

MINUTES OF MEETING OF MANAGERS OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 24th day of October, 2017 at 8:00 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: Donald Belter
Larry Phillips
Matt Melberg
Larry Kramer
Corey Henke

Also attending the meeting was: John Kolb, Attorney
Chuck Eberhard, Consultant
Doug Krueger, McLeod County
Al Robek
Larry Zupke
Lyle Grenke
Dwight Kottke

President Belter called the meeting to order and announced the first order of business was the public hearing on the proposed buffer rule. Attorney Kolb presented the rule, reviewed notices of the hearing and reviewed written comments. President Belter opened the hearing to public comment. Several members of the public appeared and provided comments regarding the rule and buffer law in general.

President Belter called for the consideration of minutes of the regular meeting of the Board of Managers held on September 26, 2017. 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 corrected minutes of the meeting held on September 26, 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: \$294,350.30

Income:

Interest Earned – September 2017 \$11.63

Expenses:

Funds Transferred to Checking \$12,176.54
JD 15 Br M – Houston Engineering \$11,836.60
JD 15 Br M – Rinke Noonan \$168.00

JD 15 Br M – Rinke Noonan (Appeal) \$192.00

Ending Balance: \$269,988.79

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:

Rinke Noonan -	\$2,157.00
Houston Engineering -	\$8,027.43
Gislason & Hunter -	\$225.40
Renco Publishing -	\$159.36
Eberhard Consulting -	\$1,058.75
Matt Melberg – Petitioners’ Bond JD 15	\$10,000.00
Corey Henke -	\$458.52
Don Belter -	\$150.34
Larry Phillips -	\$116.23
Larry Kramer -	\$109.92
Matt Melberg -	\$109.59
Mary Henke -	\$181.82
Linda Phillips -	\$114.10
Medicare & Social Security -	\$60.76
Total	\$22,929.22

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 2017-20 Renville Co. Public Works: Replace existing 8" tile on Br. M13 with a 12" tile; Hector Twp., T115N, R32W, Sec. 11. Manager Phillips moved, seconded by Manager Melberg to consider. Larry Zupke from Renville County appeared and commented. Eberhard recommends approval with design recommendation. Motion by Manager Phillips, seconded by Manager Kramer to approve, passed, Melberg abstains.

Permit 2017-21 Thalmann Seed: Move 200 yds. of fill from Sec. 34 to Sec. 33, Helen Twp., T115N, R27W, Sec. 33. Manager Melberg moved, seconded by Manager Kramer to consider. Eberhard recommends approval with conditions to prevent blocking natural waterway. Motion by Manager Henke, seconded by Manager Kramer to approve, passed.

Permit 2017-22 Camden Twp./Carver Co.: Replace existing 3 span Timber Bridge with a 1 span Precast Conc. Bridge. Manager Kramer moved, seconded by Manager Henke to consider. Eberhard recommends tabling and review by Houston Engineering. Motion by Manager Henke, seconded by Manager Phillips to table and refer to Houston Engineering for review, passed.

President Belter next called for discussion old business:

JD 15. Petitioners have requested repayment of their bond. Kolb will contact Marc Iverson to coordinate payment request details. Larry Zupke reported that the temporary financing is in place and the County will pay until final bonding is in place. Preconstruction meeting has been scheduled.

Ditch 33. Bolton and Menk is still waiting on information from the contractor to address pay request. So far, the contractor is not in breach or default of his contract.

Marsh Project. Manager Phillips provided an update on the schedule to reinitiate the construction on the project.

Glencoe East and Central Project. No report.

Bank Stabilization. No report.

Buffer Law. President Belter called the public hearing on the proposed buffer rule to order. Attorney Kolb presented the rule, reviewed notices of the hearing and reviewed written comments. President Belter opened the hearing to public comment. Several members of the public appeared and provided comments regarding the rule and buffer law in general.

Larry Zupke appeared and provided a comment regarding consistence with the Renville County Ordinance. The primary difference is the penalty amount.

Manager Melberg commented regarding the scale of penalty. Kolb explained the reasoning for the penalty matrix and the desired flexibility in the rule.

Doug Krueger commented on McLeod County's ordinance.

Based on the hearing and public comments, Manager Henke moved, seconded by Manager Kramer to close public comment. Passed. The Managers discussed several aspects of the proposed ordinance. After discussion, a motion by Manager Henke, seconded by Manager Phillips to adopt the buffer rule as presented. Passed.

Budget. No Report.

Revision to Rules. No Report.

President Belter next called new business.

Lyle Grenke appeared and presented information regarding street reconstruction in the City of Glencoe. The Board directed Mr. Grenke to the City of Glencoe with this issue. Mr. Grenke discussed ditch assessments and the function of tile. Mr. Grenke is requesting a ditch cleaning (Marsh project). Mr. Grenke was reminded that the ditch was private. For the Marsh project, this work will not be done until phase 2. Mr. Grenke has the option of cleaning the ditch himself. Mr. Grenke commented on the holding pond as part of phase 1 of the project. Mr. Grenke suggested

spraying for ragweed. The managers explained the contractor delay in returning to finish phase 1 work.

Dwight Kottke appeared to discuss conditions of Branch 58 of JD 15 (tile). Kottke reports the condition of the ditch via a camera inspection. Mr. Kottke believes the system is too small and desires an improvement. Manager Henke moved, seconded by Manager Kramer to authorize Kolb to work with petitioners to develop a petition for the proposed improvement. Passed.

Manager Phillips reported that McLeod County will be conducting a revised LiDAR project and is requesting the District's financial participation in the project. The Board will consider a request when more information becomes available from the County.

Manager Phillips requested appointment of delegates and an alternate for the MAWD annual meeting. Managers Kramer and Henke volunteered as delegates and Manager Phillips volunteered to be alternate delegate. President Belter appointed the delegates and alternate.

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, November 28, 2017 at 1:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Matt Melberg, Secretary