

1 **MINUTES OF THE REGULAR MEETING OF THE**
2 **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**
3 **Wednesday, May 22, 2024**

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5 **1. Call to Order**

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7 President Schmaltz called the May 22, 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.

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10 **Managers Present:**

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

16
17 **Staff Present:**

- 18 Mike Kinney, District Administrator
19 Tori Philippi, Office Manager
20 Aidan Read, Land Management Specialist
21 Emily Heinz, Planning Coordinator
22 Garrett Miller, Aquatic Invasive Species Coordinator

23
24 **Others Present:**

- 25 Anne Wilkinson, Emmons & Olivier Resources
26 Greg Graske, Emmons & Olivier Resources
27 Cecilio Olivier, Emmons & Olivier Resources

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30 **2. Setting of Meeting Agenda**

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32 Manager Anderson moved to approve the agenda as amended. Seconded by Manager
33 Toavs. 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			

36 **3. Consent Agenda**

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38 **a) Regular Board Meeting Minutes – April 11, 2024**

39 **b) Special Board Meeting Minutes – April 24, 2024**

40 **c) Regular Board Meeting Minutes – April 25, 2024**

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42 Manager Anderson moved to approve the consent agenda as amended. Seconded by

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

44

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

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46 **4. Public Open Forum**

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48 There were no comments.

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50 **5. Citizen Advisory Committee Update**

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52 Aidan Read reported that the Citizen Advisory Committee (CAC) met on May 14th and
53 discussed the draft 2025 annual budget. The CAC has expressed an interest in being
54 more engaged in the budget process. Mr. Read indicated that CAC members will submit
55 written comments on the budget. Mr. Read noted that the CAC is also planning a
56 summer excursion, and more information will be shared later.

57

58 **6. Aquatic Invasive Species Update**

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60 Garrett Miller reported that Blue Water Science is in the process of performing curly-leaf
61 pondweed treatment assessment surveys. He noted that the watercraft inspection
62 program is underway, and inspectors are preparing to provide coverage at public boat
63 launches during the upcoming Memorial Day holiday weekend. Mr. Miller explained that
64 he is coordinating with other aquatic invasive species (AIS) experts in the region on AIS
65 rapid response planning. He reported that President Schmaltz stopped by the District
66 office earlier that day to report carp activity near the Forest Lake outlet weir. Mr. Miller
67 indicated he has been in communication with the MN Department of Natural Resources
68 and is working on addressing this issue.

69

70 Manager Anderson indicated that the District should look into potential blockages along
71 the Sunrise River downstream of Forest Lake. President Schmaltz asked Mr. Miller to
72 investigate potential carp spawning areas around Forest Lake. Manager Bakke

73 requested that Mr. Miller provide additional detail regarding partner contributions to the
74 watercraft inspection program in the monthly report.

75
76 **7. New Business**

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78 **a) Heath Ave Iron Enhanced Sand Filter Feasibility Study**

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80 Kyle Crawford provided background information on the proposed project. The
81 project is located off Heath Avenue, south of Highway 8, within the Little Comfort Lake
82 subwatershed. The proposed iron enhanced sand filter project is similar to the
83 recently completed County Road 50 Iron Enhanced Sand Filter. The project is
84 estimated to treat 37% of total stormwater volume and 20% of total phosphorus, with
85 an annual phosphorus load reduction of 79 lb/yr, and a 25-year lifespan. Manager
86 Anderson stated that it is important to address pollutant loading to Little Comfort
87 Lake. President Schmaltz asked for an estimated lifetime phosphorus removal cost-
88 benefit. Mr. Crawford indicated that the early estimate is approximately \$1,000/lb of
89 phosphorus removed. He noted that this estimate is very conservative and has a
90 significant contingency.

91
92 Manager Anderson moved to authorize the Administrator, on advice of counsel, to
93 enter into an agreement with Emmons & Olivier Resources in accordance with the
94 May 14th scope of work and in an amount not to exceed \$58,784. Seconded by
95 Manager Bakke. 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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98 **b) MN Watersheds Summer Tour Delegates**

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100 Manager Anderson and Manager Toavs indicated that they are interested in
101 attending.

102
103 Manager Anderson moved to authorize any managers and appropriate staff to
104 attend the Minnesota Watersheds tour and expend the associated funds as
105 necessary to attend. Seconded by President Schmaltz. Upon a roll call vote, the
106 motion carried 5-0.

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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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c) Insurance Liability Coverage Waiver

Administrator Kinney noted that this action is an annual occurrence, and the District typically elects to not waive the monetary limits.

Manager Anderson moved to elect “The member does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.” option provided on the LMCIT Section 1: Liability Coverage Waiver form. Seconded by Manager Toavs.

Manager Bakke asked if the District’s liability insurance coverage protects board managers. Administrator Kinney indicated that the District’s liability insurance covers the Board of Managers.

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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8. Old Business

a) Crisis Communication Plan

Administrator Kinney noted this effort began last fall. District staff drafted the plan using Mississippi Watershed Management Organization’s plan as a template, and MP+G PR consulting firm reviewed it. The plan does not encompass every possible crisis, but it provides a framework to aid the District’s response to a variety of potential crises.

Manager Toavs moved to approve the Crisis Communication Plan as presented. Seconded by Manager Loth.

138 Manager Bakke mentioned that the board of managers is a more appropriate
 139 contact than county commissioners in the sequencing on page 12. He noted that the
 140 involvement of the CAC at that stage in the process may depend on the nature of
 141 the crisis. Manager Anderson and Manager Bakke indicated this is a useful document
 142 for the District to have. President Schmaltz agreed and noted the 2-page summary
 143 is a useful addition. Staff was directed to print copies for all staff and the board to
 144 keep on hand.

145
 146 Upon a roll call vote, the motion carried 5-0.
 147

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

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 149 **b) Public Relations Research Update**

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 151 Administrator Kinney provided an update on the public relations efforts to date. He
 152 noted that staff have been working with the consulting firm, MP+G, as well as
 153 research staff from the University of Minnesota.

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 155 **9. Report of Staff**

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 157 **a) Administrator**

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 159 Administrator Kinney reported that staff have been in communication with the
 160 landowners of the project site for the Heath Avenue Iron Enhanced Sand Filter project.
 161 He indicated that the landowners are close to signing a purchase agreement that is
 162 contingent upon grant funding and other pertinent factors. Mr. Kinney noted two
 163 upcoming board workshops: floodplain vulnerability assessment workshop on June
 164 4th and budget workshop on June 20th. Managers agreed on a deadline of June 2nd to
 165 provide written comments on the budget to staff. Manager Bakke requested a list of
 166 upcoming educational workshops.

167
 168 Manager Bakke asked about the Lessard-Sams Outdoor Heritage Fund grant
 169 application deadline. Mr. Kinney indicated the District does not yet have clarity on the
 170 land acquisition. He recommended, per the discussion at the last board meeting,
 171 that the District not proceed with submitting a grant application for the restoration
 172 work yet. Mr. Kinney noted he and Mr. Eineichner plan to meet with the landowner on
 173 Friday.

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b) Emmons & Olivier Resources

Dr. Wilkinson reported that the raingarden was installed at the Moody Lake Capstone project earlier this week, and additional plantings will occur next week. She noted the WJD-6 Western Tributary Wetland Enhancement project is close to completion as well.

c) Smith Partners

Counsel was not present.

10. Report of Treasurer

a) Approval of Bills and Treasurer’s Report

Treasurer Anderson reported income for the period of \$871,168.79 and expenses in the amount of \$232,511.48. She noted the District’s cash balance is \$1.6 million.

Manager Anderson moved to accept the Treasurer’s Report, transfer funds in the amount of \$275,000 and pay the bills in the amount of \$232,511.48. Seconded by President Schmaltz. Upon 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			

11. Report of Officers and Managers

Manager Anderson shared a calendar printed by the MN Invasive Species Advisory Council and recommended that the District create a similar calendar for fundraising. She stated it could be a partnership publicity effort with the lake associations. Manager Anderson asked staff to be mindful of beaver activity and blockages in stream corridors.

Manager Bakke indicated he is looking forward to the Bone Lake Delisting Celebration on June 11th.

President Schmaltz noted the City is working on removing its stormwater project off North Shore Circle in response to public criticism of the project aesthetics. Mr. Kinney noted that the purpose of that project was to create stormwater treatment credits to offset

211 future downtown development, thus satisfying local stormwater management
212 requirements. With the project removed, the City will not be able to utilize any stormwater
213 credits from the project.

214
215 Manager Loth asked who is to blame for this issue. Administrator Kinney explained that
216 the City undertook this project so that it could generate, own and utilize or sell
217 stormwater management credits to support downtown redevelopment. He explained
218 that the District advised in the early stages of project identification, but the City
219 proceeded to the design and construction phase without consulting the District. The City
220 did not ask the District to advise on the project design, the public outreach, or the
221 decision to remove the project altogether. Manager Loth noted the public criticism the
222 District received regarding the Willow Point office space issue several years ago. He
223 expressed concern that the District is receiving bad PR as a result of the City's mistakes.

224 225 **12. Summary and Approval of Board Direction**

226
227 Board directives were summarized.

- 228 • Manager Anderson and President Schmaltz asked staff and engineers to
229 investigate potential blockages in the Sunrise River downstream of the Forest Lake
230 outlet weir and investigate potential carp spawning areas around Forest Lake, such
231 as Cranberry Lake.
- 232 • Manager Bakke noted a couple minor edits to the Crisis Communication Plan on
233 page 12: add the board in place of commissioners, and consider on a case by case
234 basis whether the CAC needs to be involved as early as step 2, or possibly later in
235 the process, depending on the nature of the crisis.
- 236 • Manager Bakke and Manager Anderson requested a summary of upcoming
237 educational workshops and a subsequent report on attendance numbers.
- 238 • Manager Anderson requested a mid-season update on the water monitoring
239 program.
- 240 • Administrator Kinney was directed to proceed with soliciting a scope of work from
241 UMN regarding shoreline outreach research.

242 243 **13. Adjourn**

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245 **a) Next regular board meeting – June 13, 2024, 6:30 pm**

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247 Manager Anderson moved to adjourn the meeting. Seconded by Manager Bakke.
248 Upon a roll call vote, the motion carried 5-0, and the meeting was adjourned at 8:00
249 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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252 Dave Bakke, Secretary -----