

**MINUTES OF REGULAR MEETING
OF THE
COMFORT LAKE - FOREST LAKE
WATERSHED DISTRICT**

Thursday, February 24, 2011

1) Call to Order

The President called the February 24, 2011 regular Board meeting to order at 6:30 p.m. at the Forest Lake City Offices, 220 North Lake Street, Forest Lake, Minnesota

Present: President Richard Damchik, Vice President Jackie Anderson, Secretary Wayne Moe, Treasurer Tom Lynch, Manager Jon Spence

Absent: None

Staff: Doug Thomas (CLFLWD), Lisa Tilman (EOR), Chuck Holtman (Smith Partners)

Other: Mark Lobermeier (City of Wyoming), Dan Coughlin (Forest Lake City Administrator)

2) Setting of Agenda

The President called for the reading and approval of the February 24, 2011 regular Board meeting agenda. President asked if there were any changes or additions. Motion to approve the agenda was made by Manager Anderson and seconded by Manager Moe. Discussion. Upon vote, the motion passed unanimously.

3) Reading and Approval of Minutes

The President called for the reading and approval of the minutes of the January 20, 2011 regular Board meeting. Motion to approve the January 20, 2011 regular Board meeting minutes was made by Manager Anderson and seconded by Manager Moe. Discussion. Upon vote, the motion passed unanimously.

4) Public Open Forum

Manager Damchik opened the floor to anyone in attendance wishing to comment on items that are not already scheduled to be discussed as part of the meeting agenda. Administrator Thomas introduced Dan Coughlin, Forest Lake City Administrator. Mr. Coughlin introduced himself to the Board and gave some brief comments regarding his past involvement with watershed districts and that he is looking forward to working with the Comfort Lake Forest Lake Watershed District as the new City Administrator.

5) Public Hearing – Proposed Rule Revision, Rule 4.0, “Lake, Stream and Buffer Requirements” Comfort Lake-Forest Lake Watershed District.

Manager Damchik opened the public hearing on the proposed revision to Rule 4.0, Lake, Stream and Buffer Requirements at 6:35 pm. He asked if anyone was present to speak to the issue. Hearing none the President closed the public hearing. At that point the President asked Administrator Thomas if he had anything else to add. Administrator Thomas noted that the public notice allows for written comments on the proposed rule revision to be submitted until the end of the day on March 2, 2011. At that time staff will

review and prepare a response to comments, if any, and that will be on the next meeting agenda for discussion along with a resolution for formal adoption of the rule revision and instructions to staff to provide proper notice of the decision and distribution of the revised rule.

6) New Business

a) Moody Lake In-Lake Treatment Project Investigation – Proposed Work/Task Order

Administrator Thomas pointed out the proposed work/task order that was in the Board packet and before turning the presentation over to the District Engineer he commented that 1) the Moody Lake Project is identified in the District's 2011 work plan and budget, 2) discussions with the person doing the water quality sampling indicate that curly leaf pondweed was not widespread in the lake which suggests that redoing a plant survey is needed in order to re-evaluate the need for herbicide treatment, and 3) in discussing the alum treatment portion of the project with the District Engineer and others there is desire to explore ideas for a differential treatment of the bottom sediments based on water depth and soil chemistry. He also noted that staff is looking to the Board for discussion and action on the proposed work/task order. With that introduction Administrator Thomas turned things over to Engineer Tilman.

Engineer Tilman went through the EOR memo with the Board and described the purpose and outcome of the three tasks which included 1) Data Collection and Analysis: Macrophyte Management, focusing on curly leaf pondweed in relation to its role in internal phosphorus control and if curly leaf is still identified as a problem then to look at and recommend a treatment method including looking at the use of iron as a means of control, 2) Data Collection and Analysis: In-Lake Treatment, this task focuses on the deeper portions of the lake and what will be the best method for control of the release of phosphorous from the bottom sediments, and 3) Project Report and Project Recommendation. Engineer Tilman noted that the proposed work/task order has an estimated cost of \$38,223.

Manager Anderson commented that the memo states that some experimental work suggest that in-lake sediment chemistry has an effect on curly leaf and asked for further explanation of soil chemistry and what's going on. Engineer Tilman and Administrator Thomas noted that work done in the last couple of years has begun to focus on the relationship of iron to other soil elements as it relates to curly leaf infestations and the severity of those infestations along with the idea of treating the soil to reduce and/or manage curly leaf. Rush Lake in northern Chisago County was noted as being the only place where experimentation of adding iron to the lake sediments is taking place. Administrator Thomas pointed out that Moody Lake is a good candidate for us to take a closer look at before we simply jump to the traditional herbicide and alum treatment because of its small size, past management, and that it is not thought of as a large and/or significant recreational lake as it relates to potential issues with permitting. Manager Anderson asked about the effect of iron on other plants. Administrator Thomas noted that iron by itself is not toxic and should not be a problem.

Manager Anderson commented on the experimental implementation label and asked at what point does this stop being experimental. As an example she pointed out that the Comfort Lake Diagnostic Study, done over 10 years ago had introduced this idea. Engineer Tilman stated that they had used the term experimental in that the DNR staff that they had spoken with still thinks that the idea of amending soil sediments is experimental and that the ideas are not supported by published research done either in the lab or in the field. Manager Anderson asked what needs to be done in the scientific world to get these ideas off the experimental list and that we need to get them off the list or quit suggesting them. Engineer Tilman pointed out the lack of published research and that is the main reason people keep using the term experimental. Manager Anderson requested that Engineer Tilman have Cecilio call her to discuss what scientifically needs to be done. Administrator Thomas noted that at this point in time the UofM has not

done any research and that although Steve McComas has been talking about this for a long time the only work being done is a small experiment on Rush Lake in Chisago County.

Manager Anderson commented that her point is that if when we do something is there a protocol that can be followed to assist in proving or disproving these experimental ideas in a way that is accepted. Manager Spence commented that he agreed that we should be doing things in a way that we get results out of it that can advance the science. Manager Moe reminded everyone that these are natural systems and that there are a lot of variables that make it difficult to be absolutely precise. Manager Anderson commented that her goal is to quantify what we are doing. Administrator Thomas commented that we have a lot of good data, studies, and models in place and that the purpose of this effort is to refine the ideas that we have been discussing and come out with a specific project to implement and to follow it up with long-term monitoring.

Manager Moe asked if the report will include detailed costs so we knew what we will be looking at. Engineer Tilman commented that the report will include specific project recommendations including the estimated cost for implementation.

Manager Anderson asked if the seven soil samples were adequate. Administrator Thomas and Engineer Tilman discussed the method that will be used to determine the location of the samples and that they felt seven was adequate. Manager Lynch asked if anyone has looked at the extent of curly leaf in northern Minnesota and whether or not it would tell us something about other factors. Administrator Thomas said that it was good question and that he was not aware of any studies or inventories.

President Damchik asked the question of what the Managers would like to do. Motion by Manager Spence, Second by Manager Lynch to approve the EOR work/task order, as presented, for the Moody Lake In-Lake Treatment Project Investigation, in an amount not to exceed \$38,223 without prior Board approval, and to authorize its execution by the Board President. Discussion. Upon vote the motion passed unanimously.

b) Audit Letter to CLFLWD

Administrator Thomas commented that the letter in the Board Meeting packet is required to be provided to the Board of Managers as it relates to the upcoming 2010 audit which will begin on March 15th. He noted that no action is necessary at this time.

c) MAWD Legislative Reception

Administrator Thomas pointed out the information in the Board packet relating to this year's MN Association of Watershed District's legislative meeting. The format for this year has changed with a legislator reception on Wednesday evening and a legislative breakfast, just for managers, on Thursday morning followed by legislator visits by the WD's in attendance. Administrator Thomas commented that he was looking to the Managers for some direction on attendance, registration, and legislator invitations. After discussion it was agreed the Administrator Thomas should register and attend but because we did not have any specific legislative agenda we would not be sending out invitations to the reception to our legislators.

7) Old Business

a) CLFLWD Investing

Administrator Thomas commented that the purpose of this agenda item is to close the loop on the recent discussions the Board has been having on investing of District funds. He noted that after discussion with the First State Bank of Wyoming he found out that our account there is structured as a municipal account and is currently earning 1.0% interest. The earnings rate is tied to the prime rate so it will go up and down in relationship to that. He noted that since the rate from the First State Bank of Wyoming is better than other rates offered in the area including the 4M Fund which is administered by the League of MN Cities we will not be pursuing any additional investigation and/or change in our investment strategy at this time.

b) Boat Launch Inspection Program – 2010 Report

Administrator Thomas noted the 2010 boat launch inspection report in the Board packet. It was provided to the Board for their information as this was an activity that was funded by the District and included the public landings on Bone, Comfort, and Forest Lake in 2010. He noted that the application for 2011 funding has been submitted to the DNR and was done separately from Chisago County, with their agreement, as it will provide for more inspection hours than if we did a combined effort. He commented that there are a number of interesting statistics in the report but the one he found the most interesting was the high number of boats coming from zebra infested waters to lakes within our District. He also mentioned that he had met with DNR, along with the Forest Lake Lake Association president, and that the DNR committed to working closely with us to coordinate inspections during events and high usage times of the year and even to work with DNR Enforcement to cover evening hours if needed. Manager Moe asked about permits for tournaments. Administrator Thomas noted that a DNR permit is required and in the case of Forest Lake a permit from the City is also required. He did not know if Wyoming or Scandia had a local permit requirement or not.

8) Report of Staff

a) Administrator

Administrator Thomas noted his written report in the Board packet. He also updated the Board that the District has now received an official confirmation from the MN Pollution Control Agency that the District's 2007 Watershed and Lake Water Quality Modeling Investigation for the Development of a Watershed Capital Improvement Plan qualifies as a meeting the requirements of being a Phase 1 Diagnostic Study, and as such those lakes that are not impaired are now eligible for protection funds through the PCA's Clean Water Partnership and EPA Section 319 grant programs.

b) Emmons and Olivier Resources (EOR)

Engineer Tillman noted that she had nothing more to report at this time.

c) Smith Partners

Attorney Holtman noted that he had nothing more to report at this time.

9) Report of Treasurer

a) Approval of Bills

Treasurer Lynch presented the Treasurer's Report (A copy of which is annexed and incorporated by reference) and bills and payroll totaling \$53,634.34

Motion was made by Manager Moe to approve the February 24, 2011, 2011 Treasurer's Report and pay the bills and payroll as presented. Manager Spence seconded the motion. Upon vote, the motion passed unanimously.

10) Reports of Officers and Manager

Manager Anderson–

Commented on a visit she had with a company that was selling aerial photos of properties on Comfort Lake and that the pilot thought that to get aerial pictures of the 6 major lakes in the District would be approximately \$375. She said that she would bring additional information back to the next meeting after hearing back from the company.

Manager Damchik–

Nothing to report

Manager Moe –

Brought in and mentioned two recent articles that had been in the papers including one on the St. Croix TMDL and the other on nitrates in groundwater.

Manager Spence –

Nothing to report

Manager Lynch –

Nothing to report

11) Adjournment

Motion to adjourn the CLFLWD regular Board meeting at 7:30 pm was made by Manager Lynch and seconded by Manager Anderson. Upon vote, the motion carried unanimously.

Wayne S. Moe, Secretary