

# 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 January, 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
Virgene Baumgart	Wayne Baumgart
Brad Dobberstein	Charles Grimm
Doug Krueger	Dianne Rath
Jon Hoese	Austin Hilbrands
Nathan Johnson	Tiffany Hansen
Otto Hortman	Bonnie Hortman
Patrick Krumrey	Rick Schoening
Larry Baumgart	Bradley Baumgart
Al Roback	

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 December 17, 2019. A motion was made by Manager Phillips and seconded by Manager Kramer 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 December 17, 2019.

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: \$364,301.80**

**Income:**

Interest Earned – December 2019	\$244.29
MN State MMB	\$2,977.57
League of MN Cities	\$113.00
Deposit – Renville County	\$36,731.75

**Expenses:**

Funds transferred to checking for other checks paid	\$11,894.83
Withdrew for Fourth Quarter W/H	\$332.78
Marsh Water Project – Rinke Noonan	\$201.50
Marsh Water Project – Houston Engineering	\$1,955.25
JD 15 Br. M20 – Houston Engineering	\$5,944.70
JD 15 Br. M20 – Rinke Noonan	\$2,768.00
JD 15 Br. P – Rinke Noonan	\$114.00

**Ending Balance: \$381,157.35**

Upon motion of Manager Kramer 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	\$5,148.00
Rickert Excavating – Marsh Creek Project, Phase II	\$60,419.98
Houston Engineering – various	\$4,266.31
Eberhard Consulting	\$1,277.51
Minnesota Viewers Association – 2020 Membership	\$200.00
Castle Rock Contracting – Marsh Creek Project, Phase II	\$15,000.00
McLeod Publishing Group, Inc. – Marsh Creek Project, Phase II	\$212.90
I&S Group – JD 15 Br P	\$11,024.75
MAWD - 2020 Membership Dues	\$5,573.00
Don Belter	\$77.31
Larry Kramer	\$135.96
Matt Melberg	\$99.16
Larry Phillips	\$379.66
Chad Stuewe	\$216.99
Mary Henke	\$462.50
Linda Phillips	\$325.00
<b>Total</b>	<b>\$104,819.03</b>

Upon motion from Manager Kramer 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 2020-1, MN Department of Transportation (MnDOT):** Young America Township, T114N, R26W, Sec. 29. Motion by Manager Kramer seconded by Manager Phillips to consider, carried. Eberhard presented the proposed action. MnDOT is proposing to resurface TH No. 5

from U.S. Highway 212 to TH 25 in Green Isle. This is about 6 miles of work with only 1 mile in BCWD (Section 29 of Young America Township). The work in BCWD starts at 142nd Street and ends at 150th Street.

There are 2 – 24" diameter centerline culverts that cross TH No. 5 in this one mile. One of the culverts will be extended east about 6 feet and R.C. Safety Aprons will be placed on both ends of the culvert. The other 24" culvert will just have R.C. Safety Aprons placed at both ends of the culvert. There are no new culverts being proposed.

An Erosion Control and Turf Establishment Plan and a Storm Water Pollution Prevention Plan (SWPPP) were provided. Eberhard recommends the permit to be approved. Motion by Manager Phillips seconded by Manager Kramer to approve the permit as recommended. Motion passed.

President Belter next called for discussion of old business:

**Permit 2018-29 – City of Glencoe Permit Extension (Morningside Project):** Eberhard received a letter from the project engineer (SEH) on the Morningside Project asking for a time extension for Permit 2018-29. This project was to start in the spring of 2019 and end in the fall of 2020. Due to various delays, the project did not start. It is anticipated that the project will begin in 2020 and be completed in 2021.

The permit had a condition that all modified plans must be submitted for review. This condition was met.

Eberhard recommends that the time extension be approved and that the time should state from 2020 to the end of 2021. Motion by Manager Melberg seconded by Manager Phillips to approve the extension of Permit 2018-29 as recommended. Motion passed.

**JD 79-2 Violation, Boundary Change with HIWD.** Kolb updated the Board on receipt of the resolutions of support from High Island Watershed District and McLeod County. The Board previously authorized filing of the petition for boundary change with the Board of Water and Soil Resources upon receipt of the resolutions of support. Kolb will secure the President's signature on the petition and file it with BWSR. Once the boundary change is completed, the Board will have to act on Lindeman's petition for outlet to ditch 79-2. This may require the assistance of viewers to determine an outlet fee and future benefits value.

**JD 15 – Branch M.** Eberhard reported the final engineer's report is forthcoming.

**JD 15 – Branch P, Project Expansion.** The Board opened discussion and invited comments for landowners regarding a desire to expand the scope of the project. Kolb explained the procedural requirements of Chapter 103E. Based on the information presented, the Board adopted findings and an order to hold a hearing at 12:00 p.m. on February 25, 2020, to consider expanding the project.

**JD 15 – Branch S.** Kolb reported on the status of the viewing for the project.

**JD 15 – Branch A.** Kolb reported on the status of the viewing for the project.

President Belter next called new business.

**JD 15 – Branch Q.** Kolb reported on the anticipated new petition to be considered at the February meeting.

Eberhard reported on development of the revised permit application form. Manager Melberg seconded by Manager Kramer moved to approve use of the new permit application and agency forms. Passed.

Eberhard discussed the Stamer permit, Permit 2019-25. Manager Melberg updated on his discussions with the applicant. Manager Phillips moved, seconded by Manager Kramer to table any action on the permit to the March meeting. Passed.

Manager Phillips presented the insurance waiver information to the Board. Manager Phillips moved, seconded by Manager Stuewe to not waive tort limits. Passed.

Manager Phillips opened discussion regarding the District's banking. The Board had previously requested a comparison of services. Jon Hoese from Security Bank presented a quote for services and rates. The question before the Board is whether to change banking from CorTrust to Security Bank. The Board had extended discussion on the question. Motion by Manager Stuewe to change depository and banking to Security Bank effective upon completion and review of a transition plan, seconded by Manager Melberg. Passed.

Manager Phillips discussed the cleaning of the south lateral by Collins. Manager Phillips requested that the Board ratify an additional work order allowing Collins to remove trees from the north lateral. The Board approved the additional work as part of its approval of bills. The Board held additional discussion on the processes and equipment used by Collins for the tree removal.

Manager Phillips and Commissioner Krueger discussed the Morningside project and the County's request for financial assistance from the District. The project is seeking @ \$107,000.00 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.

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, February 25, 2020, at 1:00 p.m. at its regular meeting place in Suite 103, Glencoe City Center, 1107 - 11th Street East, Glencoe, MN.

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Matt Melberg, Secretary