

# 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 25<sup>th</sup> day of January, 2022, 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  
Lisa Odens, HEI  
Jerry Paumen  
Adam Leske  
Al Robak  
Joel Cohrs

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 December 28, 2021. Motion by Manager Kramer seconded by Manager Melberg to approve the minutes. After discussion, the Board of Managers, by unanimous vote, approved the minutes for the meeting held on December 28, 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:

<b>Security Bank &amp; Trust Co.</b>	
<b>Money Market Checking Account -</b>	
<b>Beginning Balance:</b>	<b>\$609,374.52</b>
<b>Income:</b>	
Interest earned thru December 2021	\$27.40
Kandiyohi County Deposit	\$2,351.88

Carver County Deposit	\$1,037.22
Sibley County Deposit	\$3,349.56
Renville County Deposit	\$39,601.44
League of MN Cities Deposit (Refund)	\$730.00

**Expenses:**

To checking to cover other checks issued	\$22,256.30
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**Ending Balance: \$634,215.72**

Balance in Security Bank Now Account	\$1,007.68
Balance in Security Bank Savings Account - Projects	\$20,460.43
<b>Total for all bank accounts:</b>	<b>\$655,683.83</b>

Motion by Manager Lindeman seconded by Manager Kramer 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:

Castle Rock Contracting & Tree Service, LLC	\$78,300.00
Bolton & Menk – JD 15 Br. Q	\$1,206.00
Rinke Noonan – Various	\$1,610.00
Houston Engineering – Various	\$17,289.75
Glencoe City Center – Lease Payment	\$1,800.00
2021 4 <sup>th</sup> Quarter Withholding Pay In	\$206.55
Larry Kunkel – Trapped 10 beavers at \$50 each	\$500.00
Larry Phillips – Permit Consultant	\$850.00
Mary Henke – Salary plus Permit Viewer work	\$993.75
Linda Phillips – Salary plus purchasing stamps and computer software	\$533.00
Don Belter	\$77.45
Larry Kramer	\$113.72
Kevin Lindeman	\$81.58
Matt Melberg	\$99.68
Chad Stuewe	\$76.28
<b>Total:</b>	<b>\$103,737.76</b>

Motion by Manager Kramer seconded by Manager Melberg 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:

**Permit 2022-01, Larry Phillips/Houston Engineering:** Sections 1, 2, 11, 12, Township 115 North, Range 32 West, Hector Township, Renville County.

Motion by Manager Kramer seconded by Manager Lindeman to consider. After discussion, and by unanimous vote, the Board of Managers approved the consideration of the permit.

Houston Engineering will be improving the Branch M20 system of Judicial Ditch 15, specifically replacing all of the existing tile in M20, M22, M23, M24, M26, M27, M29, M70, M71, M72, and M93. The existing clay tile in these branches will be replaced with 8"-12" HDPE tile, along with new tile being installed in M28 and M64. Jacking and boring of 150 linear feet of 24" steel pipe will be included during the replacement of the clay tile, and two 75' segments of 24" steel pipe will be bored under 830<sup>th</sup> Ave/County Hwy 23 for M20 and M27. Overall, there will be connections made to approximately 21 existing laterals, as well as installation of standard and hickenbottom surface and televising inlets. Construction is expected to start in spring 2022.

Motion by Manager Kramer seconded by Manager Lindeman to approve the permit. After discussion, the Board of Managers approved the permit by 4-0 vote with Manager Melberg abstaining.

**Permit 2022-02, Renville County Highway Department:** Sections 31 and 32, Township 116 North, Range 31 West, Boon Lake Township, Renville County.

Motion by Manager Kramer seconded by Manager Melberg to consider, carried. After discussion, and by unanimous vote, the Board of Managers approved the consideration of the permit.

Engineer Odens provided the permit details to the Board. The Renville County Highway Department is planning to replace Bridge 6433, a 1-span steel beam bridge (27 feet in total length) at the crossing of County State Aid Highway (CSAH) 8 and Judicial Ditch 28A with Bridge 65K03, which will consist of triple 14-foot span by 12-foot rise reinforced concrete box culverts.

Based on the Buffalo Creek Watershed District's swellhead policy which states that for the 100-year event, a minimum of the current swellhead or one foot of swellhead must be maintained, whichever is less. Based on the replacement bridge model submitted, existing swellhead for the regional flood is 1.7-feet and proposed swellhead is 0.8-feet, which is below the 1-foot of swellhead policy. However, Bridge 6433 is substantially undersized compared to the upstream and downstream bridges on this system and is artificially constricting water flow as compared to the other structures. For that reason, Houston Engineering recommends approval of the permit.

Motion by Manager Kramer seconded by Manager Melberg to approve the permit. After discussion, the Board of Managers approved the permit by unanimous vote.

President Belter next called for discussion of old business:

**Laterals 12 & 13 of McLeod/Sibley Judicial Ditch 8 Improvement.** Engineer Odens presented the preliminary engineer's report and provided an overview of the contents of the report.

Motion by Manager Stuewe seconded by Manager Melberg to receive the report for filing. After discussion, the Board of Managers accepted the report for filing by unanimous vote.

Kolb updated the Board on procedural requirements for setting the preliminary hearing and provided a draft order for the Board's consideration. Motion by Manager Melberg seconded by Manager Lindeman to adopt the order for a preliminary hearing, setting the date for March 22, 2022 at 2:30 p.m. After discussion, the Board of Managers adopted the order by unanimous vote.

Joel Cohrs addressed the Board indicating a distribution of acres draining to JD 8 and to Branches 12 and 13. Kolb explained the viewing process and how the viewers will consider benefitted acres. Cohrs also discussed the depth of tile and grade in order that field tile will be able to function properly and not have to be installed at shallow depths. The Board instructed Odens to gather information related to private tile system depths and to include consideration of those depths in the project design.

**One Watershed, One Plan.** Manager Melberg discussed a possible meeting of the policy committee in February. Commissioner Krueger confirmed the February meeting date.

**Houston Engineering Projects.** Odens provided a brief update. Manager Melberg asked what kind of timeline is anticipated on Branch M20. Odens updated the Board on the anticipated timeline.

**Field Order Change, Branch P1 Improvement.** Phillips presented a proposed field order to change the design recommendation for the Branch P1 improvement suggested by Charles Melberg. The proposed change has been reviewed by Renville County's drainage inspector. Motion by Manager Stuewe seconded by Manager Kramer to approve the field change as presented by the engineer.

The Board discussed the implications of the proposed field order. Specifically, the Board expressed concern that the proposed field order calls for the continued function of a portion of Branch P intended to be replaced by the improvement. Kolb explained that the order establishing the improvement called for the abandonment and disabling of those portions of Branch P replaced by the improvement. This change will leave a small portion of the branch functional and

will save the project approximately \$4,400.00. Kolb indicated that the portion to remain functional will still be abandoned from the system. This request also limits intakes on the remnant portion. After discussion, the Board of Managers approved the field order change by unanimous vote.

President Belter next called new business:

Phillips presented a contract from Peterson Company for audit services. Motion by Manager Kramer seconded by Manager Melberg to enter into a services agreement with Peterson for the annual audit. After discussion, the Board of Managers approved the engagement by unanimous vote.

President Belter next called for Manager/Staff reports:

Phillips reported Collins' tree removal in the channel of Buffalo Creek. Phillips described staff and crew changes, pace of work, and challenges encountered by the crew.

Phillips reported about Mary Henke's progress on the permit viewer. She is close to being done with the project but proposes to re-scan materials previously attempted by Chuck Eberhard. She would like to make a presentation to the Board at an upcoming meeting. She proposes adjusting her contract services fees downward based on a change in workload. The Board is proposing a workshop at 12:30 p.m. before the February meeting. The President will confirm and Kolb will ensure notice is posted.

Phillips updated the Board regarding a proposal by Neubarth to establish ponding with the Central-East watershed. Phillips recommended a meeting with a project team to vet the project and to determine whether it is consistent with the City-petitioned Central-East project. Phillips was directed to coordinate a meeting and to include HEI in the discussion.

Jerry Paumen addressed the Board regarding the "crackerjack" ditch and a proposal from adjacent property owners to modify drainage to use the ditch. The area is in the JD 8 watershed, but outlets to different portions of JD 8. Kolb explained reasonable use drainage, interface with the private/pooling agreement #3, the requirement of a watershed district permit and, likely, authorization from the drainage authority.

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 22, 2022, at 1:00 p.m., in person, in the Board's meeting room in the Glencoe City Center.

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Matt Melberg, Secretary