

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 28th day of November, 2023, at 1:00 p.m., for its regular monthly business meeting.

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

The following managers were absent/excused: None

Also attending the meeting were: John Kolb, Attorney
 Lisa Odens, HEI
Doug Krueger, McLeod County Carole Doering
Dennis Mellies

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 September 26, 2023. Motion by Manager Kramer seconded by Manager Stuewe to approve the minutes for the meeting held on September 26, 2023. Motion carried unanimously.

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

October:

10/24/2023 meeting CANCELLED bills approved		
Larry Phillips - Permit Consultant	\$	850.00
mileage - 0 miles @ .655	\$	- \$ 850.00
Mary Henke - Permit Viewer - 0 hrs @ \$25 per hour	\$	-
Mary Henke - Monthly Service Fee	\$	350.00 \$ 350.00
Linda Phillips - Monthly Service Fee	\$	425.00 \$ 425.00
Rinke Noonan - JD 8 Lat. 12 & 13	\$	1,303.50
Rinke Noonan - General Admin Assistance	\$	2,340.00
Rinke Noonan - Retainer Fee	\$	750.00 \$ 4,393.50
SUBTOTAL		
	\$	6,018.50 ****
Board Managers & mileage		
Don Belter -		
Chad Stuewe -		
Larry Kramer -		
Matt Melberg -		
Kevin Lindeman -		
	\$	- ****
Total Bills	\$	6,018.50 *****

November:

11/28/2023 meeting bills approved		
Larry Phillips - Permit Consultant	\$	850.00
mileage - 0 miles @ .655	\$	- \$ 850.00
Mary Henke - Permit Viewer - 10.75 hrs @ \$25 per hour	\$	268.75
Mary Henke - Monthly Service Fee	\$	350.00 \$ 618.75
Linda Phillips - Monthly Service Fee	\$	425.00 \$ 425.00
Rinke Noonan - Retainer Fee	\$	750.00 \$ 750.00
Minnesota Pollution Control Agency - Pymt # 12	\$	12,313.83
3rd Quarter w/h paid in October 20th	\$	195.06
League of MN Cities - Workers' Comp	\$	22.00
Minnesota Watersheds - 2024 Dues	\$	5,000.00
Gustafson Drainage, LLC - Pay request - JD 8 - Lat 12 & 13	\$	58,168.63
SUBTOTAL		
	\$	78,343.27 ****
Board Managers & mileage		
Don Belter - \$ 75.00 - 5.74 = \$ 69.26 + 9.17 = \$ 78.43	\$	78.43
Chad Stuewe - \$ 75.00 - 5.74 = \$ 69.26 + 3.93 = \$ 73.19	\$	73.19
Larry Kramer - \$ 75.00 - 5.74 = \$ 69.26 + 49.78 = \$119.04	\$	119.04
Matt Melberg - \$ 75.00 - 5.74 = \$ 69.26 + 48.47 = \$117.73	\$	117.73
Kevin Lindeman - \$ 75.00 - 5.74 = \$ 69.26 + 14.41 = \$ 83.67	\$	83.67
	\$	472.06 ****
Total Bills	\$	78,815.33 *****

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:

Phillips reports that he is working on three permits and gave a summary of each proposed action. No applications were ripe for consideration at this time. Phillips will present permit details upon receipt of applications.

President Belter next called for discussion of old business:

Project Progress – Branch Q. The Board was presented with draft pay request 5 for the project. The pay request has yet to be reviewed and approved by the engineer. Manager Melberg moved, seconded by Manager Stuewe to authorize payment conditioned upon final engineer review and approval. Motion carried unanimously. The Board had additional discussion regarding the contractual delay penalty being recommended by the engineer.

Glencoe Central-East Stormwater Basic Water Management Project. Odens presented an opinion of cost related to continuation of the project. Odens summarized the tasks charged to HEI for consideration. The opinion is based on a conceptual, traditional ditch cleaning option and private crossing improvement. There is substantial potential for changes based on the final scope of the project. The next step for the Board is to set a date for a landowner meeting. The Board considered dates for a possible meeting and method of notice. Motion by Manager Stuewe, seconded by Manager Melberg to set a meeting at the Glencoe City Center, at 3 p.m. on Tuesday, January 23, 2023, with notice to be given by mail to affected landowners. Motion carried unanimously.

One Watershed, One Plan. Melberg provided an update on the status of plan review, comment and response and the schedule for the hearing on the plan.

Crown Doors permit: Odens provided an update on the status of the project and engineering.

President Belter next called new business:

Buffalo Creek Cleanout in 2024 – Perri Collins Tree Service. Phillips provided an update on the schedule of Collins to address tree removal in the creek. The area to be addressed is within Glencoe and west.

Draft Resolution – South Fork 1W1P. Kolb reviewed a draft resolution authorizing submission of the draft 1W1P to the Board of Water and Soil Resources for final review. Motion by Manager Melberg, seconded by Manager Kramer to approve the resolution as drafted. Motion carried unanimously upon roll call vote.

Houston Engineering Updates:

i. JD 8 Lat 12 & 13. Odens presented a final, partial pay (partial payment #2) request from the contractor and recommended approval. Motion by Manager Stuewe, seconded by Manager Lindeman to approve the final, partial pay request. Motion carried unanimously. The Board is waiting on final close out documents from the contractor prior to scheduling a contract acceptance hearing.

ii. Sumter Pit Water Storage. Odens presented a technical memorandum related to the possible storage site. There is a potential of providing about 150 acre/feet of storage in the 2-10 run off event. The Board requested that Phillips reengage the landowners to determine their expectations and willingness to work with the District for the project.

iii. North Central Ditch. See above.

iv. Grant Application for Water Storage Areas in JD 15. Odens presented a draft grant application to the MPCA for funding assistance for storage. The work will allow for development of a concept plan for storage within the JD 15 subwatershed. Motion by Manager Lindeman, seconded by Manager Stuewe to authorize submission of the grant application. Motion carried unanimously.

Dues for 2024 Watershed Association. The Board considered returning to membership. Motion by Manager Melberg, seconded by Manager Kramer to re-join the association in 2024. Motion carried unanimously.

President Belter opened the meeting for public comment.

Carole Doering appeared and addressed an issue she is having with the USFWS. Ms. Doering's issue is that her drainage must pass through USFWS property. Ms. Doering asserts that her property is damaged. The Board and staff addressed options for Ms. Doering to reestablish her historic drainage across the USFWS property.

Dennis Mellies appeared and asked about drainage assessments and liens. Manager Melberg addressed both current and possible future actions on the drainage system.

President Belter next called Manager/staff reports:

Phillips addressed the Board regarding a boat previously purchased by the watershed. The boat has been located but was "given" to a private individual. The individual has performed repairs and improvements on the boat but is unable to register it because it is currently titled to the watershed district. Motion by Melberg, seconded by Lindeman to authorize transfer of title to the private individual for \$100. Motion carried unanimously.

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 26, 2023, at 1:00 p.m., in person, in the Board's meeting room in the Glencoe City Center.

Matt Melberg, Secretary