

**MINUTES OF THE SPECIAL MEETING OF
THE
COMFORT LAKE–FOREST LAKE
WATERSHED DISTRICT
Monday, September 20, 2021**

1. Call to Order

Vice President Anderson called the September 20, 2021, special board meeting to order at 2:37 p.m. via online video conference.

Present: Vice President (President Pro-Tempore) Jackie Anderson, Secretary Jen Oknich, Treasurer Steve Schmaltz, Manager Doug Toavs, Manager Chris Loth.

Absent: None.

Others: Mike Kinney, Nick Bancks, Bobbie Law, (CLFLWD staff); Chuck Holtman (Smith Partners).

2. New Business

Managers discussed the District's land acquisition history. Mr. Kinney explained that most of the land used for District projects in the past were tax forfeiture properties that were conveyed to the City of Forest Lake and/or other partners that allowed the District to work on the properties. The other means of completing projects on private land have been in the form of easements. He noted that historically projects were to mitigate negative impacts and that the proposed acquisition now would be looking forward to opportunities to refine local hydrology and establish a greenway corridor.

a) (Forest Lake) 3rd Lake Parcel

Mr. Kinney explained that staff had applied for a grant to acquire this property through the Minnesota Department of Natural Resources (DNR) Conservation Partners Legacy grant program. He explained that this parcel has been discussed in the past. He noted that upon initial conversations with the Board, managers directed him to look further into acquiring the property and the possibility of hiring a lead for land acquisition, which has now been completed. He explained that the property is now listed with an agent, and the is listed for a significant price reduction from what had been the asking price. He explained that he believes this is a more reasonable price and that the Forest Lake Lake Association also approached the District to encourage the District to consider acquisition of this property.

Mr. Kinney gave an overview of the property location referencing a map that displayed property lines. He explained that an initial review indicates that there are about 3 acres of upland with the balance being wetland and forested wetland.

Mr. Kinney explained that a grant application has been submitted for the acquisition of this property. He explained the importance of working fast when properties are for sale. He noted that if the property was to be purchased by a different private entity, the shoreline could be subject to emergent vegetation loss because the new owner would be legally allowed to create an opening to get to the lake.

Mr. Bancks added to the landscape context. He explained that there is a fair amount of protected land within half a mile of the parcel being proposed for acquisition, including land owned by the City of Forest Lake and the Department of Natural Resources. He indicated he believes this may be a foundational site for the concept of the greenway corridor.

Manager Anderson commented that this parcel has long been natural. She stated she believes that it is an area with valuable wetland. Mr. Kinney explained that the parcel has an estimated three acres of upland that could be developable.

Manager Toavs asked if Cranberry Lake drains into this site. Mr. Kinney clarified that it does drain through the site. He noted that Cranberry Lake historical connection is likely similar to Shields Lake in its discharge to Forest Lake through wetlands and not through a defined channel. Mr. Kinney explained that background information he received may indicate some previous dredging in the area.

Manager Loth asked about the management of acquired sites. He would like to understand if DNR willingness to assist in the management would make the property less desirable. Mr. Kinney clarified that he does not think the District is far enough in the acquisition process to know for sure if it might be turned over to the DNR. He indicated he believes there are opportunities with different stakeholders. Mr. Kinney mentioned a property near Home Depot that was donated to the District. This property, near Home Depot, does have a land management plan and has been overseen by District staff.

b) Shields Lake Parcel

Mr. Kinney explained that he noticed a parcel for sale on Imperial Avenue. The parcel is in total about 11 acres. He explained that the west side of the property is the site for the Shields Lake outlet. He explained that Mr. Bancks has reached out to the realtor but has not heard back. He explained the location in terms of proximity to City of Forest Lake-owned properties. He indicated he does not see a need to purchase property to make a project happen but would like to approach the owner because it is for sale. He noted a recent drop in price. He described some possible project opportunities regarding a channel connected to Shields Lake. Mr. Kinney enquired whether the Board has direction to staff as to researching the property. Vice President Anderson explained that the District's understanding needs a lot more development before the Board makes any decision. Mr. Holtman asked about a need for DNR approval for potential channel changes. Mr. Kinney recognized that in a lot of ways the ideas presented are premature, but he would like the Board to understand the sense of urgency with land that is for sale

and may not be for sale again in the near future. He noted that an easement may be possible. Mr. Kinney explained that the questions and concerns are valid. Manager Schmaltz asked about the depth of Shields Lake and the potential for phosphorus discharge to Forest Lake. Mr. Kinney explained that there has not been any modeling to show data. He explained that there are a lot of unknowns, but he would like to go after opportunities as they present themselves. Managers agreed that additional information would be needed to move forward.

Manager Loth moved to have staff inquire about the level of interest in the property and move forward to compile information on the acquisition of the property and possible projects on the property. Seconded by Manager Oknich. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich	X		
Douglas Toavs	X		
Christopher Loth	X		

c) WJD-6 Parcel

Mr. Bancks explained there has been a lot of progress as to the parcel since the Board last discussed it. He explained that the District acquired an appraisal of the property to assist with the acquisition process. The DNR and Pheasants Forever are listed as potential partners on the appraisal. Pheasants Forever submitted a verbal offer to the sellers. However, at the same time Pheasants Forever made an offer, another offer came in from a different buyer. In the span of a day, the seller decided to move forward with the different buyer's offer. They property owner and that buyer have now entered into a purchase agreement. The realtor for the seller will advise the District and Pheasants Forever of any changes in status.

Mr. Kinney added that he was surprised to hear that the seller went in another direction because of Pheasants Forever's full appraised price offer. He added that if this property is developed by the buyer it will come to the District for permitting.

d) (Forest Lake) 3rd Lake Parcel (continued)

Manager Anderson moved to convene in closed session for the purpose of developing an offer for a tract of land identified by the following parcel identification numbers: 12.032.21.33.0001 & 12.032.21.33.0016. Seconded by Manager Schmaltz. Upon a roll-call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent
Jackie Anderson	X		
Stephen Schmaltz	X		

Jen Oknich	X		
Douglas Toavs	X		
Christopher Loth	X		

The Board reconvened in open session.

Manager Anderson stated that the Board authorized the District Administrator to communicate an offer to the owner.

3. Adjourn

a) Next regular board meeting – September 23, 2021

The meeting was adjourned by unanimous consent at 3:41 p.m.

Jen Oknich, Secretary _____