

# 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 25th day of September, 2018, 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  
Corey Henke  
Matt Melberg

Also attending the meeting were: John Kolb, Attorney  
Ken Shiroy Chuck Eberhard, Consultant

President Belter called the meeting to order and announced the first order of business was the consideration of minutes of the budget hearing and regular meeting of the Board of Managers held on August 28, 2018. A motion was made by Manager Kramer and seconded by Manager Henke to approve the minutes from the previous hearing and meeting. After discussion, and by unanimous vote, the Board of Managers approved the minutes of the hearing and meeting held on August 28, 2018.

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: \$262,121.41**

**Income:**

Interest Earned – August 2018	\$15.33
Deposit JD 15 Br. P 1	\$10,000.00

**Expenses:**

Funds transferred to checking for other checks paid	\$16,993.75
JD 15 Br. M – Rinke Noonan	\$27.00
JD 15 Br. M – Houston Engineering	\$13,847.77
JD 15 Br. S (Kottke) – Bolton & Menk	\$10,861.50
McLeod County Ditch 33 – Rinke Noonan	\$302.00
Marsh Creek Water Project – Houston Engineering	\$10,269.44
Marsh Creek Water Project – OMG Midwest Chard	\$39,523.24
Marsh Creek Water Project – Rinke Noonan	\$27.00

**Ending Balance: \$180,285.04**

The managers directed Manager Phillips to request County reimbursement for costs on Branch M, JD 15 and the Marsh Project, Phase 1. 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:

Korson Farms -	\$992.50
League MN Cities -	\$1,878.00
Rinke Noonan -	\$3,856.27
Bolton & Menk -	\$6,904.50
Houston Engineering -	\$5,200.00
Hub Publishing -	\$61.88
McLeod Publishing -	\$126.00
Litzau Drainage -	\$222,028.40
Eberhard Consulting -	\$1,220.48
Corey Henke -	\$793.46
Don Belter -	\$76.89
Larry Phillips -	\$72.53
Larry Kramer -	\$110.68
Matt Melberg -	\$109.59
Mary Henke -	\$168.83
Linda Phillips -	\$159.55
Medicare & Social Security -	\$61.64
<b>Total -</b>	<b>\$243,821.20</b>

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

President Belter called any new permits:

**Permit 2018-21 Mr. Willard Fluck:** Hector Twp., T115N, R32W, Sec. 10. Mr. Willard Fluck is proposing to extend the new 10" tile line (Br. M19) that stopped at his southerly property line. Motion by Manager Phillips seconded by Manager Kramer to consider. Motion passed. According to the drawing provided to Eberhard, Fluck wants to extend the 10" tile line at 0.1%, approximately 950 ft., into his property. This would extend the proposed tile line into a subwatershed (Br. 5) which drains north. Eberhard does not believe this area was included in the design of Br. M19. Therefore, the proposed 10" tile line should not be extended into the drainage area that flows north into Br. 5. Eberhard recommends that the permit be tabled until it is clarified what Mr. Fluck's intent is. Eberhard intends to contact Mr. Fluck to clarify the issue. Motion by Manager Henke seconded by Manager Phillips to table the permit as recommended. Motion passed.

**Permit 2018-22 Glencoe Township:** Glencoe Twp., T115N, R28W, Sections 34 & 35. Glencoe Township is proposing to replace an existing 84" culvert under Hamlet Avenue with a new 84" culvert. Motion by Manager Phillips seconded by Manager Kramer to consider. Motion passed. The permit indicates that the new culvert will be placed at the same depth as the existing culvert. Eberhard recommends approval with the condition that the existing inverts of the

existing culvert be provided and the inverts of the new culvert also be provided. This will show that the new culvert is placed at the same depth as the existing culvert. Motion by Manager Phillips seconded by Manager Kramer to approve with the condition the inverts of the existing and new culverts be provided. Motion passed.

**Permit 2018-23 Glencoe Township:** Glencoe Twp., T115N, R28W, Sec. 21. Glencoe Township is proposing to replace an existing 84" culvert under Imperial Avenue on County Ditch 12A in Section 21 with a new 84" culvert. Motion by Manager Henke seconded by Manager Kramer to consider. Motion passed. The permit indicates that the proposed 84" culvert will be placed at the same depth as the existing culvert. Eberhard recommends approval with the condition that the existing inverts of the existing culvert be provided and the inverts of the new culvert also be provided. Additionally the contractor should check with the County Ditch Inspector to ensure the culvert is placed at the as-built elevation. Motion by Manager Henke seconded by Manager Phillips to approve with the condition the inverts of the existing and new culverts be provided. Motion passed.

**Permit 2018-24 Tore FLP:** Melville Twp., T115N, R33W, Sec. 8. Proposed pump installation. Motion by Manager Henke seconded by Manager Melberg to consider. Motion passed. The permit requests installation of a pump. Eberhard recommends tabling. Motion by Manager Henke seconded by Manager Melberg to table. Motion passed.

President Belter next called for discussion from the public.

Ken Shiroo asked a question about a surge pond in the City of Glencoe. Manager Phillips provided an explanation.

President Belter next called for discussion old business:

**JD 15 - Branch M.** Kolb reported that the engineer is waiting on final information from the contractor (i.e. lien waivers, etc.) so that it may prepare a closure report. Once the closure report is filed, the Board will have to notice and hold a contract acceptance hearing on the project.

**JD 15 – Branch P.** Kolb reported that the appointed engineer has executed and filed its oath and bond and is proceeding with preparation of a preliminary survey report.

**JD 15 – Branch S.** Kolb reported that the engineer has filed its preliminary survey report and has transmitted the report to all required recipients, including the DNR. Kolb requested that the Board set a date, time and location for the preliminary hearing and authorize staff to provide the required notices. The Board discussed possible dates. Motion by Manager Kramer seconded by Manager Henke to hold the preliminary hearing on the improvement of Branch S of JD 15 at 3:00 p.m. on Tuesday, November 27 at the District meeting room in Glencoe. Staff are directed to provide the required notices. Staff are further directed to determine the availability of the Wiedeman viewing team to view the project. Motion passed.

**Ditch 33.** Kolb reported that he, Eberhard, Manager Henke, and engineer Bill Helget attended a meeting at Kuechle with Kuechle representatives and the surety company. Kolb,

Eberhard and Manager Henke provided details of the meeting and provided examples of fabric capping at issue. Kolb also provided specification information from ADS related to the pipe installation and information on the fabric and tape used to cover pipe ends. The Board directed Kolb to work with the engineer and contractor to close the contract with money retained to allow the District to televise the first 716 feet of pipe.

**Marsh Project.** Kolb reported that the engineer has filed project closure documents for the Phase 1 project. The engineer reports that all lien waivers and other required documents have been provided by the contractor and that the contract has been completed to the required specifications. The engineer recommends final acceptance and closure of the contract. The engineer has also provided as-built drawings for the Phase 1 project. Motion by Manager Phillips seconded by Manager Henke to accept the project, authorize final payment and close the contract, subject to applicable warranty and performance bond requirements of the contract. Motion passes.

**Glencoe East and Central.** Kolb reported that L. Odins will be meeting with the City of Glencoe on Friday, September 28, at 9:00 a.m. in the Glencoe City Center, to discuss project priorities, timeline, and cost allocation for the Glencoe East and Central Basic Water Management Project.

**JD 79-2 Violation.** Kolb reported that he is still waiting on the opinion of petitioner's counsel related to Board jurisdiction to act on the petition.

**Collins Township.** Eberhard reported that coordination with the Township is still pending.

President Belter next called new business.

**JD 15- Branch A.** The Board has received a petition for improvement of portions of Branch A of JD 5. Kolb reviewed his opinion of the sufficiency of the petition and bond and presented a draft order accepting the petition, appointing an engineer and initiating proceedings for the improvement. Motion by Manager Kramer seconded by Manager Henke to adopt the findings and order, appointing Bill Helget, P.E. and Bolton & Menk as the project engineer.

The Board discussed a letter being circulated by J. Ewert related to the Bleck petition to add property to the Watershed District which is currently tabled.

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 23, 2018, 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