Minutes of Regular Meeting # 727 Held in the Lake Elmo City Council Chambers
Thursday, April 28, 2005

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

MANAGERS ABSENT: Lincoln Fetcher, Vice President

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

STAFF ABSENT: None

OTHERS PRESENT: John Lochner and Scott Smith, Wildflower Shores Residents; Candice Kraemer, CAC

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 April 14, 2005 meeting, motion was made by Scheel and seconded by Johnson to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda under Engineer, was A Report on the PFCs in Lake Elmo Wells; and under Managers, was AMAWD Summer Tour.

PUBLIC FORUM Scott Smith and John Lochner were present to discuss with the managers the situation with the wetland at the Wildflower Shores development. They are residents of the development, and they said the wetland is in a total state of disrepair, and that it has affected the possible sale of houses in the development. They said they have asked William McCully, who works for Rehbein Companies, which is the developer of Wildflower Shores, why the work isn't progressing. They said that Mr. McCully told them that he is waiting for approval from VBWD. The managers and Engineer Hanson explained that Mr. McCully has received approval from VBWD, and that he is free to improve the wetland site. The managers suggested that the residents contact the U.S. Corps of Engineers staff person who was involved with the wetland banking plan.

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 Wolle informed the managers that the notice of public hearing on the draft water management plan has been published in the Lillie Suburban newspapers.

TREASURER=S REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2005 dated March 31, 2005, and the Treasurer=s Report dated April 28, 2005. After discussion, motion was made by Borash and seconded by Scheel to approve the Treasurer=s Report. Motion carried unanimously.

ENGINEER=S REPORT Wildridge Pines 3rd Addition/Troy Axelson Property Engineer Hanson presented information on a claim by a Rice Creek Watershed District resident that a VBWD-permitted project has
increased the runoff to his property, which is damaging his property. Engineer Hanson said he found that the Wildridge Pines 3rd Addition site appeared to have been graded according to the VBWD-approved plans. After much discussion, President Bucheck stated that the Board hesitates to take any action until the subdivision is completed, because it appears that the developer is following the grading plan. He directed Engineer Hanson to draft a letter to the resident for the next meeting. He also said that the resident should notify the managers immediately if there is standing water on their property again, so that it may be determined from where the water is coming.

**Baytown Township Groundwater Contamination Site Remediation Concepts** Engineer Hanson informed the managers that the Minnesota Pollution Control Agency (MPCA) is exploring options for managing the contamination site. One option is to pump the water into the Lake Elmo water system and then release any excess to Lake Elmo (the lake). Engineer Hanson said he suggested that the MPCA contact the MnDNR and President Bucheck before making any decisions.

**PUBLIC HEARING ON VBWD DRAFT WATER MANAGEMENT PLAN** President Bucheck recessed the meeting at 8:00 p.m. to conduct the public hearing on the draft Water Management Plan.

President Bucheck called the public hearing to order and asked if there were any questions from the audience about the draft Water Management Plan. Karen Chandler from Barr Engineering, informed the managers that she and Engineer Hanson had met with the MnDNR concerning their comments on the Plan.

**Motion** was made by Borash and seconded by Scheel to close the hearing at 8:05 p.m. Motion carried unanimously.

President Bucheck called the meeting back to order at 8:05 p.m.

**Report on PFCs in Lake Elmo Wells** President Bucheck reported on a meeting he attended on April 26th, concerning the PFCs found in Lake Elmo wells. Representatives of the Minnesota Pollution Control Agency and the Department of Health were present. He said the main question at the meeting was where the contamination started. He also said that until now, there have not been tests available to find these extreme low concentrations of the chemicals.

**Discussion of the Draft Water Management Plan** Karen Chandler discussed with the managers the points in the draft Plan that have changed since the managers’ workshop held on April 21st. **Motion** was made by Borash and seconded by Johnson to approve the responses to the comments on the draft Plan, and authorize President Bucheck to approve the cover letter transmitting the responses. Motion carried unanimously.

**MANAGERS’ REPORT Next Meeting - May 12, 2005** The managers expect a quorum to be present on May 12, 2005.

**Sunnybrook Lake** At the last meeting, Engineer Hanson was directed to draft a letter to Robert L. Kisch, in response to Mr. Kisch’s letter to the managers with suggestions for solving the Sunnybrook Lake flooding issue. Engineer Hanson had mailed the drafted letter in the managers’ packet. At this meeting, the managers approved the drafted letter with minor changes and directed Engineer Hanson to mail the letter to Mr. Kisch.

**2004 Annual Report Draft** Recording Secretary, Karen Schultz, provided copies to the managers of the first draft of the 2004 Annual Report for their review.

**MAWD Summer Tour** **Motion** was made by Borash and seconded by Scheel to pay expenses and per diem to any manager who attends the MAWD Summer Tour in June 2005, which will be hosted by the Thirty Lakes Watershed District. Motion carried unanimously.
ADJOURNMENT Motion made by Borash and seconded by Scheel at 9:05 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Donald Scheel

Donald Scheel, Secretary

Minutes Approved by Managers 05/12/05