Minutes of Regular Meeting # 786 Held in the Lake Elmo City Council Chambers
Thursday, January 10, 2008

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; Daniel Gaudette, Permit for Du Residence, Afton; Michael Murphy, Century College Permit Application

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

ANNOUNCEMENTS There were no announcements made.

APPROVAL OF MINUTES After discussion of the minutes of the December 13, 2007 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 Managers: Goals for 2008 and Managers= Continuing Education.

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.

Afton Development, LLC President Fetcher reported that he had received a letter from Leonard Pratt of Afton Development, regarding the Cedar Bluff Homestead project, and requesting an extension to VBWD Permit # 2006-26. After discussion, the managers directed Engineer Hanson to contact Mr. Pratt by letter, inform him that the permit has expired, return any remaining permit fee, and suggest that he may resubmit a permit application when the project is ready.

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

ATTORNEY=S REPORT Oaths of Office Signed by Managers Attorney Marshall presented the Oaths of Office to each VBWD manager for signature. The managers signed them, and they will be kept on file in Attorney Marshall=s office.

TREASURER=S REPORT Treasurer Borash reported that he had again discussed the VBWD Certificates of Deposit (CDs) with Lake Elmo Bank personnel, as directed by the managers at the last meeting. He said he was assured that the FDIC insures the VBWD deposits as one basic policy, no matter how many CDs are affected. The bank backs deposits that are above the FDIC insurance limits with pledged securities, such as school bonds.
Washington Conservation District  No one was present representing the Washington Conservation District.

ENGINEER=’S REPORT  Century College East Campus North Lot, Mahtomedi  Engineer Hanson presented information on a project located directly north of the new Science and Learning Center, Mahtomedi, in part of the NW 1/4 of the SW 1/4 of Section 31, Township 30 North, Range 21 West. The purpose of the project is to construct a new 1 3/4-acre parking lot where an existing 1 1/8-acre parking lot exists, eliminate a vegetative swale, and create an infiltration basin with a pre-treatment cell.

After discussion of the stormwater management, the wetland management and buffers, the floodplain management, and the erosion control plan, motion was made by Fetcher and seconded by Bucheck, to approve Permit # 2008-01, with the engineer’s suggested site-specific conditions, and standard conditions, but not to waive the surety requirement. Motion carried unanimously.

Permit Application: Du Residence, Afton  Engineer Hanson presented information on a project located southeast of the 30th Street South-Trading Post Trail intersection, Afton, in part of the NW 1/4 of the NE 1/4 of Section 21, Township 20 North, Range 21 West. The purpose of the project is to construct an 8,017-square foot footprint home and garage, an approximate 650-foot long driveway, an infiltration basin and pretreatment cell, and a stormwater pond, on a 9.7-acre lot.

After discussion of the stormwater management, the wetland management and buffers, the floodplain management, and the erosion control plan, motion was made by Borash and seconded by Bucheck, to approve Permit # 2008-02, with the engineer’s suggested site-specific conditions, and standard conditions, but not to waive the required surety. Motion carried unanimously.

Permit Application: E&E Properties Parking Lot Expansion, Lake Elmo  Engineer Hanson presented information on a project located directly north of the I-94 frontage road (Hudson Road), about a half mile west of Manning Avenue in the City of Lake Elmo in part of the SW 1/4 of the SE 1/4 of Section 36, Township 29 North, Range 21 West. The purpose of the project is to expand an existing gravel parking lot by approximately 5,000 square feet and construct a new 21,000 square foot gravel parking lot; construct seven 3-foot high visual screening berms, and expand an existing stormwater management pond to include an infiltration bench.

The managers discussed the fact that the City of Lake Elmo has rejected the project, but the applicant has submitted a VBWD permit for them to act upon. After discussion of the stormwater management, the wetland management and buffers, the floodplain management, and the erosion control plan, motion was made by Fetcher and seconded by Borash, to approve Permit # 2007-28, with the engineer’s suggested site-specific conditions, and standard conditions. Motion carried unanimously.

Letter of Credit Reduction: Artisan, West Lakeland Township  Engineer Hanson reported that the applicant has submitted an as-built drawing. He said he has discussed the Letter of Credit reduction request with Inspector Roemmich and the West Lakeland Township engineer. After discussion, motion was made by Bucheck and seconded by Fetcher to direct Engineer Hanson to provide a letter indicating that the permit holder’s Letter of Credit could be reduced to half of its amount for the Artisan project. Motion carried unanimously.

Oakgreen Avenue Infiltration Basin Project  Engineer Hanson reported that Attorney Wolle has not yet been able to schedule a meeting with Mark and Nance Mann.

2007 Stormwater Pond Maintenance  Engineer Hanson had mailed to the managers a memorandum from Scott Sobiech, with Barr Engineering, on the status of the 2007 VBWD Stormwater Pond Maintenance. After discussion of the memorandum, motion was made by Fetcher and seconded by Borash to authorize Engineer Hanson and Attorney Marshall to carry out the actions listed in the memorandum. Motion carried unanimously.
**2007 Habitat Monitoring** Engineer Hanson had mailed to the managers a report on the 2007 Habitat Monitoring, for discussion at the last meeting. The managers did not discuss the report at the last meeting, because of the late hour. At this meeting, the managers discussed the report. In the report, it is recommended that the managers work with Angie Hong, the District Educator, to organize volunteer groups to remove common buckthorn and promote proper upland buffers to help maintain the vegetation diversity and wildlife habitat. After much discussion, **motion** was made by Fetcher and seconded by Scheel to accept the recommendations in the report, and to direct Engineer Hanson to implement the recommendations, including the change in the monitoring and working with the District Educator and coordinating any other way in working with neighborhoods and individuals and cities, etc. Motion carried unanimously.

**Raleigh Creek** Engineer Hanson had mailed to the managers a memorandum from Tom MacDonald and Jeff Weiss, with Barr Engineering, regarding Raleigh Creek, for discussion at the last meeting. The memorandum contained recommendations for stabilizing Raleigh Creek. The managers did not discuss the memorandum at the last meeting, because of the late hour. At this meeting, the managers discussed the Raleigh Creek issue, and Engineer Hanson said that the writers of the memorandum would be willing to attend a managers’ meeting to present the project to the managers. The managers agreed with this. Engineer Hanson will arrange for the presentation.

**West Lakeland Storage Site/Neal Avenue** Engineer Hanson and Attorney Marshall reported that they had visited the West Lakeland Storage Site, and discussed with the managers a proposal to reduce the VBWD’s liability on potential accidents associated with trespassing on VBWD-owned property. Attorney Marshall said that signs should be placed, and the dirt/wood jump that has been built by the trespassers, should be completely removed. The managers directed Engineer Hanson to investigate the cost of the signs, the cost of removing the dirt/wood jump, and installation of a guardrail. Engineer Hanson will report on the issue at the February 14th managers’ meeting.

**BWSR Performance Review and Assistance Program** Engineer Hanson had mailed copies of a letter to the managers from the Board of Water and Soil Resources concerning a performance review and assistance program for LGUs. BWSR is developing a questionnaire for watershed districts, water management organizations, and soil and water conservation districts. President Fetcher discussed BWSR presentations that he had attended at the MAWD conference, and the December Washington County Water Consortium meeting.

**Legal Boundary Along Middle St. Croix WMO Boundary** Engineer Hanson presented a map to the managers of the entire hydrologic boundary between the VBWD and the Middle St. Croix Watershed Management Organization. After much discussion, the managers agreed that there is inadequate justification for VBWD to initiate any legal boundary correction efforts at this time.

**Torre Pines Grading** Engineer Hanson had mailed to the managers several photographs of the grading work done at the Torre Pines project. The managers agreed that the grading looked good.

**MANAGERS’ REPORT Next Meeting - January 24, 2008** The managers expect to have a quorum at the next meeting. Secretary Scheel said he will be absent from the February 14th, 28th, and March 13th meetings. Vice President Bucheck said he will be absent from the March 13th meeting. Treasurer Borash said it is possible that he will be absent from the March 13th meeting.

**Report on MAWD Annual Conference** President Fetcher and Manager Lucksinger reported on seminars that they attended at the MAWD Conference in December 2007. They attended a session on aerial photos taken of watershed districts, also a session on cutting-edge monitoring equipment. Manager Lucksinger attended the all-day seminar for new managers.
Goals for 2008  President Fetcher, with Engineer Hanson’s assistance, had prepared a list of goals for 2008, which were distributed. President Fetcher asked the managers to review the draft list and be prepared for discussion at the next meeting.

Citizens Advisory Committee  President Fetcher began a discussion of developing and implementing a strategy for an active Citizens Advisory Committee. Because of the late hour, President Fetcher said there will be more discussion at the next meeting.

Report on BMP Cost-Share Program  Vice President Bucheck reported that he received the draft BMP program just yesterday, so he will send copies of the draft to the managers electronically for discussion at the next meeting.

ADJOURNMENT  Motion made by Borash and seconded by Scheel at 10:19 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

Minutes Approved by Managers 01/24/08