Minutes of Regular Meeting # 809 Held in the Lake Elmo City Council Chambers Thursday, January 22, 2009

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

MANAGERS ABSENT:  Don Scheel, Secretary

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

STAFF ABSENT:  None

OTHERS PRESENT:  Rusty Schmidt, Washington Conservation District; Melissa Lewis, Board of Water and Soil Resources; Lanya Ross, Metropolitan Council; Ray Wuolo, Barr Engineering Company; Bryce Fossand and other representatives, Minnesota Department of Transportation.

At 5:30 pm Lanya Ross from the Metropolitan Council, and Ray Wuolo from Barr Engineering, made a presentation to the managers and staff on Metropolitan Council’s Water Supply Plan and Groundwater Model@.

CALL TO ORDER  President Fetcher called the meeting to order at 7:07 p.m.

ANNOUNCEMENTS  There were no announcements.

APPROVAL OF MINUTES  After discussion of the minutes of the January 8, 2009 meeting, motion was made by Borash and seconded by Fetcher to approve the minutes as distributed. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS  Added to the agenda: Under Engineer: Lower St. Croix WMO; and Impervious Resurfacing.

PUBLIC FORUM  There was no discussion in the Public Forum segment of the meeting.

SECRETARY=S REPORT  Secretary Scheel was absent because of knee surgery. Engineer Hanson had picked up the mail and distributed it.

INSPECTOR=S REPORT  Inspector Roemmich said there was nothing new to report.

ATTORNEY=S REPORT  Attorney Wolle presented copies of the Woodbury-VBWD Memorandum of Understanding on Pond Maintenance to the managers for their review. It was agreed that if Attorney Wolle does not hear from any managers with any changes before February 2nd, she will consider it final and will notify the City of Woodbury that the managers approve the Memorandum of Understanding.

WASHINGTON CONSERVATION DISTRICT  Rusty Schmidt invited the managers to attend the next Water Consortium meeting on Wednesday, February 4th from 2:00 to 4:00 pm at the Washington Government Center. The managers directed Engineer Hanson to attend the meeting to discuss the county-wide BMP priorities, and hopefully, the watershed district BMP priorities, as well. Rusty asked the managers to determine the VBWD priorities before that meeting.
Engineer Hanson presented information on a project located on Trunk Highway 5, from 1460 feet west of Interstate 694 to 1000 feet north of 53rd Street North in Oakdale, Lake Elmo, and Baytown Township, in parts of Sections 12-18 of Township 29 North, Range 21 West and Parts of Sections 6 and 7 of Township 29 North, Range 20 West.

The purpose of the project is 1) improving drainage via minor grading, adding aprons to existing culverts, and replacing existing culverts with equivalent-sized culverts; 2) Constructing left and right turn lanes at intersections and resurfacing the highway north of Manning Avenue to 1000 feet north 53rd Street North, and constructing ditch blocks to manage the additional stormwater runoff.

After discussion of the stormwater management, the wetland management and buffers, and the floodplain management, motion was made by Bucheck and seconded by Borash to approve Permit # 2009-01 with the engineer=s suggested site-specific conditions and the applicable standard conditions. Motion carried unanimously.

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

**Lower St. Croix Watershed Management Organization** President Fetcher, Secretary Scheel, Attorney Marshall, and Engineer Hanson had attended a Lower St. Croix WMO meeting to discuss the issue of adding Lower St. Croix WMO to the VBWD or to the South Washington Watershed District, or both. President Fetcher summarized for the managers, the discussion items of the LSCWMO meeting. The managers discussed with Melissa Lewis the process of a possible merge. The Lower St. Croix WMO plans to make a decision regarding its management future at its February 11th meeting.

**Permit Request: 8190/8186 Hill Trail North Lot Line Adjustment, Lake Elmo** Engineer Hanson had mailed to the managers information on a project located on a common boundary between 8190 and 8186 Hill Trail North, Lake Elmo in part of the northwest quarter of Section 9, Township 29 North, Range 21 West. The purpose of the project is to slightly revise the common-side property line between two lots to give better access, more evenly divide the area, and make one lot less nonconforming. No construction is proposed, but the managers have a policy of requiring a permit for any lot line change.

After discussion, motion was made by Fetcher and seconded by Borash to approve Permit # 2009-03 with the engineer=s applicable standard conditions. Motion carried unanimously.

**Woodbury Surface Water Management Plan** Engineer Hanson had mailed to the managers a draft comment letter addressed to the City of Woodbury regarding the City=s Surface Water Management Plan. After reviewing, and making changes, motion was made by Fetcher and seconded by Borash to approve the letter and to direct Engineer Hanson to mail the letter. Motion carried unanimously.

**VBWD System and Dam Inspections** Engineer Hanson had mailed to the managers a memorandum summarizing the inspections made to the VBWD system and to the Eagle Point Lake dam, and the cost estimates to implement the recommendations for repair. After discussion, motion was made by Fetcher and seconded by Bucheck to move forward with the recommendations and to approve the cost estimate made by Buelow Excavating to implement the repairs on the Project 1007 system and the Rest Area Dam. Motion carried unanimously.

**Water Quality Assessment of Lake DeMontreville, Eagle Point Lake, and Horseshoe Lake** Engineer Hanson had mailed to the managers a draft report on the water quality assessment of DeMontreville, Eagle Point, and Horseshoe Lakes. After discussion of the draft report, the managers directed Engineer Hanson to arrange for Brian Huser at Barr Engineering, to make a presentation to the managers on the quality of the above three lakes, and the recommendations made in the draft report.
**Stormwater Pond Maintenance Inspection** After reviewing the 2008 VBWD Pond Inventory Executive Summary, a motion was made by Bucheck and seconded by Fetcher to direct Barr Engineering to start the process of preliminary design construction plans for the five ponds recommended for improvements in the 2008 survey. Motion carried unanimously. The managers also directed Barr to work with VBWD communities to take care of immediate maintenance items listed in the report. In addition, the managers directed Barr to discuss date storage and sharing issues with the MPCA and others to get their suggestions and to determine if others could do the work or provide funding.

**Habitat Monitoring Report** Engineer Hanson had mailed to the managers the 2008 Habitat Monitoring of Water Bodies dated November 2008. The managers discussed the report, but took no action.

**Highway 36/Interstate 694 Interchange** Engineer Hanson had mailed to the managers a memorandum regarding the I-694/Highway 36 Interchange that is being planned by the Minnesota Department of Transportation. The managers discussed the memorandum and took no action.

**Impervious Surfaces** Engineer Hanson reported that he had received questions from future permit applicants regarding the VBWD volume control requirement for pavement reconstruction projects. He had talked with other watershed district personnel regarding volume control on permits for impervious resurfacing. After discussion, a motion made by Fetcher and seconded by Borash to make a policy clarification on the rules that a simple mill and overlay of linear or area impervious surface does not trigger the volume reduction rules, and is triggered only when the project digs into base material for an area greater than 6,000 square feet. Motion carried unanimously.

**TREASURER’s REPORT** Treasurer Borash distributed copies of the Administrative and Program Budgets for Fiscal Year 2008 dated 12/31/08, and the Treasurer’s Report dated January 22, 2009. After discussion, a motion was made by Borash and seconded by Fetcher to pay the bills, but not to approve the report because of errors on withholding calculations on several checks. Motion carried unanimously.

**PERA Discussion** Treasurer Borash clarified that the Recording Secretary and Inspector are independent contractors. The District has been erroneously withholding FICA from the checks. The correction has been made as of January 1, 2009, and approved by State Auditors. After discussion, a motion was made by Borash and seconded by Fetcher that the hourly rate of the contracting staff - Inspector and Recording Secretary - will be increased by 7.6 % effective January 1, 2009. Motion carried unanimously.

**MANAGERS’ REPORT Next Meeting - February 12, 2009** The managers expect to have a quorum at the next meeting. Manager Lucksinger will not be present. Treasurer Borash said he could possibly be absent. The Recording Secretary will contact Secretary Scheel, who recently had knee surgery, about whether he will be present.

**Discussion of A Managers’ Response @ Items in 2007 Audit** In discussion of Items 2007-1, 2007-3, and 2007-4 of the 2007 audit, the managers agreed that no action is needed. Treasurer Borash will ask the VBWD accountant to prepare a response to Item 2007-2. President Fetcher asked Treasurer Borash to write a letter to Tautges Redpath with a copy to BWSR regarding Item 2007-5, stating this was an error, based on poor instructions from Washington County.

**Recognition Banquet** Engineer Hanson had mailed to the managers a memorandum with information about dates available at the Lake Elmo Events Center to hold the Recognition Banquet. The managers agreed that the banquet will be held on Friday, April 17, 2009. Engineer Hanson will make arrangements to reserve the Lake Elmo Events Center for the 17th of April.

**BMP Cost Share Program - Priorities for 2009** In discussion of the BMP priorities for 2009, the managers agreed to proceed in the same direction as in 2008.
ADJOURNMENT Motion made by Borash and seconded by Bucheck at 10:08 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Don Scheel, Secretary

Don Scheel, Secretary

Minutes Approved by Managers 02/12/09