

**MINUTES OF THE REGULAR MEETING
OF THE
COMFORT LAKE–FOREST LAKE
WATERSHED DISTRICT
Thursday, October 28, 2021**

1. Call to Order

Vice President Anderson called the October 28, 2021, regular board meeting to order at 6:32 p.m. via online video conference.

Present: Vice President (President Pro-Tem.) Jackie Anderson, Secretary Pro-Tem. Dave Bakke, Treasurer Steve Schmaltz, Manager Doug Toavs, Manager Chris Loth.

Absent: None.

Others: Mike Kinney, Bobbie Law, Emily Heinz, Garrett Miller, Jessica Lindemyer, Aidan Read, Nick Bancks (CLFLWD staff); Greg Graska, Cecilio Olivier (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Fran Miron (Washington County); Angie Hong (East Metro Water Resource Education Program); Hana Valento (City of Forest Lake).

2. Setting of Meeting Agenda

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

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

3. Consent Agenda

- a) **Regular Board Meeting Minutes – September 9, 2021**
- b) **Special Board Meeting Minutes – September 20, 2021**
- c) **Regular Board Meeting Minutes – September 23, 2021**
- d) **Special Board Meeting Minutes – September 30, 2021**

The Board approved the consent agenda by unanimous consent.

4. Public Open Forum

There were no comments.

5. Citizen Advisory Committee Update

[3:12]

Land Management Specialist Aidan Read, gave an overview of the most recent Citizen Advisory Committee (CAC) meeting. He noted that the CAC focus has been on the District's land acquisition program and District office space. In addition to the meeting notes provided he explained that the goal of the CAC moving forward would be to boost involvement and gain members. Vice President Anderson requested that ads to generate interest in the CAC be shared in the local papers. Mr. Read noted that there was recently a piece written by Angie Hong with the East Metro Water Resource Education Program highlighting a CAC member's involvement with the District. Manager Schmaltz noted that he had seen it in the Forest Lake Times and that it was a well-done article and overview of Curt Sparks' involvement.

Manager Schmaltz asked a question about stormwater and sewage addressed in the East Metro Water Resource Education article featured in the Forest Lake Times regarding the Cranberry Lake Channel.

Manager Loth explained that he would be happy to promote the CAC with Forest Lake Lake Association members. Managers discussed the possible membership of students to provide a new CAC perspective. Mr. Read indicated that this was a great idea, and he will bring the idea back to the CAC.

6. Aquatic Invasive Species Update

[10:25]

Watershed Assistant, Garrett Miller, gave an overview of the aquatic invasive species program. He noted that the season is winding down.

He explained that the aerators on Moody Lake and Shields Lake will be activated on January 1st, 2022. Notice of activation will be provided in the Forest Lake Times and the Chisago County Press by late November.

On October 14th staff conducted a survey to assess the treatment on purple loosestrife on Lake Keewahtin. He noted that the treatment was successful, but he suspects multi-year treatment will be necessary.

Mr. Miller explained that on October 12th and 15th he and Blayne Eineichner collected samples of Eurasian watermilfoil from Comfort Lake and Forest Lake for submission in a hybrid Eurasian watermilfoil study being conducted by Montana State University. He noted that it is a large study and it could take up to a year to see results from this study.

He noted two treatment assessments, one for Eurasian watermilfoil on Comfort Lake, and the other for flowering rush on Forest Lake, both completed by Steve McComas from Blue Water Science. The results should be in by the end of 2021.

Mr. Miller gave a notice that October 24th was the last day for watercraft inspections. He gave a preview of the District's hours and inspection goals, noting that the District did meet these goals. The graph showed that the average rate of inspections performed in 2021 was 2.54 inspections per hour. He explained that putting inspectors at landings that are most commonly used at busier times is a strategy the District uses to reach the goals. Managers discussed the importance and reasoning behind having aerators on Moody Lake and Shields Lake. Mr. Miller explained the significance of dissolved oxygen levels for panfish that ultimately control carp populations.

Manager Schmaltz suggested that inspection efficiency demonstrated a wise use of taxpayer dollars, and congratulated Mr. Miller and the team of watercraft inspectors.

Vice President Anderson asked how the hybrid milfoil study compares with the study previously completed by the University of Minnesota. Mr. Miller explained that they may be connected, but Mr. Eineichner was the lead on this effort. Vice President Anderson noted that she hopes that the study is advancement and not a repeat of those previous efforts.

7. Old Business

a) Forest Lake Downtown Joint Study and Regional Treatment

[21:01]

Tim Olson from Bolton & Menk gave a presentation on the Forest Lake downtown district joint study. He thanked the District for its partnership and patience. He gave an overview of the City of Forest Lake's recent development and redevelopment to the current day.

He gave an overview of stormwater discharge areas noting that the City of Forest Lake was split into three regions for study purposes. He explained that areas have been categorized by priority level.

He explained that Bolton & Menk analyzed the possibility for redevelopment and the feasibility of regulatory stormwater management. He explained that the study assumes that the downtown area will be redeveloped to 100% impervious surface and other areas will redevelop to 85% impervious.

Mr. Olson gave an overview of the challenges and opportunities in each region. The regions include downtown Forest Lake, north downtown & Highway 61, and Broadway Ave/Bixby Park. Mr. Olson showed a cost summary of each region's possible stormwater treatment improvement projects and funding strategies. The funding strategies include collecting impact fees as development occurs, investing in construction of best management practices (BMPs) prior to redevelopment, and investing/cost-share to construct a portion of the highest priority projects.

Mr. Graske further described the collaboration opportunities for regional stormwater treatment. He believes that the biggest question lingering is how fast the ideas can be

implemented. He explained that he hopes for these projects to be in the implementation phase in the next two years, depending on funding. He offered some questions to spark discussion between the managers and staff:

- Does the Board feel that the approach/opportunities are appropriate?
- Timing of implementation (before or after redevelopment starts to happen)
- Potential for seed money from CLFLWD to get projects in sooner rather than later (i.e., start realizing water quality benefit before redevelopment happens)
- Potential cost share from CLFLWD for sizing of features above what is needed for redevelopment
- CLFLWD support related to working with MnDOT to acquire permissions for treatment in Highway 8/Highway 61 right-of-way

Manager Anderson asked about hydrodynamic separators. Mr. Graske noted that they are implemented to capture sediments, but not phosphorus or sediment fines. Mr. Olson explained that they are great for the removal of heavy grit and trash in urban downtown areas. Vice President Anderson noted she is aware of the past use of these.

Manager Toavs asked if the cost of these projects is affected by completing them in stages. He noted that certain projects can handle more stormwater than others. Manager Schmaltz asked what the typical funding strategy is for cities. Mr. Olson explained that historically the strategy is to wait for redevelopment to occur and build best management practices (BMPs) piecemeal as funds are collected, which can be administratively challenging. Mr. Olson explained that having stormwater management in place is a redevelopment incentive, and also is more cost-effective, and so City staff is extremely motivated toward such an approach. Managers discussed the MS4 (Municipal Separate Storm Sewer System) program, and the utilization of the funds related to that program. Mr. Olson explained the unique opportunities for cost-share. He noted that downtown best management practices (BMPs) would be a catalyst to get the ball rolling and the rest of the projects will fall into place. He explained that the downtown area is the least risky place to start, as redevelopment activity is expected most soon there.

Vice President Anderson explained that partnership is a main goal for the managers. She noted that one concern she has is the need still to address pollutant loads from existing development while new redevelopment is occurring. She noted the importance of completing the City's infrastructure mapping. She asked if the outlets into Forest Lake are mapped. Mr. Olson explained that staff has met to discuss and collaborate on this effort of mapping. He noted that the data are less in the more rural areas around Forest Lake. Vice President Anderson noted the importance of having all the data to do a good job on behalf of the District. Mr. Olson agreed on the critical need and value of that information. Mr. Graske spoke to conversations occurring to try to move this forward.

Vice President Anderson explained that the District has available tax forfeit property in the northern downtown area that allows for treatment. She noted her concerns including a calculation on page one regarding sediments mobilized from Minnesota Department of Transportation (MnDOT) rights of way and asked what the best management

practices (BMPs) proposed in this area would be. Mr. Olson explained that the BMPs proposed in this location are traditional wet sedimentation basins with skimmer structures. Manager Anderson emphasized that areas further north along North Shore Trail also are important for the contribution of flows to the Sunrise River. The managers discussed storage capacity. Vice President Anderson reiterated her goals of addressing legacy loading from previous development. Mr. Olson noted that ordinance revisions for MS4 will begin soon to address these issues with these regulatory measures.

Vice President Anderson noted her gratitude for the progress regarding this project. She noted that the goal is to ensure these projects are implemented on a viable timeline. Managers thanked Mr. Olson for his presentation.

b) East Metro Water Resource Education Program Agreement

[1:08:41]

Angie Hong introduced herself as the coordinator of the East Metro Water Resource Education Program (EMWREP). Fran Miron, Washington County Board of Commissioners, introduced himself as the Commissioner for the northern part of Washington County. Vice President Anderson noted Ms. Hong and Commissioner Miron's involvement in the Lower St. Croix One Watershed One Plan efforts.

Vice President Anderson explained that this item will be an action item in November of 2021. She noted that this item will serve as a discussion for managers to ask partners questions and voice any concerns. The agreement as proposed is for three years at about \$20 thousand per year. Mr. Kinney explained that the Board discussed the contract in general when discussing the 2022 annual budget. He noted that it was the Board's idea to discuss the formula of how the District education budget is broken down.

Manager Bakke requested to hear from staff the benefits of the program and in what way it supports the work they are doing. Mr. Kinney explained that EMWREP was one of the first programs like it in the state. He noted that many local government units benefit from being part of the EMWREP program as the education promoted by the program meets the municipal separate storm sewer system (MS4) educational requirements. He explained that it is a key program for water resources education that is now being expanded to communities within the Lower St. Croix planning entity. He noted that each time a request is made by the Board regarding education the request has been met. The main question the District has is the breakdown of the education budget formula. Vice President Anderson pointed to the funding structure in the agreement and noted her concern regarding the amount contributed from watersheds versus counties. She noted the District pays a sizable amount more than both counties. She explained that the watershed districts' funding amount is set by taxable market value rather than population. She requested Ms. Hong explain why this is. Ms. Hong explained that this has been the funding structure since the program's creation. Ms. Hong explained that the annual steering committee meetings would be the best time to introduce the idea of a new funding structure as it would allow other partners to weigh in on the matter. Ms.

Hong also noted that this was the first year that they have invited partners outside of Washington County to join the EMWREP program.

Commissioner Miron thanked Vice President Anderson and Manager Schmaltz for their involvement in the Lower St. Croix One Watershed One Plan. He suggested that the District bring its ideas regarding the funding structure to future steering committee meetings. He pointed out that the memo stated that residents are paying for this service through multiple avenues at the watershed district level, the city level, the county level, and now also under One Watershed-One Plan. He stressed that these are all distinct outreach efforts. Mr. Miron encouraged the District to work with Ms. Hong in implementing the desired targeted outreach efforts.

Vice President Anderson noted that she would make an effort to attend the steering committee meetings in the future. She stressed that she believes Ms. Hong does a great job; the discussion is not about the quality produced by the program, but about branding of materials and equity of dues.

c) Land Acquisition Update

[1:30:59]

Mr. Kinney explained that the owner of a parcel of property near Forest Lake is proposing to offer the parcel to the District as a full donation. He explained that Emmons & Olivier Resources (EOR) has completed an initial review report for the property. He explained that the landowner, Jackie McNamara, stated that she is proposing a full donation, but asked if the Board would be willing to establish some signage or dedication to her late husband who was involved in the water resource management community. Managers discussed the adjacent properties owned by the City of Forest Lake. Administrator Kinney noted the possibility of best management practices being installed on this property. Mr. Kinney noted that the adjacent City properties are the site of the mechanical vegetation harvesting project that the District considered. There is not a large proportion of flow volume from this area into Forest Lake, but the concentration is comparatively high. Manager Bakke explained that a full donation makes it highly desirable for acquisition. He asked if land is noted as an asset in the District audit. Mr. Kinney explained that the auditors take note of the acquisition but don't quantify the value because it is fairly nominal.

Manager Loth moved to authorize the Administrator to prepare, enter into, and perform a purchase agreement by which the District will accept a donation of the fee interest in the Hayward Ave wetland property, subject to environmental, title and other due diligence terms as the Administrator, on advice of counsel, deems appropriate, and with specific authority for the Administrator to agree to the District's installation of signage recognizing the property donation. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent	Abstain
Jackie Anderson	X			

Stephen Schmaltz	X			
Dave Bakke	X			
Doug Toavs	X			
Chris Loth	X			

d) Clean Water Partnership Loan Update

[1:45:07]

Ms. Heinz gave an update on the Clean Water Partnership “Loan B”. She noted that she would like to address the question of whether these funds can be used to acquire land for an office space. She explained that MN Pollution Control Agency staff indicated that loan funds could not be used for the purpose of buying land for an office space or constructing an office space. However, loan funds can be used for projects/activities benefitting water resources, which the District may eventually implement on the office property. Ms. Heinz explained that at the October 14th regular board meeting the Board gave staff direction to apply for “Loan B”, and that she officially received confirmation on October 27th that the loan has been awarded.

8. Report of Staff

a) Administrator

[1:47:20]

Mr. Kinney gave an update on the District’s recent presentations regarding street sweeping, engagement with the Lower St. Croix One Watershed One Plan Partnership, and Lower St. Croix contracts. Vice President Anderson emphasized the District’s very impressive results and acknowledgments regarding street sweeping. Mr. Kinney noted his excitement in working with MPCA to work with entities and fund similar efforts. Mr. Olivier pointed out that this was applied research via an Emmons & Olivier Resources (EOR) staff member, Paula Kalinoski. Vice President Anderson applauded the innovation.

b) Emmons & Olivier Resources

[1:57:26]

Mr. Graske gave an update of EOR’s recent involvement with District business including the permitting program, monitoring data processing, the City of Forest Lake mapping for H&H modeling, grant resource research, and large construction projects on the tax forfeit parcel, the County Road 5 iron enhanced sand filter (IESF), and Little Comfort Lake projects. He noted that EOR and staff have been very busy with the District’s land acquisition program.

Vice President Anderson requested that at the next board meeting the managers receive an update on the Sunrise River project. Mr. Olivier explained that EOR staff are preparing to present a technical overview and history of projects at each regular board

meeting. He noted that the first on the list to be presented in November of 2021 will be the Bixby Park project.

c) Smith Partners

Nothing to report.

9. Report of Treasurer

a) Approval of Bills and Treasurer’s Report

[2:04:21]

Treasurer Schmaltz reported income for the period of \$76,664.59 and expenses in the amount of \$185,325.29.

Manager Anderson moved to accept the Treasurer’s Report and pay the bills in the amount of \$185,325.29. Seconded by Manager Loth. Upon vote, the motion carried 5-0.

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

10. Report of Officers and Managers

[2:05:30]

Manager Schmaltz: Manager Schmaltz explained that the subcommittees for the Lower St. Croix One Watershed One Plan have recently started working on incorporating elements of the District project targeting process. He noted that one setback is that they want to prioritize projects on a first come, first served basis.

Manager Bakke: Manager Bakke highlighted a project near Bone Lake that is being continued with efforts to build trails and a walkway in partnership with Scandia. He noted that he and Nick Bancks met with the City of Scandia parks and trails staff to discuss incorporating this property and walkway into the District’s greenway corridor project. Mr. Bakke mentioned that previous manager Jen Oknich proposed that the streams flowing into Bone Lake be named after an indigenous person or a female role model. The proposition was met with positive feedback. He noted that he proposed a stream be named after a late Bone Lake resident and watershed steward, Beryl Haldorson.

Manager Toavs: Nothing to report.

Manager Loth: Nothing to report.

Manager Anderson: Manager Anderson explained that managers are hoping to get some redirection for the 1W1P projects and emergency policies for the committee. She also noted that each of the partners has two representatives to appoint to the steering committee and she would like that to include a board manager. Vice President Anderson explained that the letter of intent for the Cranberry Lake Channel would be signed and sent to the realtor on October 29th.

11. Summary and Approval of Board Direction

[2:12:50]

The board directives were summarized.

- Staff will advertise the Citizen Advisory Committee in partnership with Manager Loth and the Forest Lake Lake Association.

12. Adjourn

a) Next regular board meeting – November 18, 2021

Manager Schmaltz moved to adjourn the meeting. Seconded by Manager Toavs. Upon a roll-call vote, the motion carried 5-0, and the meeting was adjourned at 8:46 p.m.

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

Dave Bakke, Secretary Pro-Tem. _____