Minutes of Regular Meeting # 756 Held in the Lake Elmo City Council Chambers Thursday, August 10, 2006

MANAGERS PRESENT: Lincoln Fetcher, President; Dave Bucheck, Vice President; Don Scheel, Secretary; Dale Borash, Treasurer

MANAGERS ABSENT: Duane Johnson, Manager

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; Gustave Thill and Mike Murphy, Artisan, West Lakeland Township; Dave Loos, Park Meadows Project

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 July 27, 2006 meeting, motion was made by Bucheck and seconded by Scheel to approve the minutes as distributed. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda under Managers: 2007 Budget, BMP Cost Share Program, Belwin-St. Paul Public Schools Program, and Discussion of VBWD Administrator; under Engineer: Washington County Presentation to the City of Afton, August 15th.

PUBLIC FORUM David Loos, Lake Elmo resident living near the Park Meadows project, was present to discuss his concerns with a holding pond in the Park Meadows development that he claims has been inappropriately constructed to manage the runoff from the site. Mr. Loos had attended the managers meeting on July 13th, with the same concerns, and at that meeting, the managers had directed Engineer Hanson to contact the developer by letter, asking him to redesign the holding pond, by July 31, 2006, adding that the managers would take further steps if the redesigning wasn’t accomplished by that date.

At this meeting, David Loos reported that the pond has not yet been redesigned. President Fetcher directed Attorney Marshall to contact the developer by letter, instructing the developer to correct the problem as requested earlier, within two weeks (August 24th) and if it is not completed by the 24th of August 2006, the VBWD will use the escrow money in the project to hire an engineer to complete the work. Attorney Marshall was also directed to invite the developer to the managers next meeting, to discuss the issue, if necessary.

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 on his activities since the last meeting.

ATTORNEY=S REPORT Wildflower Shores Wetland Bank/Pumping From Project 1007 Request As directed by the managers at the last meeting, Attorney Marshall had made certain changes in the draft copy of the Agreement between Glenn Rehbein Companies and VBWD, and at this meeting the attorney had the
agreement ready for President Fetcher=s signature. President Fetcher and Secretary Scheel signed the agreement.

**Contract with MPCA for Valley Creek EPA 319 Grant** After discussion of the contract with the Minnesota Pollution Control Agency for the Valley Creek EPA 319 Grant, motion was made by Borash and seconded by Bucheck to authorize the necessary signatures on the MPCA EPA 319 Grant, and include authorization to match and/or exceed that $150,000 to support said projects in the Grant with VBWD funds. Motion carried unanimously.

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

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

**ENGINEER=S REPORT Permit Request: Artisan, West Lakeland Township** At the last meeting, the issue of Permit # 2006-20 was tabled by the managers. Motion was made by Scheel and seconded by Borash to remove the issue from the table. Motion carried unanimously.

Engineer Hanson presented information on a permit request for a project located at 2400 Neal Avenue North, (east of Neal, north of Cherryknoll, west of Christmas Ridge, southwest of Hidden Meadow Estates and Lamplighter), West Lakeland Township in the N 1/2 of the SW 1/4 Section 20, Township 29 North, Range 20 West. The purpose of the project is to subdivide approximately 65 acres into 16 single-family residential lots, construct approximately 0.8 miles of roadways (24th Street North, Nicolle Avenue North, and 24th Street North Court), several stormwater management basins, and approximately 3,261 lineal feet of storm sewer.

After discussion of the water management concerns, the wetland management concerns, and the erosion control concerns, motion was made by Scheel and seconded by Borash to approve Permit # 2006-20 with the engineer=s suggested site specific conditions, and standard conditions. Motion carried unanimously.

**Permit Request: Swenson Estates, Afton** At the last meeting, the issue of Permit # 2006-18 was tabled by the managers. Motion was made by Borash and seconded by Scheel to remove the issue from the table. Motion carried unanimously.

Engineer Hanson presented information on a permit request for a project located at 14174 - 15th Street South, directly north of 15th Street South and east of Oakgreen Avenue South, Afton, in part of the SW 1/4 of the NW 1/4 of Section 9, Township 28 North, Range 20 West.

The purpose of the project is to subdivide 17.12 acres into three lots for the eventual construction of two new homes, and construct 660-foot long access road with Cul-de-sac and stormwater pond 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 Scheel to approve Permit # 2006-18 with the engineer=s suggested site specific conditions, and standard conditions, as well as an additional condition concerning a drainage plan for the two northern lots. Motion carried unanimously.

**Valley Creek Dam Workplan** Engineer Hanson had mailed to the managers information on Phases I and II of the Valley Creek Dam Safety Review, as well as cost estimates of Phase I and Phase II. After discussion, motion was made by Bucheck and seconded by Borash to order Phase I of the Valley Creek Dam Safety Review, not to exceed $10,000. Motion carried unanimously.

**EAW for Valley Creek Stream Habitat Restoration Project** Engineer Hanson had mailed to the managers a draft letter to the Environmental Policy and Review Unit of the MnDNR, concerning the Environmental Assessment
Worksheet for the proposed Valley Creek Stream Habitat Restoration Project. The managers reviewed the draft letter and directed Engineer Hanson to forward the letter to the MnDNR.

**Presentation to City of Afton by Washington County** At the last meeting, Engineer Hanson was directed by the managers to get more information about the City of Afton’s request for the County of Washington to make a presentation on August 15th regarding the impact of Woodbury wells on Valley Creek and private wells within Afton. At this meeting, Engineer Hanson reported that Cindy Weckwerth and Amanda Goebel of Washington County will give a presentation, and that the MnDNR will be represented at the Afton Council meeting. President Fetcher, Secretary Scheel, and possibly Treasurer Borash will attend the Afton Council meeting. The managers directed Engineer Hanson to also attend.

**MANAGERS= REPORT Next Meeting - August 24, 2006** The managers expect to have a quorum present at the next meeting on August 24, 2006.

**BMP Cost Share Program** Vice President Bucheck asked the managers to advise him on policies so that he can continue completing the draft application form for the proposed VBWD Best Management Practices Cost Share Program.

Vice President Bucheck said he will have a draft paper for the managers at the next meeting.

**2007 Budget** Treasurer Borash and the managers continued their discussion of the 2007 Budget. At the last meeting, the managers agreed that the 2007 Budget Hearing will be held September 14, 2006. Attorney Marshall was given the draft Administrative Budget for publication of the Budget Hearing notice.

**Belwin-St. Paul Public Schools Program** President Fetcher commented about the St. Paul Public Schools changing the name of its program at Belwin to the Valley Branch Environmental Learning Center to reflect the watershed name. In the fall, there will be events at Belwin to celebrate the new name, and perhaps the VBWD should participate.

**VBWD Administrator** President Fetcher asked the managers to discuss the possible need for a VBWD administrator. He distributed a list of duties that could be accomplished by an administrator. After discussion, the managers were in agreement that President Fetcher should pursue the issue.

**ADJOURNMENT** Motion made by Borash and seconded by Bucheck at 10:16 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

**Minutes Approved by Managers 08/24/06**