

**MINUTES OF THE REGULAR MEETING
OF THE
COMFORT LAKE–FOREST LAKE
WATERSHED DISTRICT
Thursday, April 18, 2019**

1. Call to Order

President Spence called the April 18, 2019 regular board meeting to order at 6:30 p.m. in the offices of the Comfort Lake-Forest Lake Watershed District, 44 Lake Street South, Suite A, Forest Lake.

Present: President Jon Spence, Vice President Jackie Anderson, Secretary Jen Oknich, Treasurer Steve Schmaltz, Assistant Treasurer Wayne Moe.

Others: Mike Kinney, Jessica Lindemyer (CLFLWD staff); Meghan Funke, Greg Graske, Jimmy Marty, Jason Naber (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Matt Downing, Erik Anderson (Washington Conservation District); Justin Nilson (Abdo, Eick & Myers); Jerry Grundtner (Forest Lake Lake Association)

2. Setting of Meeting Agenda

President Spence requested that item 6a – AIS Update be postponed to the next board meeting and item 7f – State of the Watershed Meeting Update be added to the agenda.

Manager Moe moved to approve the agenda as amended. Seconded by Manager Schmaltz. Upon a vote, the motion carried 5-0.

3. Consent Agenda

a) Regular Board Meeting Minutes – March 28, 2019

Manager Moe pointed out a typo on page 7 of the March 28th minutes.

Manager Anderson moved to approve the consent agenda as revised. Seconded by Manager Moe. Upon a vote, the motion carried 5-0.

4. Public Open Forum

There were no comments.

5. Citizen Advisory Committee Update

Watershed Assistant Jessica Lindemyer noted that the Citizen Advisory Committee (CAC) didn't meet in April, and therefore there is no update. The CAC's next meeting is in May.

6. New Business

a) AIS Update [postponed until next meeting]

b) 2018 Audit Results

Justin Nilson, the lead auditor with Abdo, Eick and Myers (AEM), presented the 2018 audit results. He went over the audit opinion, AEM's responsibility as the auditor, and an overview of the general fund and project/program implementation fund. He noted that there is one finding resulting from the audit. The finding is related to material adjustments in two areas – grant revenue and escrow liabilities.

Manager Anderson requested that the listed board of managers be revised to reflect the board from year 2018 and that the language stating that the District Administrator is an "appointed official" be corrected as that is not accurate. There was discussion regarding indicating the reserve fund in the budget section and depreciation of assets. Manager Anderson asked that the District's owned land be reflected as a District asset, as appropriate. Administrator Kinney noted that the Shields Lake Stormwater Reuse Project is under budget because the project design was able to be changed to be more cost-effective and construction bidding came in below the engineer's estimate.

Manager Anderson moved to accept the Abdo, Eick & Meyers, LLP prepared Management Letter and Annual Financial Report of the Comfort Lake Forest-Lake Watershed District for the year ended December 31, 2018, with the changes requested by Manager Anderson, and direct staff to forward to the State of MN as required. Seconded by Manager Schmaltz. Upon a vote, the motion carried 5-0.

c) MAWD Summer Tour

There was discussion about attendance at this year's MN Association of Watershed Districts (MAWD) Summer Tour, which is scheduled for June 26-28, and rescheduling the June 13th and June 27th regular board meetings. There was agreement to cancel the meetings on June 13th and June 27th and schedule a meeting on June 20th. Mr. Kinney noted that an additional meeting can be scheduled if necessary.

Manager Anderson moved to change the June schedule to one board meeting on June 20. Seconded by Manager Moe. Upon a vote, the motion carried 5-0.

Manager Anderson moved to approve expenses for managers and staff who wish to attend the MAWD Summer Tour. Seconded by Manager Moe. Upon a vote, the motion carried 5-0.

7. Old Business

a) 2018 Water Monitoring Report

Erik Anderson from the Washington Conservation District (WCD) presented the findings from the 2018 water monitoring program. There is an observable improving long-term trend for Bone, Comfort and Moody Lakes, and an observable declining trend for Shields Lake. As of 2018, most lakes have water quality similar to or poorer than 2017 averages, except for Bone Lake which has improved for all parameters. Stream annual total phosphorus loads and discharge figures for the tributary from Bone Lake to Little Comfort Lake are lower than the historical average; from the Forest Lake outlet to Comfort Lake they are higher than the historical average. The stream total phosphorus flow-weighted mean concentrations are all lower than their historical averages, except for the Little Comfort inlet. The flow-weighted mean concentration (FWMC) is the lowest on record for the Bone Lake outlet. However, the monitoring methods have changed over the years, making it difficult to compare across Bone Lake's full monitoring history. (Note that since WCD has been collecting automated storm composite samples in recent years, it is now collecting samples with higher total phosphorus results than what are found in-lake or from grab samples alone. Without the storm-specific samples, the estimated FWMC would be even lower for 2018). Overall, 19 sites were monitored in 2018. Mr. Anderson further described the monitoring sites, parameters, and process to obtain lake elevations each year.

There was discussion about long-term trends versus year-to-year variability and MN Pollution Control Agency (MPCA) standards for impairment. The final report will be brought to next month's meeting for approval.

b) 2018 Annual Report

Mr. Kinney recommended that the Board approve the Annual Report so that it may be submitted to the Board of Water and Soil Resources by the April 30th deadline. Manager Schmaltz suggested that next year's annual report provide more detail about the status of District and other best management practice maintenance (e.g. pond cleanout) in the operations and maintenance section, and expand on progress toward lake goals from capital projects (i.e. some of the information provided in the progress report).

Manager Anderson moved to approve the 2018 CLFLWD Annual Report and directed staff to forward to BWSR as required. Seconded by Manager Moe. Upon a vote, the motion carried 5-0.

The Board directed that Manager Schmaltz's requests for next year's report be added to the Summary of Board Direction tracking sheet.

c) Wetland Banking Scope of Work

Mr. Kinney explained that it seems that the most feasible sites for wetland bank creation are located in the District's more rural areas. The proposed scope of work would assess these areas in order to identify potential wetland restorations for banking purposes. There was discussion about use of aerial photography and on-the-ground sampling as part of the assessment process. Jason Naber explained how on-the-ground sampling and

assessment of reed canary grass extent helped identify how difficult it would be to restore the wetlands on the District's tax forfeit properties.

Manager Anderson moved to authorize the Administrator, on advice of counsel, to enter into an agreement with EOR in accordance with the April 5, 2019 scope of work and in an amount not to exceed \$29,945. Seconded by Manager Moe.

Discussion: Jimmy Marty noted that existing data sets will be utilized in this process. There was discussion about targeting drained wetlands that now look like cropland. These are the type of sites where projects may be implemented. Manager Schmaltz stressed the importance of having landowner buy-in prior to getting too far into the feasibility of a particular site. Mr. Naber described phasing in the assessment which will first identify potential sites, then work with District staff to reach out to landowners, then proceed further into design if landowners are interested.

Upon a vote, the motion carried 5-0.

d) Revised Forest Lake Local Water Management Plan

Administrator Kinney explained that minor revisions occurred since the Board's original approval. He recommended adoption of the resolution which would approve the revised Local Water Management Plan (LWMP) and authorize the Administrator to approve further non-material changes if necessary. Staff advised that the changes since the Board's original approval are non-material and do not affect the District's required elements of the LWMP.

Manager Anderson moved to adopt resolution 19-04-01. Seconded by Manager Schmaltz.

Discussion: Manager Schmaltz noted that he was impressed with the level of detail in Rice Creek Watershed District's comments. Mr. Graske explained that he and Watershed Technician Emily Heinz went through a detailed review of the LWMP and previously provided similarly detailed comments to the City. There was discussion about the District's ability to provide timely comments on the City's Municipal Separate Storm Sewer System (MS4) program report. Legal Counsel Holtman suggested that the District, in its watershed management plan (WMP), can establish a framework for coordination and notice between the District and its MS4 cities, and that the WMP revision that has been initiated offers the opportunity to address this. There was discussion about coordination with the City of Forest Lake including staff-level coordination meetings, street sweeping program, and communications with council members. The Board agreed to address this in the WMP update.

Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		

Wayne Moe	X		
Jen Oknich	X		
Stephen Schmaltz	X		
Jon Spence	X		

The Board discussed the benefit of submitting comments on the City of Forest Lake’s MS4 annual report.

Manager Moe moved to authorize the Administrator to submit District comments on the City of Forest Lake’s MS4 annual report, if still timely. Seconded by Manager Anderson. Upon a vote, the motion carried 5-0.

e) Watershed Management Plan Amendment

Mr. Kinney summarized the proposal to hold two initial events to kick off the WMP update process. President Spence agreed that holding two separate events seems preferable to combining them into one single kickoff meeting; one is a more structured meeting while the other is a less formal type of outreach event. There was discussion about setting dates. Manager Anderson noted that the topic will be introduced at the State of the Watershed public meeting on April 30th. She suggested that staff obtain the interactive native plant root display from MN Association of Watershed Districts (MAWD) to have at the Arts in the Park event.

Manager Anderson moved to direct staff to set June 11, 2019 for the kickoff event and notice accordingly. Seconded by Manager Moe. Upon a vote, the motion carried 5-0.

Manager Anderson moved to direct staff to set June 20, 2019 for the initial planning meeting, either as part of or in advance of the District’s regular board meeting set for the same date, and to post legal notice accordingly. Seconded by Manager Moe. Upon a vote, the motion carried 5-0.

f) State of the Watershed Public Meeting

There was discussion about the structure of the meeting agenda, presentations by the managers, and timing for a question and answer session. There was agreement to keep the managers’ presentations to 5 minutes in length. Manager Anderson indicated that presentation scripts will be written for the managers which will describe projects and progress toward goals. There was agreement to schedule the question and answer session at the end of the meeting, wrapping up at 8:00 p.m. Afterward, managers and staff can stay after 8:00 p.m. to answer more questions specific to certain lake management districts. Ms. Lindemyer described the handouts that will be available including custom buttons, pens, native plant seed packets, canvas tote bags, and a variety of informational materials.

There was discussion about Manager Moe being nominated for the Watershed Champion Award and whether a manager should be eligible for the award. Manager

Anderson expressed that the original intent of the awards program was to honor members of the public for stewardship and to encourage others to become more involved. Manager Moe indicated that he is honored to be nominated by the people around Bone Lake, but in considering the purpose of the awards program, he is willing to decline the nomination. Manager Spence noted that the scoring committee discussed this topic during its meeting and unanimously decided to give an award to Manager Moe. There was discussion about honoring Manager Moe's service with a different award at the time when he resigns from his position, which is expected to be in the relatively near future pending a replacement. There was general agreement to present a different type of recognition to Manager Moe at the April 30th meeting, and to explicitly clarify that managers and staff are not eligible for the Watershed Champion Award. It was clarified that contracted staff, such as soil and water conservation district staff or consultants, would be excluded as well.

8. Report of Staff

a) Administrator

Manager Anderson supported exploring Sage Intacct for budgeting and accounting purposes. There was discussion about the agricultural best management practice cost-share program and staff discussions with soil and water conservation district (SWCD) staff. There was agreement among the managers that the SWCDs are contracted by the District to help implement the District's programs. As such, the District decides how to implement its programs and the SWCDs must perform the contracted work accordingly. If the SWCD is not in a position to perform certain support work, the District can obtain it elsewhere. Manager Anderson reported that she attended the Blue Thumb gardening workshop in Wyoming on April 4th and was impressed with the content and how it was run. She recommended that Jack MacKenzie include some of that information (e.g. information about fescues) in his Turf Talks.

There was discussion about springtime high water levels. Manager Anderson noted that there appears to be a lot of runoff coming from the highway into Comfort and Little Comfort Lakes. There are floating bogs on Little Comfort Lake. Administrator Kinney noted that Craig Mattson, landowner of the Moody Lake wetland A/B restorations, recently expressed concern about the high water levels on his property and has questioned whether the project is the cause of the high water. Mr. Kinney directed Emmons & Olivier Resources (EOR) to produce a technical memo on the matter, which will explain the increased capacity in the wetlands as a result of the project and consider the cause of high water.

Manager Anderson commended Permitting Coordinator Erin Edison for organizing the Metro Watershed District Regulatory Group.

b) Emmons & Olivier Resources

Dr. Meghan Funke reported that EOR recently acquired , Montgomery Associates Resources Solutions, a Wisconsin-based engineering firm. Engineer Grasko said that EOR has brought on 17 new employees as a result.

c) Smith Partners

Nothing to report.

9. Report of Treasurer

a) Approval of Bills and Treasurer's Report

Treasurer Schmaltz reported income for the period of \$361.54 and expenses of \$62,184.74.

Manager Moe moved to accept the Treasurer's Report and pay the bills in the amount of \$62,184.74. Seconded by Manager Anderson. Upon vote, the motion carried 5-0.

10. Report of Officers and Managers

Manager Schmaltz asked about completion of the final draft 2018 Progress Report. Mr. Kinney anticipated it will be brought to the May 23rd regular board meeting. Manager Schmaltz reported that the Forest Lake Lake Association plans to meet on Tuesday, April 30th. Mr. Kinney will present at the meeting. Manager Anderson indicated that she plans to attend.

In response to a question from Manager Moe, Ms. Lindemyer explained that the lake association presidents were personally invited to the State of the Watershed public meeting. So far, only the Forest Lake Lake Association has responded, indicating Association members will attend. There was discussion about the construction project at the corner of Highway 97 and Imperial Avenue. It was clarified that there is a grading permit issued for the site. Any development of the site (e.g. adding buildings or roads) would require a Board-approved permit.

Manager Anderson reported that she attended the Metro MAWD meeting last week, where funding for watershed districts was discussed. There was discussion about the watershed-based funding grant program and prioritized, targeted, and measurable (PTM) implementation. Manager Anderson indicated that the process seems to be gradually moving more toward performance-based funding allocations, and she recommended that the District stay involved throughout this process. She provided an update on the legislature regarding increasing manager per diems, recommended two grant programs for staff to look into, and expressed interest in attending the Freshwater Society 2019 Water Summit conference in May.

Manager Moe moved to approve funding for any manager to attend the Freshwater Society conference. Seconded by Manager Spence. Upon a vote, the motion carried 5-0.

Manager Anderson handed out the new draft Administrator annual review form. She explained that the new form moves more toward a management-level review as opposed to a task-oriented level. Managers were encouraged to review and submit comments on the draft format. There was discussion regarding the proposed format and categories provided within.

President Spence noted that Comfort Lake is getting close to ice-out.

11. Summary and Approval of Board Direction

President Spence summarized Manager Schmaltz's requested revisions to the annual report, which will be added to the board direction table.

12. Adjourn

- a) Annual Public Meeting – April 30, 2019**
- b) Next regular board meeting – May 9, 2019**

Manager Anderson moved to adjourn the meeting. Seconded by Manager Schmaltz. Upon vote, the motion carried 5-0, and the meeting was adjourned at 8:59 p.m.

Jen Oknich, Secretary _____