Minutes of Regular Meeting # 642 Held in the Lake Elmo City Council Chambers
Thursday, May 10, 2001

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

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

OTHERS PRESENT: Jeff Berg, Washington SWCD; Craig Leiser, Browns Creek Watershed District; Cletus Schertz, Jay Feider, Brent Johnson, Wayne Jacobson, and Bob Wiegert, TLC Electronics; Andy Radatz, Walsh Partners; Greg Wilson, Barr Engineering; Stu Grubb, Emmons and Olivier Resources

CALL TO ORDER Meeting called to order by President Bucheck at 7:06 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the April 26, 2001 meeting, motion was made by Borash, seconded by Johnson, to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Items added to the agenda: Under Engineering, Engineer Hanson added "West Lakeland Sinkhole". Under Managers, President Bucheck added "Report to the Washington County Board", "Letter From Jane Harper regarding Legal Action on the Expansion of the Watershed District"; and "Discussion of Browns Creek Watershed District Trout Habitat Preservation Project".

PUBLIC FORUM No discussion in Public Forum.

SECRETARY'S REPORT Secretary Scheel said the mail has been picked up and distributed.

INSPECTOR'S REPORT Inspector Roemmich reported on inspections made since the last meeting.

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

TREASURER'S REPORT Managers discussed the report of expenses and income. Motion made by Fetcher and seconded by Scheel to approve payment of expenses for the period April 13, 2001 to May 10, 2001. Motion carried unanimously.

CHANGE IN ORDER OF AGENDA ITEMS At this time President Bucheck authorized a change in the order of agenda items.

MANAGERS Craig Leiser, President of the Browns Creek Watershed District Board of Managers, was present to invite the managers and staff to tour the Trout Habitat Preservation Project in the District. The managers discussed a date to tour the site together.

Mr. Leiser also discussed the boundary change petition between the Lower St. Croix Valley Watershed District and Browns Creek Watershed District with the managers and attorney and engineer.
ENGINEER’S REPORT TLC Electronics, Mahtomedi - Permit Request Update  
Engineer Hanson updated the managers on a permit application to build a warehouse and office space on Lot 2 of the Northeast Metro Business Park in Mahtomedi. At the last meeting Engineer Hanson informed the managers that the wetlands on the site should be investigated to see whether the wetlands were created during grading of the area, or whether they were there naturally. The managers tabled the discussion of Permit Request # 2001-04 at the last meeting, in order that the wetlands issue could be resolved.

After much discussion with the property owners, and their consultants, the managers felt that the issue should be resolved by the Technical Evaluation Panel. Motion was made by Scheel and seconded by Borash to approve Permit # 2001-04, with the engineer’s conditions, and with an additional condition that the Technical Evaluation Panel must meet and indicate that the wetland in question is an incidental wetland; if it is not an incidental wetland, the permit is invalid. Motion carried unanimously.

Hydrologic and Phosphorus Budgets for Sunnybrook Lake, Goetschel Pond, Cloverdale Lake, McDonald Lake, Downs Lake, Horseshoe Lake, and Fahlstrom Pond  
Greg Wilson from Barr Engineering presented a summary of the reports on the hydrologic and phosphorus budgets for several lakes. The managers discussed the information after his presentation and asked questions. They thanked Greg Wilson for his presentation.

Silver Lake Bioretention Project - Update  
Greg Wilson from Barr Engineering also updated the managers on the Silver Lake project in North St. Paul. He presented a recommendation for the location of the project, and he also said there are some issues regarding drainage across roads that need to be addressed. He said he will have some cost estimates at the June 14th managers’ meeting.

Jocelyn Road & Jocelyn Lane Paving Project, Grant - Review of Project  
Engineer Hanson described plans by the City of Grant to pave the loop (Jocelyn Avenue North and Jocelyn Lane North) around Sunnybrook Lake and 71st Street North. Specifically, the project is located in the southeast quarter of Section 27 and the northeast quarter of Section 34, Township 30 North, Range 21 West.

In some areas of the project, bituminous curbs will be constructed and catchbasins and short sections of storm sewer pipes will be installed. No new impervious surfaces are proposed, but some of the storm sewer pipe will be installed below the 100-year flood level of Sunnybrook Lake. District rules require a permit for all work within the 100-year floodplain of District waters.

After discussion of the wetland management concerns, the water management concerns, and the erosion control concerns, motion was made by Johnson and seconded by Borash to approve Permit # 2001-07 with the engineer’s suggested conditions. Motion carried unanimously.

Rainbow Foods, Oak Park Heights - Review of Project  
Engineer Hanson displayed plans to the managers for a small gas station within the existing parking lot of Rainbow Foods in Oak Park Heights. A District permit is not required, and he wanted the managers to be aware of the project.

E & H Earth Movers, Inc., Lake Elmo - Permit Request  
Engineer Hanson presented a proposed project located directly north of the I-94 frontage road, about a half mile west of Manning Avenue in the City of Lake Elmo. Specifically, the project is located in the southwest quarter of the southeast quarter of Section 36, Township 29 North, Range 21 West.

The applicant is proposing to create a storage yard, maintenance and storage building, and associated parking lot. A stormwater pond is proposed on the east side of the site.

After discussion of the wetland management concerns, the water management concerns, and the erosion control concerns, motion was made by Fetcher and seconded by Borash to approve Permit # 2001-06 with the engineer’s suggested conditions, but with a change in Condition # 7. Motion carried unanimously.
Severin Property, Lake Elmo - Update Engineer Hanson distributed copies of a letter that had been sent to Michael Severin, a resident on the landlocked wetland adjacent to Olson Lake in Lake Elmo. The letter summarized the rules and regulations of the Lower St. Croix Valley Watershed District. At the last meeting, Engineer Hanson discussed with the managers the resident's wish to build a berm near his property to redirect water from his property. A wetland near the site has filled up to the highest level ever seen by the property owner, and is threatening houses.

At that meeting the managers directed Engineer Hanson to issue a permit to build the berm, but only after an inspection could be made by a wetland specialist to confirm that the berm will not cause other property to flood. Engineer Hanson said that the resident has since decided not to pursue a permit from the District.

Weber Pond Engineer Hanson told the managers that construction of the outlet from Weber Pond is basically completed.

West Lakeland Storage Site Sinkhole Engineer Hanson said the area has been seeded and mulched this week. Manager Johnson said he has seen the area, too, and it seems to be in good condition at this point. Engineer Hanson said the contractor told him that he wants payment immediately. Motion made by Scheel and seconded by Borash to authorize payment to the Contractor, Jay Brothers. Motion carried unanimously. Treasurer Fetcher issued a check for payment and gave it to Attorney Marshall for the contractor to pick up the next day. Attorney Marshall said he will ask the contractor to sign a lien before turning over the check, in case the repair is not satisfactory to the managers.

MANAGERS’ REPORT Next Meeting - May 24, 2001 President Bucheck said he will be absent May 24th. The managers said they do expect to have a quorum at the next meeting.

Sunnybrook Lake Engineer Hanson distributed copies of a summary of the suggestions made by agency representatives at the meeting held on May 8, 2001 regarding Sunnybrook Lake flooding.

President Bucheck, Secretary Scheel, Vice President Borash, and Engineer Hanson had attended the meeting. President Bucheck suggested ordering a detailed study of the upstream area. Engineer Hanson said there are maps that can be used for that study. At this point in the discussion, Stu Grubb from Emmons and Olivier, asked the managers to consider allowing another engineering firm to participate in this part of the project. He said his firm has had a lot of experience in infiltration practices in managing stormwater through innovative practices.

The managers agreed that the two firms should get together to talk about the approach to the solution and present a report to the managers at the next meeting. If it is clear that the two firms don't have the same ideas, they'll report that.

Report to the Washington County Board President Bucheck said the managers have been invited to meet with the Washington County Board on September 4th to discuss the levy for the year 2002 and how it is changed from 2001.

Letter from Jane Harper Regarding Appeal to the Expansion of the Watershed District The letter updated the managers on the status of the appeal to the decision by the Board of Water and Soil Resources to enlarge the LSCVWD. The Court of Appeals is not expected to act on the appeal until September or October 2001.

ADJOURNMENT Motion made by Borash and seconded by Fetcher at 10:32 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,
Donald Scheel,
Secretary

Minutes Approved by Managers 05/24/01