Minutes of Regular Meeting # 718 Held in the Lake Elmo City Council Chambers
Thursday, November 11, 2004

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

MANAGERS ABSENT: None

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

STAFF ABSENT: None

OTHERS PRESENT: Paul Danielson, Lakewood Evangelical Free Church and Deer Glen Permit Request; Tom MacDonald, Barr Engineering, Valley Creek Erosion Inventory Report; Wally Oien, Appraiser; Doug Johnson, Appraiser; Chuck Taylor, CAC;

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 October 28, 2004 meeting, motion was made by Borash and seconded by Scheel to approve the minutes as presented. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda under Engineer, was Mahtomedi Resident Request.

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

CITIZENS ADVISORY COMMITTEE 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 he inspected 32 locations since the last meeting. He said projects are looking pretty good.

ATTORNEY’S REPORT Attorney Marshall said he had nothing to report that isn’t already on the agenda.

TREASURER’S REPORT Treasurer Borash reported that the District had received the fiscal disparities property tax settlement from the State of Minnesota.

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

ENGINEER’S REPORT Permit Request: Lakewood Evangelical Free Church/Deer Glen, Lake Elmo At the last meeting, the managers tabled the discussion on Permit # 2004-27, in order that the developer could work with Engineer Hanson to revise the plans to conform to the VBWD’s minimum floor elevation rule. At this meeting, Engineer Hanson explained that the developer’s engineers have raised the
minimum floor elevation of the church, rather than lower the overflow of the adjacent wetland. Engineer Hanson reported that they have also submitted calculations that indicate the hydrologic impacts to the wetlands on the site should be minimal.

After much discussion of the wetlands, flood levels, and minimum floor elevations, motion was made by Borash and seconded by Scheel to approve Permit # 2004-27, with the engineer’s suggested site-specific conditions and standard conditions. Motion carried unanimously.

Report & Presentation: Valley Creek Erosion Inventory Tom MacDonald, with Barr Engineering, made an interesting report on the Valley Creek Erosion Inventory, using a Power Point presentation. The managers thanked Mr. MacDonald for the report and asked the Recording Secretary to continue to keep the Valley Creek Erosion Inventory item on the meeting agendas.

Appraiser Interviews Attorney Wolle had arranged to have two professional real estate appraisers present to be interviewed by the managers concerning the easements needed in the Sunnybrook Lake Flood Relief Project. Wally Oien, and Doug Johnson were interviewed separately. The managers informed the two appraisers that they would provide them both with more information on the Sunnybrook Lake project.

After the interviews, the managers agreed that Mr. Doug Johnson, of Evergreen Land Services Company, was their choice to make the appraisals for the Sunnybrook Lake flood project. President Buchek directed Attorney Marshall to inform Attorney Wolle of their choice, so that she can inform Mr. Oien of the managers’ decision. He also directed Engineer Hanson to send the necessary information to Mr. Johnson concerning the properties to be appraised, and also to ask Mr. Johnson to send to the managers an estimate of his costs before the next managers’ meeting.

Update: Draft Washington County Groundwater Rules Engineer Hanson reported that he had attended the meeting on the Washington County Groundwater rules on Tuesday, November 9th. He said the County will review the information discussed at the meeting, and he will report any further actions.

Update: Preliminary Draft Plan Meetings Engineer Hanson said that he and Karen Chandler have had meetings with several Washington County staff, and staff of the Board of Water and Soil Resources to review the preliminary draft Plan. They have a meeting scheduled with the MnDNR, to do the same. They have received comments from the Metropolitan Council. He said he will have a summary of the comments for the next managers’ meeting.

The managers agreed to hold a workshop on November 30th beginning at 6:00 p.m. to discuss the proposed changes to the preliminary draft Plan.

Silver Lake Bioretention Site Engineer Hanson reported that the contractor has not yet started the work at Silver Lake.

Sunnybrook Lake Engineer Hanson had mailed a memorandum to the managers regarding optimizing the existing flood storage project. In the memorandum, Engineer Hanson had questions for the managers that he said needed to be answered in order to continue the design of the project.

The managers and Engineer Hanson discussed the topic of the memorandum, and also the subject of the Michael Johnson property. The managers are aware that Michael Johnson has recommended that a low area on his property be used to relieve flooding in the Sunnybrook Lake neighborhood. In the memorandum, Engineer Hanson included information that showed the subwatersheds that drain to Sunnybrook Lake. Only a small area drains through the low area on Michael Johnson’s property, in comparison to the whole Sunnybrook Lake watershed.
The managers directed Engineer Hanson to notify Michael Johnson that the area that he recommends for flood relief is not entirely on his property, and that it would not be economically feasible to use his property for the purpose of relieving the flooding in the Sunnybrook Lake neighborhood.

**Mahtomedi Resident’s Request** Engineer Hanson said that a resident of Mahtomedi has requested that he attend a city council meeting for the discussion of a permit request involving wetlands. The managers agreed that it would not be proper for Engineer Hanson to attend the meeting.

**Washington County Groundwater Study** At the last meeting, President Bucheck said he would represent the VBWD during the Southern Washington County Groundwater-Surface Water Study consultant selection. At this meeting President Bucheck said he will not be able to do that. Secretary Scheel said he will be able to represent VBWD during the consultant selection on November 18th.

**MANAGERS’ REPORT Next Meeting - December 9, 2004** The managers expect a quorum to be present on December 9th.

**Olinger Property Easement** Attorney Marshall informed the managers that he has not yet sent the $2,500 check to Mrs. Dan Olinger for storage of the pipes for the 1005 Project because he has learned that the VBWD obtained an easement on the Olinger property in 1979 in order to store the pipes. After discussion, **motion** was made by Borash and seconded by Fetcher that the VBWD will vacate the easement on the Olinger property. Motion carried unanimously.

**MAWD Delegate Motion** by Fetcher and seconded by Borash that President Bucheck will be the voting delegate for VBWD at the MAWD Convention in December 2004. Motion carried unanimously.

**ADJOURNMENT** Motion made by Fetcher and seconded by Borash at 9:53 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel, Secretary