

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 June, 2020, at 1:00 p.m., for its regular monthly business meeting. The meeting, upon special notice, was conducted 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.

The following managers were present:

- Don Belter
- Larry Phillips
- Larry Kramer
- Chad Stuewe
- Matt Melberg (arrived at 1:05)

Also attending the meeting were:

- John Kolb, Attorney
- Chuck Eberhard, Consultant (arrived at 1:50)
- Doug Krueger, McLeod County
- Coleton Draeger, McLeod County SWCD
- Chris Otterness, HEI
- Lisa Odens, HEI

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 May 26, 2020. Motion by Manager Kramer, seconded by Manager Stuewe to approve the minutes. After discussion, and by unanimous vote, the Board of Managers approved the minutes at the meeting held on May 26, 2020. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – A, 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:	\$117,861.16
Income:	
Interest earned thru May 2020	\$24.24
Expenses:	
Transferred to checking to pay MPCA	\$12,313.83
To checking to cover other checks issued	\$8,880.98
Marsh Creek Project – Phase 2 – Rickert Excavating	\$66,275.09

Marsh Creek Project – Houston Engineering	\$5,206.91
JD 15 Br. Q – Bolton & Menk	\$4,168.00
Ending Balance:	\$21,040.59

Balance in Security Bank Now Account	\$1,002.00
Balance in Security Bank Savings Account - Projects	\$115,009.92
Balance in CorTrust Bank Savings Account	\$1,287.14
Balance in CorTrust Bank DDA Account	\$1,002.15
Total for all bank accounts:	\$139,341.80

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. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – A, 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:

Rinke Noonan – Various	\$1,400.50
Houston Engineering - Various	\$315.50
Eberhard Consulting	\$2,752.62
Bolton & Menk – JD 15 Br. Q	\$5,284.00
ISG Group, Inc. – JD 15 Br. P	\$27,754.13
F.W. Hosting – Hosting Services – 1 year	\$359.10
F.W. Hosting – Website Domain Name	\$19.00
Mary Henke	\$525.15
Linda Phillips	\$325.00
Don Belter	\$69.26
Larry Kramer	\$69.26
Matt Melberg	\$69.26
Larry Phillips	\$159.38
Chad Stuewe	\$69.26
Total:	\$39,171.42

Upon motion from Manager Kramer, seconded by Manager Stuewe, and by unanimous 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 – A, and Manager Stuewe – Y.

President Belter called any new permits:

Permit 2020-08, Renville County Highway Department: T115N, R31W, Section 3 in Preston Lake Township. Motion by Manager Kramer, seconded by Manager Melberg, to consider, carried. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – A, and Manager Stuewe – Y.

The Renville County Highway Department would like to replace an existing 18" culvert under CSAH 38 with a new 18" all concrete culvert. The existing culvert is a combination of steel and concrete, and the steel portion is rusted and water flows under the RC pipe outlet. The Highway Department also would like to install and connect a new 10" SDR 30 PVC pipe to an existing drain tile on the Lake Allie side of CSAH 38 that empties into an existing rain garden.

Since the existing culvert and the proposed new culvert are the same 18" size, Eberhard recommends approval with the following conditions:

1. The Renville County Highway Department shall notify the landowner, the Renville County Environmental Department, and the Lake Allie Lake Association that the construction project could affect the rain garden;
2. The Renville County Highway Department shall replace the plants that may be damaged in the rain garden due to the construction project, should the landowner, the Renville County Environmental Department, and the Lake Allie Lake Association want them replaced; and
3. If the rain garden is going to stay, the existing drain tile line should continue to empty into the rain garden.

Motion by Manager Kramer seconded by Manager Melberg to approve the permit with conditions as recommended. Motion passed. 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 discussion of old business:

Glencoe East and Central Project. The Board directed HEI to review the project, discuss continuation with the City and make a recommendation for next steps to the Board.

Drainage Proceedings Update. Kolb provided an update on the Renville, Sibley, and McLeod redetermination on JD 15. Once completed, the Board will be able to proceed with the pending improvement proceedings.

Permit 2019-25, Jeff Stamer. T115N, R30W, Sections 26, 27, 34, and 35 in Collins Township.

This permit was originally applied for by Jeff Stamer to replace old tile and was approved on August 27, 2019 with the following conditions:

1. That the permit applicant work with Eberhard to provide documentation showing all four landowners acknowledge and approve the project;
2. That the permit applicant provide copies of the old easements; and
3. That Managers Melberg and Kramer review the documentation and approve it.

However, since the approval, the Buffalo Creek Watershed District has not received any easements or agreements and there has been a lack of communication from Stamer.

Eberhard recommends that the Board rescind the approval of Permit 2019-25 due to the conditions not being met.

Manager Melberg provided an update and the applicant's request that the Board not rescind. By consensus, the Board chose not to rescind at this time and will revisit the issue at its next meeting.

BWSR Multi-Purpose Drainage Management Grant. Chris Otterness from HEI provided an update on the timing of the grant window. BWSR will be issuing an RFP for the MPDM Grant. Otterness described the purpose of the grant and how it fits into the Board's prior analysis of BMP opportunities within the JD 15 subwatershed. Motion by Manager Kramer, seconded by Manager Phillips to authorize HEI to initiate an application for the grant and to work with appropriate SWCDs to partner in the application. After discussion, motion passed. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

One Watershed One Plan, Planning Grant Application. Coleton Draeger from McLeod County SWCD updated the Board on the combined application for a One Watershed, One Plan planning grant.

President Belter next called new business:

Review of Draft 2019 Audit. Kolb updated the Board on the draft audit and invited comments. The Board discussed the content of the audit and the findings contained therein. Manager Philips provided the Board a summary of work with the auditing firm in preparing the 2019 audit. Motion by Manager Phillips, seconded by Manager Kramer to approve the 2019 audit and request final report from the auditor. After discussion, motion passed. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

Report on McLeod County Drainage System Repairs. Lisa Odens from HEI provided a report on drainage system records correction and culvert analysis provided to McLeod County for CDs 63 and 64. The County anticipates preparation of plans and final orders directing the repairs by the end of summer. At that time, the County will be applying for a permit. On Ditch 64, much of the issue is at the outlet where it meets a modified portion of the channel of Buffalo Creek. The Board discussed how to handle possible, future conflicts where HEI is working for the drainage authority on a matter that will also need permit review.

Resumption of In-Person Meetings Under COVID-19. Kolb provided an update on the loosening of restrictions on in-person meetings. The Board provided Kolb guidance to prepare a plan to move forward with some in-person component by the August meeting.

President Belter next called for Manager reports:

Manager Phillips updated the Board on a late received bill from the webhosting service for \$378.10. Motion by Manager Phillips, seconded by Manager Kramer to pay the bill. After discussion, 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 updated the Board on receipt of tax payments from the Counties and updated fund balances.

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, July 28, 2020, at 1:00 p.m. by alternative means as provided by Statutes Section 13D.021.

Matt Melberg, Secretary