Minutes of Regular Meeting # 796 Held in the Lake Elmo City Council Chambers
Thursday, June 12, 2008

MANAGERS PRESENT: Lincoln Fetcher, President; Dave Bucheck, Vice President; Don Scheel, Secretary

MANAGERS ABSENT: Dale Borash, Treasurer; Ray Lucksinger, Manager

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; Rusty Schmidt, Washington Conservation District; Ron Leaf, Engineer, City of Oakdale/SEH; Todd Erickson, Folz, Freeman, Erickson, Inc.

CALL TO ORDER President Fetcher called the meeting to order at 7:05 pm.

ANNOUNCEMENTS President Fetcher announced that Manager Lucksinger is recovering from heart valve replacement surgery, and is doing well. A greeting card was signed by managers and staff and will be sent to Manager Lucksinger.

APPROVAL OF MINUTES After discussion of the minutes of the May 22, 2008 meeting, motion was made by Bucheck and seconded by Scheel to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda: Under Engineer: Stormwater Pond Open House; Lake DeMontreville Access.

PUBLIC FORUM Stormwater Management Permitting in Oakdale Ron Leaf, engineer at Short Elliot Hendrickson, Inc., and representing Oakdale, was present to discuss with the managers the stormwater management permitting authorities in the City of Oakdale. Ron Leaf said the City of Oakdale is interested in updating the city=s Water Management Plan to include the opportunity to have the permitting authority.

President Fetcher said the managers and the City of Oakdale continue to be open to talk about the issue. He said it is critical to use the VBWD rules. The City of Oakdale is the only city within VBWD that wishes to have its own permitting authority.

Ron Leaf said the City of Oakdale is open to discussion of the permitting authority anytime. He thanked the managers for the opportunity to attend this meeting for the discussion.

SECRETARY=S REPORT Secretary Scheel reported that he had distributed the mail. City of Afton/Lakeland Gully The managers received a letter from the City of Afton requesting $25,000 from VBWD to stabilize a ravine within the Middle St. Croix WMO, but receiving some runoff from land within the legal jurisdiction of the VBWD. The managers agreed that to support this request, a VBWD Plan amendment would be needed, which would be expensive. The managers directed Engineer Hanson to draft a letter of response, declining the request, for the managers to review at the next meeting.
**INSPECTOR’S REPORT** Inspector Roemmich reported on inspections that he has made since the last meeting. He also reported an erosion control problem on the Mulcahy property on Long Lake. The managers directed Engineer Hanson to write a letter to Gary Mulcahy concerning the issue.

**ATTORNEY’S REPORT** Attorney Marshall advised the managers to maintain ownership of the VBWD parcels at 5th Street North in West Lakeland Township. He discussed his reasons with the managers.

**TREASURER’S REPORT** The Treasurer’s report is presented at the second meeting of the month.

**WASHINGTON CONSERVATION DISTRICT** Rusty Schmidt was present to make a report from the Washington Conservation District. He said that discussions are being held to renew the new contract for the Watershed District Educator for 2009. Rusty next reported that the WCD plans to participate in preparing a metro-wide stream database. He also said that replacement shrubs are needed at the Washington County Fairgrounds rainwater gardens, and made a request for the managers to finance the replacement. The managers agreed to pay for the replacement of the shrubs.

**ENGINEER’S REPORT** Permit Request: David Jordan Residence, West Lakeland Township  
Engineer Hanson presented information on a project located southeast of 12th Street North and Manning Avenue, West Lakeland Township in part of the SW 1/4 of Section 30, Township 29 North, Range 20 West.

The purpose of the project is to split a lot and construct an approximate 2800-square foot footprint home and garage, an approximate 230-foot long driveway, a rainwater garden, and a pond connecting to the VBWD’s Project 1007 system, all on a proposed 2.7-acre lot. The proposal will disturb 1.1 acres and create 7,050 square feet of new impervious surfaces.

After discussion of the stormwater management, the wetland management and buffers, and the floodplain management, the motion was made by Fetcher and seconded by Bucheck to approve Permit # 2008-09, with the engineer’s suggested site-specific conditions and standard condition, and to waive the permit fee and surety. Motion carried unanimously.

**Permit Revision Request: Discover Crossing, Lake Elmo**  
Engineer Hanson presented information on a project located about 500 feet south of Highway 36 and west of Lake Elmo Avenue (CSAH 17), Lake Elmo, in the NE quarter Section 2, Township 29 North, Range 21 West.

The original project constructed a single-family residential subdivision with 28 lots, about 0.7 miles of roadway, about 1.1 miles of paved trail, storm sewer, and several stormwater basins. A request has been made to lower the VBWD-approved minimum floor elevation for lots surrounding a landlocked basin in the development.

After discussion of the permit request, and the recommendation by Engineer Hanson to allow a revision to Conditions 9 and 10 of Permit 2005-18, the motion was made by Bucheck and seconded by Scheel to approve the revision to Permit # 2005-18, by revising Conditions 9 and 10, to show the new 100-year flood elevations as 918, and the minimum floor elevations at 920 or higher.

**Permit Request: St. Ores Fire Ring/Fill on McDonald Lake, Baytown Township**  
Engineer Hanson presented information on a project located at 5150 Muir Avenue North, Baytown Township, in part of the SE 1/4 of the SE 1/4 of Section 6, Township 29 North, Range 20 West.

The purpose of the project is to construct a fire pit and stone retaining wall below the 100-year flood level of McDonald Lake.
After discussion of the stormwater management, the wetland management and buffers, and the floodplain management, **motion** was made by Fetcher and seconded by Scheel to approve Permit # 2008-10 with the standard conditions, and to waive the permit fee and surety. Motion carried unanimously.

**WCD Retreat** Engineer Hanson said he has been invited to attend the Washington Conservation District day-long retreat at the Lake Elmo Regional Park on July 10th. He is asked to discuss the various VBWD projects and programs. The managers approved Engineer Hanson attending the retreat on July 10th.

**Northeast Pond on Tapestry at Charlotte=s Grove, Lake Elmo** Engineer Hanson had mailed to the managers a memorandum dated June 6, 2008, regarding a property owner=s concerns that the Tapestry at Charlotte=s Grove subdivision has negatively affected his property. The property owner grows trees, and several of the trees located close to a pond constructed on the Tapestry site have died.

After discussion, the managers directed Engineer Hanson to suggest to the property owner that he should get a professional opinion on the cause for the trees to die. The City of Lake Elmo has an arborist on staff.

**Valley Creek Stabilization Projects - Oakgreen Avenue Infiltration Basin** Engineer Hanson had mailed to the managers Application Number 1 to Carl Bolander and Sons for $60,233.94. Engineer Hanson recommended payment. **Motion** was made by Fetcher and seconded by Scheel to approve the first Application Number 1 in the amount of $60,233.94 to Bolander and Sons. Motion carried unanimously.

**Downstream and Upstream Valley Creek Stabilization Projects** Engineer Hanson reported that the bid openings for these projects is June 25, and if the managers approve a contractor at their June 26th meeting, construction could start in early July 2008.

**5th Street North** Engineer Hanson had forwarded an invoice from Buelow Excavating for removing the 4-wheeler jump on VBWD property. He also reported that John Buelow said he could push the 5th Street embankment material in approximately one day, and it would cost approximately $1,000 per day. **Motion** made by Scheel and seconded by Fetcher to pay the Buelow Excavating invoice in the amount of $380 for the jump removal and the installation of posts, chains, and signs at the 5th Street site, and to hire Buelow Excavating to push the 5th Street North material at a cost of approximately $1,000. Motion carried unanimously.

**Stabilization of Goose Lake, Goetschel Pond, and Long Lake Ravines** Engineer Hanson had mailed to the managers a memorandum dated June 6, 2008, concerning the stabilization of ravines located near Goetschel Pond, Goose Lake, and Long Lake. Engineer Hanson said the draft plans will be completed before July 1, 2008, and the necessary permit applications will be submitted shortly thereafter.

**Silver Lake Outlet** Engineer Hanson said he has not yet received the information from the DNR about the approved outlet elevation for the Silver Lake outlet.

**Stormwater Pond Open House** At the last meeting, the managers had directed Engineer Hanson to contact the City of Oakdale concerning holding an Open House for the residents near proposed stormwater pond maintenance projects. At this meeting, Engineer Hanson reported that the City of Oakdale is in favor of the Open House and is considering July 7 or July 9. The managers agreed that July 9th would be the best date.

**Lake DeMontreville Access** Engineer Hanson said he had received a call from a resident on Lake DeMontreville whose property abuts a VBWD easement. The resident asked if a ANo Public Access, Valley Branch Watershed District @ sign could be placed at the property line to prevent neighbors from crossing onto the resident=s property. The managers all agreed not to intervene in the situation.

**MANAGERS= REPORT Next Meeting-June 26, 2008** The managers expect to have a quorum for the next meeting.
**BMP Cost Share Grant Applications** Engineer Hanson had mailed to the managers a BMP Cost-Share Approval Packet for a community grant at the Hamlet on Sunfish Lake, and several plant grants and individual grants. Vice President Bucheck reported that the BMP Cost Share subcommittee has met and discussed the projects and recommends that the managers approve the subcommittee’s recommendation. Rusty Schmidt and Vice President Bucheck discussed the Community BMP Cost Share Grant from the Hamlet on Sunfish Lake subdivision. After discussion, **motion** was made by Bucheck and seconded by Scheel to approve Items 1A through 1G on the Consent Calendar (attached), and $9,000 to the Hamlet on Sunfish Lake Homeowner’s Association for a Community Grant that will install native plantings. Motion carried unanimously.

**ADJOURNMENT** Motion made by Borash and seconded by Fetcher at 10:02 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

**Minutes Approved by Managers 06/26/08**