

MINUTES OF THE REGULAR MEETING OF THE BOARD OF MANAGERS OF THE BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 27th day of August, 2019, at 8:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 - 11th Street E., Glencoe, MN, for its regular monthly business meeting.

The following managers were present: Donald Belter
 Larry Kramer
 Chad Stuewe
 Matt Melberg

Also attending the meeting were: Kale Van Bruggen, Attorney
 Chuck Eberhard, Consultant

President Belter called the meeting to order and announced the first order of business was the consideration of minutes of the regular meeting of the Board of Managers held on July 23, 2019. Manager Kramer noted that the proposed July 23, 2019 minutes should be corrected under Old Business, Glencoe East and Central by replacing “Kramer” with “Phillips” in the first sentence. A motion was made by Manager Kramer and seconded by Manager Melberg to approve the minutes from the previous meeting as corrected. After discussion, and by unanimous vote, the Board of Managers approved the minutes at the meeting held on July 23, 2019 as corrected.

President Belter called upon Manager Stuewe for the Treasurer’s report. Manager Stuewe presented a written report prepared by Treasurer Phillips which outlined income and expenses as follows:

Beginning Balance: \$433,138.04

Income:

Interest Earned – July 2019	\$58.29
Deposit – Carver County	\$931.84

Expenses:

Funds transferred to checking for other checks paid	\$7,012.67
Withholding Withdrawal – 2 nd Quarter	\$508.02
Marsh Water Project – Rinke Noonan	\$897.50
JD 15 Br. S Kottke – Rinke Noonan	\$628.00
JD 15 Br. P 1 – I & S Group	\$3,776.88
JD 15 Br. A – Bolton & Menk	\$850.00
JD 15 Br. M20 – Rinke Noonan	\$471.00

JD 15 Br. M20 – Houston Engineering	\$4,477.12
Ending Balance:	\$415,506.98

Upon motion of Manager Melberg which was seconded by Manager Kramer by unanimous vote, the Board of Managers approved the Treasurer’s report subject to audit.

President Belter next called for the bills that had been presented to the Board since the last meeting. Manager Stuewe reported as follows:

Rinke Noonan - various	\$2,978.50
Bolton & Menk, Inc. – JD 15 Br. A -	\$2,276.50
Houston Engineering – JD 15 Br. M20	\$6,054.00
Eberhard Consulting – Chuck – August Pay	\$1,947.50
Mike Karg – 14 beavers trapped @ \$35 each	\$490.00
Chad Stuewe -	\$71.58
Don Belter -	\$77.38
Larry Phillips -	\$0.00
Larry Kramer -	\$113.34
Matt Melberg -	\$112.18
Mary Henke -	\$550.00
Linda Phillips -	\$325.00
Total -	\$14,995.98

Upon motion from Manager Kramer, seconded by Manager Melberg and by unanimous vote, the Board of Managers approved the above bills for payment.

President Belter called any new permits:

Permit 2019-20 Dennis Mellies: Preston Twp., T115N, R31W, Sec. 19 for consideration. Motion by Manager Kramer, seconded by Manager Melberg to consider, carried. Eberhard presented the proposed action. Permit submitted was for a 12” DWP @.01% to drain 56.4 acres. This is the same as a previous permit that was submitted but not approved. Eberhard reported that he sent an email to Jack Ewert requesting that a map showing the drainage area of JD 15, Br. M51 and the drainage area for the pipe that was to be installed. Br. M51 is not going to be abandoned; therefore, the drainage area will not drain into the new tile. This left about 41 acres to drain into the new tile line. A 12” SWP will handle about 41 acres. Eberhard spoke to Mr. Mellies and informed him about 12” SWP. He agreed to the 12” SWP. Eberhard informed Jack Ewert of this and he agreed. Eberhard received an email from Jack to change the tile from 12” DWP to 12” SWP. Eberhard recommends the permit to be approved with the change of pipe type from DW to SW. The pipe will be installed at 0.1%. Motion by Manager Kramer, seconded by Manager Melberg to approve the permit as recommended by Eberhard. Motion passed.

Permit 2019-21 McLeod County Drainage Authority:

Helen Twp., T115N, R27W, Sec. 16, 19, 20, 21, 22, 28, 29, 30, 31, 32, and 33;
Glencoe Twp., T115N, R28W, Sec. 24, 25, 26, and 36;
Green Isle Twp., T114N, R27W, Sec. 5, 6, 7, and 8; and
New Auburn Twp., T114N, R28W, Sec. 1, all for consideration.

Motion by Manager Melberg, seconded by Manager Kramer to consider, carried. Eberhard presented the proposed action. Eberhard reported that the Drainage Authority hired Houston Engineering to conduct a reestablishment of records. The ditch cleaning is based on two reports, one dated Oct. 31, 2018 and one dated June 11, 2019. The first report was to define the “as constructed and subsequently improved condition” or ACSIC. This report documents the investigation of drainage system records and physical investigation of the drainage system used by the engineer to recommend re-established records and to define the alignment, grade, and geometry of JD 8. There are also about 8 culverts that were placed at the wrong heights and sized incorrectly. These will be lowered and some will be increased in size. The second report looked at culverts also. There are three large culverts that will be lowered and increased in size at a later date. Eberhard recommends the permit to be approved. Motion by Manager Melberg, seconded by Manager Stuewe, to approve the permit as recommended. Motion passed.

Permit 2019-22 Kramer Farm: Boon Lake Twp., T116N, R31W, Sec. 29 for consideration.

Motion by Manager Stuewe, seconded by Manager Melberg to consider, carried. Eberhard presented the proposed action. This land is draining to CD 48 by way of an existing 10” private tile line. The proposed project will take 121 acres to a private ditch by way of the 15” DWP. The existing 10 ft. tile that is on this property will be plugged at the road on the west side of the property. The proposed tile line will be on land owned by Kramer Farms. No easements will be required. The proposed project has been discussed with the other private ditch owner, according to Kramer Farms. The proposed 15” DWP @ 0.1% meets BCWD requirements. Eberhard recommends the permit to be approved. Motion by Manager Melberg, seconded by Manager Stuewe to approve the permit as recommended. Motion passed. Manager Kramer abstained.

Permit 2019-23 Roger Rath: Brookfield Twp., T116N, R32W, Sec. 35 for consideration.

Motion by Manager Kramer, seconded by Manager Melberg to consider, carried. Eberhard presented the proposed action. Install approximately 3,000 ft. of 12” concrete tile @ 0.3%. Easements are required from two landowners. Watershed is approximately 190 acres. All 190 acres is being drained by an existing 8” tile. The proposed 12” concrete tile @ 0.3% will drain approximately 135 acres. The proposed project does meet the BCWD requirements. Eberhard recommends the permit to be approved with the following conditions:

- 1.) Work on the tile cannot start until the BCWD receives all required/signed easements and are checked for approval by the BCWD Consultant Eberhard and Attorney Kolb.
- 2.) The applicant must notify the landowners when the project is to start in a reasonable amount of time.

Motion by Manager Kramer, seconded by Manager Melberg to approve the permit with conditions as recommended. Motion passed.

Permit 2019-24 Donnie Anderson: Hector Twp., T115N, R32W, Sec. 33 for consideration. Motion by Manager Melberg, seconded by Manager Kramer to consider, carried. Eberhard presented the proposed action. Eberhard noted that the application was emailed to Managers Melberg and Kramer, and Consultant Eberhard on August 13. The application was received by both managers on the date it was emailed, but did not come through Eberhard's email. Requesting to go with a dual wall tile. This first Phase will be to just go straight east out of the ditch and end for this year as shown on the map. Future work will be to hook onto this tile and bring all the acreage (approximately 420 acres) into this 24" line at 0.1%, which falls within the District guidelines. Eberhard noted concerns about future work that will be outletted into the 24" tile. Eberhard recommends the permit application be approved with the following conditions:

- 1.) That the permit applicant work with Eberhard to document the drainage area information; and
- 2.) That Managers Melberg and Kramer review the documented drainage area and approve it.

Motion by Manager Melberg, seconded by Manager Kramer to approve as recommended with conditions. Motion passed.

Permit 2019-25 Jeff Stamer: Collins Twp., T115N, R30W, Sec. 26, 27, 34, and 35 for consideration. Motion by Manager Melberg, seconded by Manager Kramer to consider, carried. Eberhard presented the proposed action. Eberhard noted that the permit application was emailed on August 13, 2019 but the email was not received by Eberhard until yesterday. The project will consist of the existing tile of 18" and smaller. There is an old existing easement already in place and all the landowners are already aware of this project and all want to go along with the project. This would be to fully abandon the old tile and replace it with this new tile. Eberhard requested that the landowners who are not on the permit application provide a document acknowledging that they are aware of the project and approve of the project. Eberhard recommends the permit application be approved with the following conditions:

- 1.) That the permit applicant work with Eberhard to provide documentation showing all four landowners acknowledge and approve of the project;
- 2.) That the permit applicant provide copies of the old easements; and
- 3.) That Managers Melberg and Kramer review the documentation and approve it.

Motion by Manager Melberg, seconded by Manager Stuewe to approve the permit application as recommended. Motion passed.

Two representatives from Collins Township appeared before the Board to discuss the Section 27 roadway right-of-way and erosion issue from the adjacent natural watercourse. The township roadway is currently closed. Ideas were discussed.

President Belter next called for discussion of old business:

JD 15 – Branch M. Eberhard and Manager Melberg updated the Board that the preliminary engineer’s report is expected before the September meeting. Depending on its filing date, the preliminary hearing will likely be set in conjunction with the October regular meeting.

JD 15 – Branch P. No Update

JD 15 – Branch S. No Update

JD 15 – Branch A. No Update

Marsh Project. Van Bruggen updated the Board that Kolb has been in contact with Miller Manufacturing regarding execution of its easement documents. The easements are hung up at the corporate headquarters and our local contact is tracking down the status. Kolb will be working with Managers Stuewe and Phillips and with the private landowners to address remaining concerns.

Glencoe East and Central. Van Bruggen updated that the Board of Water and Soil Resources has set the hearing date and provided notices for the hearing on the amendment to the watershed management plan to establish a water management district for the petitioned project. The hearing will be held by the south region committee of BWSR on Monday, September 16, 2019 from 6:00-8:00 PM, at the Glencoe City Center, 1107 11th St. E, Glencoe, Minnesota. A quorum of the Board should be in attendance. Materials prepared by BWSR for the hearing were forwarded to the managers by email.

JD 79-2 – Violation. Van Bruggen updated the Board that the High Island Watershed District Board has agreed to support a boundary change based on the revised map prepared by HEI. Van Bruggen requested an authorization from the Board for Rinke Noonan to prepare the petition and that the Board authorize the President to sign the petition, authorize final coordination with HIWD, and authorize filing it with the Board of Water and Soil Resources. Motion by Manager Kramer, seconded by Manager Melberg to authorize the petition preparation, signing, coordination, and filing as requested. Motion passed.

President Belter next called new business.

There being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the Board of Managers adjourned the meeting until the next regular meeting of the Board of Managers on Tuesday, Sept. 24, 2019, at 8:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Matt Melberg, Secretary