Minutes of Regular Meeting # 818 Held in the Lake Elmo City Council Chambers
Thursday, June 11, 2009

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

MANAGERS ABSENT: None

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

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

ANNOUNCEMENTS There were no announcements.

PUBLIC FORUM There was no discussion in Public Forum.

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

ADDITIONAL AGENDA ITEMS Items added to the agenda under Engineer: Valley Creek Repairs; Washington County Landfill; Stormwater Pond Maintenance; Lower St. Croix WMO Update; Under Managers: Silver Lake Update.

SECRETARY= S REPORT Treasurer Borash 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 Attorney Marshall reported that he had arranged for the advertisement of the MS4 Public Hearing, scheduled for 8:00 pm.

TREASURER= S REPORT Treasurer Borash reported that, as agreed to at the last meeting, he has withdrawn $300,000 from a Certificate of Deposit that had been up for renewal. The funds are needed to cover the shortage in the VBWD budget because the 2009 Washington County Tax Payment to VBWD has not been received.

WASHINGTON CONSERVATION DISTRICT Rusty Schmidt reported that a meeting to discuss the possibility of a Conservation Center @, which would house several Washington County agencies, and a potential meeting place for VBWD meetings, went very well. He said that the building could be a reality in a few years.

CHANGE IN ORDER OF AGENDA ITEMS At this time President Fetcher authorized a change in the order of agenda items.
MANAGERS= REPORT Consent Calendar Approval At this time, motion was made by Bucheck and seconded by Scheel to approve the Consent Calendar (attached). Motion carried unanimously.

ENGINEER= S REPORT Permit Request: Century College East Campus Maintenance Storage Facility, Mahtomedi Engineer Hanson had mailed to the managers information on a project located at 3300 Century Avenue (east of Century Avenue, approximately 2 mile north of I-694), Mahtomedi, in part of the north half of the southwest quarter of Section 31, Township 30 North, Range 21 West. The purpose of the project is to construct a 40-foot by 150-foot steel storage building, approximately 4500 square feet of gravel access roads, and a 1000B square foot infiltration basin.

At the last meeting, the managers made a motion to remove this item from the agenda because the project engineer was planning to re-design the project.

At this meeting, Engineer Hanson reported that the project has been re-designed, and recommended that the managers approve the project. 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 # 2009-17 with the engineer=s suggested site-specific conditions and standard conditions. Motion carried unanimously.

City of Pine Springs Comprehensive Plan Engineer Hanson had mailed to the managers a draft letter addressed to the City Administrator of the City of Pine Springs, regarding the City of Pine Springs 2030 Comprehensive Plan. After discussion, motion was made by Scheel and seconded by Fetcher to approve the letter, and directed Engineer Hanson to send the letter to the City of Pine Springs. Motion carried unanimously. Engineer Hanson will finalize and send the letter.

Northern Natural Gas Company Surety At the last meeting, Engineer Hanson reported that the Natural Gas Company had requested a variance from the VBWD Surety Schedule for Permit # 2009-08. At this meeting, Engineer Hanson reported that Northern Natural Gas Company has posted the necessary bond for surety. The managers took no action.

MS4 Outstanding Resource Value Water Requirements Engineer Hanson had mailed to the managers a letter from the Minnesota Pollution Control Agency dated May 22, 2009, regarding Requirements for Outstanding Resource Value Waters. After discussion, Engineer Hanson was directed to prepare a draft letter to the MPCA, stating that the VBWD MS4 does not drain directly to the St. Croix.

MS4 Public Hearing At 8:00 pm President Fetcher made a motion, seconded by Bucheck, to suspend the managers= meeting and to open the public hearing for comments on the annual report for the Municipal Separate Storm Sewer Systems for the 2008 calendar year for VBWD. Motion carried unanimously.

President Fetcher asked for comments to the annual report, and hearing none, President Fetcher closed the hearing at 8:02 pm for MS4, and resumed the managers= meeting.

MS4 2008 Annual Report After discussion, motion was made by Borash and seconded by Bucheck to approve the annual report for MS4 2008. Motion carried unanimously.

Rules Engineer Hanson had mailed to the managers a memorandum regarding Volume Control, dated June 5, 2009. After a lengthy discussion of the Volume Control Rule, the managers directed Engineer Hanson to use the proposed volume control rule on some example sites so that they can review the impacts.

Citizens Advisory Committee (CAC) Engineer Hanson had mailed to the managers a memorandum written by Karen Chandler, Barr Engineering, regarding the Citizens Advisory Committee Recommendations. Included in the memorandum was a draft letter to the four citizens, inviting them to a meeting with the managers, on August 27th at 6:00 pm. After reviewing the memorandum, the managers approved the letter with revisions
and requested that Engineer Hanson contact Angie Hong to determine if she is willing and available to be the CAC facilitator.

**Long Lake Ravine Stabilization Project** Engineer Hanson had mailed to the managers construction pictures of the Long Lake Ravine Stabilization project, and a Payment Application # 3. After discussion, motion was made by Fetcher and seconded by Bucheck to approve Payment Application No 3 to Frattalone Companies for VBWD Ravine Stabilization Project in Lake Elmo and Pine Springs, in the amount of $31,741.25. Motion carried unanimously.

**Eagle Point Lake Dam Revegetation** Engineer Hanson had mailed to the managers Payment Application No. 4 for VBWD Eagle Point Lake Dam Revegetation Project in Lake Elmo, Minnesota. After discussion, motion was made by Fetcher and seconded by Bucheck to approve Payment Application No 4 to Prairie Restorations, Inc., for VBWD Eagle Point Lake Dam Revegetation Project in Lake Elmo, in the amount of $11,070.00. Motion carried unanimously.

**Stormwater Pond Maintenance** Engineer Hanson had mailed to the managers Payment Application No. 5 for VBWD 2008 Pond Maintenance Project in Mahtomedi and Oakdale, Minnesota. After discussion, motion was made by Fetcher and seconded by Bucheck to approve Payment Application No 5 to Nadeau Excavating, Inc., for VBWD 2008 Pond Maintenance Project in Mahtomedi and Oakdale, Minnesota, in the amount of $9,501.42. Motion carried unanimously.

**Washington County Landfill** President Fetcher reported that construction had been started on the Washington County Landfill without a permit, and at the direction of Attorney Marshall, he contacted the MPCA to request that work stop until a VBWD permit is issued. Engineer Hanson reported on a conversation with MPCA personnel regarding the issue. President Fetcher said he will contact Jeff Lewis, with the MPCA.

**Valley Creek Repairs** At the last meeting the managers directed Engineer Hanson to get estimates from Nadeau Excavating, Inc. for the Upstream Valley Creek Stabilization Project Repairs. At this meeting, Engineer Hanson reported that he had an estimate from Nadeau Excavating, Inc., and an estimate from Forest Lake Contracting. After discussion, motion was made by Bucheck and seconded by Fetcher to hire Forest Lake Contracting to make the Valley Creek Stabilization Repairs, both upstream and downstream sites, for approximately $20,000. Motion carried unanimously.

**Lower St. Croix WMO Update** President Fetcher reported that the City of Woodbury will be appealing the BWSR decision to merge most of the Lower St. Croix WMO with the South Washington Watershed District.

**MANAGERS= REPORT Next Meeting - June 25, 2009** The managers expect to have a quorum at the next meeting. President Fetcher said he will be absent, and Treasurer Borash said it is possible that he will be absent.

**Update on Silver Lake** President Fetcher said he had met with the Parks and Recreation Personnel in North St. Paul to discuss shoreline work at Silver Lake. He said he told them to come up with a plan, because the water is low at this time.

**ADJOURNMENT** Motion made by Borash and seconded by Bucheck at 9:57 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/adoption or denial:

1. **BMP Cost-Share Projects**

   A. Approval of a $2,500 individual grant to Ms. Roni Nelson of 12971 - 20th Street North in West Lakeland Township, to establish a native prairie planting, and build a large raingarden to capture runoff from the house within the West Lakeland Storage Site watershed.

   B. Approval of a $2,500 individual grant to James and Beverly Schwalbach to build a raingarden, native plantings, and purchase rain barrels. This will have the effect of capturing and slowing the runoff into Lake Olson.

   C. Approval of a $2,500 individual grant to Mr. Peacock and Mrs. Crombie of 11090 - 32nd Street North in Lake Elmo for rainwater gardens, native plantings, and a permeable paver patio to capture water before it enters Lake Elmo.

   D. Approval of a $2,000 individual grant to Trudy and Mike Berggren of 13645 Valley Creek Trail South in Afton for plantings along the island in the trout pond and the hillside to replace buckthorn that was removed over the winter. This is the head waters of the south fork of Valley Creek.

   E. Approval of a $2,500 individual grant to Steve and Susan Jasinski of 1840 Margo Avenue North in West Lakeland Township for a rainwater garden, native planting, and permeable paver patio in the Horseshoe Lake subwatershed.

   F. Approval of a $2,500 individual grant to Mr. And Mrs. David Bogenschultz of 595 Midwest Trail North in West Lakeland Township for a rainwater garden and native plantings within the West Lakeland Storage Pond subwatershed.

   G. Denial of an individual grant to Mr. And Mrs. Dale McAfee of 13698 - 30th Street Circle North in Baytown Township for a grass swale through the yard to direct water around the house to the culvert in the street and eventually to Bay Lake.

   H. Approval of a $1,550 individual grant to Mr. Joseph Leary of 15737 Afton Boulevard South in Afton and the former Lower St. Croix Watershed Management Organization for a rainwater garden and rain barrels to capture water before it enters Kelless Coulee.

   I. Approval of a $2,500 individual grant to Ms. Cathy Hamm of 27 Long Lake Road in Mahtomedi for a porous pavement patio, erosion control native plantings, and a retaining wall to stabilize the slope leading to Weber Pond.
J. Approval of final payment of $2,432.93 to Dennis and Sandy Grabowski of 9652 - 55th Street North in Lake Elmo for rainwater garden and prairie plantings.