

VALLEY BRANCH WATERSHED DISTRICT
Minutes of Regular Meeting No. 825 Held in the
Lake Elmo City Council Chambers
Thursday, September 24, 2009

APPROVED
MINUTES

MANAGERS PRESENT: Lincoln Fetcher, President; David Bucheck, Vice President; Dale Borash, Treasurer; and Ray Lucksinger, Manager

MANAGER ABSENT: Donald Scheel, Secretary

STAFF PRESENT: John Hanson, Engineer, Barr Engineering; Barbara Wolle, Attorney, Lawson Marshall McDonald Galowitz and Wolle; Ray Roemmich, Inspector

STAFF ABSENT: None

OTHERS PRESENT: Jeff Berg and Roger Johnson, Citizen Advisory Committee; Roxanne Whiting, Mary Pat Mahowald, and Mary Geisenhoff, Wildflower Shores

CALL TO ORDER President Fetcher called the meeting to order at 7:07 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the September 10, 2009 meeting, **motion** was made by Fetcher and seconded by Borash to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Item removed from the agenda under Managers: *Karen Schultz Remembrance*. Item added under Managers: *Water Resources Conference*.

PUBLIC FORUM Roxanne Whiting, the president of the Wildflower Shores Homeowners Association, and Wildflower Shores homeowners Mary Pat Mahowald and Mary Geisenhoff discussed with the Managers their desire for improvements in the areas that had been proposed as wetland banking sites. After discussion, **motion** was made Fetcher and seconded by Borash to pursue/investigate the likely cost of creating a wetland bank in the form the Homeowners Association wants as well as something less than that but better than what is there now, and to clarify legal issues for future discussion by the managers. Motion carried unanimously. The managers directed Engineer Hanson to prepare concept plans and cost estimates of the two wetland banking scenarios, to investigate an implementation phasing plan, and to contact Ms. Whiting when the information will be available for the managers to discuss. The managers directed Attorney Wolle to work with Attorney Marshall to investigate legal issues associated with the former contractor holding the wetland banking permit and with the district owning wetland credits.

CITIZEN ADVISORY COMMITTEE Jeff Berg and Roger Johnson expressed interest in meeting agenda items. President Fetcher re-arranged the agenda to discuss those items first.

VBWD TOUR The managers discussed the sites they would like to visit. They concluded that they will meet at the Lake Elmo City Hall parking lot at 9 a.m. on Saturday, September 26 and visit various sites within the northwestern portion of the district.

CAC RECRUITMENT The managers discussed the offer by Representative Julie Bunn to include a recruitment notice in her e-mail legislative update. The managers decided to keep the offer in mind for the future, but not to include a notice at this time.

SECRETARY'S REPORT Engineer Hanson had distributed the mail.

INSPECTOR'S REPORT Inspector Roemmich reported that he has been unable to visit sites over the last two weeks, but plans to visit sites soon.

ATTORNEY'S REPORT Attorney Wolle reported that the Letter of Credit for the Discover Crossing project will expire on October 5, and that the project is complete except for the recording of some required documents. **Motion** made by Borash and seconded by Fetcher to renew the Letter of Credit unless the permit holder supplies proof to the Attorney that the required documents have been recorded. Motion carried unanimously.

Attorney Wolle had a maintenance agreement from 3M for the Oakdale Disposal Site permit and will give the agreement to Attorney Marshall for signatures of Secretary Scheel and President Fetcher. She gave the recording fee and permit fee checks for the project to Treasurer Borash.

TREASURER'S REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2009 dated August 31, 2009, and the Treasurer's Report dated September 24, 2009. After discussion, **motion** was made by Borash and seconded by Fetcher to approve the Treasurer's Report. Motion carried unanimously.

WASHINGTON CONSERVATION DISTRICT No report was given.

ENGINEER'S REPORT Long Lake Alum Treatment Engineer Hanson presented the bids received on the proposed second alum treatment of Long Lake. **Motion** made by Fetcher and seconded by Borash to award the project to Lake Restoration in the bid amount of \$76,6000. Motion carried unanimously.

Lake DeMontreville Ravine Stabilization Engineer Hanson presented the bids received on the proposed ravine stabilization project and a note from Urban Companies that described the company's past work on similar projects. **Motion** made by Fetcher and seconded by Bucheck to award the project to Urban Companies in the bid amount of \$50,534.80. Motion carried unanimously.

Lake DeMontreville Aquatic Plants Engineer Hanson had mailed a memorandum to the managers regarding the results of the 2009 point-intercept aquatic plant surveys and aquatic plant management recommendations. After discussion, the managers directed Engineer Hanson to communicate the results and recommendations with Washington County, the City of Lake Elmo, the Department of Natural Resources, and the Lake DeMontreville Lake Improvement Association, and to investigate funding opportunities.

Hamlet at Sunfish Lake Wetland Buffer Vegetation Mowing Engineer Hanson had mailed the managers a memorandum with photographs of the issue. After discussion, the managers directed Attorney Wolle to prepare and send a letter to the offending property owner and to have Angie Hong, the district's educator, send fliers to the neighborhood regarding proper management of wetlands.

Children's Water Festival Engineer Hanson had sent a copy of an email request from Emily Heilhecker for reimbursement of busing expenses for Lake Elmo Elementary students to attend the September 30th Children's Water festival. **Motion** made by Fetcher and seconded by Bucheck to reimburse the school up to \$500 for travel expenses for the students to attend the Children's Water Festival. Motion carried unanimously.

MANAGERS' REPORT

Consent Calendar Motion was made by Bucheck and seconded by Borash to approve the Consent Calendar (attached). Motion carried unanimously.

Recording Secretary Position President Fetcher reported that he and Vice President Bucheck had discussed the candidates for the recording secretary position. The managers discussed the next steps and decided that President Fetcher, Vice President Bucheck, and Engineer Hanson will interview four candidates at the offices of Lawson, Marshall, McDonald, Galowitz, and Wolle on Thursday, October 1, from 6 p.m. until 8 p.m. The managers directed Engineer Hanson to contact the candidates and schedule the interviews.

Resolutions to the Minnesota Association of Watershed Districts (MAWD) President Fetcher reported that he had requested Engineer Hanson to prepare a draft resolution and the MAWD background material for requiring all state agencies to obtain watershed district permits. After the managers reviewed Engineer Hanson's drafts, **motion** made by Borash and seconded by Fetcher to forward the documents to MAWD. Motion carried unanimously.

Next Meeting - October 8, 2009 All of the managers plan to attend the next meeting.

Water Resources Conference This added agenda item was not discussed.

ADJOURNMENT Motion made by Fetcher and seconded by Borash at 9:24 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Ray Lucksinger

Ray Lucksinger, Acting Secretary