Minutes of Regular Meeting # 675 Held in the Lake Elmo City Council Chambers
Thursday, October 24, 2002

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

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

OTHERS PRESENT: Chris Moosbrugger and Dave Dupay, Permit Application; Klawitter Pond Resident; Candice Kraemer, CAC Member; and Jeff Berg, Washington Conservation District

CALL TO ORDER Meeting called to order by President Borash at 7:00 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the October 10, 2002 meeting, motion was made by Scheel, seconded by Fetcher, to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Items were added to the agenda under Managers: Award Program - MAWD; and MAWD Meeting Announcement.

PUBLIC FORUM There were no comments in the Public Forum segment of the meeting.

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

INSPECTOR=S REPORT Inspector Roemmich reported on several projects, including Mulligan Masters, Lake Elmo Vista, and Carriage Station. He requested that the managers direct the District=s attorney to send letters to the City of Lake Elmo regarding drainage issues at Lake Elmo Vista and Carriage Station. Engineer Hanson had drafted a letter, which he distributed. The managers reviewed the letter and directed Attorney Galowitz to revise the letter and mail it.

ATTORNEY=S REPORT At a previous meeting, Attorney Marshall was directed by the managers to send a letter to Baytown Township regarding their unauthorized project to widen Northbrook Boulevard. Attorney Galowitz reported at this meeting that Dave Magnuson, Attorney for Baytown Township, has replied to the letter, saying that the project doesn=t impact any wetland, and that a permit is not needed from the watershed district. Engineer Hanson had previously informed the managers that culverts have been plugged, and the slope of the Northbrook Boulevard shoulders have been altered. After much discussion, the managers directed Attorney Galowitz to reply to Attorney Magnuson=s letter, asking for an explanation as to why a permit isn=t needed from the watershed district.
TREASURER’S REPORT Treasurer Fetcher distributed copies of the Administrative and Program Budgets dated 10/31/02 and copies of the Treasurer’s Report dated October 22, 2002. After discussion, motion was made by Fetcher and seconded by Borash to approve the Treasurer’s Report. Motion carried unanimously.

ENGINEER’S REPORT Gordon Moosbrugger Fill at Mergen’s Pond Engineer Hanson presented information on a project located at 13956 - 10th Street North, West Lakeland Township, in the SW 1/4 of Section 29, Township 29 North, Range 20 West. The purpose of the project is to place 1600 cubic yards of fill below the 100-year flood level of Mergen’s Pond for a single-family home.

The proposed project requires a VBWD permit because it will create more than 6,000 square feet of new impervious surfaces and it involves fill below the 100-year flood level of Mergen’s Pond. Mergen’s Pond is landlocked. The VBWD rules allow the applicant to place 2860 cubic yards of fill below Elevation 852.5 feet; therefore, the amount of fill requested is within the limitations set by the District.

After much discussion of the water management concerns, the wetland concerns, and the erosion control concerns, motion was made by Bucheck and seconded by Fetcher to approve Permit # 2002-20 with the engineer’s suggested site specific conditions, the standard conditions, and conditions stated by the managers at the meeting. Motion carried unanimously.

AGENDA CHANGE President Borash authorized the moving of agenda items at this time.

High Water Complaint: Klawitter Pond, Lake Elmo Mr. Jurand, resident on Klawitter Pond, was present to discuss with the managers the high water level of Klawitter Pond. President Borash and Engineer Hanson had visited the site earlier in the week and talked with Mr. Jurand. In discussion, it was determined that an overflow swale scheduled to be built approximately 10 years ago, was never constructed. The swale would possibly prevent flooding of houses on Klawitter Pond. At the time, the City of Lake Elmo was against construction of the swale. The construction of a swale was one of the conditions in a housing development permit issued, but apparently was not constructed. Another problem is the sediment-filled culverts in the area of Klawitter Pond.

After much discussion, motion was made by Fetcher and seconded by Borash to authorize Engineer Hanson to complete some calculations in order to determine the appropriate level in terms of the existing conditions in the area.

The managers also agreed to send a letter to the City of Lake Elmo asking them to clean the culverts.

Sunnybrook Lake Flooding Update Engineer Hanson said Attorney Wolle has contacted Bill Schwab concerning easements for the floodplain and culverts in the area, and is waiting for information from Bill Schwab.

Draft Comments on Draft Washington County Groundwater Plan Engineer Hanson had made the suggested managers’ changes to the draft letter to the Washington County Department of Public Health and Environment regarding the draft Washington County Groundwater Plan. At this meeting, after discussing the letter, motion was made by Borash and seconded by Scheel to approve and send the letter. Motion carried unanimously.

Crombie Pond Fish Barrier Update Engineer Hanson reported that a MnDNR spokesperson told him that there are carp in the Tri-Lakes, but according to the MnDNR web site, there are no carp in the Tri-Lakes. After discussion, the managers directed Engineer Hanson to continue discussions with the MnDNR.

Pinehurst Road Wetlands, Pine Springs Engineer Hanson said he received a telephone call from a resident in Pine Springs on Pinehurst Road who is concerned about high water levels. He said he visited the site and the outlet seems to be functioning. He said he is informing the managers of this call, in case they are contacted by residents with the same concerns.
Echo Lake, Mahtomedi Engineer Hanson reported to the managers that he has received several complaints from Mahtomedi residents and Mahtomedi City officials about high water levels in Echo Lake. He wanted the managers to be aware of this because the City of Mahtomedi may request that the District develop some sort of flood protection project.

Fahlstrom Pond Engineer Hanson presented the information to the managers on the water levels at Fahlstrom Pond based on the proposed land use model. He also compared the results with the existing conditions model. The managers agreed that the next step is to clarify some figures and meet with some committee members.

Downs Lake Update Engineer Hanson said that Folz, Freeman, Dupay, and Associates had sent the easement descriptions to Attorney Wolle, who will negotiate to obtain the easements. He also said that Barr plans to advertise for bids in the first full week in November and open bids on the 9th of December in order to have them for the managers' meeting on December 12th.

Water Management Plan Update Engineer Hanson and the managers considered having a workshop to discuss the District's Water Management Plan revision. The managers agreed that because Manager Johnson and Secretary Scheel will be out of the state and will miss many meetings over the winter, the workshop should be delayed until the second meeting in March 2003.

Upcoming Conferences/Meetings Water Resources Conference, October 29th; Washington County Water Consortium, November 6th; and Minnesota Association of Watershed Districts, December 5-7.

District Tour Engineer Hanson distributed a list of sites for the managers to visit on the District tour on October 26th. The managers agreed to meet at the Shepard of the Valley Church parking lot at 9:00 a.m. President Borash said he will not be able to attend the tour.

Project 1007 Inspection Engineer Hanson said the Project 1007 inspection is scheduled for October 31st, and continued on November 1st if necessary.

MANAGERS= REPORT Next Meeting - November 14, 2002 The managers said they do expect to have a quorum at the next meeting.

City of Grant Correspondence President Borash had drafted a letter to the City of Grant regarding the Sunnybrook Lake issue. The managers were given copies of the letter and made suggestion for changes. The managers and the attorney agreed that Treasurer Fetcher should edit the letter and it will be discussed at the next meeting.

Consultant Letters Every two years the managers, according to law, conduct a regular review of consulting services. The Recording Secretary prepared the usual letters to the current consultants, as directed by the managers at the last meeting. The managers suggested changes to the letters, and the Recording Secretary will prepare the letters for President Borash's signature.

Award Program at MAWD Meeting in December Secretary Scheel had received information regarding an award program that will occur at the MAWD meeting. Awards will be given to watershed districts for completed projects. Reply is necessary before October 25th, therefore the managers will not submit any information for the program this year.

MAWD Meeting - December 5-7, 2002 Motion made by Borash and seconded by Bucheck to approve payment of expenses and per diem for any manager who attends the MAWD meeting in Alexandria. Motion carried unanimously.
After discussion of attendance at the MAWD meeting, motion was made by Scheel and seconded by Borash that Secretary Scheel and President Borash will be the District Delegates, and Manager Johnson will be the Alternate. Motion carried unanimously.

ADJOURNMENT Motion made by Buchecck and seconded by Borash at 10:23 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 11/14/02