Minutes of Regular Meeting # 803 Held in the Lake Elmo City Council Chambers
Thursday, September 25, 2008

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

MANAGERS ABSENT: Dave Bucheck, President

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

STAFF ABSENT: None

OTHERS PRESENT: Jay Riggs, Washington WCD; Richard Johnson and Ben Dunlap, Afton House Permit Request; Josh Bowe, Mike Warren, FedEx Permit Request

CALL TO ORDER  President Fetcher called the meeting to order at 7:06 pm.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the September 11, 2008 meeting, motion was made by Scheel and seconded by Lucksinger to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS No items were added to the agenda.

PUBLIC FORUM There was no discussion in the Public Forum segment of the 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 said he had two items to report later in the meeting.

TREASURER=S REPORT Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2008 dated August 31, 2008, and the Treasurer=s Report dated September 25, 2008. After discussion, motion was made by Fetcher and seconded by Borash to approve the Treasurer=s Report. Motion carried unanimously.

WASHINGTON CONSERVATION DISTRICT Jay Riggs was present to report to the managers that the lake monitoring is continuing, and that eight BMP projects are completed, and 21 projects are underway. He also reported that the Township of West Lakeland has signed documents to become a partner in the EMWREP program.

ENGINEER=S REPORT Permit Request: Afton (Alida Messinger) House, Afton Engineer Hanson presented information on a project located north of Lake Edith at 502/536 Stagecoach Trail, Afton, in part of the W 1/2
The purpose of the project is to construct a 0.75-mile long 12-foot wide gravel driveway, an approximately 5,000-square foot footprint home, an 1,100-square foot garage, a 1,300 square foot pool pavilion, and three sets of stormwater runoff ponding areas.

After discussion of the stormwater management concerns, the wetland management and buffers, and the floodplain management, motion was made by Borash and seconded by Scheel to approve Permit # 2008-19 with the engineer’s suggested site-specific conditions and standard conditions. Motion carried unanimously.

**Permit Request: FedEx Ground Expansion, Mahtomedi** Engineer Hanson presented information on a project located at 7 Long Lake Road (between I-694, Long Lake Road, Century Avenue, and Echo Lake Avenue), Mahtomedi, in part of the S 1/2 of the SW 1/4 of Section 31, Township 30 North, Range 21 West and part of the N 1/2 of the NW 1/4 of Section 6, Township 29 North, Range 21 West. The purpose of the project is to expand the existing facility on the 74-acre site by adding several parking and loading areas, a guardhouse, a repair garage, a truck service garage, and one stormwater management pond.

After discussion of the stormwater management concerns, the wetland management and buffers, and the floodplain management, motion was made by Scheel and seconded by Borash to approve Permit # 2008-21 with the engineer’s suggested conditions and to require a surety. Motion carried unanimously.

**Permit Request: Joy Park Phase I Improvements, Maplewood** Engineer Hanson presented information on a project located along the south side of Joy Road between Century Avenue and Bellaire Street, Maplewood, in parts of the south quarter of the northeast quarter and north quarter of the southeast quarter of Section 7, Township 29 North, Range 21 West.

The purpose of the project is to construct a half mile long, 10-foot wide bituminous bike path with six adjacent depressions for stormwater runoff treatment, remove a concrete picnic area pad, reconstruct the existing boat ramp parking lot, construct four rainwater gardens and one bioretention basin adjacent to it, and provide 650 feet of shoreline restoration and four access points for Silver Lake along the park, west of the reconstructed parking lot. The project involves filling 3,770 square feet of wetland buffer. The Wetland Conservation Act requires 8,484 square feet of wetland mitigation. Excess wetland credits are proposed to be utilized for a future project.

After discussion of the stormwater management concerns, the wetland management and buffers, and the floodplain management, motion was made by Borash and seconded by Scheel to approve Permit # 2008-22 with the engineer’s suggested site specific conditions and standard conditions. Motion carried unanimously.

**Permit Request: Inlet Dredging of City Pond 39 (Markgrafs Lake Court and Club 3rd Addition), Woodbury** Engineer Hanson presented information on a project located north of 391-405 Leeward Trail (Southeast of Hudson 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 remove accumulated sediment at the inlet of a stormwater pond.

After discussion of the stormwater management concerns, the wetland management and buffers, and the floodplain management, motion was made by Scheel and seconded by Fetcher to approve Permit # 2008-23 with the engineer’s suggested site specific conditions and standard conditions, and that a Memorandum of Understanding will be drafted by Engineer Hanson stating the process for the City of Woodbury to receive VBWD approval for doing routine pond maintenance. Motion carried unanimously. Upon request, the Memorandum of Understanding describing the pond maintenance approval process could be used with other cities.
Ravine Stabilization Projects  Engineer Hanson distributed to the managers a table of the bids received for the ravine stabilization projects on Valley Creek. Engineer Hanson stated that one of the bidders had not included all of the necessary documents in its bid packet at the time of the bid closing. Because of that, the next highest bidder has voiced his concern via fax within 50 minutes of the bid opening and an original was hand-delivered within 90 minutes of the bid opening.

After much discussion with Attorney Marshall, the managers agreed that the late submission of information was merely a matter of form, and not of substance constituting some immaterial defect in a bid. Attorney Marshall deemed the temporary omission immaterial because the effect on price, quantity, quality or delivery is negligible when contrasted with the total cost or scope of the supplies or services being acquired.

Motion was made by Fetcher and seconded by Scheel to accept the Frattalone bid for the Ravine Stabilization projects on Valley Creek, and to authorize Engineer Hanson to execute the necessary contract documents. Motion carried unanimously.

Long Lake Water Quality Improvement Project  Engineer Hanson distributed to the managers copies of the table of the bids for the Long Lake Water Quality Improvement Project, and recommended that the managers award the bid to the lowest responsible bidder. After discussion, motion was made by Fetcher and seconded by Scheel to accept the bid from Teemark, the lowest bidder, and to authorize Engineer Hanson to execute the contract for the associated documents for the Long Lake Water Quality Improvement Project. Motion carried unanimously.

Sunfish Lake Water Quality Improvement Project  Engineer Hanson distributed to the managers copies of the table of the bids for the Sunfish Lake Water Quality Improvement Project, and recommended that the managers award the bid to the one and only bidder. After discussion, motion was made by Borash and seconded by Fetcher to accept the bid from Lake Restoration Company, and to authorize Engineer Hanson to execute the contract for the associated documents for the Sunfish Lake Water Quality Improvement Project. Motion carried unanimously.

Woodbury 2030 Comprehensive Plan, Woodbury Surface Water Management Plan, Grant 2030 Comprehensive Plan, White Bear Lake 2030 Comprehensive Plan, and Oakdale 2008-2030 Comprehensive Plan  Engineer Hanson had mailed to the managers draft comment letters for the above plans. After discussion of all the draft letters, motion was made by Fetcher and seconded by Borash to approve the comment letters for the Woodbury 2030 Comprehensive Plan, Woodbury Surface Water Management Plan, Grant 2030 Comprehensive Plan, White Bear Lake 2030 Comprehensive Plan, and Oakdale 2008-2030 Comprehensive Plan. Motion carried unanimously.

ATTORNEY=S REPORT (Cont.)  Attorney Marshall presented copies of temporary project easements with Robert Engstrom Company and with Michael and Julie Nelson for the Goetschel Pond ravine stabilization project, which needed President Fetcher=s and Secretary Scheel=s signatures. These documents had been signed at the last meeting by Vice President Bucheck and Secretary Scheel, but the documents were rejected by Washington County. President Fetcher and Secretary Scheel signed the documents.

MANAGERS= REPORT Next Meeting - October 9, 2008 The managers expect to have a quorum at the next meeting.

Consent Agenda Approval Motion was made by Borash and seconded by Fetcher to approve the consent agenda. Motion carried unanimously.

The only consent agenda item was for manager approval of an $800 individual grant for Bob Meier of 4678 Olson Lake Trail, Oakdale, for a rainwater garden upstream of Lake Olson. This replaces a previously approved $500 plant grant.
Volunteer Recognition/40th Anniversary Event  After much discussion, the managers agreed that the Volunteer Recognition/40th Anniversary Event would be cancelled.

Minnesota Waters Conference  President Fetcher announced the dates for the Minnesota Waters Conference in the River Center in St. Paul. The conference will be held October 27 - 29, 2008. Motion was made by Fetcher and seconded by Borash that expenses and costs will be reimbursed for any manager attending the Minnesota Waters Conference on October 27 - 29, 2008. Motion carried unanimously.

ADJOURNMENT  Motion made by Borash and seconded by Scheel at 9:05 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

Minutes Approved by Managers 10/09/08