

**DRAFT MINUTES OF THE REGULAR MEETING OF THE
COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT
Thursday, July 28, 2022**

1. Call to Order

Vice President Loth called the July 28, 2022, regular board meeting to order at 6:30 p.m. via online video conference.

Present: Vice President Christopher Loth, Secretary Dave Bakke, Treasurer Jackie Anderson, Assistant Treasurer Douglas Toavs.

Absent: President Steve Schmaltz

Others: Mike Kinney, Administrator; Bobbie Law, Office Manager; Blayne Eineichner, Project Coordinator; Jessica Lindemyer, Operations and Outreach Specialist; Beth Carreno, Senior Program Manager; Aidan Read, Land Management Specialist; Garrett Miller, Watershed Assistant (CLFLWD staff); Greg Graske, Cecilio Olivier (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Hanna Valento (Forest Lake City Council).

2. Setting of Meeting Agenda

Manager Toavs moved to approve the agenda as amended to include item 7b Lower St. Croix Partnership Project Proposals and item 8b 2023 budget. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 4-0.

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

3. Consent Agenda

a) Regular Board Meeting Minutes – June 9, 2022

Manager Anderson moved to approve the consent agenda as amended removing the June 23, 2022, minutes. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 4-0.

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

4. Public Open Forum

There were no comments.

5. Citizen Advisory Committee Update

a) Committee Member Appointment

Mr. Read explained that he was presenting an appointment recommendation letter for Geneva Kubal. He explained that she is a very engaged individual and would recommend her appointment.

Manager Anderson moved to appoint Geneva Kubal to serve on the District's Citizen Advisory Committee for 2022. Seconded by Manager Bakke. Upon a roll call vote, the motion carried 4-0.

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

6. Aquatic Invasive Species Update

Mr. Miller gave an AIS update. He covered multiple topics including:

- A Forest Lake flowering rush delineation survey that was completed on July 12, 2022, and an associated herbicide treatment scheduled for July 29th.
- Increased number of flowering rush seed heads collected on Forest Lake with drought conditions likely being the cause. Mr. Miller noted that the staff is taking an aggressive management approach.
- A purple loosestrife survey that was completed on Forest Lake on July 22nd. Mr. Miller noted that a channel on Forest Lake 1 remains highly infested.
- A purple loosestrife treatment assessment on Keewahtin was completed in October of 2021. Another delineation for purple loosestrife will be performed in early August to determine what areas to treat in 2022. Mr. Miller explained that staff has taken multiple concerned citizen calls regarding purple loosestrife on Keewahtin Lake.
- A Bone Lake veliger tow was conducted on July 28th with assistance from the Washington Conservation District staff. Mr. Miller explained that samples were taken from three locations and the samples will be analyzed free of charge by the Minnesota Department of Natural Resources.
- Watercraft inspection hours and inspection figures were presented. Mr. Miller noted that goals are on track to be reached for 2022.

Manager Anderson asked if there have been any citizens trained in the management of flowering rush. Mr. Miller noted that it has not been completed formally but when he sees landowners in the field, he educates them on management processes. Manager Anderson suggested Manager Loth bring the point of education and flowering rush to the Forest Lake Lake Association. Mr. Kinney explained that the main reason staff was reluctant to do this in the past was because if these plants are pulled by the root they can spread by rhizomes, and citizens may inadvertently help spread the species. Mr. Miller explained that he recently gave a presentation regarding the management of flowering rush, and he would have the information to educate shoreline owners ready to go and implement for training citizens. Manager Toavs suggested that the presentation be recorded for citizens to learn at their leisure.

Bakke asked if dollars were budgeted for purple loosestrife management on Keewahtin Lake. Mr. Miller explained that dollars were transferred for the management of purple loosestrife on Keewahtin Lake in 2021 and staff will complete that same transfer in 2022 if needed. He noted that the expense in 2021 was around \$800.

7. New Business

a) Cost-Share Programs Overview

Ms. Heinz presented the District's current non-point source pollution abatement program (cost-share). She gave an overview of all of the programs including:

- Residential Landowners Grant and Shoreline Incentives: A \$500 plant grant.
 - Shoreline goals are outlined in the current 10-year management plan.
 - Current program summary for 2020, 2021, and 2022
- Agricultural and Rural Incentives: Aidan Read gave an in-depth presentation on this program at the last meeting.
- Commercial and Community Grant: This program has been and will continue to be a topic of discussion among the Board.
- Municipal Stormwater Grant
 - For stormwater treatment projects that go above and beyond minimum regulations.
 - Historically low or no participation and consideration to revise to encourage more participation.

Manager Bakke asked if specific landowners with inadequate shoreline buffers have been contacted regarding shoreline restoration. Ms. Heinz indicated they haven't been contacted, but those residents would be a great starting point once the District allocates more staff time to the program. Managers discussed the parameters set for natural shoreline conditions. Mr. Kinney spoke about the level of staff hours being put into these programs in the past and how they will look in the future.

Manager Anderson suggested that the Board keep all discussed ideas in mind when they discuss the proposed lake association grant program in the future. She noted the importance of getting lakeshore owners invested in education and influence to do the

right thing in protecting local waters. She suggested that a purpose of the lake association grant is to foster associations serving as an educational resource for their members.

b) Lower St. Croix Partnership Project Proposals

Manager Anderson explained that many of the Lower St. Croix (LSC) One Watershed One Plan (1W1P) materials being presented are largely the work of CLFLWD staff Emily Heinz. Manager Anderson explained the importance of outlining the process to identify and rate a project based on possible positive outcomes. She suggested the format might be useful for the District to use internally for its own projects.

She thanked staff for pulling together the information regarding the Sunrise River Project. She noted that the information provided in the prepared materials enabled her to clearly explain the project process to the LSC policy committee. She stated that the project was recommended for approval for allocation of funds. She explained that this was a recommendation by the policy committee that is now going back to all 16 partners to be approved or disapproved by each full board of the 15 partner groups. Manager Anderson recommended approval.

Manager Anderson explained that the funds are for implementation and that projects must be ready to be implemented. She noted the funding structure and time before additional funding comes in.

Ms. Heinz explained that at the policy committee meeting there were concerns regarding the allocation of fiscal year (FY) 2023 grant funds. She clarified that there are remaining unallocated funds to be spent on yet to be identified projects and a CLFLWD allocation by no means would use up 2023 FY funds.

Manager Loth asked if any other projects than the two presented to the Lower St. Croix 1W1P were up for consideration for funding. Mr. Kinney explained that other projects have come forward, but they have been very small projects. He noted that the framework for selecting projects for funding is not yet well established. Managers discussed how projects \$50,000 and under could be approved by the LSC steering committee itself without bringing information to the policy committee or to all partners directly.

Managers discussed the positive outcomes that occurred at the policy committee meeting.

Manager Bakke confirmed that the recommendation is to vote for listed option 3 to fully fund both requests to the LSC 1W1P by utilizing both fiscal year 2021 and 2023 grant dollars.

Manager Toavs moved to approve the Lower St. Croix Policy Committee's July 25th recommended motion pertaining to the CLFLWD and SWWD project requests. Seconded by manager Loth. Upon a roll call vote, the motion carried 4-0.

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

8. Old Business

a) Administrator Assessment Documents

Mr. Kinney explained that he and Ellen Heinrichs met with Gallagher staff where a presentation was given regarding a new review process and formatted form. He requested the managers accept the items presented and determine a configuration of managers to meet quarterly for his review process.

Manager Anderson stated that she would like an opportunity to meet with Gallagher staff to ask questions. Mr. Kinney stated that he is not planning to have Gallagher representatives come to the board with a full presentation. He noted the timeline for implementation is September 2022. Manager Anderson agreed to send her questions via email. Her questions included: What is the outcome of certain ratings, what is being done with the table of positions in the organization regarding salaries, and how salary increases would be determined.

Manager Bakke gave an overview of Mr. Kinney’s SMART goals that were set with his assistance. He noted that if the goals are not met in the timeline, it becomes a conversation about how to improve. Managers discussed Mr. Kinney’s goal to implement this structure for all staff.

Manager Bakke moves to accept the Gallagher Recommendations set forth in Attachment B) Agenda Item 08a – 3 – Observations and Recommendations and the use of Attachment C) Agenda Item 08a – 4 – Performance Memo Draft – AJG_CLFLWD document as the framework for the annual review. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 4-0.

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

b) 2023 Budget

Mr. Kinney explained that a legal notice regarding the budget is required to be posted in local papers. Ms. Heinz explained that the information in the proposed public notice would summarize the proposed total expense budget and the levy. She explained that the figures stated in the notice will remain subject to adjustment by the Board. She noted that the Forest Lake alum treatment project cost may be about \$700,000 lower than the earlier tentative budget. She asked whether the noticed budget amount should be reduced accordingly. Manager Anderson suggested that the proposed budget not be changed until the Board has had an opportunity to discuss the matter.

Manager Anderson asked as to the deadline to publish notice. Ms. Heinz explained that she would like to publish it in the coming week. Manager Anderson asked what the District is noticing specifically. Ms. Heinz explained that the notice is for the 2023 budget and levy public hearing. She noted that it will be stated that the budget is proposed and subject to change. Manager Toavs asked where the notices appear. Ms. Heinz stated that they are to be published in the District's official newspapers: Forest Lake Times and the Chisago County Press.

Manager Anderson moved to notice the budget in the amount of \$4.9 million and a proposed ad valorem levy of \$1.622 million.

Manager Anderson noted that she had requested value reports for both counties. Ms. Heinz explained that the requested information has been prepared and would be sent out on July 29th. Managers discussed deadlines for posting the notice. Managers discussed levy amounts in terms of estimated market value and net tax capacity.

Mr. Holtman explained that the public hearing could be moved to the first meeting in September, if this served the Board's purposes, and that the budget could be adopted, and the levy certified at the same meeting as the hearing.

Manager Anderson withdrew the motion. Manager Loth and Manager Bakke concurred that it would be a good idea to pause the process because Manager Schmaltz is absent, and other managers are new to the budgeting process.

Manager Anderson asked that staff investigate funding District programs through Clean Water Fund grants. She made clear she would like this investigation to focus on funding programs, not projects. She mentioned that some entities receive block grants that have fewer restrictions. Mr. Kinney explained that the grants she is suggesting may only be available for counties.

9. Report of Staff

a) Administrator

Mr. Kinney referred managers to his report. He noted that the tour and State of the Watershed event are shaping up and more details will be available soon.

Manager Anderson asked if staff is able to research groundwater sensitivity in Chisago County as a part of the natural resource inventory and assessment process. Mr. Kinney noted that this process will be vital in the Greenway planning process and planning in general for developing communities. Mr. Olivier explained that the H&H modeling includes groundwater information. Manager Anderson asked what groundwater parameters are being reviewed. Mr. Olivier explained that phosphorus, volume, and total suspended solids will be analyzed.

b) Emmons & Olivier Resources

Mr. Graske explained that preliminary work is being completed for Clean Water Fund grant projects. He noted that the other recent field activities included taking soil samples on July Avenue.

c) Smith Partners

Mr. Holtman stated that the Minnesota Supreme Court issued an opinion interpreting a statute regarding how cities participate in making nominations to the County Boards of Commissioners for watershed district manager appointments. He noted that this was case brought by the City of Circle Pines regarding an appointment to the Rice Creek Watershed District Board of Managers. He advised that Smith Partners will provide a memorandum with guidance for managers. The bottom line, he offered, is that it is essential that a manager seeking reappointment obtains a nomination and that the nomination is timely submitted to the county board. Mr. Holtman advised that the nomination may be by the city in which the manager resides, or any other city within the watershed district.

10. Report of Treasurer

a) Approval of Bills and Treasurer’s Report

Treasurer Anderson reported income for the period of \$683,439.92 and expenses in the amount of \$278,164.27.

Manager Bakke moved to accept the Treasurer’s Report and pay the bills in the amount of \$278,164.27. Seconded by Manager Toavs. Upon vote, the motion carried 4-0.

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

11. Report of Officers and Managers

Manager Bakke: Nothing to report.

Manager Toavs: Reported that the NE Bone Lake Restoration spoils site looks great and the recent culvert project on Lofton is also complete.

Manager Anderson: Reported that she attended a Lower St. Croix Partnership event on the St. Croix River. She estimated attendance of 130 individuals. She noted that the educational materials provided at the event were well done and that she would be sharing them with CLFWD staff. She reported that the Clean Water Council is working on the 2024-25 state disbursement of funding. She explained that additional funds would be directed towards 1W1P entities and that the Council would like any comments on the plan.

Manager Loth: Nothing to report.

12. Summary and Approval of Board Direction

Board direction was summarized

- Staff will contact the Forest Lake Lake Association about training the community in flowering rush removal.
- Staff will explore grant funding opportunities specifically for programs.
- Staff will assess the nitrogen pollutant water quality benefits of the proposed Heath Avenue project.

13. Adjourn

a) Next regular board meeting – August 11, 2022

Manager Anderson moved to adjourn the meeting. Seconded by Manager Loth. Upon a roll call vote, the motion carried 4-0, and the meeting was adjourned at 8:29 p.m.

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

Dave Bakke, Secretary _____