Minutes of Regular Meeting # 693 Held in the Lake Elmo City Council Chambers
Thursday, August 28, 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; Karen Schultz, Recording Secretary

STAFF ABSENT: None

OTHERS PRESENT: John Dilingham, Clark Wicklund, Jeff Millunzi, and Mike Johnson, Bibeau's Landing Permit; and Molly Winkels, Permit For House Addition

CALL TO ORDER President Bucheck called the meeting to order at 7:03 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the August 14, 2003 meeting, motion was made by Johnson, seconded by Scheel, to approve the minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Under Managers, Officers = Liability Insurance.

PUBLIC FORUM A District resident, Molly Winkels, was present to discuss with the managers the need for a permit for an addition on her home, which is in the Legion Pond floodplain in the District. She said the City of Lake Elmo referred her to the VBWD because the addition proposed for her home would be three feet below the 100-year flood level. She had talked with Engineer Hanson about a variance, and he suggested that she appear before the managers at this meeting. She explained her situation, and informed the managers that a house had been built in her area two years before, and construction has been started at another site in the area. The managers said they would need much more information, and directed Engineer Hanson to visit the site, and to investigate the background of the building activity. The managers asked Molly Winkels to please attend another managers= meeting.

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

INSPECTOR=S REPORT Inspector Roemmich reported that the area around the St. Mary=s Cemetery in North St. Paul is still not cleaned up. He said that the City was going to clean up the area in the spring, but it has not yet been done. President Bucheck directed Inspector Roemmich to ask them once more to do it, before any Board action is taken.

Inspector Roemmich also reported that a property owner near County Road 21 and 15th Street has used a bulldozer to clean an area of buckthorn, but has gotten too close to Valley Creek. He said that he suggested to the homeowner that silt fence should be placed in the area to prevent the dirt from going into the creek during a rainfall. He asked the homeowner to call Engineer Hanson, but she has not done that. President Bucheck directed Engineer Hanson to write a letter to the homeowner strongly recommending that she have silt fence placed in the area to protect the stream. Inspector Roemmich said he will visit the site once before the letter is written, to see what has been done.

Inspector Roemmich said he has purchased a digital camera, as authorized by the managers at the last meeting.
ATTORNEY=-S REPORT Attorney Marshall had nothing new to report.

TREASURER=-S REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2003 dated August 31, 2003, and the Treasurer=-s Report dated August 28, 2003. After discussion, motion was made by Borash and seconded by Scheel 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 agenda items.

OLD BUSINESS Bibeau=s Landing Permit This permit application has been on the managers= meeting agendas for the last several meetings, and the managers at the last meeting made the decision, after discussing the recommendation by the Technical Evaluation Panel (TEP), to approve the permit with several conditions, including a condition that the replacement wetland pond be 3:1 times the size of Wetland # 2". Mr. Clark Wicklund, with Alliant Engineering, was present to discuss with the managers the condition for the replacement wetland. Mr. Wicklund said he did not agree that the Technical Evaluation Panel suggested the 3:1 wetland replacement. In discussion of the issue, the managers and Engineer Hanson decided that the 3:1 wetland replacement ratio had been suggested by Barr Engineering, because of the comments made by TEP. After much discussion, motion was made by Borash and seconded by Scheel to amend Permit # 2003-06 by stating that under >Suggested Site Specific Conditions= in the Permit, the 3:1 ratio be changed to 2:1 ratio. Motion carried unanimously.

ENGINEER=-S REPORT Schedule Managers= Workshop; Watershed Management Plan Workshop 4A The managers agreed to schedule another workshop on September 25th beginning at 6:00 p.m., and to delay the managers= meeting until 8:00 p.m. on September 25th.

Valley Creek Erosion Study Jeff Berg, Washington Conservation District, had distributed copies of a memorandum on the Valley Creek Subwatershed Erosion Issues, for discussion at this meeting. The memorandum summarized the recommended plan for investigating erosion sites within the Valley Creek Subwatershed to determine the need for stabilization and identifying potential control measures. The memorandum included cost estimates for the investigation and determination of potential corrective measures. After discussion of the recommendations in the memorandum, motion was made by Fetcher and seconded by Scheel to direct Engineer Hanson and the Washington Conservation District to proceed with looking at all of the sites commented on by the managers, and provide the managers with individual cost estimates for the control measures, so that the managers will be able to prioritize projects and to budget accordingly. Motion carried unanimously.

Silver Lake Bioretention Project Update As directed by the managers at the last meeting, Engineer Hanson had provided the managers with a draft letter to the Manager of North St. Paul, responding to the City=s concerns about the bioretention basin near the southwest corner of Silver Lake. Scott Dudeck, Community Services Manager, had attended the managers= last meeting to express the concerns of the City of North St. Paul, about the size of the plants used in the bioretention pond, and the mulch and the soils conditions of the pond. Engineer Hanson said the plants are almost all planted. Vice President Fetcher has visited the site, and said he doesn=t think there is reason for concern about the success of the project at this time. The managers approved the letter, and directed Engineer Hanson to send the letter with President Bucheck=s signature.

MANAGERS= REPORT Next Meeting - September 11, 2003 The managers expect to have a quorum at the next meeting.

Officers= Liability Insurance Treasurer Borash said he has received a letter from the insurance agent concerning a change in the cost of the Officers= Liability Insurance. He is concerned about how the difference in the amount of money will affect the District=s budget. The managers agreed that the change will be made in the budget figures during the budget hearing on September 11, 2003.
2004 Proposed Budget The managers agreed to arrange a meeting with the District’s accountant to discuss data that will aid the managers in completing the 2004 proposed budget.

TLC Electronics Bond Release Treasurer Borash said he has received a letter from TLC Electronics requesting the managers to release the bond that had been submitted for Permit # 2001-04. As requested by the managers, TLC Electronics has submitted cash to cover the escrow account, in order that the bond can be released. After discussion, motion was made by Scheel and seconded by Borash to release the bond for the TLC Electronics project. Motion carried unanimously.

OLD BUSINESS (Cont.) Sunnybrook Lake Discussion The managers had a lengthy discussion about several issues with the proposed Sunnybrook Lake project and their preferred flood management plan. Some of the managers asked that potential financing options be reviewed to help them make decisions on how to manage the flooding problem. They discussed with Attorney Marshall the process of special assessments. The managers directed Engineer Hanson to prepare some information that would approximate the cost of the project on taxpayers, if it were to be financed in a three-tiered fashion. President Bucheck said he would prepare a framework for the Board to vote on at the next meeting.

South Washington WD President Bucheck said the managers have received a letter from the South Washington Watershed District, thanking Valley Branch Watershed District managers for the tremendous success on the efforts of the Washington County Fair.

Lake Elmo Airport Vice President Fetcher said he had received a letter from the Metropolitan Airports Commission regarding a 7-year capital improvement program. A meeting will be held on September 3rd to discuss the Lake Elmo Airport improvements. Vice President Fetcher said he is unable to attend the meeting. No action was taken.

ADJOURNMENT Motion made by Scheel and seconded by Borash at 10:05 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 09/11/03