

1 **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 Grasse, Emmons & Olivier Resources
28 Chuck Holtman, Smith Partners
29

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

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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			

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101 4. Old Business

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102 a) 2023 Water Quality Monitoring Report

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Dr. Wilkinson presented highlights from the 2023 Water Monitoring Report including climate trends, lake and stream monitoring locations, long-term water quality trends, and main takeaways. Most lakes have an improving water quality trend. 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 Graska 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**

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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**

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170 Administrator Kinney noted that staff will be planting trees on District properties on
171 April 29th. 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**

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176 Adam Hjelm presented an update on the planning efforts for the Bone Lake Delisting
177 Celebration. The tentative date is June 11th. 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 1st, 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**

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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**

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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			

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Dave Bakke, Secretary _____