Minutes of Regular Meeting # 812 Held in the Lake Elmo City Council Chambers Thursday, March 12, 2009

MANAGERS PRESENT: Lincoln Fetcher, President; Dave Bucheck, Vice President; and Ray Lucksinger, Manager

MANAGERS ABSENT: Don Scheel, Secretary; and Dale Borash, Treasurer

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

STAFF ABSENT: Ray Roemmich, Inspector

OTHERS PRESENT: Chuck Taylor, Citizens Advisory Committee; Melissa Lewis, Board of Water and Soil Resources (BWSR); Amanda Strommer, Washington County Public Health and Environment; Stewart Krahn and Jesse Carlson, Bonestroo Engineering; Jeremy Walgrave, SEH Engineering

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

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the February 12, 2009 meeting, motion was made by Bucheck and seconded by Fetcher to approve the minutes as distributed. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Added to the agenda: Under Engineer: Valley Creek Stabilization Project; Under Managers: 2008 Audit; 12th Annual Children’s Water Festival.

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

CITIZENS ADVISORY COMMITTEE Chuck Taylor had mailed his report on lake levels, and discussed it with the managers at this meeting.

SECRETARY= S REPORT Secretary Scheel was absent; Engineer Hanson had picked up the mail and distributed it.

INSPECTOR= S REPORT Inspector Roemmich was absent. No report was given.

ATTORNEY= S REPORT Attorney Marshall began a discussion of the wetland replacement issue in Permit 2004-28 - Retreat at Garden Gate. Engineer Hanson had mailed copies of a memorandum to the managers, describing the background of the permit. After discussion, motion was made by Fetcher and seconded by Bucheck to follow the recommendations of Mark Wilson and Barbara Wolle (writers of the memorandum) in the memorandum dated February 20, 2009, which are to ask the Washington Conservation District to draft and submit a replacement order that requires the permit holder to either follow through on the original plan or else to provide wetland banking credits, preferably inside the VBWD, as is the VBWD normal policy. Motion carried unanimously.

TREASURER= S REPORT The Treasurer’s report will be given at the second meeting in March.
Washington Conservation District  No one was present representing the Washington Conservation District.

ENGINEER= S REPORT Permit Request: CSAH 18 Reconstruction, Afton  Engineer Hanson presented information on a project located at 40th Street/Afton Boulevard from Manning Avenue (TH 95) to St. Croix Trail (CR 21), Afton, in parts of sections 19-22 and 28-30 of Township 28 North, Range 20 West.

The purpose of the project is to reconstruct the highway and construct 32 rainwater gardens within the right-of-way of the VBWD portion of the project to treat storm water runoff.

After discussion of the storm water management, the wetland management and buffers, the floodplain management, motion was made by Fetcher and seconded by Bucheck to table discussion of Permit # 2009-05 until further data is available to the managers regarding storm water management calculations. Motion carried unanimously.

Permit Revision Request: Century College West Campus Parking Lot Reconstruction, White Bear Lake  Engineer Hanson presented information on a project located at 3401 Century Avenue (west of Century Avenue, approximately 3/4 mile north of I-694) White Bear Lake in part of the east half of the east half of Section 36, Township 30 North, Range 22 West.

The purpose of the project is to reconstruct a 22-acre parking lot (which adds approximately 79,000 square feet of additional impervious surface) and construct two underground storm water treatment systems with pretreatment sump manholes. If bids are acceptable and/or if the VBWD provides funding, the college is considering additional storm water treatment features, including three rainwater garden parking islands, two permeable asphalt areas, and an alternative storm water treatment educational area that includes a subsurface integrated tree and storm water system, pervious concrete, pervious pavers, and a rainwater garden.

After discussion of the storm water management, the wetland management and buffers, and the floodplain management, motion was made by Fetcher and seconded by Bucheck to approve Permit # 2009-05 with the engineer=s suggested site-specific conditions and standard conditions, also with the condition presented by Engineer Hanson. Motion carried unanimously.

Stewart Krahn with Bonestroo Engineering was present for the permit discussion, and asked the managers about any grant program available. Vice President Bucheck answered by saying that VBWD does have funds in the 2009 budget, and the managers have not yet set the rules for applicants, but will likely do this before the construction season begins.

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  Amanda Strommer with Washington County, and Melissa Lewis with BWSR, were present to discuss with the managers the draft petitions for expansion of the South Washington Watershed District and also the Valley Branch Watershed District, by the addition of lands currently covered by the Lower St. Croix Water Management Organization (LSCWMO). Motion was made by Fetcher and seconded by Bucheck to approve VBWD Resolution No. 2009-01, regarding the dissolution of the LSCWMO and the enlargement of the South Washington Watershed District and the Valley Branch Watershed District. Motion carried unanimously.

President Fetcher and Vice President Bucheck signed Resolution No. 2009-01. The Resolution will be forwarded to the Washington County Board and the Board of Water and Soil Resources for their consideration in the Lower St. Croix Water Management Organization dissolution initiative.
President Fetcher said that the managers are available at anytime to discuss this issue, or the legislation supported by the Washington County Commissioners to require county approval of watershed district budgets, and any other issue with the Washington County Board and the Board of Water and Soil Resources.

**Permit Request: Mensing Minor Subdivision, Afton** Engineer Hanson presented information on a project located at 4311 Neal Avenue South, Afton, in part of the southwest quarter of the northwest quarter of Section 29, Township 28 North, Range 20 West. The purpose of the project is to subdivide a 19.9-acre parcel into a 14.5-acre and a 5.4-acre parcel for a future home on the smaller parcel.

After discussion of the storm water management, the wetland management and buffers, and the floodplain management, motion was made by Fetcher and seconded by Bucheck to approve Permit # 2009-07 with the engineer=s suggested site-specific conditions and standard conditions, and with modifications of Standard Condition # 5. Motion carried unanimously.

**Storm Water Pond Maintenance Project** Engineer Hanson had mailed to the managers a Payment Application No. 2 for the VBWD 2008 Pond Maintenance Project in Mahtomedi and Oakdale, Minnesota, dated January 30, 2008 through February 28, 2009. Motion was made by Fetcher and seconded by Bucheck to approve Payment Application No. 2 in the amount of $69,788.90 to Nadeau Excavating, Inc. Motion carried unanimously. President Fetcher requested that Barr review the retainage amount in future payment applications. President Fetcher also reported on a letter that he directed Attorney Wolle and Barr to send to the homeowners adjacent to a storm water pond in Mahtomedi.

**2008 Basin Water Quality Results and 2009 Basin Monitoring Recommendations** Engineer Hanson had mailed to the managers a report on the 2008 Basin Water Quality Results and 2009 Basin Water Quality Monitoring Recommendations for discussion at this meeting. The managers agreed to move the discussion to the next meeting because of the number of agenda items at this meeting.

**Mahtomedi Comprehensive Plan** Engineer Hanson had mailed to the managers a draft comment letter addressed to the Mahtomedi City Planning Consultant, regarding the City of Mahtomedi 2008-2030 Comprehensive Plan Update. The managers agreed to approve the letter, and directed Engineer Hanson to mail the letter as written.

**Lake St. Croix TMDL** Engineer Hanson had mailed to the managers a letter dated March 4, 2009, informing the managers that Barr Engineering Company has been assigned by the Minnesota Pollution Control Agency, to assist it in completing the Lake St. Croix Nutrient Total Maximum Daily Load (TMDL) Study. Engineer Hanson said that Barr Engineering Company hopes that the managers do not feel this is a conflict of interest. The managers agreed that they do not feel it will be a conflict of interest.

**Valley Creek Stabilization Project** Engineer Hanson distributed copies of a memorandum discussing the Valley Creek Stabilization Projects. The memorandum describes an inspection of the stabilization projects after the February 2009 snowmelt event and suggests a few repairs. Engineer Hanson asked the managers for authorization to have the repair work outlined in the memorandum accomplished, including the removal of an unpermitted bridge on the Tom Johnson property. After discussion, motion was made by Bucheck and seconded by Lucksinger, to authorize the repair work indicated in the memorandum of March 12, 2009, in an amount not to exceed $6,000. Motion carried unanimously.

**MANAGERS= REPORT Next Meeting - March 26, 2009** The managers expect to have a quorum at the next meeting. They are aware that Secretary Scheel will not be present.

**Citizens Advisory Committee** Engineer Hanson reported that he had received four applications for membership on the Citizens Advisory Committee. The managers directed Engineer Hanson to create posters advertising the need for citizens to apply for involvement with the Citizens Advisory Committee. Twenty-five posters will be prepared, and each manager will place five posters in strategic places in their residential area.
2008 Annual Report Draft  Recording Secretary Karen Schultz had mailed copies of the draft 2008 annual report for their review. The managers agreed to review it and provide their comments at the next meeting.

2008 Audit  The managers agreed to postpone discussion of this item until the next meeting.

12th Annual Children’s Water Festival  The managers had received a request for financial support for the educational 12th Annual Children’s Water Festival held at the State Fairgrounds. This year it will be held in September 2009. Motion was made by Fetcher and seconded by Bucheck to donate $500 to the educational 12th Annual Children’s Water Festival to be held September 30, 2009. Motion carried unanimously.

OLD BUSINESS Silver Lake Update  President Fetcher reported that the Silver Lake Improvement Association has received a $10,000 Grant from the MnDNR to help pay for a treatment in Silver Lake for Curlyleaf Pondweed. This Grant, along with $10,000 from the City of North St. Paul, and money from the City of Maplewood, will pay for the treatment. President Fetcher said the treatment will cost much less this year because Eurasian watermilfoil will not be treated, due to water quality concerns.

BMP Incentive Program  Vice President Bucheck said he is working on another draft of the incentive program.

ADJOURNMENT  Motion made by Fetcher and seconded by Bucheck at 9:41 pm to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Ray Lucksinger

Ray Lucksinger, Acting Secretary

Minutes Approved by Managers 03/26/09