

# MINUTES OF MEETING OF MANAGERS OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 28th day of November, 2017 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
- Matt Melberg
- Larry Kramer
- Corey Henke

Also attending the meeting was:

- John Kolb, Attorney
- Chuck Eberhard, Consultant
- Chris Otterness, Engineer
- Chad Stuewe
- Jay Reiner
- Pete Meiers
- Ron Benson, Stonebrook Engineering
- Ken Schiroo
- Larry Witthus
- Doug Krueger, McLeod County
- Al Robeck
- Brian Ryberg
- Lyle Grenke
- Andrew Engel, Carver County

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 October 24, 2017. A motion was made by Manager Henke 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 corrected minutes of the meeting held on October 24, 2017.

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: \$269,988.79**

**Income:**

Interest Earned – October 2017	\$11.65
Deposit – MN State MMB	\$4,929.14

**Expenses:**

Funds Transferred to Checking	\$15,097.41
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JD 15 Br M – Houston Engineering	\$6,670.13
JD 15 Br M – Rinke Noonan	\$254.00
Marsh Creek Water Project – Houston Engineering	\$1,357.30
<b>Ending Balance:</b>	<b>\$251,550.74</b>

Upon motion of Manager Kramer which was seconded by Manager Henke by unanimous vote, the Board of Managers approved the Treasurer’s report.

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

OMG Midwest -	\$101,204.04
Bolton & Menk -	\$70.00
Rinke Noonan -	\$1,886.46
McLeod Pub. -	\$59.80
Houston Engineering -	\$7,059.86
Standard Printing -	\$123.48
Hub Publishing -	\$37.13
Mid-Minnesota Development Co. -	\$1,480.04
Eberhard Consulting -	\$1,262.13
Corey Henke -	\$233.47
Don Belter -	\$76.75
Larry Phillips -	\$434.83
Larry Kramer -	\$109.92
Matt Melberg -	\$109.59
Mary Henke -	\$199.13
Linda Phillips -	\$134.28
Medicare & Social Security -	\$96.12
<b>Total</b>	<b>\$114,577.03</b>

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

President Belter called any new permits:

**Permit 2017-22 Bridge Replacement in Camden Township:** Motion by Manager Melberg, seconded by Manager Kramer, to remove permit from table for consideration. Eberhard explained the proposed bridge replacement and hydraulic considerations. Eberhard explained Houston Engineering’s review of the proposed action. Concerns were discussed regarding swellhead changes associated with the proposed action. Project will eliminate approximately 22 acre feet of storage upstream of the current structure. This is not consistent with the Board’s current swellhead policy. The Carver County Engineer and consulting engineer were present to discuss the project. The engineers explained that the pre and post project CFS flow is the same. MNDOT bridge office would not approve a match of existing hydraulic characteristics. Proposed conditions reduce the swellhead by approximately 4”. Manager Henke discussed the efforts of

other road authorities to comply with the Board's policy. Existing bridge is constricting the channel. DNR has permitted the project, and at DNR's request, a single span bridge. This is the last bridge on Buffalo Creek prior to the confluence with the North Fork of the Crow River. Chris Otterness from Houston Engineering, Inc. discussed the storage reduction upstream of the bridge. Otterness discussed the storage in terms of the total watershed. Otterness acknowledges the difficulties of designing to match existing conditions. The downstream impacts are insignificant. Motion to approve design and permit by Manager Kramer, seconded by Manager Melberg. On discussion, Manager Henke again noted that this is a departure from current policy. Following discussion, the motion passed 4-1 with Manager Henke voting against.

**Permit 2017-23 The Ferriola Family Trust:** Brookfield Twp., T116N, R32W, Sec. 20; Replacing an existing 8" cement tile with a 10" single wall PE pipe at a 0.1% grade. This tile drains across Sec. 19, which an easement was attached. Motion by Manager Phillips, seconded by Manager Melberg to consider. Motion passed. Eberhard explained the proposed action and recommended approval. Motion by Manager Melberg, seconded by Manager Henke to approve permit. Following discussion, the motion passed with Manager Kramer abstaining.

**Permit 2017-24 Melberg:** Motion by Manager Henke, seconded by Manager Kramer to consider. Eberhard explained the proposed action in T115, R32, Section 2 (Hector Twp). Installation of 2x10" tile lines outletting to branch 9 of CD 134. Motion by Manager Kramer, seconded by Manager Phillips to approve. After discussion the motion passed with Manager Melberg abstaining.

President Belter called by comments from the public.

Lyle Grenke discussed beaver in ditch by his property. He is asking when the ditch is going to be cleaned. The ditch is still private, though it is anticipated to be cleaned as part of Marsh Water Project, Phase 2. Grenke inquired about the disposition of trees. The managers discussed tree removal as part of the project. The Board discussed the acquisition of the easements for the project. Grenke continued to discuss water backing up in the ditch. The Board and consultants explained Mr. Grenke's options for coordinating with his neighbors to address obstructions in the drainage system.

Larry Witthus of Helen Township discussed conditions on the bank of Buffalo Creek on his property. Mr. Witthus lives across Buffalo Creek from the Knife River aggregate site. There is a high embankment above the creek on Mr. Witthus' property with erosion into the creek. Manager Phillips agreed to inspect the site and discuss options with Mr. Witthus. Otterness discussed Mr. Witthus contacting the SWCD to investigate possible funding for bank stabilization.

Pete Meiers and Jay Reiner of Collins Township discussed a washout adjacent to a township road. Mr. Meiers discussed dangerous conditions adjacent to the roadway. He discussed a proposed project by a local farmer to create an outlet to Buffalo Creek. The township is already working with the SWCD to address the situation. Mr. Meiers believes the condition is urgent. Mr. Meiers is seeking financial assistance from the District. President Belter noted that the District has to review a plan for correction before it can determine whether the District can provide any funding. The Board directed Eberhard to investigate.

Brian Ryberg appeared and discussed installation of improved drainage within the watershed of Branches S8-S11 of JD 15 in Renville County. This is the same area where Kottke is considering an improvement project on the public ditch. Kolb explained the process for approvals for a private tile project. Commissioner Krueger discussed his concern over increased drainage from the west entering McLeod County. Manager Henke discussed the Board's efforts to obtain funding to study additional storage options. Additional discussion was had on storage options.

President Belter next called for discussion old business:

**JD 15.** Manager Melberg provided an update on the initiation of construction.

**Ditch 33.** Manager Henke provided an update and identified some issues he has been addressing with the engineer. Specifically, he described an issue of a lack of an end cap on a terminal tile. Manager Melberg questioned the construction inspection and whether this is an issue of construction supervision. Manager Henke updated on areas of the project where non-perforated pipe was installed in deeper areas. Conditions exist where the elimination of perforated tile is limiting current drainage. The solution would be to install perforated tile to remove water from the field. The Board discussed option to correct the problem. Manager Phillips suggested splitting costs with the owner to install some perforated tile. Manager Melberg discussed the function of the tile and that the owners were assessed for an outlet and not for the direct drainage. The Board directed Manager Henke to determine possible costs of correcting potential problem areas.

**Marsh Project.** Otterness provided an update on the continued construction. Manager Phillips provided an additional update on his observations of construction in the cemetery and other areas of the project.

**Glencoe East and Central Project.** Manager Philips updated on a meeting with the City of Glencoe.

**Bank Stabilization.** No update. The Board discussed additional information from today's meeting.

**Buffer Law.** Kolb provided an update on the required notices of rule adoption.

**Budget.** No update.

**Revision to Rules.** No update.

**Dwight Kottke (Branch S8 of JD 15).** Kolb provided an update on the petition for the proposed improvement.

Manager Kramer inquired about tree removal on Buffalo Creek and the contractor traditionally used by the District. Commissioner Krueger commented on the costs investigated by the County. The Board discussed the current budget for tree removal and difficulties in recent years with the construction window.

President Belter next called new business.

Manager Phillips updated the Board on the JD 8 project and redetermination of benefits.

Manager Phillips updated the Board on a letter received from Vanessa Becker. Manager Phillips informed the Board of his investigation of the approvals obtained for the work being complained of. The Board approved Manager Phillips working with Ryan Freitag to prepare a responsive letter.

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, December 26, 2017, 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.

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Matt Melberg, Secretary