

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

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5   **1. Call to Order**

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7   President Schmaltz called the August 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  
12   Christopher Loth, Vice President (virtual attendance)  
13   Jackie Anderson, Treasurer  
14   Douglas Toavs, Assistant Treasurer (virtual attendance)  
15   Dave Bakke, Secretary (virtual attendance)

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17   **Staff Present:**

18   Mike Kinney, District Administrator  
19   Tori Philippi, Office Manager  
20   Victoria D’Amico, Water Resources Technician  
21   Adam Hjelm, Education & Outreach Coordinator  
22   Aidan Read, Land Management Specialist

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24   **Others Present:**

25   Cecilio Olivier, Emmons & Olivier Resources  
26   Anne Wilkinson, Emmons & Olivier Resources  
27   Camilla Correll, Emmons & Olivier Resources  
28   Bill Yu, Emmons & Olivier Resources  
29   Chuck Holtman, Smith Partners  
30   Russell Mansmith (District Resident)  
31   Cliff Buchan (District Resident)  
32   Denise Martin, Chisago County Press

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34   **2. Setting of Meeting Agenda**

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36   Manager Anderson moved to approve the agenda as presented. Seconded by Manager  
37   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			

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### 3. Consent Agenda

- a) Regular Board Meeting Minutes – July 11, 2024
- b) Special Board Meeting Minutes – July 24, 2024
- c) Regular Board Meeting Minutes – July 25, 2024

Manager Anderson moved to approve the consent agenda as presented. Seconded by Manager Loth. 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 Hearing – 2025 Budget and Levy

President Schmaltz opened the public hearing. The District played a pre-recorded presentation summarizing the draft budget and proposed 2025 initiatives. The proposed expense budget is \$3,050,496. The Board of Managers is considering a levy increase of 5%, bringing the total 2025 levy to \$1,805,843. The remainder of the budget will be funded by grants, partnerships, interest revenue, loan proceeds, and reserves. No member of the public wished to address the Board. President Schmaltz closed the public hearing.

### 5. Public Open Forum

Russell Mansmith, who owns a tract of land on the west side of the freeway that he said he planted for a Christmas tree farm decades ago, submitted a concern. He explained there is standing water on his lot, and trees have died. He indicated he believes the cause is an untended ditch. Administrator Kinney responded that this spring and summer have been exceedingly wet, and the District has received numerous drainage complaints across its boundaries. He explained that the District has reviewed this site in the past, and the onsite private ditch and downstream private ditches have an effect on the drainage of Mr. Mansmith’s site. Mr. Kinney noted the District is actively working to assess flood risks and flood mitigation strategies. He indicated that District staff will look into the ditch’s history. President Schmaltz closed the public open forum.

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### 6. Citizen Advisory Committee Update

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Aidan Read reported the Citizen Advisory Committee (CAC) held a shoreline tour on Forest Lake on August 21<sup>st</sup> in order to demonstrate the spectrum of shoreline health. The next CAC meeting is September 17<sup>th</sup>. President Schmaltz and Manager Anderson indicated they attended the shoreline tour and commended staff on an excellent event.

**7. Aquatic Invasive Species Update**

Administrator Kinney reported that PLM Lake and Land Management conducted a flowering rush herbicide treatment on Forest Lake, and staff conducted seed removal. He noted that recent Eurasian watermilfoil surveys by Blue Water Science are included in the board packet materials. Manager Anderson reported that the Comfort Lakes Association received funding from Chisago County for Eurasian watermilfoil treatment and plans to conduct the next treatment in 2025.

**8. New Business**

**a) Clean Water Council Letter**

Manager Anderson reported that the District contributed to the compilation of a letter to the Clean Water Council on behalf of the Lower St. Croix Watershed Partnership. The letter details how the Clean Water Fund grant program has been valuable to several partners and the partnership as a whole. Manager Anderson indicated the letter will be helpful in arguing against a reduction of funding allocation to the Clean Water Fund. She noted that the Clean Water Council has yet to decide funding allocations.

**9. Old Business**

**a) Floodplain Modeling Update**

Cecilio Olivier introduced Emmons & Olivier Resources (EOR) staff member, Bill Yu, who is a civil engineer and performed the modeling work. Mr. Olivier described the modeling work completed to date, which focuses on two areas that were identified as having high flood risk through previous desktop analysis. Mr. Olivier explained that the model is helpful in its current form, but further refinement in certain areas would improve the accuracy of results. Mr. Olivier recommended that the District increase the model's resolution in areas with high flooding risk. He explained that there is a lot of variability in flooding severity across the landscape and across various rain event scenarios. He indicated that further model refinement will yield results that will be helpful in guiding discussions during the community engagement phase.

115 President Schmaltz requested that EOR ensure the graphics used in the community  
116 engagement phase are clear so that the audience can easily distinguish the  
117 difference between flooding scenarios. Manager Anderson inquired about the  
118 accuracy of the infrastructure mapping from the City of Forest Lake. Mr. Olivier  
119 responded that the City has provided additional infrastructure information and  
120 modeling, and the data appear to be accurate.

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122 Manager Anderson moved to authorize the administrator, on advice of counsel, to  
123 enter into an agreement with EOR in accordance with the August 20th scope of work  
124 and in an amount not to exceed \$40,187. Seconded by Manager Loth.

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126 Mr. Olivier clarified that the purpose of the “Phase III” modeling is to increase the  
127 accuracy of the model by adding resolution. This will help evaluate depth and  
128 duration of flooding, flow paths, and flow rates. This work will, again, focus on the high  
129 priority areas that have been identified as having high flood vulnerability. Manager  
130 Anderson asked how long Phase III will take. Mr. Olivier responded that the work  
131 should take about two months to complete. Camilla Correll clarified that the District  
132 has contracted with Zan Associates to lead the community engagement process.  
133 While EOR will not be leading the community engagement process, EOR staff such as  
134 Ms. Correll and Mr. Olivier will be present at meetings to provide technical  
135 information, as needed. EOR will bring forward a scope of work for its involvement in  
136 community engagement at the September 26<sup>th</sup> regular meeting.

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138 Manager Toavs referenced Figure 10 in the memo. He indicated that this floodplain  
139 vulnerability assessment effort will be instrumental in the District’s ability to mitigate  
140 hazardous flood situations such as roadway flooding depicted in Figure 10. Ms. Correll  
141 clarified that there are many ways to simulate the impacts of climate change on  
142 future flooding conditions, and a lot of watershed organizations are doing it  
143 differently.

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145 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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148 **b) 2024 State of the Watershed**  
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150 Adam Hjelm reported that the District has received 30 RVSPs to the event so far, and  
151 he would like to reach at least 50. He indicated that there was a press release sent to  
152 the Chisago County Press this week, and he will be continuing to perform outreach  
153 for the event. He reported that he is coordinating a meeting of the review committee  
154 for the Watershed Champion Award, to include Manager Anderson and a few CAC  
155 members. He encouraged managers to submit nominations for the award.

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157 **c) 2025 Budget**

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159 Mr. Kinney clarified that the Board will consider adopting the final levy, not a draft levy  
160 as stated in the memo. He presented a summary of water quality improvement  
161 projects that have grant funding secured: Forest Lake Alum Treatment, July Ave  
162 Feedlot, North Shore Circle Park Shoreline Restoration, Shoreline Restoration Projects,  
163 North Shore Trail Nature Area Improvements, and Bone Lake South Wetland  
164 Acquisition. Mr. Kinney explained that the District has several additional grant  
165 requests currently pending: Heath Iron Enhanced Sand Filter, Sunrise River  
166 Headwaters Project Targeting and Development, Pollinator Pathways, and several  
167 potential future grant applications for floodplain/climate resiliency/greenway work.

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169 Mr. Kinney presented a levy increase scenario of 24% and the associated  
170 expenditures that could be added to the budget accordingly. He displayed a  
171 comparison of the CLFLWD's 2024 tax impact against other watershed districts in  
172 Washington County. He noted that the CLFLWD has a high proportion of water  
173 resources (e.g., lakes, wetlands) to developed land compared to other watershed  
174 districts; this means the CLFLWD has a lot of water resources to manage, but a  
175 relatively low net tax capacity. President Schmaltz noted that the CLFLWD has a  
176 relatively high levy proportional to its estimated market value compared to other  
177 watershed districts. Manager Loth reiterated Mr. Kinney's point about the District's  
178 abundant water resources and relatively low tax capacity. Mr. Kinney noted that the  
179 District may make this case to the State in an effort to leverage appropriations from  
180 the legislature, as opposed to putting all of the burden on the local taxpayers.

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182 Manager Anderson noted the estimated tax impact differential for the average  
183 Chisago County home; a 5% overall levy increase would result in an average tax  
184 impact of \$249, while a 24% overall levy increase would result in an average tax  
185 impact of \$294. She stated this is a relatively small differential for the average home.  
186 She noted the District's debt repayment obligation and the necessity of climate  
187 resiliency work. She recommended the District increase its levy by 24% to allow ample  
188 funding for these expenses and to allow the District to do more work in the Comfort  
189 Lake and Little Comfort Lake Management Districts. President Schmaltz stated that  
190 he anticipates public backlash if the District increases the levy by 24%.

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192 Manager Bakke presented tax impact comparison information that he prepared. He  
 193 explained that taxpayers within the Carnelian-Marine-St. Croix Watershed District  
 194 pay 4% of their total annual taxes to the watershed district; taxpayers within the  
 195 Valley Branch Watershed District pay 3% of their total annual taxes to the watershed  
 196 district. Manager Bakke noted that in his most recent tax statement, 5.7% of his taxes  
 197 went to the Comfort Lake-Forest Lake Watershed District. He stated that taxpayers  
 198 will likely be looking at this on their tax statements and likely think the watershed  
 199 district's taxes are high enough as is it. Manager Bakke indicated that he has thought  
 200 about this a lot since the last meeting, and he recommends that a 5% levy increase  
 201 is sufficient. Administrator Kinney noted that one of the District's CAC members  
 202 recently commented on the budget saying he supported the District's work but  
 203 thought a 24% levy increase was excessive and would be met with public backlash.  
 204 Mr. Kinney noted that the District's levy increases have varied widely over the last  
 205 several years but have averaged about 9%.

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 207 Manager Bakke moved to adopt resolution 24-08-02, approving a 2025 expense  
 208 budget of \$3,050,496 and a 2025 levy of \$1,805,843. Seconded by Manager Toavs.  
 209 Upon a roll call vote, the motion carried 3-2.  
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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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 212 **10. Report of Staff**

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 214 **a) Administrator**

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 216 Administrator Kinney reported that the District will begin strategic planning work with  
 217 Cultivate Advisors. He noted that he reviewed the strategic plans of several other  
 218 organizations. The board workshop for strategic planning is scheduled for October  
 219 2<sup>nd</sup>. Mr. Kinney indicated he would send the strategic plans of other organizations to  
 220 the managers for review.

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 222 Mr. Kinney noted the District submitted two Clean Water Fund grant applications  
 223 yesterday, and the awards will be announced in December. He stated that the MN  
 224 Watersheds annual conference is coming up, and preparations are underway for  
 225 conference registration, presentation abstracts, and award nominations.

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 227 **b) Emmons & Olivier Resources (EOR)**

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Dr. Wilkinson reported EOR is continuing feasibility work on the Heath Iron Enhanced Sand Filter project.

**c) Smith Partners**

Nothing to report.

**11. Report of Treasurer**

**a) Approval of Bills and Treasurer’s Report**

Treasurer Anderson reported income for the period of \$922,620.31 and expenses in the amount of \$182,872.86.

Manager Anderson moved to accept the Treasurer’s Report, transfer funds in the amount of \$140,000 and pay the bills in the amount of \$182,872.86. 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			

**12. Report of Officers and Managers**

Manager Bakke reported a recent phishing scam attempt he received via email and urged other managers to be on alert for phishing scams.

Manager Loth thanked Aidan Read and Mr. Kinney for their contributions to the shoreline boat tour the day prior.

**13. Summary and Approval of Board Direction**

- Board directives were summarized.
- Staff and legal counsel will review private ditch vs public ditch roles and authorities

**14. Adjourn**

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**a) Next regular board meeting – September 12, 2024, 6:30 pm**

Manager Anderson moved to adjourn the meeting. Seconded by President Schmaltz.  
Upon a roll call vote, the motion carried 5-0, and the meeting adjourned at 8:57 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 -----

DRAFT