

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 28th day of July, 2020, at 1:00 p.m., for its regular monthly business meeting. The meeting, upon special notice, was conducted by alternative means (via Webex) pursuant to Statutes Section 13D.021 because of a State declared emergency related to the COVID-19 pandemic, and a determination by the Board President that it was neither feasible, prudent, nor safe to conduct an in-person meeting.

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

Also attending the meeting were: John Kolb, Attorney
Chris Otterness, HEI
Lisa Odens, HEI
Doug Krueger, McLeod County
Coleton Draeger, McLeod County SWCD

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 June 23, 2020. Motion by Manager Phillips seconded by Manager Melberg to approve the minutes. After discussion, and by unanimous vote, the Board of Managers approved the minutes at the meeting held on June 23, 2020. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

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

Security Bank & Trust Co.	
Money Market Checking Account -	
Beginning Balance:	\$21,040.59
Income:	
Interest earned thru June 2020	\$50.29
Deposit – Renville County	\$85,132.23
Deposit – McLeod County	\$87,813.63
Deposit – Sibley County	\$4,128.59
Deposit – Kandiyohi County	\$1,654.46
Deposit – From McLeod County – Marsh Creek	\$213,886.51

Expenses:

To checking to cover other checks issued	\$6,133.29
JD 15 Br. P – ISG Group	\$27,754.13
JD 15 Br. Q – Bolton & Menk	\$5,284.00
Ending Balance:	\$374,534.88

Balance in Security Bank Now Account	\$1,002.50
Balance in Security Bank Savings Account - Projects	\$115,124.61
Balance in CorTrust Bank Savings Account	\$1,288.55
Balance in CorTrust Bank DDA Account	\$1,002.19
Total for all bank accounts:	\$492,952.73

Upon motion of Manager Kramer which was seconded by Manager Melberg by unanimous vote, the Board of Managers approved the Treasurer’s report subject to audit. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

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

Houston Engineering – Various	\$734.50
Rinke Noonan – Various	\$1,610.00
ISG Group, Inc. – JD 15 Br. P 1	\$6,557.00
Gislason & Hunter, LLP – JD 15 Br. P 1	\$32.50
Eberhard Consulting	\$680.23
Peterson Co. –2019 Audit	\$2,625.00
Mary Henke	\$737.50
Linda Phillips	\$373.30
Don Belter	\$69.26
Larry Kramer	\$69.26
Matt Melberg	\$69.26
Larry Phillips	\$138.52
Chad Stuewe	\$69.26
Total:	\$13,765.59

Upon motion from Manager Kramer seconded by Manager Phillips and by unanimous vote, the Board of Managers approved the above bills for payment. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

President Belter called any new permits: No new permits were reported.

President Belter next called for discussion of old business:

Glencoe East and Central Project. Otterness updated the Board on his contacts with the City. Though the City's representative, Mark Larson, could not speak on behalf of the council, he doubted that the project will proceed. The City would like to receive a position from the Board regarding the project and its continuation. Upon motion from Manager Phillips, seconded by Manager Kramer to direct the attorney to prepare a letter to the City outlining the project requirements and the process for dismissing the petitioned project. Also, the attorney should provide a cost summary and invite the City's response on project dismissal and payment of costs. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

Drainage Proceedings Update. Kolb provided an update on the Renville, Sibley, McLeod redetermination on JD 15. Once completed, the Board will be able to proceed with the pending improvement proceedings.

BWSR Multi-Purpose Drainage Management Grant. Otterness provided an update to the Board on an application for a grant within the JD 15 watershed. The engineer coordinated with Renville County and its SWCD. Renville County has agreed to become the fiscal agent. The engineer further coordinated with Jeremy Maul at BWSR who provided some guidance for the grant. Maul responded that the application for a planning study would likely not be favorably considered. Maul suggested that the Board apply for a projects and practices grant in this round.

Permit 2019-25, Jeff Stamer. T115N, R30W, Sections 26, 27, 34, and 35 in Collins Township. This permit was originally applied for by Jeff Stamer to replace old tile and was approved on August 27, 2019, with conditions.

At the June 23, 2020, meeting, Eberhard recommended that the Board rescind the approval of the Permit due to the conditions not being met. After Manager Melberg provided an update and the applicant's request that the Board not rescind, the Board, by consensus, chose to not rescind at the June 23 meeting, and would revisit the issue at the July 28, 2020, meeting.

After discussion, motion from Manager Melberg seconded by Manager Kramer to approve the permit without further action or submission requirements. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

Report on McLeod County Drainage System Repairs. No update.

Resumption of In-Person Meetings Under COVID-19. The Board discussed getting back to in-person meetings. Manager Melberg would like to return to in-person meetings. After discussion, motion from Manager Phillips seconded by Manager Kramer to resume in-person meetings with appropriate physical distancing and mask wearing beginning at the August 25,

2020, regular meeting. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y. The August meeting will be held at 1:00 p.m. in the Board’s meeting room in the Glencoe City Center with an option for remote participation.

WD 79-2 Lindeman Outlet Petition/Boundary Change. Kolb updated the Board on the BWSR Board’s consideration of the staff recommendation to approve the boundary change.

President Belter next called new business.

Consideration of Preliminary Budget for 2021. Kolb and Manager Phillips presented a preliminary budget for 2021, which the Board discussed. Several questions were asked and answered regarding certain fund balances and spending priorities. Manager Phillips noted the accumulation of fund balance in the stream maintenance account. Manager Melberg asked if Manager Phillips could pre-coordinate with tree removal contractors to ensure that, if conditions allow, additional removal can occur this winter.

Manager Phillips raised the issue of necessary maintenance on WD 79-2 and the need to consider a maintenance assessment to the benefitted properties in 2021. Also, Manager Phillips noted an @ \$30,000.00 deficiency in the CD 33 fund due to reimbursement of petitioner costs in the project. Kolb suggested that both of these possible assessment certifications be noticed as part of the budget hearing. The Board directed that the Budget hearing be held at 12:30 p.m. on Tuesday, August 25, 2020, at the Board’s meeting room in the Glencoe City Center. The Board directed Kolb to prepare and publish a notice of the hearing and to provide for remote participation for those unable to attend and participate in person.

President Belter next called for Manager reports.

Manager Phillips updated the Board on the Lake Marion desilting basin and the removal of accumulated sediment. Manager Phillips recommends finding an alternative contractor to perform the work. After discussion, motion from Manager Kramer seconded by Manager Phillips to authorize Managers Phillips and Stuewe to solicit quotes from alternative contractors to perform the work. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

Manager Phillips discussed the test version of the District’s GIS site. Manager Phillips asked for the Board’s approval to go live to the public with the system. After discussion, motion from Manager Phillips seconded by Manager Kramer to authorize Manager Phillips to release the system for public use. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

Coleton Draeger provided an update on the One Watershed One Plan planning grant and the timing of the BWSR Board decision on applications. A BWSR decision is anticipated on August 26.

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 25, 2020, at 1:00 p.m. in person in the Board's meeting room in the Glencoe City Center with an option for attendance and participation by alternative means as provided by Statutes Section 13D.021.

Matt Melberg, Secretary