

1 **MINUTES OF THE REGULAR MEETING OF THE**
2 **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**
3 **Thursday, March 27, 2025**
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5 **1. Call to Order**

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7 President Anderson called the March 27, 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.
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10 **Managers Present:**

11 Jackie Anderson, President
12 Christopher Loth, Vice President (virtual attendance)
13 Steve Schmaltz, Treasurer
14 Douglas Toavs, Assistant Treasurer (virtual attendance)
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16 **Managers Absent:**

17 Dave Bakke, Secretary
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19 **Staff Present:**

20 Mike Kinney, District Administrator
21 Tori Philippi, Office Manager
22 Victoria D’Amico, Water Resources Technician
23 Emily Heinz, Planning Coordinator
24 Blayne Eineichner, Project Coordinator
25 Aidan Read, Land Management Specialist
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27 **Others Present:**

28 Anne Wilkinson, Emmons & Olivier Resources
29 Chuck Holtman, Smith Partners
30 Keith Kuhnly, Citizen Advisory Committee
31 Dan Pfeiffer, Zan Associates
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33 **2. Setting of Meeting Agenda**

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35 Manager Schmaltz moved to approve the agenda as presented. Seconded by Manager
36 Toavs. Upon a roll call vote, the motion carried 4-0.
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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) Special Board Meeting Minutes – January 28, 2025
- b) Special Board Meeting Minutes – February 11, 2025
- c) Regular Board Meeting Minutes – February 13, 2025
- d) Regular Board Meeting Minutes – February 27, 2025

Manager Toavs moved to approve the consent agenda as presented. 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			

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4. Public Open Forum

There were no comments.

5. Citizen Advisory Committee Update

a) Update

Aidan Read reported that the Citizen Advisory Committee (CAC) met on March 18th and discussed the 2025 Aquatic Invasive Species Plan and ice ridges. The next CAC meeting is Tuesday, April 15th.

b) Appointment to Citizen Advisory Committee

Mr. Read explained that Gary Kramlich is a new resident of the area and has applied to join the CAC. Mr. Kramlich has also volunteered to help with the District's monitoring program.

President Anderson moved to appoint Gary Kramlich to the Citizen Advisory Committee. Manager Toavs seconded the motion. Upon a roll call vote, the motion carried 4-0.

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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6. New Business

a) Sunrise River Headwaters Project Development Scope of Work

Dr. Wilkinson presented an overview of the proposed Sunrise River Headwaters Project Development scope of work from Emmons & Olivier Resources (EOR). Proposed tasks include data and planning summary, field work and data assessment, project identification and concept development, and project targeting and development report.

Manager Anderson asked if the study will include the reach of stream between Birch Lake and School Lake. Administrator Kinney indicated that past monitoring efforts have shown good water quality in that area, and the larger nutrient loading issue is downstream of School Lake.

Manager Schmaltz asked how water quality has changed in Comfort Lake over the last 10 years. Dr. Wilkinson explained water quality has been improving in Comfort Lake over the last 10 years. Manager Schmaltz asked why more water quality work is needed if Comfort Lake is meeting long-term goals. He indicated the District should keep the 80/20 rule in mind and focus on the cost-benefit of projects. Manager Schmaltz asked that EOR check back with the board after completion of each task in the scope of work. He asked that staff and EOR provide more information to the board with respect to sediment loading issues in the watershed.

Manager Schmaltz moved to authorize the administrator, on advice of counsel, to enter into an agreement with EOR in accordance with the 3-14-2025 scope of work and in an amount not to exceed \$99,654. Seconded by President Anderson. 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			

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b) Water Quality & Storage Grant Application

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Administrator Kinney indicated Emily Heinz and EOR staff are collaborating on this grant proposal.

Manager Toavs moved to authorize the District Administrator to submit an application to the Water Quality & Storage Grant Program and execute the grant agreement, if awarded. 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			

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c) 2024 CAT & DIY Monitoring Report

Blayne Eineichner summarized the key findings from the 2024 Citizen Assisted Tributary (CAT) and Do-It-Yourself (DIY) Monitoring Report. He reported that precipitation levels were above average for the District in 2024. As a result, monitoring data showed elevated nutrient loading in lake tributaries. He noted that the District identified a potential phosphorus loading hot spot in the Comfort Lake direct drainage area.

Manager Toavs asked about high phosphorus concentrations monitored near Cranberry Lake. Victoria D’Amico explained the District will do more testing in this area to investigate and better quantify nutrient loading in this area.

Manager Schmaltz asked if the District can collect volume measurements in order to provide more context to the phosphorus concentrations being monitored. Mr. Eineichner explained the District needs to collect flow monitoring data in order to calculate the phosphorus load. He said that EOR will follow up with flow monitoring this year. Manager Schmaltz suggested staff consider how to convert data like these into a format that is easier for the public to understand. Manager Toavs added that this should be done while still communicating the rigor with which the District performs its work.

President Anderson moved to approve the 2024 DIY and CAT Monitoring Report as presented. 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			

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d) Insurance Liability Coverage Waiver

Manager Schmaltz 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 Loth. 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			

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e) Forest Lake Area Chamber of Commerce

President Anderson indicated she has spoken with Administrator Kinney about joining the Forest Lake Chamber of Commerce to increase the District’s visibility. Legal Counsel Holtman explained that cities and watershed districts do not have authority to become members of chambers of commerce. Manager Schmaltz suggested one of the managers join the Chamber of Commerce personally and serve as liaison for the District. President Anderson recommended the District reach out to the Chamber of Commerce and give a presentation on the Watershed District once or twice a year. Manager Schmaltz indicated the Chamber of Commerce is interested in conservation issues, and it gave an award to the Forest Lake Lake Association last year.

f) 2024 Year-In-Review, Annual Report, and Progress Report Initial Drafts

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Emily Heinz explained that the reports are provided in this meeting’s board packet in order to give managers extra time to review. She noted the 2024 water monitoring data were late coming back from the lab, and the Progress Report will be posted tomorrow. She will give a presentation on the reports at the April 10th regular board meeting and recommend board approval at the April 24th regular board meeting.

Ms. Heinz indicated the District must submit the Annual Report to the State by April 30th.

g) Shallow Pond

Mr. Kinney explained that City of Wyoming staff introduced this topic at the most recent quarterly coordination meeting with the District. The property is currently owned by the Audubon Society, and the Audubon Society is interested in donating the land. City staff asked if the District would have any interest in receiving the donation and taking ownership of the property. City Council has yet to decide if the City would accept ownership, and is simply asking for the District's position on the matter.

There was general consensus that the District would be interested in a donation of the property, given the presence of a significant wetland complex on the site, Shallow Pond. President Anderson indicated this item is on the City Council's agenda for discussion on April 1st, and she will attend the meeting on behalf of the District.

Legal Counsel Holtman noted the Watershed Management Plan provides a Land Acquisition & Management Program, which specifies criteria the board is to consider before deciding to acquire rights in real property outside of a specific capital project context. He noted that in the past the board has tasked staff to work with the District engineer to brief the board on these criteria. He encouraged the board to consider tasking EOR or staff with completing this review. President Anderson said acquisition of this property would align with the District's Open Space and Greenbelt initiative. Managers reiterated their interest in a donation of this property, if the City does not choose to acquire it.

President Anderson indicated the Minnesota Land Trust is experienced with conservation easements and acquisitions. She asked Administrator Kinney to speak with MN Land Trust about giving a presentation to the Board sometime.

7. Old Business

a) Flood Resiliency Community Engagement Final Report

Manager Schmaltz moved to accept the Flood Resiliency Community Engagement Report from Zan Associates. Seconded by Manager Toavs. 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			

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b) Flood Resiliency Action Plan Scope of Work

Mr. Kinney indicated this is the next step in the floodplain planning process. Ms. Heinz explained that with the completion of the Community Engagement phase, the District can now proceed with preparing a Flood Resiliency Action Plan. She noted the District received a grant for this planning effort and must complete the draft plan by June 30th. Dr. Wilkinson provided an overview of the proposed scope of work. She explained that previous studies and modeling efforts have highlighted critical vulnerabilities within the watershed and the urgent need for targeted actions to mitigate flood risks and protect vital infrastructure. She indicated this phase will build upon extensive GIS analysis, detailed hydrologic & hydraulic (H&H) modeling, and stakeholder input. The Flood Resiliency Action Plan will summarize and prioritize vulnerable areas, define practical flood resilience actions, establish a clear implementation strategy, and ultimately develop a comprehensive Floodplain Resilience Plan Framework.

Dr. Wilkinson explained the proposed scope of work includes four tasks: prepare detailed maps and summarize priority areas, further develop and describe recommended actions, develop implementation strategy and timeline, and prepare final draft report. President Anderson encouraged EOR to consider overlap with the District’s Open Space and Greenbelts initiative in order to identify projects that achieve multiple benefits.

Manager Toavs asked if adding volume storage to a site like Shallow Pond would also result in water quality benefits. Dr. Wilkinson said the system dynamics can be complicated, but EOR can use the hydrologic & hydraulic (H&H) model to better evaluate projects like this.

Manager Schmaltz moved to amend the 2025 budget for account 3-013-B Vulnerability Assessment to \$50,000 and to transfer \$50,000 from account 5-120-C Floodplain/Greenway Implementation to account 3-013-B. Seconded by Manager Toavs. 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			
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Manager Schmaltz moved to authorize the administrator, on advice of counsel, to enter into an agreement with EOR in accordance with the March 19, 2025 scope of work and in an amount not to exceed \$41,727. Seconded by Manager Toavs.

Manager Schmaltz asked for clarification on the meetings held with cities so far. He asked who will pay for construction of the projects that are identified through this planning effort. Mr. Kinney said that District staff and EOR have met with city staff and city engineers so far; there has been no direct communication between District staff and city councils. Mr. Kinney indicated that there are several grants, bonds, and other funding/financing avenues available for project implementation, and the District will coordinate closely with partners on project implementation.

Manager Schmaltz indicated the District should have some communication with city council members before holding a joint board-council meeting. He indicated he could reach out to City of Forest Lake councilmembers. He asked if other cities in the state have paid for flood resiliency projects. Dr. Wilkinson indicated the City of Rochester has been the driving force for flood resiliency projects in its boundaries, and sometimes the local watershed district is the lead in other parts of the state. She indicated it varies from place to place. President Anderson stated some grant programs may not be available in future years, so this effort is urgent. Manager Schmaltz said the process described in the board packet materials is well laid out.

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			

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c) FY24 General Fund Transfer Amount

Mr. Kinney explained that the Board’s motion in December indicated the Treasurer could transfer funds up to \$500. He noted the context was to bring the final balance of the General Fund up to \$500. However, the transfer amount itself ended up being \$500,000. The purpose of this motion is to clarify the transfer amount intended.

274 President Anderson moved to authorize the Treasurer, working with staff and the
275 accountant, to make General Fund transfers not to exceed \$500,000. Seconded by
276 Manager Schmaltz.

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278 On inquiry by Legal Counsel Holtman, President Anderson clarified that the motion is
279 to create a standing delegation of authority for the Treasurer to make transfers up
280 to the indicated amount, both into and out of the General Fund.

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282 Upon a roll call vote, the motion carried 4-0.
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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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285 **8. Report of Staff**

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287 **a) Administrator**

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289 Administrator Kinney reported that most of the lakes within the District are close to
290 ice out. He noted that staff added a schedule of program updates to the board
291 meeting calendar.

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

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295 Dr. Wilkinson reported EOR is communicating with SOLitude and has scheduled the
296 second alum treatment dose on Forest Lake for the first week in October. She noted
297 the second dose will be more costly than the first, but this cost is within the Clean
298 Water Fund grant budget. Dr. Wilkinson noted she will give a presentation at the
299 District's Alum Treatment Watershed Connections workshop on Monday, March 31st.
300 Manager Loth indicated he distributed the workshop invitation to the Forest Lake Lake
301 Association via email and Facebook post.

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303 **c) Smith Partners**

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305 President Anderson noted the Minnesota Watersheds board met this spring and is
306 changing its schedule for legislative resolutions. She noted that Louis Smith recently
307 gave a presentation about changes and clarifications to the MN Open Meeting Law.
308 She indicated she would like the presentation to be provided to the CLFLWD Board.

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310 **9. Report of Treasurer**

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a) Approval of Bills and Treasurer’s Report

Treasurer Schmaltz reported income for the period of \$127,144.17 and expenses in the amount of \$163,419.00.

President Anderson moved to accept the Treasurer’s Report, transfer funds in the amount of \$50,000 and pay the bills in the amount of \$163,419.00. Seconded by Manager Toavs. Upon 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			

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10. Report of Officers and Managers

Manager Schmaltz reported the District hosted an ice ridge workshop yesterday evening, and 261 people attended. He commended staff on the event and said several people gave positive feedback. President Anderson indicated she saw several attendees that seemed to receive the messaging regarding the importance of natural shorelines.

11. Summary and Approval of Board Direction

The following board directives were summarized:

- President Anderson spoke about working with the Chamber of Commerce to present once or twice a year, potentially presenting an award.
- President Anderson asked that someone from the MN Land Trust speak to the managers about conservation easement donations.
- Manager Schmaltz asked that staff, when speaking with the City of Forest Lake about District initiatives, make sure there is active coordination with city council representatives.
- Manager Schmaltz asked staff to use less technical wording when communicating with the public.

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Manager Loth asked if Mr. Hjelm encouraged workshop attendees to follow the District on Facebook. Manager Anderson indicated the workshop sign-in sheet included a space for email, and Ms. Heinz noted that Mr. Hjelm recorded about 100 new email distribution signups after the ice ridge workshop. Manager Loth encouraged staff to advertise on both email and Facebook, because Facebook is an effective communication tool. He noted the District’s Facebook page has 520 followers. Ms. Philippi noted the District

348 gained 13 new followers in the last month. Manager Loth suggested a target of 1,000
349 followers.

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351 12. Bone Lake South Wetland Property Appraisal

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353 President Anderson moved to convene in a closed session to discuss the appraisal of
354 the Bone Lake South Wetland property, PID numbers

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362 for the purpose of formulating an offer on the property. Seconded by Manager
363 Schmaltz. Upon a roll call vote, the motion carried 4-0, and the board convened in
364 closed session.

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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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367 The board reconvened in open session. Manager Schmaltz moved to authorize the
368 administrator to release the appraisal to, and proceed with acquisition negotiations with,
369 the landowner. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 4-
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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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373 13. Adjourn

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375 **a) Next regular board meeting – April 10, 2025, 6:30 pm**

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377 The meeting was adjourned by unanimous consent at 8:53 pm.

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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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380 Dave Bakke, Secretary -----