Minutes of Regular Meeting # 702 Held in the Lake Elmo City Council Chambers
Thursday, February 12, 2004

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

MANAGER ABSENT: None

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

STAFF ABSENT: None

OTHERS PRESENT: Jeff Berg, Washington Conservation District; Bill Schwab, Appraiser; Chuck Taylor, CAC Lake Levels Report; Ron Kadera, Sunnybrook Lake Resident; and Candice Kraemer, CAC Member

CALL TO ORDER President Bucheck called the meeting to order at 7:02 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the January 22, 2004 meeting, motion was made by Fetcher, seconded by Johnson, to approve the minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Items added to the agenda: Under Engineer: 2004 CAMP; NPDES Phase 2 Public Meeting.

PUBLIC FORUM Ron Kadera, a resident on Sunnybrook Lake, was present to discuss with the managers the future of the water quality in Sunnybrook Lake. He said that lake residents have been issued permits to spray the weeds in the water along their lake frontage property. He is concerned about how the chemicals will affect the quality of the lake. In conversation, the managers said there has been a lot of data collected concerning the quality of the water in Sunnybrook Lake. There has also been data collected on Lake Jane, which is considered to be the clearest lake in the District. Residents on Lake Jane have treated the lake for weeds, also. The managers were unaware of the weed-spraying permits issued to residents on Sunnybrook Lake. President Bucheck said it would be a courtesy of the DNR to inform the VBWD when these permits are issued, because the VBWD has some responsibility for the quality of the water. President Bucheck said the data collected on both lakes is available to the public, and that Engineer Hanson can provide that information to him. President Bucheck also offered to have VBWD representatives discuss Sunnybrook Lake=s water quality and weed control options with the neighborhood, if Mr. Kadera requests.

CITIZENS= ADVISORY COMMITTEE REPORT Lake Level Report Chuck Taylor had mailed his report on lake levels, and discussed it with the managers at this meeting.

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

INSPECTOR=S REPORT Inspector Roemmich reported that there has been no activity to report, except for the Woodbury site of the outlet mall.
ATTORNEY’S REPORT Attorney Wolle said Appraiser Bill Schwab was present to discuss the Sunnybrook Lake appraisals with the managers. Mr. Schwab had been previously asked by the managers to delay any more discussions of appraisal of property in the Sunnybrook Lake area until the managers were more certain of the project. Mr. Schwab said that Attorney Marshall had told him that the Sunnybrook Lake project may go forward, and suggested that he contact the managers about it.

President Bucheck said that he and Secretary Scheel will be meeting with Mike Regan, Manager of the Indian Hills Golf Course, and other meetings will take place with entities involved in the project. President Bucheck asked Mr. Schwab to continue to delay any contacts regarding appraisals for easements until he is contacted by the managers, and he asked Mr. Schwab to establish a timetable for them, once he is asked to begin making contacts.

Mr. Schwab said he will review his records for background material, to make it easier to resume the contacts.

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

Sunnybrook Lake Project Discussion Vice President Fetcher reported that he has arranged to meet with the Grant City Council to make a presentation on the managers' expectations of the City of Grant concerning the Sunnybrook Lake project. He will meet with them at 7:00 p.m. on February 24th.

TREASURER’S REPORT At the last meeting Treasurer Borash had been requested by the managers to ask the District’s accountant, HLB Tautges Redpath, Ltd. To explain some figures in the administrative and program budgets. After discussion of the issue, the managers were unsatisfied with the information received from the accountant, and asked Treasurer Borash to again discuss the issue with the District’s accountant. President Bucheck requested Treasurer Borash to invite the accountant to the managers’ next meeting.

Treasurer Borash reported that he had received a letter from Norm DuPay, Bay Lake Reserve, Baytown Township, asking the managers to refund an amount of money that he feels he should not have had to spend for a surveyor of his property that he eventually had developed. After discussion, the managers asked Engineer Hanson to draft a letter outlining the history of the situation, for the next meeting.

ENGINEER’S REPORT Permit Request: Kaye Hill Farm, Afton Engineer Hanson presented information on a project located southeast of 15th Street South and Neal Avenue South in the SE 1/4 of Section 7, Township 28 North, Range 20 West. The purpose of the project is to subdivide about 72 acres into six lots ranging from 40 acres to 5.3 acres and construct a 1,400 foot long road (Pine Tree Lane).

The managers had discussed this project at their January 8th meeting. A permit was not issued because the managers requested more information regarding stormwater runoff water quality treatment. At this meeting, Engineer Hanson presented the information needed.

After discussion of the water management concerns, the wetland management concerns, and the erosion control concerns, motion was made by Fetcher and seconded by Johnson, to approve Permit # 2004-01, with the engineer’s site-specific conditions, and suggested standard conditions. Motion carried unanimously.

Electronic Data Request: Lake Elmo Regional Park Wetland and Habitat Report Engineer Hanson reported that staff from Washington County Parks has requested electronic copies of the maps, figures, and text of the report that was recently completed by the VBWD. He wanted authorization from the managers before he would send the data. He said that electronic data is more valuable than paper data, but less costly to send. The data includes mapping of land areas and wetlands, etc. for the Lake Elmo Regional Park Wetland and Habitat Report. In discussion, the managers suggested sending the information along with a licensing agreement. Motion was made by Scheel and seconded by Borash to give the electronic information to the Lake Elmo Regional Park, with a written licensing agreement. In discussion of the motion, Treasurer Borash withdrew his second, after
learning the cost to the District of writing a license agreement. Vice President Fetcher made a second to the motion, with the stipulation that the motion could be amended to restrict the use of the information to only the Lake Elmo Regional Park and for the wetland and habitat project only. Motion carried unanimously.

The managers directed Engineer Hanson to send the information to staff of the Lake Elmo Regional Park, along with a cover letter stating that the managers do not want the information shared with anyone else, and that the data should be used only with the Lake Elmo Regional Park Wetland and Habitat project.

Update: Capital Improvement Projects Maintenance Contractor’s Cost Estimate At the last meeting, Engineer Hanson said he would have information on the maintenance costs of the capital improvement projects. He had mailed a table of the estimated costs for the six items by Contractor F.F. Jedlicki. Motion was made by Bucheck and seconded by Fetcher to approve the proposal by Contractor F.F. Jedlicki. Motion carried unanimously. President Bucheck directed Engineer Hanson to contact the contractor to begin work.

2005-2015 Watershed Management Plan Engineer Hanson and the managers had a lengthy discussion on the watershed management plan for 2005-2015. The main topic of discussion was a potential classification of water basins, based on physical conditions, water chemistry, recreational use, and ecological factors. The managers had previously discussed a different classification system at their January 29, 2004 workshop. After the discussion, the managers concluded that they preferred the latest classification system.

2004 CAMP Engineer Hanson distributed copies of a table listing lakes in the District that have been monitored in the past by the Citizen Assisted Monitoring Program. After discussion, the managers agreed to attempt to have the following lakes monitored in the program: Long Lake, Lake DeMontreville, Lake Olson, Lake Jane, Downs Lake, Horseshoe Lake, Sunnybrook Lake, Cloverdale Lake, McDonald Lake, Clear Lake, Goetschel Pond, Klawitter Pond, and Mergens Pond.

NPDES Phase 2 Public Meeting Engineer Hanson informed the managers that an annual report is due to the Minnesota Pollution Control Agency (MPCA) by March 10, 2004 for the VBWD NPDES Phase 2 storm water pollution prevention plan (SWPPP). However, a public meeting needs to be held prior to submitting the annual report. Attorney Wolle stated that notices for public meetings should be advertised for two weeks prior to the meeting. The managers determined that it would be impossible to have the public meeting prior to the annual report deadline. They directed Engineer Hanson to provide the managers the SWPPP for their review, and to begin preparing the annual report. They said that they will need to send a letter to the MPCA, informing them of the slight delay. The managers directed Attorney Wolle to publish notices of the public meeting to receive comments on the SWPPP at their March 11, 2004 meeting.

MANAGERS’ REPORT Next Meeting - February 26, 2004 The managers were not sure whether there will be a quorum for the next meeting. President Bucheck will not be present and Manager Johnson and Managers Scheel may not be present. They will notify the recording secretary in order to cancel the meeting because of lack of a quorum.

Watershed District Educator The managers postponed discussion of a watershed district educator until the next meeting.

Preparation of the 2003 Annual Report The recording secretary distributed copies of the first draft of the managers’ section of the 2003 annual report. The managers will review it and make changes and corrections.

NEW BUSINESS Jeff Berg, Washington Conservation District, distributed papers describing the Minnesota Land Cover Classification System (MLCCS) including the acreage of each community in the VBWD. Jeff asked the managers for a letter of support and a financial commitment for 2005 for a Legislative Commission on Minnesota Resources (LCMR) grant for land cover mapping in Washington County. Jeff said he had not yet asked the communities for financial support. Motion by Boras and seconded by Fetcher that the VBWD will
send a letter of support for the LCMR grant and match 50% of the funds dollar for dollar of any city or township within the VBWD that participates in the program up to $8,572.75. Motion carried unanimously.

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

Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 03/25/04