

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

Thursday, March 28, 2013

1. Call to Order

The President called the March 28, 2013 regular Board meeting to order at 6:30 p.m. at the Forest Lake City Offices, 220 North Lake Street, Forest Lake, Minnesota

Present: President Richard Damchik, Vice President Jackie Anderson, Secretary Wayne Moe, Treasurer Tom Lynch, and Manager Jon Spence

Absent: None

Others: Doug Thomas (CLFLWD), Lisa Tilman (EOR), Chuck Holtman (Smith Partners), Mark Lobermier (Wyoming), Andy Schilling (WCD), and Denise Martin (Chisago Co Press).

2. Setting of Agenda

The President called for the reading and approval of the March 28, 2013 Regular Board meeting agenda. President asked if there were any changes or additions. Motion to approve the agenda was made by Manager Moe and seconded by Manager Lynch. Discussion. Upon vote, the motion passed.

3. Reading and Approval of Minutes

The President called for the reading and approval of the minutes of the February 28, 2012 Regular Board Meeting. Motion to approve the February 28, 2012 Regular Board meeting minutes was made by Manager Moe and seconded by Manager Spence. Discussion. Upon vote the motion passed.

4. Public Open Forum

Manager Damchik opened the floor to anyone in attendance wishing to comment on items that are not already scheduled to be discussed as part of the meeting agenda.

5. Public Hearing – CLFLWD/Target/City of Forest Lake Stormwater Retrofit Project

Manager Damchik called the public hearing to order at 6:35 pm. He then asked Administrator Thomas to give a brief overview of the project. Administrator Thomas went through a presentation covering the history of the overall Sunrise River petition project, how this project fits into the larger project, preliminary designs for the retrofit, and a summary of costs and financing. Manager Damchik asked if there was anyone in the audience that wished to speak either for or against the project. Hearing none he closed the hearing at 6:45 pm.

6. New Business

a) 2012 BMP Program & Inspection Presentation – WCD

Administrator Thomas noted that Andy Schilling had not yet arrived and asked the President to table this agenda item until later in the meeting.

b) 2013 Lake Projects – Authorization for Blue Water Science

Administrator Thomas noted his memo in the Board packet. He then described the lake related tasks that are in the District's 2013 work plan and budget which included 1) Bone Lake & Forest Lake CLP delineation and assessments, 2) Bone Lake & Forest Lake point intercept plant surveys, 3) aquatic plant management plans for Bone Lake & Forest Lake and 4) shoreland inventories for Bone Lake & Forest Lake. He noted that Blue Water Science had provided a quote for services in the amount of \$14,770 which was \$4,347 less than the 2013 budgeted amount. Staff recommended the Board's approval to contract with Blue Water Science to conduct the services as quoted for a cost not to exceed \$14,770.

Manager Anderson moved to authorize the Administrator to develop and execute a contract with Blue Water Science for an amount not to exceed \$14,770 without prior approval, from the District's Lake & Stream fund to conduct CLP assessments, point intercept surveys, lake vegetation management plans and shoreline inventories for Bone Lake and Forest Lake in 2013. Motion was seconded by Manager Moe. Discussion. Upon vote the motion passed.

c) Target/City of FL Retrofit Project Order

Administrator Thomas noted his memo in the Board packet. He noted that the purpose of this agenda item was to formally order the Target/12th Street Stormwater Retrofit Project pursuant to MS 103B.251 which pertains to implementation of capital projects. He referred back to the presentation that was given during the public hearing earlier in the meeting which described the history of the petition project, how the Target/12th Street Stormwater Retrofit Project fits in, the general design, cost, and proposed method of financing. He concluded by noting that since there was no objection to the project raised at the public hearing staff was recommending the Board, by resolution, order the Target/12th Street Stormwater Management Facility Retrofit Project and authorize staff and engineer to acquire necessary local permits and/or approvals from the City of Forest Lake.

Manager Anderson asked about the timeline for construction. Administrator Thomas commented that it is possible that construction could occur this fall, however it is more likely that the plan will be to construct it in 2014 to have a better bid environment over the winter. He also noted that the BWSR grant deadline is December 31, 2014 so we do have the benefit of another construction season.

Manager Moe offered resolution 13-03-01 and moved for its adoption along with authorizing staff and engineer to acquire necessary local permits and/or approvals from the City of Forest Lake. Motion was seconded by Manager Anderson. Discussion.

President called for a roll call vote on resolution 13-03-01. Anderson yes, Damchik yes, Lynch yes, Moe yes, Spence yes. There being 5 yes's and 0 no's the President declared the resolution adopted.

d) Administrator Hiring Process

Administrator Thomas gave a brief update on the steps that have been taken to date to announce the position opening and that the deadline for submittal of applications was March 29th. Manager Anderson asked about how the transition would be handled between Thomas' last date and the start of the new hire. Administrator Thomas commented that he is planning on assisting with things during that time as well as working with the new administrator after he/she starts and that John Jaschke, BWSR Executive Director has assured him that he will have the flexibility to do so. Manager Spence and Anderson then led the

Board through a discussion regarding the process and deadline for screening the applications by Board members, how the screening will be used to select those that will be interviewed, and set up dates and times to conduct interviews which will be done by the full board.

a) 2012 BMP Program & Inspection Presentation – WCD

President Damchik noted that Andy Schilling was in attendance and took agenda item 6 a) off the table and asked Andy to give his update on the 2012 BMP Inspection and Maintenance Report. Andy went through a presentation that described the WCD's role in the District's BMP program, which includes follow up maintenance inspections. He then described the protocol that is used to evaluate projects and went through the spreadsheet found in the report that covered all of the BMP's constructed to date in the District. He then went through in detail four of the projects and showed the transformation from year one to year three highlighting the significant change in the vegetation that takes place over time.

Manager Anderson commented on how well the Oehler project looked and that she was pleased to see that as her recollection of the project during its first year was that it looked pretty stark. Manager Lynch noted the goose control comment and asked at what point does a buffer provides the control as suggested. Andy commented that it is primarily a factor of height and width of the vegetation and that he could not say precisely what the height needed to be. Manager Spence commented that in addition to not being able to see over the buffer it may also be that they might perceive that a predator could be hiding in the buffer and avoid it as well. Manager Anderson commented that on the spreadsheet if the numbering system is something internal to the WCD that it should be left off or replaced with a numbering system that had some meaning to someone from the District. She also commented that the spreadsheet would be more useful if it could provide projects in different categories so citizens can select from projects that give choices from finished garden look with high maintenance to natural with little maintenance required. Manager Moe asked if the WCD had gotten any negative comments back from neighbors or others as they can have a great impact on selling BMP's. Andy commented that he has not heard anything directly himself. Manager Moe commented on the Floreke/Johnson project on Bone Lake and some of the problems that the homeowners had with it and then the perception it gave to some of the others on the lake.

e) 2012 Audit

Administrator Thomas noted his memo and the 2012 Audit Report that was included in the Board packet. He explained that the two opinion letters done as part of the audit did not express any deficiencies, material weaknesses, or legal compliance issues and as such is considered a clean audit and therefore no management response is required. Staff recommended that the Board accept the 2012 audit and authorize its filing with the State of Minnesota.

Manager Lynch moved to accept and authorize the filing of the Comfort Lake Forest Lake Watershed District 2012 Financial Report and Audit. Motion was seconded by Manager Moe. Discussion. Upon vote the motion passed.

7. Old Business

a) Penshorn Ag-BMP Project – Approval Amendment

Administrator noted his memo in the Board packet and provided an update on the project. He noted that the plans and specifications have been revised to include the additional iron/sand media and rock pretreatment berm that was recommended by the District Engineer at a previous meeting. The revised plans were provided to and discussed with Julie Penshorn who has agreed to the revised plan, the operation and maintenance agreement provision to share in the cost of replacing the iron filter if its planned capacity

is used up before the end of the 25 year life of the practice, and a manure management plan. Ms Penshorn has received a new quote from D. George Construction and the added iron/sand filter and pretreatment will increase the overall cost of the project to the District by \$4,735. EOR has also provided the District with a monitoring protocol for the project. Staff recommended amending the original approval of the Penshorn project by increasing the total eligible project cost from \$13,164 to \$17,511.

Motion was made by Manager Anderson to amend the original Penshorn Conservation Practice Assistance approval to increase the total eligible project cost from \$13,164 to \$17,511. Second by Manager Moe. Discussion. Upon vote the motion passed.

b) DuCharme Land Purchase – Closed Session

The President declared that the Board is convened in closed session to discuss an offer for the purchase of real property located at 24011 Forest Boulevard, Forest Lake. After discussion the President declared the meeting reconvened in open session.

8. Report of Staff

Administrator Thomas noted his written report in the Board packet. He also commented on attendance at the March 9th AIS workshop of 100, the draft 2012 State of the Lakes report that was handed out prior to the meeting, and the FLLA April 23rd meeting announcement..

Emmons and Olivier Resources (EOR) –Nothing new to report.

Smith Partners – Nothing new to report.

9. Report of Treasurer

Approval of Bills

Treasurer Lynch presented the Treasurer’s Report (A copy of which is annexed and incorporated by reference) and bills and payroll totaling \$40,418.72

Motion was made by Manager Anderson to approve the March 28, 2013 Treasurer’s Report and pay the bills and payroll as presented. Manager Moe seconded the motion. Discussion. Upon vote, the motion passed.

10. Reports of Officers and Managers

Manager Damchik – Nothing new to report

Manager Lynch – Nothing new to report

Manager Spence – Nothing new to report

Manager Anderson – Nothing new to report

Manager Moe – Handed out an article from the St. Paul Pioneer Press on the economics of water.

11. Adjournment

Motion to adjourn the CLFLWD regular Board meeting at 8:30 pm was made by Manager Spence and seconded by Manager Lynch. Upon vote, the motion passed.

Wayne S. Moe, Secretary _____