

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 November, 2021, at 1:00 p.m., for its regular monthly business meeting.

The following managers were present: Don Belter
Larry Kramer
Kevin Lindeman
Matt Melberg
Chad Stuewe

The following managers were absent/excused: n/a

Also attending the meeting were: John Kolb, Attorney
Larry Phillips
Doug Krueger, McLeod County
Daryl Luthens, McLeod/Sibley, JD 8
Chris Otterness, Houston Engineering
Lisa Odens, Houston Engineering
Gary Albers
Fern Albers

President Belter called the meeting to order and announced the first order of business was the consideration of the minutes of the regular meeting of the Board of Managers held on October 26, 2021. Motion by Manager Kramer seconded by Manager Lindeman to approve the minutes. After discussion, the Board of Managers, by unanimous vote, approved the minutes for the meeting held on October 26, 2021.

President Belter then called for review of the Treasurer's report. The Treasurer Manager Stuewe and Larry Phillips presented a written report which outlined income and expenses as follows:

Security Bank & Trust Co.	
Money Market Checking Account -	
Beginning Balance:	\$93,780.78
Income:	
Interest earned thru October 2021	\$4.03
JD 15 Br. P1 – Received from Renville County	\$186,668.87
JD 15 Br. M20 – Received from Renville County	\$101,656.20
JD 15 Br. S – Received from Renville County	\$78,308.40

JD 15 Br. A – Received from Renville County	\$70,115.39
Expenses:	
To checking to cover other checks issued	\$4,946.33
Ending Balance:	\$525,587.34
Balance in Security Bank Now Account	\$1,006.55
Balance in Security Bank Savings Account - Projects	\$20,446.32
Total for all bank accounts:	\$547,040.21

Motion by Manager Kramer seconded by Manager Melberg to approve the Treasurer’s Report subject to audit. After discussion, and 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. Larry Phillips reported as follows:

Rinke Noonan – Various	\$3,463.00
Houston Engineering – JD 8, Laterals 12 & 13	\$1,458.65
Gislason & Hunter, LLP – JD 8, Laterals 12 & 13	\$1,722.50
Improvement Petitions	
S&S Excavating LLC – Half of bill for Gorsuch Bridge	\$2,700.00
Removal	
Larry Phillips – Permit Consultant	\$850.00
Mary Henke	\$450.00
Linda Phillips	\$325.00
Don Belter	\$77.10
Larry Kramer	\$111.82
Kevin Lindeman	\$81.58
Matt Melberg	\$343.30
Chad Stuewe	\$72.50
Total:	\$11,655.45

Motion by Manager Kramer seconded by Manager Lindeman to approve the bills for payment. After discussion, and by unanimous vote, the Board of Managers approved the above bills for payment.

President Belter called any new permits:

No new permits were reported.

President Belter next called for discussion of old business:

Bond & Insurance Reviews and Execution of Contracts for JD 15 Branch Improvement Projects. Kolb reported to the Board on the status of the construction contract and contractor submissions of insurance certificates, performance bonds, payment bonds, and warranty

bonds. To date all of the contract documents, but that for Branch A, have been received and reviewed. Kolb indicated his favorable review of the documents and opinion that the contracts for Branches M20, P1, and S can be executed.

Kottke Bond Premium Reimbursement. Kolb and Philips presented a request from Kottke for reimbursement of bond premiums paid toward his ditch improvement petition. Kolb indicated that bond premiums are an allowed project cost as the petitioner's bond and costs associated with the bond are discharged upon the award of the construction contract. Motion by Kramer, seconded by Lindeman to allow reimbursement of the bond premiums. After discussion, and by unanimous vote, the Board of Managers approved reimbursement of the bond premiums and instructed Phillips to forward them to the Renville County Auditor for payment.

Branch 12 of McLeod County Ditch 8 Improvement. Kolb updated the Board on the status of the engineer appointment, bond, and oath. Otterness discussed a few initial impressions of the proposed improvement and discussed some options presented by landowners in the area. Kolb cautioned that in the preliminary survey, the engineer should confine its investigation to the improvement as petitioned but may offer additional suggestions for the Board's and public's consideration during the preliminary hearing.

One Watershed, One Plan. Phillips updated the Board on initial, organizational meetings of the planning group.

President Belter next called new business:

Rinke Noonan 2022 Hourly Rates. The Board reviewed Rinke Noonan's updated hourly rates for 2022 under the existing legal services agreement with the Firm.

Gorsuch Bridge Removal Cost Share. Kolb presented a request from Gorsuch that the Board approve additional reimbursement to bring total reimbursement to 50% of actual cost of the bridge removal. The original agreement with the Gorsuches indicated not to exceed 50% or the amount of \$2,160.00, whichever was less. Actual cost of removal was \$5,400.00. Motion by Melberg, seconded by Kramer to allow reimbursement of \$2,700.00. After discussion, and by unanimous vote, the Board of Managers approved the revised reimbursement.

Houston Engineering Projects. Odens and Otterness updated the Board on various projects. Kolb discussed the costs on the Glencoe East and Central project and suggested that before proceeding a firm commitment be obtained from the City. Phillips and Stuewe addressed landowner concerns related to the Glencoe East and Central drainage area and a suggested pond location.

President Belter next called for Manager/Staff reports:

Phillips provided a calendar of meeting dates for 2022 for the Board's consideration.

President Belter provided an update on the Minnesota Association of Watershed Districts (MAWD) virtual meeting; discussion was held regarding continued membership in MAWD. Krueger encouraged continued involvement if only to keep informed and keep common sense points of view engaged in discussions.

Matt Melberg discussed Paul Anderson work between Lake Preston and JD 15 to correct erosion. There is a structure at the outlet of the lake that is eroding, but his work was reported and a Wetland Conservation Act (WCA) violation was issued.

Larry asked about permits for the ditch projects. Kolb indicated that the Board should consider permits to ensure the District's rules are met. Phillips will coordinate with the project engineers to prepare permit applications.

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, December 28, 2021, at 1:00 p.m., in person, in the Board's meeting room in the Glencoe City Center with an option for public monitoring by remote means.

(adopted with corrections 12/28/2021)

Matt Melberg, Secretary