

**MINUTES OF THE REGULAR MEETING OF THE
COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT
Thursday, March 10, 2022**

1. Call to Order

President Schmaltz called the March 10, 2022, regular board meeting to order at 6:30 p.m. via online video conference.

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

Absent: None.

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

2. Setting of Meeting Agenda

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

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

3. New Business

a) 2022 AIS (Aquatic Invasive Species) Prevention and Management Plan

Mr. Miller explained that the plan was attached in the packet material provided. He noted that this plan comes to the Board on an annual basis in March. Mr. Miller gave an overview of things planned for 2022 including:

- Continuation of curly-leaf pondweed treatment and assessment on most District lakes. He explained that surveys will be completed to assess the treatment needs of specific lakes.
- Flowering rush treatments including thorough and aggressive seed head removals planned for Forest Lake.
- The estimated budget for this plan will be finalized when grant awards are announced and treatment quotes are received.

- Lowered inspection hours for 2022. Mr. Miller explained that they are currently lower due to agreements that need to be finalized.
- A new pay structure for watercraft inspectors including base pay rate increases, holiday pay increases, and performance-based bonuses.

Manager Schmaltz noted a budget of \$44,000 for Forest Lake treatment of curlyleaf pondweed treatment and asked how many acres of treatment this would allow. Mr. Miller replied that the applicator intends to use Diquat, which would allow for treatment of up to twice the area treated last year. Manager Schmaltz asked if the Board is to approve the budget for this proposed plan. Mr. Miller explained that it would only be approving the plan. Managers discussed the AIS prevention and management plan budgeted for Forest Lake. Mr. Miller noted the savings coming from lower-cost treatment materials.

Manager Anderson indicated that the Minnesota Department of Natural Resources awarded the Comfort Lake Association funds for a full lake treatment of Eurasian watermilfoil on Comfort Lake. She noted that the grant will be approved pending deadlines the lake association must meet. She requested that treatments by those other than the District also be included in the District’s monthly AIS reports.

Manager Loth asked if staff could add previous years’ AIS prevention and management plan budget with each present year report.

Manager Bakke moved to approve the 2022 AIS Prevention and Management Plan as presented. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 5-0.

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

b) Great River Greening Partnership Proposal

Mr. Kinney introduced the intended partnership with the Great River Greening. He noted Great River Greening’s long history of performing habitat restoration work and working with volunteers to do so. He explained that the Great River Greening would be applying for a grant, and in turn the District would propose areas for restoration using grant funds.

Managers discussed their support. Mr. Kinney explained that there have been several areas identified that would greatly benefit from Great River Greening support.

Manager Loth asked if this partnership had been considered in the past and what made it something the District is looking into at this time. Mr. Kinney explained that he has been familiar with the organization for several years. He noted that the District did not partner with them in the past due to limited staff capacity to coordinate and implement such a partnership. He explained that this program would be in place of something that the District would have contracted for in the past.

4. Old Business

a) Office Space Visioning

Mr. Kinney gave an overview of the provided memo. He explained that this outlines the efforts to obtain office space for the District. He noted the Board's intent from the beginning of the search to rent, determine staff needs in terms of space, and ultimately build or buy.

Manager Bakke asked Mr. Kinney if he is aware of any properties that could be donated to the District to build an office. Mr. Kinney explained that the City of Scandia has identified certain city-owned properties, but they are outside of the District boundary.

Mr. Kinney noted that one of these properties is near the District boundary, within the Carnelian-Marine-St. Croix Watershed District, and that hydrologic and hydraulic (H&H) modeling suggests that the property in fact may lie within the District's hydrologic boundary. The CMSCWD would like to complete updating its 10-year management plan before undertaking a boundary review process. Mr. Kinney noted that with Board of Water and Soil Resources (BWSR) approval, it is possible for the District office to be located outside of the District's political boundary, but that this is dis-preferred. He compared this to a city having its city hall in a different city.

Manager Anderson thanked staff for this organization of considered properties in the memorandum. She requested that another section be added to the data regarding donation opportunities to make a record of this knowledge. She also requested that the District's tax forfeit properties be added to the compiled information. Mr. Kinney noted that another watershed district that had built an office on donated land, so this is not unheard of.

Manager Schmaltz proposed to create a list of items that needed to be completed to move the office space visioning process along. He suggested that he and Manager Anderson put this together and bring it to the full Board.

b) Land Acquisition Grant Opportunities

Mr. Kinney explained that grant source information was requested at the February 24th regular board meeting. He explained that staff created a summary for managers to review and reference.

Mr. Kinney explained that there is a community-based grant that was new to District staff called the Community Facilities Direct Loan & Grant Program through the United States Department of Agriculture (USDA). Manager Anderson noted her interest and support for this program. Mr. Kinney gave examples of what the funding can be utilized for including community facilities such as town halls and other essential community services. The Board asked that this be reviewed for its application to the District's office space development.

Mr. Kinney explained that staff could reach out to the broader community to invite an interest in land donation. Manager Schmaltz asked whether the District first should develop a more precise understanding of its interest. Manager Bakke suggested that the concept would take time and so there is a benefit in starting to circulate the idea. Managers Schmaltz and Anderson concurred and suggested that the District's solicitation encompass the donation of natural resource lands as well.

Mr. Holtman noted that there are tax benefits to a landowner to donate land for conservation that would not apply to donating land for an office or other development. Manager Anderson noted that it would begin as a broad inventory of donation interest not specific to office space but also for possible project locations.

Manager Toavs mentioned a township property near Moody Lake for office and educational space. He explained that it is near a lake and wetland that offer educational opportunities.

Managers discussed a Department of Natural Resources (DNR) funding source being discussed by legislators. This would be funding awarded to the City of Forest Lake for corridor work along Judicial Ditch 4.

Managers discussed infrastructure surveying, mapping, and inventory being conducted in Forest Lake with the assistance of District staff. Mr. Olivier mentioned the timeline of the surveying. He noted that it is not moving as fast as they initially thought it would. Mr. Kinney added that he is confident the project will continue but is a larger effort than the City of Forest Lake first anticipated. Manager Anderson complimented the current management at the city. She complimented the current leadership for being more forward-thinking.

c) Governance Manual Update

Mr. Kinney explained that per diem was previously discussed for amendment by the Board on February 24th. He noted that amendments being presented have been reviewed by legal counsel.

Manager Anderson moved to approve the revised structure of the District's existing policy documents as presented by staff, and to withdraw the superseded Data Practices Act and conflict of interest policies. Seconded by Manager Loth.

Discussion: Manager Bakke requested a breakdown of changes being made to the governance manual. Mr. Kinney gave a high-level overview. Managers discussed the formatting updates to the policies in the governance manual.

Upon a roll call vote, the motion carried 5-0.

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

Manager Anderson moved to adopt the proposed revisions to the General Governance Policies and the Policies Concerning Roles and Responsibilities of Managers. Seconded by Manager Schmaltz.

Manager Loth asked the meaning of "substantial" under section III.b(v) of the General Governance Policies. The Board noted the reference in the preceding sentence to a four-hour period, by way of comparison, but agreed that what was sufficient to support a per diem claim is left to the judgment of the manager. Manager Schmaltz expressed concern about changing the 60-day period to submit a claim from a requirement to an encouragement. He suggested this could burden staff and create an audit risk. Mr. Holtman added that the state auditor has emphasized the need to document the basis for per diem claims, which could become more difficult if claims are not promptly submitted. The managers agreed to retain the requirement to submit claims within 60 days, and to add a January 31 deadline for all prior-year claims. Mr. Holtman also observed a lack of clear distinction between per diem and expense claims in paragraph III.c, and asked that he be permitted to edit for clarity.

By unanimous consent, the main motion was amended to omit the proposed revision to the third sentence of paragraph III.c, and accept adjustments by counsel to clarify distinctions between per diem and expense claims in that paragraph.

Upon a roll call vote, the main motion carried 5-0.

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

The Board asked that Mr. Holtman circulate the final paragraph III.c text to managers before it is incorporated into the Governance Manual. Managers thanked Manager Anderson for working on the amendments.

5. Program/Project Update

a) Project Update

Mr. Eineichner gave the monthly project update. He included updates on:

- Bone Lake Northeast Wetland Enhancement “Legacy Load” Project: Construction was completed on February 16th, 2022. Mr. Eineichner gave an overview of the project steps including photos.
- Little Comfort Lake Subwatershed Enhancement “East Wetland” Project: The easement documents for this project are in development. Landowner coordination is also underway.
- Sunrise River Drained Wetland Restoration “Tax Forfeit Property” Project – Chisago County Petitioned Project: Emmons and Olivier Resources (EOR) is to bring forward the project feasibility study and recommend ordering the project on March 24th, 2022. Staff will be officially requesting a grant extension this spring.
- County Road 50 Iron Enhanced Sand Filter (IESF) Project: Coordination with the western landowner is in progress. The design is in progress including grading, pump design, and outlet design. Drainage System Diversion Petition will be brought before Board at the March 24th meeting. Emmons and Olivier Resources (EOR) is scheduled to bring a Feasibility Study to the Board in April of 2022.

6. Summary and Approval of Board Direction

Board direction was summarized:

- Staff will include the previous year’s AIS prevention and management plan’s budget figures and overview when presenting the next plan. For example, staff will include a high-level overview of the 2021 AIS prevention and management plan when presenting the 2022 AIS prevention and management plan.
- Staff will make reference to additional outside aquatic invasive species management and prevention actions within the 2022 AIS Prevention and Management Plan, including the Comfort Lake Association efforts.
- Staff will incorporate any possible land donation opportunities and tax forfeit land to the list of considerations for office space.
- President Schmaltz will work with Manager Anderson to create a list of next steps in the office space visioning process.
- Staff will look into the “Community Facilities Direct Loan & Grant Program” to consider if this program may apply to acquiring land to build a District office.
- Staff will begin communication as to an interest in land donation to the District.

- Staff will schedule a special meeting for the managers to review recent market salary changes and the Board's recent change to the administrator performance review process.

7. Adjourn

a) Next regular board meeting – Thursday, March 24, 2022

Manager Anderson moved to adjourn the meeting. Seconded by Manager Loth. Upon a roll call vote, the motion carried 5-0, and the meeting was adjourned at 8:32 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 _____