

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

THURSDAY, FEBRUARY 22, 2007

1) **Call to Order**

The President called the February 22, 2007 meeting to order at 6:30 p.m. at the Forest lake City Offices, 220 North Lake Street, Forest Lake, Minnesota

Present: Jackie Anderson, John Lynch, Jon Spence, Wayne Moe

Absent: Richard Damchik

Staff: Randy Anhorn, Dan Fabian, John Thene, Travis Thiel, Lisa Tilman

Others: Deb Anderson, Beryl Halldorson, Sam Hathaway

2) **Administration of Oath – Wayne S. Moe**

Administrator Anhorn administrated the oath of office to Wayne S. Moe.

3) **Reading and Approval of Agenda**

Motion to approve agenda was made by Manager Spence and seconded by Manager Anderson. The Motion carried unanimously.

4) **Matters of Public Interest**

5) **Reading and Approval of Minutes**

The President called for the reading and approval of the minutes of the regular meeting of January 30, 2007.

Motion was made to approve the January 30, 2007 regular meeting minutes with corrections by Manager Anderson and seconded by Manager Moe. Motion carried unanimously.

The President called for the reading and approval of the minutes of the work plan work shop of February 8, 2007.

Motion was made to approve the February 8, 2007 work plan workshop minutes as presented by Manager Anderson and seconded by Manager Spence. The motion carried unanimously.

6) **Report of Treasurer**

Manager Anderson discussed the Treasurer's Report for February 2007. Manager Anderson mentioned the need to add two additional bills to be paid to the February report. Although both were received after our normal processing timeframe, payment was due prior to the March 2007 Board meeting in order to avoid late fees. Manager Anderson further raised the need for Administrator Anhorn to work with our vendors in order to receive timely invoices (by the first of the month) if the vendor is requesting payment during that same month. A copy of the report is annexed and incorporated by reference.

Motion was made by Manager Lynch to approve the February Treasurer's Report with the addition of payment of the explained bills. Manager Spence seconded. Motion carried unanimously.

Manager Anderson then raised the need for the Administrator to have the ability to write checks in order to address office needs and seminar/conference fees which arise between meetings. Discussion was held as to the allowable ceiling for the amount for each check. Motion was made by Manager Anderson for the Administrator to be allowed to write checks up to the amount of two hundred dollars to take care of office and continuing education needs. Manager Lynch seconded. Motion carried unanimously.

7) **Report of Engineer**

a) Emmons and Olivier Resources (EOR):

Per Board request, Dan Fabian and Lisa Tilman from EOR gave a presentation on the importance/need of rules to uphold the integrity of the CLFLWD Watershed Management Plan, and process options to formulate and adopt said rules. EOR gave a quick overview of the rules developed for CLFLWD in 2005 by North American Wetland Engineering (NAWE) which, for various reasons, did not make it to the public hearing stage. They mentioned the areas the developed rules addressed and the areas that they did not. Dan Fabian further discussed the alternatives for developing support documentation for the rules. These documentation alternatives range from simply consolidating minutes where rules were discussed, to developing a technical documentation for the rules, to the more labor intensive development of a statement of need and reasonableness (SONAR). A SONAR is especially needed for rules which could come under legal attack.

EOR discussed the suggested process of including involvement of the citizen advisory committee (CAC) and a technical advisory committee (TAC) which would include representatives from the CLFLWD member communities. EOR emphasized the importance local community participation in the rule review process. Their "buy in" will not only result in a more accepted rule, but a stronger partnership between the community and CLFLWD. This

partnership will provide better oversight in the end management the water resources in the watershed.

EOR submitted two proposals listing tasks to give a formal review of the earlier developed CLFLWD rules to determine their overall compatibility to the CLFLWD Watershed Management Plan and suggest areas which may need to be further addressed. While both proposals include the use of a CAC and TAC in the rule making/review process, one of the proposals included the development of a technical document to support the rules, and one proposal did not.

After EOR's presentation, the Board discussed the different rulemaking alternatives as well as the pros and cons of developing a CLFLD permitting program.

Motion was made by Manager Anderson for EOR to undertake the first task on their proposal to review the submitted CLFLWD rules to determine their overall compatibility to the CLFLWD Watershed Management Plan and suggest areas which may need to be further addressed. Manager Spence seconds. The motion carried unanimously.

Lisa Tilman from EOR discussed their activities for CLFLWD in February 2007. They forwarded review comments on the hydrology report for the Willow Point redevelopment on Forest Lake, and the stormwater analysis of the Forest Lake Wal-Mart expansion.

Administrator Anhorn brought up a recent meeting he attended with the MDNR, WCD and representatives of the Willow Point re-development, to address issues raised in the initial review. Hult engineering, the engineering firm for the re-development, is in the process of retrofitting the site to address the areas of concern and the new plans will be resent for review and comment.

b) Washington Conservation District (WCD)

Travis Thiel of WCD, passed out copies of the final Comfort Lake – Forest Lake Watershed District 2006 Water Monitoring Report.

c) Wenck and Associates

John Thene from Wenck gave an update on where they were in the water quality modeling process. He said that they hoped to be finished with the modeling effort in June/July and move to the project design stage thereafter. Mr. Thene stated that they are on schedule to meet the Boards desired timeline for the project.

8) Report of Attorney

No Report

9) **Report of Administrator**

Administrator Anhorn presented an Administrator's report memo (a copy of the report 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. Anhorn further discussed a recent conversation he had with Craig Affeldt (MPCA) about a potential CLFLWD TMDL. Anhorn mentioned that because of our current load allocation modeling effort, we were in good shape for potential funding. He mentioned working with WCD and having a work plan ready to go if-and-when Clean Water Legacy funds are available (hopefully July-August/2007).

Additionally, because available data reveal that a few more lakes within the District will be listed as impaired as soon as the data are analyzed by MPCA, Administrator Anhorn raised the idea of expanding our proposed TDML to include those lakes which recent data show as impaired (i.e, Little Comfort and Moody).

Motion was made by Manager Anderson to have Administrator Anhorn work with WCD to prepare a workplan for TMDL studies on the CLFLWD's six major lakes rather than just the three lakes currently listed as impaired. The workplan is to be submitted for Clean Water Legacy funding. Manager Lynch seconded. The motion carried unanimously.

Administrator Anhorn updated the Board on the development of a CLFLWD logo, and the results of his search for website design and hosting alternatives. The two design/hosting alternatives that Anhorn is working with in order to get official quotes are; Govogffice.com and Buffleheadweb.net. Anhorn mentioned that the City of Forest Lake and the Minnesota Association of Watershed Districts (MAWD) use Govoffice.com. While Govoffice.com generally uses pre-set sites templates (numerous) for clients to fit their needed information into, they do have customizing upgrade options which would use our logo to customize our banners and pages.

Administrator Anhorn stated that he will be meeting with Buffleheadweb.net to get an official quote for their design and hosting services. Anhorn mentioned that the Prior Lake – Spring Lake WD website was developed by Buffleheadweb.net and their past Administrator gave a glowing recommendation

Manager Anderson said that Administrator Anhorn should also check with EOR to get an official their official quote and review their capabilities.

Manager Spence mentioned the importance of determining what we wanted to include on the website. He stated that which ever firm we decide to work with, the resulting site will be only as good as what we put into it.

Administrator Anhorn then presented the revised 2007 monitoring workplan which included the use of volunteers on 5 lakes, the reduction of a few continuous stream sites, and the

addition of another. Anhorn stated that a few of the stream sights were lacking in good stage/discharge curves and more stage/discharge readings (especially during high flows) to increase the statistical confidence (tightness) in the gauging. Since the new monitoring workplan comes in slightly under budget, Anhorn suggested using the difference to purchase a hand-held flow meter that staff could use to tighten up the rating curves of all our sites. Anhorn also suggest that future budgets include equipment replacement/maintenance funds which we could use for expected and unexpected equipment needs.

Administrator Anhorn mentioned that because of a conflict with the City of Forest Lake Comprehensive Plan Advisory Committee Meetings, we will be unable to use Council Chambers for our regularly scheduled April meeting. Alternative dates where Council Chambers are available were proposed. The Board decided to change the date of the April 2007 Regular Board meeting from Thursday, April 26, to Tuesday, April 24, 2007.

10) **Reports of Officers and Manager**

The President called for reports.

Manager Damchik –

No report

Manager Anderson –

Manager Anderson presented three publications;

- 1) A news release entitled “Keeping our waters clean: preventing “illicit discharges.” She stated that CLFLWD could forward the release on to our official newspaper in order to educate the public on the link between storm drains and receiving water resource.
- 2) A recent mailer from a company looking to provide lake weed control for lake residents. While they advertise Eurasian Milfoil and Curly Pondweed control, she questions the selectiveness of any process using herbicide application.
- 3) A newspaper article from the February 14, 2007 edition of the Forest Lake Press, where the Wyoming annexation issue was raised. She mentioned that depending on the court’s decision on the annexation battle between the City of Wyoming, Wyoming Township and Chisago City, CLFLWD may have a another member community (Chisago City) as a stakeholder.

Manager Spence –

No report

Manager Lynch –

Manager Lynch presented an article published in the February 18, 2007 StarTribune discussing shoreland and development issues.

Manager Moe-

Manager Moe questioned where individuals could get timely alerts when important water resource management issues are raised at the legislature. If such alerts were made it would allow for individuals to contact their representatives to voice concerns.

Two websites were mentioned as possible alerts: 1) the Minnesota Association of Watershed Districts (MAWD) site, which provides updates during the legislative session, and 2) the Minnesota Waters site which also provides legislative updates.

11) **Correspondence, Publications and Reports**

12) **Unfinished Business**

Two other issues listed on the agenda, the Office of Legislative Auditors (OLA) report on watershed management in Minnesota and the differences between a metro watershed district and an outstate watershed district (103B versus 103D), were put on hold due to the scheduled presentation by the Board of Water and Soil Resources (BWSR) at the Tuesday, March 27, 2007 meeting. BWSR be available to not only discuss the OLA report and the pros and cons of 103B versus 103D, but what a process to get re-designated a metro watershed (103B) rather than an outstate watershed (103D) would/could involve. Other areas of interest could be the importance of rules and the rulemaking process, and how BWSR can help CLFLWD get where it wants to be.

13) **New Business**

14) **Adjournment**

Motion to adjourn CLFLWD special (rescheduled) meeting was made by Manager Spence and seconded by Manager Moe. Motion carried unanimously.

Richard P. Damchik, Secretary

ATTACHMENTS:
Treasurer's Report