

1 **MINUTES OF THE REGULAR MEETING OF THE**
2 **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**
3 **Thursday, November 20, 2025**
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5 **1. Call to Order**
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7 President Anderson called the November 20, 2025, regular board meeting to order at
8 6:30 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 Dave Bakke, Secretary (virtual attendance)
13 Steve Schmaltz, Treasurer
14 Jim Schottmuller, Manager
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16 **Managers Absent:**

17 Douglas Toavs, Assistant Treasurer
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19 **Staff Present:**

20 Mike Kinney, District Administrator
21 Brad Jernberg, Business & Operations Manager
22 Tori Philippi, Office Manager
23 Mike Sandager, Program Coordinator
24 Aidan Read, Land Management Specialist
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26 **Others Present:**

27 Anne Wilkinson, Emmons & Olivier Resources
28 Chuck Holtman, Smith Partners
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30 **2. Setting of Meeting Agenda**
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32 Manager Schmaltz moved to approve the agenda as presented. Seconded by Manager
33 Bakke. Upon a roll call vote, the motion carried 4-0.
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Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

36 **3. Consent Agenda**

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- 38 a) Regular Board Meeting Minutes – October 9, 2025
- 39 b) Regular Board Meeting Minutes – October 23, 2025
- 40 c) Resiliency Project Development Grant Applications

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42 President Anderson requested the October 9th minutes be revised to indicate on line 104
 43 that “most” of the attendees were “all” impressed by the District’s accomplishments.
 44 Regarding the grant applications, President Anderson indicated she thinks it is good
 45 protocol to have a board member sign grant agreements for larger grants. She
 46 proposed to revise the recommended motion for the Resiliency Project Development
 47 agenda item to “authorize the District Administrator to submit grant applications to the
 48 Planning Grants for SWC Resilience and Water Quality & Storage grant programs and
 49 to authorize the Board President to execute the grant agreements, if awarded.”

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51 Manager Schmaltz moved to approve the consent agenda as amended. Seconded by
 52 Manager Schottmuller. Upon a roll call vote, the motion carried 4-0.

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Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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56 **4. Public Hearing – Rule Change – 9.0**

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58 President Anderson opened the public hearing. There were no comments from the
 59 public. President Anderson noted the fee overage language in the proposed revision: “If
 60 the District determines that actual District engineering and legal review costs exceed the
 61 fee amount by \$4,500, the applicant must reimburse the exceedance before the permit
 62 will issue.” She indicated this amount seems like a high threshold. Dr. Wilkinson noted
 63 Rice Creek Watershed District’s threshold is \$9,000. She explained that engineers and
 64 staff reviewed relevant data to determine an appropriate break point and found that
 65 \$4,500 is appropriate as a figure that separates true outliers. President Anderson
 66 indicated the District’s reserve fund is low, and the District shouldn’t cover that much
 67 overage on a permit. Legal Counsel Holtman indicated the Board may consider adopting
 68 the rule revision at the December 18th regular board meeting, and separately from the
 69 rule adoption will consider adopting the fee schedule itself. At that time, it may adjust
 70 the overage figure if it chooses.

71

72 Mike Sandager noted that the District has received a comment from the City of Forest
73 Lake suggesting that certain proposed Rule 9.3.3 language, regarding the return of
74 unused funds, is ambiguous. He noted that Washington County also has submitted
75 comments. President Anderson closed the public hearing.

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77 **5. Public Open Forum**

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79 No comments were given.
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81 **6. Advisory Committee Updates**

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83 Land Management Specialist Aidan Read reported the Citizen Advisory Committee
84 (CAC) discussed District projects and the annual budget at its last meeting. President
85 Anderson and Manager Schmaltz were in attendance for the budget discussion.
86 Manager Bakke asked if the CAC favors the 23.7% levy increase. Mr. Read indicated that
87 he cannot speak for each CAC member, but CAC members have expressed support for
88 the District’s work while expressing reservations about the levy increase. He indicated
89 that the consensus seems to be that the CAC understands why the levy increase is
90 necessary, but supports more transparency throughout the budget development
91 process. President Anderson indicated she recently heard a story from NPR regarding tax
92 increases in small government organizations, and it affirmed that while the percentage
93 increase for a small organization may seem significant, it may actually be a relatively
94 low dollar amount compared to other taxing entities.
95

96 **7. New Business**

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98 **a) Washington Conservation District Service Agreement**
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100 Mr. Read noted that the proposed 2026 service agreement with Washington
101 Conservation District (WCD) is largely the same as the 2025 agreement, with the
102 exception of billing rate increases.
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104 President Anderson moved to authorize the Board President, on advice of counsel, to
105 enter into the 2026 Service Agreement with Washington Conservation District and in
106 an amount not to exceed \$20,000. Seconded by Manager Schmaltz. Upon a roll call
107 vote, the motion carried 4-0.
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Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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b) Chisago Soil & Water Conservation District Service Agreement

Mr. Read indicated the proposed 2026-2027 service agreement with Chisago Soil & Water Conservation District (SWCD) is similar to the 2024-2025 service agreement.

Manager Bakke moved to authorize the Board President, on advice of counsel, to enter into the 2026 Service Agreement with Chisago Soil and Water Conservation District and in an amount not to exceed \$25,000. Seconded by Manager Schottmuller. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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c) Moody Lake Agricultural Practices Budget Amendment

Mr. Read reported that the District will complete the agricultural practices component of this project within the next few weeks. This is the final element of this multi-part project which also has included wetland restorations and park improvements adjacent to Moody Lake.

Manager Schmaltz moved to amend the 2025 budget for account 5-221-B Moody Lake Capstone Projects to \$25,000 and to transfer \$25,000 from account 000-3300 Grants Receivable to account 5-221-B. Seconded by Manager Schottmuller. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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d) MN Paid Family and Medical Leave

Brad Jernberg explained that MN Paid Family and Medical Leave (PFML) is a new mandatory program that covers nearly all of Minnesota. The District must adopt associated policies by December 1, 2025, and the program begins January 1, 2026.

139 He explained that the program is funded by a small payroll tax, which must be split
 140 between the District and employees. He noted that other watershed districts are
 141 splitting the cost between 80-90% employer and 10-20% employee. He
 142 recommended the CLFLWD split premiums 90/10, amounting to about \$7,000/year
 143 cost to the District and \$700/year cost split among the employees.

144
 145 Mr. Jernberg noted that this policy also has implications for the District’s short-term
 146 disability (STD) and long-term disability (LTD) benefits. Due to the new coverage
 147 provided by the MN Paid Leave program, STD insurance has become redundant. To
 148 ensure LTD insurance will meet the needs of the District, a policy adjustment to
 149 reduce the waiting period (elimination period) for LTD coverage from 180 days to 90
 150 days will be necessary. This adjustment will provide coverage for short-term and
 151 long-term benefits utilizing PFML and LTD should the need arise. This results in a
 152 \$1,500/year savings for the District.

153
 154 Overall, the CLFLWD’s estimated 2026 cost for PFML and STD/LTD is about \$9,000,
 155 which is a cost increase of \$5,700 from 2025.

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 157 Manager Schottmuller indicated he does not support a 90/10 District/employee cost
 158 split because other working individuals who pay taxes aren’t receiving the same
 159 benefit. He noted that the nonprofit he works for is paying 50/50. Manager Bakke
 160 indicated he thinks a 90/10 split is fair. He stated the U.S. is behind the curve on paid
 161 leave compared to other countries around the world. Manager Schmaltz supports a
 162 90/10 split.

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 164 Manager Schmaltz moved to approve MN Paid Family and Medical Leave premium
 165 contribution split of 90% CLFLWD/10% Employee effective January 1, 2026. Seconded
 166 by Manager Bakke. Upon a roll call vote, the motion carried 3-1.

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Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller		X		
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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169 Manager Schmaltz moved to cancel the current Short-Term Disability policy effective
 170 January 1, 2026. Seconded by President Anderson. Upon a roll call vote, the motion
 171 carried 4-0.

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Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			

Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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Manager Schmaltz moved to approve the policy adjustment for Long-Term Disability from an 180-day elimination period to a 90-day elimination period effective January 1, 2026. Seconded by Manager Bakke.

Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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e) 2026 Staff Work Plan

President Anderson asked if the work plan takes into account all of the District's planned projects for 2026. Administrator Kinney indicated it is inclusive of the projects that are in the budget. He noted the District is seeking grants to expand project implementation where possible, such as a Lessard-Sams Outdoor Heritage Fund grant to implement restoration projects south of Bone Lake.

Manager Schmaltz noted that the presentation does not get into the details of individual staff members' work. Mr. Kinney noted that the work plan itself provides additional detail regarding individual employees' work in the form of an 8-page narrative section, individual position pie charts, and a table of projected work hours by month in Appendix A.

President Anderson indicated the Board can vote on the work plan at the December meeting if managers would like more time to review. Manager Schmaltz indicated that the work plan will likely change continuously over time to adapt to changing conditions, grant awards, etc.

Manager Bakke indicated he would like to better understand the details behind the individual position pie charts. He indicated he would like to receive the organizational chart for review and have more time to review Appendix A.

President Anderson indicated she isn't concerned with the day-to-day details and management of the staff. She indicated that she trusts that staff supervisors are directing employees' work appropriately and utilizing employees' skillsets.

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Manager Schmottmuller acknowledged that there is a lot of detail in the work plan. He indicated he would be interested in seeing a RACI (Responsible, Accountable, Consulted, Informed) chart for more complicated team-oriented projects. Manager Schottmuller noted that the staff has grown over the years, and the District is close to completing its lake impairment delisting goals. He wondered whether the District's remaining workload warrants the amount of staff it has hired.

President Anderson noted that there is more to be done than delisting impaired lakes. She noted the importance of flood control and implementation of the Greenbelt & Open Space initiative to protect natural spaces. Administrator Kinney noted that the work plan is based on the 2026 budget and associated workload demands. He indicated that the Board decides the District's priorities, and staff develops the work plan necessary to make progress toward those goals.

Mr. Kinney indicated that he reviewed the staff work plan with the District's Board of Water and Soil Resources (BWSR) assigned Board Conservationist, who said he isn't aware of any other watershed districts performing this level of workload analysis in their annual work plans. Mr. Kinney recommended that between the work plan, staff's regular timesheet keeping, regular coordination meetings, and staff members now tracking their weekly accomplishments, he feels that the District is on track to complete the necessary work to achieve the District's goals.

Manager Schmaltz noted that the District's 10-year plan and past efforts have historically been heavily focused on lake water quality. He explained that, as the District gets nearer to achieving those goals, it is looking toward long-term sustainability, i.e., maintaining water quality gains and addressing climate change/flood resiliency. Manager Schmaltz also indicated that the District has adjusted its organizational chart and chain of command to most efficiently carry out the work with a staff of 11.5 full-time equivalents. This includes adding middle managers between the District Administrators and some of the staff, as opposed to the District Administrator being the sole supervisor.

Manager Bakke harkened back to his experience working on school boards wherein the Board is involved solely with governance and the Administrator leads the operations of the organization. He indicated that the CLFLWD operates a little bit differently, and he encouraged the Board not to get too involved in the operational role of the organization. President Anderson indicated the Board shouldn't micro-manage but should focus on "macro-managing."

President Anderson indicated she would like to see how the following projects are incorporated into the work plan: Comfort Lake and Little Comfort Lake Carp Management and Shallow Pond Land Donation/Acquisition. She indicated she would

248 appreciate more time to review the work plan, and the Board may consider
249 approving the work plan in December. This item was deferred to the December 18th
250 regular board meeting.

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252 **f) 5-Year Program & Project Plan**

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254 Administrator Kinney acknowledged Planning Coordinator Emily Heinz for putting
255 together the bulk of the document and preparing the presentations. Mr. Kinney
256 indicated that the District completed a Strategic Plan earlier this year, and in 2026
257 the District will undergo BWSR's Performance Review & Assistance Program
258 assessment. He indicated that the 5-Year Plan gives the board and public a sense of
259 the anticipated work necessary to achieve the District's goals.

260

261 Manager Schottmuller indicated there is a lot on the "to-do list" over the next five
262 years. Manager Schmaltz indicated the recorded presentation is concise at only nine
263 minutes, and he would like to share it with the Forest Lake Lake Association board. He
264 indicated this plan is a step in the right direction.

265

266 Administrator Kinney indicated that the water quality goals may sometimes seem
267 like they are behind us, but there are many variables in the landscape that are
268 continuously changing, so it will always be necessary to evaluate progress and plan
269 ahead for changing conditions.

270

271 President Anderson indicated that there will always be a need for the District to
272 protect the water resources in its boundaries. She stated the District and staff should
273 always strive for excellence, which may not necessarily mean finding more work to
274 do, but performing ongoing work in the most efficient way possible. She explained
275 that the District may not be able to return the landscape to how it was before
276 European settlement, but it can get close to the lakes' pre-settlement water quality
277 levels. She recommended Mr. Kinney and Dr. Wilkinson reach out to Washington
278 County to identify a potential partnership and shared funding opportunities.

279

280 President Anderson asked for an update on the Shallow Pond land donation. Mr.
281 Kinney indicated that staff have been in contact with the landowner and will be
282 prepared to process the donation from the Audubon Society to the CLFLWD next year.
283 Mr. Kinney indicated the District is waiting for grant funds to become available next
284 summer which would cover the cost associated with the ownership transfer such as
285 surveys, closing costs, etc.

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287 President Anderson indicated this item will be moved to the December meeting
288 agenda for action. Manager Bakke indicated that there is consistency across the
289 District's various plans, and he feels that the District's time investment in the Strategic
290 Plan has been a good investment.

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8. Old Business

a) MN Watersheds Annual Conference

Administrator Kinney noted that the MN Watersheds Business Meeting packet is included for managers’ review. Mr. Kinney noted that the District has been selected as a finalist for both Program of the Year and Project of the Year awards through MN Watersheds.

b) Forest Lake Alum Treatment Scope of Work

Mr. Kinney explained that the project was completed under budget, and there is remaining grant funding that can cover the additional engineering costs. Dr. Wilkinson explained that Emmons & Olivier Resources (EOR) was asked to assist with some additional public outreach, which was beneficial. She explained EOR also updated its in-lake response model using new resources, and the modeling results will be more precise now.

President Anderson moved to authorize the Board President, on advice of counsel, to approve and process the EOR Forest Lake Alum Treatment Scope of Work Addition #3 and in an amount not to exceed \$6,000. Seconded by Manager Schmaltz.

Manager Schmaltz asked for clarification on the budget overage. Mr. Kinney explained that the alum treatment contract was under budget, so that even with additional engineering costs, the overall project is still under budget. Responding to Manager Bakke, Mr. Kinney clarified that any unspent grant funds must be returned to the granting agency; the District cannot keep excess grant funds to use for other purposes.

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

Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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9. Report of Staff

a) Administrator

328 Administrator Kinney reported a recent shoreline alteration within the District. Mr.
329 Sandager indicated the MN Department of Natural Resources (DNR) regulates these
330 types of shoreline alterations. He noted that he intends to review the District's
331 shoreline rule as part of the larger upcoming rule revision process. President
332 Anderson recommended meeting with the DNR to more holistically discuss shoreline
333 regulation and enforcement moving forward. Mr. Holtman clarified that the District
334 adopted a shoreline rule in 2009 but chose for it not to apply due to DNR regulation
335 of the same matter. He indicated the District may amend the rule in order to assert
336 its authority to regulate shoreline alterations and may do so without DNR approval or
337 coordination if it chooses.

338
339 Mr. Kinney reported that he attended the Midwest Watershed Leadership conference
340 and has been asked to present on the District's diagnostic monitoring work in
341 February. He indicated the District is getting closer to closing on the Bone Lake South
342 Acquisition.

343
344 President Anderson noted there is a lot of information packed into the Administrator's
345 Report.

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347 **b) Emmons & Olivier Resources**

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349 Dr. Wilkinson reported EOR has assisted with flood resiliency grant writing, updated
350 the Forest Lake in-lake response model, and worked on the Heath Iron Enhanced
351 Sand Filter project design. Dr. Wilkinson noted that Kyle Crawford no longer works at
352 EOR, and EOR has hired Erik Megow as part of the team that will be working with the
353 CLFLWD moving forward. She noted Cecilio Olivier will be retiring at the end of the
354 year. President Anderson noted the importance of time tracking so work can be paid
355 for by grants.

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357 **c) Smith Partners**

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359 President Anderson asked Mr. Holtman to explain a proposed Bylaws revision
360 regarding officer positions. Mr. Holtman noted that the Bylaws do not allow a
361 manager to hold two officer positions at once. Further, state statute requires that the
362 positions of President, Treasurer, and Secretary each need to be held by different
363 managers. There are other combinations of positions that could legally and logically
364 be held by a single manager (e.g., President and Assistant Treasurer). Mr. Holtman
365 indicated that at President Anderson's request, he has drafted a revision of the
366 Bylaws that would allow for a manager to hold two officer positions, to the extent
367 permitted by statute. Under the procedures for considering amendments to the
368 Bylaws, the managers are to be given notice of the proposed revision that will be
369 brought to the December 18th regular board meeting. Mr. Holtman will ask Ms. Phillippi
370 to distribute the proposed revision to the managers.

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10. Report of Treasurer and Approval of Bills

Treasurer Schmaltz reported income of \$437,897.88 including interest of \$5,172.05. He reported expenses in the amount of \$363,596.47.

President Anderson moved to accept the Treasurer’s report, transfer funds in the amount of \$338,000 and pay the bills in the amount of \$363,596.47. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 4-0.

Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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11. Report of Officers and Managers

Manager Schmaltz reported that the Forest Lake Lake Association has a new board president – Ken Wood.

President Anderson recommended the District balance its budget and transfer funds to the General Fund when possible at yearend.

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12. Summary and Approval of Board Direction

The following board directives were summarized:

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- Manager Bakke asked that staff prepare a summary of what each staff position does on a regular basis, and Manager Schottmuller asked for a summary of which staff are responsible for particular work items and their result.
- President Anderson asked that staff look into a second phase for carp work in Comfort Lake and Little Comfort Lake.
- President Anderson asked that staff provide more information about the stormwater pond adjacent to East Comfort Drive.
- Confirm the Work Plan references the potential property donation that includes part of Shallow Pond.
- In reference to the 5-Year Program & Project Plan, Administrator Kinney and Dr. Wilkinson will reach out to Washington County regarding partnering on Shields Lake and Shallow Pond wetlands.
- Administrator Kinney will check back regarding the Steinke Property near the Sunrise River and Highway 61 project.
- Staff will send out the proposed bylaws revision to the managers.

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13. Adjourn

a) Next regular board meeting December 18, 2025, 6:30 pm

Manager Schottmuller moved to adjourn the meeting. Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 4-0 and the meeting was adjourned at 8:25 pm.

Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			
Dave Bakke	X			
Doug Toavs			X	
Stephen Schmaltz	X			
Jackie Anderson	X			

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Dave Bakke, Secretary -----