Minutes of Regular Meeting # 759 Held in the Lake Elmo City Council Chambers
Thursday, September 28, 2006

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

MANAGERS ABSENT: Dave Bucheck, Vice President

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

STAFF ABSENT: None

OTHERS PRESENT: Dave Loos, Park Meadows Project; Jay Riggs, Washington Conservation District; Justin Fay, Washington County Open Space Referendum

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 September 14, 2006 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 Managers: Educator Update; Upcoming Events.

PUBLIC FORUM Park Meadows, Lake Elmo Dave Loos, District resident, was present for the managers’ discussion of the holding pond at the Park Meadows project. President Fetcher said he has been in contact with the permit holder, Joe Bush, since the last meeting, but not since talking with Mr. Loos on Tuesday, September 26th. President Fetcher directed Attorney Wolle to send a letter to Mr. Bush requesting that he record the plat, and that he pay the cash surety, as he agreed to do before the 15th of September. President Fetcher also directed Attorney Wolle to inform the permit holder that if this cannot be done, he should attend the next managers’ meeting, on October 12, 2006.

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.

ATTORNEY’S REPORT Attorney Wolle said there was nothing new to report.

TREASURER’S REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2006 dated 8/31/2006, and the Treasurer’s Report dated September 28, 2006. After discussion, motion was made by Borash and seconded by Fetcher to approve the Treasurer’s Report. Motion carried unanimously.

WASHINGTON CONSERVATION DISTRICT Jay Riggs, with the Washington Conservation District, reported that the land cover mapping project should be completed by the end of the year.

ENGINEER’S REPORT Permit Request: Blake Fill in Lake Jane Floodplain, Lake Elmo Engineer Hanson presented information on a permit request for a project located at the northeast corner of Lake Jane, near Jane
Road Trail and Jane Circle in the NW 1/4 Section 10, Township 29 North, Range 21 West. The purpose of the project is to partially fill a wetland that is within the Long Lake floodplain for easier maintenance.

After discussion of the water management concerns, motion was made by Borash and seconded by Scheel to approve Permit # 2006-29 with the engineer=s suggested site specific conditions, and standard conditions. Motion carried unanimously.

Draft Comment Letter: Xcel Energy Fly Ash Landfill Scoping EAW Engineer Hanson had drafted a letter to the Minnesota Pollution Control Agency regarding the Xcel Energy Fly Ash Landfill SEAW for discussion at the meeting. The managers approved the letter, and directed Engineer Hanson to send the letter.

After-the-Fact Permit Request: Property Grading, Grant Engineer Hanson presented information on a permit request for an after-the-fact project located at 7394 Jamaca Avenue North, Grant, in part of the NE 1/4 of SE 1/4 Section 21, Township 30 North, Range 21 West. The purpose of the project is unclear, but the permit application form says, A site improvements for drainage and crop production.

A VBWD permit is required for the project, but the contractor mistakenly thought no permit from VBWD was necessary, because no wetlands would be filled.

After discussion of the water management concerns and the wetland management concerns, motion was made by Fetcher and seconded by Johnson to approve Permit # 2006-30 with the engineer=s standard conditions, also the engineer=s draft new standard condition, and a condition that the contractor submit the required surety. Motion carried unanimously.

MS4 Permit Revisions Engineer Hanson had drafted an updated revision to selected sheets of the MS4 permit, and provided copies to the managers for discussion. The managers approved the revisions and directed Engineer Hanson to send them to the Minnesota Pollution Control Agency.

Letters of Credit: Discover Crossing & Farms of Lake Elmo Engineer Hanson said he had been contacted by the engineer for these projects via e-mail regarding the reduction of the letters of credit in the Discover Crossing project, and the Farms of Lake Elmo project. He said the formal request for the reduction has not been submitted. The managers will discuss the issue at the next meeting if the formal request has been submitted.

MANAGERS= REPORT Next Meeting - October 12, 2006 The managers expect to have a quorum present at the next meeting on October 12, 2006.

Washington County Open Space Referendum Justin Fay, the campaign coordinator for the Washington County Land and Water Organization, was present to ask the managers=s support of a referendum that will be on the November election ballot in Washington County. The referendum will ask for $20,000,000 for the preservation of water quality and wildlife habitat in Washington County, and will be raised by levying county residents $12 per year for each $100,000 in residential property value. After discussion, the managers agreed to consider support of the referendum at the next meeting, at which time Mr. Fay will provide the managers with language for a Resolution.

VBWD Administrator Discussion President Fetcher distributed information on the responsibilities of a prospective administrator for VBWD. He asked the managers to review the papers and be prepared for discussion at the next meeting.

2007 Budget Presentation to Washington County: October 10 The managers discussed the budget presentation that will be made at the October 10th meeting of the Washington County Commissioners at 9:00 AM. President Fetcher and Secretary Scheel will attend the meeting.
Educator Update Jay Riggs, with the Washington Conservation District, and President Fetcher, reviewed for the managers the WashWET Education Program Summary.


OLD BUSINESS BMP Cost Share Program The managers will discuss the BMP Cost Share Program changes at the next meeting when Vice President Bucheck is present.

VBWD Rules - Discussion of Possible Changes President Fetcher asked the managers to consider issues that have come up concerning the VBWD Rules. He suggested that the managers schedule some time for discussion of the Rules. Engineer Hanson said he hopes to have a draft letter response completed for those who have commented to the District’s Rules for the managers to review and discuss at the next meeting.

ADJOURNMENT Motion made by Scheel and seconded by Borash at 9:00 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

Minutes Approved by Managers 10/12/06