

**PDRAFT MINUTES OF THE REGULAR MEETING OF THE
COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT
Thursday, February 24, 2022**

1. Call to Order

Vice President Loth called the February 24, 2022, regular board meeting to order at 6:30 p.m. via online video conference,

Present: Vice President Christopher Loth, Secretary Dave Bakke, Treasurer Jackie Anderson, Assistant Treasurer Douglas Toavs.

Absent: President Steve Schmaltz.

Others: Mike Kinney, Administrator; Bobbie Law, Office Manager; Garrett Miller, Watershed Assistant; Emily Heinz, Planning Coordinator; Blayne Eineichner, Project Coordinator; Aidan Read, Land Management Specialist (CLFLWD staff); Greg Graske, Cecilio Olivier (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Hanna Valento, Forest Lake City Council.

2. Setting of Meeting Agenda

Manager Anderson moved to approve the agenda as presented. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

3. Consent Agenda

- a) **Regular Board Meeting Minutes – January 12, 2022**
- b) **Regular Board Meeting Minutes – January 27, 2022**

Manager Toavs moved to approve the consent agenda as presented. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

4. Public Open Forum

There were no comments.

5. Citizen Advisory Committee Update

Mr. Read notified the managers that the Citizen Advisory Committee (CAC) did not meet in February.

6. New Business

a) Chisago County Joint Powers Agreement

Mr. Kinney explained that this joint powers agreement has been in place for the past 10 years. He noted that it is in place for the purposes of coordination of the District’s watercraft inspector program.

Manager Anderson moved to approve the joint powers agreement between Chisago County and the Comfort Lake-Forest Lake Watershed District for cost sharing of the boat launch inspection program. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

b) Washington County AIS (Aquatic Invasive Species) Prevention Grant Agreements

Mr. Kinney explained that this is a funding opportunity provided by the state legislature to Minnesota counties for distribution.

Manager Anderson moved to authorize the Administrator to submit the Washington County AIS Aid Grant application and take any further steps necessary to accept and administer the grant. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

c) FY22 Clean Water Fund Grant Agreement Resolution

Mr. Kinney explained that the grant requires that the Board have an approved resolution authorizing execution of the grant to provide to the Board of Water and Soil Resources (BWSR). He explained that upon execution of the grant agreement the District will receive the first half of grant funding for the Moody Lake Capstone Projects and the Washington Judicial Ditch 6 Wetland Restoration. He also explained that staff is recommending two budget transfers for the projects. He noted that the total amount of grants being awarded totals around \$625,000.

Manager Anderson reiterated the importance of including language regarding what phase of a project the District is in to avoid confusing budgeted dollars as being underspent when that is not the case. She explained how budgeted projects span over multiple budget years. Mr. Kinney explained that until the grant is executed by the state the District is not even in phase one. He noted that a structure for phasing will be presented to the Board.

Manager Anderson moved to adopt resolution 22-02-01. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

Manager Toavs moved to amend the 2022 budget for account 5-221-B to \$25,000 and to transfer \$25,000 from account 000-2900 to account 5-221-B. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

Manager Anderson moved to amend the 2022 budget for account 5-228-D to \$55,000 and to transfer \$40,000 from account 000-2900 to account 5-228-D. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			

Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

d) GreenCorps Host Site Application Resolution

Mr. Kinney gave an overview of the Minnesota Pollution Control Agency (MPCA) GreenCorps program. He noted that an individual would work with the District but be funded by the state agency. Mr. Kinney explained that the District does not interview the individuals, the state does.

Mr. Kinney explained what this individual would be doing at the District. He described how District staff would provide supervision and mentorship in the field of watershed management. He explained that staff has created a list of activities that would interest an individual going into a natural resources career or water management. He stated that staff believes it is a worthwhile program to enter into.

Manager Bakke asked what age the individual would be, if the District has done something like this before, and if so, what was the experience like. Mr. Kinney explained that the individual would be at least 18 years of age and would likely be a recent college graduate. He noted that the District has not hosted a GreenCorps member in the past, although District staff have discussed with other agencies that have pursued the program in the past and their experience with the program. Manager Bakke enquired whether or not there would be additional liabilities of having a GreenCorps member on site. Mr. Kinney replied that staff has consulted with the District's insurance agent and the participant would be covered under the District policies.

Mr. Holtman clarified that the GreenCorps member would be an employee of the Minnesota Pollution Control Agency (MPCA) and a volunteer with the District.

Vice President Loth asked how many years this program has been around. Manager Anderson explained that it has been around for about 25 years.

Mr. Kinney explained that he has not pursued to program until now due to staff capacity issues.

Manager Toavs moved to adopt resolution 22-02-02. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

e) Grant Agreement Authority Delegation Resolution

Mr. Kinney explained that presently all applications for grants, even small grants, must have Board approval. Mr. Kinney explained that some parameters allowing smaller grants to be applied for without prior approval have recently been discussed with District counsel. He explained that smaller grants with tighter application periods occasionally would require a special meeting to gain board approval before a grant application deadline. The resolution would delegate authority to the Administrator to apply for and administer such grants. This serves the efficiency interests of the District.

Manager Bakke asked if this motion would be changing the bylaws. Mr. Kinney replied that it would not.

Manager Anderson requested that when grants are applied for, the Board be informed through the weekly manager update and the action be noted in the Administrator’s Report at the following Board meeting. She noted the importance of transparency with the public. Mr. Kinney mentioned the substantial number of small grants applied for by staff.

Manager Anderson moved to adopt resolution 22-02-03. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

f) Bone Lake Northeast Wetland Restoration Budget Transfer

Mr. Kinney made clear that this project was mostly completed with the exception of some restoration to occur in the spring. He noted that the project is in an unusual situation due to having been awarded a grant and on track to be completed within a year of the grant being awarded. He explained that the District is prepared to make a transfer of grant funds to pay the contractor for this project. Overall, ~~H~~he explained that the Clean Water Fund grant is slated to be closed out sooner than anticipated.

Manager Anderson moved to amend the 2022 budget for account 5-222-C to \$160,000 and to transfer \$160,000 from account 000-2900 to account 5-222-C. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	

Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

7. Old Business

a) CAT and DIY Monitoring

Vice President Loth and Mr. Kinney explained that this item is simply a motion to approve the report given to the managers at the February 10th regular Board meeting.

Manager Toavs moved to approve the 2021 Do-It-Yourself (DIY) and Citizen Assisted Tributary (CAT) Water Monitoring Report. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

b) Office Lease Renewal

Mr. Kinney explained that Manager Schmaltz has been leading the management of the office lease. He noted that the District has no immediate properties for consideration elsewhere. Manager Schmaltz recommends that the District exercise the right to a two-year extension of the current lease at 44 Lake Street South. He explained that this may set the timeline for the District to research other office locations. He noted the elevated level of use of the office space to conduct fieldwork. He explained that staff will continue to make the existing space work, though the current configuration leaves one to three staff members without dedicated office space of their own. He believes staff can continue to complete tasks in this office location for the time being.

Manager Anderson explained that she believes there is no other option but to go forward and extend the lease. She noted that the owner of the property has suggested that the District purchase the building when he is prepared to sell it. She believes this may not be the best idea, but she would like to return to the process of defining and conducting a structured search for District office space that had been initiated before the District's assessment of the Willow Point property intervened.

Manager Bakke requested information on the process of the office space search that has occurred in the past. He would like to know how the Board has structured its search, and whether it has looked outside of the City of Forest Lake. He asked if documentation of the history of this effort is available.

Manager Anderson explained that a work group searched for properties and brought the options to the full Board. Manager Anderson gave an overview of the history of the search for office space dating back to 2014. Manager Bakke recommended staff search for properties outside of Forest Lake. Manager Anderson highlighted the visioning process and the importance of bringing in the expertise of a firm such as the engineering firm, ISG. Manager Toavs requested to see the documentation of space needs. Manager Anderson explained that those needs were outlined in a report prepared by Houston Engineering. She noted that staff could compile all relevant documentation.

Manager Anderson noted that many lessons were learned through the due diligence process surrounding Willow Point. She mentioned the good points made during the public comment period.

Mr. Kinney explained that staff could compile relevant documentation for discussion at the March 10th regular board meeting. He noted that it is important the District does not get into a situation similar to the past where a decision to move to a different office space occurred in a rushed situation. He suggested that the District also engage its partners as to whether they have property available or may be interested in partnering in some way with respect to space use.

Manager Anderson noted the importance of discussing the matter in dedicated Board workshops, given that the decision will have long-term impact.

Manager Bakke stressed the importance of considering building on land as an alternative to seeking built office space.

Manager Anderson moved to direct Administrator Kinney and President Schmaltz to proceed with the necessary steps to renew the current lease for the District office space as outlined in the lease agreement. Seconded by Toavs. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

8. Report of Staff

a) Administrator

Mr. Kinney explained that he was on a panel recently and would be sharing cost-benefit analysis information discussed with the Board and District staff.

Manager Bakke referenced an explanation on the Administrator's Report noting that staff has been looking into payroll and HR tracking options. He asked what firms the District staff has been looking into. Mr. Kinney explained that the main platform staff has been researching is MyPay by Thompson Reuters, which is already utilized by staff and the District accountant Redpath.

Managers discussed their experience with payroll and HR platforms and offered contacts for optional platforms and software programs.

b) Emmons & Olivier Resources

Mr. Graska gave an update on permitting and projects, focusing on upcoming residential and commercial permits, active projects, and BWSR work plans for grant awarded projects. He noted inflation affecting current District projects. He noted that the ordering of the tax forfeit property project would come to the Board on March 24. He is recommending that the District proceed with a migher-cost project that will produce a higher level of water quality impact. Manager Anderson concurred in aiming at higher-impact outcomes.

c) Smith Partners

Nothing to report.

9. Report of Treasurer

a) Approval of Bills and Treasurer’s Report

Treasurer Anderson reported income for the period of \$50,900.58 and expenses in the amount of \$680,935.34.

Manager Anderson moved to accept the Treasurer’s Report and pay the bills in the amount of \$680,935.34. Seconded by Manager Toavs.

In response to a question from Manager Bakke, Manager Anderson explained the inflow and outflow of cash and fund balances. She noted that the balance is about one million seven hundred thousand dollars. She explained that this is what she will be discussing with the District accountant. Manager Bakke noted his appreciation for her doing so.

Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			

Jackie Anderson	X			
Doug Toavs	X			

10. Report of Officers and Managers

Manager Anderson: Reported that she had shared some added information regarding grant dollars from the State of Minnesota to protect land with Administrator Kinney for review. She requested a follow-up regarding this at the March 10th regular Board meeting. Manager Anderson also highlighted a report regarding wake boats and their effect on freshwater lakes. She recommended the researchers from the University of Minnesota share their report findings with the Board. She noted she would send the contact information for those research individuals to Administrator Kinney.

Manager Loth added information that he gathered from also hearing the University of Minnesota presentation, noting the differences between a wake boat and other types of watercraft.

Manager Bakke: Reported that he is working with Mr. Kinney regarding a possible spring tour of the Bone Lake Northeast Wetland Restoration project, for managers and the public.

Manager Toavs: Reported he enjoyed observing construction on the Bone Lake Northeast Wetland project.

Manager Loth: Reported that he listened in on a Smart Salting session hosted by the MPCA. He noted the focus on best practices due to the fact there are limited options to remove chloride from waters. He explained that Mr. Kinney discussed Forest Lake's use of liquid brine with him.

Manager Anderson made clear that the Minnesota Association of Watershed Districts (MAWD) is working on legislation regarding chlorides and operating capital. She encouraged managers to read the most recent newsletter from MAWD.

11. Summary and Approval of Board Direction

A summary of the Board direction was presented as listed:

- Staff will include project phasing information into all project memos and documentation.
- Staff will include a summary of grant funding sought and accepted under resolution 22-02-03 on all relevant weekly schedule summaries sent to managers. Staff will also report on such grant activity monthly at a Board meeting.
- Staff will compile historical documentation regarding the District's search for office space.
- Staff will provide an overview of grant availability for conservation lands.
- Staff will check in with the University of Minnesota St. Anthony Falls Laboratory to see if the authors of "A Field Study of Maximum Wave Height, Total Wave Energy,

and Maximum Wave Power Produced by Four Recreational Boats on a Freshwater Lake” would present their findings and report to the Board.

12. Adjourn

a) Next regular board meeting – March 10, 2022

Manager Loth moved to adjourn the meeting. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 4-0, and the meeting was adjourned at 7:52 p.m.

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz			X	
Christopher Loth	X			
Dave Bakke	X			
Jackie Anderson	X			
Doug Toavs	X			

Dave Bakke, Secretary _____