Minutes of Regular Meeting # 687 Held in the Lake Elmo City Council Chambers
Thursday, May 22, 2003

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

MANAGER ABSENT: None

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

STAFF ABSENT: None

OTHERS PRESENT: Jeff Berg, Washington Conservation District; Todd Erickson and Tim Freeman, Bay Lake in Baytown Township; and many Sunnybrook Lake Residents

CALL TO ORDER President Bucheck called the meeting to order at 7:05 p.m.

President Bucheck welcomed the residents of the Sunnybrook Lake area. The managers had invited the residents to attend the meeting to discuss the current flooding issue in the Sunnybrook Lake area. Many residents attended, including three Grant City Councilpersons.

President Bucheck asked if someone in the audience had a current report of the conditions. A gentleman in the back said he had a daily record of the rising water, and he read it to the group. President Bucheck said that VBWD managers have been considering solutions to the flooding problem since the late 1960s. He said that several meetings have been held to keep the residents informed. He also pointed out that one of the difficulties is that it takes so long for the water to get to a pumping point that flooding occurs upstream first. He added that easements are necessary before surveying and digging can begin, and it has been a slow process.

At 7:20 p.m. Engineer Hanson made a presentation, using slides to explain the history of the Sunnybrook Lake area. The managers and Engineer Hanson answered the many questions that the residents had. President Bucheck said the managers have had meetings with the Grant City Council, and that the council that exists now is much more positive about effecting solutions. He said he is hopeful that people are beginning to understand what is needed.

At 8:30 p.m. President Bucheck concluded the Sunnybrook Lake discussion by thanking the residents for attending the meeting, and encouraging them to continue to talk to their government officials at all levels. He said help is needed from all organizations.

A five-minute recess was taken at 8:33.

At 8:38 p.m. President Bucheck reconvened the managers' meeting.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the May 8, 2003 meeting, motion was made by Fetcher, seconded by Borash, to approve the minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the Agenda: Engineer (4) Request for Special Meeting for the Galway Permit, (5) TLC Electronics Bond Release, and (6) Washington County Fair; and under Managers (3) North Washington County Groundwater Study PAC.

SECRETARY’S REPORT Secretary Scheel reported that he had distributed the mail.
INSPECTOR'S REPORT
Inspector Roemmich reported on inspections he has made since the last meeting.

ATTORNEY'S REPORT
Attorney Marshall had no new items to report.

TREASURER'S REPORT
Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2003 dated May 2003, and the Treasurer's Report dated May 22, 2003. After discussion, motion was made by Borash and seconded by Fetcher to approve the Treasurer's Report. Motion carried unanimously.

ENGINEER'S REPORT
Request: Lower 1% Probability Flood Level for Bay Lake, Baytown Township
The managers had approved Permit # 2002-19 in October 2002, for the Bay Lake Reserve Development. Engineer Hanson explained that since then, the landowner, Norm Dupre, has obtained a development partner, who has had the 100-year flood level of Bay Lake re-evaluated. Their goal is to lower the 100-year flood level to Elevation 891.5 feet so that homes can be constructed lower. They do not want to construct any additional homes than are in the plan approved with the 2002-19 permit; they only want a different layout with the homes lower and closer to the lake.

Todd Erickson, of Folz, Freeman and Erickson, the firm hired to re-evaluate the 100-year flood level of Bay Lake, was present to explain to the managers the computer modeling and statistical analysis performed to determine the lower 100-year flood level on Bay Lake. After discussion of the method used to determine the 100-year flood level, motion was made by Borash and seconded by Fetcher to approve the request for a new 1% 100-year flood level (Elevation 891.5 feet) for Bay Lake and to have Mr. Erickson submit all the necessary information to the District to have flood level mapped on new FEMA floodplain maps. Motion carried unanimously.

Downs Lake Project Update
Engineer Hanson had mailed a memorandum dated May 16, 2003, regarding a meeting he had with Downs Lake residents Jay and Bonnie Rechtien, the owners of the land containing the drainage easement between Downs Lake and Eden Park Pond. The Rechtienes have several requests regarding the restoration of the project site: 1) Provide smoother grading; 2) Iron property pins paid for and replaced; 3) Replacement of two trees; 4) Delivery of topsoil and the spreading of the topsoil on their property; 5) Build a steeper slope on their neighbor's property; and 6) Replacement of shrubs and other vegetation in a landscaping area.

After discussion of their requests, motion was made by Bucheck and seconded by Borash to 1) provide smoother grading; 2) supply property pins and pay for the placement of the pins; 3) provide two trees, 1.5" balled and burlapped trees of the residents' choice (residents will plant the trees); 4) leave the topsoil issue to the Rechtienes and the contractor; 5) reject the steeper slope issue; and 6) provide $200 for shrubs and other vegetation in a landscaping area. Motion carried with a vote of four to one; Vice President Fetcher voting no.

Valley Branch Creek Monitoring
At a meeting held March 27, 2003, the managers agreed to financially support the monitoring of Valley Branch Creek, which had previously been financed by the Metropolitan Council. At this meeting, Engineer Hanson provided the managers with a Work Plan for the operation of a WOMP monitoring station near the mouth of Valley Creek. He said the Work Plan is consistent with the discussion that the managers had with Dr. James Almendinger in March. After discussion, motion was made by Fetcher and seconded by Johnson to approve the WOMP financing as presented by Dr. James Almendinger in a work plan not to exceed $33,000, with a time frame of July 1, 2003 to June 30, 2005. Motion carried unanimously.

Request for Special Meeting by Developer
Engineer Hanson reported that a developer from West Lakeland Township has requested that the managers hold a special meeting to consider his permit request for the Galway Project in West Lakeland Township, because he needs the permit approved before the next managers' meeting, which is June 12, 2003. After discussion, the managers agreed to hold a special meeting on June 5th, at a cost of...
$1,000, paid by the developer. The managers directed Engineer Hanson to convey this message to the developer and contact the managers.

TLC Electronics Bond Release The permit holder, TLC Electronics, has requested the return of the money remaining in the escrow account for the TLC Electronics development (Permit 2001-04). A total of $3,500 was submitted for escrow of the project; VBWD has spent $6,400 on the project. Therefore, cash will need to be submitted to balance the escrow, before the project will be considered complete. Attorney Marshall advised the managers to invite the developer to the next managers' meeting to discuss the situation. Engineer Hanson was directed by the managers to invite the developer to the managers' June 12, 2003 meeting.

Washington County Fair Engineer Hanson said the Washington County Fair will be held from July 30th to August 3rd. The managers discussed the size and cost of the booths to be rented. Motion was made by Scheel, and seconded by Fetcher to approve the cost of $210 for each of two 10-foot booths, including the extra costs for the booths, not to exceed $550, at the 2003 Washington County Fair. Motion carried unanimously.

MANAGERS' REPORT Next Meeting - June 12, 2003 The managers expect to have a quorum at the next meeting.


North Washington County Groundwater Study PAC President Bucheck said the first meeting of the North Washington County Groundwater Study PAC will be held May 27, 2003. The managers directed Engineer Hanson to attend the meeting if possible.

Summer Tour The MAWD Summer Tour is scheduled for June 19-21, 2003. Motion was made by Bucheck and seconded by Fetcher to pay the expenses and per diem for any manager attending the 2003 MAWD Summer Tour. Motion carried unanimously.

NEW BUSINESS Insurance Agent Treasurer Borash informed the managers that their liability insurance is no longer available from the insurance company with which they have dealt. Treasurer Borash was directed to ask the insurance agent to attend the next managers' meeting to discuss the situation.

ADJOURNMENT Motion made by Borash and seconded by Fetcher at 10:22 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 06/12/03