VALLEY BRANCH WATERSHED DISTRICT
Minutes of Regular Meeting No. 1031
Held in Baytown Township Community Center APPROVED
Thursday, December 12, 2019 MINUTES

MANAGERS PRESENT: Jill Lucas, President; Ed Marchan, Treasurer; Dave Sewell, Secretary Pro-Tem; and Rick Gelbmann, Manager

MANAGER ABSENT: None

STAFF PRESENT: John Hanson, Engineer, Barr Engineering; Susannah Torseth, Attorney, Galowitz Olson; Jeff Brower, Inspector; and Melissa Imse, Recording Secretary

STAFF ABSENT: None

OTHERS PRESENT: Rick Weyrauch (Baytown Township), Danielle Jeffrey (Sunnybrook Lake), Mike Kraemer (Sunnybrook Lake), Brandon Sundberg (Sunnybrook Lake), Doug Lovett (Lake Elmo), Megan Samuel (Woodbury), Bonnie and Len Juran (Lake Elmo), and Paul Dornfeld (Grant)

CALL TO ORDER
President Lucas called the meeting to order at 7:00 p.m.

ANNOUNCEMENTS
None

OATH OF OFFICE
Rick Gelbmann took the oath of office.

ADDITIONAL AGENDA ITEMS (Additions/Deletions/Corrections) None

APPROVAL OF AGENDA
A motion was made by Marchan and seconded by Gelbmann to approve the agenda for December 12, 2019. Motion carried unanimously.

PUBLIC FORUM
- Rick Weyrauch reported on the sand bagging efforts on Cloverdale Lake.
- Danielle Jeffrey a Sunnybrook Lake Resident: Inquired about the vacant properties on Sunnybrook to make sure they are being monitored. Inspector Brower is routinely checking on the properties.

CONSENT CALENDAR
Secretary Sewell pulled Permit 2019-08, Wyndham Village Lake Elmo from the Consent Calendar. After discussion, a motion was made by Sewell and seconded by Marchan to approve Permit 2019-08, Wyndham Village in Lake Elmo. Motion carried unanimously.
A motion was made by Marchan and seconded by Sewell to approve the remaining items on the Consent Calendar. Motion carried unanimously.
- November 14, 2019 Meeting Minutes
- A $500.00 Native Plant Grant to Pam Kelly for a project at 830 Midwest Trail N., West Lakeland Storage Site watershed
- Final Payment of $500.00 to Valerie Kubal for a Native Plant Grant project at 13205 4th Street N., West Lakeland Storage Site watershed
- Final Payment of $288.75 to John Hodler for a Native Plant Grant at 11834 44th St. Lane N., Lake Elmo
- Recommendation for Payment: Project 1007 Mowing
- Recommendation for Payment: Killian Warming House Removal
- Recommendation for Payment: Downs Lake Watershed Flood Reduction Services
- Treasurer’s Report
UPDATES AND REQUESTS FROM PARTNERS, VOLUNTEERS AND CITIZEN ADVISORY COMMITTEE

**Klawitter Pond**  Doug Lovett, a Lake Elmo Resident, provided photos of water runoff from Highway 36 into Klawitter pond and stated that he is concerned about potential flooding issues to his property. He requested VBWD look at Highway 36 runoff and conduct a flood protection feasibility study. The Managers authorized Barr Engineering to review the drainage area to Klawitter Pond, assist Doug Lovett in providing information on sandbag construction, and provide Bonnie Juran with contract information for Washington County emergency management.

PERMITTING PROGRAM

**Inspector’s Report**  Inspector Brower reported on the following:

- The Metropolitan Airport Commission’s Lake Elmo Airport/30th Street Relocation project: Excavation and hauling material has begun. Street sweepers will be onsite three times per day while hauling. Inspector Brower continues to attend the weekly construction meetings.
- Sunnybrook Lake: Pumping has stopped. He routinely checks water levels and the Horesji and Keene homes. Both are secured.
- Schiltgen Permit: Inspector Brower stopped by the residence and left several voicemails about the “after the fact” permit requirement. Attorney Torseth will work with Inspector Brower and Barr Engineering to send a letter to Schiltgens for them to submit an after-the-fact permit request for the barn and driveway in Afton.
- 275 Midwest Avenue: Inspector Brower spoke with home builder about perimeter protection.
- Rose Lake: The pond level has dropped 8-10 inches.

**Permit 2019-32: Marthaler Residence, Afton**  After discussion, a motion was made by Marchan and seconded by Sewell to approve permit 2019-32, Marthaler Residence in Afton with suggested and site specific conditions. Motion carried unanimously.

ATTORNEY’S REPORT  None

ADMINISTRATOR/ENGINEER

**2019 Infrastructure and Conveyance Systems Inspections**  The Managers requested that Nathan Campeau with Barr Engineering come to present a summary to the Board at a January meeting. Recording Secretary Imse will post the report to the VBWD website.

**2019 Point-Intercept Plant Surveys at Long Lake, Long Lake-Katherine Abbott Pond Lake DeMontreville, Lake Olson, Lake Jane, Lake Elmo, and Silver Lake**  The Managers requested that Meg Rattei with Barr Engineering come to present a summary to the Board at a January meeting. Recording Secretary Imse will post the report to the VBWD website.

**Silver Lake Outlet**  The VBWD managers had previously directed Barr Engineering to evaluate the effect on Silver Lake water levels of removing the existing v-notch weir plate at the lake’s outlet and replacing it with a 3-foot long, flat-crested weir with the same controlling elevation. Residents living around Silver Lake requested this modification as they believe it could alleviate some of the flooding issues. Barr provided the managers a summary of their analysis and the managers discussed modifying the outlet structure. The managers directed Barr Engineering to schedule a follow-up educational workshop with the Silver Lake neighborhood in late February to talk about the difference between groundwater and surface water causing property issues, and to contact the Minnesota Department of Natural Resources to find out the process for approval of a different shaped outlet with the same invert elevation.

**Final 2020 Levy and Certifications**  The managers reviewed the 2020 budget. After discussion, a motion was made by Sewell and seconded by Marchan to approve Resolution 19-15 approving the 2020 Budget and Final Payable 2020 Tax Levy in the amount of $1,974,067. Motion carried unanimously.

**VBWD Stormwater Runoff Volume Control Rule**  The managers held a workshop on October 29, 2019 to discuss flooding issues and the VBWD stormwater runoff volume control rule. The current VBWD stormwater control standard is based on the Minimum Impact Design Standards (MIDS) with the State of Minnesota. After discussion, the managers
directed Barr Engineering and Attorney Torseth to provide examples of other jurisdictions that have more restricted runoff volume control standards than MIDS, and to provide the increase of liability, if any to VBWD, if there is a change to the current runoff volume control standards, and to provide any stormwater runoff volume control differences in modeling of current permitted projects.

**Sunnybrook Lake Neighborhood Flooding**  President Lucas and Barr Engineering met with the City of Grant Mayor, Administrator, and Engineer to discuss the low sections of roads in the neighborhood and possible flood scenarios and protection efforts. Inspector Brower reported that the wells have been sealed and the abandoned homes are shut down. He does inspect those properties regularly. Barr Engineering has sent out bid documents to remove the homes. The bids will be received around December 19. The VBWD has received the right-of-first refusal from Gary and Mary Wisbar and Greg and Angela Wentz. The Board will discuss the submitted rights-of-first refusal documents at a future meeting. Paul Dornfeld expressed concern over what the neighborhood will look like after the homes are removed, and a long range plan for the properties. The managers will be looking at different options for the land. No decisions have been made.

Mike Kraemer asked if a VBWD permit was needed for emergency sandbagging. No permit is needed. The managers told the residences to work with the Washington County Emergency management division for sand/sand bags. The managers authorized Barr Engineering to complete a survey of the Bonta house.

**MANAGER’S REPORT**

**Annual Meeting**  The Managers reviewed the meeting format, procedures and roles and responsibilities.

**Election of Officers for 2020**  A motion was made by Marchan and seconded by Sewell on the Election of Officers for 2020. Motion carried unanimously.

**2020 Officers:**
- President-Jill Lucas
- Vice President-Dave Sewell
- Treasurer-Ed Marchan
- Secretary-Rick Gelbmann

**Review of Contracts for Recording Secretary and Inspector**  The managers discussed the annual contracts for the Recording Secretary and Inspector. After discussion, a motion was made by Marchan and seconded by Sewell to renew the annual contract with Recording Secretary Imse at a rate of $35 per hour for 2020. Motion carried unanimously. A motion was made by Marchan and seconded by Sewell to renew the annual contract with Inspector Brower at a rate of $50 per hour for 2020. Motion carried unanimously.

**2020 Official Designations**

**2020 Official Bank of Deposit**  A motion was made by Lucas and seconded by Marchan to retain the Lake Elmo Bank as the Official Bank of Deposit for 2020. Motion carried unanimously.

**2020 Official VBWD Newspaper**  A motion was made by Sewell and seconded by Marchan to have the Pioneer Press serve as the official VBWD newspaper. Motion carried unanimously. Attorney Torseth will continue to investigate less expensive options, such as posting to the VBWD website.

**2020 VBWD Citizens Advisory and Technical Advisory Committee Members**  A motion was made by Lucas and seconded by Marchan to retain the same members to serve on the VBWD CAC and TAC. Motion carried unanimously.

**2020 Scheduled Board Meetings**  After discussion, a motion was made by Lucas and seconded by Gelbmann to keep the regular VBWD Board meetings on the second and fourth Thursdays of the month, and having the meetings held at the Baytown Township Community Center for 2020. Motion carried unanimously.

**2020 Manager Per Diem Policy and Mileage Rate**  A motion was made by Lucas and seconded by Marchan to continue the current VBWD Per Diem rate of $125 and the 2020 IRS mileage rate. Motion carried unanimously.

**REPORTS**

**2019 Minnesota Association of Watershed Districts Annual Meeting, Alexandria, December 5-7 2019**  Manager Sewell provided a summary of the MAWD Annual Meeting.
FUTURE MEETINGS AND BUSINESS
Valley Branch Watershed District Meetings: January 9 and 23, 2020 7:00 p.m. President Lucas will be absent at the January 23 and February 13 meeting, and Secretary Gelbmann will be absent at the February 13 meeting.

OLD BUSINESS
None.

NEW BUSINESS
None.

FUTURE ITEMS
None.

ADJOURNMENT
Motion was made by Marchan and seconded by Gelbmann at 9:33 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Dave Sewell

Dave Sewell, Secretary Pro-Tem

Minutes approved by managers 1/9/2020