions, and decided that a separate vision statement did not really add anything to what was already suggested in a Mission statement. Therefore the Board decided against drafting a separate vision statement.

Lisa Tilman presented a memo detailing the draft issues and goals coming out of the Manager's discussions at the February 16, 2010 workshop. A copy of the memo is incorporated by reference and annexed within. The Board held discussion on the presented goals. There were a few suggested additions including;

- Statement on how streams are a major link to the hydrology and water quality throughout the watershed
- Mention the overall value of wetlands to the health of area lakes
- More mention on the connectedness of everything throughout the watershed (i.e., trees, grasslands, wetlands, etc...) to the health of the District's water resources.

Ms. Tilman mentioned that once the final goals have been determined the next steps will include the determination of supporting implementation items or measurable objectives for each.

Administrator Anhorn stated that staff had scheduled a TAC/CAC Stakeholder meeting for March 17, 2010 from 1:00 to 3:30 p.m. at the Forest Lake City Hall. On the agenda for the March 17, 2010 TAC/CAC Stakeholder meeting is:

- Plan update needs and timeline/process
- Review Goals and Objectives from CLFLWD 2001 Plan (and measureable successes)
- Present the Board's draft Mission statement
- Present the Board's thoughts on issues and goal for 2011-2021 Plan
- Discuss what TAC/CAC sees as needs/issues
- Roles—LGU vs. watershed--coordination

## **8) Report of Staff**

### ***a) Administrator***

Administrator Anhorn presented an Administrator's Report and 2010 Work Plan Update memo (a copy each is annexed and incorporated by reference). The Administrator's report detailed recent correspondence, permit and plan submittals for review, and recent meetings with local stakeholders. Other issues the Administrator highlighted included:

- Re-publishing of press releases to local paper seeking additional members for CAC, especially for upcoming Plan update process
- Due to lack of RSVP's the first of two (February 23<sup>rd</sup>), *Planting for Clean Water* workshop was rescheduled for April 13, 2010. So, the two workshops are now scheduled for March 9 and April 13, 2010 from 6:30 pm – 8:00 pm at the Forest Lake Gander Mountain
- Upcoming annual audit by HLB Tautges, Redpath on March 22, 2010
- Asked for comments on the presented draft 2009 Annual Report (a copy each is annexed and incorporated by reference)
- Recent meetings with landowners of upcoming wetland restoration/cattle exclusion projects. Each of which have signed up for federal cost-share from EQIP, as well as continuing to work with CLFLWD

- Draft water quality information summary pages for the lakes the District monitored in 2009. These pages will be posted on the District website in the near future (a copy each is annexed and incorporated by reference)
- Recent permit activities and site inspections

Administrator Anhorn mentioned that he and Chuck Holtman had been working with the MNDNR and BWSR staff on grant agreements (contracts) for recently received grants. Due to the grant agreements not being ready for action at the February meeting, and due to requirements that work on the projects is not to start until the agreements are executed, Anhorn sought Board action to allow the President to execute the agreement/contracts between meetings (once satisfactory to staff) in order to start work on the projects.

Following discussion, Manager Anderson made motion allowing the President to execute grant agreements for the recently received DNR and BWSR grants, once the agreements are to the liking of staff. The motion was seconded by Manager Moe. Upon vote, the motion carried unanimously

Administrator Anhorn presented an inquiry from the City of Forest Lake as to the District's interest in jointly purchasing a sub-foot grade (horizontal and vertical) GPS unit and supporting software. Anhorn stated that the City would be using the GPS unit in its continued effort to map its stormwater infrastructure. The unit (with an anticipated cost of roughly \$11,000), could be used by the District to map BMPs, aid in eventual function and value assessment of its wetlands, used in permit inspections, and eventually used as the District constructs and maintains stormwater management facilities. The Board thought the shared purchase of a GPS unit would provide a benefit and directed the Administrator to come back to the Board once the City has an actual cost and provide information the availability of District funds for such a purchase.

Administrator Anhorn presented a draft of the 2009 Annual Report to the Board (a copy is annexed and incorporated by reference). Anhorn mentioned that the Report is due to the various state agencies by April 30, 2010. Anhorn is seeking comments on the draft Annual Report in order to incorporate the comments in to the report prior to the April 22, 2010 regular Board meeting.

Administrator Anhorn stated that he was going to be meeting with Chisago County staff, Chisago County Administrator John Moosey, the MNDNR, and County Commissioner Montzka, to discuss issues on the Sunrise River, the potential for a regional stormwater management facility including the re-route of the Sunrise through District-owned property where a series of ponds could act as a water quality benefit prior to being directed back to the Sunrise River proper, and a possible Chisago County petition for the District to undertake such a project.

Administrator Anhorn also mentioned that the joint MNDNR public access inspection grant with Chisago County was successful. The District will be responsible (along with Chisago County) for paying \$12/hour for half of the inspection hours as part of the grant at the requested public water accesses (five (5) in CLFLWD and six (6) in Chisago County). The maximum number of inspection hours that will be done under this grant is 1666. This would result in the CLFLWD having to pay \$12/hr for roughly 417 hrs (1/2 of that responsible for both CLFLWD and Chisago County) or \$5,000.

Administrator Anhorn provided the Board with an update on the two wetland restoration/cattle exclusion projects including that the District's BWSR Clean Water Legacy grant application for the projects was approved for funding that very day. Anhorn further stated that he would be meeting with each county SWCD and each landowner to begin discussions on potential agreements (for an agreed upon length of time) and associated payments to the landowners for the incorporation of grazing plans and removing land from production as part of establishing buffers and incorporating cattle exclusion. Anhorn sought Board thoughts on potential District funds on top of the EQIP funds to promote access control, and development

of grazing plans over a certain length of a contract. Anhorn stated that the recently received BWSR grant includes funds for this as an extra incentive. The Board thought the incentives provided good alternatives to the purchase of easements.

***b) Emmons and Olivier Resources (EOR)***

Lisa Tilman had previously provided an update during the meeting on recent project/permit application reviews, and provided an update where they were on the process to finalize the draft TMDL report and incorporating CLFLWD and MPCA comments into the final TMDL to be re-submitted to USEPA for approval. Ms. Tilman then provided an update on where they were on the FL44 fish rearing pond analysis.

Ms. Tilman presented a memo from PCA, which lays out history and concerns of coal tar based seal coat for driveways and parking lots (a copy is annexed and incorporated by reference).

Ms. Tilman also mentioned that EOR is currently working on the watershed land and water resource inventory as part of the District's Plan update and that once complete will bring it in front of the Board.

***c) Washington Conservation District (WCD)***

Administrator Anhorn stated that WCD is continuing to receive and crunch lake and stream data from the Met Council lab, and working on their 2009 Annual Monitoring Report. Anhorn said that he expects WCD to have draft Annual Monitoring Reports by the March Board meeting.

***d) Smith Partners***

Mr. Holtman mentioned that he had nothing to add.

**9) Report of Treasurer**

***a) Approval of Bills***

Treasurer Lynch discussed the Treasurer's Report (A copy of which is annexed and incorporated by reference) and bills totaling \$17,463.01 for February 2010.

Motion was made by Manager Moe to approve the February 2010 Treasurer's Report and pay the bills as presented. Manager Spence seconded the motion. Upon vote, the motion passed unanimously.

**10) Reports of Officers and Manager**

**Manager Anderson–**

Nothing to Report

**Manager Damchik–**

Nothing to Report

**Manager Lynch –**

Nothing to Report

**Manager Moe –**

Manager Moe provided information on the Wild and Scenic River Act, including the Land and Water Conservation Fund Act that he thought had potential for use if and when the District starts work on the Sunrise River Regional Stormwater Management Facility it has been in early discussions about with Chisago County.

**Manager Spence –**

Nothing to Report

**11) Adjournment**

Motion to adjourn the CLFLWD regular Board meeting was made by Manager Lynch and seconded by Manager Spence. Upon vote, the motion carried unanimously.

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Wayne S. Moe, Secretary