Minutes of Regular Meeting # 711 Held in the Lake Elmo City Council Chambers
Thursday, July 22, 2004

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

MANAGER ABSENT: Lincoln Fetcher, Vice President

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

STAFF ABSENT: None

OTHERS PRESENT: David Putnam, Midwest Land Surveyors & Civil Engineers, Inc.; Paul DeWitt and Blaine Edmundson, Steeplechase LLC; Candice Kraemer, Sunnybrook Lake Area; Ms. Montgomery, Mr. Peterson, Wetland Permit; and Debbie Dean, Tri-Lakes Association

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 June 24, 2004 meeting and the motion, which had been rewritten by Vice President Fetcher in the Raleigh Creek item, motion was made by Johnson and seconded by Scheel to approve the minutes as amended. Motion carried unanimously.

After discussion of the minutes of the July 8, 2004 meeting, motion was made by Scheel and seconded by Johnson 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 sites he has inspected since the last meeting.

ATTORNEY=S REPORT Attorney Marshall said he had nothing new to report.

TREASURER=S REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2004 dated July 31, 2004, and the Treasurer=s Report dated July 22, 2004. 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.

WASHINGTON CONSERVATION DISTRICT Jeff Berg was not present. Engineer Hanson reported that Jeff Berg is leaving the Washington Conservation District, to spend three years in Ireland with his family. His wife has accepted a position in Ireland, so the family will live there for that period.
At the last meeting, David Putnam from Midwest Land Surveyors, and Paul De Witt, from Steeplechase LLC, were present for more discussion of their Wildridge Pines 3rd Addition project. The managers suggested that they work with Engineer Hanson to review the latest calculations in the project. At this meeting, David Putnam and Paul De Witt submitted information on new soil borings at the site. Engineer Hanson said that tests show that runoff draining to the proposed pond will infiltrate into Echo Lake and the adjacent wetlands.

The managers discussed sending a memorandum to the City of Mahtomedi stating their concerns about any further development in this area.

After much discussion of the drainage patterns and water management concerns, the wetland concerns, and the erosion control concerns, motion was made by Borash and seconded by Scheel, to approve Permit # 2004-16, with the engineer=s suggested site-specific conditions, and standard conditions, and conditions set at the meeting by the managers. Motion carried 3 to 1, as follows: Borash, Yes; Scheel, Yes; Bucheck, Yes; and Johnson, No.

After-The-Fact Permit Request: Montgomery Wetland Excavation, West Lakeland Township Engineer Hanson presented information on an after-the-fact permit for a project located at 14275 - 10th Street North, West Lakeland Township, in the NW 1/4 of Section 33, Township 29 North, Range 20 West. The purpose of the project is to excavate upland area and a small wetland area at least partially within a 100-year floodplain.

In the last three years, excavation has occurred on the very south end of the Montgomery property. The excavation has enlarged the wetland. Staff from Barr Engineering and the Washington Conservation District have met with the property owner, and reviewed the Wetland Conservation Act with her.

In the past, the landowner has not left the required 16.5 foot buffer around the wetland. The managers agreed that there could be an opening around part of the wetland, if a low berm would be built at the opening, and leave a 16.5 foot buffer on three sides of the wetland.

After discussion of the drainage patterns and water management concerns, the wetland concerns, and the erosion control concerns, motion was made by Borash and seconded by Johnson, to approve Permit # 2004-22, with the engineer=s suggested site-specific conditions and standard conditions, with the following changes: 1. Site-Specific Condition # 1 is stricken. The managers will waive the fee and surety. 2. Site-Specific Condition # 2 is revised to include a statement that any area that is intended to be mowed up to the wetland edge, be bermed so as not to allow flow without first passing through a 16.5 foot vegetation buffer. Motion carried unanimously.

Permit Revision Request: Magler Addition, West Lakeland Township At the June 24, 2004 meeting, the managers approved Permit # 2004-18. The developer has requested a revision in the minimum floor elevations for three of the lots. Engineer Hanson recommended approval of the revision. After discussion of the soil conditions, motion was made by Borash and seconded by Scheel to approve Permit # 2004-18 Revision 1. Motion carried unanimously.

Cash Surety Reduction Request: Three Sister Springs, Afton Engineer Hanson reported that the developer of the Three Sister Springs project has requested a reduction in the cash surety for the project. The developer feels that the VBWD cash surety is duplicating the City of Afton surety.

The managers agreed that the cash surety should not be reduced, because of the potential problems that could come with the project. Engineer Hanson was directed to inform the developer of the managers= decision.

Sunnybrook Lake Inquiry - Candice Kraemer Candice Kraemer, Citizens Advisory Committee, was present to ask the managers about the status of the Sunnybrook Lake project. The managers explained that they have
not been able to move forward with the project because they haven’t had the cooperation and support from all parties and agencies. They said things have changed since discussion of the project started three years ago.

**Permit Extension Request: Shepherd of the Valley Church, Afton** Engineer Hanson described a project to build a church and a parking lot, located in the NW 1/4 of Section 4, Township 18 North, Range 21 West in the City of Afton. The VBWD issued a permit for the project on June 14, 2001. Only the first phase of the overall project was constructed over the next year. Because the project was not completed within three years of the permit issuance date, the original permit is no longer valid.

After discussion, **motion** was made by Borash and seconded by Scheel to approve Permit # 2004-23 Revision 1. Motion carried unanimously.

**Pine Springs Request: No Wake Trigger Recommendation for Long Lake** Engineer Hanson reported that the City of Pine Springs would like to work with the City of Mahtomedi to set a No wake trigger® for Long Lake. A Pine Springs City Councilman, Bill Feely, has requested a recommendation from the VBWD. He feels that since there has been a turnover in staff and city council in the City of Mahtomedi, now would be a good time for the two cities to work together to set a No Wake, Slow Zone® on Long Lake. Councilman Feely would like to draft an ordinance to set a No Wake, Slow Zone® on the lake, and submit it to the City of Mahtomedi. He has requested a lake elevation recommendation from VBWD. The managers agreed that the suggested elevation should be 941.5 to trigger the No Wake, Slow Zone®, and directed Engineer Hanson to draft a letter for the managers.

**Echo Lake Modeling** Engineer Hanson had sent a memorandum to the managers regarding modeling of Echo Lake, and he said he would like some direction from the managers before getting into the study. The study is intended to look at whether or not there are flood protection alternatives for homes near Echo Lake that were constructed lower than permitted by the VBWD.

He said the City of Oakdale is currently starting to update their overall water management plan, and some of the information in the Plan would be useful to VBWD. In discussion, the managers directed Engineer Hanson to prepare a letter to the City of Mahtomedi that states the VBWD is willing to do a limited model of Echo Lake, but if the City requests information on the impact to Long Lake, the City will need to share in the cost of the modeling. The managers also directed Engineer Hanson to ask the City of Oakdale if they are going to go ahead with the modeling, and whether they would be willing to share the information with the VBWD.

**Washington County Fair - August 4th through 8th** Engineer Hanson had mailed a schedule for the managers to staff the VBWD booth at the Fair. He said there are still time slots to be filled to staff the booth. He also said that there may be prizes given away to the public.

**FEMA Mapping Update and Request for Additional Funds** Engineer Hanson had mailed a memorandum to the managers regarding the FEMA Mapping Study. In the memorandum was a request for additional funds for the mapping study, because of unexpected work tasks that were required to complete the study. Also in the memorandum, Engineer Hanson stated that Barr Engineering staff had found that the topographic mapping was inaccurate in some areas. In discussion, **motion** was made by Scheel and seconded by Johnson to approve the additional amount of $20,305. Motion carried unanimously.

President Bucheck directed Engineer Hanson to check with Washington County regarding the inaccurate topographic mapping.

**County Questionnaire** Washington County is requesting the managers to make presentations at meetings of the local units of government inside the District. In a memorandum from Washington County, the managers are requested to respond by completing a form that was included with the memorandum. The managers
agreed that the presentations would be important, and that they will all try to participate. Engineer Hanson was directed to complete and return the form.

**Silver Lake Bioretention Project** Engineer Hanson said he received the cost estimate of $19,790 for installing drain tile and adding some fill to low areas of the basin. He said it could cost about another $20,000 to have new plugs planted and the area seeded. The managers were concerned that any more work would disturb the vegetation that is already there. Manager Johnson described a machine that could be used that would not disturb the area already growing. Engineer Hanson was directed to get information on the machine.

**Consideration of Letter to City of Mahtomedi** The managers discussed sending a letter to the City of Mahtomedi concerning the continued problems with Echo Lake. Attorney Marshall suggested that President Bucheck draft a letter and discuss it at the next meeting.

**MANAGERS= REPORT Next Meeting - August 12, 2004** The managers expect a quorum to be present on August 12th.

**Sunnybrook Lake** The Sunnybrook Lake discussion occurred earlier in the meeting. There was no further discussion of Sunnybrook Lake.

**2005-15 Water Management Plan** The managers and Engineer Hanson discussed the workshop that they have scheduled for July 29th at 6:00 p.m.

**Tri-Lakes Association** Debbie Dean was present, representing the Tri-Lakes Association. She presented President Bucheck with some letters from the association, and she requested notice from the managers regarding any meetings that are held concerning the Oakdale Marketplace project. President Bucheck said she should always check the VBWD web site, because the agenda is posted a few days before each meeting.

**ADJOURNMENT Motion** made by Borash and seconded by Scheel at 9:58 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel, Secretary

**Minutes Approved by Managers 07/22/04**