



PROJECT 79-2:

McLeod Co. Auditor/79-2 Fund

\$22,310.57

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

President Belter next called upon Greg Halling, an engineer for the Glencoe Hospital construction project. Mr. Halling noted that no permit has yet been submitted to the Board but he wished to receive the Board's input as to the hospital's proposed plan to utilize land adjacent to the new care addition to be placed into prairie grass in lieu of a holding pond to satisfy run-off requirements. Following discussion, it was the consensus of the Board that it would look favorably at the proposal if the general run-off standards of the Watershed District are achieved through this alternative practice.

President Belter next called for agenda item – Glencoe City petition. It was noted that the petition received from the City of Glencoe for a water project on the northeast side of Glencoe has been reviewed by Attorney John Kolb and he reported that it has satisfied the legal requirements necessary for the submission of the petition. Mr. Kolb recommended accepting the petition. He had prepared a proposed Findings and Order Initiating Project Pursuant to Statutes Section 103D.605. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers accepted the petition as drafted by the City of Glencoe and adopted the Findings and Order as drafted by Attorney Kolb and attached hereto.

Manager Phillips reported next on a proposed project by the Glencoe School District. He noted that a 15-in. tile line is proposed to facilitate drainage for the school property. There was a discussion among Board members as to which of the Watershed Rules apply to the request by the school district; whether it should be treated as an outland drainage, or as a developed area, which would restrict the amount of run-off allowed. It was noted that a permit application will be submitted in the near future by the school district and Attorney John Kolb will be consulted to determine which Watershed Rules apply to the permit as submitted.

Engineer Eberhard next introduced an application for a permit submitted by the City of Glencoe. Upon motion of Manager Kramer, which motion was seconded by Manager Henke, the Board of Managers accepted the application for permit for consideration and designated it Application for Permit No. 2016-20. Engineer Eberhard noted that he has not received requested information and recommended denial of the permit. Upon motion of Manager Melberg, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers denied Permit No. 2016-20.

Engineer Eberhard submitted an application for a permit submitted by McLeod County for a new bridge over Buffalo Creek on Hamlin Avenue. Upon motion of Manager Phillips, which motion was seconded by Manager Melberg, the Board of Managers accepted the application for permit for consideration and designated it Application for Permit No. 2016-21. Engineer Eberhard noted that he has reviewed the application and recommends its approval. Upon motion of Manager Melberg, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Permit No. 2016-21.

Engineer Eberhard next introduced an application for a permit submitted by the City of Stewart. Upon motion of Manager Kramer, which motion was seconded by Manager Phillips, the Board of Managers accepted the application for permit for consideration and designated it Application for Permit No. 2016-22. The permit application involves a street improvement on the north edge of the City of Stewart to provide further access for Form-A-Feed. Engineer Eberhard advised that he has reviewed the application and all the engineering requirements are met and he recommended approval. Upon motion of Manager Kramer, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Permit No. 2016-22.

President Belter called upon Chris Otterness of Houston Engineering to update the Board on the Marsh Water Project. Mr. Otterness noted that the easements had been drafted and he was hoping that they would be executed by all the parties in the near future. He also noted that the Corps of Engineers permit application was currently pending. He anticipated that the draft final plans for the project will be completed by mid-October, that the proposed bidding would occur in mid-November, and that bids be awarded by mid-December, 2016.

Engineer Eberhard next re-introduced Application for Permit No. 2016-15 submitted by Randall Thalmann for a ditch clean-out. Upon motion of Manager Kramer, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved Permit No. 2016-15.

Application for Permit No. 2016-19 was next considered. Engineer Eberhard advised that the additional information has been received and he recommended approval. Upon motion of Manager Henke, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved Permit No. 2016-19.

Engineer Eberhard introduced an application for a permit which was submitted by Buffalo Creek Watershed District for the Ditch No. 33 project. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, the Board of Managers accepted the application for permit for consideration and designated it Application for Permit No. 2016-23. After a short discussion and a motion by Manager Melberg, seconded by Manager Kramer, by unanimous vote the Board of Managers approved Permit No. 2016-23.

Engineer Eberhard introduced an application for permit submitted by Jeffrey Bute. Upon motion of Manager Melberg, which motion was seconded by Manager Kramer, the Board of Managers accepted the application for permit for consideration and designated it Application for Permit No. 2016-24. Engineer Eberhard noted that the permit application requests construction of a 1,000-ft. tile line at 12-in. in diameter. After review of the Watershed standards, Engineer Eberhard recommended that the permit be approved, but with a 10-in. tile line. Upon motion of Manager Kramer, which motion was seconded by Manager Phillips, with Manager Melberg abstaining, Permit No. 2016-24 was approved with the stipulation that it be limited to a 10-in. tile line at .1 grade.

Agenda item Judicial Ditch 15 – Branch “M” was next discussed. It was noted that the final hearing on this project is scheduled for November 14 at 1:00 P.M. in Olivia. Upon motion of Manager Kramer, which motion was seconded by Manager Henke, with

Manager Melberg abstaining, the Board accepted and adopted the Viewers' Report and Property Owners' Report.

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

Kasal Law Office	\$ 683.20
City of Hector	75.00
Mid-Minnesota	964.80
Drop & Go	61.38
Finance & Commerce	258.17
MAWD dues	1,842.00
Bolton Menk	9,780.00
McLeod Publishing	328.00
Hubin Publishing	86.00
Houston Engineering	9,602.06
Houston Engineering	664.00
Houston Engineering	15,220.22
Eberhard Consulting	2,510.37
Hawk Publishing	170.00
ECM Publishing	120.96
Rinke Noonan	2,992.00
Gislason Law Office	416.00
Linda Phillips – secretarial/accounting	131.03
Mary Henke – secretarial	103.13
Corey Henke – per diem & mileage	421.44
Donald Belter – per diem & mileage	165.12
Larry Phillips – per diem & mileage	441.42
Larry Kramer – per diem & mileage	314.64
Matt Melberg – per diem & mileage	<u>107.40</u>
TOTAL	\$47,458.34

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

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, October 25, 2016 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

**STATE OF MINNESOTA  
BUFFALO CREEK WATERSHED DISTRICT**

The matter of the Petition of the City of Glencoe for the establishment of the Glencoe Central-East Stormwater Basic Water Management Project	<b>Findings and Order Initiating Project Pursuant to Statutes Section 103D.605</b>
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The Board of Managers of the Buffalo Creek Watershed District, at its regular meeting on September 27, 2016, considered the petition of the City of Glencoe to establish a Basic Water Management Project to address stormwater management challenges within the City of Glencoe. Based on a review of the petition and the actions requested therein, Manager \_\_\_\_\_ moved, seconded by Manager \_\_\_\_\_ to adopt the following Findings and Order regarding the initiation of the Glencoe Central-East Stormwater Basic Water Management Project (Project Number 16-01):

**FINDINGS**

1. By petition dated July 19, 2016, the City of Glencoe petitioned the BCWD to establish a Basic Water Project under Minnesota Statutes section 103D.605 as a comprehensive and integrated approach to stormwater management, flood damage reduction, and water quality enhancement within the Central-East stormwater management area of the City. The petition recommended the project be broken into the following phases:
  - a. Phase 1: Identifying and analyzing current conditions, challenges and opportunities related to stormwater management and flood damage and making recommendations of actions likely to address comprehensive stormwater management and flood damage issues within those downstream areas affected by stormwater runoff;
  - b. Phase 2: Developing a regional, comprehensive stormwater management and flood damage reduction plan, to include water quality features, which identifies capital improvements and other actions to be undertaken by the City and the Buffalo Creek Watershed District;
  - c. Phase 3: Developing implementation timelines and priorities, costs allocations and revenue generation methods for both implementation and long term maintenance of capital improvements and water quality features;

- d. Phase 4: Implementing one or more of the project components identified in Phase 2 as a coordinated series of capital improvements by the City and the Buffalo Creek Watershed District.

A copy of the petition is attached hereto and incorporated by reference as **EXHIBIT A**.

2. The petition is signed by the governing body of a city entirely or partly within the area proposed to be improved.
3. The project petition contains: (a) a description of the proposed project and the purpose to be accomplished; (b) a description of the property where the proposed project passes over or is located; (c) a general description of the part of the watershed district that will be affected; (d) the necessity for the proposed project; (f) a statement that the proposed project will be conducive to public health, convenience, and welfare; and (g) a statement that the petitioners will pay all costs and expenses that may be incurred if the proceedings are dismissed or a construction or implementation contract is not awarded for the proposed project.
4. Because the petition is signed by the governing body of a city, a bond is not required.
5. The Board finds that the petition meets the requirements of statute.
6. The Board finds that the petitioned project supports the Basic Water Management goals and objectives contained in the Board's Watershed Management Plan.

Based on the foregoing Findings, the Board of Managers of the Buffalo Creek Watershed District makes the following:

#### **ORDER**

- a. The Board accepts the petition and initiates the proposed project pursuant to Minnesota Statutes section 103D.605.
- b. The Board appoints Chris Otterness, P.E. of Houston Engineering, Inc., to work within the phased construct for project development outlined in the petition, in cooperation with the City of Glencoe and its engineer, to develop a project plan.
- c. The Board designates the project as the Glencoe Central-East Stormwater Basic Water Management Project and assigns Project Number 16-01.

d. The petitioners may dismiss the petition upon payment of costs and expenses.

After discussion, the President called the question. The question was on the adoption of the foregoing Findings and Order and there were \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ absent, and \_\_\_\_\_ abstentions as follows:

	Yea	Nay	Absent	Abstain
Donald Belter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Phillips	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corey Henke	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Kramer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matt Melberg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the President declared the motion passed and the Findings and Order adopted.

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Donald Belter, President

Dated: September 27, 2016

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I, Matt Melberg, Secretary of the Buffalo Creek Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the Board of Managers and find the same to be a true and correct transcript thereof. The above order was filed with me, Secretary of the Board of Managers, on September 27, 2016.

IN TESTIMONY WHEREOF, I hereunto set my hand this 27<sup>th</sup> day of September, 2015.

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Matt Melberg