

**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 22nd day of September, 2020, at 8:00 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:

- Don Belter
- Larry Phillips
- Larry Kramer
- Chad Stuewe
- Matt Melberg

Also attending the meeting were:

- John Kolb, Attorney
- Chuck Eberhard
- Lisa Odens
- Doug Krueger, McLeod County
- Jeff Broderius (via Webex)
- Ed Picha, S&S Excavating
- Seth Sparks (via Webex)
- Al Roback
- Ryan Freitag (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 August 25, 2020. Motion by Manager Phillips seconded by Manager Kramer to approve the minutes. After discussion, and by unanimous vote, the Board of Managers approved the minutes at the meeting held on August 25, 2020. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

The minutes from the Budget Hearing on August 25, 2020 were also reviewed. Motion by Manager Kramer seconded by Manager Phillips to approve the minutes. After discussion, and by unanimous vote, the Board of Managers approved the minutes for the Budget Hearing held on August 25, 2020. 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: \$363,932.24**

Income:
Interest earned thru August 2020 \$122.34

Expenses:
To checking to cover other checks issued \$7,171.96
JD 15 Br. Q – Bolton & Menk \$13,192.50
JD 15 Br. P “1” – ISG Group \$1,161.00
JD 15 Br. P “1” – Gislason & Hunter, LLP \$97.50
County Ditch 33 – Charles Melberg \$2,106.34
Ending Balance: \$340,325.28

Balance in Security Bank Now Account \$1,002.88
Balance in Security Bank Savings Account - Projects \$115,124.61
Total for all bank accounts: \$456,452.77

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 – 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 | \$1,361.22 |
| Bolton & Menk – JD 15 Br. Q | \$7,351.50 |
| League of Minnesota Cities - Dues | \$1,975.00 |
| McLeod Publishing Group, Inc. | \$183.60 |
| Rinke Noonan – Various | \$2,938.00 |
| Houston Engineering – Various | \$797.75 |
| Mary Henke | \$450.00 |
| Linda Phillips | \$325.00 |
| Don Belter | \$76.89 |
| Larry Kramer | \$112.96 |
| Matt Melberg | \$109.59 |
| Larry Phillips | \$152.08 |
| Chad Stuewe | \$141.24 |
| Total: | \$15,974.83 |

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

President Belter called any new permits:

Permit 2020-09, McLeod County: T115N, R30W, Section 27 in Collins Township. Motion by Manager Phillips seconded by Manager Kramer to consider, carried. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

The County Drainage Authority would like to relocate the outlet of County Ditch 64 and replace an existing 60" culvert with a 72" culvert that will be placed diagonally across the intersection of Unit Avenue and 85th Street.

The permit did not indicate the size of the culvert, but draft construction plans showed a 72" culvert. Also, the permit did not indicate a new 42" culvert crossing 85th Street, but the draft construction plans did. Neither of the proposed culverts meet the Buffalo Creek Watershed District's requirement of a 3/8" coefficient.

Eberhard recommends no action at this time based on some unanswered questions. The Board invited Lisa Odens from HEI to comment on the application. Odens explained both the project and the justification for the various culverts and culvert sizes. Commissioner Krueger commented on the need for the project. Manager Phillips commented on the public safety need for the project.

Motion by Manager Kramer seconded by Manager Stuewe to approve the permit per the design to include a 72" and 48" culvert. Motion passed. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

Permit 2020-10, Ratcliff Development, LLC: T115N, R29W, Section 32 of Brownton 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 – Y, and Manager Stuewe – Y.

Ratcliff Development, LLC would like to construct a Dollar General store and a wet pond. Lisa Odens with Houston Engineering, Inc., reviewed the project. The site is approximately 2.09 acres with .21 of dedicated ROW, the existing site is agricultural, and the proposed site will include an approximately 9,100 square foot building, parking, utilities, and stormwater management areas. The site drains to the roadside ditch along 5th Avenue South and US Highway 212, and eventually to Lake Addie. Ratcliff Development, LLC is proposing a wet pond to meeting BCWD rule requirements. Houston Engineering, Inc. recommends approval of the permit application as submitted, with the stipulation that final plans must be submitted.

Motion by Manager Kramer seconded by Manager Phillips to approve with stipulation 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 – Review Letter to City. Kolb presented a draft letter for discussion. The Board indicated a desire to enter into discussions with City regarding dismissal of the petition and recovery of costs.

WD 79-2 Lindeman Outlet Petition. Kolb provided an update on both the Lindeman matter and the automation of the benefits roll.

Branch A JD 15 Additional Improvement Request. Kolb provided an update on a request by Sandgren to add branch A56 to the improvement. Mr. Sandgren has contacted the original petitioners and petitioners' attorney. The proposal of the petitioners is to add the branch as part of the final hearing sequence with the consent of the original petitioners.

President Belter next called new business.

Repair of WD 79-2. Manager Phillips presented two bids for the repair of WD 79-2. Rickert Excavating proposes \$63,680.00. Ed Picha (S&S Excavating) proposes \$56,220.00. Differences in cost are attributable to excavation and tree removal. Motion by Manager Phillips seconded by Manager Stuewe to engage S&S Excavating to perform the work. Kolb to prepare a simple contract for the work. Motion passed. Votes as follows by roll call: President Belter – Y, Manager Kramer – Y, Manager Melberg – Y, Manager Phillips – Y, and Manager Stuewe – Y.

Marsh Phase 2 Excavation. Manager Stuewe presented on completion of the Marsh Phase 2 excavation of the north lateral. S&S Excavating has proposed to do the work for \$21,460.00. Motion by Manager Phillips seconded by Manager Kramer to engage S&S Excavating to perform the work. Kolb to prepare a simple contract for the work. 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 Manager reports.

Manager Phillips provided information on the Bill Martin property near Plato. There is a crossing that is eroding on the property. The landowner would like the BCWD to provide some assistance. This is a private crossing on private property. The crossing is on backwater and not on Buffalo Creek directly. The Board discussed the issue of providing public assistance to private interests.

Manager Phillips updated the Board on the availability of Collins Tree Service to remove snags from the creek over winter.

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, October 27, 2020, at 8:00 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