Minutes of Regular Meeting # 758 Held in the Lake Elmo City Council Chambers  
Thursday, September 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: Dave Loos, Park Meadows Project; Brian Nerbonne, Berggren Property Stream Restoration; Joe Bush, Park Meadows Project; Mark Youngdahl, Tapestry at Charlotte’s Grove Project; Dave Reed, Northeast Metro Business Park; Paul Cherne (Pioneer Engineering) and Earth Evans (Bonestroo Rosene Anderlik & Associates) Cedar Bluff Homestead Project

CALL TO ORDER President Fetcher called the meeting to order at 7:00 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the August 24, 2006 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 Managers: Silver Lake Bioretention Project; PFC Groundwater Issue; Minnesota Waters Conference & Washington County Water Consortium Meeting; 2007 Contract with Tautges Redpath, Ltd.; Jordan Property in Afton; and under Engineer: Xcel Energy Fly Ash Landfill Scoping EAW.

PUBLIC FORUM Park Meadows, Lake Elmo Joe Bush, developer of the Park Meadows project, and Dave Loos, District resident, were present for the managers’ discussion of the project. Mr. Bush said he will get the plat recorded tomorrow, Friday, September 15th. When he asked the amount of money needed as the cash surety when the plat is filed, the managers agreed that the full cash surety, $22,000, is necessary. Mr. Bush said that soil pits would be dug tomorrow, Friday, September 15th.

Tapestry at Charlotte’s Grove, Lake Elmo President Fetcher had asked Mark Youngdahl, developer of the Tapestry project in Lake Elmo, to attend the managers’ meeting to discuss the return of the cash surety. After much discussion, the managers asked Mr. Youngdahl to submit the as-built drawings he has completed with a request for reducing the cash surety. The managers agreed to discuss the permit close-out process in more detail.

SECRETARY’S REPORT Secretary Scheel reported that the mail has been distributed.

INSPECTOR’S REPORT Inspector Roemmich reported on his activities since the last meeting, including the Cardinal View project and the project to build another exhibit building at the Washington County Fairgrounds. BUDGET HEARING At 8:00 p.m. motion was made by Borash and seconded by Johnson to suspend the regular managers’ meeting to conduct the hearing on the 2007 budget. Motion carried unanimously.
Attorney Marshall stated that the hearing was properly noticed in the District=s legal newspaper. He said the managers have the opportunity to hear from the public at this time.

President Fetcher asked if there is anyone in the audience who would like to comment on the proposed VBWD 2007 budget. Hearing none, motion was made by Fetcher and seconded by Johnson to close the budget hearing at 8:05 p.m. and return to the regular managers= meeting. Motion carried unanimously.

**Budget Discussion Motion** was made by Fetcher and seconded by Borash to approve the 2007 VBWD administrative budget as published in the notice. Motion carried unanimously.

**Motion** was made by Borash and seconded by Scheel to approve the VBWD Study/Project Budget for 2007. Motion carried unanimously.

**Motion** was made by Borash and seconded by Bucheck to authorize President Fetcher and Secretary Scheel to sign the Resolution approving the 2007 tax levy in the amount of $585,409. Motion carried unanimously.

**INSPECTOR=S REPORT (Cont.) Cardinal View** Motion was made by Borash and seconded by Bucheck to authorize the District=s attorney to contact the permit holder by letter stating non-compliance and that the managers will repair the problems using the cash surety set aside for the project, if the managers do not hear from the permit holder within two weeks. Motion carried unanimously.

Secretary Scheel dismissed himself from the discussion of the Washington County Fairgrounds exhibit building.

**ATTORNEY=S REPORT** Attorney Marshall reported that he had begun to review the BMP cost share program summary and guidance draft.

**TREASURER=S REPORT** The treasurer=s report will be given at the second meeting of the month.

**ENGINEER=S REPORT Permit Request: Cedar Bluff Homestead in Afton, Afton** Engineer Hanson presented information on a permit request for 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 4,800 feet of storm sewer, two stormwater ponds, and a community wastewater treatment system.

After discussion of the water management concerns, the wetland management concerns, and the erosion control concerns, motion was made by Borash and seconded by Bucheck to approve Permit # 2006-26 with the engineer=s suggested site specific conditions, and standard conditions, with the added verbiage to Site Specific Condition # 8. Motion carried unanimously.

**Permit Request: Berggren Property Stream Restoration, Afton** Engineer Hanson presented information on a permit request for a project located at 13695 Valley Creek Trail South, Afton, in the NW 1/4 of the SE 1/4 of Section 17, Township 28 North, Range 20 West.
The purpose of the project is to replace a 305-foot long straight reach of Valley Creek with a 400-foot long meandering channel for improved brook trout and other cold-water species habitat.

After discussion of the water management concerns, the wetland management concerns, and the erosion control concerns, motion was made by Fetcher and seconded by Scheel to approve Permit # 2006-27 with the engineer=s suggested site specific conditions and standard conditions, with the change in the suggested Site Specific Condition # 2. Motion carried unanimously.

**Permit Revision Request: Lot 3, Block 1 Northeast Metro Business Park, Mahtomedi** Engineer Hanson presented information on a project located north of Long Lake Road, approximately 0.5 miles east of Century Avenue, Mahtomedi, in the SE 1/4 of the SW 1/4 of Section 31, Township 30 North, Range 21 West.

The purpose of the project is to construct two office/warehouse buildings, associated parking, two stormwater management ponds, and wetland mitigation sites on the 9.1-acre site. The permit revision request is for treating runoff from approximately 0.8 acres of the south side of the site.

After discussion, motion was made by Bucheck and seconded by Borash to approve Permit # 2006-15 with the engineer=s recommended Option # 2, and a letter to the City of Mahtomedi explaining Option # 2. Motion carried with the following vote: Bucheck, Yes; Borash, Yes; Fetcher, Yes; Johnson, Yes; Scheel, No.

**Draft Letter: Response to DNR=s Request for Review & Comment on Belwin After-the-Fact Project** Engineer Hanson had mailed to the managers a draft letter of response to the MnDNR regarding the Belwin/David Hartwell Afton. After reviewing and discussing the draft letter, the managers approved the letter and directed Engineer Hanson to mail the letter to Ms. Molly Shodeen, Area Hydrologist, MnDNR.

**Xcel Energy Fly Ash Landfill, West Lakeland Township** Engineer Hanson received a Scoping Environmental Assessment Worksheet for the proposed project. Comments are due within 45 days of August 28th. He discussed the general issues with the managers. The managers directed him to prepare a draft comment letter for the next meeting and include a statement regarding Xcel=s need to move the Project 1007 pipe.

**Washington County Budget Information** Engineer Hanson explained to the managers the information he drafted for Washington County regarding the VBWD budget. The managers approved the information prepared, and directed Engineer Hanson to send it to Amanda Goebel at Washington County.

**MANAGERS=s REPORT Next Meeting - September 28, 2006** The managers expect to have a quorum present at the next meeting on September 28, 2006. Vice President Bucheck said he will be absent.

**Silver Lake Bioretention Project** President Fetcher reported that he and Engineer Hanson met some of the North St. Paul personnel to discuss the bioretention project, and described to them how the project works. He told them that it seems to be working well now, and that it will take time to know whether it is successful.

The City of North St. Paul would like to have a sign placed near the site, and would like VBWD to help with the cost. No decision was made about the issue.

**PFC - Groundwater Issue** Secretary Scheel said he attended a meeting at Oakland Jr. High School prior to tonight=s managers= meeting. The open house was an opportunity for the public to ask questions and get answers regarding the PFC contamination near the Washington County Lake Jane landfill.

**Minnesota=s Waters Conference & Washington County Water Consortium Meeting** President Fetcher reported that the Minnesota=s Water conference in Duluth and the various sessions he attended. He said the conference was well attended, with about 500 people in attendance. President Fetcher also reported that he
had attended this month=s Washington County Water Consortium Meeting, which was held at the St. Croix Watershed Research Station.

**Contract with Tautges Redpath, Ltd.** Treasurer Borash reported that the contract with Tautges Redpath as the District Accountant, was available for the managers to approve. After discussion, motion was made by Fetcher and seconded by Scheel to contract with Tautges Redpath, Ltd., for accounting services in 2007, in the amount of $7,050. Motion carried unanimously.

**Jordan Property in Afton** Secretary Scheel said that a resident living on 10th Street, Bob Jordan, discussed with him the need to remove cattails from the drainage ditch on his property, which is part of the District=s Project 1007. The managers discussed the feasibility of removing the cattails without harming evergreen trees planted by Mr. Jordan. Secretary Scheel said he will contact Bob Jordan to discuss the issue. The managers directed Engineer Hanson to add this item to the bid for Project 1007 maintenance. The managers will discuss this at the next meeting.

**OLD BUSINESS BMP Cost Share Program** The managers reviewed the 2006 Best Management Practices Cost Share Program Summary and Guidance papers, and made certain changes and corrections. Vice President Buchek will continue to work on the papers.

**ADJOURNMENT** Motion made by Johnson and seconded by Borash at 10:35 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

**Minutes Approved by Managers 09/28/06**