VALLEY BRANCH WATERSHED DISTRICT
Minutes of Regular Meeting No. 969
Held in the City of Lake Elmo City Hall
Thursday, November 10, 2016

MANAGERS PRESENT: Dave Bucheck, President; Jill Lucas, Secretary; Ed Marchan, Treasurer

MANAGER ABSENT: Lincoln Fetcher, Vice President; Anthony Haider, Manager

STAFF PRESENT: John Hanson, Engineer, Barr Engineering; Susannah Torseth, Attorney, Lawson Marshall McDonald and Galowitz; Ray Roemmich, Inspector; and Melissa Imse, Recording Secretary

STAFF ABSENT: None

OTHERS PRESENT: Roger Johnson; Steve West, Landsted, LLC; Dave and Brenda Jo Carlson; Jim Arkell; Jay Riggs, Washington Conservation District; Melissa Barrett, Kjolhaug Environmental Services; Rick Packer, HC Golf Course Development

CALL TO ORDER
President Bucheck called the meeting to order at 7:02 p.m.

ANNOUNCEMENTS
None

APPROVAL OF MINUTES
After discussion, motion was made by Lucas and seconded by Marchan to approve the October 27, 2016 meeting minutes as amended. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS
None

PUBLIC FORUM
None

CITIZEN ADVISORY COMMITTEE
None

SECRETARY’S REPORT
Engineer Hanson distributed the mail.

INSPECTOR’S REPORT
Inspector Roemmich reported on the following projects: Village Preserve, Savona, Save A Tree, and Downtown Lake Elmo.

ATTORNEY’S REPORT
Tracking Permit Sureties
Attorney Torseth is currently keeping track of the permit sureties for VBWD. Attorney Torseth asked if the managers would be interested in getting regular updates on the sureties collected for permitted projects. The managers would like Attorney Torseth to continue keeping the surety records and share with the managers as needed.

Communicating Updated Flood Levels
At the October 13, 2016 VBWD meeting, the managers discussed Barr Engineering’s hydrologic and hydraulic modeling for the Downs Lake, Long Lake, and Acorn Lake watersheds to determine updated flood levels. The managers decided to wait in sharing the results of the studies until Attorney Torseth had time to review the risks and obligations of the VBWD. Attorney Torseth prepared a memo for the managers to review. As the managers had also requested, Barr prepared a memo that summarized how other entities are notifying the public of updated flood levels. After discussion, the managers adopted updated flood levels and will continue to require the lowest floors of newly permitted buildings to be at least 2 feet higher; directed Barr to
communicate the updated flood levels to the cities and towns within the affected watersheds, with a cover letter that simplifies the results, identifies the affected properties, and indicates that the VBWD expects the communities to discuss the situation with the owners of the affected parcels; and will pursue a Letter of Map Revisions (LOMRs) to the FEMA Flood Insurance Rate Maps when benefits outweigh the cost.

TREASURER’S REPORT  Treasurer Marchan contacted Lake Elmo Bank regarding the banking fees for VBWD. Those fees are $40.00 thus far this year.

WASHINGTON CONSERVATION DISTRICT
One Watershed One Plan  Jay Riggs with the Washington Conservation District (WCD) was present to ask the managers to support the Lower St. Croix One Watershed One Plan implementation project. The resolution for One Watershed One Plan is for support for developing an implementation plan for the Lower St. Croix Watershed that will enable the Washington Conservation District to apply for Clean Water Grant dollars for implementation. After discussion a motion was made by Lucas and seconded by Bucheck to approve the Resolution to support a Lower St. Croix Watershed One Watershed One Plan Implementation Framework Project. Motion carried unanimously.

Buffer Law  Jay Riggs updated the managers on the new buffer law requirements.

Washington Conservation District 2017 Technical Services Agreement  After discussion a motion was made Bucheck and seconded by Lucas to approve the 2017 Technical Service Agreement between WCD and the VBWD. Motion carried unanimously. The managers will be discussing the VBWD 2017 BMP Cost Share program structure and funding at a future meeting.

Volunteer Stream Monitoring on Valley Creek  Jay Riggs informed the managers that the new science teacher at Stillwater Area High School is interested in continuing the Valley Creek macroinvertebrate monitoring. WCD will continue to keep the managers informed. The managers would like the students and teacher to report their results at a meeting, if they conduct the monitoring.

ENGINEER’S REPORT
June 2016 Point-Intercept Plant Surveys at Long Lake, Lake DeMontreville, Lake Olson, Lake Jane, and Lake Elmo  Barr Engineering prepared a memorandum summarizing the methods and results of the June 2016 point-intercept plant surveys at Long Lake, Lake DeMontreville, Lake Olson, Lake Jane, and Lake Elmo. After discussion, the managers directed Barr to post the memorandum to the VBWD website and inform the various lake associations affected that the memo has been posted to the website; authorize technical support for Friends of Long Lake in 2017 to assist the organization with implementation of the Long Lake MNDNR approved Lake Vegetation Management Plan; and direct Barr to request a meeting with the MNDNR to discuss the impacts of Eurasian watermilfoil on native plant species in Lake DeMontreville, Lake Olson, and Lake Jane and ask for suggestions on stabilizing the native plant communities in these lakes.

Tri Lakes Brochure  The managers reviewed the Tri Lakes brochure. After discussion, a motion was made by Lucas and seconded by Marchan to direct Barr Engineering to mail the brochure to the residents of properties adjacent to the Tri-Lakes and wetlands, send the brochure to the City of Lake Elmo and the Tri-Lakes Improvement Association, and post the brochure on the VBWD website. Motion carried unanimously.

Minnesota Wetland Conservation Act Notice of Decisions:
  a. Former Oakdale Par 3 and Golf View Park, Oakdale: Wetland Boundaries and Types
  b. Highway 36 and Hadley Avenue Interchange, Oakdale: Wetland Boundaries and Types
  c. Lincolntown Avenue North, Mahtomedi: No Wetland Determination
  d. White Star Farms, 36th Street North and Ideal Avenue North, Oakdale: Wetland Boundaries and Types
  e. Hidden Meadows of Lake Elmo, Lake Elmo: Wetland Boundaries and Types
  f. 8880 55th Street North, Lake Elmo: Wetland Boundary and Type
After discussion, a motion was made by Bucheck and seconded by Lucas to approve all of the Minnesota Wetland Conservation Act Notices of Decision. Motion carried unanimously.

Minnesota Wetland Conservation Act Notice of Decision: Approval of Sequencing and Replacement Plan for the Royal Golf Club Residential Development, Lake Elmo  After discussion, a motion was made by Bucheck
and seconded by Marchan to approve the Minnesota Wetland Conservation Act Notice of Decision of sequencing and replacement plan for the Royal Golf Club residential development in Lake Elmo. Motion carried unanimously.

**The Royal Golf Club Residential Development Environmental Assessment Worksheet (EAW)** The managers reviewed and made edits to the draft response letter to the Royal Golf Club EAW. A motion was made by Bucheck and seconded by Lucas authorize Barr to send the revised EAW letter. Motion carried unanimously.

**Beaver Management** The managers reviewed a memo providing an update on a beaver dam and downed trees on Shari Johnson’s property along Valley Creek. The manager discussed whether to establish a beaver removal cost-share program. After discussion, a motion was made by Marchan and seconded by Lucas to provide funding to help trap the beavers on Shari Johnson’s property and VBWD will decide to fund any beaver management in the future on a case by case basis. Motion carried unanimously.

**Memorandum of Understanding (MOU) for Improvements to the Silver Lake Bioretention Basin** The managers reviewed the draft MOU for improvements to the Silver Lake Bioretention Basin with the City of North St. Paul. After discussion, a motion was made by Lucas and seconded by Marchan to approve the MOU and authorized Barr to submit it to the City. Motion carried unanimously.

**Recommendation for Raleigh Creek Tree Removal** While Barr was performing annual inspections, they noticed downed trees in Raleigh Creek at Tablyn Park. After discussion, a motion was made by Lucas and seconded by Marchan to approve the removal of downed trees in Raleigh Creek at Tablyn Park and issue a notice to proceed to Buelow Excavating for up to $1,600.00. Motion carried unanimously.

**2016 Annual Inspection of Eagle Point Lake Dam** The managers reviewed the inspection report. No action taken.

**2016 Annual Inspection of Interstate 94 Rest Area Pond Dam** The managers reviewed the inspection report. No action taken.

**Recommendation for Payment: Kelle’s Creek Septic System Inspections Pilot Program** After discussion, a motion was made by Marchan and seconded by Lucas to approve payment of $350.00 to Dave Brown for septic system inspection services. Motion carried unanimously.

**Recommendation for Payment: Wildflower Shores Wetland Bank Vegetation Maintenance** After discussion, a motion was made by Marchan and seconded by Lucas to approve payment of $926.72 to Prairie Restorations, Inc. for vegetation maintenance work done at Wildflower Shores Wetland Bank. Motion carried unanimously.

**Permit Close-Out Request: 39th Street North Improvements, Lake Elmo, Permit 2014-20** After discussion, a motion was made by Bucheck and seconded by Lucas to approve the permit close-out for Permit 2014-20, 39th Street North improvements in Lake Elmo. Motion carried unanimously.

**MANAGERS’ REPORT**

**Website** No update.

**Consent Calendar** After discussion, a motion was made by Bucheck and seconded by Lucas to approve the Consent Calendar. Motion carried unanimously.

**Biennial Solicitation of Proposals for Legal, Professional, and Technical Services** The managers reviewed and made changes to the solicitation for professional services letter. After discussion, the managers directed Recording Secretary Imse to post notices soliciting legal and professional services on the VBWD website.

**Review of Contracts for Recording Secretary and Inspector** After discussion, the managers decided to discuss the contracts in a closed session at the December Board meeting. Inspector Roemmich informed the managers that he will be retiring as the VBWD Inspector as of December 31, 2016.
President Bucheck, Secretary Lucas, and Manager Haider plan to attend the 2016 MAWD Annual meeting. A motion was made by Lucas and seconded by Marchan to approve the attendance and expenses for the VBWD managers to attend the 2016 MAWD Annual Meeting, and to appoint President Bucheck and Secretary Lucas VBWD as voting delegates and Manager Haider as the alternate delegate at the meeting. Motion carried unanimously. The managers reviewed the MAWD proposed resolutions and the MAWD Succession Plan.

FUTURE BUSINESS
Next Meetings – December 8, 2016 and January 12, 2017 All managers present plan to attend the meetings.

Election of Officers and Designation of District Bank and District Newspaper

OLD BUSINESS
None.

NEW BUSINESS
None.

ADJOURNMENT
Motion was made by Marchan and seconded by Lucas at 9:20 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/J/ Jill Lucas

Jill Lucas, Secretary

Minutes approved by managers 12/8/2016

Consent Calendar
Consent calendar items are generally defined as items of routine business that do not require discussion and can be 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 the Managers’ approval:

a. Partial payment of $16,578.37 for an Individual Grant to Grant Wiessner at 3750 Paradox End Ave. S., Afton, MN 55001
b. Final payment of $500 for a Plant Grant to Gary Sparks for a project at 2287 Helmo Ct., Oakdale, MN 55128