

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

Thursday, August 25, 2011

**1. Call to Order**

The President called the August 25, 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) and Lisa Tilman (EOR)

Other: Mark Lobermeier (City of Wyoming) and Denise Martin (Chisago Co. Press)

**2. Setting of Agenda**

The President called for the reading and approval of the August 25, 2011 regular Board meeting agenda. President asked if there were any changes or additions. Manager Moe requested that an agenda item be added under New Business to discuss cost-share program policy. Motion to approve the agenda as amended was made by Manager Anderson and seconded by Manager Spence. Discussion. Upon vote, the motion passed.

**3. Reading and Approval of Minutes**

The President called for the reading and approval of the minutes of the July 28, 2011- 2012 Budget & Levy Workshop. Motion to approve the July 28, 2011 Board Workshop minutes was made by Manager Spence and seconded by Manager Moe. Discussion. Upon vote the motion passed unanimously.

The President called for the reading and approval of the minutes of the July 28, 2011 regular Board Meeting. Motion to approve the July 28, 2011 regular Board meeting minutes was made by Manager Moe and seconded by Manager Anderson. 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. Hearing none the President closed the public open forum.

## 5. New Business

### a) C-S Policy Discussion

Manager Moe noted that we will be looking at a recent cost-share project tonight that was completed on Bone Lake and that he had concerns about the high cost of installation. He commented that we should go with staff's recommendation but when he visited the site the project included a large beach sand blanket and with the cost of the project being so high he was concerned that we might be paying for part of it. He also pointed out that he did talk to Administrator Thomas about it and that his response was that although the cost was high the price per square foot was reasonable and in the same ballpark as other cost-share projects. Manager Moe explained that he would like to get information on the average cost of shoreline buffer projects so that when we are approving a project we have an idea if the quote from a contractor is reasonable. He further commented that by simply using a quote we may be paying more than if for example we paid on a percentage of cost using a per square foot cost as the basis.

Manager Anderson commented that the point is not to get taken and to make sure we are getting competitive market prices. She felt that if we could establish what a market price is, or a range of market prices, that would be a good idea and it would allow for some comparison against what contractor quotes are. Manager Moe questioned whether we should set some form of a benchmark as Manager Anderson mentioned. He then asked if was possible for staff to gather information both within the District and in the area on what these types of projects are costing.

Administrator Thomas pointed out that the WCD provides a cost estimate for each project including one that uses contracted labor. Their estimate is based in part on what projects are costing county wide. He also pointed out that after Manager Moe had contacted him with his concern he did some checking on a few past projects and the price per square foot was similar between projects and with what the WCD's estimated cost per square foot was. Administrator Thomas pointed out that one way to make sure we are getting competitive bids would be to require two quotes for projects that exceed a certain cost. Another Manager questioned the need when we limit the amount of cost-share to 50 % not to exceed \$3,000 dollars on a project. Manager Moe commented that he would at a minimum like to see an analysis of past projects and what others in the area are seeing for costs.

Manager Damchik asked what folks would like to do. Administrator Thomas commented that the Board will be looking at both the existing cost-share programs later this fall, based on previous Board member comments, as well as establishing the program criteria for the two new incentive programs that will be started in 2012. If it is OK with the Managers he could bring back information on the range and average cost of projects at that time to add to the discussion and the establishment of program policy, criteria and guidance. Manager Damchik asked the Board if this was acceptable. The consensus was that this approach was acceptable and Manager Damchik directed that staff prepare the requested information and bring it back to the Managers at a future meeting.

### b) BMP Cost-Share Applications

Barchenger – BMP C-S project Approval

Administrator Thomas noted his staff memo in the Board packet. The project that cost-share is being requested for is a shoreline water quality buffer and shoreline erosion control project at 22540 Harrow Ave. N. on Forest Lake (1<sup>st</sup> lake). The project was visited by staff in the spring of 2011 at which time it was determined to be eligible for the District's Residential Cost-Share Program. A concept plan was developed by the Washington Conservation District. The project was reviewed and ranked by Managers Lynch and Spence, Pete Young WCD, and Administrator Thomas. Staff recommended approval of the Barchenger

Residential Cost-Share Program application for a shoreline water quality buffer planting and shoreline erosion control project at the rate of 50% not to exceed \$3,000.

Motion to approve the Barchenger Residential Cost-Share Program application for a shoreline water quality buffer planting and shoreline erosion control project at the rate of 50% not to exceed \$3,000 was made by Manager Moe and seconded by Manager Anderson. Discussion. Upon vote the motion passed unanimously.

Daley – BMP C-S Project, Payment Authorization

Administrator Thomas noted his staff memo in the Board packet. He noted that the shoreline water quality buffer project is completed and has been signed off on by the WCD. Staff recommended reimbursement of \$735.73 for ½ of the cost of materials and in-kind labor to the Daley's.

Motion to approve reimbursement of \$735.73 for the Daley Residential BMP Cost-Share Program project was made by Manager Anderson and seconded by Manager Spence. Discussion. Upon vote the motion passed unanimously.

Meyer – BMP C-S Project, Payment Authorization

Administrator Thomas noted his staff memo in the Board packet. He noted that the shoreline water quality buffer project is completed and has been signed off on by the WCD. Staff recommended reimbursement of \$2,535.00 for ½ of the cost of the contracted materials and labor to the Meyer's.

Motion to approve reimbursement of \$2,535.00 for the Meyer Residential BMP Cost-Share Program project was made by Manager Spence and seconded by Manager Moe. Discussion. Upon vote the motion passed unanimously.

Johns – BMP C-S Project, Payment Authorization

Administrator Thomas noted his staff memo in the Board packet. He noted that the shoreline water quality buffer and erosion control project is completed and has been signed off on by the WCD. Staff recommended reimbursement of \$3,000 for ½ of the cost of materials and labor to the Johns'.

Motion to approve reimbursement of \$3,000.00 for the Johns Residential BMP Cost-Share Program project was made by Manager Moe and seconded by Manager Lynch. Discussion. Upon vote the motion passed unanimously.

**c) NBL12/Foshay Feedlot Runoff Control Project Payment Authorization**

Administrator Thomas noted his staff memo in the Board packet. Administrator Thomas then gave a PowerPoint presentation which went over the project purpose, pollution reduction estimates, and construction. He then stated that the NBL12/Foshay feedlot project has been completed and signed off on by the Chisago SWCD's Project Engineer on August 17, 2011. The contractor D. George Construction has submitted his final project invoice in the amount of \$22,885.00 which has been reviewed and is ready to be paid. Staff recommended payment to D. George Construction in the amount of \$22,885.00 for construction services related the successful completion of the NBL12/Foshay water quality improvement project.

Motion to approve payment to D. George Construction in the amount of \$22,885.00 for the construction of the NBL12/Foshay water quality improvement project as previously approved by the Board of Managers

was made by Manager Anderson and seconded by Manager Moe. Discussion. Upon vote the motion passed unanimously.

#### **d) 2012 Budget & Levy Adoption**

Administrator Thomas noted the three items relating to the District's proposed 2012 budget and levy in the Board packet which included 1) his staff memo outlining the 2012 proposed budget and levy, 2) a one page budget and levy summary, 3) the detailed proposed 2012 budget and levy, and 4) draft resolution 2011-08-01 "Budget & Levy Adoption and Certification". After he pointed out some comparisons and differences to previous budgets and levies he then asked the Chair if there were any questions. President Damchik asked if there were any questions or comments from the Managers on the proposed budget and levy.

Manager Moe offered resolution 2011-08-01 and moved for its adoption. Motion was seconded by Manager Spence. Discussion. Upon vote the motion passed unanimously. The Chair then called for a roll call vote on the question of adopting Resolution 2011-08-11. Anderson yes, Damchik yes, Lynch yes, Moe yes, Spence yes. There being 5 yes votes and 0 no votes the President declared the resolution adopted.

### **6. Old Business**

#### **a) 2010 CLFLWD/BWSR Grant Amendment**

Administrator Thomas noted his staff memo in the Board packet. He commented that the BWSR Clean Water Fund grant which was received in 2009 needed to be amended to change the authorized representative from Randy Anhorn to himself and that due to the wet weather we have had in 2010 we needed to request an extension to the end date of the grant agreement. He has reviewed both changes with BWSR staff which support the changes. He recommended that the Board of Managers authorize changing the District's FY2010 BWSR Grant "Authorized Representative" from Randy Anhorn to Doug Thomas and request an extension of the ending date of the agreement to October 31, 2012.

Motion to authorize changing the District's FY2010 BWSR Grant "Authorized Representative" from Randy Anhorn to Doug Thomas and request an extension of the ending date of the agreement to October 31, 2012 was made by Manager Anderson and seconded by Manager Lynch. Discussion. Upon vote the motion passed unanimously.

#### **b) Manager Per-deim**

Administrator Thomas noted that Manager Lynch had asked that this be on the agenda and then went over his memo which was included in the Board packet which cites the law that sets the allowable compensation for watershed district managers which is MS 103D.315, subd.8. He then turned the discussion back to the Chair. President Damchik asked for comments from the Managers.

Manager Lynch commented on the discussion at the last meeting regarding manager pay and the question that was asked about what is allowed to be claimed. He stated that he felt \$75.00 is justified as managers presently do not request mileage reimbursement for the small trips they make to the office, bank and other local meetings.

Motion to increase Manager compensation to \$75.00 pursuant to MS 103D.315, subd. 8., effective August 25, 2011 was made by Manager Lynch and seconded by Manager Moe, Discussion. Manager Anderson noted that the per-deim rate has been the same since the District was established in 1999 and that she was comfortable with the increase knowing that managers commit time during the month which is not charged for. The President called for the question. Upon vote the motion passed unanimously.

### **c) Moody Lake - In-lake Treatment Investigation – EOR Report on Findings and Recommendations**

Engineer Tilman went through a PowerPoint presentation to give the Board its first look at the findings and initial recommendations from the Moody Lake - In-lake Treatment Investigation that EOR has completed for the District. The PowerPoint covered:

- Background/purpose of the study
- Goals for the study/investigation
- Key points/issues that were investigated
  - Lake water quality
  - Phosphorous release
  - Phosphorous loading
  - Fish Community
  - Macrophytes
- Key findings
  - Watershed load
  - Macrophytes
  - Internal phosphorous loading
- Initial recommendations for phosphorous reduction
  - Monitoring
  - Watershed load
  - Internal phosphorous load reduction
  - Fisheries management
  - Macrophyte management
- Option for internal load reduction
  - Alum treatment
  - Aeration
  - Dredging
- Next steps

Manager Anderson asked to go back to the charts on water quality. She noted the very high phosphorous and chlorophyll-a readings and asked why the seechi disk readings were not as bad. Engineer Tilman said she would need to check on that and get back to the Board on the possible reasons for the difference. Manager Anderson asked if we could assume that since there is not a lot of sediment coming into the lake could that be a possible explanation. Manager Spence commented that it may not be a linear relationship. Manager Lynch asked if the relationship may be tied to the type of fish such as carp vs. bullhead. Manager Anderson requested that this be clarified for the next time the report is discussed.

Manager Anderson asked about the recommendation regarding the alum treatment and that based on the other studies that have been done regarding its longevity it would tend to suggest that alum is not the long-term solution. Manager Anderson commented further on that she needed to have more information on the reasoning and specific findings behind the selection of alum vs. aeration before she could support a recommendation one way or the other. Engineer Tilman responded that they will provide additional information as requested at a future meeting.

Manager Moe asked that the fish survey data be double checked as it seemed to him that the information presented in the report is different than what he remembers looking at on the DNR web-site. Manager Spence commented that he would like to see a better cost-comparison on the alum vs. aeration treatment to

help in deciding which would be the preferred treatment. Administrator Thomas thanked the Board for its input and that EOR and staff will work on providing the additional information and analysis that is being requested and bring it back for presentation and discussion at a future meeting.

#### 7. Report of Staff

a) Administrator Thomas noted his written report in the Board packet. He also pointed out the BWSR CWF grant application deadline is September 20<sup>th</sup> and that he is planning on submitting 3 applications which were 1) a joint application with WCD for the Forest Lake sub-watershed assessment, 2) MLCCS & web GIS, and 3) Sunrise River stormwater retro-fits.

b) Emmons and Olivier Resources (EOR)

Engineer Tillman noted that work is progressing on the Sunrise Rive Project and that EOR will be presenting the preliminary findings on the urban stormwater retro-fit portion of the project at the September meeting.

#### 8. Report of Treasurer

##### Approval of Bills

Manager Lynch presented the Treasurer's Report (A copy of which is annexed and incorporated by reference) and bills and payroll totaling \$65,405.04.

Motion was made by Manager Anderson to approve the August 25, 2011 Treasurer's Report and pay the bills and payroll as presented. Manager Moe seconded the motion. Upon vote, the motion passed.

Manager Anderson asked for an analysis of actual tax receipts vs. the certified levy from the past couple of years. Administrator Thomas said that he would get that information as requested.

#### 9. Reports of Officers and Manager

Manager Anderson – Nothing to report

Manager Damchik – Nothing to report.

Manager Moe – Mentioned that construction is taking place again on a property on Bone Lake along Lofton Ave just before the lake comes up to the road and suggested that staff should look at it to make sure erosion control is in place.

Manager Spence – Commented on Comfort Lake water levels and that it has receded quite a bit over the past few weeks.

Manager Lynch – Commented on a recent article about using constructed vegetated islands to remove nutrients from ponds and found it to be an interesting concept. He also mentioned a report on invasive species but was a bit disappointed when he realized that its focus was entirely on bilge water from ships on the Great Lakes.

10. Adjournment

Motion to adjourn the CLFLWD regular Board meeting at 7:45 pm was made by Manager Anderson and seconded by Manager Spence. Upon vote, the motion passed.

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Wayne S. Moe, Secretary