

1 **MINUTES OF THE REGULAR MEETING OF THE**
2 **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**
3 **Thursday, February 13, 2025**
4

5 **1. Call to Order**
6

7 President Anderson called the February 13, 2025, regular board meeting to order at 6:30
8 p.m. at the CLFLWD office, 44 Lake Street South, and via online video conference.
9

10 **Managers Present:**

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

16 **Managers Absent:**

17 Douglas Toavs, Assistant Treasurer
18

19 **Staff Present:**

20 Mike Kinney, District Administrator
21 Tori Philippi, Office Manager
22 Emily Heinz, Planning Coordinator
23 Adam Hjelm, Education & Outreach Coordinator
24 Blayne Eineichner, Project Coordinator
25 Aidan Read, Land Management Specialist
26 Mike Sandager, Permitting Coordinator
27

28 **Others Present:**

29 Chuck Holtman, Smith Partners
30 Anne Wilkinson, Emmons & Olivier Resources
31 Nick Neuman, Stearns County Environmental Services
32

33 **2. Setting of Meeting Agenda**
34

35 The following items were added to the meeting agenda:

- 36 3f) North Shore Trail City Street Project
37 7) Administrator Performance Review
38

39 President Anderson moved to approve the agenda as amended. Seconded by Manager
40 Bakke. Upon a roll call vote, the motion carried 4-0.
41

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

42

43

3. New Business

44

45

a) Stearns County Shoreland Presentation

46

47

48

49

50

51

52

53

54

55

Administrator Kinney introduced Nick Neuman, Senior Environmental Specialist with Stearns County Environmental Services. Mr. Neuman presented an overview of Stearns County's Shoreland Management Program. He noted there has been a lot of interest around in the state in this program. Mr. Neuman presented on the program's history, shoreland contractors, permits and recent changes, prerequisites and status quo problems. He explained that contractors doing shoreline work within the county are required to obtain a license from the county. He gave an overview of county shoreland workshops and shoreland assessments.

56

57

58

59

60

61

62

63

64

65

66

Manager Bakke asked what motivates contractors to get licensed. Mr. Neuman said the contractors aren't allowed to do the work if they don't have the license. He indicated that people would call the county and report contractors doing work without a license. Manager Schmaltz noted there are a lot of shorelines in the CLFLWD with grass and rock. He asked how the county was able to get this ordinance passed. Mr. Neuman explained he presented a lot of photos during the ordinance drafting phase which helped decisionmakers understand the severity of the issue. He indicated that the main objective was to get the worst offenders to do some sort of restoration. He noted most contractors have accepted native plantings into their business models, and county commissioners see the value in native plantings.

67

68

69

70

71

72

73

Manager Loth asked how many contractors were certified at the start of the program versus now. Mr. Neuman indicated approximately 40 contractors seek licensure each year. Contractors must renew the license each year, and so many of these are repeat customers. Manager Loth asked how the county's relationship with cities has changed under this program. Mr. Neuman indicated that the program doesn't seem to have changed the county's relationship with the cities significantly.

74

75

76

77

President Anderson asked how the county handles homeowner do-it-yourself/DIY projects. Mr. Neuman explained that most shoreline projects occur within the first couple years of the property changing ownership. The county sends a mailer to new shoreline property owners with information about the shoreline ordinance. Mr.

78 Neuman indicated that DIY project owners must still meet with county staff prior to
79 beginning work on the project. He noted that the county issues a fine for projects that
80 occur without a permit. President Anderson asked how many staff members this
81 program requires. Mr. Neuman estimated program administration (excluding
82 education and outreach) requires approximately one full time equivalent.
83

84 Mr. Kinney noted the District has observed a significant amount of ice heaving on
85 Forest Lake in recent weeks. He asked if ice heaving is prevalent in Stearns County,
86 and if the permitted sites are faring any better than non-permitted sites. Mr. Neuman
87 indicated there is a provision in the ordinance allowing ice ridge removal within a
88 year of occurrence without needing a permit. He explained he has noticed some ice
89 heaving this year, but perhaps not as much as Forest Lake. He indicated shorelines
90 with steeper slopes and steeply stacked rocks tend to result in more severe ice ridges
91 compared to shallower slopes.
92

93 The Board thanked Mr. Neuman for his presentation.
94

95 **b) Washington County Cooperative Weed Management Area**
96

97 President Anderson moved to recommend that the CLFLWD participate in the WC-
98 CWMA under the direction of the administrator, and staff work with local partners
99 related to work performed under this agreement. Seconded by Manager Schmaltz.
100

101 Manager Schmaltz asked if this is the District's first time participating in this initiative.
102 Mr. Kinney indicated that staff have been participating since 2020. President
103 Anderson noted there is no cost associated with participating.
104

105 Manager Schmaltz asked if this partnership would affect the District's ability to obtain
106 grant funding from Washington County and if lake associations can participate in
107 this partnership. Aidan Read explained that the focus of this partnership is not
108 necessarily limited to terrestrial species, but the emphasis is on terrestrial species.
109 Mr. Read noted this is a program under the Board of Water and Soil Resources
110 (BWSR). While there are BWSR grants available through this partnership, watershed
111 districts aren't directly eligible for grants. However, the CLFLWD can work with
112 partners to access grant funding.
113

114 President Anderson asked staff to look into expanding this program into the Chisago
115 County portion of the District. Mr. Read indicated that Chisago County has a weed
116 management area and a partnership available, and he would explore opportunities
117 for the District to participate.
118

119 Upon a roll call vote, the motion carried 4-0.
120

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

121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140

c) North Shore Circle Park Agreement

Mr. Read explained the District received a Conservation Partners Legacy grant for this project (grant amount: \$26,000) and has been working closely with Washington Conservation District and the City of Forest Lake on project design. This agreement will allow the project to proceed on city park land.

Manager Loth moved to authorize the Board President to execute the North Shore Circle Park Agreement. Seconded by Manager Schmaltz.

Manager Schmaltz asked if there is a stormwater pond located within the city park and asked where the contributing runoff comes from. Mr. Read confirmed it is a stormwater pond, and it treats the surface runoff from the road. The practice was installed by the City as part of a past roadway reconstruction project in the area. Manager Schmaltz indicated this project will serve as an excellent demonstration site for public outreach.

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			

141
142
143
144
145
146
147
148
149

d) 2025 Forest Lake Cooperative Aquatic Invasive Species Agreement

Mike Sandager indicated that, if approved, this will be the fourth season the District, City, and Forest Lake Lake Association have participated in this agreement. He explained there are no substantial changes to the agreement compared to last year, and the combined total funding allocation is \$150,000, with the City and District committing 42.5% of that amount each, and the Lake Association committing to 15%.

150 Manager Loth moved to authorize the District Administrator to execute the 2025
 151 Funding Support Agreement for AIS and Lake Management Activities on Forest Lake,
 152 on the advice of counsel and with any final, non-substantive changes. Seconded by
 153 Manager Schmaltz. Upon a roll call vote, the motion carried 4-0.
 154

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

155
 156 **e) Minnesota Watersheds 2025 Delegate Appointment**
 157

158 Administrator Kinney indicated MN Watersheds is holding a meeting on March 21st to
 159 discuss the legislative session. Similar to the process associated with the MN
 160 Watersheds annual meeting in December, the Board must appoint delegates to
 161 attend the March meeting.
 162

163 President Anderson explained that Minnesota Watersheds has been working with the
 164 Legislative and Resolutions Committees on a new process for resolutions and
 165 legislative priorities. The proposed process would allow for resolutions to be
 166 developed earlier in the year and for the membership to vote on the legislative
 167 priorities. The Minnesota Watersheds Board of Directors will be discussing this at its
 168 February meeting, with the intention of setting up a special meeting of the
 169 membership to consider the proposed process changes.
 170

171 President Anderson recommended managers consider who would like to attend and
 172 designate delegates at the next board meeting.
 173

174 There was consensus to move the matter to the next meeting.
 175

176 **f) North Shore Trail City Street Project**
 177

178 Mr. Kinney explained that Mr. Sandager and Mr. Graske received the project plan set
 179 today, and the City is holding a public meeting on this topic on Tuesday 2/18. Mr.
 180 Sandager explained the City's road project encompasses the entirety of North Shore
 181 Trail and will be completed in eight phases. He indicated the City has expressed a
 182 desire to remain beneath the District's stormwater management rule trigger. He
 183 explained that the stormwater management rule is triggered if the native underlying
 184 soil is disturbed; roadway mill and overlay does not disturb the native soil and
 185 therefore does not trigger the stormwater rule. Mr. Sandager reported that he and Mr.

186 Graske conveyed to the City Engineer that this is an important project for the health
187 of Forest Lake, and the District is eager to collaborate to identify and implement
188 additional stormwater treatment facilities, above and beyond minimum
189 requirements.

190
191 President Anderson noted the District has held recurring coordination meetings with
192 the City in the past. She asked if these meetings are still ongoing and why the District
193 didn't receive information on the project sooner. Mr. Sandager explained the District
194 was meeting monthly with the City for years. However, last year city staff indicated
195 monthly meetings were too time consuming and proposed switching to quarterly
196 meetings instead. Mr. Sandager indicated the District is trying to rebuild the
197 relationship with the City, so we have advance notice of projects like this.

198
199 President Anderson asked if the City has finished mapping its stormwater
200 infrastructure. Mr. Sandager explained that EOR recently reviewed this data as part
201 of the floodplain vulnerability assessment modeling in this area and found there is
202 not a complete picture yet of the stormwater system in this area. The mapping is
203 complete to what is known, but detailed inventory information, such as culvert sizes
204 and elevations, are missing in some areas.

205
206 President Anderson indicated the District should have our civil engineer review the
207 plans, and make recommendations based on science and impacts to Forest lake in
208 preparation for our representatives talking points at the coming public meeting on
209 Tuesday, Feb. 18. Manager Schmaltz indicated that cost-benefit should be evaluated
210 also when identifying potential stormwater management projects. President
211 Anderson moved to authorize Manager Schmaltz and Manager Loth to represent the
212 District and to meet with staff and engineers to prepare for the City of Forest Lake's
213 public meeting on Tuesday. Seconded by Manager Schmaltz. Upon a roll call vote,
214 the motion carried 4-0.

215

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

216
217 President Anderson indicated she may attend the public meeting as well and asked
218 to be kept informed of the outcome from the engineers and the public meeting. Legal
219 Counsel Holtman noted the District would have a quorum and must post a special
220 meeting if three or more managers attend a meeting. Manager Schmaltz stated he
221 would be representing the Forest Lake Lake Association at the meeting and it may be

222 better to have the District President (Manager Anderson) speak for the District.
 223 Manager Loth then recommended President Anderson attend the meeting in his
 224 place.

225
 226 President Anderson moved to vacate the prior action and to direct Manager
 227 Schmaltz and President Anderson to meet with staff and engineers to prepare for the
 228 City of Forest Lake’s public meeting on Tuesday 2/18. Seconded by Manager Loth.
 229 Upon a roll call vote, the motion carried 4-0.
 230

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

231
 232 **4. Old Business**

233 **a) 2024 Education & Outreach Yearend Summary**

234
 235 Adam Hjelm stated the 2024 Education & Outreach Yearend Summary was
 236 distributed to the Board in the January 23rd meeting packet, and he pre-recorded a
 237 video presentation.

238
 239 President Anderson commended him on the report and presentation. Manager
 240 Bakke indicated he appreciated the pre-recorded video presentations which
 241 answered all of his questions ahead of time.

242
 243 Manager Schmaltz moved to approve the 2024 Education and Outreach Yearend
 244 Summary. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 4-
 245 0.
 246

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

247
 248 **b) 2025 Education & Outreach Implementation Plan**

249
 250 Mr. Hjelm noted, similar to the previous item, the plan was distributed in the January
 251 23rd meeting packet, and he pre-recorded a video presentation.

252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271

President Anderson indicated this looks like a good plan and she looks forward to seeing ~~updates~~ output as the year goes on.

Manager Bakke asked if the 2025 Education & Outreach Plan includes signage. Mr. Hjelm indicated signage is included. The District will prioritize informational signage for its projects, and staff will continue to work on boundary signage options. Mr. Hjelm explained that the MN Department of Transportation has given pushback on District signage within the right of way. Manager Loth asked Mr. Hjelm to reach out to the watershed district located in Edina and ask how it was able to implement roadway signage. Mr. Hjelm indicated he is familiar with Minnehaha Creek Watershed District signage in that area, and he will reach out to its staff.

Manager Schmaltz commended Mr. Hjelm on the plan and indicated he hopes the public relations firm will help enhance this work.

Manager Schmaltz moved to approve the 2025 Education and Outreach Implementation Plan. Seconded by Manager Bakke. 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			

272
273
274
275
276
277
278
279

c) Heath Iron Enhanced Sand Filter Acquisition Budget Transfer

President Anderson moved to amend the 2025 budget for account 6-000-G Heath Iron Enhanced Sand Filter to \$130,000 and to transfer \$130,000 from account 000-2900 Fund Balance to account 6-000-G. Seconded by Manager 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			

280
281

5. Program/Project Update

282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324

a) Project Update

Blayne Eineichner provided an update on project implementation including School Lake Agricultural Best Management Practices and Moody Lake Agricultural Best Management Practices. Manager Bakke thanked Mr. Eineichner for the recorded video presentation.

b) Operations & Maintenance Program Update

Mr. Eineichner reported that the District had a successful year under the operations and maintenance program, including implementation of the O&M database which helps improve program efficiency.

President Anderson indicated that attendees at yesterday's flood resiliency workshop had a lot of questions regarding stormwater infrastructure.

President Anderson announced that she is preparing proposed updates on the District's rules and governance manuals, she believes are necessary. She plans to present the comments to the Board in April. She invited other managers to consider forming a work group or just review the documents independently for changes they would like to see made and bring to the meeting.

6. Summary and Approval of Board Direction

The following board directives were summarized:

- Staff will make an inquiry into the Chisago County cooperative weed management area.
- EOR and staff will review the available information regarding the City of Forest Lake's North Shore Trail road project and coordinate with President Anderson and Manager Schmaltz in advance of the City's public meeting on Tuesday.
- Staff will reach out to Minnehaha Creek Watershed District regarding boundary signage.
- President Anderson will be in touch with staff regarding feedback and questions about flooding near Bixby Park.

7. Administrator Performance Review [closed session]

Manager Anderson moved to convene in closed session as permitted by section 13D.05, subdivision 3 (a), to discuss the Administrator's performance review. Mr. Kinney affirmed that he does not wish to convene in open session. Seconded by Manager 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			

325

326

The Board reconvened in open session. President Anderson provided a summary report on the closed session as follows:

327

328

329

“First, on behalf of the Board, I want to thank Mr. Kinney for another good year for the District, and as a result of earning an excellent review, the Board unanimously authorized renewing your contract for another year with the following changes:

330

331

332

- An increase in salary of 4.1%, retroactive to January 1, 2025.
- Administrator’s self-directed benefits pool increase of 15%, to adjust for no increases over the past six years, retroactive to January 1, 2025 (an average correction of 2.5% per annum.
- PTO allowance remains unchanged.

333

334

335

336

337

338

An updated 2025 contract will be prepared by our attorney and upon approval, will be signed by Administrator Kinney and President Anderson.”

339

340

341

8. Adjourn

342

343

a) Next regular board meeting – February 27, 2025

344

345

As all business for the meeting had concluded, and without objection, President Anderson declared the meeting adjourned.

346

347

348

Dave Bakke, Secretary _____