

# 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 28<sup>th</sup> day of May, 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, for its regular monthly business meeting.

The following managers were present:

- Donald Belter
- Larry Phillips
- Larry Kramer
- Chad Stuewe
- Matt Melberg

Also attending the meeting were:

- John Kolb, Attorney
- Chuck Eberhard, Consultant
- Bryan Petzel, ISG
- Scott Exsted
- Justin Lindeman
- Paul Wright, McLeod County
- Al Robeck
- Linda Phillips
- Tim Jeske, Way Manager, TCWRR
- Patrick Vos, ISG
- Willard Exsted
- Kevin Lindeman
- Doug Krueger, McLeod County
- Lyle Grenke
- Lisa Odens, HEI

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 April 23, 2019. A motion was made by Manager Kramer and seconded by Manager Melberg 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 April 23, 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: \$50,742.09**

**Income:**

Interest Earned – April 2019	\$23.65
Deposit from McLeod Co. - Marsh Creek Bond	\$101,599.70
Deposit from Renville Co. - JD 15 Br. M	\$122,510.60

Deposit from the City of Glencoe	\$20,071.57
Deposit form McLeod Co. - Ditch 33 Bond	\$67,780.35
Deposit from Renville Co. - JD 15 Br. M Final	\$43,393.03

**Expenses:**

Funds transferred to checking for other checks paid	\$10,402.31
Withdrew from savings – deposited to checking	\$444.68
JD 15 Br. M – Litzau Drainage	\$39,463.28
JD 15 Br. M – Rinke Noonan	\$1,504.50
Marsh Water Project – Rinke Noonan	\$999.00
JD 15 Br. S – Kottke – Rinke Noonan	\$459.00
JD 15 Br. P 1 – Rinke Noonan	\$470.50
JD 15 Br. P 1 – I & S Group	\$2,725.82
JD 15 Br. A – Rinke Noonan	\$702.50
JD 15 Br. A – Bolton & Menk	\$1,120.00
McLeod Co. Ditch 33 – Bolton & Menk	\$1,093.50

**Ending Balance: \$346,735.90**

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:

Rinke Noonan -	\$14,253.50
Bolton & Menk -	\$2,770.00
Houston Engineering -	\$6,570.25
Eberhard Consulting -	\$1,654.72
Rickert Excavating -	\$989.50
MPCA – bi-annual payment -	\$12,313.83
Peterson Co., Ltd. -	\$2,600.00
Gislason & Hunter – JD 15 Br. -	\$736.00
Chad Stuewe -	\$71.58
Don Belter -	\$154.76
Larry Phillips -	\$439.58
Larry Kramer -	\$226.68
Matt Melberg -	\$97.60
Mary Henke -	\$164.51
Linda Phillips -	\$174.26
<b>Total -</b>	<b>\$43,216.77</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 any new permits:

**Permit 2019-11 Twin Cities & Western Railroad Co.:** Helen Twp., T115N, R27W, Sec. 18 for consideration. Motion by Manager Melberg, seconded by Manager Kramer to consider, carried. Eberhard presented the proposed action. Consideration for replacing the existing culvert under railroad trail with a new 48" culvert. Otterness reviewed and made sure it is in compliance with the Railroad. Otterness indicated it was in compliance, but was concerned with the class of rip-rap with the velocity of 11 fps through the culvert, recommending the class of rip-rap should be a minimum of a class IV. Eberhard recommends the permit be approved with the condition that the rip-rap being used should be a Class V with Class IV at a minimum. Motion by Manager Kramer seconded by Manager Melberg to approve the permit with conditions as recommended. Tim Jeske appeared and requested cost share for a portion of the cost. Eberhard reviewed historical practices of the Board in providing assistance with culvert replacement. The Board discussed concerns regarding precedence of providing financial assistance for crossings. Motion passed.

**Permit 2019-12 McLeod Co.:** Glencoe Twp., T115N, R28W, Sec. 14 for consideration. Motion by Manager Phillips, seconded by Manager Melberg to consider, carried. Eberhard presented the proposed action. The expansion of an existing wet storm water pond. Otterness calculated and indicated that everything meets the BCWD requirements. Eberhard recommends that the permit be approved. Motion by Manager Kramer, seconded by Manager Melberg to approve the permit as recommended. Bryan Petzel, ISG, was available to answer questions during discussion on the motion. Motion passed.

**Permit 2019-13 Ladd Ginsburg:** Hector Twp., T116N, R32W, Sec. 16 for consideration. Motion by Manager Kramer, seconded by Manager Phillips to consider, carried. Eberhard presented the proposed action. The applicant intends to construct a CREP Wetland Restoration and construction of a new outlet. The proposed work meets the BCWD requirements. Eberhard recommends the project be approved. Motion by Manager Phillips, seconded by Manager Melberg to approve the permit as recommended. Manager Kramer commented on the function of these restorations and the impact on neighboring lands during storms. The Board wants Eberhard to include a comment in the approval letter regarding the future design to have some storage. Motion passed.

**Permit 2019-14 Helen Solar, LLC:** Helen Twp., T115N, R27W, Sec. 10 for consideration. Motion by Manager Kramer, seconded by Manager Melberg to consider, carried. Eberhard presented the proposed action. The applicant intends to create an environmental friendly solar farm. There would be some grading required on 30 plus acres with fencing around the area. The total disturbed area is 9.58 acres.

<b>4 Retention Basins</b>	
# 1	5,697 ft. 3 in.
# 2	6,119 ft. 3 in.
# 3	354 ft. 3 in.
# 4	2,294 ft. 3 in.

The applicant plans to construct an entrance. The project will meet BCWD requirements. Eberhard recommends the permit be approved. Motion by Manager Kramer, seconded by Manager Phillips to approve the permit as recommended. Motion passed.

President Belter next called for discussion of old business:

**JD 15 – Branch M.** Kolb provided an opinion regarding the sufficiency of the petition and bond. The Board adopted an order receiving the petition and bond and appointing Houston Engineering as the engineer for the project.

**JD 15 – Branch P.** Kolb updated the Board on the steps to occur now that the preliminary hearing is complete.

**JD 15 – Branch S.** The Board is waiting on final engineering and viewing.

**JD 15 – Branch A.** The Board is waiting on final engineering and viewing.

**Marsh Project.** Kolb updated on the status of easement acquisitions. Lisa Odens provided an update on plans and budget. The Board discussed the Exsted easements and alternative construction option. Lyle Grenke asked about the width of the ditch in section 15 and how that portion of ditch will be handled. Lisa Odens provided information from the plans. Motion by Melberg, seconded by Phillips to authorize advertising for bids subject to receipt of the easements. Motion passes.

**Glencoe East and Central.** Kolb updated that he owes the County a draft project agreement. The Board selected a hearing date on the WMP amendment for June 25, 2019 at 6:30 p.m. at the Board’s regular meeting place.

**JD 79-2 Violation.** Kevin Lindemann presented information and a history to the Board regarding the drainage area and natural course of drainage from his property. The Board directed Kolb to contact HIWD regarding a boundary change petition to BWSR. The Board authorized Lisa Odens and HEI to prepare a map indicating the potential boundary change.

President Belter next called new business.

Kolb suggested that the Board request a proposal and scope of work from Mary Henke for continued clerical and website support. The Board directed Manager Phillips to discuss this with both Mary Henke and Linda Phillips.

Manager Melberg and Commissioner Krueger discussed disaster damages and possible FEMA assistance.

Lisa Odens updated the Board on discussions with McLeod, Sibley and Renville Counties on a JD 15 incremental management plan to further the WMP.

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 WMP amendment hearing on Tuesday, June 25, 2019, at 6:30 p.m., and following will be the Board of Managers Meeting 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