

# 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 26<sup>th</sup> day of March, 2019, at 1:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 - 11<sup>th</sup> Street E., Glencoe, MN, for its regular monthly business meeting.

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

Also attending the meeting were: John Kolb, Attorney  
Lisa Odens  
Chris Otterness  
Brad Baumgardt  
Garry Exted  
Paul Anderson  
Al Robeck  
Merlin Mackenthun  
Terry Picha  
Doug Krueger – McLeod County  
Lyle Grenke

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 26, 2019. 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 at the meeting held on February 26, 2019.

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: \$135,953.73**

**Income:**

Interest Earned – February 2019	\$14.48
Adjustment	\$0.08

**Expenses:**

Funds transferred to checking for other checks paid	\$86,891.35
JD 15 Br. M – Houston Engineering	\$641.25
JD 15 Br. M – Rinke Noonan	\$85.00

Marsh Water Project – Houston Engineering	\$10,295.50
JD 15 Br. S – Kottke – Rinke Noonan	\$399.00
JD 15 Br. P 1 – I & S Group	\$16,816.00
JD 15 Br. A – Rinke Noonan	\$759.50
McLeod Co. Ditch 33 – McLeod Publishing	\$198.00
McLeod Co. Ditch 33 – Rinke Noonan	\$1,601.00
<b>Ending Balance:</b>	<b>\$18,281.69</b>

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.

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

MN Viewers Association -	\$200.00
Rinke Noonan -	\$4,523.10
Bolton & Menk -	\$7,220.50
McLeod Publishing -	\$198.95
Houston Engineering -	\$5,270.00
League MN Cities -	\$200.00
ISG -	\$7,105.00
Eberhard Consulting	\$1,325.83
Corey Henke -	\$159.40
Don Belter -	\$154.76
Larry Phillips -	\$223.45
Larry Kramer -	\$113.34
Matt Melberg -	\$108.70
Mary Henke -	\$108.22
Linda Phillips -	\$138.78
Medicare & Social Security -	\$71.74
<b>Total -</b>	<b>\$27,121.77</b>

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

President Belter called for any new permits:

No new permits were reported.

President Belter next called for discussion of old business:

**JD 15 – Branch M.** Kolb reported on the status of the Branch M improvement contract acceptance hearing and the recent receipt of a petition for improvement of Branch M20. Kolb

will review the most recent petition and provide a preliminary order for the Board's consideration at its April meeting.

**JD 15 – Branch P.** Kolb updated the Board on receipt of the draft preliminary engineer's report and requested that the Board adopt an order noticing the preliminary hearing. Motion by Manager Kramer, seconded by Manager Henke to set a preliminary hearing for May 28<sup>th</sup> at 7:00 p.m. Motion passed.

**JD 15 – Branch S.** Kolb presented reimbursement and deficiency resolutions for the improvement proceedings. Motion by Manager Henke, seconded by Manager Phillips to adopt resolutions. Motion passed by unanimous vote.

**JD 15 – Branch A.** Kolb presented reimbursement and deficiency resolutions for the improvement proceedings. Motion by Manager Kramer, seconded by Manager Phillips to adopt resolutions. Motion passed by unanimous vote.

**Marsh Project.** Kolb reported on the status of preparation of easements for the Marsh Phase 2 Project. Kolb requested the Board's guidance on an informational meeting and distribution of the easements. The Board set an informational meeting for April 9<sup>th</sup> at 7:00 p.m. at the Glencoe City offices. Lyle Grenke was present and provided comments regarding timing and asked some questions about the project. Terry Picha made comments regarding the timing of the project and current obstructions. Kolb and the Board explained the current status of the project and the limitations on the District's ability to access property to perform work on the ditch. Managers discussed cost issues and what might be a reasonable District allocation.

**Glencoe East and Central.** Otterness updated the Board on the staff meeting with the City, County and TCWRR officials. Discussion was had on the allocation of costs and the status of the project and the Morningside Project component. Otterness presented a memo regarding the request of TCWRR to consider a larger culvert under its grade. HEI's interpretation of the BCWD rules would require a 48" culvert under the RR grade. This matches the current culvert size. However, TCWRR could request a variance if it can show a measurable safety risk. Limited district funds could be used to address erosion control downstream of the culvert upon replacement if the Board finds a value to the District in providing such features. Manager Henke pointed out that the BCWD does not provide similar cost share for other culvert replacements. The Board had discussion over the culvert sizing and efficiency. Commissioner Krueger discussed the railroad's participation and desire for a larger culvert. Commissioner Krueger tied the discussion back to the larger railroad culvert issues related to the Marsh Project crossings. Kolb reported regarding the submission of the plan amendment petition to BWSR.

**JD 79-2 Violation.** Kolb reported that he sent a second letter, on March 15, to the petitioners/non-compliant party requesting an opinion of the Board's authority to grant the petition absent a watershed boundary change.

**Chuck – Houston Engineering (Plan Implementation Strategies).** Otterness updated the Board on the prior memorandum related to plan implementation strategies. The memo outlines how to engage BWSR related to a grant for water quality and water storage in the JD 15 watershed. Otterness discussed the various grant program options. This is related to coordination with SWCDs which might also facilitate 1W1P development. Manager Henke suggested that a manager from Renville and McLeod participate in the discussions with HEI and the SWCDs. Managers Henke and Kramer will participate in the discussions.

President Belter next called new business.

**Merlin Mackenthun regarding Permit 2018-11 and a lift pump.** The location is near CR 25 about 4 miles north of Brownton. Installation was shallower than anticipated. Because of this, the option of a lift pump is being considered. This will take @65 acres east of CR 25 into the tile system on the west side of CR 25. The Board noted the existing permit allows for a 3/8" coefficient tile system. Kolb offered an opinion that Mr. Mackenthun should be able to proceed with the installation of the road crossing and sump, but should follow up with a revised permit application for the pump system.

Manager Phillips and Otterness discussed the repair of JD 8 in McLeod County.

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 23, 2019, at 8:00 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