

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

Thursday, October 27, 2011

1. Call to Order

The President called the October 27, 2011 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, Secretary Wayne Moe, and Manager Jon Spence

Absent: Manager Anderson, Manager Lynch

Staff: Doug Thomas (CLFLWD) and Lisa Tilman (EOR)

Other: None

2. Setting of Agenda

The President called for the reading and approval of the October 27, 2011 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 Spence. 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 22, 2011 regular Board Meeting. Administrator Thomas noted three corrections to the minutes that were provided to him by Attorney Holtman which were 1) second paragraph on page 4 add “to amend” after “Manager Moe seconded the motion” and add a sentence reading “The motion to amend was approved by unanimous consent, 2) page 6 paragraph 3 change “conscientious” to “conscious”, and 3) page 6 paragraph 45 change “perspective” to “prospective” . Motion to approve the September 22, 2011 regular Board meeting minutes as amended was made by Manager Spence and seconded by Manager Moe. Discussion. Upon vote the motion passed unanimously.

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. Hearing none the President closed the public open forum.

5. New Business

a) BMP Cost-Share Applications

Rowe – BMP C-S Project Approval

Administrator Thomas noted his staff memo in the Board packet. The project that cost-share is being requested for is a shoreline erosion control and water quality buffer project at 25910 East Comfort Lake Drive , on Comfort Lake. The project was visited by staff in the summer of 2011 at which time it was determined to be eligible for the District's Residential Cost-Share Program. A concept plan was developed by the Chisago Soil and Water Conservation District. The project was reviewed and ranked by Managers Lynch and Moe, Casey Thiel, Chisago SWCD, and Administrator Thomas. Staff recommended approval of the Rowe Residential Cost-Share Program application for a shoreline erosion control and water quality buffer project at the rate of 50% not to exceed \$3,000.

Motion to approve the Rowe Residential Cost-Share Program application for a shoreline erosion control and water quality buffer planting project at the rate of 50% not to exceed \$3,000 was made by Manager Moe and seconded by Manager Spence. Discussion. Upon vote the motion passed unanimously.

Whitehill – BMP C-S Project, Contract Amendment & Partial Payment

Administrator Thomas noted his staff memo in the Board packet. He noted that Mr. Whitehill has completed phase one of the original concept plan that was developed for a streambank erosion control and water quality buffer project at his property at 6348 236th St. Circle. At this time Mr. Whitehill has submitted a second application with the goal of amending his original agreement to expand the shoreline stabilization another 200 feet. Administrator Thomas pointed out that the work to date, using our 50% cost-share rate, is under the original \$3,000 approved by Board and it is Mr. Whitehill's desire to do the additional 200 feet of project and still stay under the \$3,000 limit that the Board had originally set for this project . Staff recommended the Board, by motion, approve amending Mr. Whitehill's March 24th 2011 application to include an additional 200 feet of streambank stabilization and restoration and to authorize a partial payment of \$2,043.56 for work that has been completed and approved as of October 27, 2011.

Motion to approve amending the Roy Whitehill Cost-Share application dated March 24, 2011 to include an additional 200 feet of streambank stabilization and restoration through the attached "Amended Exhibit A" and to authorize a partial payment of \$2,043.56 for the work that has been completed and approved as of October 27, 2011 was made by Manager Spence and seconded by Manager Moe. Discussion. Manager Damchik commented that the house should never have been built as close as it is to river. Upon vote the motion passed with 2 yes votes and 1 no vote.

Beck – BMP C-S Project, Payment Authorization

Administrator Thomas noted his staff memo and project profile in the Board packet. He noted that the shoreline erosion control and water quality buffer project is completed and has been signed off on by the Washington Conservation District. Staff recommended reimbursement of \$3,000 for ½ of the cost of the contracted labor and materials. The contractors invoice for the project was \$7,487.00.

Motion to approve reimbursement of \$3,000 for the Beck Residential BMP Cost-Share Program project was made by Manager Moe and seconded by Manager Spence. Discussion. Manager Damchik asked what keeps the rock from getting pushed up in the spring with ice-out. Administrator Thomas explained how individual shorelines are evaluated and what dictates the recommendation for use of rip-rap vs. bio-engineering. He further explained how the rock size and the construction techniques which are used to avoid having the rip-rap pushed up when you have ice heaves in the spring of the year. Manager Damchik called for the questions. Upon vote the motion passed unanimously.

Milbrett – BMP C-S project Approval

Administrator Thomas noted his staff memo and project profile in the Board packet. He noted that the shoreline erosion control and water quality buffer project is completed and has been signed off on by the Washington Conservation District. Staff recommended reimbursement of \$3,000 for ½ of the cost of the contracted labor and materials. The contractors invoice for the project was \$6.00000. Administrator Thomas pointed out that this project was the one that the Board had approved for repair after the complete bank failure that took place this past spring with the previous project.

Motion to approve reimbursement of \$3,000 for the Milbrett Residential BMP Cost-Share Program project was made by Manager Spence and seconded by Manager Moe. Discussion. Upon vote the motion passed unanimously.

b) 2011 District Financial Audit Engagement Letter

Administrator Thomas noted that the District had received the 2011 Audit Engagement Letter from HLB Tauges Redpath, Ltd. for our consideration. HLB proposes to conduct the audit and preparation of the required annual financial report and legal compliance audit for \$7,850.00 which is up \$200 from 2010. Staff recommended approval of the engagement letter and scope of services for conducting the District's required annual audit per state statute.

Motion was made by Manager Moe to accept and approve the attached Engagement Letter from HLB Tauges Redpath to conduct the District's 2011 Audit and authorizes its execution by the Board President. Motion was seconded by Manager Spence. Discussion. Upon vote the motion passed unanimously.

6. Old Business

a) Watershed Management Plan Update – Local Adoption

Administrator Thomas noted his staff memo and draft resolution in the Board packet. He pointed out that the BWSR had approved the Plan at its September 28, 2011 meeting and that the only item that is left to do is for the District, by resolution, to locally adopt the Plan and distribute a final copy to everyone who had received a copy during the review and comment period.

Manager Moe offered resolution 2011-10-01 and moved its adoption. The motion was seconded by Manager Spence. Discussion. Upon vote the motion was passed unanimously. On adoption of the Resolution the President called for a roll call vote. Anderson, absent, Damchik, yes, Lynch, absent, Moe, yes, Spence, yes. Upon vote, the Chair declared Resolution 2011-10-01 adopted.

7. Report of Staff

- a) Administrator Thomas noted his written report in the Board packet. He also reminded Managers of the November 9th workshop and the November 17th regular meeting. Manager Spence asked about the status of the Mastell shoreline violation on Comfort Lake. Administrator Thomas commented that a restoration order, that include a restoration plan developed by the Chisago SWCD and himself, was issued and that Mr. Mastell had begun work on site.
- b) Emmons and Olivier Resources (EOR) – Engineer Tilman gave a quick update on the status of the various reports they are currently working on.

8. **Report of Treasurer**

Approval of Bills

Manager Spence presented the Treasurer's Report (A copy of which is annexed and incorporated by reference) and bills and payroll totaling \$63,932.03.

Motion was made by Manager Moe to approve the October 27, 2011 Treasurer's Report and pay the bills and payroll as presented. Manager Damchik seconded the motion. Upon vote, the motion passed.

9. **Reports of Officers and Manager**

Manager Damchik – Nothing to report.

Manager Moe – Nothing to report

Manager Spence – Nothing to report.

10. **Adjournment**

Motion to adjourn the CLFLWD regular Board meeting at 6:55 pm was made by Manager Spence and seconded by Manager Moe. Upon vote, the motion passed.

Wayne S. Moe, Secretary