

**MINUTES OF THE WATERSHED MANAGEMENT PLAN REVISION SPECIAL
MEETING
AND
2009 BUDGET HEARING
OF THE
BOARD OF MANAGERS
OF THE
COMFORT LAKE - FOREST LAKE WATERSHED DISTRICT
THURSDAY, SEPTEMBER 4, 2008**

1) Call to Order

The President called the special meeting for the adoption of the District's Watershed Management Plan revision to order at 5:45 p.m. at the Forest Lake City Offices, 220 North Lake Street, Forest Lake, Minnesota

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

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

2) Opening Remarks

The Administrator presented a brief history of the District's recent legislative process leading designation as a metro watershed under Minnesota Statute Chapter 103B, and the need to revise the District's current Plan to fulfill requirements of Minnesota Statute Chapter 103B.

Administrator Anhorn went though Plan revision process, the changes in the Plan revision, stated the BWSR had approved the Plan revision at their August 28, 2008 Board meeting. Anhorn stated that the next step was for the Board to adopt the Plan revision.

3) Public Comments

The President asked for public comments on the District's Plan revision. There were no public comments.

4) Discuss District's Plan Revision

The President called for discussion of the District's Plan Revision. After discussion, the following resolution to adopt the District's Plan revision was made.

**RESOLUTION 08-09-01
RESOLUTION ADOPTING REVISED WATERSHED MANAGEMENT PLAN**

Manager Damchik offered the following Resolution and moved its adoption, seconded by Manager Moe:

WHEREAS the District, due to recent legislation designation as a metro watershed management organization, is responsible for the preparation of a revised watershed management plan pursuant to Minnesota Statutes section 103B.231, subdivision 3; and

WHEREAS the District has prepared a revised watershed management plan, entitled " Comfort Lake – Forest Lake Watershed District: Water Management Plan July 2008 Revision" (hereinafter "the Plan") in accordance with Minnesota Statutes sections 103B.201 through 103B.255, chapter 103D and Minnesota Rules 8410.0050 through 8410.0140; and

WHEREAS the District held a duly noticed public hearing on the plan, in accordance with Minnesota Statutes section 103B.231, subdivision 7(c), on May 22, 2008; and

WHEREAS the District has submitted drafts of the Plan to local, regional and state governmental organizations for review and comment in accordance with Minnesota Statutes section 103B.231, subdivisions 7 through 9, and the District has reviewed and, where appropriate, revised the plan in consideration of comments made; and

WHEREAS the Board of Water and Soil Resources approved the Plan on August 28, 2008 in accordance with Minnesota Statutes section 103B.231, subdivision 9; and

WHEREAS the District finds that the adoption of the Plan is in accordance with the law and the best interests of the public;

BE IT RESOLVED that the Board of Managers of the Comfort Lake – Forest Lake Watershed District adopts the Plan in accordance with Minnesota Statutes section 103B.231, subdivision 10; and

BE IT FURTHER RESOLVED that the Board of Managers directs the administrator to transmit a copy of the Plan to the clerks of each of the local governmental units within the watershed and Chisago and Washington counties together with a letter expressing the Board’s appreciation for their involvement in the preparation of the Plan.

Upon vote, the motion carried with five (5) ayes and zero (0) nays as follows:

	<u>AYE</u>	<u>NAY</u>
Jackie A. Anderson	X	
Richard P. Damchik	X	
John T. Lynch	X	
Wayne S. Moe	X	
Jon W. Spence	X	

The Chair declared resolution 08-09-01 adopted.

The Administrator presented the Board with the latest version of the proposed rules and stated that the next step would be to send them out for official 45-day review the following week. Anhorn stated that he and Lisa Tilman would compile a list of comments and bring them back to the Board and that they would then provide comment back to those providing review comments. The Board then discussed sending the proposed Rules out for public comment and the scheduling of a public hearing. Following discussion, Manager Spence made motion for staff to send the proposed Rules out for 45-day review and to tentatively schedule the Rules Public Hearing for November 20, 2008, at 6:00, prior to the Board regular meeting. The motion was seconded by Manager Damchik. Upon vote, the motion passed unanimously.

5) Remarks from the Board President on the 2009 Budget Public Hearing

The President presented a brief history of the process leading to the proposed 2009 budget and levies.

6) **Public Comment**

The President asked for public comments on the District's. There were no public comments.

7) **Discuss District's 2009 Budget and Levies**

Administrator Anhorn presented a proposed budget for 2009. A copy of the proposed budget is annexed and incorporated by reference.

The President called for discussion of the proposed annual budget. The President further reported that the notice of the budget hearing was published in the Chisago County Press and Forest Lake Times newspapers on August 21, 2008 and August 28, 2008. A copy of the Affidavits of Publication are annexed and incorporated by reference.

The Board discussed the amount of the 2009 proposed levy and the increase over the 2008 levy. Discussion centered on the increased tax burden on the citizens, including the Managers themselves. Manager Moe stated that while there was an increase over previous years, the difference is that past years centered on studies, and now the District was moving into projects to address water quality issues identified in the earlier studies. The Board also stated that their intention is that while there is a levy increase from 2008 to 2009, that future levies increases to support projects shall remain relatively flat. Manager Spence mentioned that while the District had been criticized for inactivity in the past, and citizens had come to the meetings asking for help to address water quality impairments, he hoped that there wouldn't be criticism on the flip side, for actually doing something.

Manager Anderson stated that she too worried about the added tax burden to the citizens (as did all the a Managers), however she also felt that if the increase provided a value to the community, in projects and services to address water quality impairments, the citizens would see the value. The Board further discussed the importance of a strong education component to inform the public on what the District has accomplished over the past year, and on the District's long range plan and how the increased levies go back to the citizens as projects and services to manage and remediate the District's water resources.

After discussion, the Board made motion on the following resolutions for the 2009 budget and levies.

**RESOLUTION 08-09-02
2009 BUDGET RESOLUTIONS**

Manager Anderson made motion to adopt the 2009 budget as distributed, seconded by Manager Moe. Upon vote, the motion carried with five (5) ayes and zero (0) nays as follows:

	<u>AYE</u>	<u>NAY</u>
Jackie A. Anderson	X	
Richard P. Damchik	X	
John T. Lynch	X	
Wayne S. Moe	X	
Jon W. Spence	X	

The Chair declared resolution 08-09-02 adopted.

The Board held discussion on the present levy resolutions. The Board discussed consolidating the four resolutions into one motion and one roll call vote. Following discussion Manager Lynch made motion to consolidate the resolutions into one motion and one roll call vote. The motion was seconded by Manager Moe. Upon vote, the motion passed unanimously.

Manager Lynch offered the following resolutions and moved there adoption, seconded by Manager Moe:

**RESOLUTION 08-09-03
RESOLUTION TO CERTIFY 2009 ADMINISTRATIVE FUND LEVY**

WHEREAS, pursuant to Minnesota Statutes Sections 103B.241, 103D.905 and 103D.915 and other statutory authority, the Board of Managers of the Comfort Lake - Forest Lake Watershed District is authorized to levy an ad valorem tax against all taxable property in the district for various purposes; and

WHEREAS, pursuant to Minnesota Statutes, published notice was duly given by the Board of Managers for a public hearing, which was held on September 4, 2008, whereby the 2009 budget of the Comfort Lake - Forest Lake Watershed District was determined, and the said Board of Managers is legally authorized to levy the tax described below;

THEREFORE BE IT RESOLVED, that a levy of 0.048 percent of taxable market value, not to exceed \$250,000.00, be certified to the Counties of Washington and Chisago in proportion to the net tax capacity of that part of the watershed lying within each county and levied upon all taxable property in the Comfort Lake - Forest Lake Watershed District, for the year 2009, for the purpose of paying the General Fund expenses of the District as provided by Minnesota Statutes Section 103D.905 Subdivision 3.

**RESOLUTION 08-09-04
RESOLUTION TO CERTIFY 2009 BASIC WATER MANAGEMENT LEVY**

WHEREAS, pursuant to Minnesota Statutes Sections 103B.241, 103D.905 and 103D.915 and other statutory authority, the Board of Managers of the Comfort Lake - Forest Lake Watershed District is authorized to levy an ad valorem tax against all taxable property in the district for various purposes; and

WHEREAS, pursuant to Minnesota Statutes Section 103D.905, subdivision 3, the managers may annually levy a tax not to exceed 0.00798 percent of taxable market value for a period not to exceed 15 consecutive years to pay the cost attributable to the basic water management features of projects initiated by petition of a political subdivision within the watershed district;

WHEREAS, pursuant to Minnesota Statutes, published notice was duly given by the Board of Managers for a public hearing, which was held on September 4, 2009, whereby the 2009 budget of the Comfort Lake - Forest Lake Watershed District was determined, and the said Board of Managers is legally authorized to levy the tax described below;

THEREFORE BE IT RESOLVED, that a levy of 0.00798 percent of taxable market value, not to exceed \$50,000.00, be certified to the Counties of Washington and Chisago in proportion to the net tax capacity of that part of the watershed lying within each county and levied upon all taxable property in the Comfort Lake - Forest Lake Watershed District, for the year 2009, for the purpose of paying the costs attributable to the basic water management features of Best Management Practices projects identified in the District's Watershed Management Plan throughout the watershed.

**RESOLUTION 08-09-05
RESOLUTION TO CERTIFY
2009 METROPOLITAN SURFACE WATER MANAGEMENT ACT LEVY**

WHEREAS, pursuant to Minnesota Statutes Sections 103B.241, 103D.905 and 103D.915 and other statutory authority, the Board of Managers of the Comfort Lake - Forest Lake Watershed District is authorized to levy an ad valorem tax against all taxable property in the district for various purposes; and

WHEREAS, pursuant to Minnesota Statutes, published notice was duly given by the Board of Managers for a public hearing, which was held on September 4, 2009, whereby the 2009 budget of the Comfort Lake - Forest Lake Watershed District was determined, and the said Board of Managers is legally authorized to levy the tax described below;

THEREFORE BE IT RESOLVED, that the percentage of taxable market value required to raise the amount of \$445,458 be certified to the Counties of Washington and Chisago in proportion to the net tax capacity of that part of the watershed lying within each county and levied upon all taxable property in the Comfort Lake – Forest Lake Watershed District, for the year 2009.

**RESOLUTION 08-09-06
RESOLUTION TO CERTIFY 2009 LIABILITY INSURANCE LEVY**

WHEREAS, pursuant to Minnesota Statutes Sections 466.06 the Board of Managers of the Comfort Lake - Forest Lake Watershed District is authorized to levy an ad valorem tax against all taxable property in the district for the premium costs for liability insurance; and

WHEREAS, pursuant to Minnesota Statutes, published notice was duly given by the Board of Managers for a public hearing, which was held on September 4, 2008, whereby the 2009 budget of the Comfort Lake - Forest Lake Watershed District was determined, and the said Board of Managers is legally authorized to levy the tax described below;

THEREFORE BE IT RESOLVED, that a levy to raise a sum of \$9,000 to pay the premium costs for liability insurance be certified to the Counties of Washington and Chisago in proportion to the net tax capacity of that part of the watershed lying within each county and levied upon all taxable property in the Comfort Lake - Forest Lake Watershed District, for the year 2009, for the purpose of paying the premium costs of liability insurance as provided by Minnesota Statutes § 466.06.

The question was on the adoption of the above resolutions (08-09-03, 08-08-04, 08-09-05, and 08-09-06) and there were five (5) ayes and zero (0) nays as follows:

	<u>AYE</u>	<u>NAY</u>
Jackie A. Anderson	X	
Richard P. Damchik	X	
John T. Lynch	X	
Wayne S. Moe	X	
Jon W. Spence	X	

The Chair declared resolutions 08-09-03, 08-09-04, 08-09-05, and 08-09-06 adopted.

8) **Close Public Hearing Portion of the Meeting**

The President closed the public hearing portion of the meeting.

9) **Adjournment**

Motion to adjourn the CLFLWD 2008 Budget hearing was made by Manager Damchik and seconded by Manager Moe. Motion carried unanimously.

John T, Lynch, Secretary