Minutes of Regular Meeting # 774 Held in the Lake Elmo City Council Chambers Thursday, June 14, 2007

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

MANAGERS ABSENT: None

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

STAFF ABSENT: None

OTHERS PRESENT: Chuck Taylor, Citizens Advisory Committee; Rusty Schmidt, Washington Conservation District; Steve Anderson and Randy Morgan, Washington County Agriculture Society

CALL TO ORDER President Fetcher called the meeting to order at 7:10 pm.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the May 24, 2007 meeting, motion was made by Scheel and seconded by Borash to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS The following items were added to the agenda under Managers: 2006-07 Washington County Tax Certification; Metro Watershed Partners; and Century College Permit.

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 Attorney Marshall said he had nothing new to report.

TREASURER’S REPORT The Treasurer’s Report will be given at the second meeting of the month.

WASHINGTON CONSERVATION DISTRICT Rusty Schmidt, newly employed by the Washington Conservation District (WCD), was present to report to the managers on WCD activities. He reported that Bonnie Juran has a Blue Thumb party scheduled at her home in July, and an erosion control field course is scheduled in Woodbury on July 17th. He had a contract for the VBWD managers to sign for the BMP cost-share program. The WCD will administer the program for an estimated cost to VBWD of $34,000 for 18 months, to the end of 2008. Rusty said the program can be set up soon and that possibly a project will begin
this year. **Motion** was made by Bucheck and seconded by Scheel to approve the Service Agreement between the Washington Conservation District and the Valley Branch Watershed District regarding the VBWD BMP cost share program. Motion carried unanimously. President Fetcher and Secretary Scheel signed the agreement.

Rusty also had a contract for the wetland function and value assessment work. The managers asked Engineer Hanson and Attorney Marshall to review the contract.

**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: Washington County Fairgrounds Demolition Derby, Baytown Township**

Secretary Scheel excused himself from the discussion of Permit # 2007-10 because of his involvement in the Washington Agriculture Society.

At the last meeting, the managers had tabled the discussion of Permit # 2007-10 because the project plans were not clear. The managers had directed Engineer Hanson to inform the permit applicant of the items needing to be completed before approval of the permit: a permit fee and cash surety needed to be submitted, a maintenance agreement needed to be discussed, and soil borings needed to be conducted. Some of these items have not yet been completed.

Steve Anderson and Randy Morgan were present to discuss the permit with the managers. They asked the managers to approve the permit before the conditions had been met. The managers questioned why the conditions had not been met in the last three weeks since the last VBWD meeting. After much discussion, **motion** was made by Fetcher and seconded by Borash to approve Permit # 2007-10 after the maintenance agreement is provided, and the soil borings are conducted, and the cash surety is received. Motion carried with the following votes: Johnson, Yes; Borash, Yes; Fetcher, Yes; and Bucheck, Yes.

**Permit Request: Whistling Valley Third Addition, Lake Elmo**

At the last meeting, the managers tabled discussion of Permit # 2007-11 until further information was received. Since that meeting, Engineer Hanson had mailed to the managers a permit review memorandum for the proposed project. He presented additional information to the managers at the meeting. After discussion of the stormwater management concerns, the wetland management and buffers, and the floodplain management concerns, **motion** was made by Borash and seconded by Bucheck to approve Permit # 2007-11 with the engineer’s suggested site specific conditions, and standard conditions. Motion carried unanimously.

**Permit Request: Garden Gate Townhomes, Woodbury**

Engineer Hanson presented information on a project located northwest of Cottage Grove Drive (CR 72) and Eastwood Road, Woodbury in the northeast quarter of the southeast quarter of Section 2, Township 28 North, Range 21 West. The purpose of the project is to construct 12 structures, each with four Town homes, remove existing storm sewer and construct new storm sewer, and reconstruct a stormwater management pond.

Engineer Hanson said that this is a major revision to the plans approved by the VBWD in 2004 for the Retreat at Garden Gate. The permit application is for Phases 1 and 2 of the revision only, which is within the Retreat Lane loop road.
After discussion, motion was made by Bucheck and seconded by Borash to table the discussion of Permit # 2007-15 until information is submitted that shows the project will conform to the VBWD’s volume control rule. Motion carried unanimously.

Permitting in Oakdale Engineer Hanson had mailed to the managers a memorandum regarding VBWD permitting in the City of Oakdale. The City of Oakdale assumes the permitting role for all land alterations, except wetland issues. Now that the VBWD has an official “second generation” watershed management plan, the City of Oakdale must prepare a local water management plan that conforms to the VBWD 2005-2015 Watershed Management Plan. Engineer Hanson requested direction from the managers and legal counsel as to when the VBWD could assume permitting authority in the City of Oakdale for all activities regulated by the VBWD.

After discussion, the managers directed Engineer Hanson to contact the City of Oakdale by telephone, and asking the City of Oakdale their intentions, and then following up with a letter that clearly states the permitting responsibilities.

Old Smith Dam Engineer Hanson asked the managers for direction on the situation. He had sent a letter to the landowner on May 18th, and has received no response. The managers directed Engineer Hanson to contact the landowner by telephone, then send a certified letter, if there is no telephone response.

Project 1007 Maintenance Engineer Hanson had mailed to the managers copies of the Payment Application No. 6 for Project 1007 Maintenance. After discussion, motion was made by Scheel and seconded by Borash to approve the final payment of Payment Application No. 6 to John Buelow, Contractor for Project 1007 Maintenance, in the amount of $11,839.18. Motion carried unanimously.

MANAGERS’ REPORT Next Meeting - June 28, 2007 The managers expect to have a quorum present at the next meeting on June 28, 2007.

West Lakeland Township Board Meeting Treasurer Borash reported that the West Lakeland Township Board members had questions about the VBWD rules regarding infiltration and maintenance of stormwater management facilities. Engineer Hanson and Treasurer Borash attended a Township meeting and discussed the issue with the township board members. They now understand the VBWD intent.

Afton I-94 Corridor Meeting Secretary Scheel said the City of Afton had taken a survey among the Afton residents regarding the use of commercial property along the south side of I-94. At an Afton Council meeting, the results were read, and many suggestions were made for use of the corridor. There were no decisions made at the meeting.

Beaver Dam Within Sunnybrook Lake Watershed President Fetcher reported that he had received a telephone call from a resident upstream of Sunnybrook Lake, saying that he is concerned that his property will be flooded. President Fetcher learned that there is a beaver dam on the property of another resident downstream. The property owner does not wish to destroy the beaver dam. Other Sunnybrook Lake residents also have said there are problems because of the dam. After discussion, the managers agreed that it is a problem that the lake residents should resolve themselves, but President Fetcher said he will contact the landowner where the beaver dam is located, and discuss the problems the dam is causing.
Silver Lake Bioretention Site Weeding President Fetcher said it has been arranged that someone from Barr Engineering Company will meet with North St. Paul workers to help them identify weeds in the bioretention site.

Metro Watershed Partners President Fetcher said he attended a meeting of the Metro Watershed Partners. The meeting was held on the Magnolia Blossom boat, and they traveled up and down the Mississippi River. He said it was a very interesting meeting.

2006-07 Washington County Tax Levy Certification Treasurer Borash reported a discrepancy in the Washington County Tax Certification amount. He showed the managers the 2006 and 2007 levy forms from both Washington and Ramsey Counties, along with the percentage worksheet from the State of Minnesota, and explained how he had completed the forms. The managers agreed that the forms seemed to be completed correctly. Treasurer Borash explained that Washington County had removed the Ramsey County portion from the total Tax Levy twice, and said that this changed the percentages of the total levies that each county assessed for VBWD. He then asked for direction on whether or not to pursue this issue. The managers discussed the issue and decided to take no action regarding previous levies, but to make revisions in preparing paperwork in the future.

**ADJOURNMENT** Motion made by Fetcher and seconded by Borash at 9:41 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

Minutes Approved by Managers 06/28/07