Minutes of Regular Meeting # 714 Held in the Lake Elmo City Council Chambers
Thursday, September 9, 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; Barb Wolle, Attorney; Ray Roemmich, Inspector; and Karen Schultz, Recording Secretary

STAFF ABSENT: None

OTHERS PRESENT: Pastor John Nietzel, River Valley Christian Church, Lake Elmo; Darrell Knutson, Xcel Energy; and John McCain, McCain and Assoc., Inc.

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

ANNOUNCEMENTS President Bucheck announced that the managers will hold a public hearing at 8:00 p.m. on the proposed 2005 budget.

APPROVAL OF MINUTES After discussion of the minutes of the August 26, 2004 meeting, motion was made by Scheel and seconded by Fetcher to approve the minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda were: Under Engineer: Olinger Request; and Xcel Energy Discussion.

PUBLIC FORUM Pastor John Nietzel of the River Valley Christian Church in Lake Elmo, was present to discuss with the managers the permit issued by VBWD for an addition to the church parking lot. He questioned the necessity of the drainage easement, which is included in the permit. President Bucheck said that the drainage easement, which is granted to the City of Lake Elmo, is standard procedure with such permits. Attorney Wolle explained to Pastor Nietzel that the easement is required for water management. She said the church owns the land; the easement is required over any water body, and it gives the City of Lake Elmo the rights to maintain it.

Pastor Nietzel thanked the managers for the explanation, and left 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 on sites he has inspected since the last meeting. He said three projects have been started since the last meeting, and are all in the City of Mahtomedi.

ATTORNEY=S REPORT Attorney Wolle said she had nothing new to report.

CHANGE IN ORDER OF AGENDA ITEMS At this time President Bucheck authorized a change in the order of agenda items.
Xcel Energy Engineer Hanson had e-mailed to the managers, information about an Xcel Energy project in the VBWD, which would affect the VBWD’s Project 1007 pipe. This could potentially realign about 900 feet of the pipe outside of the existing easement.

John McCain, of McCain and Associates, and Darrell Knutson, with the King Plant, were present to discuss the project. They explained that Xcel Energy is proposing to realign a section of the storm sewer on the Barton property in West Lakeland Township, as part of a proposed project to construct a landfill for its fly ash produced at the King Plant located in Bayport, Minnesota. They said at this meeting, they only wanted to know if VBWD was open to discussing the idea of the project, and whether VBWD would contribute to the cost. They said that the time line for the project is to begin construction of the landfill in 2008. They said they will need to meet with many, many agencies, and would likely be coming back to the VBWD managers in 2005.

President Bucheck asked Attorney Wolle about the legal aspect, and she said it would depend on the agreement with MnDOT over the pipe, and what the costs of the project would be to the District.

The managers agreed that they would not want to contribute any money to the cost of the Xcel Energy project, and that Xcel Energy will require a permit from VBWD.

At the close of the discussion, President Bucheck stated that the managers are not granting the approval for any specific project at this time, but on the other hand, gathering from the discussion at this meeting by the managers, there are probably no unsurmountable problems with proceeding in this direction. He said the managers would very much reserve the desire to work very closely with Xcel Energy representatives to make sure that 1) there are no disruptions in the pipe, (or to minimize the disruptions in the pipe during construction), and 2) that the design would completely fit with what the managers are doing today. He said they do not want to disrupt this important passage for the water.

Engineer McCain and Darrell Knutson thanked the managers for their time, and left the meeting.

BUDGET HEARING At 8:02 p.m. President Bucheck temporarily adjourned the managers’ meeting to conduct the public hearing on the 2005 proposed budget.

Treasurer Borash had distributed copies of the 2005 administrative budget for the managers to discuss. President Bucheck asked for questions from the audience about the budget. Hearing none, he asked for a motion to approve the budget. Motion was made by Borash and seconded by Fetcher to approve the preliminary administrative and program budget for tax levy purposes in the amount of $221,490.00. Motion carried unanimously.

Motion was made by Fetcher and seconded by Borash to close the budget hearing at 8:11 p.m. Motion carried unanimously.

At 8:12 p.m. President Bucheck called the meeting back to order.

Olinger Request Engineer Hanson said he received a call from Mrs. Olinger, a resident of the VBWD, concerning equipment that has been stored on her property for several years and wants it moved. The residence is located on the south side of Lake Jane. Engineer Hanson said he did visit the site and said there is a great deal of pipe on the Olinger property. Engineer Hanson said that Engineer Nels Nelson and Attorney Marshall recalled that the pipe might have been sold, but Engineer Hanson could not locate any information about the sale. Mrs. Olinger told Engineer Hanson that she could possibly get the equipment moved. She also asked whether there could be storage fees assessed to VBWD, since the pipe has been on her property for several years.

In discussion, the managers directed Engineer Hanson to contact the City of Lake Elmo to see if they are interested in the pipe. They also directed Engineer Hanson to contact Mrs. Olinger to suggest that she sell the pipe and keep the money from the sale, and to report back to the managers at their next meeting.
MANAGERS= REPORT Next Meeting - September 23, 2004 The managers expect a quorum to be present on September 26th. President Bucheck said he may not be present.

Non-Administrative Budget Treasurer Borash had distributed to the managers the Study/Project Budget for Fiscal Year 2005. He said he and President Bucheck had met with Engineer Hanson on August 31st to discuss the non-administrative budget. After discussion of the budget, motion was made by Fetcher and seconded by Scheel, to approve an additional capital project levy of $717,413. Motion carried unanimously.

Engineer Hanson said that he will provide this information to Jane Harper of Washington County.

Annual Presentation to Washington County Commissioners - October 12, 2004 At the last meeting, Engineer Hanson was directed by the managers to suggest to Washington County staff that the Woodbury well study could be the resource presentation by VBWD representatives at the October 12th county commissioners’ meeting. At this meeting, Engineer Hanson said that Jane Harper said that a presentation on a Silver Creek Study in the Carnelian-Marine Watershed District would be a better choice, since the Woodbury Well Study will not be complete until the summer of 2005. The managers agreed that Secretary Scheel will attend the October 12th county commissioners’ meeting, even though the VBWD will not be making a presentation.

Silver Lake Bioretention Site Vice President Fetcher said he met with the North St. Paul City Engineer and the City Manager to discuss the bioretention project at Silver Lake. He said he informed them that the managers had discussed several options to improve the bioretention project, and agreed on an option that would cost the District approximately $5,000. The North St. Paul officials said that they would prefer that drain tile be installed, instead. The North St. Paul officials said that the City of North St. Paul would agree to pay 30% of the cost of a solution. Vice President Fetcher said he agreed that a different option should be chosen.

In discussion, the managers agreed to a different option, which would be to install drain tile, fill low areas, and plant low areas at an estimated cost of $23,500. The also agreed that a different contractor should do the work. Engineer Hanson said that he had a bid from F. F. Jedlicki for the job.

After more discussion, motion was made by Scheel and seconded by Fetcher to spend $18,000 (North St. Paul would pay $5,000) for the installation of drain tile, to fill low areas, and to plant low areas (Option 5). Motion carried with the following vote: Johnson, No; Fetcher, Yes; Bucheck, Yes; Scheel, Yes, Borash, No.

Engineer Hanson was directed to draft a letter for Vice President Fetcher’s signature, with the information, pointing out that the project will be done by a different contractor. In the letter the City of North St. Paul will be asked to sign an agreement to the proposal.

Motion made by Borash to ask the City of North St. Paul to pay 50% of the construction. Motion died for lack of a second.

Vice President Fetcher agreed that he will call the City Manager to explain the managers’ decisions, and that a letter is on the way, and he will ask for their prompt attention to the managers’ request.

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

Two-Year Review of Consultants President Bucheck reported that the two-year review of the consultants will be made in December, and directed the Recording Secretary to update the consultant review letters that were sent in 2002, for the managers review.

ADJOURNMENT Motion made by Fetcher and seconded by Scheel at 9:23 p.m. to adjourn the meeting. Motion carried unanimously.
Respectfully Submitted,

Donald Scheel, Secretary

Minutes Approved by Managers 09/23/04