Minutes of Regular Meeting # 677 Held in the Lake Elmo City Council Chambers Thursday, December 12, 2002

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

MANAGER ABSENT:

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

OTHERS PRESENT: Chuck Taylor, Citizens Advisory Committee; Mike Polehna, Washington County Parks; Melissa Lewis, Washington Conservation District; Sandy Pederson, Biology Teacher, and Students from Stillwater Area School, Valley Creek Stream Monitoring; and Jeff Berg, Washington Conservation District

CALL TO ORDER Meeting called to order by President Borash at 7:10 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the November 14, 2002 meeting, motion was made by Scheel, seconded by Borash, to approve the minutes as presented. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Items were added to the agenda under Engineer: Klawitter Pond; Bay Lake.

PUBLIC FORUM Lake Elmo Regional Park Jeff Berg, Washington Conservation District, and Mike Polehna, Washington County Parks, presented information to the managers on a project, "Lake Elmo Regional Park Wetland Habitat Management Project Phase I", and to ask the managers for financial assistance for Phase I of the project. The first phase of the project would be to assess the existing data related to water quality and quantity, and inventory the wetland, riparian and adjoining upland plant communities. After discussion of the proposal, motion was made by Scheel and seconded by Borash to authorize the spending of up to $10,000 on the "Lake Elmo Regional Park Wetland Habitat Management Project Phase I". Motion carried unanimously.

Stillwater Area High School Report on Valley Creek Sandy Pederson, Biology Teacher, and students from the Stillwater Area High School, made a presentation to the managers on the stream monitoring that has been done on Valley Creek. The monitoring is done as part of a grant funded by the VBWD. Sandy Pederson told the managers that it would be possible for the students to monitor other creeks, as well as Valley Creek. The managers agreed that it would be a worthwhile project, and asked her to select other sites, and to make a proposal to the managers. The managers thanked the group for the presentation.
CITIZENS ADVISORY COMMITTEE Chuck Taylor had mailed the lake level reports to the managers, and discussed them with the managers at this meeting.

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

INSPECTOR’S REPORT Inspector Roemmich reported on the inspections he has made since the last meeting.

ATTORNEY’S REPORT Attorney Marshall said there was nothing new to report.

TREASURER’S REPORT Treasurer Fetcher distributed copies of the Administrative and Program Budgets dated 12/31/02 and the Treasurer’s Report dated December 11, 2002. After discussion, motion was made by Fetcher and seconded by Scheel to approve the Treasurer’s Report. Motion carried unanimously.

ENGINEER’S REPORT Permit Request: Woodbury Town Center, Woodbury Engineer Hanson had mailed to the managers information on the Woodbury Town Center permit application. He told the managers that the applicant would like to appear at the next managers’ meeting instead, and will address any questions the managers have. The managers agreed to this, and suggested that the applicant attempt to eliminate any wetland impacts, reduce the size of the parking lots, and increase the amount of green space on the site.

Permit Request: Hidden Lake Office Condominiums, White Bear Lake Engineer Hanson presented information on a project located south of County Road D and east of Century Avenue in the SE 1/4 of Section 36, Township 30 North, Range 22 West. The purpose of the project is to construct seven office condominiums, associated parking lots, and a stormwater pond. Engineer Hanson said that the 16.5-foot buffer will not be maintained around the entire perimeter, but only in some areas. After discussion, motion was made by Fetcher and seconded by Scheel to table the permit application with a request that the applicant modify the application to be consistent with the VBWD rules. Motion carried unanimously.

Downs Lake Project Engineer Hanson distributed a tabulation of the bids made on the Downs Lake Flood Duration Reduction Project. Six contractors submitted bids for the project. The managers discussed the fact that the lowest bid is very much lower than the other five bids. Attorney Marshall advised the managers of the possible risk of accepting a bid that is much lower than the rest. Engineer Hanson said Barr Engineering had experience with the low bidder, F.F. Jedlicki, Inc., and that this contractor had recently done work for the VBWD. He recommended that the managers accept the bid. After discussion, motion was made by Fetcher and seconded by Scheel to accept the bid of $118,068 from F.F. Jedlicki, Inc., for the Downs Lake Flood Duration Reduction Project, and to commence the project at the earliest appropriate time. Motion carried unanimously. Engineer Hanson said he will inform the contractor of the awarding of the contract, and when the contractor has submitted the necessary legal documents for Attorney Marshall to review, work can begin.

Project 1007 Issues Engineer Hanson reported that the top two sections of the fish barrier have been removed, as the MnDNR allowed.

Fahlstrom Pond Engineer Hanson said that he and Vice President Bucheck, Secretary Scheel, and representatives of Afton and Woodbury, attended the advisory committee meeting for the Fahlstrom Pond Study on December 3rd at 4:00 p.m. in the Woodbury City Hall. It was agreed that the results of the Fahlstrom Pond Study will be put into a report and that no additional study will be done. The City of Woodbury will consider constructing a lift station for the 8th Street basin. Engineer Hanson will try to have the report completed for the managers’ meeting on January 9th.

District Web Site Engineer Hanson informed the managers that the domain name for the District’s web site will expire on January 9th. Motion was made by Fetcher and seconded by Borash to authorize the spending of $150 to pay for five years’ use of the VBWD.org name for the District’s web site. Motion carried unanimously.
MPCA Water Quality Report Engineer Hanson informed the managers that the MPCA (Minnesota Pollution Control Agency) has completed a study of 55 lakes, including Lake Elmo. Sediment cores were collected and analyzed, and compared to "empirical models". The results corresponded well, which means that Barr will continue to use the empirical models to set in-lake water quality goals. The empirical models are much less expensive than doing sediment cores.

Sunnybrook Lake Easements Engineer Hanson said that the meeting scheduled with Bill Schwab to discuss his status of putting together a cost estimate for drainage easements between Jocelyn Road and Keats Avenue was changed from December 10 to December 19. He said he will have a report on that meeting at the managers’ meeting in January.

Klawitter Pond As directed to do at the last meeting, Engineer Hanson said he asked the City of Lake Elmo whether there is any record of why the overflow swale had not been constructed, and learned that there is no record on the issue. He asked the managers if he should look into whether the septic system elevations are high enough. The managers agreed he should do that.

Bay Lake Engineer Hanson said Norm Dupre has sold his land to a developer, but the developer would like to lower the 100-year flood elevation of Bay Lake. The developer wants to do a continuous 50-year water level model that would use data prepared by Barr Engineering for the VBWD, and therefore, belonging to VBWD. The District’s cost for compiling the data was about $2,000. Engineer Hanson asked the managers whether to charge the developer for the information, or to give it to them at no cost. The managers agreed that Engineer Hanson should offer the developer the data for a cost of $2,000.

MANAGERS’ REPORT Next Meeting - January 9, 2003 The managers said they do expect to have a quorum at the next meeting. Manager Johnson will miss the next several meetings because he will be out of state for several weeks.

Selection of Consultants Legal Consultant Attorney Marshall said his firm’s proposal for the position as the District’s legal consultant was inadvertently not mailed to the District in time for this meeting. He told the managers that his firm would like to serve the District as legal consultant for the next two years. Motion was made by Borash and seconded by Fetcher to name the firm of Lawson, Marshall, McDonald and Galowitz as the District’s legal consultant for the period 2003 and 2004. Motion carried unanimously.

Auditing Consultant President Borash said only one proposal had been received for auditing of the District’s records. That proposal came from Tautges Redpath, Ltd. Motion was made by Fetcher and seconded by Scheel to name Tautges Redpath, Ltd., as the District’s Auditor for the period 2003 and 2004. Motion carried unanimously.

Engineering Consultant President Borash said only one proposal was received for the District’s engineering services. That bid was from Barr Engineering. Motion was made by Fetcher and seconded by Johnson to continue with Barr Engineering’s services for the period 2003 and 2004. Motion carried unanimously.

Organization of Board Officers; Selection of Legal Newspapers and Bank President Borash called for nominations for officers. Dave Bucheck was nominated for President; Lincoln Fetcher was nominated for Vice President; Don Scheel was nominated for Secretary; and Dale Borash was nominated for Treasurer. Hearing no other nominations, President Borash declared the slate of officers for 2003, as follows:

President       Dave Bucheck       Vice President       Lincoln Fetcher
Secretary       Don Scheel           Treasurer           Dale Borash

After a unanimous vote in favor of the above nominations for 2003, President Borash declared the above officers to be the official slate of officers for 2003.
Official Newspaper and Bank Motion was made by Fetcher and seconded by Johnson to continue with the Lake Elmo Bank for the District’s banking services for the period 2003 and 2004. Motion carried unanimously.

Motion was made by Borash and seconded by Fetcher to continue with Lillie Suburban Newspapers as the District’s legal newspaper for the period 2003 and 2004. Motion carried unanimously.

Electronic Transfer of Money to Lake Elmo Bank Motion was made by Scheel and seconded by Borash to authorize the Treasurer to accept electronic transfers of money to the Lake Elmo Bank from the State of Minnesota. Motion carried unanimously.

Report from MAWD Secretary Scheel and President Borash attended the MAWD meeting in Alexandria on December 5th and 6th. They both said they were disappointed in the seminars compared to other years.

ADJOURNMENT Motion made by Fetcher and seconded by Borash at 9:55 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 01/09/03