

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 August, 2022, at 7:00 p.m., for its regular monthly business meeting.

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

The following managers were absent/excused: Don Belter

Also attending the meeting were: John Kolb, Attorney
Larry Phillips
Lisa Odens, HEI
Gary Albers
Fern Albers

Vice-President Kramer 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 July 26, 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 July 26, 2022.

Vice-President Kramer 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: | \$572,318.71 |
| Income: | |
| Interest earned thru July 2022 | \$94.82 |
| Deposit from Carver County | \$1,699.88 |
| Deposit from McLeod County | \$60,000.00 |
| Expenses: | |
| To checking to cover other checks issued | \$3,734.97 |
| Rinke Noonan – JD 8, Laterals 12 & 13 | \$50.00 |
| Houston Engineering – JD 8, Laterals 12 & 13 | \$4,548.00 |
| Gislason & Hunter – JD 8, Laterals 12 & 13 | \$70.00 |

| | |
|-------------------------------------|----------|
| Bolton & Menk – JD 15, Branch Q | \$467.50 |
| Gislason & Hunter – JD 15, Branch Q | \$70.00 |

Ending Balance: \$625,172.94

| | |
|---|---------------------|
| Balance in Security Bank Now Account | \$1,009.09 |
| Balance in Security Bank Savings Account - Projects | \$461.87 |
| Total for all bank accounts: | \$626,643.90 |

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.

Vice-President Kramer next called for the bills that had been presented to the Board since the last meeting. Larry Phillips reported as follows:

| | |
|--|-------------------|
| Rinke Noonan – Various | \$3,004.00 |
| Security Bank & Trust – Deluxe Check Printers (500 checks ordered) | \$377.72 |
| Larry Phillips – Permit Consultant (monthly fee & mileage over 50 miles) | \$1,025.00 |
| Mary Henke – Monthly fee | \$350.00 |
| Linda Phillips – Monthly fee | \$425.00 |
| Don Belter | \$0.00 |
| Larry Kramer | \$116.76 |
| Kevin Lindeman | \$83.01 |
| Matt Melberg | \$115.51 |
| Chad Stuewe | \$73.01 |
| Total: | \$5,570.01 |

Motion by Manager Lindeman 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.

Vice-President Kramer called any new permits:

No new permits were reported.

Vice-President Kramer next called for discussion of old business:

Laterals 12 & 13 of McLeod/Sibley Judicial Ditch 8 Improvement. Lisa Odens reported on the delivery of the final engineer’s report to DNR and provided hard copy reports to the Board. Odens provided a further update on the design consideration and modeling used to address DNR comments. Odens discussed the coordination with the DNR regarding the comments and revisions to the final engineer’s report based on that coordination. Odens commented on the consideration of storage to mitigate discharges resulting from the project. Manager Melberg

suggested and requested that the existing tile location be investigated prior to the preparation of specifications to include camera inspection of the pipe to identify tile location and lateral connection points. Attorney Kolb updated the Board on delivery of the final engineer's report to the viewers and what can be expected related to viewing and contact with landowners. The Alberses were present and requested that the viewers contact them. Gary Albers provided contact information to Kolb. Gary Albers asked how the camera investigation would be paid. Kolb responded that it would likely be split between the improvement and separable maintenance portion of the project costs. Gary Albers also asked about the installation of perforated vs. non-perforated pipe. Odens answered that non-perforated tile is typically used when tile would be installed below the water table. Larry Phillips and Odens discussed the use of flexible dual wall.

One Watershed, One Plan. Manager Melberg updated the Board on the next policy committee meeting. Larry Phillips discussed the technical meeting and the comments made at that meeting.

JD 15, Branch Q, JD 15 Improvement. Attorney Kolb updated the Board on his conversation with Shaun Luker and the completion of coordination with the DNR.

JD 15 Branch Improvements. Larry Phillips updated the Board on the substantial completion of the Branch M20 and A improvements. Attorney Kolb suggested the Board set a contract acceptance hearing following receipt of required filings (IC 134) and waivers from the contractors. The Branch A and P1 improvements are on-going. The Branch A improvement needs some additional clean up. The Branch P1 improvement is continuing but requires a change order to allow the alternative crossing of the railroad right of way. Manager Melberg reported on a site realignment on a portion of the Branch P1 project. Melberg expressed a concern about ISG's unilateral change of the design plan.

Phillips presented the change order for the boring under the railroad right of way. Motion by Manager Stuewe seconded by Manager Melberg to approve the change order for the boring under the railroad right of way. Approved unanimously.

Vice-President Kramer next called new business:

79-2 Ditch Project Update. Larry Phillips reported on debris from the ditch and ongoing maintenance activities. Phillips inquired of the Board regarding spraying and mowing this year. Consensus of the Board was to wait until 2023 to spray.

Marsh Creek Project Update. Mowing of the ditch buffer and bank has been scheduled.

Possible Water Storage Information on Old Gravel Pits. Manager Melberg is still in the process of coordinating with the landowner and Chris Otterness on options. Larry Phillips commented on his conversations with the Kunkle pit. The Board authorized HEI to conduct some initial investigation of the Kunkle pit and potential storage.

Renville County Pipe Blow Out. The Board considered the request of Kyle Richter regarding cost share on a culvert replacement. Board consensus was that this issue is, without explanation and justification, not one for the District. Larry Phillips was instructed to send a letter explaining the Board's position.

Vice-President Kramer next called for Manager/Staff reports:

Larry Phillips updated the Board on recent correspondence from Minnesota Association of Watershed Districts (MAWD).

Larry Phillips and Manager Melberg updated the Board on renegotiation of HEI's bill and the acceptable reduction of the bill. HEI reduced the bill by \$15,000.00.

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, September 27, 2022, at 8:00 p.m., in person, in the Board's meeting room in the Glencoe City Center.

Matt Melberg, Secretary