

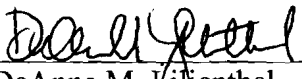


**EXCERPT OF THE MINUTES
CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, March 17, 2010**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. Wednesday, March 17, 2010 in the Board Room of the Government Center with the following Commissioners present: McMahon, Walker, Greene, Montzka and Robinson. Absent: None

On motion by Montzka, seconded by McMahon and **carried unanimously** the Board approved the request to proceed with the process to petition the Comfort Lake – Forest Lake Watershed District for the development of a Regional Stormwater Management Facility.


Richard Greene, Chair

Attest: 
DeAnna M. Lilienthal
Clerk, County Board

CERTIFICATION

State of Minnesota)
) ss.
County of Chisago)

I hereby certify that the foregoing motion is a true and correct excerpt from the minutes adopted by the Board of Commissioners of Chisago County at a duly authorized meeting thereof on the 17th day of March, 2010.


DeAnna M. Lilienthal
Clerk, County Board

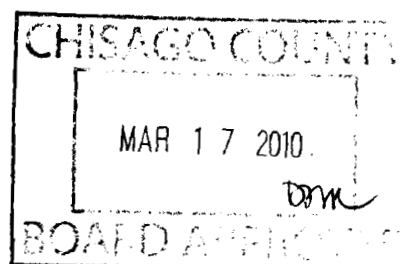
Chisago County

Request for Board Action







Meeting Date March 17, 2010	Item Number: (for Admin)
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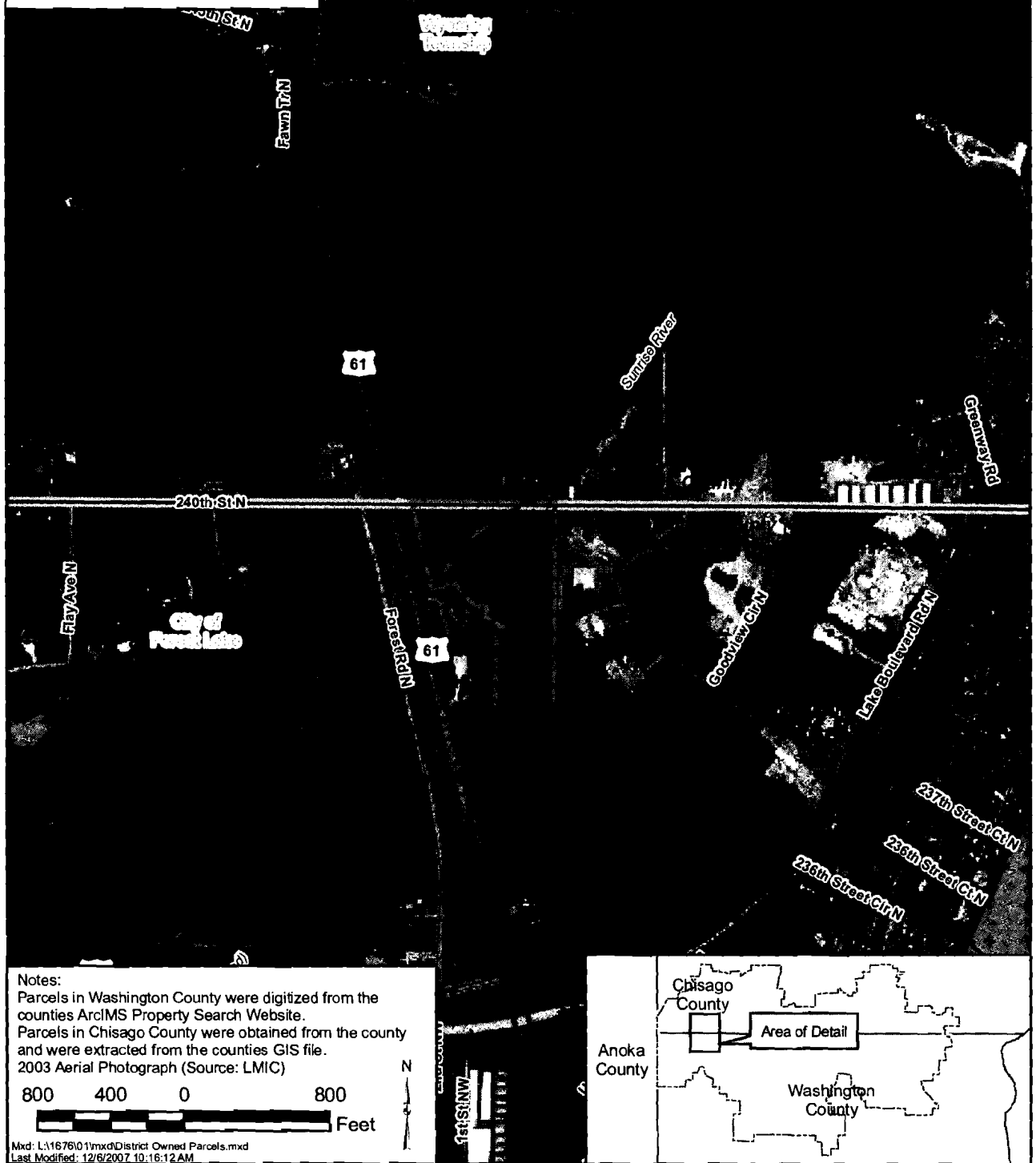
<i>Title of Item for Consideration:</i> Regional Stormwater Management Facility	
<i>Action Requested by:</i> Mary Darragh Schmitz, Jerry Spetzman	<i>Department:</i> Environmental Services & Zoning
<i>Previous Action on this Matter:</i> None	
<p><i>Background:</i> Recent water quality studies have revealed areas of sedimentation and high nutrient loads to the portion of the Sunrise River near Forest Lake (abandoned Judicial Ditch 1), Comfort Lake (listed as impaired due to excessive nutrients), and ultimately the St. Croix River. These loads originate from developed and commercial areas in the City of Forest Lake near 35W and US 8. There are also areas along this portion of the Sunrise River that experience seasonal flooding problems due to the sedimentation.</p> <p>The Comfort Lake-Forest Lake Watershed District Board of Managers are interested in developing a Regional Stormwater Management Facility downstream of the City of Forest Lake which will help correct these problems and reduce sediment and nutrient loads to the Sunrise River and Comfort Lake. Unfortunately, the Facility is not listed in the District's current Watershed Management Plan. As a result, the District cannot develop the Facility without going through an extensive process to amend the Plan.</p> <p>Chisago County can help the District expedite the process to develop the Facility by submitting a petition. (MN §103D.705).</p> <p>If the District accepts the petition and find that the proposed Facility promotes the public interest and welfare, is practical, and conforms to the current District Plan, then the District will designate the District engineer to undertake a diagnostic/feasibility study for the Facility. The resulting engineer's report would then be reviewed by state agencies and go through the public hearing process prior to implementation.</p> <p>The Facility will redirect and restore this portion of the Sunrise River. Natural river processes and biofiltration will improve. Substantial quantities of nutrients and sediments will filter out before they are deposited into Comfort Lake.</p> <p>There are no anticipated costs to Chisago County for the petition process or development of the Facility. All costs will be paid by the Comfort Lake-Forest Lake Watershed District.</p>	
<i>Action Requested/Recommended:</i> Request approval by County Board to begin the process to petition for the development of a Regional Stormwater Management Facility	
<p><i>Implications of Action:</i> Nutrients, sediments and other pollutants originating from stormwater draining from developed and commercial areas in the City of Forest Lake will be filtered and reduced levels will move downstream into Comfort Lake. Seasonal flooding problems will be reduced.</p>	

Administrator's Recommendation			
Approve _____	Deny _____	Other _____	
Motion By: _____		Seconded by: _____	
To: _____			
Action on Motion:	Aye _____	Nay _____	Abstain _____



Legend

-  District Owned Tax Forfeited Land (In Process)
-  District Owned Tax Forfeited Land
-  County Boundary
-  CLFL Legal Boundary
-  DNR Streams
-  Municipal and Township Boundaries



COMFORT LAKE/FOREST LAKE WATERSHED DISTRICT

District Owned Tax Forfeited Parcels

Wenck
 Wenck Associates, Inc. 1800 Pioneer Creek Center
 Environmental Engineers Maple Plain, MN 55359-0429

DEC 2007

Figure 1



COUNTY OF CHISAGO

BOARD OF COMMISSIONERS

Chisago County Government Center
313 North Main Street, Room 172
Center City, MN 55012-9663

Phone: 651-213-8830 • FAX: 651-213-8876

John Moosey
County Administrator

Commissioners:

District 1
Lora Walker
District 2
Rick Greene
District 3
George McMahon
District 4
Ben Montzka
District 5
Mike Robinson

Commissioner Montzka offered the following resolution and moved its adoption:

**RESOLUTION NO. 10/0721-1
APPROVING THE PETITION TO
COMFORT LAKE – FOREST LAKE WATERSHED DISTRICT
FOR A SUNRISE RIVER WATER QUALITY IMPROVEMENT AND
FLOWAGE MANAGEMENT PROJECT TO ADDRESS STORMWATER
RUNOFF CONCERNS ALONG THE SUNRISE RIVER**

WHEREAS, Chisago County is authorized to petition the Comfort Lake – Forest Lake Watershed District (District), pursuant to the provisions of Minnesota Statutes Sections 103B.231, 103D.605, 103D.705, and 103D.905 to undertake a Sunrise River Water Quality Improvement and Flowage Management project to address water quality and quantity issues along the Sunrise River (abandoned Judicial Ditch 1) between the City of Forest Lake and Comfort Lake (MNDNR ID # 13-0053); and

WHEREAS, The purpose and benefits of the project would be to reduce the nutrient, sediment and other pollutant loading to Comfort Lake via the Sunrise River originating from stormwater runoff and to reduce seasonal flooding issues along portions of the river; and

WHEREAS, The proposed project would entail the development of a water quality and quantity improvement project to provide treatment of stormwater runoff coming from the developed and commercial areas of the City of Forest Lake around the 35W and US 8 to the Sunrise River area, and otherwise address water quality and quantity issues related to the Sunrise River and Comfort Lake; and

WHEREAS, The water quality and quantity project would be located within the drainage area to the Sunrise River between the City of Forest Lake and Comfort Lake including all District lands that drain to Comfort Lake via the Sunrise River, properties currently experiencing seasonal flooding along the Sunrise River, and ultimately the public users of Comfort Lake through the lake meeting state nutrient standards and supporting increased recreational opportunities; and

WHEREAS, The District's recently completed watershed-wide load allocation study and Six Lake TMDL, identified excess nutrient loads contributing to the deterioration of water quality at locations throughout the watershed and underscored the need to reduce loads to prevent further degradation of the water quality of Comfort Lake; and

WHEREAS, Chisago County asserts that the project will be conducive to the public health, convenience and welfare of the District and County; and

Chisago County is An Equal Opportunity Employer

WHEREAS, Minnesota Statutes Sections 103B.241, and 103D.905, Subdivisions 3 and 5, provide for the project financing of the basic water management features of the project and other funding authorities of the District may be considered in accordance with statute and the judgment of the District Board of Managers; and

WHEREAS, the District has agreed to only seek reimbursement by County for the costs and expenses that may be incurred with the project if the County withdraws its petition or otherwise terminates the project.

NOW, THEREFORE, BE IT RESOLVED, that County hereby petitions the Comfort Lake-Forest Lake Watershed District for a Sunrise River Water Quality Improvement and Flowage Management Project to address stormwater runoff concerns along the Sunrise River.

Commissioner McMahon seconded the resolution and upon a vote being taken thereon, the following voted:

IN FAVOR THEREOF: McMahon, Greene, Montzka, Robinson

OPPOSED: None

ABSENT: Walker

Whereupon the resolution was declared duly **passed** and **adopted**.

Approved: July 21, 2010



Richard Greene, Chair

Attest:



DeAnna M. Lilienthal
Clerk, County Board

CERTIFICATION

State of Minnesota)
) ss.
County of Chisago)

I hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the Board of Commissioners of Chisago County at a duly authorized meeting thereof on the 21st day of July, 2010.



DeAnna M. Lilienthal
Clerk, County Board

RESOLUTION NO. 2010-08-02
COMFORT LAKE-FOREST LAKE WATERSHED DISTRICT
BOARD OF MANAGERS

**RESOLUTION TO ACCEPT PETITION FOR WATER QUALITY/QUANTITY
IMPROVEMENT PROJECT FROM CHISAGO COUNTY AND INSTRUCTIONS TO
THE DISTRICT ENGINEER AND ADMINISTRATOR**

August 26, 2010

Manager ANDERSON offered the following Resolution and moved its adoption, seconded by Manager MOE:

WHEREAS on July 21, 2010, the County Board of the County of Chisago (County) adopted a resolution directing the submission of a petition to the Comfort Lake - Forest Lake Watershed District (District), requesting that the District undertake a Sunrise River Water Quality and Flowage Management Project to address stormwater runoff concerns along the Sunrise River, and the County submitted the resolution and petition to the District;

WHEREAS Minnesota Statutes section 103D.705 provides that a watershed district project may be initiated by a petition from the governing body of a county within the affected area, so long as the project generally conforms to the watershed district's watershed management plan and the petition contains:

- (1) a description of the proposed project and the purpose to be accomplished;
- (2) a description of the property where the proposed project passes over or is located;
- (3) a general description of the part of the watershed district that will be affected, if less than the entire watershed district;
- (4) the necessity for the proposed project;
- (5) a statement that the proposed project will be conducive to public health, convenience, and welfare; and
- (6) a statement that the petitioners will pay all costs and expenses that may be incurred if the proceedings are dismissed or a construction or implementation contract is not awarded for the proposed project;

WHEREAS upon receiving such a petition, the District Board of Managers must determine that a proper project petition has been filed, the proposed project promotes the public interest and welfare, is practicable and conforms with the watershed management plan of the watershed district, and if these requirements are met, must then proceed to identify the project proceeding by name and number, and designate an engineer to prepare maps, surveys and a detailed report on the proposed project;

WHEREAS the District Board of Managers finds that the resolution and petition submitted by the County of Chisago conforms to the statutory requirements;

WHEREAS the project is generally defined in section 12.3.11.1 of the District's 2008 Watershed Management Plan (Plan) revision, which identifies that the District contemplates a project to restore water quality in Comfort Lake through the establishment of a capital project in the area as described in the petition;

WHEREAS the District Board of Managers finds that the project proposed in the resolution and petition generally promotes the public interest and welfare, is conducive to the public health, and is practicable;

WHEREAS the District Board of Managers finds that proposed project generally conforms to the District's watershed management plan, and that further definition of the scope and timing of the proposed project is warranted; and

WHEREAS the District Board of Managers finds that the Sunrise River Water Quality Improvement and Flowage Management Project, should it be ordered by the Managers, should be conducted as a basic water management project pursuant to Minnesota Statutes section 103D.605 and that upon completion of the engineer's report initiated by this resolution, the Managers will consider whether to order the project and, if it so orders, determine the costs of the basic water management components of the project to be generally assessed pursuant to Minnesota Statutes section 103D.721, subdivision 4, and section 103D.905, subdivision 3.

NOW, THEREFORE BE IT RESOLVED that the Board accepts the petition of the County of Chisago for the water quality improvement project and directs as follows:

1. That the project proceeding be designated the "Sunrise River Water Quality Improvement and Flowage Management Project, No. 10-01," (the Project)
2. That the District Engineer prepare a detailed feasibility report and plan for the Project, including an estimate of costs;
3. That the District Administrator continue to work cooperatively with the representatives of the County of Chisago to implement this resolution and assist in the preparation of the engineer's report; and
4. That the District Administrator prepares the necessary notices and documentation to facilitate the Board of Managers consideration of the project pursuant to Minnesota Statutes sections 103D.605 and 103B.251.

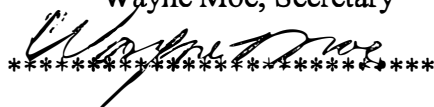
The question was on the adoption of the resolution and there were 5 yeas, 0 nays and ____ abstentions as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
ANDERSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAMCHIK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LYNCH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SPENCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the Resolution ADOPTED.

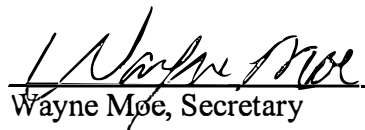
Dated: August 26, 2010

Wayne Moe, Secretary



I, Wayne Moe, Secretary of the Comfort Lake - Forest Lake Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct version thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 26th day of August, 2010.


Wayne Moe, Secretary