

1                   **DRAFT MINUTES OF THE REGULAR MEETING OF THE**  
2                   **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**  
3                   **Thursday, April 11, 2024**

4  
5   **1. Call to Order**

6  
7   President Schmaltz called the April 11, 2024, regular board meeting to order at 6:30 p.m.  
8   at the CLFLWD office, 44 Lake Street South, and via online video conference.

9  
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)

16  
17 **Staff Present:**

18 Mike Kinney, District Administrator  
19 Emily Heinz, Planning Coordinator  
20 Tori Philippi, Office Manager  
21 Blayne Eineichner, Project Coordinator  
22 Garrett Miller, AIS Coordinator  
23 Adam Hjelm, Education & Outreach Coordinator

24  
25 **Others Present:**

26 Anne Wilkinson, Emmons & Olivier Resources  
27 Greg Graske, Emmons & Olivier Resources  
28 Chuck Holtman, Smith Partners

29  
30 **2. Setting of Meeting Agenda**

31  
32 Manager Anderson moved to approve the agenda as presented. Seconded by Manager  
33 Toavs. Upon a roll call vote, the motion carried 5-0.

34

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

36 **3. New Business**

37  
38 **a) PLM Service Agreement for Flowering Rush and Purple Loosestrife**  
39 **Management**

40  
41 Manager Anderson moved to authorize the Administrator to execute the contract,  
42 with non-substantive changes and on advice of counsel, with PLM Lake and Land  
43 Management Corp. for flowering rush and purple loosestrife treatments on Forest  
44 and Keewahtin Lakes in an amount not to exceed \$20,365. Seconded by Manager  
45 Toavs.

46  
47 Garrett Miller presented the proposal and recommended working with PLM Lake &  
48 Land Management for flowering rush and purple loosestrife management in 2024.  
49 Mr. Miller indicated that the proposed treatment approach is expected to result in a  
50 99% reduction in flowering rush growth around Forest Lake. He noted that staff will  
51 work with PLM to treat known areas of purple loosestrife growth as well. Manager  
52 Anderson asked Mr. Miller to assess purple loosestrife treatment needs around Little  
53 Comfort Lake and to evaluate the possibility of an early season treatment. Mr. Miller  
54 clarified that the District isn't planning on treating every single patch of purple  
55 loosestrife, but merely the densest areas. He noted that purple loosestrife is  
56 widespread around the District, and the objective on Forest Lake is to knock it back  
57 and try to establish native cattails and arrowheads in its place. Mr. Miller noted that  
58 herbicide treatment will be supplemented with biological control methods (i.e.,  
59 purple loosestrife-eating beetles). Manager Loth asked if the District would work with  
60 lake association members to encourage and assist homeowners to address  
61 flowering rush on their shorelines. Mr. Miller indicated that is correct, and the District  
62 will be doing outreach as part of that effort.

63  
64 Upon a roll call vote, the motion carried 5-0.

65

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

66  
67 **b) Records Retention Policy**

68  
69 Administrator Kinney explained that Legal Counsel Holtman had noticed a  
70 discrepancy in the District's records retention policy. Mr. Holtman indicated that the  
71 District retains documents per a state-approved records retention schedule that

72 allows for all emails to be disposed of on reading, but that the standard term is to  
73 hold emails relating to District business for three years. He indicated that the intent  
74 is to amend the District’s schedule to match the standard term of the records  
75 retention schedule.

76  
77 The proposed policy was included in the board packet. Mr. Holtman recommended  
78 a slight addition to the draft policy as follows:

79  
80 Existing text: (Paragraph) 3. “Electronic communications” means all written  
81 communications that the District employee or manager sends or receives by  
82 means of a technological device that does not automatically produce the  
83 communication in a hard-copy form.

84  
85 Additional sentence to be added: “A communication that exists  
86 independently of an electronic communication by which it is transmitted is  
87 not an electronic communication for the purpose of this policy and should be  
88 retained in accordance with its record retention classification.”

89  
90 Mr. Holtman explained this means if there is a letter attached to an email, the letter  
91 itself exists independently of the email and is handled independently of the email  
92 retention policy. Whereas emails would be discarded after 3 years, the attached  
93 letter might need to be retained for longer than 3 years, depending on how it is  
94 categorized under the records retention schedule.

95  
96 Manager Anderson moved to approve the Policy Concerning Retention of Electronic  
97 Communications. Seconded by President Schmaltz. Upon a roll call vote, the motion  
98 carried 5-0.

99

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

100  
101 **4. Old Business**

102 **a) 2023 Water Quality Monitoring Report**

103  
104 Dr. Wilkinson presented highlights from the 2023 Water Monitoring Report including  
105 climate trends, lake and stream monitoring locations, long-term water quality  
106 trends, and main takeaways. Most lakes have an improving water quality trend.  
107 Forest Lake East shows a declining trend in total phosphorus which is mainly due to

108 internal phosphorus loading, and the Forest Lake Alum Treatment will address this.  
109 Lake Keewahtin also showed a declining trend in clarity, but still has very good water  
110 quality overall. Bone Lake, Comfort Lake, Little Comfort Lake, Forest Lake (all 3 basins),  
111 Shields Lake, and Moody Lake were all meeting state water quality standards in 2023.  
112 Dr. Wilkinson noted increased orthophosphate levels in the bottom water of Moody  
113 Lake, and the District will continue to keep an eye on this. Chloride concentrations in  
114 Comfort Lake and Little Comfort Lake were high, but there is potential that the  
115 monitoring probe could have been picking up other variables; the District will  
116 continue monitoring these concentrations. Stream monitoring results were affected  
117 by low flow conditions throughout the summer, but the District was still able to collect  
118 some usable data. All phosphorus, chloride, and total suspended solids  
119 concentrations in monitored streams were below state standards except the Little  
120 Comfort Lake inlet. The Little Comfort Lake inlet showed high total phosphorus  
121 concentrations, but there is some uncertainty in the data.

122  
123 Main takeaways included:

- 124 • General water quality trends are good and improved from last year
- 125 • Restoration projects continue to improve water quality
- 126 • Data from 2023 monitoring informed recommendations for future actions

127  
128 Manager Anderson had several comments and questions which were documented  
129 and taken into consideration for revising the report.

130  
131 Manager Anderson asked, if the lakes are meeting state standards, why doesn't the  
132 District petition the Minnesota Pollution Control Agency (MPCA) to de-list them? Greg  
133 Graske indicated that some of the lakes are still close to the state standard, and he  
134 recommended the District collect enough years of data to be confident that once  
135 the lake is delisted it doesn't go back onto the list a couple years later. He indicated  
136 that the decision is ultimately up to the Board to decide which lakes it would like to  
137 propose for de-listing, and the MPCA will consider the body of data available.  
138 Manager Anderson recommended that de-listing several lakes at once would be an  
139 excellent communication opportunity. Mr. Kinney indicated staff could check with  
140 MPCA staff to get their opinion.

141  
142 President Schmaltz asked that managers send comments in writing to the engineer  
143 in advance of the meeting. Manager Anderson asked that staff make all board  
144 meeting recordings available to the public, particularly the January 2024 board  
145 meetings. Manager Anderson indicated she would like to see a copy of President  
146 Schmaltz's comments on the annual report.

147  
148 **b) 2023 Year in Review, Annual Report, and Progress Report**

150 Emily Heinz presented an overview of the 2023 Year-In-Review, Annual Report, and  
151 Progress Report including accomplishments in 2023 and progress toward water  
152 quality goals. She highlighted new and notable work in each of the District's  
153 programs, noted ongoing projects, and evaluated how close each lake is to state  
154 water quality standards.

155  
156 Manager Bakke indicated he likes the format of the presentation. He requested a  
157 revision to the grant seeking slide: reword the first bullet on the right side to "Grants  
158 enhance the budget and have allowed the District to accelerate its success in  
159 delisting impaired lakes."

160  
161 Manager Anderson indicated she has a few comments on the Progress Report and  
162 several comments on the Annual Report. President Schmaltz indicated he doesn't  
163 have any comments on the Progress Report. He noted how much the report has  
164 developed over the last 10 years.

## 165 166 **5. Program/Project Update**

### 167 168 **a) Project Update**

169  
170 Administrator Kinney noted that staff will be planting trees on District properties on  
171 April 29<sup>th</sup>. He indicated that the District is making a lot of progress on its water quality  
172 projects, and the Project Update presentation slides contain several photos.

### 173 174 **b) Program Update – Bone Lake Delisting Celebration**

175  
176 Adam Hjelm presented an update on the planning efforts for the Bone Lake Delisting  
177 Celebration. The tentative date is June 11<sup>th</sup>. He indicated the Bone Lake Association is  
178 contributing \$300, and the District has budgeted up to \$2,000 for the event. Mr. Hjelm  
179 indicated he meets with a planning committee every 2 weeks leading up to the event.  
180 An RSVP will be sent out by May 1<sup>st</sup>, and the District has the Scandia city hall building  
181 reserved. Manager Bakke thanked Mr. Hjelm for his efforts. Manager Anderson  
182 indicated this should be a template for future de-listings.

## 183 184 **6. Summary and Approval of Board Direction**

185  
186 The following board directive was noted:

- 187 • The managers would like audio tapes of meetings to be made available.  
188 Manager Anderson noted that she would like the four recordings from January  
189 in particular and would appreciate availability of recordings for all meetings  
190 going forward.

## 191 192 **7. Adjourn**

193  
194  
195  
196  
197  
198  
199

**a) Next regular board meeting – April 25, 2024, 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 8:13 p.m.

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

200  
201

Dave Bakke, Secretary \_\_\_\_\_