

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 28th day of August, 2018, 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
Corey Henke
Matt Melberg

Also attending the meeting were:

John Kolb, Attorney	Chuck Eberhard, Consultant
Chris Otterness, HEI	Al Robeck
Diane Sander, CROW	Charles Melberg
Paul Bleck	Chad Stuewe
Lyle Grenke	

President Belter convened the Regular Meeting of the Board of Managers.

President Belter invited Chris Otterness to present on Phase 3 of the Glencoe Central and East Drainage Basic Water Management Project (Project Number 16-01). Otterness presented the task order for Phase 3 and requested the Board's approval. Motion by Manager Henke seconded by Manager Phillips to accept the task order and authorize the President to sign the order. Motion passes.

Otterness presented additional information related to signage for the Marsh Water Project. The Board offered suggestions for content of the sign and acknowledgement of project partners. Otterness presented information related to the Board's swellhead rule and policy and concerns expressed by the DNR regarding interaction of the rule with FEMA and DNR requirements.

Otterness reported progress on closing the JD 15, Branch M project. He is waiting on some final information from the contractor. Upon receipt, the Board may schedule its closure hearing pursuant to statutes section 103E.555.

Otterness reported on the status of Marsh Phase 2 and progress on the identification of easements and other design concerns. Lyle Grenke asked why it is taking so long to acquire easements. The Board indicated that it is progressing with due diligence and the acquisition takes time.

President Belter invited Diane Sander to present a request for financial contribution to the Crow Organization of Waters Crow River clean up. Motion by Manager Henke seconded by Manager Melberg to contribute \$100 to the CROW to support the event. Motion passes.

President Belter called for consideration of minutes of the regular meeting of the Board of Managers held on July 24, 2018. A motion was made by Manager Kramer and seconded by Manager Henke to approve the minutes from the previous meeting with correction that the budget hearing would start at 7:30 p.m. on August 28. After discussion, and by unanimous vote, the Board of Managers approved the minutes of the meeting held on July 24, 2018, as corrected.

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: \$278,711.60

Income:

Interest Earned – July 2018	\$12.13
Deposit ACH from Carver County	\$1,641.19

Expenses:

Funds transferred to checking for other checks paid	\$3,313.01
JD 15 Br S – Bolton & Menk	\$13,065.50
McLeod County Ditch 33 – Bolton & Menk	\$325.00
Marsh Creek Water Project – Rinke Noonan	\$1,540.00

Ending Balance: \$262,121.41

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 -	\$4,354.50
Bolton & Menk -	\$10,861.50
Houston Engineering -	\$30,064.71
Mid-Minnesota Dev. Com. -	\$4,224.31
OMG Midwest -	\$39,523.24
CROW -	\$100.00
Eberhard Consulting -	\$1,385.70
Corey Henke -	\$235.04
Don Belter -	\$76.89
Larry Phillips -	\$168.15
Larry Kramer -	\$110.68
Matt Melberg -	\$219.18
Mary Henke -	\$116.87

Linda Phillips -	\$410.92
Medicare & Social Security -	\$96.96
Total -	\$91,948.65

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

President Belter called any new permits:

Permit 2018-19 Renville County: Allan L. Kirgiss to replace existing tile line with a new 6” tile line in Hector Twp., T115N, R32W, Sec. 20. Motion by Manager Phillips seconded by Manager Melberg to consider. Motion passed. Eberhard reported on the permit application. The activity is occurring in the City of Hector. A permit is required because the tile requires an easement which has been received. Eberhard has received all the required documentation. Eberhard recommends to approve the permit. Motion by Manager Phillips seconded by Manager Melberg to approve. Motion passed.

Permit 2018-20 Renville County: Charles and Mark Melberg to install an 18” DWP tile line in Hector Twp., T115N, R32W, Sec. 24 & 25. Motion by Manager Kramer seconded by Manager Phillips to consider. Motion passed. Eberhard presented details on the permit application. The tile line will start in Sec. 24 running south and west. This tile line is to drain 170 Ac. and will outlet in JD 15. Installation of the tile will accompany abandonment of parts of JD15/Br. N28, N31, N7 and all of Br. N6, N9 & N43, West Co. Rd. 54. Eberhard received all required doc. permit, drawing and recorded easements. The applicant will have to work with Renville County on the partial abandonment. Eberhard recommends approval of the permit conditioned on approval of the partial abandonment. Motion by Manager Henke seconded by Manager Kramer to approve as conditioned. Motion passed with Manager Melberg abstaining.

President Belter next called for discussion old business:

Ditch 33. Kolb updated the Board on potential default of the contractor and possible remedy. Kolb presented a draft letter to the Contractor and Surety related to a possible claim on the performance bond. Manager Melberg asked what liability the engineer may have for lax inspection. Charles Melberg reported on televised investigation of a portion of the project in Sections 16 and 21 of Collins Township (115N, 30W). Three items are noted: One is a gap in the tile connections; a second is a grade issue; and a third is a materials issue where solid plastic sewer pipe is used instead of dual wall perforated tile. The Board instructed Kolb to coordinate with Bill Helget to verify the items presented and to modify the proposed letter to include additional punch list items.

JD 15 - Branch S. Kolb reported on the status of the preliminary engineer’s report.

PRAP. The Board has sent the letter acknowledging the final report.

JD 79-2 Violation. Kolb updated the Board on work with the petitioner’s attorney for an opinion regarding the Board’s authority to grant the petition.

Collins Township. Eberhard provided a summary report.

President Belter next called new business.

Petition for Improvement of Branch P1 of Renville – Sibley JD 15. Kolb presented the petition, his opinion of sufficiency of the petition and bond and a draft preliminary order appointing an engineer for the project. The Board adopted the proposed order as reflected in the drainage project record.

Manager Phillips presented the annual report for consideration by the Board. Eberhard asked how much specificity should be included regarding the Branch M, JD 15 improvement. Motion by Manager Henke, seconded by Manager Melberg to approve the report. Motion passed.

Kolb reported on his and Manager Phillips' meeting with TC&W Railroad on the issue of railroad crossings over public and private drainage.

Manager Melberg reported on his participation in an NRCS small watersheds grant program. Unfortunately, the BCWD projects were not accepted.

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, September 25, 2018, 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