

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 18th day of December, 2018, at 10:00 a.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 Phillips
- Larry Kramer
- Corey Henke
- Matt Melberg

Also attending the meeting were:

- Maury Noonan, Attorney
- Chuck Eberhard, Consultant
- Chris Otterness, Engineer
- Bill Helget, Engineer
- Ryan Freitag, McLeod SWCD
- Coleton Drueger, McLeod SWCD
- Ken Shiroo

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 November 27, 2018. A motion was made by Manager Kramer and seconded by Manager Henke to approve the minutes from the previous meeting. After discussion, and by unanimous vote, the Board of Managers approved the minutes at the meeting held on November 27, 2018.

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

Beginning Balance: \$126,205.86

Income:

Interest Earned – November 2018	\$8.39
Deposit - Renville Co.	\$23,838.15
Deposit – Kandiyohi Co.	\$3,491.63
Deposit – Sibley Co.	\$3,579.53
Deposit – McLeod Co.	\$79,186.05

Expenses:

Funds transferred to checking for other checks paid	\$24,411.95
JD 15 Br. M – Houston Engineering	\$344.50
JD 15 Br. M – Rinke Noonan	\$425.50

JD 15 Br. S – Kottke - Rinke Noonan	\$283.50
JD 15 Br. P 1 – 1 + S Group	\$3,861.00
McLeod Co. Ditch 33 – Rinke Noonan	\$1,522.50
McLeod Co. Ditch 33 – Rinke Noonan	\$192.50

Ending Balance: \$205,268.16

Upon motion of Manager Henke 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 Phillips reported as follows:

Rinke Noonan -	\$5,948.50
Houston Engineering -	\$4,475.43
I&S Group -	\$19,225.00
Mid-MN Dev. Com. -	\$170.00
Eberhard Consulting -	\$1,345.30
Corey Henke -	\$639.93
Don Belter -	\$532.70
Larry Phillips -	\$526.71
Larry Kramer -	\$425.29
Matt Melberg -	\$849.84
Mary Henke -	\$164.51
Linda Phillips -	\$137.04
Medicare & Social Security -	\$144.16
Total -	\$34,584.41

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

President Belter called any new permits:

Permit 2018-28 City of Glencoe: Harpel’s Pond Property Twp., T115 N, R27 W, Sec. 18 for consideration of application submitted by the City of Glencoe for a grading project (in preparation for future land development) north of Hwy. 212 and west of Eagle Street. Motion by Manager Henke, seconded by Manager Melberg to consider, carried. Otterness discussed the permit application and summarized the technical memorandum dated December 11, 2018 prepared by Houston Engineering. Attached is the memorandum of Houston Engineering as **Attachment 1**. The applicant is proposing the construction of a wet pond that will provide rate control and water quality treatment for future development of the approximately 9-acre site. No construction plans have been provided for the proposed development of the site. The permit applicant anticipates multiple phases of development will occur at the site. The engineer determined that the proposal was generally consistent with the district’s rules and recommends

approval of the application, as submitted, with subsequent attachments. Otterness recommends that the Board clarify that its approval of the application does not include the construction of impervious surface on the site. It was further recommended to clarify that all future developments on this site should be required to obtain additional permits.

Motion to consider the application. Motion by Manager Phillips, seconded by Manager Henke to approve the application as recommended. The application was approved subject to the clarification that the approval does not include the construction of impervious surface on the site that future developments will require additional permits, and other recommendations stated in the December 11, 2018 memo. Motion passed.

Permit 2018-29 City of Glencoe: Morningside Drive Property is located in T115, R27, Sec. 7; T115, R27, Sec. 18; T115, R28, Sec. 12; and T115, R28, Sec. 13 (it straddles a section corner). Motion by Manager Kramer, seconded by Manager Henke to consider, carried. Otterness discussed the application and summarized the Houston Engineering technical memorandum dated December 13, 2018 on the application. Attached is the memorandum prepared by Houston Engineering as **Attachment 2**. The engineer determined that the proposal was consistent with the district's rules and recommends approval of the application with conditions. Those conditions being that the applicant shall: (1) Provide a corrected detail of the 14th Street pond outlet control structure prior to construction; and (2) Provide as-built conditions of the three stormwater ponds and elevations of outlet control structures, following construction.

Motion to consider. Motion by Manager Phillips, seconded by Manager Henke to approve the application with conditions as recommended. Motion passed.

President Belter next called for discussion of old business:

Permit Application 2018-26.

Eberhard brought permit application 2018-26 to the attention of the Board and his communications with the permit applicants. Eberhard indicated that he has discussed various options with the landowners and encouraged the applicants to decide how they intend to proceed prior to January, otherwise Eberhard will recommend that the Board dismiss the permit application. Eberhard noted that applicants should be able to submit a subsequent application, if necessary. No action was taken.

Glencoe East and Central Project Update.

Otterness addressed the Glencoe East and Central Project. Houston Engineering provided a memo dated December 14, 2018. A copy of the memorandum is attached as **Attachment 3**. Otterness noted that purpose of the update and memo was the following: (1) providing an estimated implementation timeline; (2) describing parties benefiting by the various project components; (3) detailing sources of funding for the project; and (4) recommending a financing schedule for the project. Discussion occurred. Otterness and staff addressed the Board's questions regarding financing project costs and scheduling. After considering potential funding

options and scheduling, it was recommended that Otterness prepare a list of funding options and alternatives for the Board's consideration. Otterness suggested it could be prudent to begin moving forward concurrently to establish a water management district over the contributing drainage area to the East and Central Corridor. Otterness noted that establishing a water management district would require a minor revision to the Watershed Management Plan.

Motion to instruct Houston Engineering, Rinke Noonan, and other staff to begin work on language and facilitating the process to move forward with a Watershed Management Plan amendment. Houston Engineering and Rinke Noonan should coordinate as necessary. Motion by Manager Henke, seconded by Manager Melberg. Motion passed.

CD 33 Request for Change Order 1, Final Construction Report and setting date for contract acceptance hearing.

Engineer, Bill Helget addressed the Board regarding a requested change order in the amount of \$27,425.10 from the Contractor. Helget informed the Board that Change Order 1 is regarding modifications and additional work that was necessary to the project in order to avoid a gas line. Helget also provided a Final Construction Report prepared by Bolton & Menk for CD 33. The report incorporated the Change Order 1 amount in its summary. The report concludes that the contract has been substantially completed and CD 33 is ready for final acceptance. The report provided a cost summary to date. Helget noted that at this time the total cost of the improvement is approximately 8% below the estimate for the project cost contained in the Final Engineer's Report. Helget also noted that the only punchlist item remaining is the televising of the main tile near the outlet. A sum of \$1,000 has been deducted from the Final Pay Estimate to assist in the cost of the televising. Helget recommends that a hearing be held, that any final construction work items be resolved with the Contractor, and that the final payment be approved to the Contractor in accordance with the specifications in order to financially close the construction project.

Motion to approve Change Order 1 as presented, pay partial payment #6 after January hearing, and set a date and time for the contract acceptance hearing for January 22, 2019 at 3:00PM following the Board's regular meeting. Motion by Manager Henke, seconded by Manager Kramer. Motion passed.

President Belter next called new business.

Ryan Freitag with McLeod County SWCD addressed the Board on several issues. First, Freitag informed the Board that the drainage authority for McLeod/Sibley JD 8 recently reestablished the drainage record and approved a repair report for JD 8. The drainage authority is investigating the possibility of submitting a request for a Clean Water Fund grant for some of the potential repairs. Second, Freitag provided an update on McLeod County Ditch 64. Freitag noted he expects a permit will be sought from the Buffalo Creek Watershed District in the near future. Third, he advised the Board that the SWCD has sought Clean Water Act Section 319

grant funds for projects, but its request was recently denied. Freitag anticipates a new and updated application seeking similar funding will be submitted shortly.

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, January 22, 2019, at 1:00P.M., and following will be the contract acceptance hearing at 3:00P.M. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Matt Melberg, Secretary