

**MINUTES OF THE REGULAR MEETING  
OF THE  
COMFORT LAKE–FOREST LAKE  
WATERSHED DISTRICT  
Thursday, October 14, 2021**

**1. Call to Order**

Vice President Anderson called the October 14, 2021, regular board meeting to order at 6:30 via online video conference,

Present: Vice President (President Pro Tem) Jackie Anderson, Secretary Pro Tem Dave Bakke, Treasurer Steve Schmaltz, Manager Doug Toavs, Manager Chris Loth.

Absent: None.

Others: Mike Kinney, Bobbie Law, Emily Heinz, Garrett Miller, Blayne Eineichner, Jessica Lindemyer, Nick Bancks, Aidan Read (CLFLWD staff); Greg Graske, Camilla Correll, Mike Talbot, Cecilio Olivier (Emmons & Olivier Resources); Chuck Holtman (Smith Partners).

**2. Setting of Meeting Agenda**

Item 5c - Willow Point Property was added to the agenda.

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

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jackie Anderson	X		
Stephen Schmaltz	X		
David Bakke	X		
Douglas Toavs	X		
Christopher Loth	X		

**3. New Business**

**a) Clean Water Partnership Loan B**

Mr. Kinney introduced the topic. Ms. Heinz provided a brief background regarding Clean Water Partnership loans. She explained that the District first took out a loan in 2018, in the amount of 1.5 million dollars, that has been closed out. She indicated that now that the first loan (“Loan A”) was closed out, the District can apply for a second loan (“Loan B”). She noted that the first step in the process is to adopt a project sponsor resolution (proposed resolution 21-10-01). She explained that Pollution Control Agency (PCA) recently decided to limit loan awards to \$1 million at a time. The loan would

need to be amended to add more funds as awarded loan dollars are spent. Vice President Anderson asked why this is. Ms. Heinz noted that this may be due to other recipients not expending the loan funds for long periods of time after applying for and receiving large amounts of funds. She then explained the general obligation note process for the original loan, Loan A. The District’s general obligation note accommodates repayment up to \$5 million. Since Loan A was \$1.5 million, the District can apply for up to \$3.5 million in loan dollars under the same general obligation note. This essentially simplifies the process.

Manager Bakke asked if the repayment is included in the budget and when it would be paid off. Ms. Heinz explained that it is a 10-year repayment process. He inquired about the repayment of Loan B. Ms. Heinz explained the repayments of Loan A and Loan B will overlap and be cumulative for a few years. Manager Schmaltz noted the loan repayment schedule included in the budget packet. He explained that managers requested this in the past because they had similar concerns. Ms. Heinz stressed the importance of budgeting for repayment. She explained that this budgeting is happening, and a portion of the 2022 levy will be saved in a debt service fund to repay loans. Vice President Anderson explained that these are 0% interest loans that the Board of Managers agreed to utilize with the purpose of accelerating projects that create better water quality. Manager Toavs asked if there is any possibility of the Pollution Control Agency (PCA) not being able to provide this financing. Mr. Kinney explained that the funds have been set up by the state. He believes that this is outside of the Clean Water Fund and will not be affected by any changes to the Clean Water Fund laws, but staff will confirm this and let the Board know.

Manager Schmaltz moved to adopt resolution 21-10-01. Seconded by Manager Toavs. Upon a roll-call vote, the motion carried 5-0.

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jackie Anderson	X		
Stephen Schmaltz	X		
David Bakke	X		
Douglas Toavs	X		
Christopher Loth	X		

#### **4. Old Business**

##### **a) Floodplain Vulnerability Demonstration**

Emmons & Olivier Resources (EOR) staff Camilla Correll and Mike Talbot shared their presentation regarding floodplain assessment work completed in 2019. Ms. Correll and Mr. Talbot covered the completed work, recommendations for the continuation of their work, greenway visioning connections, and H&H (hydrologic & hydraulic) model updates. Ms. Correll gave an overview of the 2022-2031 Watershed Management Plan goals under watershed planning and resiliency. She then walked through the steps of the floodplain risk assessment including approach, tools, and methods, interpretation of

results, and risk assessment. She explained that the two most common approaches are to use historical data or climate change projections. She explained the data that are used to design stormwater measures and the importance of using up-to-date data involving the amount of precipitation. She explained that the most common tools include hydrologic & hydraulic (H&H) models, geographic information system (GIS) based tools, and web-based tools. She noted that EOR's study led to an understanding of a lack of standard approaches to floodplain vulnerability evaluations and climate change. She explained that multiple agencies at different levels are assessing this topic. Ms. Correll highlighted the results of the workshop held in January of 2021. She noted that the bulk of individuals in attendance were more comfortable using multiple approaches when approaching flood hazards. She explained that they concluded the two-step approach would be to conduct a GIS-based flood hazard assessment and then an H&H model floodplain and infrastructure assessment.

Mr. Talbot gave an overview of the greenway visioning and the H&H model. He explained that EOR uses three factors that help determine what the greenway looks like and where it is. Factors include conservation, water resource projects, and recreation. He explained that the analysis is mostly geographic information system (GIS) based. He then moved on to the progress, efforts, and updates to the H&H model. He discussed the pros and cons of the H&H model. He then gave an overview of an analysis completed in Rochester, Minnesota. He then gave an overview of Emmons & Olivier Resources (EOR) scope of work including information, engagement, interpretation, modeling, and visioning.

Managers discussed the watershed management plan goals. Ms. Heinz explained that all lake management districts place a high priority on planning and resiliency in terms of flooding resiliency and creating an emergency response plan.

Vice President Anderson requested a complete update on the H&H modeling and an estimate on the cost to incorporate climate change considerations. Mr. Olivier explained that this presentation was a high-level overview and was just to be informative. Managers discussed their opinions regarding how far along staff are with updating the H&H model. The managers noted that they believed the modeling was further along than what was depicted in the presentation. Mr. Olivier explained that what was shown was correct; most of Forest Lake's model is not updated and should be within the next year as planned. He agreed that staff should be able to give a complete update with a proposal. Vice President Anderson noted the importance of obtaining this foundational information, and the relative urgency so that District projects incorporate up-to-date climate change considerations and so that the District's government units can effectively plan. She noted that the education component was missing from the greenway visioning slide, and she would like to see this added. Mr. Olivier reiterated that this was a high-level overview. Vice President Anderson voiced her concerns that incomplete information is not something to be presented to the public. Mr. Olivier explained that the greenway initiative has its own separate and complete presentation. Mr. Kinney clarified that the goal is to get guidance from the managers, and he believes the input so far has given them this guidance. He noted the connection between the greenway

corridor update and the floodplain vulnerability assessment. Vice President Anderson requested staff schedule a workshop on this topic.

#### **b) Greenway Corridor Update**

Mr. Bancks gave an update on the greenway corridor. He explained that the last two months' efforts have been focused on local stakeholder engagement to estimate the level of interest and possible participation. He explained that District staff have met with the City of Forest Lake, the City of Wyoming, Washington County, and the City of Scandia. He explained that District staff has meetings with the City of Wyoming's planning commission, Washington County, and Chisago County planned for October/November. He explained that the several themes coming from the meetings included ensuring the greenway corridor initiative aligns with other stakeholders' efforts and priorities, financial capacity limitations, and expectations pertaining to leadership by the District related to the planning efforts.

Vice President Anderson asked when the Chisago County meeting is scheduled. Mr. Kinney explained that it will take place in early November. Vice President Anderson stressed that managers be notified of these meeting dates so they can represent the District with their local stakeholders.

Manager Bakke noted that he attended the meeting with the Scandia City Council. He explained that Mr. Bancks did a wonderful job aligning the goals of Scandia and the greenway corridor plan. Vice President Anderson agreed and noted the council members' enthusiasm for the possibility of working together.

#### **c) Website and Branding RFP**

Ms. Lindemyer gave an overview of the input received from managers regarding the presented request for proposals. She explained that the input came from Manager Loth and Manager Schmaltz. Ms. Lindemyer explained that two major changes were made to the request for proposals (RFP) after receiving input. These changes include an updated deadline of November 15<sup>th</sup> to give more time for submittals to come in and search engine optimization requirements.

Vice President Anderson asked why it is important to keep a website update and branding update together. Ms. Lindemyer explained that the logo and the website design need to fit together, and that time and money can be saved when doing the two items together and that several other watershed districts she consulted with had wished they did both items together. Vice President Anderson asked how the request for proposal will be sent out. Ms. Lindemyer explained that for other watershed districts, the most responses came from local newspapers, social media, and saved email contact lists.

Manager Toavs moved to direct that the request for proposals be distributed. Seconded by Manager Bakke.

Manager Loth elaborated on his experience with re-branding. He explained that utilizing a crowdsourcing platform to design a logo was a much better experience. He noted that he understands the need to be efficient with this project. Manager Toavs asked how much it would cost for a logo designed via crowdsourcing. Manager Loth explained that it is around \$150 to \$200. He noted that the funds can be returned if the design is not satisfactory. He would suggest staff give this a try. Managers discussed the possibility of having the two tasks be separated. Ms. Lindemyer explained that most companies offer the services separately and it would likely not be an issue if the District had a logo created separately via crowdsourcing. She noted that Rice Creek Watershed District utilized crowdsourcing and Coon Creek Watershed District did not, as an example of the two options. Managers discussed the crowdsourcing process and collectively agreed that it would be a good option to pursue.

Manager Anderson moved to amend the proposed motion to add a crowdsourcing option for a logo design, which staff may solicit and agree to without further Board action. Seconded by Manager Schmaltz. Upon a roll-call vote, the motion carried 5-0.

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jackie Anderson	X		
Stephen Schmaltz	X		
David Bakke	X		
Douglas Toavs	X		
Christopher Loth	X		

Upon a roll-call vote, the amended motion carried 5-0.

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jackie Anderson	X		
Stephen Schmaltz	X		
David Bakke	X		
Douglas Toavs	X		
Christopher Loth	X		

Managers discussed a design brief to be submitted for crowdsourcing designs. Managers agreed that Ms. Lindemyer would work directly with Manager Loth to complete this.

#### **d) Bank Signers**

Mr. Kinney explained that due to a new board member coming aboard he would like to get that individual added as an authorized bank signer. Vice President Anderson explained that all managers can exercise this authority. She noted that it makes administrative items easier to process if the treasurer or president is not available to sign documents.

Manager Anderson moved to adopt resolution 21-10-02. Seconded by Manager Loth. Upon a roll-call vote, the motion carried 5-0.

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jackie Anderson	X		
Stephen Schmaltz	X		
David Bakke	X		
Douglas Toavs	X		
Christopher Loth	X		

## **5. Program/Project Update**

### **a) Agricultural Programs Update**

Aidan Read gave an update on recent agricultural-focused program work. He explained that the focus has been on outreach, site visits, and forming a farmer-led council. He noted that a large amount of his effort has been testing the validity of the District's data on listed farmers. He informed the Board that a mailer was sent to identify farmers in the area. He explained that the purpose of the outreach is to build a farmer-led council. As a part of the mailer, landowners were offered site visits. Mr. Read explained that he visited with six landowners this year. Some topics discussed with farmers were crop, pasture, and equine operations. He noted the difference in size and scale of the operations. He explained that during the site visits he focused on resources concerns including erosion and nutrient transport. The goal of the visits is to seek improvement. He explained that all the sites were meeting the T value or sustainable soil loss value. He made clear that these are simply farmers volunteering their time and money to make improvements that benefit water quality.

Mr. Read gave an update on the first meeting of the farmer-led council. He explained that the first meeting was held on October 13<sup>th</sup>. He noted the poor weather conditions making it not possible for fieldwork. He explained that four farmers attended. He cited the excitement and enthusiasm of attendees.

Manager Toavs asked to be included on the list of communications for the farmer-led council. Vice President Anderson asked that all communications be sent to managers with mailing lists. Managers all stated their excitement for the program.

Managers discussed sources of funding for farmers. Mr. Kinney explained that the focus of the District is non-structural practices that can be signed up through the Natural Resource Conservation Service (NRCS), Lower St. Croix Partnership, or the District.

### **b) Project Update**

Blayne Eineichner presented the recent project updates. He noted that a full update of all projects can be found in the board packet.

He started with a small project the District hopes to start in the fall. He explained that it is loosely related to the Moody Lake Wetland Restoration Project. Flows along an adjacent road ditch in Chisago Lakes Township right-of-way are diverting under some circumstances into the project area and reducing the efficacy of project treatment. He explained that this project will focus on culvert and ditch cleanout to alleviate diversion from the ditch. He discussed the directional flow of water in the area. He explained that the project is a combined effort with Chisago County and Chisago Lakes Township and that the District recently received the Township's permission to go forward with the project. Permitting is underway and staff is also working to obtain access agreements with the associated landowners near the project. Vice President Anderson asked who the two landowners are. Mr. Eineichner stated the two names. Vice President Anderson requested that a thank you letter from the Board of Managers go to landowners that participate willingly in District projects similar to this.

Mr. Eineichner showed some photos of a culvert that Chisago County plans to replace. Managers discussed the possible negative impacts of this culvert. Mr. Eineichner explained that the current dry conditions inhibit possible negative effects downstream. He explained that there is a wetland complex downstream from this culvert that should buffer downstream resources in the interim. Mr. Eineichner explained that best management practices (BMPs) will be implemented to stabilize the area. Mr. Kinney noted that this issue is from sediment loading that was coming from nearby agricultural lands. He explained that a great deal of material (runoff sediments) will be removed during the project that will prevent these sediments from moving downstream into the wetlands that buffer Moody Lake. Vice President Anderson requested to know the project cost. Mr. Eineichner and Mr. Kinney confirmed that the total cost is about \$40,000. Mr. Kinney explained that portions will be completed by the County and portions will be completed by the District. Mr. Eineichner explained the importance of Moody Lake's clean water staying clean.

Mr. Eineichner then gave an update on the Northeast Bone Lake Wetland Restoration project. He noted that there was an open house on October 5<sup>th</sup>. He explained that there was a good turnout for the event. He noted that he discussed the project and the rationale for it and answered questions. He mentioned the excitement of the group. Manager Bakke stated that he was at the meeting and that Mr. Eineichner did a very good job of presenting the information. He noted that he thanked the property owner associated with the project personally.

Mr. Eineichner explained that the technical evaluation panel (TEP) had also met to discuss the Heath Avenue "East" wetland.

### **c) Willow Point Property**

Mr. Bancks explained that there has been a lot of due diligence progress on this property. He noted that staff has been able to obtain real estate counsel, begin an environmental assessment, receive a proposal from an architectural firm, and obtain an appraisal firm. He explained that legal counsel has also reviewed the letter of intent.

Manager Loth asked if any other showings of the property have been given to other interested parties. Mr. Bancks believes there have been no new visits to view the property. Manager Bakke expressed the need for care as to public perception on the purchase of this property, given the asking price and the property's desirable location. Vice President Anderson noted that the District has been looking into a new office space for some years and has given careful consideration to cost and other factors. She explained that that information would be included in the minutes, but additional meetings with the public have not been conducted. Managers agreed that they should be prepared for any comments and concerns of the public.

Mr. Kinney explained that when considering this property, he reached out to the president of the Forest Lake Lake Association (FLLA). He noted that the president has regularly attended the City of Forest Lake's Parks, Trails and Lakes Commission meetings and that the City of Forest Lake pondered purchasing the property for a public space, although ultimately it did not pursue it. He believes engagement will continue with the City of Forest Lake. He also noted that the purchase was discussed with the District's Citizen Advisory Committee (CAC) with little to no objection. The loss of tax base is potentially one of the biggest issue he sees. He explained that the sellers are not as interested in pursuing a sale for another restaurant due to others' previous experience and efforts to have a restaurant in that building. Manager Schmaltz suggested a comparison showing what it would cost to build the same sized facility on an open lot in Forest Lake. Vice President Anderson explained that this in fact is a part of the due diligence information being compiled. Manager Bakke suggested that once the data are received, it would be good for the managers to have talking points reflecting the board's thinking and decision. Vice President Anderson explained that before an offer would be made, there would be data. She noted that a press release should be written if the District does reach the point of making an offer. Manager Toavs suggested that the story includes the educational opportunities.

## **6. Summary and Approval of Board Direction**

### Board Direction:

- Staff will schedule a workshop to discuss floodplain vulnerability.
- Staff will notify all board managers of scheduled greenway visioning meetings with other local units of government.
- Staff will add the managers to any mailing lists regarding the District's agricultural program.
- Staff will take Vice President Anderson's suggestion to send letters from the Board to any cooperative landowners with projects and large initiatives being allowed on their property.
- Staff will confirm that, as a part of the due diligence process, they will provide a comparison showing the price to build on property vs. buying a parcel with a building already built. (i.e., Willow Point with a building vs. parcel near the middle school + \$ to build a comparable building to what is on Willow Point)

## 7. Adjourn

### a) Next regular board meeting – October 28, 2021

Manager Bakke moved to adjourn the meeting. Seconded by Manager Toavs. Upon vote, the motion carried 5-0, and the meeting was adjourned at 8:42 p.m.

Dave Bakke, Secretary Pro-Tem. \_\_\_\_\_