

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 24th day of March, 2020, at 1:00 p.m., for its regular monthly business meeting. The meeting, upon special notice was conducted by alternative means (telephonic) 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 (in person at meeting place)
Larry Phillips (by phone)
Larry Kramer (by phone)
Chad Stuewe (by phone)
Matt Melberg (by phone)

Also attending the meeting were: John Kolb, Attorney (in person at meeting place)
Chuck Eberhard, Consultant (by phone)
Doug Krueger, McLeod County (by phone)
Chris Otterness, HEI (by phone)
Lisa Odens, HEI (by phone)

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 February 25, 2020. A motion was made by Manager Melberg and seconded by Manager Kramer 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 February 25, 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 Money Market Account/ Money Moved from CorTrust Bank Beginning Balance:	\$287,367.96
Income:	
Interest Earned thru February 2020	\$167.34
Expenses:	
Funds transferred to checking for other checks paid	\$15,383.41
Moved to Public Now Checking	\$1,000.00

Marsh Water Project – Rinke Noonan	\$2,294.00
Marsh Water Project – Houston Engineering	\$9,998.06
JD 15 Br. M20 – Houston Engineering	\$3,460.50
JD 15 Br. P 1 – Gislason & Hunter, LLP	\$130.00
JD 15 Br. P 1 – Rinke Noonan	\$3,705.50
JD 15 Br. Q – Gislason & Hunter, LLP	\$1,469.50
JD 15 Br. Q – Rinke Noonan	\$650.00

Ending Balance: \$249,444.33

Balance in Security Bank Now Account	\$1,000.36
Balance in CorTrust Bank Savings Account	\$1,000.00
Balance in CorTrust Bank DDA Account	\$1,001.80
Total for all bank accounts	\$252,446.49

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:

Rinke Noonan – various	\$8,628.00
Houston Engineering – various	\$19,145.39
Eberhard Consulting	\$2,063.32
Gislason & Hunter, LLP – various	\$2,573.45
Steven Johnson – viewer – various	\$3,126.18
ESRI – BCWD web host – one year	\$600.00
League of MN Cities – Workers’ Comp. – premium due	\$200.00
I & S Group – Financial Eng. Report – JD 15 Br. P 1	\$13,933.18
Jay Rickert – Rickert Excavating – Ditch 79-2 culvert	\$6,786.57
Don Belter	\$77.31
Larry Kramer	\$69.26
Matt Melberg	\$69.26
Larry Phillips	\$143.97
Chad Stuewe	\$142.88
Mary Henke	\$843.75
Linda Phillips	\$325.00
Total	\$58,727.52

Upon motion from Manager Kramer seconded by Manager Melberg 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:

Permit 2020-03, Scott D. Lang: Brookfield Township, T116N, R32W, Sec. 24 and Boon Lake Township, T116N, R31W, Sec. 19. Motion by Manager Kramer seconded by Manager Phillips to consider, carried. Votes as follows by roll call: President Belter - Y, Manager Kramer - Y, Manager Melberg - Y, Manager Phillips - Y, and Manager Stuewe - Y.

Applying to install 2,420' of 24" tile, 4,000' of 18" tile, 740' of 12" tile, and 40' of 10" tile at a 0.1% grade. All landowners are Lang, Hagbergs, Melberg, and Kalenberg. Subject acres in the permit have been part of Ditch 7A since 1983. Eberhard has been working Mr. Lang and Zach Schuster (Renville County) to determine where drains were. Mr. Lang indicated that the project may not be constructed until the fall. Eberhard recommends that the permit be given a number, then tabled as they are still working on the drainage areas and on the agreements/easements that must be provided. Motion by Manager Phillips seconded by Manager Kramer to assign the permit number and table as recommended. Motion passed. 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 discussion of old business:

Glencoe East and Central Project. The Board received an update on the request of McLeod County for financial participation in the Morningside project component of the Glencoe East and Central Project. The Board reviewed the updated memorandum of Houston Engineering regarding the project and cost allocations. Odens presented Houston's analysis of the County request and gave the Engineer's recommendation for cost allocation. The Board discussed the engineer's recommendation. Concerns were expressed regarding the use of ad valorem tax and the distribution of water management district charges to landowners in the contributing watershed. Additionally, concerns were expressed regarding charges to the school district property that is already tiled to the east ditch. Commissioner Krueger requested clarification of the project components. Clarification was provided by Kolb and Otterness. Kolb updated the Board on the project process. The Board directed Kolb to work with President Belter to set a special meeting to discuss the project.

JD 79-2 Violation, Boundary Change with HIWD. No update.

JD 15 – Branch M20. Kolb updated the Board on an anticipated bond increase by bank-issued letter for credit. Kolb also updated the Board on receipt of draft viewers' report and anticipated delay until a mailing list is provided based on Redetermination of Benefits proceedings for JD 15.

JD 15 – Branch P, Project Expansion. Kolb updated the Board on receipt of the following: Bond increase of \$75,000.00 by cash deposit; consent of original petitioners to

expansion of project; amended petition including additional petitioners. Kolb provided and reviewed a proposed order expanding the project and read the same. Motion by Manager Kramer, seconded by Manager Melberg to adopt the order as presented. Votes as follows by roll call: President Belter - Y, Manager Kramer - Y, Manager Melberg - Y, Manager Phillips - Y, and Manager Stuewe - Y.

JD 15 – Branch S. Kolb updated the Board on the bond increase filed by Kotke. Kolb also updated the Board on receipt of draft viewers' report and anticipated delay until mailing list is provided based on Redetermination of Benefits proceedings for JD 15.

JD 15 – Branch A. Kolb updated the Board on the bond increase by bank-issued letter of credit filed by Ludowese. Kolb also updated the Board on receipt of draft viewers' report and anticipated delay until mailing list is provided based on Redetermination of Benefits proceedings for JD 15.

JD 15 – Branch Q. Kolb updated the Board on contact with the appointed engineer and receipt of engineer bond and oath.

President Belter next called new business.

Kolb updated the Board on future Board meeting options in light of the State emergency declaration and pandemic. He reviewed the requirements of Statutes Section 13D.021. Kolb recommended that the Board adopt an interim schedule of regular meetings by alternative means for the duration of the emergency.

Motion by Manager Phillips seconded by Manager Stuewe to adopt the following schedule of regular meetings during the emergency: Fourth Tuesday of each month at 1:00 p.m. to be conducted by telephone or video teleconference. Motion carried. Votes as follows by roll call: President Belter - Y, Manager Kramer - Y, Manager Melberg - Y, Manager Phillips – Y, and Manager Stuewe - Y.

Kolb asked for the Board's authorization to purchase a site license for Webex, Zoom or other video teleconference capability. Once in place, access will be noticed on the District website and at the meeting location. This capability is necessary to enable better control and access to meetings during the emergency. The capability will also allow for the sharing of documents during meetings. Motion by Manager Melberg seconded by Manager Kramer to authorize Kolb to purchase the video teleconferencing capability for the District. Motion carried. Votes as follows by roll call: President Belter - Y, Manager Kramer - Y, Manager Melberg - Y, Manager Phillips - Y, and Manager Stuewe - Y.

Manager Phillips presented a late bill from Rickert for work on Ditch 79-2. Motion by Manager Phillips, seconded by Manager Kramer to pay. Motion passes. Votes as follows by roll call: President Belter - Y, Manager Kramer - Y, Manager Melberg - Y, Manager Phillips - Y, and Manager Stuewe - Y.

Manager Phillips requested authorization to set up separate accounts to hold ditch bond funds. Motion by Manager Phillips, seconded by Manager Stuewe to establish separate accounts for holding ditch bonds. Motion passes. Votes as follows by roll call: President Belter - Y, Manager Kramer - Y, Manager Melberg - Y, Manager Phillips - Y, and Manager Stuewe - Y.

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, April 28, 2020, at 1:00 p.m. by alternative means as provided by Statutes Section 13D.021.

Matt Melberg, Secretary