Minutes of Regular Meeting # 775 Held in the Lake Elmo City Council Chambers
Thursday, June 28, 2007

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

MANAGERS ABSENT: Duane Johnson, Manager

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

STAFF ABSENT: None

OTHERS PRESENT: Jay Riggs, Washington Conservation District; Lynn Keller, Master Gardeners; and Greg Morris, ProTerra Design, for Tapestry at Charlotte’s Grove

CALL TO ORDER President Fetcher called the meeting to order at 7:02 pm.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the June 14, 2007 meeting, motion was made by Bucheck and seconded by Scheel to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS The following items were added to the agenda under: Under Managers: Silver Lake Bioretention Project; and under Engineer: Gateway Trail.

PUBLIC FORUM Master Gardeners Lynn Keller, with the Master Gardeners organization, distributed the University of Minnesota Extension brochure on noxious weeds, and also the fact sheet on identifying and controlling noxious weeds. At a previous meeting, the VBWD managers agreed to fund the printing cost of the fact sheet. Lynn thanked the managers for this, and asked the managers to refer to her, anyone interested in a presentation on the issue of identifying noxious weeds.

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

INSPECTOR=S REPORT Inspector Roemmich reported on his inspection of the Century College project. He said the construction activities do not appear to be consistent with the permit conditions. After discussion, the managers directed Engineer Hanson to send a certified letter to the permit applicant, requesting updated information, then follow up with a telephone call.

ATTORNEY=S REPORT Attorney Wolle had the Artisan project stormwater maintenance contract and the Washington Conservation District MNRAM wetland assessment and staff gauges contract ready for signature by the President and Secretary. The managers signed the contract.

TREASURER=S REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2007 dated May 31, 2007, and the Treasurer=s Report dated June 28, 2007. After discussion, motion was made by Borash and seconded by Scheel to approve the Treasurer=s Report. Motion carried unanimously.
Treasurer Borash distributed copies of the draft 2006 Annual Audit for the managers to review. After reviewing and suggesting changes, motion was made by Fetcher and seconded by Borash to approve the financial audit for Fiscal Year 2006, ending December 31st, with the agreed upon revisions. Motion carried unanimously.

WASHINGTON CONSERVATION DISTRICT Jay Riggs reported that there is one new City partner in the education program - the City of Cottage Grove. He announced that a committee of Dave Bucheck, Rusty Schmidt, and himself will be meeting to get the BMP cost share program started.

Regarding the MLCCS, the City of Oakdale is willing to pay for their portion of the land cover mapping. Jay told the managers that the Washington Conservation District will be requesting an additional $8,000 for the completion of the land cover mapping. The Ramsey Conservation District has agreed to do the MLCCS mapping of their portion of the VBWD.

PUBLIC HEARING ON MS4 ANNUAL REPORT At 8:02 pm President Fetcher suspended the managers’ meeting.

At 8:03 pm President Fetcher opened the public hearing on the MS4 annual report.

President Fetcher asked the audience if there are any public responses to the MS4 annual report by the VBWD. Hearing none, and hearing no questions from the managers, motion was made by Fetcher and seconded by Scheel, to approve the annual report for the MS4 permit as completed. Motion carried unanimously.

At 8:06 pm President Fetcher called the managers’ regular meeting back to order.

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

ENGINEER’S REPORT Minimum Floor Elevation Revisions: Tapestry at Charlotte’s Grove, Lake Elmo Engineer Hanson had mailed information to the managers on this permit, which was closed by the managers on December 14, 2006, with the understanding that the permit holder would record the proper documents and submit proof of the recordings to the VBWD. No proof of the recordings including the minimum floor elevations, has been submitted. The developer is now requesting a change to the minimum floor elevations.

After discussion, motion was made by Borash to approve the revisions to the Tapestry at Charlotte’s Grove permit with the listed minimum floor elevation changes, and if they are not recorded within three weeks, the permit will go back to the original October 2004 VBWD approved minimum floor elevations. Motion failed for lack of a second.

Motion by Fetcher and seconded by Scheel to approve the adjusted minimum floor elevations in Tapestry at Charlotte’s Grove, as recommended by Engineer Hanson with the expectations that this project is recorded promptly. Motion carried with the vote as follows: Fetcher, Yes; Scheel, Yes; Bucheck, Yes; and Borash, No.

Permit Request: Garden Gate Town Homes, Woodbury Engineer Hanson had mailed information to the managers 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 townhomes, remove existing storm sewer and construct new storm sewer, and re-construct a stormwater management pond.

This is a major revision to the plans approved by the VBWD in 2004 for the Retreat at Garden Gate. The permit application is only for Phases 1 and 2 of the revision, which is within the Retreat Lane loop road.
After discussion of the stormwater management concerns, the wetland management and buffers concerns, floodplain management concerns, motion was made by Bucheck and seconded by Borash to approve Phase 1 & 2, Permit 2007-15, with the suggested engineer’s site-specific conditions and the standard conditions. Motion carried unanimously.

Permit Request: Arnold T. Johnson Beach Sand Blanket, Grant Engineer Hanson had mailed to the managers information on a project located at 6931 Jocelyn Lane North, Grant, in part of the NE 1/4 Section 34, Township 30 North, Range 21 West. The purpose of the project is to place approximately 30 cubic yards of washed sand below 100-year flood level of Sunnybrook Lake for a beach sand blanket.

Engineer Hanson explained to the managers that Sunnybrook Lake is considered a wetland under the VBWD vegetative buffer rules, which state that a minimum 16.5 foot vegetative buffer strip shall be provided for all permitted activities. After discussion, motion was made by Fetcher to approve Permit # 2007-16 with the suggestion that the applicant create a minimum vegetative 16.5 buffer strip 30 percent of the width of his property and to encourage the applicant to participate in the VBWD’s Best Management Practices cost share program. Motion failed for lack of a second.

Motion was made by Bucheck and seconded by Borash to approve Permit # 2007-16 with the engineer’s suggested site-specific conditions and standard conditions. Motion carried with the vote as follows: Scheel, Yes; Bucheck, Yes; Borash, Yes; and Fetcher, No.

Permit 2007-10: 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.

Engineer Hanson had sent a memorandum to the managers concerning conditions of safety, contamination, and water quality/sedimentation concerns at the site of the demolition derby at the Washington County Fairgrounds. In the memorandum, Engineer Hanson made several suggestions to correct the demolition derby track at the Washington County Fairgrounds.

The managers directed Attorney Wolle to contact the area Fire department concerning a possible safety hazard, then to draft a letter to the permit applicant, stating the need for a drainage easement, a skimming device, the construction of flatter side slopes, and the suggestion of a fence.

Mark Mann Infiltration Basin Engineer Hanson reported that he has met several times with Mr. Mark Mann, owner of the property at the top of the Abahneman Ravine® to discuss the possibility of constructing infiltration basins. Mr. Mann is considering two design options and has given his permission for an appraiser to enter the land for the VBWD to determine the land’s value for an easement or purchase. The managers directed Attorney Wolle to contact an appraisal firm to possibly learn the value of the land.

Baytown Superfund Site Responsiveness Summary Engineer Hanson had mailed to the managers copies of mail from the Minnesota Pollution Control Agency (MPCA) regarding the Baytown Superfund Site Responsiveness Summary. Engineer Hanson explained that MPCA is currently considering pumping the treated groundwater into a proposed 50-foot wide area drain field along the east side of the Hagberg site. After discussion, the managers directed Attorney Wolle to send a letter to MPCA stating that the proposed project will need to conform to VBWD Rules.

Gateway Trail Rehabilitation, Permit # 2007-18 Motion was made by Borash and seconded by Bucheck to table Permit # 2007-18 until comments are received from the MnDNR. Motion carried unanimously.

MANAGERS= REPORT Next Meeting - July 12, 2007 The managers expect to have a quorum present at the next meeting on July 12, 2007. Treasurer Borash said he will be absent from the July 12th meeting.
Beaver Dam Within Sunnybrook Lake Watershed President Fetcher reported that he had viewed the site of the beaver dam in Sunnybrook Lake and said that it is clear that VBWD has no authority in the issue. The managers and Engineer Hanson and Attorney Wolle agreed that the issue is between the property owners.

Silver Lake Bioretention Site Weeding Engineer Hanson said that Barr Engineering has tried to contact North St. Paul personnel three times regarding the weeding of the bioretention site on Silver Lake, and has not received a response. President Fetcher directed Engineer Hanson to send a letter to North St. Paul personnel, stating that if the City of North St. Paul does not have maintenance performed on the bioretention site in the next two weeks, VBWD will have it done and bill the City of North St. Paul.

ADJOURNMENT Motion made by Borash and seconded by Bucheck at 9:57 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

Minutes Approved by Managers 07/12/07