

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

THURSDAY, SEPTEMBER 24, 2009

1) Call to Order

The President called the September 24, 2009 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 John Lynch

Absent: Manager Jon Spence

Staff: Randy Anhorn (CLFLWD), Lisa Tilman (EOR)

Other: Marshall Deters (DNR), Ed Kodet and John Brandel (Kodet Achitectoral Group), Steve Schmaltz (Forest Lake Association), Linda Nanko-Yeager (Wyoming City Councilmember)

2) Administration of Oath – Jackie A. Anderson and Wayne S. Moe

Administrator Anhorn administrated the oath of office to Jackie A. Anderson and Wayne S. Moe.

3) Open the Regular Meeting

The President opened the regular Board Meeting.

4) Reading and Approval of Agenda

The President called for the reading and approval of the September 24, 2009 regular Board meeting agenda. Administrator Anhorn stated that an additional BMP cost-share application had come in since the agenda was posted, and he thought that it could be included in discussion during the BMP cost-share portion of the agenda. Motion to approve the agenda with mentioned additions was made by Manager Lynch and seconded by Manager Moe. Upon vote, the motion passed unanimously.

5) Reading and Approval of Minutes

The President called for the reading and approval of the minutes of the August 27, 2009 2010 Budget Public Hearing and regular Board meeting. Following discussion on the draft minutes, motion to approve the August 27, 2009 2010 Budget Public Hearing and regular Board meeting minutes with edits was made by Manager Anderson and seconded by Manager Lynch. Upon vote, the motion passed with three (3) ayes and Manager Moe abstaining due to being absent at the August 27, 2009 meeting.

6) Public Open Forum

Marshall Deters, area DNR hydrologist for Chisago County, introduced himself and gave the Board kudos for the District's direction and recent accomplishments.

7) New Business

a) BMP cost-share program

Administrator Anhorn provided an update on recent BMP cost-share site visits and ongoing Board approved projects. Anhorn stated that there was one application to discuss.

i. Bocklund Raingarden Application

Administrator Anhorn then presented an application for District cost-share funds for the Bocklund property located in the City of Wyoming at 65712 261st Street (a copy of which is incorporated by reference and annexed within). Ms. Bocklund hopes to incorporate a raingarden in her front yard. Currently, when it rains, water pools in her front yard along 261st Street. The pooled water then runs off along the street to Aston Lake.

Administrator Anhorn went through a description of the property, project design, estimate costs, and resulting project rankings from Chisago SWCD staff, the District Administrator, and Manager Lynch and Manager Moe. Anhorn further provided an overview of the project ranking and funding process and stated that the compiled rankings resulted in the recommendation of the ranking group to provide cost-share funds for the project.

After Board discussion, motion was made by Manager Anderson to approve the application and provide cost-share funds not to exceed \$2,000 for the Bocklund raingarden project. The motion was seconded by Manager Moe. Upon vote, the motion passed unanimously

Administrator Anhorn then provided an update on the previously approved Irlbeck and Schreckeis projects, stating that each may be delayed until the spring of 2010 due to financial and permitting issues. By consensus, the Board okayed the extension if the cost-share program did not state a timeframe for projects to be completed. Administrator Anhorn stated that there was no declared timeframe.

b) Permits and Reviews

i. Gaughan Erosion Control (09-006)

Administrator Anhorn and Lisa Tilman presented the erosion control permit application for the single family residential home construction project (a copy of the permit application is annexed and incorporated by reference). Anhorn reminded the Board of their decision to have projects that required just a District erosion control permit to be handled administratively. Anhorn stated that as recommended by the District Engineer, the District erosion control permit (09-006) was issued on August 24, 2009.

ii. North Lakes Academy Stormwater Management and Erosion Control (09-007)

Administrator Anhorn and Lisa Tilman presented the recent review of the North lakes Academy permit application (09-007) for rules 2.0 6.0 (stormwater management) and 3.0 (erosion control). Ms. Tilman also stated that the project is requesting that their excess volume control (0.075 ac-ft) be entered into the District volume bank.

Ms. Tilman stated that staff recommends approval of the permit application with the conditons prior to actual issuance of the permit. Conditions include that the applicant submit;

- financial assurance in the amount of \$52,125. A copy of the permit application is annexed and incorporated by reference
- submit and record with Chisago County, a stormwater maintenance declaration for maintenance of the on-site stormwater facilities.

- Provide as-built surveys of volume control measures to verify volumes eligible for deposit in the District's stormwater volume bank.

The Board discussed the importance of the stormwater maintenance declaration and the inclusion of a specific maintenance plan and schedule with updates on annual monitoring and maintenance forwarded to the District.

The Board further discussed the potential for a soccer field to be added to the site design and agreed that the permit would have to be amended (which could be done administratively) to address additional erosion control needs.

Following discussion on the North Lake Academy permit application, Manager Anderson moved to approve Permit 09-007 with conditions as recommended by staff, including conditional need for the permit to be administratively amended to address additional erosion control needs if the construction of the soccer field is actually undertaken. The motion was seconded by Manager Lynch. Upon vote, the motion carried unanimously.

Manager Lynch then made motion to accept the applicants request for their excess volume control to be deposited in the District's Volume Credit Bank once the actual volume is verified by required as-built plans once the project is completed. The motion was seconded by Manager Moe. Upon vote, the motion carried unanimously.

c) *Annual Audit Engagement Letter*

Administrator Anhorn presented a letter of engagement from HLB Tautges Redpath for the District's 2009 annual audit (a copy of which is incorporated by reference and annexed within). Anhorn stated that the letter is similar to that signed in 2007 and 2008 and that the cost for the audit is expected to increase to \$7,300.

Following Board discussion, motion was made by Manager Anderson to have the administrator sign the HLB Tautges Redpath letter of engagement for the District's 2009 annual audit. The motion was seconded by Manager Moe. Upon vote, the motion passed unanimously.

d) *Washington County Board meeting – Watershed Budgets*

Administrator Anhorn mentioned that on top of sending in the District's levy certifications to the counties prior to the September 15, 2009 deadline, he forwarded requested information on the District's budget and budget breakdown to the Washington County Board. Anhorn stated that one aspect the County Commissioners were interested in was the percentage of each District's total budget was for administrative items (staff costs not linked to a project or program), consultant costs (those not linked to a project or program), and office costs. Anhorn stated that the District's administrative percentage in 2010 is proposed to be 9 percent as compared to 11 percent in 2009 and 35 percent in 2008.

Administrator Anhorn said that the County Commissioners would like the Districts to present their budgets to them at their November 10, 2009 Board meeting. Anhorn asked if a District Board member from Washington County would like to attend the County Board meeting with him. Following discussion Manager Moe said that he would likely be able attend the meeting with the administrator.

The Board then discussed the need for a Manager from Chisago County going to a future Chisago County Board meeting to present the District's budget and plans for 2010.

8) Old Business

a) Central Bank Savings and Checking Accounts

Administrator Anhorn provided an update to the Board on its accounts currently held at Central Bank of Stillwater (formerly Mainstreet Bank). Anhorn stated that there have not been issues with the change in ownership and that all withdrawal and deposits have been seamless. Anhorn stated that he will continue to monitor the accounts and transfer funds from the Central Bank account to the First Bank of Wyoming account when holdings in the Central Bank account exceed FDIC limits. He will then work with the First bank of Wyoming to purchase needed collateral to insure funds over the FDIC \$250,000 limit.

9) Report of Staff

a) Administrator

Administrator Anhorn presented an Administrator's report memo (a copy is annexed and incorporated by reference). The Administrator's report detailed recent correspondence, permit and plan submittals for review, and recent meetings with local stakeholders. Other issues the Administrator highlighted included:

- Met with landowner (third time) to discuss FL44 wetland restoration/cattle exclusion project. Will be forwarding another design showing fencing, buffer, and detailing grazing plan.
- Met with DNR and WCD on ice heave grading issues on Irlbeck BMP cost-share project.
- Installed BMP cost-share "Water Quality Improvement Project" signs and "Adopt-A-Garden" signs.
- Will be meeting with landowner to discuss NBL12 wetland restoration/cattle exclusion/ponding project (third meeting).
- Have had continued conversations/meetings with Archie Ducharme on potential re-route of river through his property and connection to regional wetland/storm pond facility on District Property and/or dredging of existing river.
- Conducted fall point-intercept macrophyte survey on Moody Lake.
- Have had conversations with DNR Fisheries about low velocity fish barriers for FL44 project and Bone Lake. Will schedule a meeting once more FL44 information is known.
- Have had conversations with Jeff Riedemann (commercial fisherman) to discuss future rough fish removal projects on District lakes, specifically Moody Lake in 2009-2010 and Bone Lake soon to follow.
- Two new BMP cost-share program site visits since last meeting.
- Conducted permit site inspections.
- Received ok from DNR for additional Forest Lake dead-end street buffer projects (4th Str SE, 236th and 237th Street NE), to be initiated this fall.
- Research MPCA and DNR grant opportunities (also in partnership with GRG and City of Forest Lake).
- Continue to have a few phone and in-person meetings to discuss potential upcoming projects w/in the watershed and answer potential permit needs.
- Working with NLA on Financial Assurance and SW maintenance declaration for permit # 09-007
- Will be sending out a letter to the District CAC highlighting accomplishments of 2009 and asking the CAC's help through the District's upcoming Watershed Management Plan update in 2010-2011.
- Continue to conduct discharge monitoring at Comfort and Forest Lake outlets.

Administrator Anhorn mentioned that the MPCA had recently published the draft 2010 impaired waters list and that Little Comfort Lake was not listed as impaired (as anticipated), lengths of the tributary to Little Comfort Lake were. The stretch between Birch Lake and School Lake and School Lake and Little Comfort Lake were both listed as impaired for aquatic life due to low dissolved oxygen levels.

Administrator Anhorn stated that he will be working at the Chisago County Children's Water Festival scheduled on Friday, September 25, 2009 at the Wild Mountain Recreation Area near Taylor's Falls.

Manager Anderson mentioned that it would be easier to comprehend locations of District projects if a large District map were available at the meetings, or if a map could be projected on a screen. Manager Anderson also mentioned that the administrators CAC letter discussed earlier would also be beneficial if sent to lake associations.

i) 2009 Work Plan & Projects Update

Administrator Anhorn provided the Managers with a copy of the 2009 work plan with progress updates on each of the items listed and a list of overall highlights for 2009. A copy of the update is annexed and incorporated by reference.

b) Emmons and Olivier Resources (EOR)

Lisa Tilman presented the September 2009 engineer's report (a copy is annexed and incorporated by reference). Ms. Tilman had previously provided an update during the meeting on recent project/permit application reviews, and provided an update on the finalizing of the draft TMDL report and work on the FL44 diagnostic study (including the analysis of the ponds sediments and associated water quality). Ms. Tilman mentioned that they have received minimal comments from the EPA and the next step is for MPCA to put the report out for an official comment period.

c) Washington Conservation District (WCD)

No Report

d) Smith Partners

Prior to the meeting, the President and Administrator determined that due to there being no issues on the meeting agenda requiring immediate legal consultation, there was no need for the District Attorney to attend the meeting.

9) Report of Treasurer

a) Approval of Bills

Treasurer Lynch discussed the Treasurer's Report (A copy of which is annexed and incorporated by reference) and bills totaling \$20,970.15 for September 2009.

Motion was made by Manager Anderson to approve the September 2009 Treasurer's Report and pay the bills as presented. Manager Moe seconded the motion. Upon vote, the motion passed unanimously.

10) Reports of Officers and Manager

Manager Anderson --

Manager Anderson mentioned that she recently gave an update on District activities to the Comfort Lakes Association (CLA) and that the CLA was pleased with the District's accomplishments.

Manager Damchik--

Manager Damchik mentioned that water was still not flowing over the Forest Lake outlet weir.

Manager Lynch –

No Report

Manager Moe –

Manager Moe passed out a copy of a Star Tribune article by Dennis Anderson on recent court action on Swan Lake.

Manager Moe also mentioned discussing potential volunteer and educational opportunities within the District with the Agricultural Department head at Forest Lake High School.

The Board discussed potential opportunities with the Forest Lake High School.

11) Adjournment

Motion to adjourn the CLFLWD regular Board meeting was made by Manager Lynch and seconded by Manager Moe. Motion carried unanimously.

Wayne S. Moe, Secretary