Minutes of Regular Meeting No. 822 Held in the Lake Elmo City Council Chambers
Thursday, August 13, 2009

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

MANAGER ABSENT: David Bucheck, Vice President

STAFF PRESENT: John Hanson, Barr Engineering; Ray Marshall, Attorney; Ray Roemmich, Inspector

STAFF ABSENT: None

OTHERS PRESENT: Jacob Gave and Cory Slagle of Washington County and Jonathon Kusa of H.R. Green for CSAH 13 permit request; Gordon Moosbrugger for Saint Boniface Oaks East permit request; Jay Schantzen for Schantzen fill permit request; Lake Elmo Assistant City Engineer Ryan Sempski of TKDA, Lake Elmo City Council Member Brett Emmons, and Lake Elmo resident Jeff Berg for Lake Elmo Community Grant Request; and Rusty Schmidt of Washington Conservation District

CALL TO ORDER President Fetcher called the meeting to order at 7:09 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the July 23, 2009 meeting, motion was made by Scheel and seconded by Borash to approve the minutes as corrected. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS Item added to the agenda under Engineer: Raleigh Creek Stabilization Update.

PUBLIC FORUM There was no discussion in Public Forum.

CITIZEN ADVISORY COMMITTEE Charles Taylor reported on the August 1 lake water levels and the July precipitation. President Fetcher thanked him.

SECRETARY’S REPORT Engineer Hanson had distributed the mail. Motion was made by Fetcher and seconded by Borash to authorize President Fetcher to sign a letter to the Lake Elmo Post Office to authorize postal workers to hand mail to any manager or Engineer Hanson without the post office box key.

INSPECTOR’S REPORT Inspector Roemmich reported on the active projects.

ATTORNEY’S REPORT Attorney Marshall presented an amendment to the Watershed Outlet Monitoring Program (WOMP) contract between the VBWD and the Metropolitan Council. President Fetcher signed the amendment.

TREASURER’S REPORT Treasurer Borash announced that he had received a $14,000 check from the Silver Lake Improvement Association as a refund due to the reduced cost in treating the aquatic plants in Silver Lake.
WASHINGTON CONSERVATION DISTRICT Rusty Schmidt updated the managers on various educational opportunities sponsored by the East Metro Water Resources Education Program and/or the Washington Conservation District. He also indicated that approximately 60% of the VBWD BMP cost-share program implementation budget and 60% of the administrative budget has been spent.

ENGINEER’S REPORT Permit Request: CSAH 13 (Inwood Avenue) and 15th Street North Center Turn Lanes, Lake Elmo Engineer Hanson had mailed to the managers a permit review memorandum regarding a proposed project located approximately 700 feet north and south of the CSAH 13 and the 15th Street North intersection, in parts of Sections 21 and 28, Township 29 North, Range 21 West.

The purpose of the project is to construct center left-turn lanes on CSAH 13. The project involves constructing five infiltration areas within CSAH 13 right-of-way.

After discussion, motion was made by Fetcher and seconded by Scheel to approve Permit # 2009-23 with the engineer’s suggested site-specific conditions and the applicable standard conditions and with the suggestion that the County reduce the mowing frequency along the road. Motion carried unanimously.

Permit Request: Saint Boniface Oaks East, West Lakeland Township Engineer Hanson had mailed to the managers a permit review memorandum regarding a proposed project located northeast of 10th Street North and Oakgreen Avenue North (County Road 65) in part of the east half of the southeast quarter of Section 29, Township 29 North, Range 20 West.

The project will subdivide one parcel into a 50.0 acre parcel, which includes an existing home and driveway, and a 2.6 acre parcel for future development.

After discussion, motion was made by Fetcher and seconded by Scheel to approve Permit # 2009-24 with the engineer’s suggested site-specific conditions and the applicable standard conditions and to waive the permit fee and surety. Motion carried unanimously.

Permit Request: Schantzen Fill, Baytown Township Motion was made by Borash and seconded by Fetcher to remove for the table the Schantzen Fill permit request. Motion carried unanimously.

Engineer Hanson had mailed to the managers a permit review memorandum for a proposed project at 4815 Normandale Avenue North in part of the northwest quarter of Section 8, Township 29 North, Range 20 West. The project involves covering stumps with fill within the 100-year floodplain of a basin.

After discussion, motion was made by Scheel and seconded by Borash to approve Permit # 2009-21 with the engineer’s suggested and applicable standard conditions, as amended to require that silt fence be placed between the proposed fill and the wetland. Motion carried unanimously.

Public Project Hearing: Lake DeMontreville Ravine Stabilization President Fetcher suspended the regular meeting at 8:00 p.m. and opened the public project hearing for the Lake DeMontreville Ravine Stabilization Project. After receiving no comments from the public, motion was made by Borash and seconded by Scheel to close the public meeting. Motion carried unanimously. Engineer Hanson reported that he will be presenting the project to the Lake Elmo Parks Commission on August 17 and the Lake Elmo City Council on August 18.

Stormwater Pond Maintenance Update The managers discussed a pond maintenance status memorandum, a change order, and an Echo Lake stormwater ponds water balance memorandum that Engineer Hanson had mailed. The managers directed Engineer Hanson to prepare a draft letter to Echo Lake stormwater pond property owners, indicating that more time is needed to understand the long-term water levels of the ponds before any modifications are made. The managers will review the draft letter at the next meeting.
MANAGERS’ REPORT

Community Grant Request: City of Lake Elmo 2009 Street Improvements Engineer Hanson had mailed the managers information regarding the City of Lake Elmo’s request for funding assistance to implement a rainwater garden program in the neighborhoods of the City’s 2009 street improvements. Up to 16 rainwater gardens are proposed for construction in City right-of-way or City-owned property. Lake Elmo Assistant City Engineer Ryan Stempski and Lake Elmo City Council Member Brett Emmons discussed the request with the managers and Rusty Schmidt, the VBWD BMP Cost Share Program Coordinator. Motion was made by Fetcher and seconded by Scheel to approve 50% of the program cost, up to $28,750 and to have the City and VBWD enter into a Memorandum of Understanding regarding maintenance and other details of the program. Motion carried unanimously. Attorney Marshall will work with the City to draft the Memorandum of Understanding.

Consent Calendar Motion was made by Scheel and seconded by Fetcher to approve the Consent Calendar (attached). Motion carried unanimously.

ENGINEER’S REPORT (continued)

Valley Creek 2009 Project Update Engineer Hanson had mailed the managers a memorandum which provided an update on planned stabilization and restoration projects underway in the Valley Creek watershed. After discussion of individual projects, the managers directed Attorney Marshall to begin seeking assistance from a land appraisal company for obtaining the cost of an easement on the River Valley Riders site.

Valley Creek Stabilization Project Vegetation Establishment Engineer Hanson had mailed the managers a payment application for the project. Motion was made by Borash and seconded by Fetcher to approve the payment application. Motion carried unanimously.

Raleigh Creek Stabilization Project Engineer Hanson distributed a memorandum regarding the progress and schedule for the Raleigh Creek Stabilization Project. After discussion, motion was made by Scheel and seconded by Fetcher to proceed with the schedule as detailed in the memorandum and to ask the treasurer to evaluate the available funds for the project. Motion carried unanimously.

ATTORNEY’S REPORT (continued)

Lower St. Croix Watershed Management Organization Attorney Marshall updated the managers on his discussions with various stakeholders and suggested that the managers send a letter to BWSR requesting, in writing, direction on how to proceed with updating the VBWD watershed management plan to include the expansion into the former LSCWMO area and other activities in the expansion area. After discussion, the managers directed Attorney Marshall to prepare such a letter.

MANAGERS’ REPORT (continued)

2010 Budget and Levy The managers discussed their proposed 2010 budget and levy. President Fetcher asked that each manager review the discussion draft materials that Engineer Hanson had mailed and be prepared to finalize the budget and levy at the next meeting. Motion was made by Fetcher and seconded by Scheel to direct Attorney Marshall to schedule, publish, and hold the public budget hearing on September 10, 2009, and in publishing the notice to use the values included in the draft budget table under the 4.43 % levy increase column. Motion carried with the following vote: Fetcher, yes; Scheel, yes; Lucksinger, yes; and Borash, no.

PRAP Given the time, the managers decided to discuss PRAP at a future meeting.
Citizen Advisory Committee Workshop  Engineer Hanson reported that a member who had originally said he could attend the August 27 workshop called him yesterday and said he could no longer attend the workshop. The managers directed Engineer Hanson to contact the other members to determine if they could meet on September 10. If all of the members can meet on September 10, the workshop will be rescheduled for that day. If not, the workshop will continue to be held on August 27.

Karen Schultz Remembrance  President Fetcher updated the managers on his discussions with officials at former Recording Secretary Schultz's church regarding possibly planting a rainwater garden or tree in Karen's memory. President Fetcher will be meeting with church officials again on August 19.

ADJOURNMENT  Motion made by Fetcher and seconded by Borash at 10:07 p.m. to adjourn the meeting. Motion carried unanimously.

Immediately after the meeting, the managers held an executive session to review the resumes received for the recording secretary position. The managers appointed President Fetcher, Vice President Bucheck, and Engineer Hanson to a committee to select candidates to interview. The executive session adjourned at 10:12 p.m.

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