

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 25th day of August, 2015 at 7:30 P.M. at its regular meeting place at Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN, for a public hearing on the proposed Budget for the Watershed District for the year 2016 and for its regular meeting thereafter at 8:00 P.M.

The following members were present:

Donald Belter
Larry Phillips
Corey Henke
Larry Kramer
Matt Melberg

Also attending the meeting were:

Pete Kasal, Attorney
Charles Eberhard, Engineer

The public hearing on the 2016 Budget was called to order by President Belter at 7:30 P.M. Manager Phillips read the Notice of Hearing and recited the proposed Budget for the year 2016. It was noted that the Notice of Hearing had been published as required by law in the legal newspapers within the Watershed District for the various counties involved.

After determining that there were no comments from those in attendance, the budget hearing having been open for comments for approximately one-half hour, upon motion of Manager Henke, which motion was seconded by Manager Kramer and unanimously carried, the hearing on the Budget for the year 2016 was adjourned.

President Belter next called the regular meeting of the Board of Managers to order.

President Belter announced the first order of business was the consideration of the minutes of the regular meeting of the Board of Managers held on July 28, 2015. Upon motion of Manager Kramer, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved the minutes of the meeting held on July 28, 2015

President Belter next called upon Manager Phillips for the Treasurer's report. Manager Phillips presented a written report which outlined income and expenses as follows:

<u>SAVINGS:</u>		
C.B. # 4206225.	\$ 135,944.36	
Recd: Interest	5.78	
Carver County	666.80	
Renville Co. Ditch ó Branch M ó JD 15	<u>10,000.00</u>	\$146,616.94
LESS: Transfer to checking		(10,860.27)
McLeod County Ditch No. 33		<u>(359.00)</u>
 AUGUST BALANCE		 \$135,397.67
<u>CHECKING:</u>		
July balance	\$ 1,245.67	
Deposit from savings	<u>11,219.27</u>	\$12,464.94
LESS: Checks drawn		(10,614.90)
Paid to Bolton & Menk, Inc.		(359.00)
IRS ó 2 nd Qtr. Withholding		<u>(491.04)</u>
 AUGUST BALANCE		 \$ 1,000.00
<u>PROJECT 79-2:</u>		
CDø #87812 starting balance	\$ 6,507.56	
Interest to 12/28/2014 CD #87051	26.07	
McLeod Co. Auditor/79-2 Fund	<u>22,310.57</u>	
 TOTAL 79-2 Funds		 \$28,844.20

Upon motion of Manager Henke, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers approved the Treasurerø Report.

President Belter next called for the bills that had been presented to the Board since the last meeting. Treasurer Phillips reported as follows:

Kasal Law Office - attorneys fees	\$ 933.92
Rinke-Noonan ó consulting fees	3,424.83
Hubin Publishing ó publication	136.70
Houston Engineering	9,662.47
ECM Publication ó publication	199.34
Hawk Publishing ó publication	160.00
Bolton & Menk, Inc. ó Ditch No. 33	6,066.00
Eberhard Consulting ó engineering fees	2,154.19
Mary Henke ó secretarial services	131.25
Linda Phillips ó secretarial/accounting	166.18
Corey Henke ó per diem & mileage	95.70
Donald Belter ó per diem & mileage	83.05
Larry Phillips ó per diem & mileage	130.75
Larry Kramer ó per diem & mileage	118.70
Matt Melberg ó per diem & mileage	<u>114.10</u>

TOTAL

\$23,577.18

Upon motion of Manager Kramer, which motion was seconded by Manager Phillips, by unanimous roll call vote the Board of Managers approved the above bills for payment.

President Belter next called upon Gary Schreifels, Public Works Manager for the City of Glencoe, and engineer John Rodenberg. Mr. Rodenberg presented a detailed outline of proposed drain improvements to the northeast portion of Glencoe. The project is proposed to alleviate flooding issues in that portion of Glencoe which had been dominant in the year 2014. Mr. Rodenberg noted that earlier proposals had cost estimates of approximately \$1.5-1.7 million. The latest proposal anticipates a pipe running from the Glencoe High School area to a ditch on the east side of Glencoe, which would include improving a culvert under the existing railroad. The cost of the project is now estimated at between \$700,000-800,000.00. The City of Glencoe is requesting that the Watershed District, along with McLeod County and the School District, contribute to the cost of the project. The request of the Watershed District is \$200,000.00. Following a discussion among the Board members and Mr. Schreifels and Mr. Rodenberg, it was the consensus of the Board of Managers that the project as outlined did not involve Watershed-wide benefits and thus cannot be considered for funding by the Board.

President Belter next called for discussion of tabled permits. Engineer Eberhard stated that Permit No. 2015-5 (Zebra Ditch Assn.) should remain tabled since no new information has been received.

President Belter called upon Tim Proehl of Glencoe, who appeared regarding his property on County Road #2 just south of the Glencoe city limits. His property was the subject of discussion at prior Board meetings regarding installation of a culvert under County Road #2 near his land by McLeod County. Mr. Proehl noted that when he purchased the property there was adequate drainage from his site, but over the last several years the land around him has been developed and fill added, which restricted the flow of water from his property. He stated that he now experiences flooding in heavy rains. He was advised that the Board would consider a permit for McLeod County if and when they apply for a permit for such a culvert near his property.

Engineer Eberhard next introduced an application for a permit submitted by Michael Loncorich. Upon motion of Manager Kramer, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers accepted the application for a permit for consideration and designated it Application for Permit No. 2015-17. Engineer Eberhard explained to the Board the application anticipates replacement of an existing 8-in. tile line with a new 8-in. tile line. He noted that the drainage co-efficient satisfies the Board guidelines. Upon motion of Manager Phillips, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers approved Permit No. 2015-17.

Engineer Eberhard next introduced an application for a permit submitted by Koch Pipeline Co. regarding a gas pipeline located in Bergen Township, McLeod County. The application requests a permit for maintenance activity along the pipeline and also requests that the permit issued allow future maintenance without further appearances before the Watershed Board. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers accepted the application for a permit for consideration and designated it Application for Permit No. 2015-18. After a short discussion and general consensus that an ongoing permit should be issued, upon motion of Manager Kramer, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers approved Permit No. 2015-18 for current maintenance and also for future maintenance.

An application for a permit was next introduced which had been submitted by Curt Sampson of Hector. Upon motion of Manager Henke, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers accepted the application for a permit for consideration and designated it Application for Permit No. 2015-19. Engineer Eberhard explained that the application seeks to re-establish a wetland and re-locate a county ditch in the area of the permit application. After further discussion and the indication that further information would be needed, upon motion of Manager Kramer, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers tabled Application for Permit No. 2015-19.

Engineer Eberhard distributed to the Board a preliminary engineering report for the County Ditch No. 15 project in Renville County. He asked the Board to review the proposed plan and discuss it at a later meeting.

President Belter called for discussion of County Ditch No. 33. It was noted that the project is continuing to progress but the additional \$6,000.00 engineering bill recently received by the Board is subject to reimbursement by the petitioners and is for wetland delineation.

President Belter next recited the fact that a hearing on the Budget had been conducted prior to the regular meeting and that no objections to the proposed Budget for the year 2016 had been made. Manager Henke offered the following resolution and moved its adoption:

RESOLVED, that the Board of Managers of Buffalo Creek Watershed District adopt the following Budget for Buffalo Creek Watershed District as the Budget for the year 2016:

Audit expense	\$ 2,000.00
Dues to Minnesota Watershed Assn.	2,500.00
Salaries of Managers, per diem & mileage	20,000.00
Bond premiums & insurance, including workers compensation	5,000.00
Legal expenses	25,000.00
Engineering expenses	35,000.00
Newspaper notices & office expenses	3,000.00

Routine stream maintenance	30,000.00
Special projects	60,000.00
BWRS matching grant money	12,000.00
Marsh Water Project ad valorem assessment	<u>152,100.00</u>
TOTAL	\$346,600.00

Manager Melberg seconded the motion. The question was on the adoption of the proposed Budget for the year 2016. There were five "Yeas" and no "Nays" as follows:

Larry Phillips	Yea
Donald Belter	Yea
Corey Henke	Yea
Matt Melberg	Yea
Larry Kramer	Yea

The resolution was declared carried.

Manager Phillips informed the Board that it was necessary to consider the District's tax levy for the year 2016 voted on at the July meeting. After discussion, Manager Kramer offered the following resolution and moved its adoption:

RESOLVED, that Buffalo Creek Watershed District levy \$194,500.00 upon all taxable property in Buffalo Creek Watershed District located in the Counties of McLeod, Renville, Kandiyohi, Sibley and Carver, State of Minnesota, for the purpose of paying the administrative expenses of the District as provided by Minnesota Statutes §103D.905, Subd. 3.

Manager Henke seconded the motion. Upon vote there were five "Yeas" and no "Nays" as follows:

Donald Belter	Yea
Larry Phillips	Yea
Matt Melberg	Yea
Corey Henke	Yea
Larry Kramer	Yea

The resolution was declared carried.

It was then noted before the Board that an additional motion would be required regarding the ad valorem tax levy proposed at the July meeting for the funding of the Marsh Water Project in the amount of \$152,100.00, which was initiated by petition under Minnesota Statutes §103D.605. After discussion Manager Henke offered the following resolution and moved its adoption:

RESOLVED, that Buffalo Creek Watershed District levy \$152,100.00 upon all taxable property in Buffalo Creek Watershed District located in the Counties of McLeod, Renville, Kandiyohi, Sibley and Carver, State of Minnesota, for an ad valorem tax levy for the purpose of funding the Marsh Water Project pursuant to a petition initiated under Minnesota Statutes §103D.605.

Manager Melberg seconded the motion. Upon vote there were five "Yeas" and no "Nays" as follows:

Donald Belter	Yea
Larry Phillips	Yea
Matt Melberg	Yea
Corey Henke	Yea
Larry Kramer	Yea

The resolution was declared carried.

Engineer Eberhard next addressed the Board and noted that he had drafted a letter to Terry Albrecht of Hector, which sought to compel Mr. Albrecht to comply with the permit conditions previously issued for his project. Upon motion of Manager Henke, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers authorized President Belter to sign the letter and send it to Mr. Albrecht.

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 22, 2015 at **8:00** P.M. at its meeting place in the Glencoe City Center, 1107 11th Street E., Suite 103, Glencoe, MN 55336.

Matt Melberg, Secretary