

# **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 27<sup>th</sup> day of February, 2024, at 1:00 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:

- Ashley Bukowski, Rinke Noonan
- Larry Phillips
- Lisa Odens, Engineer
- Seth Sparks, Ditch Manager

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 23, 2024. Manager Kramer gave a complete correction on page 4-5 of the previous month's minutes: Manager Kramer did not call the business, but President Belter did.

Motion by Manager Kramer seconded by Manager Stuewe to approve the minutes for the meeting held on January 23, 2024. 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:

January Financials:

Money Market Checking # 31093 - Security Bank & Trust Co.		
	1/1/2024	552,010.37
<b>Interest Earned - January 2024</b>		698.33
Deposit from Brad Mellies-purchase boat	check	100.00
Deposit - Sibley Co.	ACH	529.62
Deposit - Kandiyohi Co.	ACH	83.07
Deposit - Carver Co.	ACH	6.54
Deposit - Renville Co.	ACH	1,919.31
Deposit - Renville Co.	ACH	44.27
Deposit - McLeod Co.	ACH	1,729.45
<b>to cover checks issued in January 2024</b>		<b>(5,127.21)</b>
<b>A/C # 31093 Total Balance 1/31/2024</b>		<b>551,993.75</b>
<b>Sec Bank MMkt Ending Bal - 31093</b>	<b>1/31/2024</b>	<b>\$ 551,993.75</b>
<b>Savings Account # 38980</b>	<b>1/31/2024</b>	<b>\$ 463.25</b>
<b>Projects-remaining balance</b>		
<b>Sec Bank NOW Acct # 31085</b>	<b>1/31/2024</b>	<b>\$ 1,016.84</b>
<b>Grand Total All 3 Accounts</b>		<b>\$ 553,473.84</b>

Motion by Manager Kramer seconded by Manager Lindeman 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:

February Bills:

2/27/2024 meeting	Bills Approved		
Larry Phillips - Permit Consultant		\$ 850.00	
Mary Henke - Permit Viewer - 2 hrs @ \$25 per hour		\$ 50.00	
Mary Henke - Monthly Service Fee		\$ 350.00	\$ 400.00
Linda Phillips - Monthly Service Fee		\$ 525.00	
Linda Phillips - other expenses(1099's, W2's, software, postage, etc)		\$ 304.21	\$ 829.21
Rinke Noonan - Gen Admin Advice		\$ 749.00	
Rinke Noonan - JD 8 - Lat 12 & 13		\$ 1,199.00	
Rinke Noonan - Water Mgmt Proj - City pf Glencoe		\$ 2,187.50	
Rinke Noonan - Retainer Fee		\$ 800.00	\$ 4,935.50
Glencoe City Center - lease for 1 yr (Jan '24 to Dec '24)		\$ 1,800.00	
Lakes Review Area - Ads for bids		\$ 396.00	
Castle Rock Contracting & Tree Service - clearing Buffalo Creek		\$ 37,700.00	
Glencoe Post Office Box rent - 12 months		\$ 120.00	
ESRI - Annual Subscription - for website		\$ 544.00	
Houston Engineering - General Eng. Services		\$ 536.25	
Houston Engineering - BCWD GeoMOOSE & web hosting		\$ 96.00	
Houston Engineering - JD 8 Lat 12 & 13-thru Feb 17, 2024		\$ 897.50	
Houston Engineering - JD 8 Lat 12 & 13-thru Dec 20, 2023		\$ 3,899.28	
Houston Engineering - General Eng. Services-thru Feb 17, 2024		\$ 964.25	
Houston Engineering - Glencoe Central Drainage-thru Feb 17		\$ 3,287.50	
Houston Engineering - Glencoe Central Drainage-thru Dec 20, 2023		\$ 1,914.59	\$ 11,595.37
	<b>SUBTOTAL</b>	<b>\$ 59,170.08</b>	<b>****</b>
	<b>Board Managers &amp; mileage</b>		
Don Belter - \$ 125.00 - 9.56 = 115.44 + 9.38 = \$ 124.82		\$ 124.82	
Chad Stuewe - \$ 125.00 - 9.56 = 115.44 + 4.02 = \$ 119.46		\$ 119.46	
Larry Kramer - \$ 125.00 - 9.56 = 115.44 + 50.92 = \$ 166.36		\$ 166.36	
Matt Melberg - \$ 125.00 - 9.56 = 115.44 + 20.10 = \$ 135.54		\$ 135.54	
Kevin Lindeman - \$ 125.00 - 9.56 = 115.44 + 14.74 = \$ 130.18		\$ 130.18	
		<b>\$ 676.36</b>	<b>****</b>
	<b>Total Bills</b>	<b>\$ 59,846.44</b>	<b>*****</b>

Motion by Manager Kramer seconded by Manager Stuewe 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:

**Bernie Kuttner Permit.** Section 26, Township 115 North, Range 31 West, Preston Lake Township, Renville County.

Phillips spoke with Bernie and Bernie will attend later. Will discuss at the end of the meeting. Bernie is looking at unhooking from county tile system and changing direction it would go. Currently entering JD 15. Plan is cut off at his property, put in new tile and enter old Ditch System 75-2 system. Bernie needs to complete permitting process with county.

2024-1, Manager Melberg made a motion to consider permit. Manager Kramer seconded. Motion carried unanimously. The board will wait to approve the permit due to the need for additional permits. Seth reported that the costs would be assessed back to Kuttner, so he was encouraged to work with Board on the permitting process. Manager Lindeman asked why were

the specific tile dimensions. Seth calculated the tile size back on the acres serviced. The exact size will need to be calculated. It was suggested the Kuttner bring this back to the next meeting, where more precise calculations can be discussed further. Larry Phillips suggesting tabling the permit application until next month's meeting and confirmed that the Board was okay with the process. Motion made by Manager Kramer, seconded by Manager Melberg. No further discussion. Motion passed unanimously.

President Belter next called for discussion of old business:

**Project Progress Reports.** Engineer Lisa Odens spoke about the grant the Watershed district was applying for. The Board previously spoke with MPCA in October to apply for grant for JD 15 (Headwaters of Buffalo Creek). Engineer Lisa Odens reported the grant was received. JD 15 will receive about \$86,000 in grant funds, with matching funds at 10%. The contract for the grant will be sent to Larry Philips to review and sign. The work for the grant must be completed by June 30, 2025, payments and all. Engineering work will attempt to be completed in April to ensure adequate time for payment. Costs estimates for 3 storage sites will be modeled and analysis will be completed to show how the storage sites reduce flows downstream. Planning grant report would be completed that would recommend 3 sites and next year an implementation grant could be applied for. Engineer Lisa Odens put the contract together for the board to review today, but not to sign. Manager Lindeman asked if any sites have been identified. Engineer Lisa Odens responded and said no sites have been identified but a model would be put together to move forward with cost estimate. The goal of the grant is resiliency to changes in climate, with consideration given to increase intensity with rainfall. President Belter asked a clarifying question, confirming that implementation may not get funded. Engineer Lisa Odens concurred but said because the planning process is complete, there is an increased chance at receiving the grant and the grants have been distributed adequately throughout the state.

**Crown Doors Permit Progress.** No progress. Reported by Larry Phillips.

**Glencoe Central-East Stormwater Basic Water Management Project.** Engineer Lisa Odens had some email correspondence with SWCA, outlining what needed to get done to complete the project, but there is still very little feedback from the city on how to connect the ditches in question. Engineer Lisa Odens suggests some Managers meet with city representatives to see if the project can move forward.

**One Watershed, One Plan.** Manager Melberg reported a meeting is scheduled for March 8<sup>th</sup>. Larry Philips commented that the \$60,000 grant is earmarked as available for studying water storage.

**Sumter Pit Water Storage Project.** Engineer Lisa Odens, Manager Kramer, and Manager Stuewe met with Kunchels (2/3 of ownership), who were very open to having work completed on the Board's timeline. The Kunchels offered to meet on site if the Board wanted to move forward. The quote process, in lieu of the competitive public bidding process can be utilized. If the Board wants to move forward, the next steps are working with legal for an easement and the

DNR to ensure whether other permits are needed. Manager Kramer reported that rim property was present and could be driven through. The property owners requested that the oak trees on the east and south of the property be protected. It was reported that no more gravel excavation would occur. Even if there was gravel excavating, it would not affect the function of the project. All the project would be is installing an inlet (48 inch with flap gate, with a smaller outlet) and closing up the bank that is washed up right now and other bank stabilization (riprap). Manager Melberg commented that he sees this project as a template moving forward for other projects. It was also reported that the owner of the property did not ask for any money or compensation. There was a discussion about a donation for filtration for the pond on the property, where the property owners keep the fish. It was discussed that this filtration may help the quality of life for the fish. Manager Melberg commented that this sets a good precedent moving forward if others want projects completed. President Belter asked if there is a road that has to be closed, as there is a berm on the north side. It was further reported that there is about 150 acres of live storage, with a little over \$100,000 in costs. This is different since the creek already has access to the site, and it will be less of a change for the landowner. The only change is that the water will stay on site a little bit longer. The property owners gave additional recommendations on additional properties, where projects like this could be pursued. Manager Kramer asked for a motion to move forward with legal, and engineering to send a report to DNR to determine if there are any other requirements. Engineer Lisa Odens would want to wait to go out to site before the recommendation is refined. Engineer Lisa Odens will then come up with a cost estimate before next meeting. Manager Melberg motioned to move forward, Manger Stuewe seconded the motion. No further discussion. Motion carried unanimously.

**Buffalo Creek Cleanout in 2024 – Update (Castle Rock Tree Service). Larry reported.** Work was being completed during last meeting. Because of the weather, they were able to make progress on the east and west side of the road. The ice then went away. In total it cost \$37,000 for the work.

**New Petition on CD 15 Branch 56 (Sections 25, 26, 27, 35, 36, Melville Township).** Larry Philips reported that the petition was submitted. The Board does not need to accept it today. Perspective from ISG. Larry and Seth asked if the Board would approve asking for a number or bid. Larry encouraged inquiring because of the past costs. Seth encouraged asking for more information and possibly televising the system since ISG can be over zealous so it should be made clear to them what is desired to save some money and tailer the end project goals. Roughly engineering will typically quote 20% of the project costs. Seth also stated the Board wouldn't be out of line if other engineers were solicited. Don, in the petition, did contain the proposed improvements compared to Q and what could have been done. Another option Seth raised would be working on separable maintenance and paying out of the regular account to allow for an assessment over a few years instead of putting a lien on the property. Manager Melberg asked of the assessment upfront, Seth reported that 60% would be paid up front, which is the best rate so far.

President Belter next called new business:

**Peterson Company Ltd. – Agreement for Annual Audit of 2023.** Larry received engagement paperwork. \$4,000. Manager Melberg moved to move forward with the engagement, Manager Lindeman seconded the motion. Motion passed unanimously.

**Brownton Tree Jam in Buffalo Creek.** Larry Philips reported that last meeting the jam was discussed and has since been viewed. A long stick machine \$7250 (from Ed) to pull it out for a consultant Larry is familiar with. The concern is if the jam would move once it is removed. The consultant did think the jam could be pushed up against the bank. Manager Kramer asked if additional approvals were needed. Engineer Lisa Odens was not aware of approvals needed from the government. But to access the creek, private property owners may be asked for permission to enter to work from the south side. A timeline was not established for when the work could be completed to clear the jam. Manager Lindeman made a motion to clear the tree jam as soon as equipment is available, Manager Kramer seconded. Discussion was had from Larry Philips that if the property owners do not allow entrance, it may change how the Board moves forward to clear the jam. Motion passed unanimously.

**Upcoming Permit: Glencoe Dollar Tree.** The property is staked out and the city is requesting more stormwater management, particularly a bigger stormwater pond. Lisa has been contacted and discussed setting up a meeting with Dollar Tree representatives. President Belter asked if additional access would be needed. Larry reported that the state does not want another approach and further discussion will be had outside of the parties as to what they will do for the street.

**State of Minnesota – 2 New Bridges on Highway 212 – Plato Area.** Larry reported that there are discussions about the bridges being replaced. The project is not near permitting stage yet as wetlands are being looked into, but within the next few years, they could be asking for permits. (FYI)

**Scott Ekstad** – working on a permit. Will be crossing a township road and other private property. (FYI)

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 26, 2024, 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