Minutes of Regular Meeting # 738 Held in the Lake Elmo City Council Chambers Thursday, October 13, 2005

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

MANAGERS ABSENT: None

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

STAFF ABSENT: None

OTHERS PRESENT: Chuck Taylor, Citizens Advisory Committee; LeRoy Nyhus, Park Meadows Permit; Troy and Lisa Axelson, Water Overflow; Brad Weiss, Erosion on Property

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 September 22, 2005 meeting, motion was made by Johnson and seconded by Scheel to approve the minutes as distributed. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda: Under Engineer: Axelson Property; Weiss Property; Outlet to Park Meadows. Under Managers: Flooding in Woodbury; Lake Elmo Water/Well; Meeting with County Commissioners; Wildflower Shores; MAWD Convention.

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

Flooding in Woodbury President Bucheck informed the managers of a letter written by former Lake Elmo Council member Sue Dunn, to Council member Steve DeLap.

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 his activities since the last meeting.

ATTORNEY=S REPORT Attorney Marshall had nothing additional to report.

TREASURER=S REPORT The Treasurer=s report will be made at the second meeting of the month.

ENGINEER=S REPORT Permit Request: Park Meadows, Lake Elmo Engineer Hanson described a project located between Kelvin Avenue and the entrance to Sunfish Lake Park, about a quarter mile north of Highway 5, Lake Elmo in the SW 1/4 of the NW 1/4 of Section 14, Township 29 North, Range 21 West.
The purpose of the project is to construct a single-family residential subdivision with 8 lots, about 1,300 feet of roadway, 200 feet of paved trail, and two stormwater ponds.

The managers discussed the outlet of the stormwater pond adjacent to Kelvin Avenue, and added it to the agenda for further discussion later in the meeting.

After discussion of the water management concerns, the wetland management concerns, and the erosion control concerns, motion was made by Borash and seconded by Fetcher, to approve Permit # 2005-22, with the engineer’s suggested site-specific conditions, and standard conditions. Motion carried unanimously.

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

**Weiss Property** Mr. Brad Weiss was present to ask the managers for assistance in repairing erosion to his property, located near the Torre Pines Development in Lake Elmo. Since 1997, the stream near his home has continually eroded his property. After discussion, the managers directed Engineer Hanson to meet with Mr. Weiss on the property, investigate upstream and downstream of his property, and meet with a contractor to develop a cost estimate for stabilizing the stream. The managers asked Engineer Hanson to report his findings at the next meeting.

**Axelson Property** Troy and Lisa Axelson, Mahtomedi, were present to ask the managers for assistance with a problem with water running onto their property. They moved to their current home two years ago, and since then, the Wildwood Pines 3rd Addition has been developed near their home. It is their opinion that because of the removal of trees in the area, the water runs onto their property and has damaged their property.

The managers discussed the Wildwood Pines 3rd Addition project, permitted a year ago, and directed Engineer Hanson and Inspector Roemmich to meet with the contractor of the Wildwood Pines 3rd Addition, as well as the Mahtomedi City Engineer, and report the results at the next managers’ meeting on October 27th.

**Permit Request: Hagberg Pump Test, Lake Elmo** Engineer Hanson presented information on a project located north and south of Highway 5, near Layton Avenue, Lake Elmo in the NW 1/4 of Section 13, Township 29 North, Range 21 West.

The purpose of the project is to discharge treated groundwater pumped from a well at the Hagberg Market property (11325 Stillwater Boulevard) to an existing stormwater pond north of Highway 5, west of the Lake Elmo Bank.

After discussion of the water management concerns, motion was made by Fetcher and seconded by Borash, to approve Permit # 2005-23, with the engineer’s suggested site-specific conditions, and standard conditions. Motion carried unanimously.

**Permit Request: Merry Lea Slomkowski Fill on Sunnybrook Lake, Grant** Engineer Hanson presented information on a project located on the southwest side of Sunnybrook Lake, 7033 Jocelyn Lane, Grant, in the northeast quarter of Section 34, Township 30 North, Range 21 West. The purpose of the project is to install a five-foot wide boulder shore.

After discussion, motion was made by Fetcher and seconded by Borash, to approve Permit # 2005-24, with the engineer’s suggested site-specific conditions and standard conditions, and to include in the cover letter with the permit, a paragraph that points out the condition requiring a 16.5-foot buffer and that discusses the importance of buffers. Motion carried unanimously.
**Permit Request: Naoka Fujioka Fill on Lake Jane, Lake Elmo** Engineer Hanson presented information on a project located on the southeast side of Lake Jane, 9366 Lake Jane Trail, Lake Elmo, in the southwest quarter of Section 10, Township 29 North, Range 21 West. The purpose of the project is to fill the back yard for future trees.

After discussion, **motion** was made by Borash and seconded by Scheel, to approve Permit # 2005-25, with the engineer’s suggested site-specific conditions and standard conditions. Motion carried unanimously. The managers directed Engineer Hanson to include a sentence in the cover letter with the approved permit, explaining that if the intent of the project is to plant trees, the project could be accomplished without hauling in fill.

**Update: Valley Creek Stabilization on Tom Johnson Property** Engineer Hanson had mailed copies of memoranda to the managers from Tom MacDonald and Jeff Weiss at Barr Engineering, concerning the erosion of Valley Creek on Tom Johnson’s property. The memoranda discussed options and a recommendation for stabilizing the area, and also comments from the Minnesota Department of Natural Resources (MnDNR) trout stream specialist.

After discussion, Secretary Scheel and Engineer Hanson agreed to meet with MnDNR representatives and property owner, Tom Johnson. The managers directed Engineer Hanson to make the arrangements for the meeting.

**Discovery of Eurasian Watermilfoil in Lake Elmo** Engineer Hanson had electronically mailed the managers information regarding the discovery of Eurasian watermilfoil found in Lake Elmo. He said that a Barr Engineering biologist had taken a sample to the MnDNR and it was confirmed that the plant is Eurasian watermilfoil.

At this meeting the managers agreed that they should meet with other agencies to discuss the situation. Engineer Hanson was directed to draft a letter to the City of Lake Elmo, with copies to the Metropolitan Council, the Lake Elmo Regional Park, and Washington County. President Bucheck said he would like the MnDNR to attend a VBWD meeting for discussion.

**Outlet to Park Meadows** The managers discussed the situation modifying the emergency overflow of the ponding area adjacent to Kelvin Avenue. The managers directed Engineer Hanson to meet with the landowner north of the pond to explain the existing problem and the convenience of solving the problem now.

**MANAGERS= REPORT Next Meeting - October 27, 2005** Vice President Fetcher will not be at the meeting on October 27th. Treasurer Borash said he also may not be able to attend. The Recording Secretary will be in contact with the managers, to make sure there will be a quorum for the meeting on October 27th.

**Watershed District Educator** President Bucheck attended a meeting on October 5th at the Washington County offices to discuss the watershed district educator position. He reported that Washington County is in favor of hiring a watershed district educator at a cost of approximately $75,000, and would like $5,000 contributions from each of the 15 governmental entities in Washington County. He also said that the County will put together a job description and send it to the Water Consortium. President Bucheck suggested that the managers wait for the final proposal, and look at it.

**Lake Elmo Water/Well** President Bucheck announced that the City of Lake Elmo has mailed out a newsletter to their residents to announce an October 25th information meeting, and the 3M grant to expand the city water system to serve the PFC impacted area south of the Washington County/Lake Jane landfill.

**Meeting With County Commissioners** President Bucheck and Engineer Hanson attended a meeting on October 11th with the Washington County Commissioners to discuss the 2006 water management organizations= and
watershed districts= budgets. President Bucheck said Washington County is still considering the issue of all watershed districts working together under one umbrella. He said Commissioner Myra Peterson would like to see a comparison of administration costs among watershed districts. He said he will forward some information to her.

2005-2015 Plan President Bucheck reported to the managers a summary of the October 5th BWSR (Board of Water and Soil Resources) subcommittee meeting that he, Vice President Fetcher, Karen Chandler, and John Hanson attended. He stated that the subcommittee voted to recommend approval of the Plan.

Wildflower Shores President Bucheck said that William McCully, with Glenn Rehbein Companies, sent him a letter explaining that he was not pleased with the managers= decision at the last meeting concerning his request for a reduction in the amount of the cash surety for the Wildflower Shores permit. President Bucheck said he sent a reply to Mr. McCully, saying that the managers= decision won=t change, and that the managers will approve the project when he can demonstrate that the wetland is functioning to the satisfaction of the Technical Evaluation Panel.

MAWD Convention in December Motion was made by Borash and seconded by Scheel to reimburse expenses and registration to any manager attending the 2005 MAWD Convention in December. Motion carried unanimously.

ADJOURNMENT Motion made by Borash and seconded by Scheel at 10:14 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary