VALLEY BRANCH WATERSHED DISTRICT
Minutes of Regular Meeting No. 1029
Held in Baytown Township Community Center APPROVED
Wednesday, October 24, 2019 MINUTES

MANAGERS PRESENT: Jill Lucas, President; Lincoln Fetcher, Vice President; Ed Marchan, Treasurer; and Dave Sewell, Secretary Pro-Tem

MANAGER ABSENT: None

STAFF PRESENT: John Hanson, Engineer, Barr Engineering; Susannah Torseth and Tracey Galowitz, Attorney, Galowitz Olson; and Jeff Brower, Inspector

STAFF ABSENT: Melissa Imse, Recording Secretary

OTHERS PRESENT: Rick Gelbmann (Silver Lake), Link Lavey (CAC), Cheryl Kargel (Sunnybrook Lake), Steve Duerre (Cimarron Park), Doug Berglund, Director Emergency Management (Washington County Sheriff's Office), Washington County Commissioner Fran Miron, Greg and Angie Wentz (Sunnybrook Lake), Vic and Phyllis Klindt (Sunnybrook Lake), and Baytown Township Supervisor Rick Weyrauch

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

ANNOUNCEMENTS
None

ADDITIONAL AGENDA ITEMS (Additions/Deletions/Corrections) None

APPROVAL OF AGENDA A motion was made by Sewell and seconded by Marchan to approve the agenda for October 24, 2019. Motion carried unanimously.

PUBLIC FORUM
• Angie Wentz, a Sunnybrook Lake Resident: Ms. Wentz read statement regarding buyout of homes in Sunnybrook Lake area. Stated that no financial help or systems are being provided to anyone other than 4 homeowners. Presented questions regarding emergency plans and financial help for homeowners subject to road flooding. She will forward her letter to the VBWD Managers, Grant Mayor, and the County. President Lucas requested Ms. Wentz send her letter to the entire City Council, not just the Mayor as she is sending it to all VBWD Managers. Larry Lanoux commented on the possibility of raising the road.

• Doug Berglund, the Washington County Emergency Manager: Mr. Berglund discussed that the State of Minnesota as a whole is having numerous water and flooding issues. In Washington County, the St. Croix River is just below the flood stage. Washington County has pumped 85 million gallons of water from Goose Lake. He reviewed the role of the Emergency Management Department. The Department takes action when a municipality has exhausted all options; neither it nor the VBWD has jurisdiction over city roads or infrastructure. There is concern that spring flooding will be very bad. State climatologists are predicting higher than average precipitation over the winter. He discussed what the Department can do for sandbagging: will deliver sand and sandbags to a public location that can be used at the discretion of a town or city; can help supply volunteers for public roads and infrastructure. The Department is not available to help with private property.

• Steve Duerre, the operator of the Cimarron sewage treatment system in Lake Elmo: Mr. Duerre expressed concern to the Managers that Rose Lake is close to overflowing into the septic ponds for Cimarron. Inspector Brower reported he had been to the site recently and the pond is 8-10 inches from overflow. President Lucas encouraged Mr. Duerre to contact the Washington County Health Department. Engineer Hanson commented that there is a sanitary sewer line that was installed on 10th Street by the City of Lake Elmo, and it might be possible to pump sewage to the sewer line if necessary, but that option would require additional investigation. Engineer Hanson reported that if Rose Lake floods, it will eventually flow to Horseshoe Lake. The water quality
of Rose Lake is much lower than Horseshoe Lake. The District will continue to investigate the situation and examine possible solutions.

- Cheryl Kargel a Sunnybrook Lake Resident: Ms. Kargel is concerned about flooding in Sunnybrook Lake and the proximity the water currently is to her new septic system. She asked if there was anything VBWD can do to help have the road closed. President Lucas indicated that the District will send an email to the Mayor, City Council Members, and City Engineer requesting road closure.

CONSENT CALENDAR  A motion was made by Fetcher and seconded by Marchan to approve the Consent Calendar. Motion carried unanimously.

- October 10, 2019 Meeting Minutes
- Final payment of $8,406.20 for a Community Grant to Washington County Public Works for the Lake Elmo Avenue (CSAH 17) Rehabilitation Project in Lake Elmo
- Best Management Practices Cost-Share Program grant extension to Darin Ostertag of Afton
- Treasurer’s Report

UPDATES AND REQUESTS FROM PARTNERS, VOLUNTEERS AND CITIZEN ADVISORY COMMITTEE  None

PERMITTING PROGRAM
Inspector’s Report  Inspector Brower reported on the following:

- The City of Lake Elmo has approved the Ice Castle. Estimated 10-11 million gallons of water will be used for the castle. Water will melt and drain to a retention pond, and eventually to Horseshoe Lake.
- The warming house was removed and the property owners are happy.
- Indian Hills Golf Club is saturated and cannot accept any water from Sunnybrook Lake.
- Keats Pond’s water level is in the tree line of the golf course.
- The water lines have been drained at the Horesji property.

The managers directed Inspector Brower to work with property owner and contractor regarding re-sodding property at The Royal Golf Club at Lake Elmo damaged by diesel fuel from pumping.

Permit 2019-17: Independent Senior Living, Lake Elmo  After discussion, a motion was made by Marchan and seconded by Sewell to approve permit 2019-17, Independent Senior Living in Lake Elmo with suggested and site specific conditions. Motion carried unanimously.

ATTORNEY’S REPORT  None

ADMINISTRATOR/ENGINEER
Sunnybrook Lake Pumps  Barr Engineering provided a cost estimate of VBWD purchasing pumps. VBWD currently owns one pump that is stored by Indian Hills Golf Club. The managers reviewed 3 proposals submitted by CCS, and the proposals were further explained by Mr. Lanoux. President Lucas preferred first option, which is to rent the pumps from CCS for 2020 at a cost of $20,000.00 because this is the amount in the 2020 Budget. The District did not Budget for a larger expense, and the Managers can discuss different options for 2021 and budget accordingly. Manager Sewell also prefers renting the pumps because the District does not own the infrastructure in Indian Hills Golf Club, and he is concerned with liability that could occur.

After discussion, a motion was made by Fetcher and seconded by Marchan to approve proposal #1 by CCS Contracting, to have CCS contracting provide pumps and control panel for Keats Pond for 5 months at $4,000.00 per month with payment due on or before April 1, 2020. Motion carried unanimously.

MANAGER’S REPORT
Silver Lake Outlet  Vice President Fetcher provided an update of the Silver Lake meeting and concerns expressed by citizens. The managers agreed to have Barr Engineering look at how quickly water would draw down from Silver Lake if the weir was changed. Barr Engineering will also need to examine how an increased flow of water would affect downstream properties. Vice President reported that it would be helpful to provide more education on the difference between flooding from the lake and water impact on houses from raised water table.
Cancellation of November 28 and December 26 meetings After discussion, a motion was made by Marchan and seconded by Sewell to cancel the November 28 and December 26, 2019 meetings due to the Thanksgiving and Christmas holidays. Motion carried unanimously.

REPORTS

FUTURE MEETINGS AND BUSINESS
Valley Branch Watershed District Meetings: November 14 and December 12, 7:00 p.m. 2019 All managers plan to attend.

Valley Branch Watershed District Workshop October 29, 2019, 5 p.m. Baytown Community Center The managers will be discussing Cloverdale Lake and McDonald Lake water levels and VBWD rule review. All managers plan to attend.

Cloverdale Lake and McDonald Lake Neighborhood Meeting, October 30, 2019 7 p.m. at Baytown Community Center President Lucas plans to attend.

2019 Minnesota Association of Watershed Districts Annual Meeting, Alexandria, December 5-7 2019 President Lucas, Manager Sewell, Inspector Brower, and Link Lavey plan to attend.

OLD BUSINESS
None.

NEW BUSINESS
None.

FUTURE ITEMS
None.

Closed Session At 8:30 p.m., a motion was made by Sewell and seconded by Lucas to move into closed session. Motion carried unanimously. The purpose of the closed session was to discuss the District’s possible purchase of real property in the Sunnybrook Lake area in the City of Grant.

Attorney Galowitz updated the managers on her discussions with the owners of 6908 Jocelyn Road. After discussion, a motion was made by Marchan and seconded by Fetcher to approve the purchase of 6908 Jocelyn Road North, Stillwater, MN for $515,000 with a closing date on or before April 1, 2020 and the sellers would have 60 days from the closing date to vacate the property. Motion passed 3-1 with Manager Sewell voting against.

Attorney Galowitz updated the managers on the sellers’ appraisal of 6921 Jocelyn Road. After discussion, a motion was made by Marchan and seconded by Fetcher to have VBWD counteroffer to purchase the property located at 6908 Jocelyn Road, Stillwater, MN for $457,000. Motion passed 3-1 with Manager Sewell voting against. The VBWD decision will be provided to the property owners by the District’s Attorney.

At 9:02 p.m., a motion was made by Sewell and seconded by Marchan to close the closed session. Motion carried unanimously.

ADJOURNMENT
Motion was made by Sewell and seconded by Lucas at 9:08 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

/s/ Dave Sewell

Dave Sewell, Secretary Pro-Tem

Minutes approved by managers 11/14/2019