

1 **MINUTES OF THE REGULAR MEETING OF THE**
2 **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**
3 **Thursday, July 27, 2023**
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5 **1. Call to Order**
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7 President Schmaltz called the July 27, 2023, regular board meeting to order at 6:30 p.m.
8 at the CLFLWD office at 44 Lake Street South, Forest Lake, MN and via online video
9 conference.
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11 **Managers Present:**

12 Steve Schmaltz, President

13 Christopher Loth, Vice President (virtual attendance)

14 Dave Bakke, Secretary (virtual attendance)

15 Jackie Anderson, Treasurer (virtual attendance)

16 Douglas Toavs, Assistant Treasurer (virtual attendance)
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18 **Staff Present:**

19 Mike Kinney, Administrator

20 Beth Carreño, Senior Program Manager

21 Bobbie Law, Office Manager

22 Garrett Miller, Aquatic Invasive Species Coordinator

23 Emily Heinz, Planning Coordinator
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25 **Others Present:**

26 Greg Grasko, Emmons & Olivier Resources

27 Cecilio Olivier, Emmons & Olivier Resources

28 Chuck Holtman, Smith Partners

29 Leif Erickson, City of Forest Lake
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31 **2. Setting of Meeting Agenda**
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33 Manager Bakke moved to approve the agenda as presented. Seconded by Manager
34 Loth. 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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3. Consent Agenda

- a) Regular Board Meeting Minutes – June 8, 2023
- b) Special Board Meeting Minutes – June 14, 2023
- c) Regular Board Meeting Minutes – June 22, 2023

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

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.

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5. Citizen Advisory Committee Update

Administrator Kinney reported that Manager Anderson and Manager Toavs attended the most recent Citizen Advisory Committee (CAC) meeting. The CAC has been discussing erosive effects of wake boats and working on organizing a tour on Bone Lake in the future.

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6. Aquatic Invasive Species Update

Garrett Miller reported that the past two weeks have been busy with field work including aquatic invasive species (AIS) early detection surveys and purple loosestrife surveys on Little Comfort Lake and Lake Keewahtin. He reported positive effects of purple loosestrife control efforts and native plant revegetation. Mr. Miller noted that he found wild rice growing in Lake Keewahtin which is an indicator of good water quality. Blue Water Science has been performing Eurasian watermilfoil surveys on multiple lakes and has been widely observing low densities not warranting treatment. Mr. Miller provided an update on the Moody Lake native plant revegetation project, noting that shoreline landowners are in support of the project, and planting is scheduled to occur next week.

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Mr. Miller indicated that Blue Water Science recently found a single juvenile zebra mussel in Bone Lake last week. This discovery suggests that there is a reproductive population in the lake. However, given that only one zebra mussel has been found since the introduction of the species in 2019, it seems likely that Bone Lake would not support heavy zebra mussel growth.

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Mr. Miller provided an update on Forest Lake flowering rush seed head cutting and herbicide treatments. Low water levels in Forest Lake are resulting in greater flowering rush growth in the near-shore areas. President Schmaltz noted flowering rush growth near the Forest Lake outlet weir. Mr. Miller confirmed that the staff is monitoring this location and communicating its growth with Blue Water Science and the herbicide applicator. President Schmaltz expressed concern about the flowering rush growth at the lake outlet and indicated he wishes to see staff implement control measures. He noted growth along the shoreline that is difficult to reach by boat and requires hand spraying. He suggested possible use of the Conservation Corps or volunteers. Manager Anderson encouraged the Forest Lake Lake Association to apply for grants for such work.

President Schmaltz noted the upcoming alum treatment on Forest Lake and asked if Mr. Miller has any updates on the carp monitoring efforts. Mr. Miller indicated the District is contracting with WSB to perform a carp assessment. WSB has recommended that late August is the optimal time to perform an electrofishing survey.

Manager Anderson asked for an update on Forest Lake Lake Association’s plans for Eurasian watermilfoil treatment. President Schmaltz suggested Mr. Miller get in touch with Jerry Grundtner to get an update on this and report back to the Board.

7. New Business

a) Forest Lake Alum Treatment Contract Award

Manager Anderson moved to adopt resolution 23-07-01, awarding the project contract to Solitude Lake Management in the amount of \$524,582. Seconded by Manager Toavs.

Manager Anderson indicated the Board received a very thorough presentation on this project earlier this year. There were no questions or further comments.

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

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

b) Board of Managers Electronic Signature Policy

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109 Administrator Kinney explained that the District currently has a policy for the
110 Administrator to utilize electronic signatures. The role of the proposed policy is to
111 allow board members to also utilize electronic signatures. The attached proposed
112 policy is structured similar to, and is consistent with, the existing policy.
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114 Manager Anderson moved to adopt the proposed policy authorizing members of the
115 Board to utilize electronic signatures. Seconded by Manager Toavs. Upon a roll call
116 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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119 **c) MN Watersheds Annual Conference Resolutions**

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121 Administrator Kinney confirmed that all of the managers should be receiving listserv
122 emails from MN Watersheds. MN Watersheds recently sent out notice that it is
123 accepting from watershed districts resolutions proposed to be considered by the
124 membership at the annual meeting. Mr. Kinney explained the process for submitting
125 resolutions for consideration by the MN Watersheds resolutions committee and then
126 at the annual meeting. He additionally encouraged managers to share their ideas
127 for resolutions. President Schmaltz clarified that later this year the Board will consider
128 its stance on the resolutions that are submitted by other watershed districts.
129 Manager Anderson explained that resolution topics can range from legislative
130 actions to state agency matters to changes to MN Watersheds procedures or bylaws.
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133 President Schmaltz suggested a resolution that MN Watersheds provide guidance
134 and services of use to watershed districts generally to reduce duplicative efforts by
135 individual watershed districts. He specifically suggested performing regional salary
136 surveys. Manager Anderson noted that she has resigned from the MN Watersheds
137 board, a few months before her term was to expire. She supported the idea of
138 drafting a resolution for regional salary surveys and noted that MN Watersheds
139 divides the state into three regions. Legal Counsel Holtman asked if President
140 Schmaltz wished to have the resolution pertain only to salary surveys or if he wished
141 to propose a broader undertaking, perhaps involving a survey of administrators as
142 to specific tasks suited for MN Watersheds to undertake. President Schmaltz
143 indicated the salary survey could be the starting point, and the MN Association of
144 Watershed Administrators might help prioritize other services.

145 Manager Bakke noted there are areas of the state that are not represented by
146 watershed districts. He asked if MN Watersheds has an initiative to create watershed
147 districts in such areas. Manager Anderson indicated that this already is an initiative
148 of MN Watersheds, but it would be a good idea to submit this idea as a resolution to
149 show support for it. She stated that the focus could be to work with One Watershed
150 One Plan entities in order to further this initiative.

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152 Mr. Kinney noted that staff can send out examples of past resolutions to the
153 managers. He indicated that there is an upcoming statewide meeting of the MN
154 Association of Watershed Administrators.

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156 Managers Bakke and Schmaltz have suggested that they will draft resolutions
157 regarding their respective proposals, and provide them to staff for further assistance.

158 159 **8. Old Business**

160 161 **a) 44 Lake Street Lease Extension**

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163 Mr. Kinney explained that Managers Anderson and Bakke, Beth Carreño, and he have
164 been working on this task. Ms. Carreño gave a presentation on the current office
165 space facility and proposed lease extension. She noted that there are two main
166 questions for the Board to consider:

- 167
168 1) Consider leasing 1,275 square feet of additional vacant office space on the 2nd
169 floor of the building. The space includes multiple private offices, small
170 meeting spaces, and a small conference room which is too small to hold
171 board meetings. The space is not ADA accessible.
- 172 2) Consider a 3- or 4-year lease extension for the current office, which may be
173 expanded to include the neighboring vacant space. This would not be a
174 permanent solution, but it would provide the District with more time to seek a
175 new office space solution.

176
177 Ms. Carreño presented costs associated with the 3- and 4-year lease extension
178 options. She noted that the base rent is not the only cost; common area
179 maintenance (CAM) is an additional monthly cost for the District's share of trash
180 services, rug cleaning, etc. for the whole building. If the District leases the 2nd floor
181 vacant office space, the landlord has agreed to several improvements of the space
182 prior to the District moving in.

183
184 Ms. Carreño presented the group's recommendation to enter into a new 4-year lease
185 with the addition of the 2nd floor office space. This option involves stable, low annual
186 rent increases; cost savings compared to the current lease rate; and a new lease
187 term extending through August 31, 2027.

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Manager Anderson emphasized the cost savings involved in the recommendation. She stressed the importance of continuing to seek a new office space over the next few years so that the District has its next space lined up before this lease agreement ends. Manager Bakke noted that the workgroup looked into building into the lease agreement an option for early termination in case the District finds its next space in advance of the lease expiration date. Manager Loth asked if subletting would be an option if the early termination clause isn't allowed in the lease agreement. Manager Anderson indicated both options could be discussed with the landlord, as well as a further lease extension option.

Manager Toavs asked if there is a connection between the new 2nd floor office space and the current office space. Manager Anderson indicated that there isn't, and that it would be prohibitively expensive to create such a connection. Currently, both spaces would need to be separately accessed through the shared public stairwell in the center of the building.

President Schmaltz asked what the District is paying for storage units. Bobbie Law indicated the District currently pays \$170 per month for storage units for the District's boat, trailer, equipment, etc.

Ms. Carreño noted the landlord stated that the District is a good tenant and is the sort of tenant the landlord wants to keep in the building. She noted the shortened timeframe within which the board packet materials were developed and posted for this item, and pointed out a revision to the lease agreement language.

Manager Loth moved to have Managers Anderson and Bakke continue discussions with the building owner as to lease extension terms, on the basis of the addition of the presently vacant second-floor office space and a four-year renewal term. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 5-0.

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

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President Schmaltz asked for an update at the next Board meeting on the ongoing office space visioning work for which ISG is retained. Mr. Kinney noted that staff are planning to take on additional work to keep this effort moving forward. Ms. Carreño

223 noted that staff organized a tour of two other watershed district office spaces, to
224 occur on August 8th, and that staff will be meeting with ISG on August 9th.
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226 9. Report of Staff

227 228 a) Administrator

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230 Administrator Kinney noted that he is planning to present on the District's adaptive
231 management and sequential diagnostic monitoring approach at a conference in
232 Iowa on August 7th. Manager Bakke indicated he is excited to see progress on the
233 impairment delisting for Bone Lake and is looking forward to working with staff to do
234 outreach on the topic.
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236 b) Emmons & Olivier Resources

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238 Mr. Grasko noted upcoming bid solicitations for the Washington Judicial Ditch 6
239 Wetland Restoration Project and the Moody Lake Capstone Project.
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241 c) Smith Partners

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243 Nothing to report.
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245 10. Report of Treasurer

246 247 a) Approval of Bills and Treasurer's Report

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249 Treasurer Anderson reported income for the period of \$46,772.63 and expenses in the
250 amount of \$154,506.37. She noted the District received its 1st half levy settlements in
251 early July.
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253 President Schmaltz moved to accept the Treasurer's Report and pay the bills in the
254 amount of \$154,506.37. Seconded by Manager Toavs. Upon vote, the motion carried
255 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			

257 258 11. Report of Officers and Managers

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260 Manager Anderson asked if the District could perform additional monitoring during the
 261 current drought conditions in order to glean a better understanding of certain watershed
 262 conditions that might be more difficult to monitor during a normal year. President
 263 Schmaltz asked that in advising the Board on this, staff speak to how the work would be
 264 done, and how the District would use the information.

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 266 Manager Loth reported that the Forest Lake Lake Association has asked Administrator
 267 Kinney to reach out to the MN Department of Natural Resources to gather more historical
 268 information with respect to the Forest Lake outlet weir.

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

271 Board directives were summarized:

- 272 - Staff to look into flowering rush management at the Forest Lake outlet weir and on
- 273 the shoreline, and look into associated grants.
- 274 - Mr. Miller to follow up with the Forest Lake Lake Association to get an update on
- 275 Forest Lake Eurasian watermilfoil management plans.
- 276 - Manager Schmaltz and Manager Bakke will work on initial draft MN Watersheds
- 277 resolutions.
- 278 - Staff will bring forward additional office space visioning material at a future
- 279 meeting and discuss the ongoing work with ISG.
- 280 - Manager Anderson and President Schmaltz asked for staff to advise as to sampling
- 281 work in dry ditches during drought conditions.
- 282 - Manager Anderson asked for staff to examine the ability to publish lake level
- 283 monitoring data on the District's website.
- 284 - Increase the 2024 draft budget to include the new lease agreement.

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 286 **13. Adjourn**

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 288 **a) Next regular board meeting – August 10, 2023**

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 290 Manager Anderson moved to adjourn the meeting. Seconded by Manager Toavs.
 291 Upon a roll call vote, the motion carried 5-0, and the meeting was adjourned at 8:15
 292 p.m.
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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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 295 Dave Bakke, Secretary _____