

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 26th day of August, 2014 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 2014 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 2015 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 2015. 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 Phillips, which motion was seconded by Manager Kramer and unanimously carried, the hearing on the Budget for the year 2015 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 22, 2014. Manager Kramer noted that a correction should be made on page 3 of the minutes to change a stated .3 grade to 3%. With that correction, upon motion of Manager Phillips, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers approved the minutes of the meeting held on July 22, 2014.

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:

SAVINGS:

C.B. # 4206225.	\$ 91,965.91	
Rec'd: Interest	<u>2.31</u>	\$ 91,968.22
LESS: Transfer to checking		<u>6,128.52</u>
AUGUST BALANCE		\$ 85,839.70

CHECKING:

July balance	\$ 1,830.66	
Deposit from savings	<u>6,128.52</u>	\$ 7,959.18
LESS: Checks drawn		<u>6,523.07</u>
AUGUST BALANCE		\$ 1,436.11

PROJECT 79-2:

CD's #87051	\$ 6,507.56	
McLeod Co. Auditor/79-2 Fund	<u>22,130.66</u>	
TOTAL 79-2 Funds		\$28,638.22

Upon motion of Manager Henke, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved the Treasurer's 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	\$ 767.48
	Rinke-Noonan – consulting fees	
700.00	Houston Engineering	5,526.69
	ECM Publication – budget notice	179.34
	Hawk Publishing – budget notice	156.00
	Eberhard Consulting – engineering fees	1,744.83
	Mary Henke – secretarial services	103.13
	Linda Phillips – secretarial/accounting	112.50
	Corey Henke – per diem & mileage	96.16
	Donald Belter – per diem & mileage	82.84
	Larry Phillips – per diem & mileage	112.80
	Larry Kramer – per diem & mileage	117.56
	Matt Melberg – per diem & mileage	<u>108.60</u>
	TOTAL	\$ 9,806.93

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 on representatives from the City of Glencoe, which included Justin Black, the City Engineer. Mr. Black presented preliminary proposals for two projects planned by the City. The first proposal is the “North Pond Overflow Project”. He noted that the north pond pooling area originally had been designed to accommodate 100-year rain events. He stated that in 2013 and 2014 events exceeding the capacity of the pond had occurred, and thus there is a need to upgrade the system to avoid potential flooding in the future. He noted to the Board that the north ponds currently have approximately 1,000 acres of watershed draining into them. The City proposes to construct an emergency overflow drain to the east and south of the existing ponds. Most of the overflow system would be an open ditch which anticipates would be emptied into an existing private drainage ditch on the east edge of Glencoe. Thereafter followed a general discussion between the Managers and the City representatives regarding the proposed project and potential conflicts it might create, particularly with the discharge into an existing private ditch.

Mr. Black next outlined a second project the City anticipates called the “Lincoln Park & Armstrong Improvement Projects”. These projects affect an old section of the City. Mr. Black noted that present utilities are undersized and failing. The City is proposing street utility replacement, which would include increasing the size of storm drains in the area. He emphasized that all plans at this time are preliminary. A general discussion between Board members and City representatives followed, with suggestions being proposed that diversion of some of the drainage into holding areas would be appropriate.

President Belter next called on Jim Elfering, who appeared regarding his Application for Permit No. 2014-10. Engineer Eberhard had previously requested further information when the application was filed. He suggested some changes to the proposed system to correlate to a 3/8-inch coefficient. Upon motion of Manager Kramer, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved Permit No. 2014-10, with the provision that the project include 800 ft. of 24-inch tile and 1,200 ft. of 12-inch tile as previously recommended by Engineer Eberhard, or a smaller design if desired by the landowner.

President Belter next called upon Randall Thalmann, who was present to discuss a previously discussed project in Section 34 of Helen Township. Engineer Eberhard had reviewed the proposal drainage project and noted that it includes a drainage area of approximately 350 acres. He recommended that an engineering review be done to determine the flow from neighbors’ ponds and the effect on the drainage on the applicant’s area; or in the alternative, downsizing of the last 1,300 ft. of pipe to a 12-inch diameter from 15-inch as originally proposed by the applicant. 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. 2014-17. After considerable discussion between the landowner and the Board, Engineer Eberhard and Mr. Thalmann requested a project

change to reflect 2,800 ft. of 15-inch tile and 1,300 ft. of 12-inch tile. Engineer Eberhard recommended approval of the compromise. Upon motion of Manager Phillips, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved Permit No. 2014-17 as reflected by the compromise submitted by the landowner.

President Belter next called for any new permits. Manager Melberg presented an application for a permit. 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 submitted by Mr. Melberg for consideration and designated it Application for Permit No. 2014-18. Mr. Melberg presented the application on his own behalf and indicated that the project included construction of two 8-inch diameter tile lines. All information had been previously submitted to Engineer Eberhard, who recommended approval of the permit application. Upon motion of Manager Kramers, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers approved Permit No. 2014-18, with Manager Melberg abstaining.

Manager Phillips next submitted a permit application on behalf of Todd Sprengeler. Upon motion of Manager Phillips, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers accepted the application for a permit submitted for consideration and designated it Application for Permit No. 2014-19. On further discussion, it was noted that additional information would be required before permit approval. Upon motion of Manager Henke, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers tabled application for Permit No. 2014-19.

Manager Henke reported on the Eagle Lake dam project. He noted that an open house has been scheduled with the DNR on September 5, 2014. He also requested of Pete Kasal that a copy of the signed easement be provided to Ducks Unlimited. Upon motion of Manager Kramer, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers authorized Manager Henke to sign a Joint Powers Agreement on behalf of the Board in relation to the Eagle Lake dam project.

Manager Phillips next reported on the Marsh Water Project. He reported that a \$294,540.00 loan application, plus a \$10,000.00 grant for loan administration, was approved by the MPCA for the project. He noted that the Board needs to nominate a member to be authorized to sign the loan and grant documents. Upon motion of Manager Kramer, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Manager Phillips to sign the loan and grant documents on behalf of the Watershed District.

President Belter next called for items of new business. Manager Phillips presented a draft response created by the Rinke Noonan law firm to the Corps of Engineers rule proposal presently being considered. It was the general consensus of the Board that the matter be put on the September meeting agenda for further consideration.

Manager Melberg reported to the Board that he has observed work on the County Road #24 crossing of Buffalo Creek in Renville County, which included work on the

channel of Buffalo Creek. The Board noted that no notice of the proposed project had been presented to the Board and directed Engineer Eberhard to make inquiry.

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 2015 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 2015:

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 & non-recurring expenses	40,000.00
BWRS matching grant money	12,000.00
Marsh Water Project legal & engineering expenses	<u>20,000.00</u>
TOTAL	\$194,500.00

Manager Phillips seconded the motion. The question was on the adoption of the proposed Budget for the year 2015. There were five “Yea’s” and no “Nay’s” 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 2015 voted on at the July meeting. After discussion, Manager Kramer offered the following new 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 “Yea’s” and no “Nay’s” as follows:

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

The resolution was declared carried.

President Belter next noted that because of recent appointees to the Board, that a new reorganization of the Board officers should be entertained and called for nominations. Manager Kramer nominated Manager Belter as President. Manager Henke moved and Manager Kramer seconded to close the nomination, and the Board cast a unanimous ballot to approve the nomination and elected Manager Belter President.

President Belter next accepted the following slate of officers for nomination:

Vice President	Larry Kramer
Secretary	Matt Melberg
Treasurer	Larry Phillips
Financial Secretary	Corey Henke

Upon motion of Manger Henke, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers moved to close the nominations and cast a unanimous vote for all of the officers as nominated.

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 23, 2014 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