

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 25th day of February, 2022, at 1:00 p.m., for its regular monthly business meeting.

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

The following managers were Larry Kramer
 absent/excused:

Also attending the meeting were: John Kolb, Attorney
 Larry Phillips
 Linda Phillips
 Mary Henke
 Gary Albers
 Daryl Luthens

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 January 25, 2022. Motion by Manager Melberg 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 January 25, 2022.

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:	\$634,215.72
 Income:	
Interest earned thru January 2022	\$26.27
Kandiyohi County	\$83.28
Carver County	\$31.25
Sibley County	\$16.35
Renville County	\$947.53
McLeod County	\$3,668.84
State of Minnesota MMB	\$3,854.68

Expenses:

To checking to cover other checks issued	\$86,434.51
Houston Engineering – JD 8, Laterals 12 & 13	\$15,902.25
Bolton & Menk – JD 15, Br. Q	\$1,206.00
Rinke Noonan – JD 15, Br. Q	\$195.00

Ending Balance: **\$539,106.16**

Balance in Security Bank Now Account	\$1,008.02
Balance in Security Bank Savings Account - Projects	\$20,460.43

Total for all bank accounts: **\$560,574.61**

Motion by Manager Lindeman 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	\$3,328.00
Castle Rock Contracting & Tree Service, LLC – Clean Out of Buffalo Creek	\$103,200.00
ESRI (Environmental Systems Research, Inc.)	\$494.00
Houston Engineering – Various	\$2,348.00
Glencoe Post Office – 1 year P.O. Box Rental	\$100.00
Larry Phillips – Permit Consultant	\$850.00
Mary Henke – Monthly Services Fee & Permit Viewer Work	\$1,412.50
Linda Phillips	\$325.00
Don Belter	\$77.47
Larry Kramer	\$0.00
Kevin Lindeman	\$82.13
Matt Melberg	\$199.36
Chad Stuewe	\$72.77
Total:	\$112,489.23

Motion by Manager Melberg 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:

Laterals 12 & 13 of McLeod/Sibley Judicial Ditch 8 Improvement. Attorney Kolb updated the Board on the status of noticing for the preliminary hearing and coordination with petitioners to increase their bond or to place a commercial bond to replace the initial cash deposit bond.

One Watershed, One Plan. Manager Melberg updated the Board on the approval of a consultant to assist in preparation of the plan. Houston Engineering was selected to assist in plan development. Houston will facilitate process and technical analysis and drafting moving forward.

Houston Engineering Projects. No update provided.

Branch Q, JD 15. Attorney Kolb updated the Board regarding coordination with Petitioners' attorney and the filing of a commercial bond in the proceedings.

President Belter next called new business:

Manager Re-Appointment – Chad Stuewe. Attorney Kolb updated the Board that Manager Stuewe's term ends in April 2022. Kolb has notified the McLeod County Administrator of the end of the term and the requirement that the County advertise for a new appointment. Kolb encouraged Stuewe to contact the County and indicate whether he plans to apply and is willing to accept appointment for a subsequent term.

President Belter next called for Manager/Staff reports:

Attorney Kolb updated the Board on renewal of the Board's WEBEX subscription for remote meetings. Kolb explained the cost, \$250.00, for the annual subscription and inquired whether the Board wanted to renew in order to have the ready capability to conduct remote meetings or to allow for external participation by remote means. Kolb indicated that there are other services that could be used either at reduced cost or free of charge. The difference being the level of control the Board can exercise with a subscription service, i.e., muting participants, no limits on time or number of participants, etc. The Board directed Kolb to allow the subscription to expire. Manager Melberg suggested that the Board use Zoom moving forward.

Larry Phillips updated the Board on the status of Board Conservationist assignments within BWSR. Jeremy Maul is being reassigned to a new region and will be transitioning duties to a new Board Conservationist, to be determined.

Larry Phillips updated the Board on the status of the JD 15, Branch S improvement project. Cooreman Contracting, Inc. plans to start work on May 1, 2022. Manager Melberg asked that the project be staked early to avoid unnecessary planting in areas where the work will occur.

Larry Phillips updated the Board on work with Sheehans, Inc., regarding a portion of public tile that the owner would like to abandon and replace with a private tile system. Renville County will hear an abandonment petition for the portion indicated and then the Board will have to consider a

permit for the replacement tile system. Phillips indicated the need for an easement to cover the continued drainage for the upstream properties.

Larry Phillips updated the Board on a required application for road crossing in Sibley County for the JD 15, Branch P1 improvement project. Renville County Drainage Systems Manager Seth Sparks indicated that Renville County will pay the permit fee as part of the project costs. Phillips indicated that there are a total of eight crossings in Renville and Sibley County requiring permits.

Larry Phillips updated the Board regarding correspondence from BWSR related to project establishment under 103D.605. Attorney Kolb gave context to the correspondence and process for project establishment under 103D.605. Kolb indicated that this is a slight change for such projects but does not affect previously established projects. Kolb will ensure that any future projects established under 103D.605 comply with the clarified process. Kolb expects, however, that there will be a legislative change to revise the project back to how watershed districts have been establishing projects under 103D.605.

Larry Phillips updated the Board on the status of Castle Rock's tree, deadfall, and snag removal from the channel of Buffalo Creek. Work is completed into Carver County within about one mile of the Crow River. Phillips is working to identify a second contractor to work in the summer to perform some of the additional cleanup work. The budget would support the work anticipated for summer.

The Board directed renewal of the LMCIT insurance without waiving statutory liability limits.

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

Matt Melberg, Secretary