Minutes of Regular Meeting # 715 Held in the Lake Elmo City Council Chambers
Thursday, September 23, 2004

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; and Karen Schultz, Recording Secretary

STAFF ABSENT: None

OTHERS PRESENT: Melissa Lewis, Washington Conservation District

CALL TO ORDER President Bucheck called the meeting to order at 7:00 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the September 9, 2004 meeting, motion was made by Scheel and seconded by Johnson to approve the minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda were: Under Engineer: Century College Grant Application; PFOA Investigation.

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 that no new projects have been started, and that all projects are looking good.

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 9/30/04, and the Treasurer=s Report dated September 23, 2004. Treasurer Borash reported that there is terrorism insurance available to the VBWD. He had received a form letter to reject the insurance, if the managers agree to do that. Motion made by Borash and seconded by Johnson to authorize the Treasurer to sign the terrorism rejection form letter. Motion carried unanimously.

After discussion, motion was made by Fetcher and seconded by Borash 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.

Proposal to Apply for MPCA 319 Grant Melissa Lewis, Conservation Technician with the Washington Conservation District, was present to discuss an application for Section 319 Nonpoint Source financial assistance. She said the application period is open through October 8, 2004, for grant proposals of up to
$300,000 (1:1 match) for project implementation. She had distributed a memorandum to the managers dated September 23, 2004, recommending that the implementation of the Valley Creek Erosion Inventory would be an outstanding match for this grant. Ms. Lewis had prepared a Resolution for President Buchek’s signature, authorizing project implementation.

After much discussion, motion was made by Fetcher and seconded by Borash to approve the written resolution presented by Melissa Lewis. President Buchek made a motion, seconded by Fetcher, to place an amendment on the main motion that the program is expected to cost $300,000. Motions carried unanimously.

ENGINEER’S REPORT Olinger Request/Project 1005 Pipe Removal At the last meeting, the managers directed Engineer Hanson to check on the sale and/or the removal of pipe from the Olinger property. At this meeting, Engineer Hanson informed the managers that Mrs. Olinger had made an agreement with VBWD to store the pipes for $500 per year. She said that VBWD had paid for the first year’s storage, but has not paid anything since. She is now requesting a total of $2,500, even though the cost for storage, according to Mrs. Olinger, would be more than that. She also agreed to remove or recycle the pipe at no cost to the VBWD.

Attorney Marshall said he vaguely recalled the situation with the pipe, and that he would contact Allen Dornfeld, a former VBWD manager, for more information. After discussion, motion was made by Scheel and seconded by Borash to omit any contact with former managers, to authorize Treasurer Borash to issue a $2,500 check to Mrs. Olinger, and to authorize Attorney Marshall to prepare an agreement between Mrs. Olinger and the VBWD, covering the issue of the removal of the pipe, and the fee paid for the storage of the pipe. Motion carried unanimously.

Draft Comments on Middle St. Croix WMO Plan Engineer Hanson had drafted a letter to the Washington Conservation District, (Plan Consultants for Middle St. Croix WMO) commenting on the Middle St. Croix Watershed Management Organization Water Management Plan. The managers discussed the letter and motion was made by Johnson and seconded by Borash to approve the letter dated September 24, 2004, from Engineer Hanson. Motion carried unanimously.

Draft Comments on Washington County Groundwater Rules As directed by the managers, Engineer Hanson had drafted a letter to the Washington County Department of Public Health and Environment, regarding Washington County Groundwater Rules. After much discussion of the issue, motion was made by Fetcher and seconded by Scheel to approve the draft letter of comments, dated September 17, 2004, on Washington County groundwater rules, including changes made to the letter by the managers at this meeting. Motion carried unanimously.

Century College Grant Application Engineer Hanson had distributed a letter from Century College asking for in-kind support for a grant application to implement a project to better manage the stormwater runoff from the college’s parking lots. Century College plans to rip up one of its parking lots, and reconstruct the parking lot using porous pavement, and monitor the volume of water coming off the new parking lot, compared to another equal size parking lot at the college. The managers were in agreement regarding in-kind support, and also financial support, depending on the results. After discussion, motion was made by Fetcher and seconded by Johnson to send a letter of support, and also to offer technical assistance on design, implementation, and/or monitoring the results. Motion carried unanimously.

PFOA Investigation Engineer Hanson distributed a memorandum to the managers regarding the presence of PFOA (perfluorooctanoic acid) in the Washington County (Lake Jane) Landfill, and the request by the Minnesota Pollution Control Agency (MPCA) to hire Barr Engineering to evaluate the groundwater treatment system at the landfill.

Before accepting the work from the MPCA, Engineer Hanson is requesting authorization from the VBWD Board of Managers. After discussion, motion was made by Fetcher and seconded by Borash that Barr’s participation...
in PFOA investigation at the Washington County (Lake Jane) Landfill has been discussed by the managers, and
the managers see no conflict of interest. Motion carried unanimously.

MANAGERS= REPORT Next Meeting - October 14, 2004 The managers expect a quorum to be present on
October 14th. President Bucheck said he will not be present.

Silver Lake Bioretention Site Vice President Fetcher distributed copies of the letter to the North St. Paul City
Engineer, that he had written, as authorized by the managers at the last meeting. The managers approved the
letter and will wait for the decision by the City of North St. Paul.

Sunnybrook Lake There was no discussion in the Sunnybrook Lake agenda item.

Two-Year Review of Consultants Recording Secretary Karen Schultz said she will have the updated consultant
review letters prepared for the managers at the next meeting.

ADJOURNMENT Motion made by Fetcher and seconded by Scheel at 8:30 p.m. to adjourn the meeting. Motion
carried unanimously.

Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 10/14/04