Minutes of Regular Meeting # 807 Held in the Lake Elmo City Council Chambers
Thursday, December 11, 2008

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

MANAGERS ABSENT: None

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; Tim Freeman, with Folz, Freeman, Dupay and Associates; Ed Kivel, Permit # 2008-26; Mike Brandt, Permit # 2008-27; Angie Hong, East Metro Water Resource Education Program; and Rusty Schmidt, Washington Conservation District

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 November 13, 2008 meeting, motion was made by Bucheck and seconded by Borash to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda under Engineer: Lower St. Croix WMO; MAWD; Under Managers: Guidelines for BMP Cost Share.

PUBLIC FORUM There was no discussion in Public Forum.

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 he had distributed the mail.

INSPECTOR’S REPORT Inspector Roemmich reported on inspections that he has made since the last meeting.

ATTORNEY’S REPORT Attorney Marshall presented a document needing signature by the managers - Memorandum of Understanding between VBWD and the City of Oakdale regarding the stormwater treatment facilities located in Oakdale.

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

WASHINGTON CONSERVATION DISTRICT -Community BMP Cost-Share Grant Application: City of Mahtomedi Public Works Facility Retrofit Vice President Bucheck began a discussion on the Mahtomedi Public Works Facility Cost-Share project. The City of Mahtomedi proposed to renovate the public works facility on the northeast corner of Lincolntown Road and Long Lake, and is asking VBWD to cost share the renovation in the amount of $45,000. Most of the project has already been completed. The City claims that some additional stormwater treatment, more than required by the VBWD, was constructed. After much
discussion, motion was made by Scheel and seconded by Fetcher to deny the request. Motion carried unanimously.

**Presentation Summarizing 2008 BMP Cost-Share Program Projects** Rusty Schmidt, with the Washington Conservation District, made a 30-minute report to the managers using a PowerPoint Presentation, on the BMP Cost Share Program projects in 2008. The managers appreciated the presentation and thanked Rusty Schmidt for his efforts.

**BMP Priorities and Procedures** Rusty Schmidt asked the managers if they could set priorities for the BMP cost-share program and let him know the priorities in January or February 2009.

Vice President Bucheck suggested and volunteered to send a note to Jay Riggs, Washington Conservation District Manager, expressing the managers' satisfaction with the BMP program.

**2009 Contract for Services - BMP Cost-Share Program** Rusty Schmidt presented the managers with a contract with the Washington Conservation District for BMP services in 2009. After discussion, motion was made by Bucheck and seconded by Scheel to approve the service contract with the Washington Conservation District on the BMP programs in 2009. Motion carried unanimously. The managers approved and signed the contract.

**ENGINEER-S REPORT Permit Request: Baytown Hidden Prairie 2nd Addition, Baytown Township** Engineer Hanson presented information on a project located north of 44th Street North and east of Northbrook Boulevard, Baytown Township in part of the N 1/2 of the SE 1/4 of Section 8, Township 29 North, Range 20 West. The purpose of the project is to adjust lot lines by re-platting Lots 1 and 2 of Block 1 of Baytown Hidden Prairie.

After discussion of the wetland management and buffers, the stormwater management concerns, and the floodplain management concerns, motion was made by Borash and seconded by Lucksinger to approve Permit # 2008-26, with the engineer=s applicable standard conditions, and that the permit fee will be determined by and will be the same as the cost of the Engineer=s expenses in executing the permit. Motion carried unanimously.

**Permit Close-Out: Chandler Exhibits, Afton** Engineer Hanson had mailed a memorandum to the managers regarding the close-out of the Chandler Exhibits in Afton, VBWD Permit # 2007-21. Chandler Exhibits has requested that the project be closed out, and that the surety of $6,520 be returned. Engineer Hanson reported that Inspector Roemmich has visited the site and found it acceptable to the VBWD approved plans and permit conditions.

After discussion, motion was made by Bucheck and seconded by Fetcher to close out the Chandler Exhibits Building Addition project and return the surety in the amount of $6,520. Motion carried unanimously.

Secretary Scheel left the meeting at 8:20 pm.

**Permit Request: Goodwill, Woodbury** Engineer Hanson presented to the managers information on a project located directly east of Wal-Mart and south of Gander Mountain in the northeast quadrant Hudson Road (south I-94 frontage road) and Lake View Drive, Woodbury in part of the E 1/2 of the NW 1/4 of Section 2, Township 28 North, Range 21 West. The purpose of the project is to construct a 20,600 square foot retail building and associated parking.

After discussion of the wetland management and buffers, the stormwater management concerns, and the floodplain management concerns, motion was made by Borash and seconded by Fetcher to approve Permit # 2008-27, with the engineer=s suggested site-specific conditions and standard conditions. Motion carried unanimously.
VBWD System and Dam Inspections Because of the extensive agenda, the managers agreed to postpone discussion of the VBWD inspections until the first meeting in January 2009.

Habitat Monitoring Report Because of the extensive agenda, the managers agreed to postpone discussion of the VBWD habitat monitoring report until the first meeting in January 2009.

Ravine Stabilization Projects After discussion of Payment Application No. 2 for Valley Branch Watershed District Ravine Stabilization in Lake Elmo and Pine Springs, Minnesota, motion was made by Fetcher and seconded by Bucheck to pay $82,026.91 to Frattalone Companies. Motion carried unanimously.

Valley Creek Stabilization Projects After discussion of Payment Application No. 2 for Valley Branch Watershed District Valley Creek Stabilization - Native Vegetation Establishment in Afton, Minnesota, motion was made by Fetcher and seconded by Bucheck to pay $7,839.27 to Prairie Restorations, Inc. Motion carried unanimously.

WOMP Station President Fetcher and Engineer Hanson reported on a meeting held on November 26th at the site of the WOMP station to discuss the impact of the Downstream Stabilization Project on the station. The managers agreed to discuss at a future meeting, the addition of one more monitoring station.

North St. Paul Water Management Plan Engineer Hanson had mailed to the managers a draft comment letter regarding the North St. Paul Water Management Plan. The managers approved the letter, and directed Engineer Hanson to mail it.

Lake Elmo and Woodbury AUARs No discussion was necessary for this item. The AUARs will be discussed at the January 8, 2009 meeting.

Sunfish Lake Park Easement Release Engineer Hanson had mailed to the managers copies of a letter he had received from the Minnesota Land Trust, requesting the release of VBWD-held easements within Sunfish Lake Park in the City of Lake Elmo. After discussion, motion was made by Borash and seconded by Fetcher to direct legal counsel to draft documents to release the easements in Sunfish Lake Park in the City of Lake Elmo, and to direct Attorney Marshall to contact the Minnesota Land Trust and ask them to draw up the papers for the release of the easements. Motion carried unanimously.

Eagle Point Lake Dam After discussion of an invoice from Prairie Restorations, Inc., for herbicide treatment to revegetate the Eagle Point Lake dam, motion was made by Fetcher and seconded by Lucksinger to pay Prairie Restorations, Inc. $640.00 for the work on re-vegetating the Eagle Point Lake Dam. Motion carried unanimously.

Lower St. Croix WMO Engineer Hanson reported to the managers that VBWD representatives have been asked to attend a meeting on January 14, 2009, at 4:30 pm at the Denmark Township Hall to continue discussion on the possible merge of the Lower St. Croix WMO with the VBWD. The managers agreed that Engineer Hanson should attend the meeting, and they also directed Attorney Marshall to attend. President Fetcher said he will also attend.

MAWD Because of the extensive agenda, the managers did not discuss this item.

MANAGER= REPORT Next Meeting - January 8, 2009 The managers expect to have a quorum at the next meeting.

Consent Calendar Motion was made by Bucheck and seconded by Fetcher to accept the Consent Calendar. Motion carried unanimously.
**BMP Cost-Share Reimbursement Requests** Engineer Hanson had mailed to the managers three memorandums from Washington Conservation District, each requesting VBWD Board action on reimbursement requests to VBWD residents for BMP Cost-Share projects. After discussion, motion was made by Bucheck and seconded by Fetcher to make reimbursement for: Rozinka Buffer and Shoreline Stabilization in the amount of $2,500; McAllister Raingarden in the amount of $600; and Johnson’s Raingarden in the amount of $1,892. Motion carried unanimously.

**Guidelines for Additional BMP Cost-Share Programs** Vice President Bucheck distributed a document listing a possible framework for commercial cost-share incentive programs for the managers= discussion. Rusty Schmidt said he will discuss the issue with the Ramsey-Washington Metro WD, and the Capitol Region WD. Vice President Bucheck said he will continue his efforts in developing the framework for BMP project guidelines.

**Citizens Advisory Committee** Engineer Hanson had mailed to the managers, draft copies of a request for volunteers, a general CAC Workplan, and the application form for potential Citizens Advisory Committee members. The managers discussed the draft documents and directed Engineer Hanson to prepare information on targeting mailings for potential applicants.

**2009 Goals** The managers reviewed the goals for 2009, made changes, and expect to approve the goals at the next meeting.

**TREASURER=S REPORT** Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2008 dated 11/30/08 and the Treasurer=s Report dated December 11, 2008. After discussion, motion was made by Borash and seconded by Bucheck to approve the Treasurer=s Report. Motion carried unanimously.

**2007 Audit** Engineer Hanson had mailed draft copies of the 2007 Financial Audit. After discussion, motion was made by Fetcher and seconded by Borash to approve the Valley Branch Watershed District Annual Financial Report dated December 31, 2007.

**Election of 2009 Officers; Selection of Legal Newspaper and Official Bank for District** Motion made by Fetcher and seconded by Borash to approve the current slate of officers as follows: Lincoln Fetcher, President; Dave Bucheck, Vice President; Donald Scheel, Secretary; and Dale Borash, Treasurer. Motion carried unanimously.

**Biennial Selection of Consultants** Motion was made by Fetcher and seconded by Lucksinger to retain the current consultants for the next two years: Lawson, Marshall, McDonald, Galowitz, and Wolle Legal Firm; Barr Engineering Company; and HLB Tautges Redpath Accounting Firm; to retain the Lillie Suburban Newspaper as the District=s Legal Newspaper, and to designate the Lake Elmo Bank as the District=s official bank for the next year. Motion carried unanimously.

**ADJOURNMENT** Motion made by Borash and seconded by Fetcher at 10:37 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

Minutes Approved by Managers 01/08/09