

1 **DRAFT MINUTES OF THE REGULAR MEETING OF THE**
2 **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**
3 **Thursday, September 28, 2023**

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5 **1. Call to Order**

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7 President Schmaltz called the September 28th, 2023, regular board meeting to order at
8 6:30 p.m. at the CLFLWD office, 44 Lake Street South, and via online video conference.

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10 **Managers Present:**

11 Steve Schmaltz, President
12 Christopher Loth, Vice President (virtual attendance)
13 Dave Bakke, Secretary (virtual attendance)
14 Jackie Anderson, Treasurer (virtual attendance)
15 Douglas Toavs, Assistant Treasurer (virtual attendance)

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17 **Staff Present:**

18 Aidan Read, Land Use Management Specialist
19 Beth Carreño, Senior Program Manager
20 Emily Heinz, Planning Coordinator
21 Garrett Miller, Aquatic Invasive Species Coordinator
22 Mike Sandager, Permitting Coordinator
23 Victoria D’Amico, Water Resources Technician

24
25 **Others Present:**

26 Greg Grasko, Emmons & Olivier Resources
27 Cecilio Olivier, Emmons & Olivier Resources
28 Camilla Correll, Emmons & Olivier Resources
29 Mike Talbot, Emmons & Olivier Resources
30 Chuck Holtman, Smith Partners

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32 **2. Setting of Meeting Agenda**

33 President Schmaltz noted that Manager Loth had requested an update on
34 communications and the public relations campaign. Manager Anderson suggested that
35 staff provide an update during the Administrator’s Report agenda item.

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37 Manager Toavs moved to approve the agenda as presented. Seconded by President
38 Schmaltz. Upon a roll call vote, the motion carried 4-0.

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Manager	Aye	Nay	Absent	Abstain
Dave Bakke	X			
Christopher Loth			X	

Doug Toavs	X			
Jackie Anderson	X			
Stephen Schmaltz	X			

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3. Consent Agenda

- a) Regular Board Meeting Minutes – August 10, 2023
- b) Regular Board Meeting Minutes – August 24, 2023

Manager Anderson requested that the August 10th minutes be revised on page 4 to read: “...the interest repayment schedule in the loan agreement is confusing because it shows a payback that appeared to be higher than the stated 1.5% interest rate.”

Manager Toavs moved to approve the consent agenda as amended. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 4-0.

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

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4. Public Open Forum

There were no comments.

5. Citizen Advisory Committee Update

Aidan Read reported that several Citizen Advisory Committee (CAC) members and Manager Bakke recently held the first shoreline tour of Bone Lake. Mr. Read indicated that he plans to hold similar shoreline tours on other lakes such as Comfort Lake and Forest Lake next year.

Manager Bakke commended Aidan’s facilitation of the shoreline tour and the shoreline inventory information provided. He explained that the Bone Lake Association reviewed the results of the shoreline inventory and had a good conversation about shoreline buffers. He encouraged managers to work with their lake associations to similarly review the shoreline inventory results. Manager Anderson requested that managers be invited to other lakes’ shoreline tours, even if they don’t live on that lake. Mr. Read noted that the plan for future shoreline tours is to include invitations to the full board.

6. Aquatic Invasive Species Update

72 Garrett Miller reported on recent aquatic invasive species (AIS) prevention and
73 management activities including the Moody Lake revegetation project, Moody Lake and
74 Shields Lake winter aeration, Bone Lake zebra mussel surveys, Little Comfort Lake AIS
75 early detection survey, Lake Keewahtin and Forest Lake purple loosestrife management,
76 Forest Lake flowering rush management, Forest Lake carp survey, Forest Lake lake
77 bottom hardness survey, Comfort Lake Eurasian watermilfoil management, and the
78 watercraft inspection program.

79
80 [Manager Loth arrived at 6:46 pm]
81

82 7. New Business

83 84 a) Permit 23-010 Ingersoll Ponds

85 Mike Sandager introduced the proposed project – Ingersoll Ponds. Greg Graske
86 explained that this project entails a subdivision and construction of five single family
87 homes. The permit triggers the District’s wetland buffer rule, and the required wetland
88 buffer widths vary across the site. Mr. Graske explained that there are three ponding
89 areas/biofiltration basins to treat stormwater on the site. Mr. Graske indicated that
90 the project, as proposed, meets the District’s requirements for wetland buffers,
91 stormwater, and erosion control.

92
93 Manager Toavs moved to approve permit application #23-010 with conditions
94 stated in EOR’s September 18, 2023 memorandum. Seconded by President Schmaltz.

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96 Manager Bakke asked for clarification on the site location. Mr. Sandager clarified it is
97 located south of Forest Lake, east of Shields Lake.

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

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

101 102 103 b) Project Presentation to Lower St. Croix Policy Committee

104 Emily Heinz explained that the District has been asked to present to the Lower St. Croix
105 Watershed Partnership Policy Committee on the Sunrise River-Highway 61 Wetland
106 Enhancement Project. Ms. Heinz presented the proposed presentation slides to the
107 CLFLWD Board. She explained that this project serves to improve Comfort Lake, the

108 Sunrise River, and ultimately the St. Croix River. She provided an overview of the
109 project timeline and funding sources. Ms. Heinz shared photos and videos of the
110 project site during construction and after construction.

111
112 Manager Anderson and President Schmaltz requested several revisions to the
113 presentation slides to:

- 114 • Point out the sequential ponding and sedimentation features on the site
- 115 • Provide additional context for the project by giving additional detail on other
116 projects the District has completed in recent years, the District regulatory
117 program's impact on stormwater management in the area, the District's
118 progress toward water quality goals, and the list of lakes that are soon to be
119 removed from the impaired waters list
- 120 • Provide additional detail regarding the District's history, including the
121 planning activities that occurred prior to 2012

122 123 8. Old Business

124 125 a) Floodplain Vulnerability Assessment Scope of Work

126 Manager Anderson moved to authorize the administrator, on advice of counsel, to
127 enter into an agreement with EOR in accordance with the September 20, 2023 scope
128 of work for Tasks 1 and 2, and in an amount not to exceed \$28,495. Seconded by
129 Manager Toavs.

130
131 Camilla Correll provided an overview of the proposed work. She noted that this scope
132 has been proposed multiple times before. The District applied to an MPCA grant
133 program twice in the past to fund this work but was unsuccessful due to the District's
134 lack of overlap with the State's Environmental Justice Areas of Concern map. Ms.
135 Correll noted that tasks 1 and 2 include technical work by EOR. She explained that task
136 3 entails community engagement. The District originally planned to work with
137 Freshwater Society to perform the community engagement, but due to turnover
138 within Freshwater's staff, there is currently some uncertainty with respect to
139 Freshwater's capacity to assist with this effort. Ms. Correll explained that she and Ms.
140 Heinz and Ms. Carreño will work together over the next few weeks to identify a path
141 forward with respect to the community engagement work.

142
143 Mike Talbot explained that EOR recently completed a similar project for the City of
144 Rochester, which resulted in process improvements for completing this work. Mr.
145 Talbot explained that tasks 1 and 2 will result in the creation and use of a flood risk
146 data layer. This will, in turn, identify specific areas and infrastructure (e.g., culverts,
147 roadways) that are at high risk for flooding and help identify actions to mitigate
148 flooding.

150 Manager Bakke asked for more details about the community engagement element.
151 Ms. Correll explained that it would be an iterative process of reviewing results from
152 tasks 1 and 2 to identify target audiences. Municipalities will be key partners in this
153 process. Manager Bakke asked how EOR proposes to encourage participation in the
154 community meetings. Ms. Correll clarified that she is referring to city and public works
155 staff, and she explained that EOR and the District have held some similar meetings
156 with these partners in the past. Ms. Carreño explained that she has experience
157 facilitating workshops such as these in partnership with Freshwater and other
158 partners. She noted that District staff meets with city staffs on a recurring regular
159 basis. Ms. Correll indicated that, if it turns out that Freshwater Society is unable to
160 assist in this effort, it is possible for EOR and District staff to complete the community
161 engagement piece without Freshwater. She indicated that EOR and staff will return
162 to the board after completing tasks 1 and 2 to reassess next steps.

163
164 Manager Anderson recommended the Board focus on tasks 1 and 2 to begin with.
165 She clarified that the first two tasks are more on a technical level, and
166 communications with municipalities will occur on an engineer-to-engineer or staff-
167 to-staff level. She expressed concern about overburdening District staff over the next
168 few weeks, since the District is experiencing some staff turnover. Manager Anderson
169 commended Ms. Correll on the descriptions and helpful examples provided in the
170 scope of work.

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

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

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175 **b) Authorized Bank Users**

176 Ms. Carreño introduced the topic and explained that she, Administrator Kinney and
177 other staff have been working with Treasurer Anderson and the District's banks to
178 identify financial process improvements. To proceed with such improvements, the
179 bank requires certain information to be stated in a public meeting and recorded in
180 the District's meeting minutes.

181

182 Legal Counsel Holtman raised a question with respect to recommended statement
183 #3. He noted that the District adopted a credit card policy in 2015, but the policy is
184 ambiguous with respect to the administrator's authority to delegate credit card
185 authorizations to other staff. He recommended the Board use this opportunity to

186 clarify the intent with respect to staff credit cards. President Schmaltz noted the
187 administrator is authorized to make budgeted expenditures up to \$20,000. He
188 suggested that this would speak to the Board's intent to allow the administrator to
189 manage lower-level expenditures, and as such, allow for staff credit cards. Ms.
190 Carreño indicated she will work with Administrator Kinney and Treasurer Anderson to
191 draft an updated credit card policy which will be brought to the Board in the future.
192

193 After a 5-0 roll call vote supporting the following two statements, President
194 Schmaltz read the statements into the meeting record:
195

- 196 1. Jon Spence resigned from the CLFLWD board on June 24, 2021, Bobbie Law
197 resigned from the CLFLWD staff on September 20, 2023, and Jessica Lindemyer
198 resigned from the CLFLWD staff on September 22, 2023.
- 199 2. Mr. Spence, Ms. Law, and Ms. Lindemyer should be removed from all financial
200 accounts, including the Business Credit Card Account at MidWestOne Bank.
201

202 Ms. Carreño indicated she would discuss this topic further with Treasurer Anderson and
203 work collaboratively with managers, staff, and legal counsel as necessary to bring
204 additional recommendations back to the board at a future meeting.
205

206 **9. Report of Staff**

207 **a) Administrator**

208 Ms. Carreño noted that Jessica Lindemyer and Bobbie Law had their last workdays
209 at the District last week. Ms. Carreño provided an update on the job posting and new
210 hiring process.
211
212

213 Ms. Carreño provided further updates on the outreach program and public relations
214 campaign in light of recent staff turnover. She explained that the remaining staff are
215 still working on several outreach activities including social media, website updates,
216 and direct communications to lake associations. Staff are hard at work on the
217 comprehensive shoreline restoration program, which is the highlight of the PR
218 campaign. Staff turnover will slow things down a little bit, but these initiatives are still
219 moving forward.
220

221 Ms. Heinz reported that the Forest Lake Alum Treatment project is occurring this week,
222 and a demonstration meeting was held on Tuesday at the boat launch. Ms. Heinz
223 displayed some of the aerial photographs taken of the alum treatment process.
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226 **b) Emmons & Olivier Resources**

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228 Greg Graska reported that EOR and staff are monitoring the pH levels for the Forest
229 Lake Alum Treatment, and the results have been good. He also noted that the Moody
230 Lake Capstone Project is currently out for bid, and bid opening is next week.

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232 **c) Smith Partners**

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234 Nothing to report.

235

236 **10. Report of Treasurer**

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238 **a) Approval of Bills and Treasurer's Report**

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240 Treasurer Anderson reported income for the period of \$42,088.73 and expenses in the
241 amount of \$212,015.28. She noted the District's cash balance is about \$1.7 million.

242

243 Manager Anderson moved to accept the Treasurer's Report and pay the bills in the
244 amount of \$212,015.28. Seconded by President Schmaltz. Upon vote, the motion
245 carried 5-0.

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

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248 **11. Report of Officers and Managers**

249 Manager Bakke reported that the Bone Lake Association passed a motion to partner with
250 the CLFLWD to host a celebration of the Bone Lake delisting.

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252 **12. Summary and Approval of Board Direction**

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Board directives were summarized.

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- Staff was asked to invite managers to future shoreline tours.
- Manager Anderson and President Schmaltz raised several suggested changes to the Sunrise River-Highway 61 Wetland Enhancement project presentation.
- Manager Anderson noted additions to the floodplain vulnerability assessment scope of work text.
- Manager Loth asked that staff maintain contact with him with respect to outreach to the Forest Lake Lake Association.
- Staff will work with Administrator Kinney and Treasurer Anderson to prepare an updated credit card policy.

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264 **13. Adjourn**

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a) Next regular board meeting – October 12, 2023, 6:30 pm

Manager Anderson moved to adjourn the meeting. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 5-0, and the meeting was adjourned at 8:46 p.m.

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

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Dave Bakke, Secretary _____