Minutes of Regular Meeting # 820 Held in the Lake Elmo City Council Chambers
Thursday, July 9, 2009

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

MANAGER ABSENT: Lincoln Fetcher, President

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; Brian Buchmayer, Friends of Long Lake; Jim Almendinger, St. Croix Watershed Research Station; Jeff Berg, MnDNR; and Jay Schantz, Fill Permit

CALL TO ORDER Vice President Bucheck called the meeting to order at 7:00 pm.

ANNOUNCEMENTS Vice President Bucheck announced that KARE 11 News presented a segment on the porous concrete in the construction of the City of Mahtomedi Public Works Building.

PUBLIC FORUM There was no discussion in Public Forum.

APPROVAL OF MINUTES After discussion of the minutes of the June 25, 2009 meeting, motion was made by Scheel and seconded by Lucksinger to approve the minutes as corrected. Motion carried unanimously.

APPROVAL OF MINUTES After discussion of the minutes of the emergency meeting held February 28, 2009, motion was made by Scheel and seconded by Lucksinger to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Item added to the agenda under Engineer: Schantzen Fill Permit; Bastyr Long Lake Lakeshore Restoration.

SECRETARY’S REPORT Secretary Scheel reported that he had picked up the mail and it was distributed.

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

ATTORNEY’S REPORT Woodbury Appeal of BWSR’s Order to Enlarge VBWD Attorney Marshall reported that VBWD is named in the Woodbury Appeal of BWSR’s Order to Enlarge VBWD. He said he will watch to see what transpires, and keep the managers informed.
Attorney Marshall presented a notice for Secretary Scheel to sign regarding the public hearing for the DeMontreville Ravine Stabilization Project.

**TREASURER'S REPORT** Treasurer Borash reported that the District has received the check from Washington County for the first half of the 2009 taxes.

**WASHINGTON CONSERVATION DISTRICT** No report was given.

**VALLEY CREEK DATA REPORT** Jim Almendinger, Senior Scientist with the St. Croix Watershed Research Station in Marine on St. Croix, distributed to the managers the A Valley Creek Data Report July 2007-December 2008", and verbally summarized the data collection in the last two years. He also distributed to the managers a Work Plan for the next two years and asked the VBWD for another two years of financial support. The managers agreed that they would probably approve the work plan at the next meeting, and directed Engineer Hanson to draft a cover letter for the proposal, for the Metropolitan Council.

**ENGINEER'S REPORT** Long Lake and Sunfish Lake Water Quality Improvement Projects Engineer Hanson had mailed to the managers a memorandum from Brian Huser, Barr Engineering, regarding the alum treatment of Long Lake, Phase 2. In the memorandum, the managers are asked whether Barr Engineering should continue with the second alum treatment of Long Lake this fall.

After discussion, **motion** was made by Bucheck and seconded by Scheel to direct Barr Engineering to obtain bids for the second alum treatment on Long Lake. Motion carried unanimously.

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

**Schantzen Fill, Permit # 2009-21** Engineer Hanson presented information on a project located at 4815 Normandale Avenue North, Baytown Township in part of the northwest quarter of Section 8, Township 29 North, Range 20 West. The purpose of the project is to cover stumps with 300 cubic yards fill within the 100-year floodplain of a basin.

The permit applicant, Jay Schantzen, was present to explain to the managers his plan to cover tree stumps in order to enlarge his yard. He said his landscape architect worked out the plan. He asked the managers for a variance because it is within a 100-year floodplain.

After discussion, **motion** was made by Scheel and seconded by Lucksinger to grant the variance with the engineer's suggested and applicable conditions.

In discussion, **motion** was made by Bucheck and seconded by Borash to table this permit approval and ask the permit applicant to talk with the landscape architect for a solution that is in conformance with VBWD rules. Motion carried unanimously. Vice President Bucheck told Mr. Schantzen to try to work something out with the architect, and come back to a future managers' meeting.

**Raleigh Creek Bank Stabilization** Engineer Hanson had mailed to the managers, photographs and plans for the Raleigh Creek Bank Stabilization project. He asked the managers for authorization to send the plans to BWSR and the MnDNR for comment, to set a date for a public hearing, and to authorize the District's attorney to prepare and post a
notice of public hearing on the project. After discussion, motion was made by Bucheck and seconded by Scheel to authorize Barr Engineering to send the plans to the appropriate agencies, to schedule a public hearing, and authorize the District's attorneys to publish a notice of hearing. Motion carried unanimously.

The public hearing was tentatively scheduled for August 27, 2009, dependent on the agreement of all parties in the project.

**Baytown Township Comprehensive Plan/Local Watershed Management**

Engineer Hanson had mailed to the managers a draft letter regarding the Baytown Township Local Surface Water Management Plan. After discussion, motion was made by Borash and seconded by Lucksinger to approve the letter, and to direct Engineer Hanson to send the letter. Motion carried unanimously.

**Stormwater Pond Maintenance**

Engineer Hanson had mailed to the managers, notes concerning the meeting held with City of Mahtomedi residents, regarding Pond EC-9 in the City of Mahtomedi, and also a Payment Application # 6 for VBWD 2008 Pond Maintenance Project Mahtomedi and Oakdale, Minnesota May 30th, 2009 through June 26, 2009, in the amount of $1,695.75. After discussion of the meeting notes, and Payment # 6, motion was made by Borash and seconded by Lucksinger to approve Payment # 6 to Nadeau Excavating, Inc., in the amount of $1,695.75, and to write a letter to the residents, using the facts in the notes from the meeting. Motion carried unanimously.

**Valley Creek Repairs**

Engineer Hanson had mailed to the managers, an Invoice from Forest Lake Contracting, Inc., for Valley Creek Repairs, in the amount of $18,004. After discussion, motion was made by Bucheck and seconded by Borash to approve payment of the invoice in the amount of $18,004 to Forest Lake Contracting, Inc. Motion carried unanimously.

**Ravine Stabilization Projects**

Engineer Hanson had mailed to the managers, Payment Application No. 4 for Valley Branch Watershed District Ravine Stabilization Lake Elmo and Pine Springs, Minnesota in the amount of $26,799.20. After discussion, motion was made by Borash and seconded by Bucheck to approve Payment No. 4 for Valley Branch Watershed District Ravine Stabilization Lake Elmo and Pine Springs, Minnesota in the amount of $26,799.20 to Frattalone Companies. Motion carried unanimously.

**Bastyr Long Lake Lakeshore Restoration**

Engineer Hanson had mailed to the managers information on a project located at 3498 Long Lake Road, Mahtomedi, Minnesota in part of the northwest 1/4 Section 5, Township 29 North, Range 21 West.

The purpose of the project is to remove an existing metal retaining wall and replace it with a riprap toe and vegetative buffer along the property owner's Long Lake shoreline. After discussion of the stormwater management, wetland management and buffers, and the floodplain management, motion was made by Scheel and seconded by Borash to approve Permit # 2009-20 with the engineer's suggested conditions. Motion carried unanimously.

**MANAGERS' REPORT**

Next Meeting - July 23, 2009 The managers expect to have a quorum at the next meeting.

**Consent Calendar Approval**

At this time, motion was made by Bucheck and seconded by Borash to approve the Consent Calendar (attached). Motion carried unanimously.
ADJOURNMENT Motion made by Borash and seconded by Scheel at 9:19 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,
/s/ Don Scheel
Don Scheel, Secretary

Consent Calendar
Consent Calendar items are generally defined as items of routine business, not requiring discussion, and approved in one vote. The Managers may elect to pull a consent calendar item(s) for discussion and/or separate action.

The following items are presented for Board approval:

1. BMP Cost-Share Projects

A. Approval of a $1,500 individual grant to Jan Kreuger of 694 Jewel Avenue North in Lake Elmo for a rainwater gardens and native plantings in the Goose Lake watershed.