

1 **DRAFT MINUTES OF THE REGULAR MEETING OF THE**
2 **COMFORT LAKE–FOREST LAKE WATERSHED DISTRICT**
3 **Thursday, July 27, 2023**
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5 **1. Call to Order**
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7 President Schmaltz called the July 27, 2023, regular board meeting to order at 6:30 p.m.
8 at the CLFLWD office at 44 Lake Street South, Forest Lake, MN and via online video
9 conference.
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11 **Managers Present:**

12 Steve Schmaltz, President
13 Christopher Loth, Vice President (virtual attendance)
14 Dave Bakke, Secretary (virtual attendance)
15 Jackie Anderson, Treasurer (virtual attendance)
16 Douglas Toavs, Assistant Treasurer (virtual attendance)
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18 **Staff Present:**

19 Mike Kinney, Administrator
20 Beth Carreño, Senior Program Manager
21 Bobbie Law, Office Manager
22 Garrett Miller, Aquatic Invasive Species Coordinator
23 Emily Heinz, Planning Coordinator
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25 **Others Present:**

26 Greg Graske, Emmons & Olivier Resources
27 Cecilio Olivier, Emmons & Olivier Resources
28 Chuck Holtman, Smith Partners
29 Leif Erickson, City of Forest Lake
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31 **2. Setting of Meeting Agenda**
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33 Manager Bakke moved to approve the agenda as presented. Seconded by Manager
34 Loth. Upon a roll call vote, the motion carried 5-0.
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Manager	Aye	Nay	Absent	Abstain
Dave Bakke	X			
Christopher Loth	X			
Doug Toavs	X			
Jackie Anderson	X			
Stephen Schmaltz	X			

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3. Consent Agenda

- a) Regular Board Meeting Minutes – June 8, 2023
- b) Special Board Meeting Minutes – June 14, 2023
- c) Regular Board Meeting Minutes – June 22, 2023

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

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

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4. Public Open Forum

There were no comments.

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5. Citizen Advisory Committee Update

Administrator Kinney reported that Manager Anderson and Manager Toavs attended the most recent Citizen Advisory Committee (CAC) meeting. The CAC has been discussing erosive effects of wake boats and working on organizing a tour on Bone Lake in the future.

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6. Aquatic Invasive Species Update

Garrett Miller reported that the past two weeks have been busy with field work including aquatic invasive species (AIS) early detection surveys and purple loosestrife surveys on Little Comfort Lake and Lake Keewahtin. He reported positive effects of purple loosestrife control efforts and native plant revegetation. Mr. Miller noted that he found wild rice growing in Lake Keewahtin which is an indicator of good water quality. Blue Water Science has been performing Eurasian watermilfoil surveys on multiple lakes and has been widely observing low densities not warranting treatment. Mr. Miller provided an update on the Moody Lake native plant revegetation project, noting that shoreline landowners are in support of the project, and planting is scheduled to occur next week.

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Mr. Miller indicated that Blue Water Science recently found a single juvenile zebra mussel in Bone Lake last week. This discovery suggests that there is a reproductive population in the lake. However, given that only one zebra mussel has been found since the

71 introduction of the species in 2019, it seems likely that Bone Lake would not support heavy
72 zebra mussel growth.

73
74 Mr. Miller provided an update on Forest Lake flowering rush seed head cutting and
75 herbicide treatments. Low water levels in Forest Lake are resulting in greater flowering
76 rush growth in the near-shore areas. President Schmaltz noted flowering rush growth
77 near the Forest Lake outlet weir. Mr. Miller confirmed that the staff is monitoring this
78 location and communicating its growth with Blue Water Science and the herbicide
79 applicator. President Schmaltz expressed concern about the flowering rush growth at
80 the lake outlet and indicated he wishes to see staff implement control measures. He
81 noted growth along the shoreline that is difficult to reach by boat and requires hand
82 spraying. He suggested possible use of the Conservation Corps or volunteers. Manager
83 Anderson encouraged the Forest Lake Lake Association to apply for grants for such work.
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85 President Schmaltz noted the upcoming alum treatment on Forest Lake and asked if Mr.
86 Miller has any updates on the carp monitoring efforts. Mr. Miller indicated the District is
87 contracting with WSB to perform a carp assessment. WSB has recommended that late
88 August is the optimal time to perform an electrofishing survey.
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90 Manager Anderson asked for an update on Forest Lake Lake Association's plans for
91 Eurasian watermilfoil treatment. President Schmaltz suggested Mr. Miller get in touch
92 with Jerry Grundtner to get an update on this and report back to the Board.
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94 7. New Business

95 a) Forest Lake Alum Treatment Contract Award

96 Manager Anderson moved to adopt resolution 23-07-01, awarding the project
97 contract to Solitude Lake Management in the amount of \$524,582. Seconded by
98 Manager Toavs.
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102 Manager Anderson indicated the Board received a very thorough presentation on
103 this project earlier this year. There were no questions or further comments.
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105 Upon a roll call vote, the motion carried 5-0.
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Manager	Aye	Nay	Absent	Abstain
Dave Bakke	X			
Christopher Loth	X			
Doug Toavs	X			
Jackie Anderson	X			
Stephen Schmaltz	X			

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b) Board of Managers Electronic Signature Policy

Administrator Kinney explained that the District currently has a policy for the Administrator to utilize electronic signatures. The role of the proposed policy is to allow board members to also utilize electronic signatures. The attached proposed policy is structured similar to, and is consistent with, the existing policy.

Manager Anderson moved to adopt the proposed policy authorizing members of the Board to utilize electronic signatures. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 5-0.

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

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c) MN Watersheds Annual Conference Resolutions

Administrator Kinney confirmed that all of the managers should be receiving listserv emails from MN Watersheds. MN Watersheds recently sent out notice that it is accepting from watershed districts resolutions proposed to be considered by the membership at the annual meeting. Mr. Kinney explained the process for submitting resolutions for consideration by the MN Watersheds resolutions committee and then at the annual meeting. He additionally encouraged managers to share their ideas for resolutions. President Schmaltz clarified that later this year the Board will consider its stance on the resolutions that are submitted by other watershed districts. Manager Anderson explained that resolution topics can range from legislative actions to state agency matters to changes to MN Watersheds procedures or bylaws.

President Schmaltz suggested a resolution that MN Watersheds provide guidance and services of use to watershed districts generally to reduce duplicative efforts by individual watershed districts. He specifically suggested performing regional salary surveys. Manager Anderson noted that she has resigned from the MN Watersheds board, a few months before her term was to expire. She supported the idea of drafting a resolution for regional salary surveys and noted that MN Watersheds divides the state into three regions. Legal Counsel Holtman asked if President Schmaltz wished to have the resolution pertain only to salary surveys or if he wished to propose a broader undertaking, perhaps involving a survey of administrators as to specific tasks suited for MN Watersheds to undertake. President Schmaltz

142 indicated the salary survey could be the starting point, and the MN Association of
143 Watershed Administrators might help prioritize other services.

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145 Manager Bakke noted there are areas of the state that are not represented by
146 watershed districts. He asked if MN Watersheds has an initiative to create watershed
147 districts in such areas. Manager Anderson indicated that this already is an initiative
148 of MN Watersheds, but it would be a good idea to submit this idea as a resolution to
149 show support for it. She stated that the focus could be to work with One Watershed
150 One Plan entities in order to further this initiative.

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152 Mr. Kinney noted that staff can send out examples of past resolutions to the
153 managers. He indicated that there is an upcoming statewide meeting of the MN
154 Association of Watershed Administrators.

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156 Managers Bakke and Schmaltz have suggested that they will draft resolutions
157 regarding their respective proposals, and provide them to staff for further assistance.
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159 **8. Old Business**

160 161 **a) 44 Lake Street Lease Extension**

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163 Mr. Kinney explained that Managers Anderson and Bakke, Beth Carreño, and he have
164 been working on this task. Ms. Carreño gave a presentation on the current office
165 space facility and proposed lease extension. She noted that there are two main
166 questions for the Board to consider:

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168 1) Consider leasing 1,275 square feet of additional vacant office space on the 2nd
169 floor of the building. The space includes multiple private offices, small
170 meeting spaces, and a small conference room which is too small to hold
171 board meetings. The space is not ADA accessible.
172 2) Consider a 3- or 4-year lease extension for the current office, which may be
173 expanded to include the neighboring vacant space. This would not be a
174 permanent solution, but it would provide the District with more time to seek a
175 new office space solution.
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177 Ms. Carreño presented costs associated with the 3- and 4-year lease extension
178 options. She noted that the base rent is not the only cost; common area
179 maintenance (CAM) is an additional monthly cost for the District's share of trash
180 services, rug cleaning, etc. for the whole building. If the District leases the 2nd floor
181 vacant office space, the landlord has agreed to several improvements of the space
182 prior to the District moving in.
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184 Ms. Carreño presented the group’s recommendation to enter into a new 4-year lease
185 with the addition of the 2nd floor office space. This option involves stable, low annual
186 rent increases; cost savings compared to the current lease rate; and a new lease
187 term extending through August 31, 2027.

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189 Manager Anderson emphasized the cost savings involved in the recommendation.
190 She stressed the importance of continuing to seek a new office space over the next
191 few years so that the District has its next space lined up before this lease agreement
192 ends. Manager Bakke noted that the workgroup looked into building into the lease
193 agreement an option for early termination in case the District finds its next space in
194 advance of the lease expiration date. Manager Loth asked if subletting would be an
195 option if the early termination clause isn’t allowed in the lease agreement. Manager
196 Anderson indicated both options could be discussed with the landlord, as well as a
197 further lease extension option.

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199 Manager Toavs asked if there is a connection between the new 2nd floor office space
200 and the current office space. Manager Anderson indicated that there isn’t, and that
201 it would be prohibitively expensive to create such a connection. Currently, both
202 spaces would need to be separately accessed through the shared public stairwell in
203 the center of the building.

204
205 President Schmaltz asked what the District is paying for storage units. Bobbie Law
206 indicated the District currently pays \$170 per month for storage units for the District’s
207 boat, trailer, equipment, etc.

208
209 Ms. Carreño noted the landlord stated that the District is a good tenant and is the
210 sort of tenant the landlord wants to keep in the building. She noted the shortened
211 timeframe within which the board packet materials were developed and posted for
212 this item, and pointed out a revision to the lease agreement language.

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214 Manager Loth moved to have Managers Anderson and Bakke continue discussions
215 with the building owner as to lease extension terms, on the basis of the addition of
216 the presently vacant second-floor office space and a four-year renewal term.
217 Seconded by Manager Anderson. Upon a roll call vote, the motion carried 5-0.

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

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220 President Schmaltz asked for an update at the next Board meeting on the ongoing
221 office space visioning work for which ISG is retained. Mr. Kinney noted that staff are
222 planning to take on additional work to keep this effort moving forward. Ms. Carreño
223 noted that staff organized a tour of two other watershed district office spaces, to
224 occur on August 8th, and that staff will be meeting with ISG on August 9th.
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226 9. Report of Staff

227 a) Administrator

228 Administrator Kinney noted that he is planning to present on the District's adaptive
229 management and sequential diagnostic monitoring approach at a conference in
230 Iowa on August 7th. Manager Bakke indicated he is excited to see progress on the
231 impairment delisting for Bone Lake and is looking forward to working with staff to do
232 outreach on the topic.
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235 b) Emmons & Olivier Resources

236 Mr. Grasko noted upcoming bid solicitations for the Washington Judicial Ditch 6
237 Wetland Restoration Project and the Moody Lake Capstone Project.
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240 c) Smith Partners

241 Nothing to report.
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245 10. Report of Treasurer

246 a) Approval of Bills and Treasurer's Report

247 Treasurer Anderson reported income for the period of \$46,772.63 and expenses in the
248 amount of \$154,506.37. She noted the District received its 1st half levy settlements in
249 early July.
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252 President Schmaltz moved to accept the Treasurer's Report and pay the bills in the
253 amount of \$154,506.37. Seconded by Manager Toavs. Upon vote, the motion carried
254 5-0.
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Manager	Aye	Nay	Absent	Abstain
Dave Bakke	X			
Christopher Loth	X			
Doug Toavs	X			
Jackie Anderson	X			

Stephen Schmaltz	X			
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11. Report of Officers and Managers

Manager Anderson asked if the District could perform additional monitoring during the current drought conditions in order to glean a better understanding of certain watershed conditions that might be more difficult to monitor during a normal year. President Schmaltz asked that in advising the Board on this, staff speak to how the work would be done, and how the District would use the information.

Manager Loth reported that the Forest Lake Lake Association has asked Administrator Kinney to reach out to the MN Department of Natural Resources to gather more historical information with respect to the Forest Lake outlet weir.

12. Summary and Approval of Board Direction

Board directives were summarized:

- Staff to look into flowering rush management at the Forest Lake outlet weir and on the shoreline, and look into associated grants.
- Mr. Miller to follow up with the Forest Lake Lake Association to get an update on Forest Lake Eurasian watermilfoil management plans.
- Manager Schmaltz and Manager Bakke will work on initial draft MN Watersheds resolutions.
- Staff will bring forward additional office space visioning material at a future meeting and discuss the ongoing work with ISG.
- Manager Anderson and President Schmaltz asked for staff to advise as to sampling work in dry ditches during drought conditions.
- Manager Anderson asked for staff to examine the ability to publish lake level monitoring data on the District’s website.
- Increase the 2024 draft budget to include the new lease agreement.

13. Adjourn

a) Next regular board meeting – August 10, 2023

Manager Anderson moved to adjourn the meeting. Seconded by Manager Toavs. Upon a roll call vote, the motion carried 5-0, and the meeting was adjourned at 8:15 p.m.

Manager	Aye	Nay	Absent	Abstain
Dave Bakke	X			
Christopher Loth	X			
Doug Toavs	X			

Jackie Anderson	X			
Stephen Schmaltz	X			

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295 Dave Bakke, Secretary -----

DRAFT