

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 23rd day of February, 2021, at 1:00 p.m., for its regular monthly business meeting. The meeting, upon special notice, was conducted in person and by alternative means (via Webex) pursuant to Statutes Section 13D.021 because of a State declared emergency related to the COVID-19 pandemic, and a determination by the Board President that it was neither feasible, prudent, nor safe to conduct an in-person meeting for all participants.

The following managers were present:
(in-person at the meeting place)

Don Belter
Larry Phillips
Larry Kramer
Chad Stuewe
Matt Melberg

Also attending the meeting were:

John Kolb, Attorney
Chuck Eberhard
Chris Otterness, HEI (Via Webex)
Doug Krueger, McLeod County
Al Roback
Lisa Odens, HEI
Don Haus
Elaine Haus
Coleton Draeger (McLeod SWCD)
Ryan Freitag (McLeod SWCD)
Gwen Radke (Via Webex)

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 26, 2021. Motion by Manager Phillips seconded by Manager Kramer to approve the minutes. After discussion, and by unanimous, roll call vote, the Board of Managers approved the minutes for the meeting held on January 26, 2021. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

President Belter called upon Manager Phillips for the Treasurer’s report. Manager Phillips presented a written report which outlined income and expenses as follows:

Security Bank & Trust Co.
Money Market Checking Account -
Beginning Balance: \$359,920.50

Income:

Interest earned thru January 2021	\$69.50
Deposit from Sibley County	\$41.33
Deposit from McLeod County	\$3,035.95
Deposit from Renville County	\$3,118.75
Deposit from Carver County	\$6.78

Expenses:

Withdrawn to cover fourth quarter withholding	\$263.93
To checking to cover other checks issued	\$78,639.58
JD 15 Br. Q – Bolton & Menk	\$4,167.00
JD 15 Br. A – Bolton & Menk	\$5,730.50
JD 15 Br. S – Bolton & Menk	\$1,401.50
JD 15 Br. L-12 – Rinke Noonan	\$2,453.00

Ending Balance: \$273,537.30

Balance in Security Bank Now Account	\$1,004.79
Balance in Security Bank Savings Account - Projects	\$115,009.92
Total for all bank accounts:	\$389,552.01

Motion of Manager Kramer seconded by Manager Philips to approve the Treasurer’s Report subject to audit. After discussion, and by unanimous, roll call vote, the Board of Managers approved the Treasurer’s Report subject to audit. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

President Belter next called for the bills that had been presented to the Board since the last meeting. Manager Phillips reported as follows:

Eberhard Consulting	\$622.14
Victor’s PC Solutions – additional items purchased	\$439.85
Larry Kunkel – 1 beaver trapped	\$50.00
Castle Rock Contracting – Buffalo Creek cleanout	\$73,010.00
City of Glencoe – 12 month lease	\$1,800.00
Glencoe Post Office – 12 month box rental	\$92.00
Rinke Noonan – Various	\$2,581.50
Houston Engineering – Various	\$1,239.50
Mary Henke	\$450.00
Linda Phillips	\$325.00
Don Belter	\$76.60
Larry Kramer	\$111.82
Matt Melberg	\$86.06
Larry Phillips	\$441.51
Chad Stuewe	\$148.60

Total:

\$81,474.58

Motion of Manager Kramer seconded by Manager Melberg to approve the bills for payment. After discussion, and by unanimous, roll call vote, the Board of Managers approved the above bills for payment. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

President Belter called any new permits:

No new permits were reported.

President Belter next called for discussion of old business:

Glencoe East and Central Project. Kolb provided an update on continued work with the engineers to develop a response to the City's desire to continue the project.

Continued Discussion of COVID Meeting Format and Time. Kolb discussed the current meeting schedule and format. Current Board action sets regular meeting at 1:00 p.m. on the fourth Tuesday of each month. The Board has typically held its meetings in the evening beginning in April. The Board discussed continuing the dual format (in-person and remote) of the meetings until the COVID conditions are abated and moving the meeting time to 7:00 p.m. beginning in April 2021. The meeting for March 2021 will remain at 1:00 p.m. The Board will consider further revisions to its regular meeting schedule at its March meeting.

One Watershed One Plan. Kolb updated the Board on drafting a planning agreement as part of the grant application process. Coleton Draeger and Ryan Freitag commented and updated the Board on their coordination meeting with potential planning partners. Draeger will be sending a meeting summary. One item of note was the BWSR representative's comment that municipalities should be included in the planning process.

Pending Improvement Proceedings; JD 15 ROB Status. Kolb updated the Board that the Renville, Sibley, McLeod Joint Drainage Authority will hold its hearing on the redetermination of benefits for JD 15 on Thursday, February 25, 2021. Once the redetermined benefits are adopted, the Board will have the required list of owners to notify of the final hearings for improvements on branches S (oldest), P1, A and M20 (newest). Preliminary hearings are still pending for branches Q (see below) and L12. Kolb will make a recommendation to the Board for the conduct and timing of the final hearings.

President Belter next called new business:

Public Hearing on the Petition of Kevin J. and Penny Lindeman (WD 79-2). The Board recessed the regular meeting and convened the hearing of the drainage authority on the petition for an outlet to WD 79-2. Upon receipt of public comment and completion of the hearing, the Board adjourned the drainage authority hearing and reconvened the regular meeting. Actions of the drainage authority are reflected in the drainage authority's order authorizing the outlet.

Setting Preliminary Hearing for Branch Q, JD 15 Petitioned Improvement. The Board set a date for the preliminary hearing on the petitioned improvement for Branch Q of JD 15 for April 27, 2021, in conjunction with the Board's regular meeting which will start at 7 p.m. The Board's action is reflected in the order establishing the hearing date on file with the District.

President Belter next called for Manager reports:

Manager Philips updated the Board on Collins' activities to remove falls, snags and obstructions from the channel of Buffalo Creek. There was a small delay related to cold weather. This year the work commenced at Highway 15 and extended west approximately two miles into Renville County. Collins has about a week of work left to complete.

Manager Phillips reported on beaver trapping west of Glencoe. During trapping, the trapper found four tires in the creek. The trapper suggested, when safe, he could remove the tires.

Manager Phillips reported on a bridge that has collapsed into Buffalo Creek. The bridge is private. The cost of clean-up and removal is approximately \$5,400 (quote from S&S). Kolb indicated that since the structure is on/in public waters, the DNR might have jurisdiction to order its removal. In any event, if it is a private structure, the landowner, and not the District, should have the financial obligation to remove it. Kolb was instructed to contact Garry Bennett from the DNR to discuss DNR ordered removal. However, Kolb should not contact the landowners until he hears back from the DNR. Board discussed timing and urgency for the removal of the structure and debris from the channel. Motion by Manager Kramer, seconded by Manager Stuewe to authorize, after exhausting other remedies, hiring S&S to remove the structure and associated debris. After discussion the motion passed. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

Manager Phillips reported on the County's hearing on the Ludowese – MRRR (Rauch) matter related to McLeod County Ditch 63. The County tabled the matter pending further investigation of site conditions.

Upon a question from Kevin Lindeman, Manager Phillips updated the Board on the status of the WD 79-2 repair work being performed by S&S.

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 23, 2021, at 1:00 p.m. in person in the Board's meeting room in the Glencoe City Center with an option for attendance and participation by alternative means as provided by Statutes Section 13D.021.

Matt Melberg, Secretary