Minutes of Regular Meeting # 763 Held in the Lake Elmo City Council Chambers
Thursday, December 14, 2006

MANAGERS PRESENT: Lincoln Fetcher, President; Dave Bucheck, 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; and Karen Schultz, Recording Secretary

STAFF ABSENT: None

OTHERS PRESENT: Chuck Taylor, Citizens Advisory Committee; Dr. Mike Manthei, Silver Lake Improvement Association, Inc.; Mark Youngdahl and Greg Moris, Tapestry at Charlotte's Grove; Brian Buchmayer, Long Lake Improvement Association

CALL TO ORDER President Fetcher 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 November 9, 2006 meeting, motion was made by Bucheck and seconded by Borash to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda under Engineer: Valley Creek Stabilization, Long Lake - MNDOT Project; Under Managers: VBWD Representative to Washington County Groundwater Advisory Committee; BWSR Handbook.

PUBLIC FORUM There was no discussion in the Public Forum segment of 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 the mail has been distributed.

INSPECTOR=S REPORT Inspector Roemmich reported that the City of Mahtomedi is working on the water tower project. He has discussed the apparent start of the Artisan project in West Lakeland Township with the Township Inspector, who will work with Inspector Roemmich to make sure the project conforms to the VBWD permit conditions. The managers directed Engineer Hanson to invite the Artisan permit holder to the managers= meeting in January 2007 to discuss their intent.

ATTORNEY=S REPORT Attorney Marshall reported that the cash surety in the Park Meadows project has not been received. As directed by the managers at the last meeting, Engineer Hanson reported that he and Inspector Roemmich have a total of $10,000 in expenses for the project.

TREASURER=S REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2006 dated 11/30/06, and the Treasurer=s Report dated December 14, 2006. After discussion, motion was made by Borash and seconded by Scheel to approve the Treasurer=s Report. Motion carried unanimously.
CHANGE IN ORDER OF AGENDA ITEMS  At this time President Fetcher authorized a change in the order of agenda items.

ENGINEER’S REPORT Permit Close-Out Requests: Tapestry at Charlotte’s Grove, Lake Elmo  After discussion of the request by Tapestry at Charlotte’s Grove, Permit # 2004-26, for the release of the Letter of Credit, motion was made by Bucheck and seconded by Johnson to release the Letter of Credit entirely for Tapestry at Charlotte’s Grove, Permit # 2004-26, with the understanding that proof of the recorded documents is provided soon. Motion carried unanimously.

Silver Lake  Dr. Mike Manthei, Silver Lake Improvement Association, was present to discuss the issues of Silver Lake. Dr. Manthei questioned who was weeding the bioretention site. President Fetcher responded that he has discussed the issue with the City of North St. Paul, and the City has done some weeding, but more needs to be done. Dr. Manthei said the Association will be applying for the grant, using data provided by VBWD. He read a letter from the Association, requesting funds to manage the aquatic plants in Silver Lake. President Fetcher stated that managers will consider the request at a later time. Dr. Manthei asked about the sign that the managers intend to place at Silver Lake. Engineer Hanson had provided a draft of the face of the proposed sign. The manager suggested some changes to the sign. Engineer Hanson said he will have the discussed revisions made and will mail a second draft in the packet for the next meeting.

Permit Update: Shepherd of the Valley Church, Afton  Engineer Hanson presented information on a project located south of the I-94 frontage road (Hudson Road), about a third of a mile west of Stagecoach Trail, Afton in the Northwest quarter of Section 4, Township 28 North, Range 21 West. The purpose of the project is to construct a church and associated parking lots. Several infiltration islands are proposed within the parking lot and three large infiltration basins are proposed.

After discussion of the background concerns, motion was made by Fetcher and seconded by Borash to approve Permit # 2006-34 with the engineer’s recommendation and conditions. Motion carried unanimously.

Permit Revision: Cedar Bluff Homestead in Afton, Afton  Engineer Hanson presented information on the revisions to a project located southeast of Manning Avenue South (Hwy 95) and 22nd Street South, Afton in part of the south half of NW 1/4 and north half of SW 1/4 Section 18, Township 28 North, Range 21 West. The purpose of the project is to construct a single-family residential subdivision with 36 lots, approximately 1.2 miles of roadway, approximately 4800 feet of storm sewer, two stormwater ponds, and a community wastewater treatment system.

After discussion of the background, motion was made by Borash and seconded by Scheel to approve Permit # 2006-26 with the engineer’s recommendation. Motion carried unanimously.

Advertisement and Hearing on VBWD Rules  Engineer Hanson reported that the proposed rules and regulations are out for comments, and a hearing should be planned and advertised. The managers directed Attorney Marshall to publish the notice of hearing to be held at 8:00 p.m. on January 25, 2007.

MANAGERS’ REPORT Next Meeting - January 11, 2007  The managers expect to have a quorum present at the next meeting on January 11, 2007. Manager Johnson said he will not be present for the next meeting, and will be out of the state until the middle of March 2007. Secretary Scheel said he will be at the next meeting on January 11, 2007, but will then be out of the state until the middle of March 2007.

VBWD Administrator Discussion  President Fetcher suggested a workshop could be held before the next meeting, on January 11, 2007, to discuss an administrator for VBWD. The managers agreed to meet at 6:00 p.m. on January 11, 2007, in the Lake Elmo Council Chambers for one hour before the managers’ meeting. President Fetcher directed Karen Schultz to call the City Hall personnel to reserve the Council Chambers.
**Organization of Officers for 2007** Vice President Bucheck was nominated for President. He said he has no desire to hold the position of President, but would do what the managers request. Lincoln Fetcher was nominated for President. Upon vote, Lincoln Fetcher was elected President. Dave Bucheck was nominated for Vice President. A unanimous ballot was cast for Dave Bucheck as Vice President. Don Scheel was nominated for Secretary. A unanimous ballot was cast for Don Scheel for Secretary. Dale Borash was nominated for Treasurer. A unanimous ballot was cast for Dale Borash for Treasurer.

**Washington County Groundwater Advisory Committee Representative** Secretary Scheel informed the managers that a representative from VBWD is needed to attend the Washington County Groundwater Advisory Committee meetings. He said the next meeting probably will be held in the summer of 2007, and the meetings are usually from 3:30 to 5:30 in the afternoon. Secretary Scheel said he has been the representative, but cannot continue, due to term limits. The managers agreed that someone will be available to attend the meetings.

**ENGINEER=5 REPORT (Cont.) 2006 System Inspections** Engineer Hanson had mailed to the managers memorandums regarding the Project 1007 inspections, the 2006 Interstate 94 Rest Area Dam inspection, and the 2006 annual inspection of the Eagle Point Lake Dam. After discussion of the information, the managers directed Engineer Hanson to send the Eagle Point Lake Dam report to the MnDNR.

**Long Lake** Brian Buchmayer, the President of the Long Lake Association, was present for the discussion of Long Lake, and also the bids for the Project 1007 Maintenance. President Fetcher mentioned that Engineer Hanson had found out that MnDOT is beginning to plan a project along Highway 36, adjacent to Long Lake. President Fetcher said he and Engineer Hanson will continue to work with MnDOT to determine if some improvements could be made to the Highway 36-Interstate 694 interchanges so that water quality treatment could be provided to the stormwater runoff.

**2006-2007 Project 1007 Maintenance Project** After much discussion of the five bids submitted for the Project 1007 maintenance work, motion was made by Scheel and seconded by Borash to accept the bid of John Buelow Excavating, conditioned on his successful compliance with the qualifications set forth in the bid specifications. Motion carried unanimously.

**Old Smith Dam** Engineer Hanson had provided the managers with a memorandum regarding the safety review of the Old Smith Dam. After discussion, the managers agreed that Engineer Hanson should meet with MnDNR dam safety staff to determine if the Old Smith Dam can be exempt from MnDNR dam safety rules.

**Permit Website** Engineer Hanson said he and Inspector Roemmich have determined which permits are active and which are inactive. Engineer Hanson asked the managers to work with Barr Engineering staff to make the requested changes.

**Permit Close-Out Requests: (Cont.) Gander Mountain, Woodbury** The managers discussed the status of the project and the draft letter Engineer Hanson had prepared and had included in their packets. The managers approved the letter.

**Permit Close-Out Requests: (Cont.) Fed Ex, Mahtomedi** After discussion of the request to close out the Fed Ex project in Mahtomedi, motion was made by Fetcher and seconded by Scheel to close the Fed Ex permit in Mahtomedi, as soon as Inspector Roemmich has approved the project.

**Valley Creek Stabilization Projects** Engineer Hanson reported that he has met with three property owners of sites on Valley Creek identified for repair. He said that one is interested in working with VBWD to accomplish the repairs. The other property owners are willing to work with VBWD on the condition that VBWD is able to work with the farmer at the top of the ravine.
**Report on MAWD Conference** Engineer Hanson reported that there was quite a bit of discussion at the MAWD conference regarding the Legislative Audit. The audit is expected to be made public in January. There were several workshops that focused on developing a communications plan for emergencies and for getting a watershed district=s message out to the public.

**BWSR Handbook** Vice President Bucheck said he has received information about a handbook that the Board of Water and Soil Resources (BWSR) will be putting together. There is a two-page questionnaire that needs to be completed by watershed districts. Vice President Bucheck said he will work with Engineer Hanson to complete the questionnaire and forward it to BWSR.

**Review of Consultant Services** President Fetcher said the managers have received letters from the current consultants in response to the managers=s request for information on consultant services. **Motion** was made by Borash and seconded by Bucheck to retain the present legal, engineering, and auditing consultants. Motion carried unanimously.

**ADJOURNMENT** **Motion** made by Bucheck and seconded by Borash at 10:28 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

**Minutes Approved by Managers 01/11/07**