

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 February, 2020, at 1:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 - 11th Street East, Glencoe, MN, for its regular monthly business meeting.

The following managers were present:

Don Belter
Larry Phillips
Larry Kramer
Chad Stuewe
Matt Melberg

Also attending the meeting were:

John Kolb, Attorney	Chuck Eberhard, Consultant
Coleton Draeger, McLeod SWCD	Chris Otterness, HEI
Larry Whitthus	Mark Larson, Glencoe
Adina Van Esper, SHE	Jeremy Walgrave, SEH
Brad Baumgardt	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 January 28, 2020. 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 January 28, 2020.

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: \$381,157.35

Income:

Deposit – Three checks for JD 15 Br. Q	\$10,000.00
Deposit – Renville County	\$831.58
Deposit – McLeod County	\$958.13
Deposit – Kandiyohi County	\$140.70
Deposit – Sibley County	\$39.66
Deposit – Carver County	\$59.57

Expenses:

Funds transferred to checking for other checks paid	\$13,137.15
Marsh Water Project – Rickert Excavating	\$60,419.98
Marsh Water Project – Rinke Noonan	\$1,011.00

Marsh Water Project – McLeod Publishing	\$212.90
Marsh Water Project – Castle Rock Contracting	\$15,000.00
JD 15 Br. M20 – Rinke Noonan	\$456.50
JD 15 Br. M20 – Houston Engineering	\$3,185.25
JD 15 Br. P – I & S Group	\$11,024.75
JD 15 Br. P – Rinke Noonan	\$371.50

Ending Balance: \$288,367.96

Upon motion of Manager Kramer which was seconded by Manager Stuewe 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	\$11,352.50
Houston Engineering – various	\$19,557.20
Eberhard Consulting	\$1,090.66
Gislason & Hunter, LLP – JD 15 Br. P 1	\$130.00
Gislason & Hunter, LLP – JD 15 Br. Q	\$1,469.50
Glencoe City Center – lease	\$1,675.00
Post Office Box Rent – 12 months	\$92.00
Larry Kunkel – 3 beaver trapped	\$105.00
Don Belter	\$77.31
Larry Kramer	\$112.96
Matt Melberg	\$86.51
Larry Phillips	\$306.47
Chad Stuewe	\$142.88
Mary Henke	\$450.00
Linda Phillips	\$442.98
Total	\$37,090.97

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

President Belter called any new permits:

Permit 2020-02, City of Glencoe: Helen Township, T115N, R27W, Sec 21; Pavement rehabilitation, taxi-lane extension and bioretention basin. Motion by Manager Melberg seconded by Manager Kramer to consider, carried. Permit was reviewed per BCWD Rules 5.03, 5.03F1, 5.04, 5.05 & 5.05F2. HEI has filed a memo related to the permit review. Permit complies with all rules. Eberhard recommends that the permit be approved with the following two conditions: (1) final plans must be submitted for review; and (2) as-built plans of the BMPs must be submitted to confirm adequate treatment volume has been provided. Motion by Manager

Phillips seconded by Manager Kramer to approve with conditions as recommended. Motion passed.

President Belter next called for discussion of old business:

Glencoe Central-East Basic Water Management Project; City of Glencoe/McLeod County Morningside Project. The project is seeking @ \$115,000.00 in financial assistance. The District has previously committed to \$75,000.00 in financial assistance. The financial assistance is to cover water management features of the project that are beneficial to the District. The Board will wait for a supplemental report from its engineer before making a final decision on the financial assistance. Engineer Otterness appeared and provided an update on the status of phase three of the project development and addressing Morningside Project components. Otterness reviewed his prior analysis of project components and allocation of costs between the District Project and County/City, with @ 35% of eligible costs being derived from WMD charges and a portion of cost being derived from District ad valorem taxes for such things as buffers and easements. Otterness reported on a recent meeting with City and County staff related to the project. Otterness anticipates a formal request for the financial assistance in the near future.

JD 79-2 Violation, Boundary Change with HIWD. Kolb updated the Board on recent correspondence from BWSR regarding its consideration of the boundary change petition. Neither HIWD, McLeod County, nor BCWD is requesting a hearing. The matter will likely be handled internal to BWSR without a public hearing. The Board should know by its March meeting whether any requests for hearing will be made. Following BWSR's boundary adjustment determination, staff will work with the McLeod County Auditor to revise the district tax rolls. The Board may then also address the Lindemann outlet petition.

JD 15 – Branch M. Kolb updated the Board on correspondence with the viewers regarding timeline. Kolb also updated the Board on the status of the petitioners' bond for the project and the requirements of Statutes Section 103E.202. Kolb recommends correspondence to the petitioners or their attorney requesting an increase in the bond amount or replacement of the cash bond with a commercial bond were appropriate.

JD 15 – Branch P, Project Expansion. The ditch expansion issue has been tabled until the March meeting. Kolb updated the Board on correspondence with the viewers regarding timeline. Kolb also updated the Board on the status of the petitioners' bond for the project and the requirements of Statutes Section 103E.202. Kolb recommends correspondence to the petitioners or their attorney requesting an increase in the bond amount or replacement of the cash bond with a commercial bond were appropriate.

JD 15 – Branch S. Kolb updated the Board on correspondence with the viewers regarding timeline. Kolb also updated the Board on the status of the petitioners' bond for the project and the requirements of statutes section 103E.202. Kolb recommends correspondence to the petitioners or their attorney requesting an increase in the bond amount or replacement of the cash bond with a commercial bond were appropriate.

JD 15 – Branch A. Kolb updated the Board on correspondence with the viewers regarding timeline. Kolb also updated the Board on the status of the petitioners' bond for the project and the requirements of Statutes Section 103E.202. Kolb recommends correspondence to the petitioners or their attorney requesting an increase in the bond amount or replacement of the cash bond with a commercial bond were appropriate.

JD 15 – Branch Q. Kolb presented a review of the sufficiency of the petition and bond provided for the project. Kolb reviewed proposed findings and an initial order appointing an engineer to prepare a preliminary survey report. Motion by Manager Melberg seconded by Manager Kramer to adopt the findings and order as presented. Motion passed. Kolb was instructed to coordinate with the engineer to obtain an oath and bond.

One Watershed One Plan. Coleton Draeger from the McLeod SWCD provided an update on the proposal process for a planning grant. The RFP is anticipated to be released by late March. There will be substantial competition for planning grants in this round. Kolb updated the Board on his effort to develop a reasonable memorandum of agreement to facilitate coordination between the planning entities.

Marsh Project, Phase 2. Otterness updated the Board on the status of the Phase 2 work and work schedule. Manager Phillips updated the Board on contact from Terrence Picha regarding his desire to have a lateral cleaned as part of the project. The lateral was not part of the project and was not included in any easement.

President Belter next called new business.

Manager Phillips updated the Board on a meeting with Collins Township related to stabilizing the banks of Buffalo Creek in order to protect transportation infrastructure.

Manager Phillips reported on the need for tree and vegetative maintenance on WD 79-2.

Larry Whitthus appeared and inquired about continuing channel erosion on Buffalo Creek. Eberhard responded with an explanation of the current conditions and ongoing challenges and efforts to stabilize the channel. The Board entertained additional discussion about ongoing deterioration of the creek channel.

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, March 24, 2020, at 1:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 - 11th Street East, Glencoe, MN.

Matt Melberg, Secretary