

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 24th day of September, 2019, 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
- Larry Kramer
- Chad Stuewe
- Matt Melberg

Also attending the meeting were:

- John Kolb, Attorney
- Chuck Eberhard, Consultant
- Chris Otterness, HEI
- Russ Korson, Collins Twp
- Peter Maiers, Collins Twp
- Austin Freuendienst, Dryden Twp
- Allen Robeck, Glencoe
- Gary Asche, Collins Twp
- Gale Horse, Glencoe
- Mark Albrecht, Bergen Twp
- Doug Krueger, McLeod 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 August 27, 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 August 27, 2019.

Eberhard requested that the agenda be adjusted to allow for the discussion of the Collins Township Road issue and the Branch M, JD 15 improvement preliminary report. President Belter approved the adjustment.

Collins Township Washout. Tabled at February 26, 2019 Meeting. The Collins Township Board Chairman Maiers presented discussion of a threat to 85th Street near Unit Avenue east of Stewart. A curve in the channel of Buffalo Creek has been cutting toward 85th Avenue over the last several years. Recent high water and runoff events have increased the rate of the cut and the cut is now threatening the integrity of 85th Avenue and becoming a danger to the travelling public. The township has coordinated with DNR and the Corps of Engineers on permits/authorization to stabilize the creek bank in two locations and to bypass a meander in the

channel. The Township has already moved 85th Street. The Township has also coordinated with FEMA to view the area to determine whether some or all of the stabilization work is eligible for disaster assistance. Chairman Maiers is requesting assistance from the watershed district. Specifically, he is asking that the district participate in a meeting with FEMA and that the district provide the assistance of its engineer toward design specification for the bank stabilizations and bypass to be reimbursed from the Township. Motion by Manager Phillips seconded by Manager Stuewe to authorize HEI to work with the township to develop plans and specifications. After discussion, the motion passed with all in favor.

JD 15 – Branch M. Otterness reviewed the preliminary survey report and gave a short presentation of its contents. Following the presentation, the Board accepted the report for filing and directed that it be sent to the DNR as required by statute. Kolb presented a draft order setting a hearing date. The order is a combined notice for the hearing. Motion by Manager Kramer seconded by Manager Phillips to set the preliminary hearing to be held at 12:00 p.m., on November 26, 2019, at the Watershed District meeting room at the Glencoe, Minnesota city offices. Kolb will provide notices as required by statute. After discussion, the motion passed.

President Belter further modified the agenda to take an issue presented by Commissioner Krueger related to the sale of the Helen Baker Elementary School and regional drainage. The area residents are suggesting a modification of existing drainage in conjunction with re-development of the former school property. After discussion, the Board suggested that the developer come forward with a plan that the Board can consider as part of a permit application. The Board offered that the developer should work with Eberhard to review the pre-application materials.

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: \$415,506.98

Income:

Interest Earned – August 2019	\$51.23
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Expenses:

Funds transferred to checking for other checks paid	\$6,230.48
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Marsh Water Project – Rinke Noonan	\$435.00
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JD 15 Br. A – Bolton & Menk	\$2,276.50
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JD 15 Br. M20 – Houston Engineering	\$6,054.00
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Ending Balance:	\$400,562.23
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Upon motion of Manager Kremer, 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 – various -	\$3,447.97
Hub Publishing, Inc. – legal notice ad -	\$86.64
Houston Engineering – various -	\$11,691.82
Eberhard Consulting – Chuck – September pay -	\$2,321.19
Hubin Publishing, Inc. – legal notice ad -	\$210.97
League of Minnesota Cities – dues -	\$1,954.00
Gislason & Hunter, LLP – JD 15 Br. M20 -	\$2,928.00
Chad Stuewe -	\$233.94
Don Belter -	\$152.88
Larry Phillips -	\$380.09
Larry Kramer -	\$340.02
Matt Melberg -	\$109.59
Mary Henke -	\$575.00
Linda Phillips -	\$325.00
Total -	\$24,757.11

Upon motion from Manager Kremer seconded by Manager Stuewe and by unanimous vote, the Board of Managers approved the above bills for payment.

President Belter called any new permits:

Permit 2019-26 Gary Toren: Melville Twp., T115N, R33W, Sec. 8 for consideration. Motion by Manager Melberg, seconded by Manager Phillips to consider, carried. Eberhard presented the proposed action. Installing approximately 2,000 ft. of 12” DWP @ 0.1% and a pump tank with a PTO driven pump (600 GPM). The 12” tile has a flow rate of 548 GPM. The pump will be used during large rainfalls when the County Ditch backs up into the Gary Toren’s tile outlet. This will push water up and into the ditch. A stop leg structure will prevent backflow into the existing tile. The pump flow is less than capacity of the Toren’s existing tile lines of 970 GPM. This project meets the District rules. Eberhard recommends the permit be approved with the condition that the applicant receives authorization from the Drainage Authority of Renville County for the modified outlet into the County Ditch. A copy of that authorization should be submitted to BCWD and attached to Gary Toren’s permit. Motion by Manager Kramer, seconded by Manager Melberg to approve the permit with conditions as recommended. Motion passed.

Permit 2019-27 Miller Manufacturing Company: Glencoe Twp., T115N, R28W, Sec. 10 for consideration. Motion by Manager Phillips, seconded by Manager Melberg to consider, carried. Eberhard presented the proposed action. Adding a 120 ft. x 310 ft. addition to the existing building in the N – NW direction. This will increase the impervious surface by 0.85 acres. The grading will exceed 1 acre and will require an NPDES permit. The applicant will roughly double the peak run-off rate from the existing Creekside Development lots. The run-off from the

expansion will drain to the existing storm water pond at Creekside Development, which is also owned by Miller Manufacturing for the purpose of meeting BCWD storm water management and water quality treatment requirements. The existing pond capacity is currently being used by the existing streets in the development. The Creekside pond has a dead storage volume of over 2 acre feet. The volume will exceed standard NURP requirements for the existing roadway impervious and proposed building expansion. The existing pond has a live storage volume of over 7 acre feet. The volume is well within exceedance of the volume required to offset the increased run-off due to the proposed expansion. The existing pond has the capacity for the proposed building expansion. Eberhard recommends the permit be approved with the condition that any future development or redevelopment of the property should be preceded by an analysis of the development and existing storm water pond as a whole, in meeting storm water rules. There are two owners of the property, the City and Miller Manufacturing. They should collaborate on a storm water management plan for the future build-out of the site. The overall development of the site and the use of the storm water pond should not negatively impact the rights of both landowners. Motion by Manager Phillips, seconded by Manager Stuewe to approve the permit with conditions as recommended. Motion passed.

President Belter next called for discussion of old business:

JD 15 – Branch P. Eberhard gave an update on his discussions with the engineer.

JD 15 – Branch S. Waiting on viewers' reports

JD 15 – Branch A. Waiting on viewers' reports

JD 15 – Multi Purpose Drainage Management Plan. No update

Marsh Project. Kolb updated the Board on meetings with remaining easement interests. There is still no response from Exsteds to request a meeting. Kolb and Otterness met with Neal Brady from Miller Manufacturing today to review the easements and address remaining concerns. Brady will be giving a final review to the documents and expects they can be completed and executed within two weeks. Kolb also met with Erwin Picha.

Glencoe East and Central. The BWSR regional committee held its hearing on the proposed plan amendment to establish a water management district for this project on September 16. Upon completion of the hearing, the committee adopted a motion to recommend approval to the full BWSR Board.

JD 79-2 Violation. Kolb is working out the details of a petition for a boundary change with the attorney for the HIWD. The matter will be ready for Board action at the October 22nd meeting.

Paul Bleck Drainage Matter. No update

President Belter next called new business.

Manager Phillips attended the One Watershed, One Plan meeting hosted by McLeod SWCD. The group is still looking for a lead on the planning process. Manager Phillips also talked about discussions he had with other watershed areas to see how they are implementing 1W1P. The Board expressed its interest in continuing to work with the group on considering the 1W1P process.

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 22, 2019, at 8:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Matt Melberg, Secretary