

**VALLEY BRANCH WATERSHED DISTRICT**  
**Minutes of Regular Meeting No. 833 Held in the**  
**Lake Elmo City Council Chambers**  
**Thursday, February 25, 2010**

**APPROVED**  
**MINUTES**

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

**MANAGER ABSENT:** Donald Scheel, Secretary

**STAFF PRESENT:** John Hanson, Engineer, Barr Engineering; Ray Marshall, Attorney, Lawson Marshall McDonald Galowitz and Wolle; Ray Roemmich, Inspector; Melissa Imse, Recording Secretary

**STAFF ABSENT:** None

**OTHERS PRESENT:** Jeff Berg, CAC Member; Representatives from Wildflower Shores Homeowners Association

**CALL TO ORDER** President Bucheck called the meeting to order at 7:03 p.m.

**ANNOUNCEMENTS** None

**APPROVAL OF MINUTES** After discussion of the February 11, 2010 meeting minutes, **motion** was made by Fetcher and seconded by Lucksinger to approve the minutes. Motion carried unanimously.

**ADDITIONAL AGENDA ITEMS** Under the Managers' Report: Item 5, EMWREP meeting. Item 6, Wetland Assessment report. Item 7, 2010 VBWD budget and goals.

**PUBLIC FORUM** There was no discussion in the Public Forum segment of the meeting.

**CITIZEN ADVISORY COMMITTEE** Jeff Berg was present. No report given.

**SECRETARY'S REPORT** Secretary Scheel was absent from the meeting.

**INSPECTOR'S REPORT** No report was given.

**ATTORNEY'S REPORT**

**Minnesota Court of Appeals Hearing**

Attorney Marshall reported that he attended the Minnesota Court of Appeals Hearing on Woodbury's appeal to the May 2009 petition regarding the dissolution of the Lower St. Croix Watershed Management Organization and merger mostly with the South Washington Watershed District. Attorney Marshall will update the managers on the outcome of the appeal.

**TREASURER'S REPORT** Treasurer Borash distributed copies of the Administrative and Program Budgets Fiscal Year 2009, dated January 2010, and the Treasurer's Report dated February 25, 2010. Treasurer Borash stated that the new fund codes are listed on the reports. 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 given.

### **ENGINEER'S REPORT**

**Wildflower Shores Wetland Bank** Representatives from the Wildflower Shores Homeowners Association were present to discuss the terms of the agreement. After discussion, **motion** was made by Borash and seconded by Fetcher to approve the agreement and establishment of the wetland bank and transfer the wetland bank credits with the Wildflower Shores Homeowners Association with changes made to paragraph 15 stating that VBWD will maintain the wetland until all of the wetland credits are sold. Motion carried unanimously. A **motion** was made by Fetcher and seconded by Borash to authorize President Bucheck signature and submittal of the permit of the wetland bank for Wildflower Shores contingent on the agreement with the Wildflower Shores Homeowners Association.

**Karen Schultz Memorial** Engineer Hanson reported that he has spoken with representatives from St. Mark's Church to have a tree planted on the church grounds, and a memorial plaque placed inside the church for Karen Schultz. The managers accepted the memorial arrangements.

### **MANAGERS' REPORT**

**Citizens Advisory Committee** The managers reviewed the work plan they had prepared for the CAC. The managers suggested the CAC choose some topics to work on, and bring any additional ideas to the managers.

**Washington County Mediation** President Bucheck provided a review of the mediation session. Engineer Hanson provided an update on the follow up conference call with South Washington Watershed District, Washington County, and Beth Bartz. Attorney Marshall distributed notes for the managers to consider at the next mediation session. Discussion followed.

**Permitting of State Agencies** Engineer Hanson was contacted by Jonathan Bohn with the Minnesota Association of Watershed Districts (MAWD) regarding legislation to require all state agencies to obtain watershed district permits for applicable projects. After discussion, the managers did not want to actively solicit legislative support for the permit bill, but instructed Engineer Hanson to inform the managers on the progress of the legislation.

**Next Meeting - March 11, 2010** Secretary Scheel, and Manager Lucksinger will be absent. Vice President Fetcher may also be absent. All other managers plan to attend.

**EMWREP Report** Vice President Fetcher reported that he attended the EMWREP meeting. The meeting discussion centered around the communication plan among the watershed districts. A sub-committee has formed to discuss the contact database of shared resources for the watersheds and a communication plan. Angie Hong with the Washington Conservation District would like to continue sub-committee meetings to discuss watershed projects, plans, and develop more synergy among the watershed districts. Vice President Fetcher will continue to participate on the sub-committee.

**Wetland Assessment Report** Vice President Fetcher provided a review of the wetland assessment report presentation by Mark Jacobson with Barr Engineering to the Minnesota Pollution Control Agency. Discussion followed.

**2010 VBWD Budget and Goals** President Bucheck distributed draft copies of the 2010 budget and district goals for the managers to review. The managers will review and bring comments back for discussion at the next manager's meeting.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

None.

**FUTURE ITEMS**

None.

**ADJOURNMENT**

**Motion** was made by Borash and seconded by Fetcher at 9:47 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

**/s/ Ray Lucksinger**

Ray Lucksinger, Acting Secretary

**Minutes approved by managers on 3/25/2010**