

MINUTES OF MEETING OF MANAGERS OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 24th day of July, 2018, 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 Phillips
 Larry Kramer
 Corey Henke

The following managers were absent: Matt Melberg

Also attending the meeting were:

Kale Van Bruggen, Attorney	Chuck Eberhard, Consultant
Dale Krystosek, BWSR	Lisa Odens, Houston Engineering
Chris Otterness, Houston Engineering	Paul Bleck
Doug Krueger, McLeod County	Randy Kramer, Renville County

President Belter called the meeting to order and announced the first order of business was the PRAP presentation. Dale Krystosek, BWSR, reviewed the Performance Review & Assistance Program Draft Report dated June 11, 2018. Krystosek highlighted that the District met 10/11 basic standards and 7/16 high performance standards; reviewed the assessment by the District's partners; and BWSR's recommendations. Krystosek requested the District provide a comment letter within 30 days. Van Bruggen reported on the draft Data Practices Act Policy and Data Inventory Policy. Manager Henke volunteered to serve as the Responsible Authority and the Data Practices Compliance Official as described in the draft policy. The policies will be reviewed for adoption at the District's regularly scheduled August meeting.

Next, President Belter called for the consideration of minutes of the regular meeting of the Board of Managers held on June 26, 2018. Eberhard noted a correction to the minutes pertaining to Permit No. 2018-14 City of Glencoe. The minutes should be corrected by striking "Glencoe Township" and replacing it with "Helen Township." 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 of the meeting held on June 26, 2018, as amended.

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: \$112,478.03

Income:

Interest Earned – June 2018	\$10.40
Deposit from City of Glencoe – Marsh Project	\$20,071.57
Deposit from Renville County	\$109,823.18
Deposit from Renville County	\$537.03
Deposit ACH from Kandiyohi County	\$3,864.70
Deposit ACH from McLeod County	\$99,418.54
Deposit ACH from Sibley County	\$5,059.62
Deposit ACH from MN State MMB	\$3,016.25

Expenses:

Funds transferred to checking for other checks paid	\$34,199.65
JD 15 Br M – Houston Engineering	\$21,974.69
JD 15 Br M – Rinke Noonan	\$440.00
JD 15 Br S – Bolton & Menk	\$5,890.50
McLeod County Ditch 33 – Rinke Noonan	\$495.00
Marsh Creek Water Project – Houston Engineering	\$2,774.68
Marsh Creek Water Project – Rinke Noonan	\$192.50
Marsh Creek Water Project – OMG Midwest - Chard	\$3,700.70
Marsh Creek Water Project – Keenan Farms	\$3,900.00
Marsh Creek Water Project – Neubarth Landscaping	\$2,000.00

Ending Balance: \$278,711.60

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:

DNR -	\$150.00
Rinke Noonan -	\$2,542.50
Bolton & Menk -	\$13,390.50
Eberhard Consulting -	\$1,133.75
Corey Henke -	\$466.98
Don Belter -	\$76.89
Larry Phillips -	\$141.79
Larry Kramer -	\$110.68
Matt Melberg -	\$0.00
Mary Henke -	\$73.59
Linda Phillips -	\$140.69
Medicare & Social Security -	\$45.92
Total -	\$18,273.29

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

Glencoe East and Central Project. Lisa Odens, Houston Engineering, reported on the Glencoe East and Central Basic Water Management Project Phase 2 Regional Comprehensive Stormwater and Flood Management Plan dated July 17, 2018. Houston Engineering will present the report to the City of Glencoe at the August 6 council meeting. If the City approves the Phase 2 report and the District concurs to proceed, Houston Engineering will prepare a task order for Phase 3 for the District's next meeting.

President Belter called any new permits:

Permit 2018-17 McLeod County: Cleaning JD 4 and Branches 5 and 5A, (McLeod County) Round Grove Twp., T115N, R30W, Sec. 7, 8, 17, 18, and 20, (Renville County) Preston Lake Twp., T115N, R31W, Sec. 13. Motion by Manager Henke, seconded by Manager Phillips to consider. Motion passed. There is no culvert changes during the cleaning. Eberhard recommends approval. Motion by Manager Phillips, seconded by Manager Kramer, to approve. Motion passed.

Permit 2018-18 McLeod County: Replace a 10" and 12" tile line on CD 64 with same tile size and same grade at existing tile line. Motion by Manager Phillips, seconded by Manager Kramer, to consider. Motion passed. Collins Twp., T115N, R30W, Sec. 28 and 29. Eberhard recommends the existing tile line have the outlet crushed or abandoned to avoid two tile lines entering the open ditch outlet for approximately 50-60' to prevent water from going through. Motion by Manager Henke, seconded by Manager Kramer, to approve with condition. Motion passed.

President Belter next called for discussion old business:

JD 15 - Branch M. The following report was provided regarding JD 15: Mike Litau, Larry Zupke, John Fischer, John's hired hand, Garrett Monson, and Manager Melberg met last Wednesday on John's concerns he had on the project. We went over his items on the letter he sent out. Manager Melberg believes the group addressed John's issues and came with a plan to fix them. John's biggest problem was the area disturbed when the tile was installed. There was traffic outside the permitted area and crop damage may have occurred. Garrett will fly a drone over John's field and tabulate acres that were outside the work limits and try to come with a number for damages. Larry Zupke and Garrett thought this was a good idea. Houston Engineering will coordinate with the contractor, District Administrator, and counsel on setting up and noticing the contract acceptance hearing where recommendations will be made on addressing damages and addressed by the Board.

Ditch 33. The following report was provided regarding Ditch 33: Engineer Bolton & Menk prepared a report letter to District's legal counsel to address items that were not adequately completed by the contractor, including the cost to hire a new contractor to complete the insufficient items. Legal counsel will prepare a letter to the contractor regarding the contractor's bond and completion of the project.

Marsh Project. Otterness reported that the contractor has not yet been able to seed the banks on the pond due to rainfall events and is waiting for a dry period to finish seeding and close out the project. Otterness reported they are coordinating with the contractor on a sign publicizing the project.

JD 15 - Branch S. Manager Henke reported that surveying is complete and engineering design continues.

Paul Bleck Project. Bleck requested postponing his 103E.401 petition project for one year to obtain additional information in support of his petition for the hearing. The Board will hold the petition in abeyance until supporting information is provided by the petitioner.

JD 79-2 Violation. District's counsel is still waiting on reply from opposing counsel.

Collins Township. Permit has been submitted to the State and District is waiting on response.

President Belter next called new business.

John Brunkorst Letter. Eberhard discussed a draft letter in response to McLeod County Engineer comment regarding the District's reminder letter of the District's swellhead policy for crossings. Commissioner Kramer requested clarification on whether the swellhead policy was in the District rules or had been removed.

Update to Permit & GIS Viewer Program. Otterness presented a July 24, 2018, letter from CFM Brian Fischer regarding the need to migrate the permit database and GIS viewer to a cloud-based server and address more modern future than anticipated in 2010 when it was developed. The summary of costs includes \$4,000.00 for the Permit Database Updates and \$2,400.00 for the GIS Viewer Updates. Manager Henke requested clarification on whether this proposal incorporates layers. Motion by Manager Phillips, seconded by Manager Henke, to approve the Client/Owner Services Agreement presented by Houston Engineering. Motion passed.

2019 Proposed Budget. The Board reviewed a draft public hearing notice on the District's 2019 proposed budget. 103D.911 requires the notice be published once per week for two successive weeks with the final notice occurring at least two days before the hearing.

Manager Phillips presented a recommendation to keep the 2019 proposed budgeted amount the same as amounts budgeted in 2018 with the Clean Water Partnership Project Fund reduced to \$65,264.00. Motion by Manager Henke, seconded by Manager Phillips, to approve the 2019 proposed budget hearing notice as revised and to publish notice of the hearing for 7:30 p.m. on Tuesday, August 18, 2018, at the District's regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN. Motion passed.

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, August 28, 2018, at 7:30 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Matt Melberg, Secretary