

**DRAFT MINUTES OF THE REGULAR MEETING OF THE
COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT
Wednesday, January 12, 2021**

1. Call to Order

Vice President Anderson called the January 12, 2022, regular board meeting to order at 6:30 p.m. via online video conference.

Present: Vice President (President Pro-Tem.) Jackie Anderson, Secretary. Dave Bakke, Treasurer Steve Schmaltz, Assistant Treasurer Douglas Toavs, Manager Christopher Loth.

Absent: None.

Others: Administrator Mike Kinney, Office Manager Bobbie Law, Planning Coordinator Emily Heinz, Project Coordinator, Blayne Eineichner (CLFLWD staff); Greg Graske, Jason Naber, Cecilio Olivier (Emmons & Olivier Resources); Chuck Holtman (Smith Partners)

2. Setting of Meeting Agenda

Managers added agenda item 5c: Easement for County Road 50 Iron Enhanced Sand Filter.

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

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

3. Consent Agenda

- a) **Regular Board Meeting Minutes – November 18, 2021**
- b) **Special Board Meeting Minutes – November 30, 2021**

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

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

4. New Business

a) Public Relations Draft Request for Proposals

Mr. Kinney introduced the topic of obtaining additional public relations support. He noted that there are two items he would add per counsel's suggestion:

- Add a statement regarding how the proposals will be handled in accordance with section 13.591 of the Data Practices Act.
- Include a template services agreement with the request for proposals.

Managers discussed the project section of the request for proposals (RFP). Manager Anderson noted that the District is looking for an entire plan. She highlighted the inclusion of the history of the District in the request for proposals document. Managers discussed the importance of setting priorities, desired outcomes and metrics to evaluate progress. Mr. Kinney explained that the goal, to begin with, is for the hired public relations firm to outline and assist in the development of the priorities, goals, and outcomes, that would be included in a public relations plan. He confirmed that the firm would then be utilized to create a plan that incorporates the identified priorities and desired outcomes. He explained that if the Board is satisfied with what the firm presents, the firm would also be utilized to implement its plan to achieve these outcomes.

Manager Loth moved to approve the public relations request for proposals with the above additions and directed staff to distribute the request for proposals. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 5-0.

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

5. Old Business

a) Election of Officers and Liaison Assignments

Manager Anderson explained that this process was halted at the last regular board meeting because not all managers were present. At that meeting, Manager Toavs was elected as the assistant treasurer and Manager Bakke was elected as the secretary.

Manager Schmaltz referenced a previous discussion where managers supported a rotation of the president's position. This would give managers a chance to serve as president and learn how to complete the related duties.

Manager Anderson called for nominations for President. Manager Schmaltz nominated himself. There were no further nominations. Upon roll call vote, Manager Schmaltz was elected as President. There was consensus that the election and the remaining elections would be effective as of January 13, 2022.

Manager Anderson called for nominations for a slate consisting of Vice President and Treasurer. The managers by consensus nominated Manager Loth for Vice President and Manager Anderson for Treasurer. Upon roll call vote, the slate was adopted 5-0.

Managers reviewed the existing liaison appointments listed in the packet memorandum. Vice President Anderson noted the following corrections:

- Administrator Review Committee: Managers Anderson and ~~Oknich~~ Spence
- Lower St. Croix One Watershed One Plan: Manager ~~Schmaltz~~ Anderson, with Manager ~~Anderson~~ Schmaltz as alternate

Vice President Anderson explained that she would like the Board to appoint a liaison for the Lower St. Croix One Watershed One Plan Steering Committee. She noted that this could be discussed at a later date.

Vice President Anderson explained that the Board typically appoints Chisago County representatives to Chisago County organizations and the same for Washington County representatives. Managers were appointed as follows:

- City of Forest Lake: Managers Schmaltz and Loth
- City of Wyoming: Manager Anderson
- City of Scandia: Manager Bakke
- Chisago City: Managers Anderson and Toavs
- Chisago Lake Township: Manager Toavs
- Washington Conservation District: Managers Schmaltz and Loth
- Chisago Soil and Water Conservation District: Managers Anderson and Toavs
- Personnel: Manager Schmaltz
- ~~Administrator Review Committee: Managers Anderson and Oknich~~
Administrator Review Committee: No action taken.
- Citizen Advisory Committee: All managers rotate on a monthly basis (staff to coordinate rotation schedule)
- ~~Annual State of the Watershed Public Meeting: Managers Anderson and Oknich~~
Annual State of the Watershed Public Meeting: Action deferred.
- Lower St. Croix One Watershed-One Plan Policy Committee: Manager Anderson, with Manager Schmaltz as alternate

Manager Schmaltz mentioned a possible workgroup regarding office space. Vice President Anderson suggested that if this workgroup is needed, she and Manager Schmaltz can assume that role.

Mr. Kinney explained that managers' attendance at liaison and workgroup meetings are eligible for per diem, and managers must fill out and submit such requests to staff. The managers asked that the per diem policy be placed on the agenda for review at the next board meeting.

b) Minnesota Association of Watershed District Annual Conference

Vice President Anderson opened the topic up for informal discussion.

Manager Bakke explained that he found the new manager sessions extremely beneficial. He highlighted a session regarding translating diversity, equity, and inclusion into systems change in policy and planning. He requested that a portion of the presentation be presented to the Board. The managers viewed the video excerpt. He asked the other managers to think about how they as watershed managers address these issues in terms of the impact of diversity, equity, and inclusion in our District. Manager Bakke explained that he would like to learn what was done in the past regarding these topics in relation to the management plan.

Vice President Anderson noted that all the presentation videos are available to view.

Vice President Anderson expanded on Manager Bakke's question. She noted that in the Watershed Management Plan there is a history and approach explained in the executive summary. She explained that the District was founded on the principal goal of wanting to return surface water conditions to pre-development conditions. She explained that one of the ways the District ensures that its goals are in line with the past conditions is by collecting paleolimnological lake sediment cores to understand those pre-development conditions. Ms. Heinz directed managers to some sections of the Watershed Management Plan pertaining to this topic including Section 1.2 History of the District and the Potential Partners and Target Audiences subsection under Section 4.5.5 Education & Outreach.

Mr. Kinney gave an example of staff's efforts to change a District lake name from a derogatory name to officially be Lake Keewahtin. These efforts were successful, and the name was also changed on Google Maps.

He also explained that staff regularly review historic aerial photos and data in sequential diagnostic water monitoring. Mr. Kinney explained that staff is currently working on gathering a more complete review of historical data as part of conducting a broader resource inventory of the District.

Managers discussed the District's continual search for data and information regarding the natural conditions of the land before settlement.

Mr. Kinney highlighted the efforts of a previous board manager, Jen Oknich, to name some unnamed streams in the Scandia area.

Managers discussed equity and involvement of non-lakeshore landowners and residents. Vice President Anderson explained the importance of understanding one's effects on water resources, whether or not you live directly on the resource (e.g., lake, stream, wetland). Manager Schmaltz noted that a study was conducted that determined 70 to 80 percent of individuals recreating on Forest Lake do not live directly on the lake. He noted that it is a community resource and there is a need to welcome those non-shoreline landowners to be involved in District matters.

Manager Loth expanded on his experience at the conference. He explained that he found the sessions helpful and interesting. He noted a carp presentation that he believes might be useful for our District. He noted that he appreciated the opportunity to attend.

Manager Toavs explained that he was only able to attend the new manager session. He noted that the presenters were very good at providing context and information for a new manager. He explained that he would look forward to attending additional sessions in 2023.

Vice President Anderson explained that she would bring that feedback to the Minnesota Association of Watershed Districts (MAWD) committee that she serves on. She noted that she appreciates the input regarding what interests a new manager and what helps them acclimate to their new position.

Manager Schmaltz explained that, as a veteran attendee, he looks for new and upcoming ideas that can be implemented in the District. He highlighted a session regarding treatment to control phosphorus release from sediments. He also highlighted a presentation on a new approach to lake management. He explained that this session was regarding replacing alum treatments with nano-oxygen treatment systems. He suggested that the District consider this alternative in the future. Manager Schmaltz also emphasized ISG's presentation. He noted ISG's effective efforts to motivate people to improve their local water quality for recreation and economic vitality.

Vice President Anderson requested staff contact MAWD and ask if the District can download the presentations to the District website or file saving platform.

c) Easement for County Road 50 Iron Enhanced Sand Filter

Mr. Kinney reviewed his discussions with the landowner where the project will be sited. The landowner requested a payment for the easement \$3,000 higher than the amount that the Board gave Mr. Kinney the authority to offer. The managers discussed the value of the easement and the reasonableness of the landowner's request.

Manager Anderson moved to authorize Mr. Kinney to sign an agreement compensating the landowner for the easement in the amount of \$43,500. Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 5-0.

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

6. Program/Project Update

a) Project Update

Mr. Eineichner gave the monthly project update. He included updates on:

- Moody Lake and Bone Lake Aerators: Activated on January 5th, 2022. Staff responded to Manager Schmaltz's question about safety and liability issues related to open water by reviewing signage and monitoring practices..
- Bone Lake Northeast Wetland Enhancement “Legacy Load Project”: Contracting has been completed. Staff coordination with the contractor is ongoing on several project elements. On track for project implementation winter 2022.
- County Road 50 Iron Enhanced Sand Filter: The easement terms are finalized with the landowner. Easement signatures are scheduled for January 13th, 2022.
- Little Comfort Lake Subwatershed Enhancement Project/East Wetland: Additional evaluation of a nearby gravel pit is needed. The easement documents are being developed by staff.
- Sunrise River Drained Wetland Restoration/Tax Forfeit Project: A geotechnical investigation has been completed. Soil core samples have been submitted to a lab, and results have been received. Emmons and Olivier Resources (EOR) to bring the feasibility study before the Board in the coming month.

b) 2021 Budget and Expenditures

Ms. Heinz gave an overview of the yearend expenditures for 2021. She noted that managers requested an overview of projects that are underutilizing budgeted funds. She explained that these projects are on track to be completed to meet water quality goals despite the limited expenditures for some projects.

Manager Loth remarked that he would like to see the cost per pound of phosphorus removed on project slides. Vice President Anderson clarified that she would like to see more measurements noted when reporting progress including items like total suspended solids (TSS). She asked that going forward, staff include a chart showing progress toward Minnesota Pollution Control Agency (MPCA) impaired waters delisting for District waterbodies. She also requested staff seek to understand and document what has held projects up in the past to assist the District in avoiding delays in the future.

Vice President Anderson clarified that listing items as being underspent is poor terminology. She noted that projects should be budgeted per phase in a project since projects can span 3-5 years. This can create some confusion when we look at the budget for a three-year-long project on a one-year budget.

Manager Bakke asked about grants and when they must be used by. Vice President Anderson noted the fact that grants are locked into specific projects.

Manager Schmaltz thanked staff for the formal yearend information including explanations of why the budgeted amounts were not completely spent.

7. Summary and Approval of Board Direction

Board direction was summarized:

- Staff will provide an overview of the governance manual and per diem policy at the January 27th, 2022, regular board meeting
- Staff will contact the Minnesota Association of Watershed Districts (MAWD) staff and ask them if the annual conference recordings can be posted to the Comfort Lake-Forest Lake Watershed District website.
- Staff will add information regarding the dollar amount per pound of nutrient removal to the project update information slides.
- Staff will create a chart of progress toward delisting from the impaired waters list for District waterbodies.
- Staff will gather examples of project scenarios that caused delays and/or altered the project schedule for educational purposes.
- Staff will communicate clearly, the phases of all projects to help explain the extent to which spending has occurred.

8. Cranberry Lake Channel Property Update and Appraisal

Mr. Holtman explained that the Board's authorization of the acquisition included a condition that the Board would discuss the appraisal review. He reiterated that this can be an open session discussion. He noted that the District is scheduled to close on the property later in the month. He explained, after this, managers may wish to go into closed session to discuss a landowner request to amend the purchase agreement.

Vice President Anderson noted that the appraisal came in at a number that was expected. She explained that she did not find any inconsistencies. Manager Schmaltz noted the differences in appraisal amounts for high ground versus wetland. He explained that they both were appraised the same way in terms of value. Mr. Kinney gave an overview of the comparable properties given to the District with the appraisal. He noted that the appraised value is not out of line with the current marketplace.

Mr. Kinney explained that he had received communication from the seller requesting a certain level of access to the property. He noted that he has been in contact with the listing agent, District general and real estate counsel, and the Department of Natural Resources (DNR) grants coordinator to discuss the matter.

Manager Anderson made a motion to convene in a closed session to discuss the amendment of the purchase agreement of the Cranberry Lake Channel property, PID numbers 12.032.21.33.0001 & 12.032.21.330016. Seconded by Manager Loth. Upon a roll call vote, the motion carried 5-0.

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

The Board convened in closed session. The Board reconvened in open session.

9. Administrator Review

Manager Schmaltz moved to convene in closed session to review the performance of Administrator Kinney. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 5-0.

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

The managers convened in closed session. The managers reconvened in open session.

10. Adjourn

- a) **Next regular board meeting – Thursday, January 27, 2022**

Manager Schmaltz moved to adjourn the meeting. Seconded by Manager Loth. Upon vote, the motion carried 5-0, and the meeting was adjourned at 9:32 p.m.

Dave Bakke, Secretary _____