

MINUTES OF MEETING OF MANAGERS OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 27th day of March, 2018, at 1:00 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:

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| Donald Belter |
| Larry Phillips |
| Matt Melberg |
| Larry Kramer |
| Corey Henke |

Also attending the meeting were:

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| John Kolb, Attorney | Chuck Eberhard, Consultant |
| Chris Otterness, Houston Engineering | Jeremy Maul, BWSR |
| Jay Reiner, Collins Twp. | Dale Krystosek, BWSR |
| Doug Krueger, McLeod County Comm. | Pete Maiers, Collins Twp. |
| Ryan Freitag, McLeod SWCD | Chad Stuewe, East Ditch Group |
| Brad Wick | Paul Wright, McLeod County Comm. |
| Paul Bleck | Steve Wick |
| Adam Lesla, McLeod SWCD | Grant Hunter |
| Cindy Schultz Ford, McLeod Auditor | Connie Kurtzweg, McLeod Auditor's Office |
| Don Husske | Al Roback |

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 27, 2018. A motion was made by Manager Melberg 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 February 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: \$510,217.07

Income:

| | |
|---------------------------------|---------|
| Interest Earned – February 2018 | \$26.69 |
|---------------------------------|---------|

Expenses:

| | |
|---|--------------|
| Funds Transferred to Checking for Other Checks Paid | \$292,741.53 |
| JD 15 Br M – Houston Engineering | \$21,080.79 |
| JD 15 Br S – Rinke Noonan | \$1,007.00 |

Ending Balance:

\$195,414.44

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:

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| Mid MN Dev. Com. - | \$339.34 |
| Rinke Noonan - | \$4,435.00 |
| Houston Engineering - | \$11,982.00 |
| Hub Pub. - | \$18.56 |
| Eberhard Consulting - | \$2,236.92 |
| Corey Henke - | \$304.30 |
| Don Belter - | \$76.89 |
| Larry Phillips - | \$325.55 |
| Larry Kramer - | \$198.47 |
| Matt Melberg - | \$200.65 |
| Mary Henke - | \$277.05 |
| Linda Phillips - | \$126.21 |
| Medicare & Social Security - | \$107.59 |
| Total - | \$20,628.53 |

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

President Belter called for comments from the public:

Commissioner Paul Wright addressed the Board regarding County Ditch 64 and its outlet to Buffalo Creek in Collins Township in McLeod County. Ryan Freitag, McLeod SWCD, presented his review of historical information. The issue related to the existing 42" culvert providing the outlet to Buffalo Creek. Kolb suggested outlet improvement proceedings under section 103E.221. Otterness discussed engineer technical suggestions. Additional discussion occurred between the Board and interested members of the public on this issue.

Commissioner Wright discussed CD 63 and issues with the flowline of the drainage system. The question was the level of engineering necessary to correct the ditch grade. Kolb commented that if the work is repaired under the statute, the BCWD would not require re-engineering. Manager Henke discussed the change in design ditch grade. Freitag understood the record requirement for original installation elevations.

Don Husske asked regarding repair of a private ditch without alteration of the outlet and whether that would need a ditch permit. President Belter noted practice of requiring documentation. Manager Phillips talked about a no fee permit. Don Husske asked about a possible outlet violation on Buffalo Creek CD 79-2. Kolb explained the current actions being considered to address the alleged violation.

Commissioner Krueger asked for confirmation regarding east ditch and marsh project related to working with the railroad to get them to reconstruct culverts/crossing. He is looking for partners to pay for new culverts. Now, Diamond Street is closed and the Commissioner is looking for solutions. Kolb explained the obligations of the railroad regarding maintenance of its culverts.

President Belter called any new permits:

Permit 2018-7 City of Stewart: Collins Twp., T115N, R30W, Sec. 31. Installing edge drain along Herbert Street from Marth Street to North Street. Street width to be narrowed by 5.1'. This will reduce impervious area by 1,450 SF. Motion by Manager Kramer, seconded by Manager Melberg to consider. Motion passed. Eberhard described the proposed project and recommended approval. Motion by Manager Phillips, seconded by Manager Kramer. Motion passed.

Permit 2018-8 City of Brownton: Sumter Twp., T115N, R29W, Sec. 29 and 32. Replacing aged infrastructure with new. Motion by Manager Henke, seconded by Manager Melberg to consider. Motion passed. Eberhard is waiting for more information, recommends to table. Motion by Manager Henke, seconded by Manager Melberg to table permit. Motion passed.

Permit 2018-9 Cyril Wertish: Brookfield Twp., T116N, R32W, Sec. 17. Replacing aged infrastructure with new. Motion by Manager Melberg, seconded by Manager Phillips to consider. Motion passed. Eberhard described the project to replace various tile. Eberhard recommends approval. Motion by Manager Phillips, seconded by Manager Melberg to issue permit. Motion passed.

Permit 2018-4 Renville County Drainage Authority (Tabled February 27, 2018): Preston Lake Twp., T115N, R31W, Sec. 20. Replace existing Br. Q-15 6" tile (crushed) with an 8" plastic tile (1,225'). Motion by Manager Melberg, seconded by Manager Henke to remove from the table. Motion passed. Eberhard described the project as drainage system improvement, but that the increased tile size otherwise meets district rule requirements. Kolb suggested approving the permit with a written caution to the County that the proposed action constitutes a drainage system improvement; that improvement should be properly documented in the drainage system record. Motion by Manager Phillips, seconded by Manager Kramer to approve. Motion passed.

President Belter next called for discussion old business:

JD 15, Branch M. Otterness provided an update. There is a request from the contractor to extend the time to complete the project based on conditions. Otterness discussed work day addendum to contract. Based on review, Otterness recommends granting the extension within the limits of the addendum. Manager Melberg noted an objection based on buttoning up the road boring which remains incomplete. Otterness noted that he would address this with the contractor. Motion by Manager Phillips, seconded by Manager Henke to approve the extension, passes with Manager Melberg abstaining.

Ditch 33. Manager Henke provided an update. The punch list remains to be addressed when the conditions permit.

Marsh Project. Manager Phillips provided an update. Manager Phillips discussed initiating the subsequent phase of the project and suggested a meeting with the landowners. There has been a suggestion regarding installation of a pipe at the top end of the system rather than open ditch. Likely, a meeting will not occur until after planting.

Glencoe East and Central Project. Otterness provided an update. HEI has conducted some modeling and water quality calculations. There was a conference call with the City regarding design criteria.

Bank Stabilization (Larry Witthus Property). Eberhard provided an update.

Collins Township Washout. Eberhard provided an update. The BCWD portion of the project will involve stabilization on the downstream portion. Eberhard is recommending grant funds be allocated.

Dwight Kottke Improvement Petition, Branch S of JD 15. Eberhard presented the responses to the request for proposals. Responses were received from HEI, BMI and ISG. Eberhard discussed the proposals and discussed apparent differences in approach and rates. Eberhard described difficulties in differentiating between the firms. References provided excellent feedback. Cost ranges varied with BMI proposing the lowest cost. Eberhard believes all firms are capable. Eberhard expressed his preference for ISG based on not having worked with them before and in order to provide the Board experience with a third company. Manager Kramer asked about the method of cost comparison. Eberhard provided an explanation. Manager Henke expressed some concern regarding costs. Manager Melberg discussed his discussions with Renville County regarding the firms. Motion by Manager Henke to appoint BMI as engineer on the project and to approve the preliminary order, seconded by Manager Phillips. The Managers discussed merits of the various firms. President Belter called the question. After a vote, the motion passed by a vote of 4-1 with Manager Melberg voting no.

Rules and Regulations. Kolb discussed notice requirements and effective date.

Buffalo Creek Cleaning. Manager Phillips provided an update on the completed work.

Paul Bleck Project. Kolb provided an update.

Mueller and Sons Gravel Pit. No update.

PRAP Discussion. Dale Krystosek appeared to discuss the PRAP, history and process. The Board is subject to Level II reporting this year. The Board designates Manager Henke and Eberhard to work with BWSR on the Level II report.

President Belter next called new business.

BWSR Biennial Budget Request. Otterness presented the request and asked for Board approval to submit. Jeremy Maul explained the purpose of the request for use with the legislature

when funding is sought. Otterness explained some specific items in the request. Motion by Manager Henke, seconded by Manager Melberg to approve the request for submittal. 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, April 24, 2018, at 8:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Matt Melberg, Secretary