

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 27th day of September, 2022, at 8:00 p.m., for its regular monthly business meeting.

The following managers were present:

Larry Kramer
Chad Stuewe
Kevin Lindeman
Matt Melberg
Don Belter

The following managers were absent/excused:

Also attending the meeting were:

John Kolb, Attorney
Larry Phillips
Mike Litzau
Gary Albers
Bill Makenthun
Tim Makenthun

Al Roback
Fern Albers
Daryl Luthens
Mike Makenthun

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 August 23, 2022. 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 August 23, 2022.

President Belter then called for the consideration of the minutes of the annual budget hearing held on August 23, 2022. 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 annual budget hearing held on August 23, 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:	\$625,172.94
Income:	
Interest earned thru August 2022	\$225.66

Expenses:

To checking to cover other checks issued	\$5,354.01
Rinke Noonan – JD 15, Branch Q	\$108.00
Rinke Noonan – JD 8, Laterals 12 & 13	\$108.00

Ending Balance: \$619,828.59

Balance in Security Bank Now Account	\$1,009.14
Balance in Security Bank Savings Account - Projects	\$461.87
Total for all bank accounts:	\$621,299.60

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:

9/27/2022	meeting				
Buffalo Creek Watershed Worksheet					
Rinke Noonan - USFWS Partial Abandonment Petition					\$ 216.00
Rinke Noonan - General Admin Advice					\$ 3,035.35
Rinke Noonan - 1W1P					\$ 252.00
Rinke Noonan - JD 8 Lat. 12 & 13					\$ 565.00
Rinke Noonan - Retainer					\$ 700.00
League of MN Cities - Dues 2022-2023					\$ 2,119.00
Stuewe Farms, LLC - mowing Marsh Creek					\$ 460.00
Bolton & Menk - JD 15 Br Q					\$ 1,318.50
Ed's Excavating - clear blockage on 79-2					\$ 1,775.00
Houston Engineering - JD 8 Lat 12 & 13					\$ 1,498.24
Houston Engineering - GeoMOOSE & Web Hosting					\$ 340.00
Mary Henke - September pay - 1 hr @ \$ 25.00 per hr					\$ 25.00
Mary Henke - September pay \$350					\$ 350.00
Linda Phillips - September pay \$ 425					\$ 425.00
Larry Phillips - September pay					\$ 850.00
Larry Phillips - September Mileage 150 miles @ .625 - \$ 93.75					\$ 93.75
					\$ 14,022.84
		mileage, etc			
Managers	Per Diem	other Exp	Subtotal	Soc/Med	Net Pay
Don Belter	75.00	8.75	83.75	(5.74)	\$ 78.01
Larry Kramer	75.00	47.50	122.50	(5.74)	\$ 116.76
Matt Melberg	75.00	46.25	121.25	(5.74)	\$ 115.51
Kevin Lindeman	75.00	13.75	88.75	(5.74)	\$ 83.01
Chad Stuewe	75.00	3.75	78.75	(5.74)	\$ 73.01
Payroll totals	375.00	120.00	495.00	(28.70)	\$ 466.30
				Total Bills	\$ 14,489.14
transferred from Money Market acct (Security Bank) *****					
					\$ 14,489.14

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:

Laterals 12 & 13 of McLeod/Sibley Judicial Ditch 8 Improvement. Kolb updated Board on the receipt of the final engineer's report, the DNR final advisory report and the draft viewers' reports. From the draft viewers' reports, owners reports will be prepared and mailed. Kolb discussed timing for the final hearing given harvest, schedules and the timing required to prepare and deliver owners' reports and hearing notices. Following additional discussion and confirmation of calendars, Manager Kramer moved, seconded by Manager Melberg to set a final hearing date for November 22, 2022 at 2:30 pm in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN, and to adopt the findings and order setting the final hearing prepare by attorney Kolb. Kolb is instructed to take such other action is necessary to prepare and deliver owners' reports and notices in the proceedings. After discussion, and by unanimous vote, the Board of Managers approved the motion and instructions to Kolb.

One Watershed, One Plan. Melberg updated the Board on the Aug 26 meeting. September meeting cancelled but anticipate a meeting every 4th Friday.

JD 15, Branch Q, JD 15 Improvement. Kolb updated Board on delay related to additional coordination with DNR. DNR is recommending inclusion of several Water and Sediment Control Basins (WASCOB) on the project. The engineer is coordinating with interest landowners and will finalize a report based on the number of WACOBs to be included with the project upon landowner consent.

JD 15 Branch Improvements. Coreman has substantially completed its projects (Branches S and M20); Litzau has substantially completed the Branch A improvement and is waiting on crossing borings under the rail road and highway 212 before it can complete the Branch P improvement. Kolb we reach out to engineer to discuss the filing of closure reports and setting of contract acceptance hearings.

Water Storage. Engineer Chris Otterness will attend November meeting to update board.

President Belter next called new business:

Progress of JD 15, Branch P1 Boring. Mike Litzau reported on progress with Branch P improvement boring under rail road grade. The RR boring is delayed be a few weeks. Larry and Mike discussed a change order for Branch P at Highway 212. Melberg asked whether engineer properly specified geotechnical work. Kolb to check with Chuck Brandel and check specifications. Litzau commented that pre-project, the rail road changed its mind on the boring method which

complicates any investigation into liability in process. Melberg discussed the possibility of separately bidding boring work as a method to contain costs for specific and unique project components. The Board considered change order 2 in the improvement of Branch P related to the size of tile to be bored under Highway 212. Kolb explained the change order sizes the tile from current 42" tile to proposed 48" tile. Manager Melberg moved, seconded by Manager Kramer to approve change order 2. After discussion, and by unanimous vote, the Board of Managers approved the motion Litzau updated the Board on a continuation schedule for the project considering the onset of winter conditions.

Replacement of County Tile Line in JD 8. Mike, Tim and Jim Makenthun presented a condition related to JD 8 and a proposal in install a private tile to replace the public system at the headwaters of the system. Kolb provided information regarding option under drainage code and regulatory compliance concerns.

President Belter next called for Manager/Staff reports:

Phillips updated the Board on mowing of ditch banks. The Board instructed Kolb to send a letter to all owners adjacent to the drainage system reminding owners of the grass buffer requirement and placing the owners on notice that grass strips will be inspected and restored if planted in 2023.

Phillips reported that Collins plans to return to perform more channel clearing in winter 2023 near Lester Prairie. Ed Picha expressed an interest in clearing channel near the City of Glencoe.

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 25, 2022, at 7:00 p.m., in person, in the Board's meeting room in the Glencoe City Center.

Matt Melberg, Secretary