Minutes of Regular Meeting # 785 Held in the Lake Elmo City Council Chambers Thursday, December 13, 2007

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

MANAGERS ABSENT: None

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

STAFF ABSENT: None

OTHERS PRESENT: Chuck Taylor, Citizens Advisory Committee

CALL TO ORDER  President Fetcher called the meeting to order at 7:03 pm.

ANNOUNCEMENTS  There were no announcements made.

APPROVAL OF MINUTES  After discussion of the minutes of the November 8, 2007 meeting, motion was made by Scheel and seconded by Bucheck to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS  Added to the agenda under Managers: Update on BMP Cost-Share Program.

PUBLIC FORUM  There was no discussion in the Public Forum segment of the meeting.

SECRETARY=S REPORT  Secretary Scheel reported that the mail had been distributed.

INSPECTOR=S REPORT  Inspector Roemmich reported on his activities since the last meeting.

ATTORNEY=S REPORT  Mark Mann Infiltration Basin  Attorney Marshall reported that the earnest money contract and a temporary easement in the Mark Mann project have been signed and needs the managers= signatures. President Fetcher and Secretary Scheel signed the items.

Park Meadows  Attorney Marshall reported that Attorney Wolle has been in contact with the attorney for the City of Lake Elmo in the Park Meadows issue. He said that the City of Lake Elmo is still holding a Letter of Credit in the amount of $108,750.

Woodbury Memorandum of Understanding  Attorney Marshall reported that a Memorandum of Understanding between the VBWD and the City of Woodbury has been signed by the City, and needs the managers= signatures. President Fetcher signed the Memorandum of Understanding.

Holiday Station  Attorney Marshall reported that the surety check for the Holiday Station in West Lakeland Township has been given to Treasurer Borash. President Fetcher and Secretary Scheel signed the operation and maintenance agreement.

Trespass Within West Lakeland Storage Site  Treasurer Borash, who lives in West Lakeland Township, reported that he had talked to the West Lakeland Township Board regarding the trespassing occurring on the West Lakeland Storage Site property. The West Lakeland Township Board agreed that the property should be posted with A No Trespass @ signs, and questioned whether the VBWD name should be on the signs. Attorney
Marshall and Engineer Hanson will visit the area to determine where and how many signs should possibly be placed, and will report to the managers at the next meeting. Engineer Hanson said he will contact Washington County to see if a guard rail could be installed along Neal Avenue, adjacent to the West Lakeland Storage Site.

**TREASURER=S REPORT** Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2007 dated 10/31/07-11/30/07, and the Treasurer=s Report dated December 13, 2007. After discussion, motion was made by Borash and seconded by Fetcher to approve the Treasurer=s Report. Motion carried unanimously.

Treasurer Borash reported that an irrevocable Letter of Credit in the Discover Crossing project has been extended to October 2008.

Treasurer Fetcher also told the managers that he had been in contact with personnel at the Lake Elmo Bank regarding the VBWD deposits at the bank, and whether or not the money should be divided into several Certificates of Deposit to be properly insured. The managers agreed that Treasurer Borash should investigate the pros and cons of whether or not to separate the CDs for insurance purposes.

**ENGINEER=S REPORT Oakgreen Avenue Infiltration Basin Project** Engineer Hanson had mailed to the managers a list of the bid results on the Oakgreen Avenue Infiltration Basin project. After much discussion, motion was made by Scheel and seconded by Fetcher to award the bid to the Carl Bolander & Sons Co. for a bid amount of $129,921 for the Oakgreen Avenue Infiltration Basin project. Motion carried with a vote as follows: Fetcher, Yes; Borash, No; Scheel, Yes; Bucheck, No; and Lucksinger, Yes.

**Torre Pines Grading** Engineer Hanson reported that Contractor Buelow completed the work today, but some restoration work might be needed in the spring.

**2007 Stormwater Pond Maintenance** Engineer Hanson reported that the sediment samples have been collected and sent to the laboratory, but results have not been received. He will make a report to the managers at the January 10th meeting. Engineer Hanson also reported that no easements were recorded for some of the stormwater ponds. The managers directed Engineer Hanson to wait until the lab results are received before contacting the property owners to determine if the VBWD could access the ponds for maintenance. In addition, the managers agreed that Engineer Hanson should not prepare any permits until the managers can discuss the lab results.

**Tri-Lakes Improvement Association Annual Meeting** Engineer Hanson said the Tri-Lakes Association will hold its annual meeting on February 4, 2008. The Association has requested that the VBWD coordinate a nitrate testing clinic with Washington County and the Association. The managers agreed to be involved, and directed Engineer Hanson to contact Angie Hong, the District Educator, to organize the program. Engineer Hanson said he will keep the managers posted.

**System and Dam Inspections** Engineer Hanson had mailed to the managers a memorandum regarding dam inspections of Project 1007, the Olson Lake Estates Pond Outlet Project, and the Downs Lake Neighborhood Flood Duration Reduction Project. He had also sent the managers draft letters regarding Barr Engineering inspections of the Rest Area Pond dam and the Eagle Point Lake dam. He asked the managers to review the recommendations made in the system inspection memorandum and determine what actions Barr should take. After discussion, motion was made by Fetcher and seconded by Scheel that Barr should make the recommended corrections. Motion carried unanimously.

After discussion of the Rest Area Dam Inspection, motion was made by Fetcher and seconded by Scheel to correct the maintenance of Rest Area Dam. Motion carried unanimously.

**2007 Habitat Monitoring** President Fetcher moved this agenda item to the January 10, 2008 meeting agenda.
Legal Boundary in St. Mary's Point Engineer Hanson discussed the discrepancy between the VBWD hydrologic boundary and legal boundary in St. Mary's Point. After discussion, the managers directed Engineer Hanson to review the entire Middle St. Croix WMO-VBWD legal boundary and report back to the managers.

Raleigh Creek President Fetcher moved this agenda item to the January 10, 2008 meeting agenda.

Wetland Assessments Engineer Hanson had mailed to the managers, a map and table showing the progress made in 2007 on the wetland assessments in VBWD. The managers discussed the information with Engineer Hanson.

Sunfish Lake Water Quality Engineer Hanson had mailed to the managers a memorandum regarding the use of barley straw in Sunfish Lake to improve the water quality in the lake. The managers discussed the issue at length, and directed Engineer Hanson to investigate the long-term effects of using alum and barley straw.

MANAGERS= REPORT Report on BMP Cost-Share Program Vice President Bucheck reported that he had met with Rusty Schmidt and Jay Riggs, who are with the Washington Conservation District, regarding the BMP Cost-Share Program, and now had questions for the managers to consider. The managers discussed each question, and gave Vice President Bucheck their opinion. Vice President Bucheck said he will now work with Rusty and Jay to finalize the program.

Next Meeting - January 10, 2008 The managers expect to have a quorum at the next meeting.

Final 2008 Levy Certification Treasurer Borash indicated that he had provided the final certification forms to the counties.

Citizens Advisory Committee President Fetcher will discuss this issue at a future meeting.

Report on MAWD Annual Conference President Fetcher and Manager Lucksinger will give reports at a future meeting.

Organization of Officers Dale Borash was nominated for Treasurer; Don Scheel was nominated for Secretary; Dave Bucheck was nominated for Vice President; and Lincoln Fetcher was nominated for President. Motion was made and seconded to approve the slate of officers as nominated for 2008 as follows: President - Lincoln Fetcher; Vice President - Dave Bucheck; Secretary - Don Scheel; and Treasurer - Dale Borash. Motion carried unanimously.

Selection of Legal Newspaper and Official Bank for District Motion was made by Borash and seconded by Fetcher to designate the Lillie Suburban Newspapers as the District=s legal newspaper for the year 2006, and to designate the Lake Elmo Bank as the official bank for the Valley Branch Watershed District in 2008. Motion carried unanimously.

Contact Information Update Engineer Hanson distributed a copy of the contact page on the VBWD website for the managers and staff to review and update.

ADJOURNMENT Motion made by Fetcher and seconded by Bucheck at 10:25 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary