

**MINUTES OF REGULAR MEETING
OF THE
COMFORT LAKE - FOREST LAKE
WATERSHED DISTRICT
Thursday, October 24th, 2013**

1. Call to Order

The President called the October 24th, 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, Treasurer Jon Spence, and Manager Stephen Schmaltz

Absent: Vice President Jackie Anderson (with prior notice), Secretary Wayne Moe (with prior notice)

Others: Amy Carolan (CLFLWD), Greg Graske (EOR), Chuck Holtman (Smith Partners), Mark Lobermier (City of Wyoming), Richard Oase (232 2nd Ave. NW, Forest Lake)

2. Setting of Agenda

The President called for the reading and approval of the October 24th, 2013 Regular Board meeting agenda. The President asked if there were any changes or additions. Motion to approve the agenda as presented was made by Manager Spence and seconded by Manager Schmaltz. 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 September 26th, 2013 Regular Board Meeting. Motion to approve the September 26th, 2013 Regular Board meeting minutes, as presented, was made by Manager Spence and seconded by Manager Schmaltz. 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. New Business

a. Permit #13-006 – Cherrywood Pointe Development

Administrator Carolan indicated that the District had received an application for permit number 13-006 for the construction of a new senior residence building and parking lot in Forest Lake. Administrator Carolan then asked Engineer Graske to review his permit review document which was included in the board packet. Engineer Graske explained that the project site was located east of 3rd Street and north of Broadway Avenue in Forest Lake at the old Stock Lumber site. Engineer Graske further explained that the project would include the construction of a 93 unit senior residence building on a 3.25 acre site, resulting in 1.78 acres impervious cover that is 100% impervious under current conditions. Graske further explained that the site is within 1,000 feet of Forest Lake and would disturb more than 1-acre which triggered the need for a stormwater

management permit as well as an erosion and sediment control permit from the District. Grasko explained that stormwater management requirements would be met onsite through the installation of four raingardens as well as a below ground pipe gallery/storage system. Mr. Grasko noted that significant water quality improvements would be achieved onsite. Mr. Grasko recommended approval with conditions. Mr. Damchik asked if there would be underground parking and if the water table would be an issue. Mr. Grasko explained that there were some perched groundwater areas on site, but that it was not throughout the site, according to the soil borings submitted. Mr. Schmaltz asked where the site drained to. Administrator Carolan noted that much of the site drained through the stormsewer on Broadway Avenue towards Forest Lake. Manager Spence moved approval of permit #13-006 with the four conditions outlined in the engineers permit review report. Seconded by Manager Schmaltz. Discussion. Upon vote the motion carried.

b. Blackburn Residential Cost-Share Payment Authorization

Administrator Carolan noted the memorandum in the board packet regarding the Barb Blackburn cost-share project. Administrator Carolan indicated that the Blackburn project, which included the installation of a native buffer on a channel off of Jason Avenue that drains to Forest Lake, Lake 3, was complete. Carolan indicated that the board had previously approved payment of up to \$1,006.50, not to exceed 50% of total project costs. Carolan further explained that the project was complete and a final walk through was completed on September 23rd by the Washington Conservation District. Carolan noted that cost-share eligible items from the submitted invoices totaled \$1,745.96. Based on a cost share rate of 50% not to exceed \$1,006.50 staff recommended that the board approve reimbursement to Barb Blackburn in the amount of \$872.98. Manager Schmaltz asked about total pollutant reductions achieved through project installation and noted that it would be helpful to include that information on the project fact sheet. Manager Schmaltz asked about tracking of pollutant loading watershed wide. Administrator Carolan explained that the District was developing an on-line system to track all pollutant load reduction projects in the District and explained that the information would be summarized to the board in the annual report associated with the BMP cost-share program. She also noted that the on-line system would eventually be made more publically accessible. Manager Spence moved approval of cost-share reimbursement to Ms. Blackburn in the amount of \$872.98. Seconded by Manager Schmaltz. Discussion. Upon vote the motion carried.

c. Oehler Residential Cost-Share Payment Authorization

Administrator Carolan noted the memo in the board packet. Administrator Carolan indicated that the Oehler project, which included the installation of a native buffer planting on Forest Lake, Lake 1 was complete. Carolan further explained that the board had previously approved payment of up to \$1,888.00 not to exceed 50% of total project costs. Carolan stated that a final walk through of the project was completed on October 10th by the Washington Conservation District and at that time the project was found to be complete. Cost-share eligible items for the project totaled \$3,776.00. Based on a cost share rate of 50% not to exceed \$1,888.00 staff recommended that the board approve a reimbursement payment to Mr. Oehler in the amount of \$1,888.00. Manager Spence moved approval of cost-share reimbursement to Mr. Oehler in the amount of \$1,888.00. Seconded by Manager Schmaltz. Discussion. Upon vote the motion carried.

d. Penshorn Additional Cost-Share Payment Request

Administrator Carolan noted her memo in the board packet. Carolan indicated that at the September board meeting, the board had authorized a reimbursement payment to Ms. Penshorn in

the amount of \$17,511, the amount previously approved by the board for the project. Following issuance of the reimbursement payment, Ms. Penshorn submitted a written request to the District asking the Board to consider providing an additional payment in the amount of \$810.00. The additional \$810.00 included the installation of additional drain tile, silt fence and cover crop seed. Installation of the additional material was recommended by the Chisago SWCD who was providing technical oversight for the project, however additional reimbursement was not agreed to prior to the installation. Manager Spence asked why additional drain tile was added to the project. Carolan explained that it was a second row of drain tile placed below the iron-sand filter and would be used if the other portion of drain tile failed. There was a fair representation to the contractor by the Chisago SWCD as CLFLWD representative that the additions should be made, and they improved the project. Manager Schmaltz moved approval of the additional cost share payment in the amount of \$810.00. Seconded by Manager Spence. Discussion. Upon vote the motion passed.

e. Dead End Streets Maintenance

Administrator Carolan noted the memorandum in the board packet. Carolan provided the board with a brief history of the work associated with three stormwater treatment projects located on streets that dead-end into Forest Lake. Carolan indicated that all three areas were in need of maintenance, especially the project site located at 2nd Ave. SW. Carolan indicated that she was currently working with the City to install a new concrete pre-treatment feature and that she had scheduled a Minnesota Conservation Corps crew for early November to complete follow-up maintenance work. The crew would be available at no cost to the District. Carolan further explained that staff was requesting funds from the District for the purchase of materials including mulch, compost, split rail fencing, rock and plants to be used at the dead-end streets sites. Carolan indicated that the Washington Conservation District had generated a cost-estimate for materials needed for the project improvements and that the total was \$3,000.00. Carolan noted that the District did have a line item in the 2013 budget for the purchase of materials needed to maintain the dead-end streets sites. Manager Damchik asked if the City was also participating in the cost of maintaining the sites. Administrator Carolan responded that they were spending \$2,500 on the installation of the concrete pre-treatment feature and assisting with hauling and donating some materials. Manager Spence moved to authorize the administrator to purchase the materials needed for the dead-end streets maintenance work not to exceed \$3,000.00. Seconded by Manager Schmaltz. Discussion. Upon vote the motion passed.

f. MAWD Annual Meeting Attendance

Administrator Carolan noted the materials in the board packet. She explained that the annual MAWD meeting would be held on December 5th through the 7th, 2013 in Alexandria, MN. She further noted that registration would be due on November 20th, which was prior to the November board meeting. She asked that the board discuss who would like to attend the meeting so she could complete registration prior to the deadline. Manager Schmaltz and Manager Spence indicated that they would attend the 2013 MAWD annual meeting and trade show.

9. Old Business

a) Forest Lake Dam Screen/Trash Rack Replacement

Administrator Carolan noted her memorandum in the board packet. She indicated that the District Engineer had prepared preliminary plans for the removal and replacement of the existing trash rack on the District owned dam located at the Forest Lake Outlet. Carolan explained that former Administrator Thomas had been working with Scandia Trucking & Excavating, LLC to develop a cost estimate and plan for constructing the new trash rack as designed by EOR.

Scandia Trucking & Excavating planned to fabricate the rack off site and install it following removal of the failing trash rack. The new trash rack would be built in 5, 5' x 5' sections and made of aluminum and galvanized steel as recommended by the District Engineer. At this evenings meeting staff was requesting the board's approval to authorize contracting with Scandia Trucking & Excavating to construct and install the new trash racks in an amount not to exceed \$5,500.00. Manager Spence moved to authorize the District Administrator to develop and execute a contract with Scandia Trucking & Excavating for an amount not to exceed \$5,500.00 from the District's Miscellaneous Projects Fund for the construction and installation of the Forest Lake Dam Trash racks. Seconded by Manager Schmaltz. Discussion. Upon vote the motion carried.

b. Hilo Lane Stormwater Retrofit Project

i) EOR Pre-Design Services Report

Engineer Graske provided an update on the pre-design services EOR had completed for the Hilo Lane Stormwater Retrofit Project. Mr. Graske explained that the tasks completed to date included sediment sampling & analysis, geotechnical investigation of the underlying soils, and field surveying of the existing pond and surrounding land conditions. Mr. Graske explained that survey work completed to date included location of major infrastructure, landscaping, buried utilities, the existing retention pond, and ground elevations. Using the collected information, an existing conditions map was prepared. Mr. Graske further explained that the updated cost estimate for the project was \$136,981. This cost includes the addition of some funds for assisting with developing exhibits associated with necessary temporary and permanent easements. Engineer Graske noted that the analysis of the sediment samples indicated that sediments were not contaminated which would help keep project costs down. Engineer Graske noted that the next steps would be to proceed with design and construction.

ii) Project Order by Resolution #13-10-01

Administrator Carolan noted the memorandum in the board packet. She reminded the board that at the public hearing for the project, no substantial opposition was heard from members of the public. With that, staff recommended that the board consider ordering the project in accordance with State Statute, via resolution #13-10-01. Motion by Manager Spence to offer resolution 13-10-01 and its adoption. Motion was seconded by Manager Schmaltz. Discussion. The President called for a roll call vote on Resolution 13-10-01. Anderson (absent), Damchik (yes), Moe (absent), Schmaltz (yes), Spence (yes), On a vote of 3 yes's and 0 no's the Chair declared the resolution adopted.

iii. EOR Work Order Authorization by Resolution #13-10-02

Motion by Manager Spence to offer resolution 13-10-02 and its adoption. Motion was seconded by Manager Schmaltz. Discussion. The President called for a roll call vote on Resolution 13-10-02. Anderson (absent), Damchik (yes), Moe (absent), Schmaltz (yes), Spence (yes), On a vote of 3 yes's and 0 no's the Chair declared the resolution adopted.

8. Report of Staff

Administrator Carolan – Administrator Carolan noted the written report in the board packet. She noted that she had received a reimbursement request from Mr. Ducharme’s attorney in the amount of \$2,500 for appraisal work completed by Mr. Ducharme. Information on the request was included in the treasurer’s report.

Emmons and Olivier Resources (EOR) – nothing further to report

Smith Partners – nothing further to report

8. Report of Treasurer

Approval of Bills

Treasurer Spence presented the Treasurer’s Report (A copy of which is annexed and incorporated by reference) and bills and payroll totaling \$78,009.53.

Motion was made by Manager Spence to approve the October 24th, 2013 Treasurer’s Report and pay the bills and payroll as presented. Manager Damchik seconded the motion. Discussion. Upon vote, the motion passed.

9. Reports of Officers and Managers

Manager Damchik – Nothing new to report

Manager Schmaltz – Nothing new to report

Manager Spence – Nothing new to report

Manager Anderson – Absent

Manager Moe – Absent

10. Public Open Forum (continued)

Mr. Richard Oase 232 2nd Ave NW, Forest Lake addressed the board with the following comments. Mr. Oase explained that he was concerned about runoff generated from the future Cherrywood Pointe project site and how it may affect his property. Mr. Oase wanted to make sure that the District was reviewing the development plans to ensure there was adequate downstream capacity to handle the runoff from Cherrywood Pointe. Mr. Oase’s property is located at a low point downgradient of Cherrywood Pointe and during a heavy rain receives runoff from the site under its current condition. Administrator Carolan indicated that the project meets district rules and that drainage issues associated with the site would be improved not made worse by the development. The board was in agreement not to reconsider the permit approval action but asked Engineer Graske to further investigate the specific area Mr. Oase is concerned about and report back to the board.

11. Adjournment

Motion to adjourn the CLFLWD regular Board meeting at 7:22 pm was made by Manager Spence and seconded by Manager Schmaltz. Upon vote, the motion passed.

Wayne S. Moe, Secretary _____