

1 **DRAFT MINUTES OF THE REGULAR MEETING OF THE**
2 **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**
3 **Thursday, February 22, 2024**

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5 **1. Call to Order**

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7 Treasurer Anderson called the February 22, 2024, regular board meeting to order at 6:30
8 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 (virtual attendance)
12 Christopher Loth, Vice President (virtual attendance)
13 Jackie Anderson, Treasurer
14 Douglas Toavs, Assistant Treasurer (virtual attendance)

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16 **Manager Absent:**

17 Dave Bakke, Secretary

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19 **Staff Present:**

20 Mike Kinney, District Administrator
21 Beth Carreño, Senior Program Manager
22 Emily Heinz, Planning Coordinator
23 Aidan Read, Land Management Specialist
24 Garrett Miller, Aquatic Invasive Species Coordinator
25 Tori Philippi, Office Manager
26 Mike Sandager, Permitting Coordinator

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28 **Others Present:**

29 Anne Wilkinson, Emmons & Olivier Resources
30 Greg Grasse, Emmons & Olivier Resources
31 Chuck Holtman, Smith Partners
32 Rich Johnson, Citizen Advisory Committee applicant
33 Kirsten Gulbro, Access Philanthropy
34 Deborah Karasov, Access Philanthropy

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37 **2. Setting of Meeting Agenda**

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39 Manager Toavs moved to approve the agenda as presented. Seconded by President
40 Schmaltz. Upon a roll call vote, the motion carried 3-0.

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Manager	Aye	Nay	Absent	Abstain
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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 – December 20, 2023
- b) Special Board Meeting Minutes – January 9, 2024
- c) Regular Board Meeting Minutes – January 11, 2024

The special board meeting minutes of January 23, 2024 and the regular board meeting minutes of January 25, 2024 were removed from the consent agenda as not yet ready for board consideration. President Schmaltz moved to approve the consent agenda as presented. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 3-0.

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 the Citizen Advisory Committee (CAC) approved letters of support for two District grant applications. He noted that Rich Johnson has submitted an application to join the CAC. Mr. Read introduced Mr. Johnson, a resident near Shields Lake interested in land stewardship. He indicated that Mr. Johnson provides insight as a non-lakeshore resident of the District. Mr. Johnson described his background and interest.

Manager Schmaltz moved to appoint Richard Johnson to serve on the District’s Citizen Advisory Committee for 2024. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent	Abstain
Dave Bakke			X	

Christopher Loth			X	
Doug Toavs	X			
Jackie Anderson	X			
Stephen Schmaltz	X			

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Manager Loth joined the meeting.

6. New Business

a) Permit 23-031 Westlake Commercial

Mike Sandager explained the project is located at 119 12th Street SW, Forest Lake. The work area will include the parking lots of PetSmart extending North to Northern Tool & Equipment as well as the green area north of Northern Tool + Equipment. The project consists of the construction of a new 9,600 square foot building and both new work and improvements to the parking lot and landscaping. Greg Graska explained that Rule 2.0 Stormwater Management and Rule 3.0 Erosion Control apply to this project. Stormwater management is required for the new and reconstructed impervious areas and will be provided by a surface filtration basin and an underground filtration basin. The erosion control requirements will be met with silt fence and revegetation based on a submitted implementation schedule.

Manager Toavs moved to approve permit application #23-031 with conditions stated in EOR’s February 8, 2024, memorandum. Seconded by President Schmaltz.

Manager Anderson asked how the District applies the rule standard that suspended solids be reduced to the “maximum extent practicable.” Mr. Graska explained that the “maximum extent practicable” requirement is an engineering judgement based on what is feasible for the site. He noted that, overall, the site work is going to be a net benefit for runoff rate control and water quality improvement for downstream waters. Mr. Graska clarified that the stormwater best management practices are subject to an annual reporting requirement and may be inspected by District staff on a more frequent basis.

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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b) Access Philanthropy Fundraising Feasibility Report

Emily Heinz explained staff has been working with Access Philanthropy to evaluate the feasibility of tapping into private funding sources, particularly for the District's office space capital campaign. Kirsten Gulbro noted the goal was to evaluate the feasibility of raising \$3-4 million from private donors to renovate or purchase a new office space. Ms. Gulbro explained the work encompassed three major areas: likelihood of securing foundation grants/corporate gifts, alternative fundraising strategies, and assessing CLFLWD's internal capacity to run a capital campaign. Key findings include: private grants and contributions are not a promising source of revenue; public funding is the most likely source of revenue; and staff and board members have significant work ahead in terms of developing concepts, evaluating roles and responsibilities, and nurturing community partnerships. Deborah Karasov recommended next steps including achieving consensus on the project's concept and scope, as well as developing a project planning process, timeline, and responsibilities.

President Schmaltz asked for the names of the nine foundations that were interviewed, and Ms. Gulbro indicated these would be shared with staff and subsequently distributed to the board via email. President Schmaltz asked what percentage of Access Philanthropy's clients has been local government units. He suggested that the District speak with other watershed management organizations that have built their facilities. Ms. Karasov indicated that local government units make up a relatively small percentage of Access Philanthropy's clients. That being said, she noted that Access Philanthropy has participated in a lot of government projects such as schools and libraries. Manager Toavs said it seems the District should evaluate the educational component in order to make the case for some of this funding. Manager Anderson stated that if the District wants to tap into such funding, it needs to spend several years building relationships. However, she noted the funding amounts don't appear to be as large as expected.

Manager Toavs moved to accept the Access Philanthropy final report as presented. Seconded by President Schmaltz. 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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139 **c) Floodplain Vulnerability Assessment**

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141 Administrator Kinney explained that the District has been building the foundation for
142 this work for years and has been applying to grant programs to fund this work. He
143 indicated the past grant applications for the Floodplain Vulnerability Assessment
144 had been unsuccessful, and the Board had decided to budget local dollars for this
145 work as opposed to waiting for the next round of grant funding to open. Ms. Heinz
146 explained EOR and staff have completed preliminary mapping exercises using
147 available desktop data.

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149 Camilla Correll explained the maps were created by stacking GIS layers on top of
150 each other. Layers fall into one of four categories: environmental, social,
151 infrastructural, and flood hazard. The integrated map shows the areas in the
152 watershed district that have the highest level of risk when all those factors are
153 combined. She explained that staff and EOR reviewed these results with the
154 engineers for the cities of Forest Lake, Scandia and Wyoming. Responding to
155 Manager Anderson, Ms. Heinz indicated that the District hasn't yet reached out to
156 counties or moved community engagement forward more generally. Manager
157 Anderson clarified that she is interested in any county data and technical input. Ms.
158 Correll recommended the Board hold a special meeting to have a more in-depth
159 discussion on priorities.

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161 President Schmaltz noted Rice Creek Watershed District has recently completed a
162 floodplain vulnerability assessment. He recommended that staff share information
163 with RCWD and check to see if there are any government protocols that should be
164 followed. Ms. Correll explained this will be discussed as part of the community
165 engagement activity. She explained that EOR recently did a floodplain vulnerability
166 assessment for the City of Rochester. The CLFLWD's approach is very thoughtful and
167 holistic with respect to community engagement and equity.

168
169 Manager Anderson indicated the District should focus on its water resources
170 mandate, and on advising its local government units with respect to how they guide
171 land development and preservation. She expressed the hope that all five managers
172 can attend the board workshop, and recommended setting aside a 5-6 hour time
173 block. Staff will follow up with a scheduling poll to find a date that works for all five
174 managers.

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176 **d) 2024 Forest Lake Cooperative Aquatic Invasive Species Agreement**

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178 Garrett Miller explained this is an agreement for cost-sharing aquatic invasive
179 species prevention and management work such as watercraft inspections and AIS
180 treatments. The agreement is modeled after previous years' agreements. Mr. Miller
181 confirmed that the City of Forest Lake and Forest Lake Lake Association have been

182 involved in the preparation of the agreement. Mr. Miller indicated representatives
 183 from all three partners have been part of the discussions, and the process has been
 184 going smoothly this year.

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 186 Manager Toavs moved to authorize the District Administrator to execute the 2024
 187 Funding Support Agreement for AIS and Lake Management Activities on Forest Lake,
 188 on advice of counsel and with any final, non-substantive changes. Seconded by
 189 President 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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192 **e) GreenCorps Host Site Resolution**

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194 Administrator Kinney noted the District applied to this program once before and was
 195 assigned a very high quality GreenCorps Member. He indicated he hopes the District
 196 will be assigned a similar candidate this time around.

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198 President Schmaltz moved to adopt resolution 24-02-02. Seconded by Manager
 199 Toavs. 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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202 **f) Laura Jane Musser Foundation Grant Application**

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204 Emily Heinz explained that the District has been awarded a MnDNR Expedited
 205 Conservation Project grant for the North Shore Circle Park Shoreline Restoration
 206 Project. She noted that Beth Carreño has been working with Forest Lake city staff to
 207 identify shared objectives such as shoreline restorations on city-owned properties
 208 like this. City staff came to the District with the idea to work together to apply to the
 209 Laura Jane Musser Foundation for additional funding for the North Shore Circle Park
 210 Shoreline Restoration project. If awarded, this grant could help enhance the project
 211 and provide matching funds for the DNR grant.

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President Schmaltz moved to authorize the Board President to sign the enclosed endorsement letter for the Laura Jane Musser Fund grant proposal. Seconded by Seconded by Manager Toavs. Upon a roll call vote, the motion carried 3-0.

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

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g) Legislative Briefing Day at the Capitol

Manager Anderson indicated that managers should contact Tori Philippi to register for this event. Manager Anderson indicated she plans to attend the first day only. President Schmaltz and Manager Toavs indicated they cannot attend.

Manager Anderson moved to authorize payment for managers and staff to attend the MN Watersheds Legislative Briefing & Day at the Capitol. Seconded by Manager Toavs. 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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7. Old Business

8. Report of Staff

a) Administrator

Administrator Kinney reported that the Moody Lake Capstone Project excavation spoils have been removed from the property near Bone Lake where the contractor had disposed of them. Manager Anderson asked if any of the government permits noted in the Administrator’s Report are associated with the MnDOT Highway 8 Reconstruction Project. Mr. Kinney indicated they are not.

b) Emmons & Olivier Resources

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Regarding the Moody Capstone project, Dr. Wilkinson reported that the contractor will complete seeding at the Toavs wetland next week, and the Moody Lake Park raingardens will be planted in spring. At the WJD-6 Western Tributary Wetland Enhancement project, the contractor has completed excavating and seeding, and planting will occur in spring. Dr. Wilkinson indicated EOR is working with staff on the 2024 monitoring plan, and EOR is working on the 2023 monitoring report. EOR is currently waiting for the MPCA to send the finalized water monitoring data, and she anticipates they will arrive next week. Dr. Wilkinson reported that District staff and EOR recently met with the MnDOT to continue discussing regional stormwater treatment components associated with the Highway 8 Reconstruction Project.

c) Smith Partners

Nothing to report.

9. Report of Treasurer

a) Approval of Bills and Treasurer’s Report

Treasurer Anderson reported income for the period of \$12,769.30 and expenses in the amount of \$188,528.94.

Manager Toavs moved to accept the Treasurer’s Report, transfer funds in the amount of \$174,000, and pay the bills in the amount of \$188,528.94. Seconded by President Schmaltz. Upon 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			

10. Report of Officers and Managers

Manager Toavs reported that it has been interesting to watch the project construction on his property and at the Moody Lake Round Barn. The process seems to have been going well. He reported that there was recently a piece in the newspaper regarding lake associations receiving funding for water quality from Chisago County. Manager Anderson indicated she has been working on this with the Comfort Lakes Association.

278 Manager Anderson reported that the metro partners of the Lower St. Croix Watershed
 279 Partnership held a Watershed Based Implementation Funding (WBIF) convene meeting
 280 yesterday. She explained that the city representatives at the meeting requested that the
 281 Partnership reserve some money for the metro area, specifically for organizations that
 282 haven't received any funding through the WBIF yet. The convene group is giving another
 283 30 days to cities and entities to submit a proposal for a project. Then the group will have
 284 another meeting toward the end of March. Manager Anderson noted that there was
 285 support from most of the convene meeting attendees that the majority of funds should
 286 be pooled with the greater Lower St. Croix Partnership. She asked staff to distribute the
 287 convene meeting minutes to the Board.

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289 **11. Summary and Approval of Board Direction**

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291 Board directives were summarized.

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- 292 • Staff will coordinate with managers to schedule a workshop for the flood
 293 resilience work.
- 294 • Staff will provide the Board with the minutes from the convene meeting.

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297 **12. Adjourn**

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299 **a) Next regular board meeting – March 14, 2024, 6:30 pm**

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301 Manager Loth moved to adjourn the meeting. Seconded by Manager Toavs. Upon a
 302 roll call vote, the motion carried 4-0, and the meeting was adjourned at 7:58 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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Dave Bakke, Secretary -----