Minutes of Regular Meeting # 652 Held in the Lake Elmo City Council Chambers
Thursday, October 11, 2001.

MANAGERS PRESENT: Dave Bucheck, President; Dale Borash, Vice President; Don Scheel, Secretary; Lincoln Fetcher, Treasurer; and Duane Johnson, Manager

MANAGER ABSENT: None

STAFF PRESENT: John Hanson, Barr Engineering; Ray Marshall, Attorney, and Karen Schultz, Recording Secretary

OTHERS PRESENT:

CALL TO ORDER Meeting called to order by President Bucheck at 7:05 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the September 27, 2001 meeting, motion was made by Scheel, seconded by Borash, to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added under Engineer were the following items: Minnesota Urban Small Sites BMP Manual; Woodbury Request; MAWD Annual Meeting in December; Joe Koesling Request. Under Managers was the following item: November 22nd, December 27th Meeting Cancellations.

PUBLIC FORUM No discussion in Public Forum.

CITIZENS ADVISORY COMMITTEE - Lake Levels Chuck Taylor had mailed the lake level report and discussed it with the managers at the meeting.

SECRETARY’S REPORT Secretary Scheel said the mail had been distributed.

INSPECTOR’S REPORT Inspector Roemmich was not present. No report was given.

ATTORNEY’S REPORT Attorney Marshall had nothing new to report.

TREASURER’S REPORT Treasurer Fetcher distributed copies of the income and expenses for the period 09/13/01 to 10/11/01. He then discussed the contract with Tautges Redpath, specifically about the fee charged for the annual audit performed for the District. He said it is his opinion that the task is much easier for the auditor since the District hired an accountant, and that the fee should reflect that fact. The managers agreed that Treasurer Fetcher should write a letter to Mark Gibbs, with Tautges Redpath, about this discussion.

Motion was made by Fetcher and seconded by Johnson to approve the Treasurer’s Report. Motion carried unanimously.
ENGINEER’S REPORT Sunnybrook Lake - Update  Engineer Hanson reported that the hydrologic modeling has been done, using the 24-hour rainfall event and the 100-year, 10-day snowmelt event. Barr Engineering is also doing the continuous model simulation that uses all the weather data from 1989 to 1999. He said he has met with Mike Regan and his representatives to discuss the timeframe for the field testing. He thinks they will get access to the golf course expansion area for the field testing in the next two to four weeks.

Downs Lake - Update  Engineer Hanson presented preliminary plans of the Downs Lake project. The managers discussed the project and asked Engineer Hanson to get in contact with the affected city councils, in order to get on the agenda for the council meetings to present the project plans.

Washington County Water Consortium Summary  Engineer Hanson said he attended a meeting last Wednesday of the Washington County Water Consortium. He said Jane Harper updated those present on the Court of Appeals decision to reverse the decision of the Board of Water and Soil Resources on the enlargement of the Valley Branch and Browns Creek Watershed Districts. There was also discussion of subwatershed taxing and the legislation this year that made it allowable for watershed districts to use a subwatershed ad valorem tax. Another topic was GIS mapping services. The Washington Soil and Water Conservation District has access to all the parcel data in Washington County, so that SWCD can be very helpful in the mapping services task. The next water consortium meeting will be November 7th.

RECESS  President Bucheck called for a recess in the meeting at 7:58 p.m. in order to hold the public hearing on the proposed budget for the year 2002.

PUBLIC HEARING ON PROPOSED VBWD 2002 BUDGET  At 8:00 p.m. President Bucheck opened the public hearing regarding the District’s proposed budget for the year 2002. Attorney Marshall said the public hearing has been properly noticed in the District’s legal newspaper, and has received no response from the public regarding the proposed budget.

President Bucheck asked for comments and discussion of the proposed budget for the year 2002, and receiving no response, motion was made by Borash and seconded by Fetcher to close the hearing. Motion carried unanimously.

MEETING RECONVENED  The meeting was reconvened at 8:04 p.m.

Motion was made by Fetcher and seconded by Scheel to accept the budget as presented on September 17, 2001, and to authorize the submission of the request for levies consistent with that budget. Motion carried unanimously. The proposed administrative budget of $243,650 was approved.

Minnesota Urban Small Sites Best Management Practices Manual  Fred Rozumalski, from Barr Engineering, made a presentation to the managers on a manual written to describe the different ways to help control pollution at building sites. He used slides to show the 40 different best management practices in the manual, which was written by several people at Barr Engineering, including himself. The manual has been initiated by the Metropolitan Council in a number of communities. The managers thanked Mr. Rozumalski for the very interesting presentation. Treasurer Fetcher said many of these practices are being used in the project at Silver Lake.

Woodbury Request  Engineer Hanson said the City of Woodbury last summer had requested a copy of the District’s draft report on Fahlstrom Pond. At that time the managers felt that the report should not be made public, to prevent the information from being taken out of context. The City of Woodbury claims that the Data Privacy Act makes the report available to the public upon request. The managers directed Engineer Hanson to draft a letter to the City of Woodbury, informing them that they may have a copy of the draft report, and also that the report was instigated and executed for internal use as information in a
broad picture that the watershed district is working with, and using it in any other form, may cause a misunderstanding.

**MAWD Meeting in December 2001** Engineer Hanson had the information on the MAWD meeting to be held November 29th through December 1st in Alexandria, Minnesota. President Bucheck had the information also, and he completed the forms necessary for the District=s representation at the MAWD meeting.

**Joe Koesling Request** Engineer Hanson said that in September he had received a request from Jeff Berg, who is on the Lake Elmo City Planning Commission, for information regarding the District=s 1007 project as it pertains to Lake Jane and Mr. Koesling=s property on Lake Jane. He sent the information to Jeff Berg, and following that, he received a letter from Molly Shodeen, MnDNR, saying that there had been discussions at City of Lake Elmo Council meetings and numerous erroneous statements were made regarding the MnDNR=s water level control of Lake Jane and the watershed district=s control of Lake Jane. Engineer Hanson then called Mary Kueffner, City of Lake Elmo Administrator, who had several questions about Project 1007, and wanted a Arefresh@ about how it exactly affected Lake Jane.

Engineer Hanson told Mary Kueffner that he would put the information in a letter, because of the large quantity of information. In the letter, dated September 18th, Engineer Hanson made it clear that the District did not raise the normal level or the 100-year level of Lake Jane and, in fact, lowered it because of Project 1007.

After discussion, the managers agreed that since Engineer Hanson=s letter to the City of Lake Elmo, contained information about Mr. Koesling=s property, Engineer Hanson should forward to Mr. Koesling, in writing, the reason that he wrote the letter to the City of Lake Elmo, and provide a copy of said letter.

**MANAGERS= REPORT Next Meeting - October 25, 2001** The managers said they do expect to have a quorum at the next meeting. Secretary Scheel said he will be absent from the next meeting.

**Authorization to Attend MAWD Meeting Motion** was made by Bucheck and seconded by Fetcher to approve payment of expenses and per diem for any manager who attends the MAWD meeting on November 29th through December 1st, 2001. Motion carried unanimously.

**Cancellation of November and December Meetings Motion** made by Borash and seconded by Scheel to cancel the November 22nd and the December 27th meetings in 2001, as is usually done by the managers. Motion carried unanimously.

**ADJOURNMENT Motion** made by Johnson and seconded by Borash at 9:06 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel,

Secretary

**Minutes Approved by Managers 10/25/01**