

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

THURSDAY, OCTOBER 23, 2008

1) Call to Order

The Vice President called the October 23, 2008 regular Board meeting to order at 6:30 p.m. at the Forest Lake City Offices, 220 North Lake Street, Forest Lake, Minnesota

Present: Vice President Richard Damchik, Secretary John Lynch, Manager Wayne Moe
Absent: President Jackie Anderson, Treasurer Jon Spence
Staff: Randy Anhorn (CLFLWD), Lisa Tilman (EOR)
Other: Steve Schmaltz (Forest Lake Association)

2) Open the Regular Meeting

The Vice President opened the regular Board meeting.

3) Reading and Approval of Agenda

The Vice President called for the reading and approval of the October 23, 2008 regular Board meeting agenda. The motion to approve the agenda was made by Manager Lynch and seconded by Manager Moe. Upon vote, the motion passed unanimously.

4) Reading and Approval of Minutes

The Vice President called for the reading and approval of the minutes of the September 25, 2008 regular Board meeting. Administrator Anhorn mentioned that while President Anderson was unable to attend the meeting, she did forward a few edits to the September 25, 2008 meeting. Following the presentation and discussion of the proposed edits, the motion to approve the September 25, 2008 regular Board meeting minutes with edits was made by Manager Lynch and seconded by Manager Moe. Upon vote, the motion passed unanimously.

5) Public Open Forum

Steve Schmaltz introduced himself as the representative from the Forest Lake Association who would be coming to the meetings and be the liaison between the lake association and the watershed in order for each to be aware of what each other is doing and provide assistance/partnerships where available.

6) New Business

a) *BMP cost-share program*

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

Administrator Anhorn stated that he had recently completed a walk through of the finished Kumerow shoreline restoration project located at 1189 11th Street SE, Forest Lake and said that the project was completed to the projects Board approved specifications. Anhorn further presented photos of the completed project and mentioned that he would take more photos of the area next summer when everything would be in bloom. Anhorn also stated that signage would be incorporated once the signs are completed.

Administrator Anhorn further presented a reimbursement request for the Kumerow project (a copy of the request is annexed and incorporated by reference). Anhorn stated that the submitted receipts for materials for the project equaled \$833.37, therefore the District's cost-share portion (equaling ½ of the material costs) comes to \$416.68.

Anhorn then presented Ms. Kumerow's volunteer labor for the project, which totaled 122.75 hours. As part of the District's cost-share program, Anhorn said that the District reimburse the landowner for ½ of their accumulated volunteer labor costs calculated at a rate of \$12/hr. Therefore the District's cost-share portion for labor equals ½ (122.75 * 12), or \$736.50. Anhorn stated that it was his recommendation that the Board reimburse M. Kumerow for ½ of material and volunteer labor as presented for a total reimbursement of \$1,153.18.

Following Board discussion on the project and reimbursement request, motion was made by Manager Moe to reimburse Ms. Kumerow \$1,153.18 for the Districts BMP incentive cost-share portion of the Board approved shoreline restoration project. The motion was seconded by Manager Lynch. Upon vote, the motion passed unanimously.

Administrator Anhorn then mentioned that the Board-approved Oehler raingarden on 7371 North Shore Trail was also finished within the following week and that he would be doing a walk through to assure that the project was complete prior to bringing the property owner's receipts to the Board. Anhorn also stated that he would bring pictures to the next Board meeting.

Administrator Anhorn further mentioned that due to the lateness of the season and a heavy business travel schedule, the Board-approved Trandal project on Comfort Lake will not begin until next spring.

b) Forest Lake 2008 SWMP amendment

Administrator Anhorn presented the submitted Forest Lake Surface Water Management Plan (SWMP) Amendment and mentioned that once the District had revised its own Watershed Management Plan (Plan) to fulfill requirements under Minnesota Statutes Chapter 103B, and the plan was approved by BWSR (which it was in August of 2008), the City has two-years to amend its surface water management plan to meet requirements in the District's Plan.

Anhorn went through the amendments to the City's SWMP and mentioned areas where the SWMP was changed to mention that the City has two years to bring the City's plan into conformance with the District Plan and that because the District had not yet finished its rules and standards, it was not the intent of the 2008 SWMP amendment to comply with all the requirements District's recently approved and adopted Plan, and therefore the City of Forest Lake would need to amend their current plan by 2010 to include all the requirements of District's Plan.

Administrator Anhorn also highlighted areas where the SWMP references the Districts proposed rules (and the intention of the City to continue to work with the District in finalizing the rules and permit program), and references the status of the District's TMDL study (with the understanding that the City will be involved in the development of the TMDL implementation plan and once completed the SWMP will again have to be amended).

Administrator Anhorn stated that the City was requesting the Board approve their 2008 SWMP amendment with the understanding that the SWMP will have to be amended again as the District rules/standards are adopted and the TMDL study and implementation plan are completed and approved.

Following Board discussion, Manager Lynch motioned to approve the City of Forest Lake's 2008 SWMP amendment with the condition that the SWMP be amended again as the District rules/standards are adopted and the TMDL study and implementation plan are completed and approved. The motion was seconded by Manager Moe. Upon vote, the motion passed unanimously.

7) **Old Business**

a) Draft Rules Update

Administrator Anhorn mentioned that because two of the Board member were unable to attend the meeting, there would be no in depth discussion on the proposed rules and that staff would include more on the agendas of upcoming meetings. Anhorn also stated that staff was still waiting on comments as part of the proposed rules 45-day review process. Anhorn mentioned that to date, staff has received comments back from Browns Creek Watershed District, BWSR, Chisago City, the City of Forest Lake, MNDOT, City of Scandia, Washington County, WCD, and the City of Wyoming. Anhorn said that the 45-day review period ended today, October 23, 2008, and that staff has begun to compile comments and will include them in the November 13, 2008 Rules Public Hearing and Regular Board meeting.

Administrator Anhorn also reminded the Board of the upcoming Rules workshop scheduled for November 20, 2008.

Administrator Anhorn stated that rules discussions at upcoming meeting would also focus on remaining needs/schedules/guidance documents that are required or would be useful to implement the regulatory program including.

- Application
- Fee schedule
- Financial assurance schedule
- Financial assurance template (letter of credit, bond)
- Stormwater facility maintenance declaration/agreement templates
- Guidance document to applicants describing permit review process
- Internal enforcement procedure guidelines
- Resolution delegating permit authority to administrator
- Resolution establishing stormwater impact fund payment basis
- Stormwater volume credit sale form

Administrator Anhorn reminded the Board to review the earlier provided draft Permit Guidance/Information handbook detailing the District's Rules/standards and process with further

discussion to be held at the upcoming November 13, 2008 regular Board meetings and November 20, 2008 workshop.

8) **Report of Staff**

a) Administrator

Administrator Anhorn presented an Administrator's report memo (a copy 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:

- Participated in the Chisago County Children's Water Festival on September 26, 2008.
- Published articles where printed in recent editions of the Forest Lake Times
 - a) "Don't 'leave' lawn care chores until spring" October 9, 2008-FL Times.
- Recent projects in for review or recently reviewed including:
 - a) Additional parking at the LakeHouse restaurant on Forest Lake (in for review)
 - b) Xccent in Wyoming (in for review)
 - c) Ducharme Interim Use Permit for excavation of 6 acre pond on his property (recently reviewed).
- The dead-end street shoreland restoration projects on Forest Lake, in partnership with the City of Forest Lake Great River Greening (GRG) and DNR, had begun with the initial bituimus break up and grading taking place earlier in the week.
- Have had continued discussions with St. Croix Valley Landscaping on upcoming BMP cost-share projects.
- Recently submitted grants including:
 - a) LCCMR grant for public access erosion and stormwater problem investigation and Comfort Lake public access retrofit project (in partnership with GRG, Chisago County, and Comfort Lakes Association).
 - b) Center of Watershed Protection grant for the same Comfort Lake public access retrofit.
- Have had continued meetings with WCD in the preparation of a MPCA Surface Water Assessment Grant application to subsidize 2009 monitoring costs.
- Have had numerous meeting with Chisago SWCD in the preparation of a Minnesota Department of Agriculture grant for agricultural projects address impairments (NBL12 wetland restoration cattle exclusion)
- Conducted additional site visits for the District's BMP cost-share program.
 - a) 1 in Sylvan Lake watershed
 - b) 2 on Bone Lake
- Have completed another successful volunteer lake monitoring season with the pick-up of the final batch of samples and pick-up of sampling equipment.
- Have made initial contact with landowners for NBL12 and FL44 projects and have meetings set up for early November.

Administrator Anhorn reminded the Board of the upcoming 38th Annual Minnesota Association of Watershed District (MAWD) meeting and trade show to be held at Arrowwood Conference Center in Alexandria on December 4-6, 2008. He said that he had registration information if any of the Managers were interested and request notification if any of the Managers were interested in attending in order to get registrations in prior to the November 21, 2008 request deadline, and as in past years, rooms are at a premium.

Manager Lynch mentioned that the administrator should look at having another article in the paper on not raking leaves into the street because they potentially end up in the receiving waterbody. Manger Lynch mentioned the amount of leaves he has noticed in the streets and entering Forest Lake via stormsewers and called the city about sweeping the streets. Manager Lynch said that the streets have recently been swept, but people need to know they should rake into the streets. Discussion was held as to them majority of the articles published to date all mention not mowing, sweeping, or raking yard wastes into the street because they are conveyed to receiving waterbodies via stormsewers..

i) 2008 Work Plan & Projects Update

Administrator Anhorn provided the Managers with a copy of the 2008 proposed work plan with progress updates on each of the items listed and a list of overall highlights for 2008. A copy of the update is annexed and incorporated by reference.

b) Emmons and Olivier Resources (EOR)

Lisa Tilman presented the October engineers report (a copy is annexed and incorporated by reference). Ms. Tilman further mentioned that they had sent a draft of the TMDL study report to the administrator/limnologist and MPCA project manager for initial review, and are still waiting on comments from the MPCA. Following the review, a stakeholder meeting would be scheduled.

Ms. Tilman also mentioned that she had recently finished the review of the Xccent project in Wyoming, they and staff would bring the comments to the November 13, 2008 meeting. Ms. Tilman stated that in general the project meets the majority of District standards, but has a few issues addressed prior to recommendation for Board approval.

c) Washington Conservation District (WCD)

Administrator Anhorn mentioned that WCD was finished monitoring and was in the process of removing monitoring equipment. Anhorn further stated that WCD would be starting on load calculation once data are received from the Met Council lab.

d) Smith Partners

Prior to the meeting, the President and Administrator determined that due to there being no issues on the meeting agenda requiring immediate legal consultation, there was no need for the District Attorney to attend the meeting.

9) Report of Treasurer

a) Approval of Bills

Administrator Anhorn discussed the Treasurer's Report and bills for October 2008.

Motion was made by Manager Moe to approve the October 2008 Treasurer's Report and pay the bills as presented. Manager Lynch seconded. Upon vote, the motion passed unanimously.

10) Reports of Officers and Manager

Manager Damchik –

Nothing to report

Manager Lynch –

Nothing to report

Manager Moe-

Nothing to report

13) Adjournment

Motion to adjourn the CLFLWD regular Board meeting was made by Manager Moe and seconded by Manager Lynch. Motion carried unanimously.

John T. Lynch, Secretary