Minutes of Regular Meeting # 729 Held in the Lake Elmo City Council Chambers
Thursday, May 26, 2005

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

MANAGERS ABSENT: Lincoln Fetcher, Vice President

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

STAFF ABSENT: None

OTHERS PRESENT: Stillwater Area High School Students, and Sandy Pederson, Teacher, Volunteer Stream Monitoring Presentation; Robert Kisch, Sunnybrook Lake Resident

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 May 12, 2005 meeting, motion was made by Scheel and seconded by Borash to approve the minutes as distributed. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda under Engineer, was AKubacki Grading Permit @; and under Managers, was AStillwater Area High School Volunteer Stream Monitoring @.

PUBLIC FORUM Robert Kisch, a resident in the Sunnybrook Lake area, was present to discuss with the managers his concern with the managers= plan to replace certain culverts between Sunnybrook Lake and Doerr=s Pond. He had corresponded with the managers previously about the issue. The managers explained again to Mr. Kisch, the reasons for their plan. After discussing it with the managers, Mr. Kisch thanked them for their time and effort in the Sunnybrook Lake flooding issue.

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 reported that the developer of the Target store in Oakdale has been in contact with him concerning their Letter of Credit for the project. Attorney Marshall wanted the managers to know that the developer will be requesting the managers for permission to place a clause in the Letter of Credit that would reduce the dollar amount of the Letter of Credit, as the work on the project is completed. Attorney Marshall said this has been done previously in other projects.

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

Stillwater Area High School Volunteer Stream Monitoring on Valley Creek and Raleigh Creek Students of Stillwater Area High School, and their teacher, Ms. Sandy Pederson, made a presentation to the managers on their progress in monitoring sections of Valley Creek and Raleigh Creek in the VBWD. They answered questions of the managers, and thanked the managers for funding the project. President Bucheck said the
managers are pleased with the students’ progress, and he said he feels that the managers will be happy to continue to fund the program.

**Neighborhood Wilds Program-Update** Engineer Hanson had mailed to the managers copies of a memorandum from Jyneen Thatcher, Wetland Specialist with the Washington Conservation District. In the memorandum, was a request for the managers to fund the replacement plant and mulch materials at an estimated cost of less than $100, for an eroded area on Valley Creek at the Ridenhower site. Floodwaters had inundated and eroded most of the buffer established in 2003. After discussion, motion was made by Scheel and seconded by Johnson to spend up to $100 for the Neighborhood Wilds repair, as requested by the Washington Conservation District. Motion carried unanimously.

**ENGINEER=S REPORT Kubacki Grading, Pool, and Patio Construction (Lot 14, Block 2 Wynstone)** Engineer Hanson presented information on a project located at 810 Oakgreen Avenue North, West Lakeland Township, in the NE 1/4 of NE 1/4, Section 32, Township 29 North, Range 20 West. The purpose of the project is to grade and place about six cubic yards of fill within a 100-year floodplain of an existing stormwater pond for pool and patio construction, and re-configure drainage easement so proposed pool and patio are outside of drainage easement.

Engineer Hanson explained that the landowner’s property includes a portion of a stormwater pond that was constructed with the Wynstone subdivision, which was permitted in 1992. The proposed pool and patio site is within the existing drainage easement placed over the stormwater pond.

The existing drainage easement covers a larger area than necessary. The permit required the drainage easement to cover an area up to Elevation 873.4, and the proposed pool and patio are around Elevation 878.0. The minor amount of fill is not anticipated to cause any negative impacts. Engineer Hanson recommended that the managers approve the permit application.

After discussion, motion was made by Borash and seconded by Scheel to approve the Kubacki Grading, Pool, and Patio Construction in Lot 14, Block 2 Wynstone. Motion carried unanimously.

President Bucheck noted that the rationality behind the approval of the Kubacki permit is that it appears reasonable to vacate the easement because of the very small amount of fill in the 100-year floodplain and the very minor change in the flow in the region.

**TREASURER=S REPORT** Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2005 dated 4/30/2005, and the Treasurer=s Report dated May 26, 2005. After discussion, motion was made by Borash and seconded by Johnson to approve the Treasurer=s Report. Motion carried unanimously.

**Annual Financial Report** Treasurer Borash asked the managers to make a motion, for the record, approving the annual financial report that they had approved at the last meeting. In discussion at the last meeting of the draft annual financial report, the managers had suggested that the District’s auditor include in the report the properties in West Lakeland Township that the VBWD owns. They also wanted corrections made in the listing of managers’ terms. Treasurer Borash at this meeting said he had talked with personnel at HLB Tautges Redpath, Ltd., about the requests. He said the changes will be made to the managers’ term dates, but the inclusion of the properties in West Lakeland Township will not be in the 2004 financial report. It will be included in the 2005 annual financial report. Motion was made by Bucheck and seconded by Borash to approve the 2004 Annual Financial Report Draft as corrected by the managers on May 12, 2005. Motion carried unanimously.

**ENGINEER=S REPORT (Cont.) 2005-2015 Watershed Management Plan** Engineer Hanson had included in the managers’ packets, a memorandum from Karen Chandler, revised pages of the draft Plan, and a draft cover memorandum for the 45-day review of the draft Plan.
The managers reviewed the revisions made to the draft Plan, and directed Engineer Hanson to make a few additional revisions. **Motion** by Borash and seconded by Scheel to approve the latest revisions made to the 2005-2015 Watershed Management Plan and to direct Engineer Hanson to send out the draft Plan and cover memorandum for the required 45-day review. Motion carried unanimously.

**MANAGERS— REPORT Next Meeting - June 9, 2005** The managers expect a quorum to be present on June 9, 2005.

**Sunnybrook Lake** President Bucheck said he had contacted the few remaining Sunnybrook Lake residents, and he will notify the appraiser that he now can contact those residents about the easement needed on their properties. The managers discussed the fact that the City of Grant has not yet started the project to raise the roads. President Bucheck said he will contact Candice Kraemer, Grant City Councilperson, about the issue.

**ADJOURNMENT** Motion made by Borash and seconded by Scheel at 8:49 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/\s/ Don Scheel, Secretary

Don Scheel, Secretary

**Minutes Approved by Managers 06/09/05**