Minutes of Regular Meeting # 649 Held in the Lake Elmo City Council Chambers Thursday, August 23, 2001.

MANAGERS PRESENT: Dave Buechel, President; Dale Borash, Vice President; Don Scheel, Secretary; and Duane Johnson, Manager

MANAGER ABSENT: Lincoln Fetcher, Treasurer

STAFF PRESENT: John Hanson, Barr Engineering; Barb Wolle, Attorney, and Karen Schultz, Recording Secretary

OTHERS PRESENT: Jeff Berg, Washington SWCD; Neil Siverson and David L. Putna, Siverson Storage Building Permit; Keith Statz, Bill Warner, and Jim DeBenedet, Tenere, Inc. Permit; and Roger Anderson, Lake Elmo Vista Permit

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

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the August 9, 2001 meeting, motion was made by Scheel, seconded by Borash, to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Under MANAGERS, was added: Term Expirations.

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 he has made since the last meeting.

ATTORNEY’S REPORT Attorney Wolle had no new items to report.

TREASURER’S REPORT Treasurer Fetcher was absent. The managers will discuss the 2002 budget later in the meeting. The managers then voted to approve the payment of the debt service to Washington County of $204,571.42.

ENGINEER’S REPORT Siverson Storage Buildings, Lake Elmo - Permit Request Engineer Hanson described a project located North of 15th Street, between Lake Elmo Regional Park and Cardinal Ridge, Lake Elmo, in the E 2 of NE 1/4 of Section 28, T29N, R21W. The project purpose is to grade a 5-acre area and construct two storage buildings. A large infiltration basin is proposed to manage the stormwater.

After discussion of the wetland concerns, the water management concerns, and the erosion control concerns, motion was made by Borash and seconded by Johnson to approve Permit #
2001-25 with the engineer=s suggested special conditions of approval, and a . Motion carried unanimously.

Tenere, Inc., Grant - Permit Request Engineer Hanson presented a permit application for a project located north of Highway 36 and west of Lake Elmo Avenue in the City of Grant, in the SE 1/4 of SE 1/4 of Section 35, T30N, R21W. The project purpose is to grade a 2-acre area and construct a building, parking lot, and two stormwater ponds.

After discussion of the wetland concerns, the water management concerns, and the erosion control concerns, motion was made by Johnson and seconded by Scheel to approve Permit # 2001-24 with the engineer=s suggested special conditions of approval. Motion carried unanimously.

Lake Elmo Vista, Lake Elmo - Permit Request Engineer Hanson described a project located directly west of Keats Avenue, between the Rolling Hills Estates and Arabian Hills developments. The proposed project is south of 57th Street North and north of 53rd Street North. Legally, the site is in the south half of the northeast quarter of Section 3, Township 29 North, Range 21 West.

The applicant is proposing site development for 10 single-family residential homes. The proposed lots range in size from about 2.5 to 5.0 acres. About 1500 feet of roadways are proposed (Julep Way North and 55th Street North). When complete, the proposed project will convert about two acres from pervious to impervious surfaces. Construction of approximately 250 feet of storm sewer pipe is proposed to direct runoff into and out of a proposed stormwater pond and a proposed infiltration pond. The stormwater pond is proposed at Keats Avenue and the infiltration pond is proposed off of the proposed Julep Way North. Smaller infiltration basins are proposed on three lots. Individual wells and septic systems are planned.

After discussion of the wetland concerns, the water management concerns, and the erosion control concerns, motion was made by Borash and seconded by Johnson to approve Permit # 2001-23 with the engineer=s suggested special conditions of approval. Motion carried unanimously.

Joseph Fleming Wetland Restoration, Lake Elmo In a memorandum dated August 10, 2001, Engineer Hanson described a project located in the northwest quadrant of 50th Street and Lake Elmo Avenue North, Lake Elmo, in the SE 1/4 of the SE 1/4 of Section 2, T29N, R21W. The project purpose is to restore a wetland. The applicant excavated a wetland and placed the fill in small, irregular stockpiles around the open water portion of the wetland, but still within the wetland. The work was done without a permit from the District.

In November 2000 a MnDNR Conservation Officer issued a cease and desist order for the excavation activities, and then contacted Engineer Hanson about the activity. In December 2000 Engineer Hanson visited the site, but could not determine the impact of the project because of the snow cover. The applicant had come before the managers in February 2001, and received instructions to meet with Barr Engineers in the spring to visit the site to determine if restoration measures were needed. Prior to the February meeting, historic aerial photographs were reviewed. The photographs indicate that the area is wetland, but has been altered in the past by dredging activity in 1985 and 1990. Barr staff and Washington SWCD staff met with Mr. Fleming in June 2001 for the site visit. The field investigation found about 40% of the wetland impacted by the shallow dredge and fill work.
In Engineer Hanson’s memorandum, he recommended restoration activities, and that a wetland monitoring report should be submitted a year from when the work is completed. After discussion, motion was made by Bucheck and seconded by Scheel that the recommendations in the memorandum dated August 10, 2001, regarding the Joseph Fleming wetland restoration are approved by the managers and that the managers will direct Engineer Hanson to send a letter to Joseph Fleming informing him of this action. Motion carried unanimously.

Update on Palecek Property Engineer Hanson reported that he has obtained an estimate of $527.18 from St. Croix Tree Service, Inc., to remove nine marked trees at Jim Palecek’s residence. According to Engineer Hanson, Jim Palecek is not sure that more trees will not come down, in the future, and also, he wants to be reimbursed in the amount of $980 (not including labor) for past efforts in cutting down trees.

In discussion, the managers agreed that trees are destroyed by things other than high water, and that it would be difficult to determine the cause. President Bucheck commented that the managers’ position at the last meeting was to clean up the downed trees, and that it is the endeavor to reduce or eliminate the flooding in the future. The managers agreed that they cannot guarantee that another tree won’t die. Manager Johnson felt that it is not the managers’ responsibility to maintain the floodplain on private property, and that the managers did agree at the last meeting to help Mr. Palecek with the cleanup effort as established, and that it is not a precedent to guarantee that trees won’t die.

Motion was made by Scheel and seconded by Johnson to direct Engineer Hanson to order the tree removal from the Palecek property at the estimated cost of $527.18. Motion carried as follows: Scheel, Yes; Johnson, Yes; Bucheck, Yes; and Borash, No.

Downs Lake - Update Engineer Hanson said things are moving ahead with the Downs Lake project. He said the utilities will be located on August 27th, and surveying will be done on August 28th. Bids will probably go out in late fall or early winter.

Sunnybrook Lake - Update Engineer Hanson reported that he met with the wetland scientists who are involved with the Wetland Consecration Act, to go over delineation of wetlands, and also has been in contact with the MnDNR.

MANAGERS’ REPORT Next Meeting - September 13, 2001 The managers said they do expect to have a quorum at the next meeting.

2002 Budget Treasurer Fetcher had electronically distributed copies of the proposed 2002 budget. In discussion, Vice President Borash questioned the levy amount, and asked if it should be reduced, since payment for the Project 1007 is almost completed. Secretary Scheel suggested that the levy shouldn’t be reduced, because it would be very difficult to raise the levy amount again. President Bucheck said if another project wasn’t being planned, maybe it would be wise to reduce the levy.

President Bucheck questioned the high dollar figure in the budget for Cash Reserve. He will contact Treasurer Fetcher about the amount. Motion was made by Scheel and seconded by Johnson to approve the preliminary draft dated 08/23/01 of the 2002 budget as stated, pending adjustments in the cash reserve. Motion carried unanimously.

President Bucheck will appear before the Washington County Board of Commissioners on September 4, 2001, to present the 2002 proposed budget.
2000 Annual Report and Audit The managers feel that the draft annual audit for the year 2000 is correct, and when the final audit is complete, the 2000 annual report will be ready to print.

Term Expirations Manager Johnson’s Washington County term will expire in November 2001, as well as Treasurer Fetcher’s Ramsey County term. Manager Johnson said the Township of West Lakeland has recommended his reappointment. There was no discussion of Treasurer Fetcher’s term.

ADJOURNMENT Motion made by Borash and seconded by Scheel at 9:03 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel,

Secretary

Minutes Approved by Managers 09/13/01