

# 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 22<sup>nd</sup> day of January, 2019, at 1:00 p.m., and following was the contract acceptance hearing at 3:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11<sup>th</sup> Street E., Glencoe, MN.

The following managers were present: Donald Belter  
Larry Phillips  
Larry Kramer  
Corey Henke  
Matt Melberg

Also attending the meeting were: John Kolb, Attorney  
Chuck Eberhard, Consultant  
Charles Melberg Chris Otterness, HEI  
Pete Meiers Rachel Olm, HEI  
Ken Shiroo  
Neal Brady

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 December 18, 2018. A motion was made by Manager Kramer and seconded by Manager Melberg 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 December 18, 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: \$205,268.16**

**Income:**

Interest Earned – December 2018	\$14.26
Deposit - Renville Co.	\$58,117.62
Deposit - Carver Co.	\$1,197.97
Deposit - League of MN Cities	\$117.00
Deposit – MN State MMB ACH	\$4,777.30

**Expenses:**

Funds transferred to checking for other checks paid	\$8,410.83
JD 15 Br. M – Rinke Noonan	\$82.50
Marsh Water Project – Houston Engineering	\$2,867.68
Marsh Water Project – Rinke Noonan	\$1,925.00

JD 15 Br. S – Kottke – Rinke Noonan	\$2,376.00
JD 15 Br. P 1 – I & S Group	\$19,225.00
McLeod Co. Ditch 33 – Rinke Noonan	\$82.50

**Ending Balance: \$234,522.80**

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 -	\$3,513.00
MAWD dues -	\$5,528.00
Kuechle -	\$89,166.40
McLeod Soil & Water Construction Distribution -	\$3,319.00
Eberhard Consulting -	\$2,041.12
Corey Henke -	\$90.14
Don Belter -	\$77.46
Larry Phillips -	\$228.67
Larry Kramer -	\$113.34
Matt Melberg -	\$99.42
Mary Henke -	\$90.91
Linda Phillips -	\$320.63
Medicare & Social Security -	\$61.68
<b>Total -</b>	<b>\$104,649.77</b>

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

Chris Otterness and Rachel Olm from HEI were asked to give a presentation on One Watershed One Plan. Rachel Olm made the presentation. The Board and Eberhard asked various questions which Rachel answered.

President Belter called for consideration of permits:

**Permit 2018-24 Rudin Brothers:** (This permit was tabled at the November 27, 2018 meeting). Eberhard is requesting this permit to be removed from the table. Motion by Manager Phillips, seconded by Manager Melberg to remove the tabled permit. Motion passed. Eberhard provides an update that the applicants did not get all the required paperwork completed. They are in the process of obtaining the required documents. Eberhard recommends denial. Eberhard has informed the applicants that they can reapply when they have the required paperwork. Motion by Manager Melberg, seconded by Manager Kramer to deny the permit. Motion carried.

**Permit 2019-1 Collins Twp.:** T114N, R30W, Sec. 27. Proposal to install a 60" concrete culvert across the intersection of 85<sup>th</sup> Avenue. Motion by Manager Kramer, seconded by Manager Melberg to consider, carried. Eberhard presented the proposed action and requested the permit application be tabled until the applicant submits construction plans and more detailed information on the project. Motion by Manager Kramer, seconded by Manager Henke to table as recommended. Motion passed.

President Belter next called for discussion of old business:

**Collins Township.** A representative of the township addressed the Board related to an erosion problem at 85<sup>th</sup> Avenue. The Board discussed efforts by the SWCD to address the erosion problem. The township is concerned about having to condemn land to move the road. The Board recognizes the challenge of managing the creek as it meanders. The Board directed Eberhard to reengage the SWCD to investigate options to stabilize the bank.

**JD 15 – Branch M.** Kolb updated the Board on the contractor providing lien waivers and contract closure information.

**JD 15 – Branch P.** No update.

**JD 15 – Branch S.** No update.

**JD 15 – Branch A.** Kolb noted filing of the preliminary engineer's report for the project. Kolb has coordinated with the DNR regarding the timing of its advisory report and the setting of the preliminary hearing. Kolb also updated the Board on coordination with the viewers to view the project. Kolb recommends setting the preliminary hearing for February 26, following the Board's regular meeting. Kolb will take care of noticing the hearing. The Board set the hearing to follow the regular meeting at 3:00 p.m.

**Ditch 33.** The hearing on project acceptance will follow the regular meeting of the Board.

**Marsh Project.** Otterness updated the Board on the closeout report for the MPCA grant/loan. Neal Brady from Miller discussed timing and the bee keeping operation considerations as part of Phase 2.

**Glencoe East and Central.** Otterness presented the updated technical memorandum and his recommendation for amending the Watershed Plan to allow for establishment of a water management district and water management district charges. Otterness updated the Board on cost allocations for various project costs. Manager Melberg asked a question regarding payment for establishment of a buffer strip. Manager Phillips commented on the watershed acre cost allocation for the project. Kolb provided the Board with some suggestions on guidance to provide to Otterness and recommended the Board adopt findings and a petition to BWSR for amendment of the Watershed Plan to establish a water management district for the project.

**JD 79-2 Violation.** Kolb reported that he is still waiting on a response from the petitioner's attorney regarding the Board's jurisdiction to act on the petition to allow the additional land into the drainage system and based on watershed district boundary, into the watershed district.

**Collins Township.** Manager Henke and Eberhard presented photos of the completed project to correct erosion off of Unit Avenue.

President Belter next called for new business.

Eberhard presented information regarding a permit for the Glencoe/Silver Lake school parking lot reconstruction. Eberhard does not believe a permit is required. The Board concurs.

Eberhard discussed a memo from HEI to be reviewed and discussed at the next meeting.

Manager Phillips updated the Board on tree and obstruction removal in the creek channel. Board authorizes Manager Phillips to direct contractor within limits of budget.

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, February 26, 2019, at 1:00 p.m., and following will be the preliminary hearing at 3:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11<sup>th</sup> Street E., Glencoe, MN.

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Matt Melberg, Secretary