

**DRAFT MINUTES OF THE REGULAR MEETING OF THE
COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT
Thursday, July 23, 2026**

1. Call to Order

President Anderson called the July 23, 2026, regular board meeting to order at 6:30 p.m. at the CLFLWD office, 44 Lake Street South, and via online video conference.

Managers Present:

Jackie Anderson, President
Steve Schmaltz, Treasurer
Jim Schottmuller, Vice President
Dave Bakke, Secretary (virtual attendance)
Douglas Toavs, Assistant Treasurer (virtual attendance)

Staff Present:

Mike Kinney, Administrator
Brad Jernberg, Business and Operations Manager
Tori Philippi, Office Manager
Blayne Eineichner, Project Coordinator
Aidan Read, Land Management Specialist

Others Present:

Anne Wilkinson, Emmons & Olivier Resources (EOR)
Erik Megow, Emmons & Olivier Resources (EOR)
Chuck Holtman, Smith Partners
Tom Furey, Bone Lake Association
Dave Vold
Dusty Van Thuyne, BWSR
Michael Miller

2. Setting of Meeting Agenda

A discussion of the manager appointment process was added to the agenda as Item 7B.

Manager Schottmuller moved to approve the agenda as amended. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 5-0.

Manager	Aye	Nay	Absent	Abstain
Jim Schottmuller	X			

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

3. Consent Agenda

a) Regular Board Meeting Minutes – June 25, 2026

[6:32 pm]

Manager Schmaltz moved to approve the consent agenda as presented. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 5-0.

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

4. Public Open Forum

[6:33 pm]

Attendee Dave Vold, a prospective member of the Community Advisory Committee, introduced himself to the board of managers and others in attendance.

5. Advisory Committee Updates

[6:36 pm]

Aidan Read provided a summary of the most recent Community Advisory Committee (CAC) meeting, including updates about purple loosestrife biocontrol. He also presented Dave Vold's CAC application.

President Anderson moved to appoint Dave Vold to the Community Advisory Committee for the Comfort Lake-Forest Lake Watershed District. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 5-0.

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

6. New Business

a) MN Watersheds Annual Meeting on Resolutions and Petitions

[6:38 pm]

The board discussed and selected a delegate for the 2026 MN Watersheds Annual Meeting on Resolutions and Petitions, which will be held virtually on August 31, 2026.

President Anderson moved to appoint Managers Bakke and Schmaltz as District delegates and President Anderson as an alternate delegate for the 2026 MN Watersheds Annual Meeting on Resolutions and Petitions. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 5-0.

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

b) BWSR Easement Programs

[6:43 pm]

Administrator Kinney introduced Dusty Van Thuyne, an Easement Program Coordinator for the Board of Water and Soil Resources (BWSR). Mr. Van Thuyne gave a presentation on Reinvest in Minnesota (RIM) conservation easements as a potential opportunity for CLFLWD green belt initiative planning.

7. Old Business

a) Bone Lake South Nature Area Wetland Restoration Scope of Work

[7:22 pm]

Project Manager Blayne Eineichner, Dr. Anne Wilkinson, and Erik Megow of EOR presented the first steps for planned wetland restoration at the Bone Lake South Nature Area (BLSNA). The first phase of the restoration is the removal of legacy load nutrients that have been identified in the wetland closest to the existing barn along 228th St. and to evaluate the flood storage potential within the greater wetland complex.

The District has requested a feasibility level analysis and preliminary restoration design from EOR for this effort. The entire cost for this phase will be covered by a Lessard-Sams Outdoor Heritage Fund (LSOHF) grant.

Manager Bakke moved to direct the Administrator, on advice of counsel, to enter into an agreement with EOR in accordance with the July 6, 2026, scope of work in an amount not to exceed \$40,920.50. Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 5-0.

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

b) Manager Appointment Discussion

[7:34 pm]

Two seats on the CLFLWD Board of Managers are open for appointment in 2026, one each by the Washington and Chisago County Boards of Commissioners. Manager Schmaltz has applied for reappointment by the Washington County Board. The City of Forest Lake and City of Scandia have submitted a list of nominees to the Washington County Board that doesn't include Manager Schmaltz. The list of nominees does include the Forest Lake Mayor.

Administrator Kinney noted that for some time the Washington County Board has operated under the incorrect understanding that it must appoint CLFLWD managers from the city list. This has concerned him because as a citizen-petitioned district, CLFLWD has direct accountability to watershed residents. He also expressed concern about misleading statements about CLFLWD made by a candidate that put CLFLWD in a bad light. Manager Schmaltz added that CLFLWD counsel has raised the concern of conflicts of interest that may arise when one person is both a city elected official and a watershed manager.

President Anderson emphasized the need for a communication effort to correct unfair or inaccurate statements about CLFLWD, including statements about its financial management, put out to the public. It's her responsibility as president to seek to correct that, and she would like the board's concurrence to work with counsel and the administrator to prepare a communications plan.

District Legal Counsel Chuck Holtman sought to structure the Board's discussion by identifying three different interests he has heard the managers express: an interest in reappointment of Manager Schmaltz for his experience and to maintain the Board's working relationships; concern about public statements made by a nominee

140 that misrepresent the work of the District; and concern about compatibility of office
141 if a local elected official is appointed to the CLFLWD Board of Managers. He observed
142 that whichever of these the board wished to pursue would be pursued in its own way.
143 He noted that the compatibility question might be raised directly with the County,
144 but also may be a broader policy matter that CLFLWD might discuss with Minnesota
145 Watersheds.

146
147 President Anderson noted that for the longer term, an attorney general's opinion
148 would be a route to clarify this issue. She noted also that she has spoken with the
149 League of Minnesota Cities, and that it doesn't recommend that a mayor also serve
150 on a watershed district board.

151
152 President Anderson would like board concurrence to work with counsel on these
153 matters. She wants the full board to be knowledgeable about the circumstances and
154 about the communications in which CLFLWD will be engaging. Manager Schmaltz
155 added that he would like counsel, as well as the administrator, to look at his
156 reappointment submittals because they too will be speaking to broader matters of
157 policy concern.

158
159 President Anderson emphasized the intent that CLFLWD operate independently of
160 city or county influence. The county board appoints, but then should allow the
161 managers to direct the work of the district. Manager Toavs concurred that the board
162 should advocate for its independence and the ability to pursue its mission of
163 protecting water resources. Manager Bakke reported that he spoke with Scandia
164 Mayor Kronmiller, who concurred that watershed districts and cities have different
165 interests and that, therefore, there is potential conflict in serving both. They concurred
166 that collaboration between CLFLWD and its cities is important. Administrator Kinney
167 noted that CLFLWD staff long have met quarterly with Scandia and Wyoming staff.
168 Under prior Forest Lake administrations there were monthly meetings, but over the
169 past several years there have been very few.

170
171 In response to a question from Manager Schmaltz, Mr. Holtman noted that
172 Washington County's solicitation of nominees stated that the Board could consider
173 only candidates nominated by a city . This would be true for most metro-area
174 watershed districts. However, as the CLFLWD is a district initiated by citizen petition,
175 as well as a district located partially outside the metro, the County Board is not
176 limited to appointing from a city list of nominees.

177
178 After discussion, Manager Schmaltz stated he is communicating directly with the
179 County pursuant to his reappointment application, and will emphasize that the
180 County Board has the legal ability to appoint the candidate of its choice. Responding
181 to Manager Schmaltz, Mr. Holtman advised that on legal questions, the County Board
182 will follow the advice of its attorney, and so Manager Schmaltz's correspondence to

the County should ask that the County Attorney's advice be sought. Administrator Kinney added that he would forward Mr. Holtman's opinion memorandum to city staff.

Manager Schottmuller indicated his only concern is that manager appointment is a matter for the County Board, and that CLFLWD should take care not to step on the County Board's toes. Counsel Holtman offered that the requirement to appoint from the city list is a constraint on the County Board's appointment discretion, and so CLFLWD's point to the County is actually to urge the County Board that it may exercise its full discretion.

President Anderson asked that counsel prepare a one-page summary of the crucial information and deadlines related to the manager appointment process, for the managers' future reference.

8. Report of Staff

a) Administrator

[8:21 pm]

Administrator Kinney and Mr. Eineichner presented an update on District projects that are currently in progress.

b) Emmons & Olivier Resources

[8:31]

Dr. Wilkinson stated that EOR is collecting feasibility data from the Sunrise River and nearby wetlands for the Accelerated Implementation Grant (AIG) project, and the phase one report will soon be ready for staff review.

c) Smith Partners

[8:32]

Nothing to report.

9. Report of the Treasurer

[8:32 pm]

Treasurer Schmaltz reported District income of \$41,947.53, interest of \$2,697.96, and expenses of \$167,815.82.

Business and Operations Manager Brad Jernberg reported that as of the six-month budget review, CLFLWD is sustaining a positive cash flow.

Manager Schmaltz moved to accept the Treasurer's Report and pay the bills in the amount of \$167,815.82. Seconded by President Anderson. Upon a roll call vote, the motion carried 5-0.

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

10. Report of Managers

Manager Bakke reported that his cabin in northern Minnesota is in one of the areas at risk for wildfire damage, which requires an emergency plan at this time.

11. Summary and Approval of Board Direction

[8:35 pm]

The following board directives were summarized:

- President Anderson asked that Mr. Holtman prepare a one-page informational document about the watershed board manager appointment process.

12. Adjourn

a) Next regular board meeting – August 13, 2026, 6:30 pm

Manager Schmaltz moved to adjourn the meeting. Seconded by Manager Schottmuller. Upon a roll call vote, the motion carried 5-0, and the meeting was adjourned at 8:36 p.m.

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

Dave Bakke, Secretary _____