Minutes of Regular Meeting # 699 Held in the Lake Elmo City Council Chambers Thursday, December 11, 2003

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

MANAGERS ABSENT: None

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

STAFF ABSENT: None

OTHERS PRESENT: Candice Kraemer, CAC; Jeff Berg and Jyneen Thatcher, Washington Conservation District; Jeff Lee, Barr Engineering; Leonard Horejsi, Michael Kraemer, Phyllis Klindt, Sharon Schwarze, and Bob Kisch, Sunnybrook Lake Project; Paul Danielson, Prime Outlet Permit Application; and Jim Tjossem, Century College Tennis Courts Permit

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

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the November 13, 2003 meeting, motion was made by Scheel, seconded by Johnson, to approve the minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Items added to the agenda: Under Managers: Discussion of Staff Salaries

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

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

INSPECTOR=REPORT Inspector Roemmich reported on inspections he has made since the last meeting.

ATTORNEY=REPORT Attorney Marshall had nothing new to report.

TREASURER=REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2003 for months 11/01/03 - 12/31/03, and the Treasurer=s Report dated December 11, 2003. Treasurer Borash informed the managers that he had placed $500,000 in Certificate of Deposits, as directed to do at the last meeting. After discussion, motion was made by Fetcher and seconded by Borash to approve the Treasurer=s Report. Motion carried unanimously.

ENGINEER=REPORT Permit Request: KFC/A&W - Taco John=s/Steak Escape, Oak Park Heights At the last meeting, Engineer Hanson described a proposal for further development in the Brackey West Project, which project had been permitted by VBWD in 1997. In that permit it was stated that a permit would be necessary for any future development, and the managers directed Engineer Hanson to inform the developer that a permit application should be submitted. Engineer Hanson now described the project located southeast of Highways 5 and 36, Oak Park Heights, in the NE 1/4 of Section 6, Township 29 North, Range 21 West. The purpose of the project is to construct two buildings (one for a KFC and A&W, and one for a Taco John=s and Steak Escape) and associated parking lots. This lot is within the Brackey West site, which was permitted by the VBWD in 1997.
After discussion of the wetland concerns, the drainage patterns and water management concerns, and the erosion control concerns, motion was made by Scheel and seconded by Borash to approve Permit #2003-24 with the engineer=s suggested site-specific conditions and standard conditions. Motion carried unanimously.

Permit Request: Century College, Mahtomedi
Engineer Hanson described a project located at the Century College in the northeast corner of the existing campus on the east side of Century Avenue, Mahtomedi, in the southeast quarter of Section 36, Township 29 North, Range 20 West. The purpose of the project is to construct four tennis courts, a basketball court, and a 44-stall parking lot.

After discussion of the wetland concerns, the water management concerns, and the erosion control concerns, motion was made by Scheel and seconded by Johnson to approve Permit #2003-22 with the engineer=s suggested site-specific conditions and standard conditions. Motion carried unanimously.

Permit Request: Prime Outlet Redevelopment, Woodbury
Engineer Hanson described a project located at the southeast quadrant of Highway I-94 and Woodbury Drive in the NW 1/4 of Section 2, Township 28 North, Range 21 West. The purpose of the project is to reconfigure the existing Woodbury Outlet Mall, which includes eliminating the east and south central buildings and the existing stormwater pond, constructing a large discount store on the east side, creating two new stormwater ponds, filling a small amount of wetland, and creating a wetland replacement site.

After discussion of the wetland management concerns, the water management concerns, and the erosion control concerns, motion was made by Bucheck and seconded by Scheel to approve Permit #2003-23 with the engineer=s suggested site-specific conditions and standard conditions, and to striking site-specific condition #8, but noting that the Technical Evaluation Panel (TEP) was involved in the review of the permit application. Motion carried unanimously.

Presentation: Lake Elmo Regional Park Wetland and Habitat Management Project
Jeff Lee from Barr Engineering, and Jyneen Thatcher and Jeff Berg, Washington Conservation District, made a short PowerPoint presentation that summarized the report, which had been distributed to the managers in October.

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

MANAGERS REPORT Sunnybrook Lake
Several residents were present for the discussion on the Sunnybrook flooding project. The managers asked the residents for any comments they wanted to make. There was a lengthy discussion on the issue. The managers described two options available. Option A was described as a floodproofing program. Option B was described as a project involving optimizing existing flood storage, conveying water from Keats Pond to proposed infiltration basins located nearer Lake Elmo Avenue and County Highway 12, and an emergency overflow from the infiltration basins to the east into Browns Creek Watershed District. After discussion, motion was made by Fetcher and seconded by Scheel to vote on a Board statement of direction to pursue the plan for Option B. Motion carried, three to two, with Bucheck, Fetcher, and Scheel voting Yes, and Borash and Johnson voting No.

President Bucheck called a five-minute recess of the meeting.

At 9:25 p.m. the meeting was called back into session.

Update: Watershed District Educator
Engineer Hanson explained that neither the Browns Creek nor the South Washington Watershed District is interested in hiring an educator at this time. After discussion of hiring a part time educator, the managers tabled the decision and asked Engineer Hanson to consider some issues and keep the managers up to date.
Engineer Hanson had mailed copies of the report on inspections of Project 1007. The report included recommendations for the managers to make repairs in some areas. The managers directed Engineer Hanson to make a list of needed work, including costs.

Engineer Hanson said he may have a nearly complete draft of the watershed management plan for the managers by the end of January 2004. He suggested that the managers have a workshop on the fifth Thursday of January to review the draft.

The managers expect to have a quorum at the next meeting.

Engineer Hanson had mailed copies of a letter from Jane Harper, Washington County, regarding In-Kind Matching Funds from the VBWD in order to get a grant from the Board of Water and Soil Resources. The In-Kind Match involves no new money. Motion by Johnson and seconded by Fetcher to send a letter to Jane Harper about the Natural Resources Block Grant for wetland conservation in-kind match, and pledge in-kind matching funds. Motion carried unanimously.

Organization of Officers for 2004; Selection of Newspaper and Bank Motion by Johnson and seconded by Fetcher to establish the same slate of officers for 2004, as 2003. Motion carried unanimously. President Bucheck declared the slate of officers for 2004, as follows:

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

Official Newspaper and Bank Motion made by Borash and seconded by Scheel to continue with the Lillie Suburban Newspapers as the District’s legal newspaper for the year 2004. Motion carried unanimously.

Motion by Bucheck and seconded by Borash to continue with the Lake Elmo Bank for the District’s banking services for the year 2004.

Consideration of Staff Salaries and Mileage Reimbursement for Inspector Motion by Borash and seconded by Fetcher to stay up-to-date with the federal maximum on mileage reimbursement of 34 cents per mile. Motion carried unanimously.

Motion by Fetcher and seconded by Borash to increase the salary of the Inspector and the Recording Secretary by 10% beginning January 1, 2004. Motion carried unanimously.

Secretary Scheel had attended the MAWD Annual Meeting in Alexandria on December 5th and 6th. Among other things, he learned about Total Maximum Daily Loads (TMDLs) and impaired waters. He reported that if a water body is listed on the 303(d) list of impaired waters by the Minnesota Pollution Control Agency (MPCA), clean water cannot be discharged to the water body. This issue will be a problem for several communities, including Alexandria, as they need to build new waste water treatment plants.

Adjournment Motion made by Fetcher and seconded by Scheel at 10:36 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel, Secretary
Minutes Approved by Managers 01/08/04