Minutes of Regular Meeting # 688 Held in the Lake Elmo City Council Chambers
Thursday, June 12, 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, Galway Permit, West Lakeland Township; Brent Johnson, TLC Electronics, Escrow Return; Candice Kraemer and Cindy Briscoe, Sunnybrook Lake Area Flooding

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 May 22, 2003 meeting, motion was made by Fetcher, seconded by Borash, to approve the minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS There were no additional agenda items.

PUBLIC FORUM There was no discussion in the Public Forum segment of the meeting.

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 said he had information on the Sunnybrook Lake easements, but would prefer to discuss the issue in an Executive Session after the meeting.

TREASURER=S REPORT Treasurer Borash distributed copies of the Annual Financial Report dated December 31, 2002. He said that Tautges Redpath, Ltd., had made the distribution of the 2002 Report to the Board of Water and Soil Resources, and the State Auditor, according to law. Motion was made by Borash and seconded by Scheel to approve the 2002 Annual Financial Report. Motion carried unanimously.

The managers agreed that since the legal requirement for filing the annual financial report has been met, no further mailing of the report will be made.

Treasurer Borash said that the cost of the policy for the managers= liability insurance has increased by $650. After discussion, motion was made by Borash and seconded by Fetcher to pay for the managers= business auto, workers= compensation, liability insurance, and commercial general liability insurance in the amount of $4,818. Motion carried unanimously.

ENGINEER=S REPORT Ann Pung-Terwedo of Washington County: FEMA Mapping Ann Pung-Terwedo of Washington County was present to explain to the managers that the goal of Washington County FEMA mapping project. The goal of Washington County is to map priority areas in Washington County. She said she would like the VBWD to assist her in calculating flood levels for the county to map. The county will reimburse VBWD for
the cost of the work. The managers agreed with this, and asked her to work with Engineer Hanson and the District’s attorney to develop the necessary contract agreement.

Permit 2001-04: TLC Electronics, Escrow Return Engineer Hanson explained to the managers that the permit holder, Brent Johnson, of Permit # 2001-04, TLC Electronics, has requested a refund of the money in the escrow account. Engineer Hanson said the project is not yet completed, and he recommended that the money should not be returned at this time. The money in the current escrow account does not cover the costs already spent by VBWD for engineering work. The managers asked Brent Johnson to get the project completed, and the VBWD will bill him for engineering costs; when that bill is paid, the managers will release the surety. Brent Johnson agreed to this.

Permit Request: Galway, West Lakeland Township Engineer Hanson presented information on a project located between Manning and Neal Avenues and 24th and 18th Avenues North, West Lakeland Township, in the southeast quarter of Section 19 and northwest quarter of the northeast quarter in Section 30, Township 29 North, Range 20 West. The purpose of the project is to construct a single-family residential subdivision with 39 lots, about 1.1 miles of roadway, about 3,300 feet of storm sewer, and five stormwater ponds.

After discussion of the wetland concerns, the water management concerns, and the erosion control concerns, motion was made by Borash and seconded by Fetcher to approve Permit # 2003-02 with the engineer=s suggested site-specific conditions and standard conditions. Motion carried unanimously.

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

Downs Lake Project Update Engineer Hanson had mailed a memorandum dated June 6, 2003, recommending that the managers hire the Cornerstone Land Surveying company to replace the property corners on the north side of the Rechtien property in the Downs Lake project. The managers agreed to accept the quoted price from the Cornerstone Land Surveying company of $695, and directed Engineer Hanson to notify the company.

Engineer Hanson presented to the managers A Payment Application No. 4 for the Downs Lake Flood Duration Reduction project in the amount of $7,430. Motion was made by Johnson and seconded by Fetcher to approve Payment Application No. 4 for the downs Lake Flood Duration Reduction project in the amount of $7,430. Motion carried unanimously.

BWSR Challenge Grants Engineer Hanson reported that eligible local units of government may apply for Challenge Grants from the Board of Water and Soil Resources. Washington County and the Washington Conservation District are putting together an application for money for a groundwater/surface water study for southern Washington County, and are asking the VBWD for a Letter of Support for the grant. The maximum per local unit of government will not exceed $75,000 per project where three or more LGUs are involved in implementing a project. Applications are due July 1, 2003. After discussion, motion was made by Scheel and seconded by Johnson that VBWD will offer a letter of support for the Washington County/Soil Conservation District application for a grant of $75,000. Motion carried unanimously. President Bucheck directed Engineer Hanson to prepare the letter of support for President Bucheck=s signature.

Permit 98-7: Cardinal Meadows, Escrow Return Engineer Hanson said the permit holders of Permit 98-7, Cardinal Meadows, in Oakdale/Lake Elmo, are requesting a refund of the remaining amount in their escrow account. Engineer Hanson said the wetland mitigation site in the project has been completed, but he recommended that the escrow money not be returned until there is proof that the deed has been recorded, and that the drainage easement issue is clear. Motion was made by Fetcher and seconded by Borash that the escrow money will be refunded only after the conditions of the permit are met. Motion carried unanimously.

MANAGERS= REPORT Next Meeting - June 26, 2003 The managers expect to have a quorum at the next meeting. Manager Johnson said he probably will not be present.
Raleigh Farm Fill, Oakdale President Bucheck and Engineer Hanson had received some telephone calls regarding a proposed project north of the Anna=s Grove development in Oakdale. At President Bucheck=s request, Engineer Hanson forwarded information about the project to the managers for them to discuss. Excess material from a A lifestyle Center® planned for the intersection of Inwood Avenue and 4th Street North near Interstate 94 in Oakdale and outside of the VBWD is proposed to be stockpiled on the site north of Anna=s Grove within the VBWD. Engineer Hanson had provided a comment letter to Oakdale, which was included in the managers= packet. Because the project is within Oakdale, the VBWD is only involved with administering the Wetland Conservation Act. The project will not be filling any wetlands.

Washington County Fair Secretary Scheel reported that he has arranged for the VBWD to have a large booth at the Washington County Fair this year, as directed to do at the last meeting.

Sunnybrook Pump Treasurer Borash asked the managers to discuss the cost of repairing the current pump being used at the Indian Hills Golf Course. He said there was a large bill in 2002 to repair the pump, and he said it could be that the pump needs to be replaced before more money is spent on it.

The managers directed Engineer Hanson to investigate the ownership of the pump, and whether the pump is worth repairing, or whether it should be replaced.

NEW BUSINESS Consideration of VBWD Financial Assistance for ALakescaping® Projects within Tri-Lakes Jeff Berg, Washington Conservation District, (WCD) asked the managers for financial assistance for lakescaping projects on the Tri-Lakes. He reminded the managers that at the June 13, 2002 meeting, they had approved a $5,000 allocation for a Neighborhood Wilds Project grant application that included these projects, but the grant was not obtained.

Jeff said that the WCD is funding 50% of the cost of projects that Lake DeMontreville residents are proposing on their land, and Jeff requested financial assistance from VBWD for those projects, also. After discussion, motion was made by Scheel and seconded by Borash that the VBWD will support the projects in an amount not to exceed $2,000 or 75% of the cost. Motion carried unanimously.

Update of Neighborhood Wild Activities Along Valley Creek Jeff Berg said there are currently nine landowners on Valley Creek working with the Neighborhood Wilds Program to improve the creek. Jeff requested assistance from Barr Engineering to evaluate some of the sites on the creek. The managers agreed that the program is important, and asked Engineer Hanson to meet with Jeff Berg to decide what is needed and what the cost will be.

Other Washington Conservation District Activity Updates Jeff said he will be able to update the managers at the next meeting on the discussion held in March concerning a contract for services provided by the WCD.

Jeff reported on the Lake Elmo Park Reserve Wetland Habitat Project. He said that WCD staff, along with Barr Engineering staff, started the field evaluation of those wetlands.

Jeff reported that the SWCD law did pass in the Legislative session, minus the levy portion. The WCD had previously talked about levy authority.

2005-2015 Watershed Management Plan Engineer Hanson said that in order to stay on schedule in completing the revised watershed management plan by 2005, the managers would need to discuss several items at the meeting. The managers and Engineer Hanson had a lengthy discussion of the issues.

Sunnybrook Lake Area Flooding Candice Kraemer and Cindy Briscoe, residents in the Sunnybrook Lake area, were present to discuss with the managers the easements that are needed on their property for the first phase of the Sunnybrook Lake Project. They said they had been contacted by the appraiser, just recently, and that they were told that they needed to make a decision immediately on whether to accept the offer made to them for
their property in the easement. The managers answered their questions and told the two residents that they should call them whenever they have a question about the procedure.

ADJOURNMENT  Motion made by Scheel and seconded by Fetcher at 10:35 p.m. to adjourn the meeting. Motion carried unanimously.

EXECUTIVE SESSION After the meeting ended, the managers went into Executive Session for 30 minutes.

Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 06/26/03