

**MINUTES OF THE REGULAR MEETING OF
THE
COMFORT LAKE–FOREST LAKE
WATERSHED DISTRICT
Thursday, September 9, 2021**

1. Call to Order

Vice President Anderson called the September 9, 2021, regular board meeting to order at 6:30 p.m. via online video conference.

Present: Vice President Jackie Anderson, Secretary Jen Oknich, Treasurer Steve Schmaltz, Manager Doug Toavs, Manager Chris Loth.

Absent: None.

Others: Mike Kinney, Bobbie Law, Emily Heinz, Garrett Miller, Blayne Eineichner (CLFLWD staff); Greg Graske, Cecilio Olivier, Kyle Crawford (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Hanna Valento (City of Forest Lake).

2. Setting of Meeting Agenda

Manager Schmaltz moved to approve the agenda as presented. Seconded by Manager Toavs. Upon roll call a vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Douglas Toavs	X		
Christopher Loth	X		

3. Public Hearing: 2022 Draft Budget

Vice President Anderson opened the public hearing.

Planning Coordinator Heinz provided a presentation regarding the 2022 draft budget including the budget process, expense budget, estimated revenues, estimated market values and net tax capacities, levy amounts, a new debt service fund, programs, projects, District goals, state water quality standards, adaptive management, and achievements. Ms. Heinz announced that the Board would allow another opportunity for public comment on the budget at its regular meeting on December 16, 2021.

Managers discussed the estimated market value, net tax capacity, and levy chart shown in the presentation. Managers discussed their opinions on removing or keeping the 2022 data included on the chart because it is estimated and not final. Manager Schmaltz indicated he

believes the information plays an important role in answering any questions of residents. The managers agreed that information should be at least estimated with a note that the numbers are not final. Vice President Anderson noted that she will work with Ms. Heinz to clarify the changes agreed upon by the managers. She suggested that the changes be sent to the budgeting workgroup to confirm. Managers agreed with this suggestion.

Mr. Kinney suggested adding levy information regarding the dollar amount impact on median home value rather than the percentage. He noted that this increased amount dollar amount is only \$10 to \$20 per year. This may be beneficial for any stakeholders to understand tax impacts and ease some of the managers' concerns with respect to how numbers are portrayed. He noted the process of budgeting started in May of 2021 and that Washington County regularly commends the District for its transparency in the process. He explained that he is confident in the District's staff and their ability to answer any questions brought forward from the public.

Vice President Anderson determined that no members of the public were present to comment and closed the public hearing. She and Manager Schmaltz both noted that the presentation was well done and thanked District staff. Manager Schmaltz explained that he would like staff to add information on how the District got to where it is in terms of finance and project accomplishments. Vice President Anderson suggested staff have a list of all projects by lake management district.

4. New Business

a) Bone Lake Northeast Wetland Contract Award

Mr. Kinney provided a short overview of the project. He explained that identification of the project involved multiple scientific approaches. Mr. Eineichner described the location of the project, noting its proximity to Bone Lake. He then described the cattle operation practices that led to the need for this project. He explained that after the property was identified as a possible source of pollutants, District staff worked with Emmons & Olivier Resources (EOR) to collect wetland soil samples which ultimately showed remnants of cattle manure and high levels of phosphorus within the wetland. He noted that the District has received a Clean Water Fund grant to restore the area and remove manure-laden sediments. He noted that this project would result in a 15 to 25 pound per year reduction of phosphorus load from entering into Bone Lake.

Mr. Crawford gave an overview of the bidding process. He explained that the project went out for open bid to contactors in August of 2021. He noted that EOR received 8 bids, one of which was deemed not responsive due to missing documentation. He explained that Kevitt Excavating LLC was the lowest responsive bid with a bid price of \$139,113.88. He noted that EOR staff believe it is a reputable company based on experience and references that provided positive reviews. Emmons & Olivier Resources (EOR) staff recommended that the Board award the contact to Kevitt Excavating.

Mr. Kinney noted a recommended 15% contingency. He explained that this additional contingency is warranted based on previous experience with projects completed during warmer winters (as is potential this winter) and the associated complications that could negatively affect progress and completion. He explained that the additional dollar amount is to allow him to act with a rapid response in such an event.

Manager Oknich moved to adopt resolution 21-09-01. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Douglas Toavs	X		
Christopher Loth	X		

5. Old Business

a) 2022 Draft Budget

Managers revisited the budget. All agreed that further discussion was not necessary.

Manager Schmaltz moved to adopt resolution 21-09-02 adopting the CLFLWD 2022 budget and certifying the levy. Seconded by Manager Oknich. Upon a roll call vote, the motion carried 5-0

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Douglas Toavs	X		
Christopher Loth	X		

b) Watershed Management Plan Update

Administrator Kinney introduced the management planning process. He noted Ms. Heinz's diligent work for the past two and a half years to complete the updated watershed management plan. Ms. Heinz explained that the Board of Water and Soil Resources (BWSR) has approved the plan. She noted that the approved plan will come to the Board for adoption at the September 23rd regular meeting. Managers thanked staff for their work to complete the updated watershed management plan.

c) AIS and Community Grant Application

Administrator Kinney explained that the District has discussed this topic several times. He explained that at the staff level the program is still being developed but that the

Comfort Lakes Association has submitted a request to utilize the District’s undeveloped grant program. He explained that they would like to utilize funds to treat Eurasian watermilfoil. Vice President Anderson gave an overview of the project noting that it is a project with two phases. The first phase was an Aquathol K treatment that the Comfort Lakes Association conducted itself at the end of May. She explained that this grant request is to treat Eurasian watermilfoil with ProcellaCOR, which is the second phase of a two-treatment project. Vice President Anderson recommended the District utilize aquatic invasive species funds until the grant program is fully developed.

Manager Schmaltz noted his support for the treatment, but he wondered about the timing of treatment. He asked if it is the right time to treat Eurasian watermilfoil. He asked if the species is already dying off. Administrator Kinney explained that he would investigate treatment timelines. Vice President Anderson explained that there is more hybrid milfoil that is healthy and robust. She believes that it is a perfect time for treatment. She explained that ProcellaCOR is one of the least toxic materials, is indicated to be effective for three years, and is targeted for Eurasian watermilfoil, and may provide good information on how it functions for possible use in other District lakes. Manager Toavs requested information on hybrid Eurasian watermilfoil. Manager Schmaltz noted the upcoming showcase by University of Minnesota Aquatic Invasive Species Research Center where they will be discussing the hybrid species.

Manager Anderson moved to approve payment of \$7,381.00 to the Comfort Lakes Association (CLA) for a second treatment of Eurasian watermilfoil to be completed by September 30, 2021, for the acreage delineated in the DNR permit issued to the CLA and also require appropriate documentation be submitted to the Administrator before payment is issued. Seconded by Manager Oknich. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Douglas Toavs	X		
Christopher Loth	X		

d) Program/Project Updates

Managers agreed to advance the Program/Project Update discussion to before the discussion regarding the CR50 Iron Enhanced Sand Filter appraisal, which may occur in closed session.

Project Coordinator Eineichner highlighted some of the projects that the District is currently working on and a few potential future projects. In total, he gave an overview of six projects that are currently active in the District. The projects include agricultural efforts to stabilize and improve soils, an iron enhanced sand filter, and several wetland restorations. He also described several potential future projects including an agricultural

field stabilization, several targeted water quality improvement projects to Moody Lake, a wetland enhancement along Washington Judicial Ditch 6, and a feedlot improvement project in the School Lake subwatershed. The District submitted Clean Water Fund grant applications for these potential future projects, for which awards will be announced in December. He indicated all the projects provide a high level of phosphorus reduction.

Vice President Anderson asked about phosphorus delivery from the Heath Avenue culvert to Little Comfort Lake. Mr. Eineichner suggested about 100 pounds per year are delivered, but the prospective project would address about 80 percent of that. Manager Schmaltz asked whether the District's approach to wetland wet-dry cycling there would apply as well to the Hayward Avenue wetland previously discussed. Mr. Eineichner replied that the District engineer is doing diagnostic analysis there and they will advise the managers.

(Manager Oknich left at this time.)

Vice President Anderson asked if the bottom sediments in the School Lake wetland indicate animal waste. Mr. Eineichner replied that they haven't been analyzed, but that they have the physical qualities of other organic matter at this point in time.

Managers expressed approval for this kind of reporting. Vice President Anderson asked if staff are investigating federal funding and/or bringing any of the projects to the One Watershed One Plan group in case the Clean Water Fund grants are not awarded. Manager Schmaltz noted that he thinks five of the projects are legacy load projects identified by staff. He thanked the staff for identifying these legacy load projects.

Mr. Olivier suggested that Emmons & Oliver Resources (EOR) may be able to add some perspective and depth to these monthly presentations. Managers agreed that project updates are significant and valuable. Vice President Anderson noted that she thinks the project updates should be a workshop topic if there is not time in a regular meeting.

Managers discussed the monthly update in general. They noted the importance to new managers. The Board requested a high-level overview of a few of the more active projects for periodic presentation, and a review of completed projects, particularly for the benefit of the newer board members. Manager Schmaltz suggested that presentations on current projects give note to obstacles and next steps. Vice President Anderson suggested a 15-minute time limit for each presentation that is given monthly. Manager Toavs noted that this was helpful for him as a new manager.

e) CR50 Iron Enhanced Sand Filter Appraisal

Administrator Kinney introduced the project. He noted that it is a Clean Water Fund grant-funded project. He explained that staff has been working with the landowner and now have an appraisal that they would like to discuss with managers in a closed session.

Manager Anderson moved to convene in closed session to develop an offer for an easement on the CR 50 IESF parcel (PID: 23.032.21.44.0002). Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Douglas Toavs	X		
Christopher Loth	X		

The Board convened in closed session.

The Board reconvened in open session.

Manager Schmaltz moved to authorize the sharing of the appraisal with the property owner. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X
Douglas Toavs	X		
Christopher Loth	X		

Manager Toavs moved to authorize the District Administrator to execute an easement with the landowner in the form included in the appraisal, and for the appraised amount. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X
Douglas Toavs	X		
Christopher Loth	X		

6. Summary and Approval of Board Direction

Board directives were summarized:

- Staff will prepare a chart of all the completed projects in chronological order, indicating applicable lake management district, and indicating nutrient reductions achieved by the projects.
- Staff will provide information on hybrid Eurasian watermilfoil.
- Staff will provide a presentation of past projects in a workshop format.

- Staff will focus project and program presentations on any roadblocks that managers might be able to assist with and the next steps. Staff will ensure these presentations are to be no more than 10-15 minutes long.

7. Adjourn

a) Next regular board meeting – September 23, 2021

Manager Anderson moved to adjourn the meeting. Seconded by Manager Loth. Upon a roll call vote, the motion carried 4-0, and the meeting was adjourned at 8:55 p.m.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X
Douglas Toavs	X		
Christopher Loth	X		

David Bakke, Secretary _____