Minutes of Regular Meeting # 691 Held in the Lake Elmo City Council Chambers
Thursday, July 24, 2003

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

MANAGER ABSENT: Duane Johnson, Manager

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

STAFF ABSENT: None

OTHERS PRESENT: Candice Kraemer and Sharon Schwarze, Grant City Council; John Hoffman, ICS Agency; and Clark Wicklund, Bibeau's Landing Permit

CALL TO ORDER President Bucheck called the meeting to order at 7:06 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the July 10, 2003 meeting, motion was made by Borash, seconded by Scheel, to approve the minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Under Engineer, TLC Electronics.

PUBLIC FORUM Candice Kraemer, Grant City Council, asked the managers about the status of the Sunnybrook Lake project. President Bucheck answered that there has been no change since the last meeting, since the managers haven’t been able to meet as a group, because of other commitments. He said the managers had previously met with the appraiser and learned that several people were not happy with the offers made for easements, and that resulted in discussion among the managers about whether they were ready to proceed with the project.

President Bucheck further explained that the appraiser was told to suspend action because the managers need to have more discussion. President Bucheck said the managers would do that in Executive Session after the meeting. Candice asked whether the residents would be contacted after a decision is made, and President Bucheck said if the managers decide to go forward with the easements, the residents will be contacted, and he added that the managers will answer any questions if contacted by the residents.

SECRETARY= S REPORT Secretary Scheel reported that he had distributed the mail.

INSPECTOR= S REPORT Inspector Roemmich said no new projects have started, and that he has been inspecting current on-going projects.

Digital Camera Request Inspector Roemmich told the managers that a digital camera would be very helpful in documenting the inspections he makes. The managers agreed that the lower powered digital camera would probably be sufficient to accomplish the goal. The managers directed Engineer Hanson to check on the price of the appropriate camera, and report at the next meeting.

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

discussion, motion was made by Borash and seconded by Fetcher to approve the Treasurer's Report. Motion carried unanimously.

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

INSURANCE DISCUSSION Mr. John Hoffman, ICS Agency, Inc., was present to discuss with the managers the District's current liability insurance situation. He informed them that the managers have a Comprehensive General Liability policy with limits of $1,000,000. He said the managers also have a Directors and Officers Liability Policy with a limit of $1,000,000, and a Public Employee Fidelity Bond in the amount of $25,000. Mr. Hoffman explained the changes that have occurred in the insurance field in the last two years, and answered any questions the managers had. President Bucheck thanked Mr. Hoffman for attending the meeting to discuss the insurance issue with the managers.

ENGINEER'S REPORT Permit Request: Bibeau's Landing - West Phase, Mahtomedi Engineer Hanson reported that he and wetland scientists from Barr Engineering had met with the developer's consultant and reviewed information requirements to conform to the Wetland Conservation Act and the VBWD rules and regulations. The applicant has submitted much more information regarding the required sequencing analysis for the proposed wetland impact, but some additional information is still needed. Once all of the needed information is submitted, the Technical Evaluation Panel (TEP) will be forwarded a complete packet of information and will be given 10 business days to review and comment on the information. The TEP deadline for comments will probably be August 14th.

Engineer Hanson said that if the managers decide to issue a permit immediately, he would recommend that the permit include several conditions, including one that states that the work could not begin until TEP has approved everything. After discussion, the managers agreed not to issue a permit until approval by TEP is received. The next managers meeting will be held August 14th.

Mulligan Masters, Lake Elmo This project to construct a recreational golf development, is located about a quarter mile north of I-94, west of Keats Avenue in Lake Elmo. Engineer Hanson said this permit had been approved by VBWD in 2002. The City of Lake Elmo stopped the project recently because the construction did not match the plans approved in the permit. Since then, the applicant has submitted a plan of what has been constructed, with calculations. After discussion of the water management concerns, the wetland concerns, and the erosion control concerns, motion was made by Borash and seconded by Scheel to approve the revision of Permit 2002-09 with the engineer's suggested site specific conditions and standard conditions. Motion carried unanimously.

Downs Lake Project Update Engineer Hanson said he was disappointed to have to say that there are no changes to report in the Downs Lake project. He said the contractor has had problems with the subcontractor, but he said it will be completed by the end of this month.

DNR General Permit Engineer Hanson had mailed a memorandum dated July 16, 2003, to the managers regarding the DNR General Permit. In the memorandum, Engineer Hanson explains that the DNR is asking local governmental units to obtain general permits because it would reduce the workload of the DNR, and benefit permit applicants by not having to receive a DNR permit for activities already permitted by the local governmental unit.

Currently the DNR issues permits for some of the same activities that the VBWD issues permits, charges a fee to the applicant, and takes 60 days to review the permit application. The general permit would eliminate the fee and shorten the permit review process since the VBWD reviews a permit in two weeks. After discussion, motion made by Fetcher, seconded by Scheel, to direct Engineer Hanson to provide information for an application for a DNR general permit. Motion carried unanimously.
Washington County Fair Engineer Hanson updated the managers on the appearance of the booth at the Washington County Fair, beginning July 30th.

2005-2015 Watershed Management Plan Engineer Hanson had mailed information on the Issue Identification Workshop to be held in the Media Center at the Stillwater Area Highschool on July 31st. The managers discussed the agenda for the workshop.

Request from Fields of St. Croix I and II Neighborhood Engineer Hanson said he has been invited to speak to the neighborhood residents in the homeowners association of the Fields of St. Croix I and II about the water management facilities and drainage patterns within the development, as well as information about Goetschel Pond. The meeting is planned for 6:30 p.m. on Thursday, August 7th. The managers agreed that this contact with the residents would be good, and motion was made by Scheel and seconded by Borash to direct Engineer Hanson to appear at the St. Croix Neighborhood meeting on August 7th. Motion carried unanimously.

TLC Electronics At a previous meeting, the permit holder of Permit 2001-04, had requested a release of the wetland bond for the permit. The managers had agreed not to release the bond until the project was completed, and until a bill for engineering costs was paid in cash. The amount of money in the escrow account at the time of the request was not sufficient to cover costs to the District. Engineer Hanson at this meeting said that the permit holder had completed the project. He had drafted a letter for Treasurer Borash to sign, requesting that cash be submitted to cover the escrow account before the wetland bond is released.

Motion by Fetcher and seconded by Scheel to have Treasurer Borash sign the letter drafted by Engineer Hanson. Motion carried unanimously.

Country Air Golf Course The permit holder for the Country Air Golf Park on Lake Elmo Avenue has been completed and the permit holder has requested the return of the remaining $2,729.33 in the escrow account. Engineer Hanson had drafted a letter for Treasurer Borash to sign, returning the remaining money in the escrow account. Motion was made by Bucheck and seconded by Fetcher to direct Treasurer Borash to sign the letter, returning $2,729.33 to the Country Air Golf Park developer. Motion carried unanimously.

MANAGERS= REPORT Next Meeting - August 14, 2003 The managers expect to have a quorum at the next meeting.

ADJOURNMENT Motion made by Scheel and seconded by Borash at 8:50 p.m. to adjourn the meeting. Motion carried unanimously.

Immediately following the meeting, the managers, the attorney, and engineer held an Executive Session to discuss the Sunnybrook Lake flooding issue.

Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 08/14/03