

**MINUTES OF MEETING OF MANAGERS**  
**OF BUFFALO CREEK WATERSHED DISTRICT**

The Managers of Buffalo Creek Watershed District met on the 23rd day of August, 2016 at 7:30 P.M. at its regular meeting place at Suite 103, Glencoe City Center, 1107 11<sup>th</sup> Street E., Glencoe, MN, for a public hearing on the proposed Budget for the Watershed District for the year 2017 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 2017 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 2017. 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. President Belter called for any public comments on the proposed Budget. After determining that there were no comments, the hearing on the Budget for the year 2017 was adjourned.

President Belter called the regular meeting of the Board of Managers to order at 8:00 P.M.

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 26, 2016. Upon motion of Manager Henke, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved the minutes of the meeting held on July 26, 2016.

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.	\$ 95,443.05
Rec'd: Interest	2.28
Carver County settlement	<u>656.07</u>
	\$ 96,101.40

LESS: Transfer to checking	3,676.99
Withholding for second quarter	722.96
JD Branch "M"	91.50
McLeod Co. Ditch 33	<u>5,947.72</u>

AUGUST BALANCE \$ 85,662.23

CHECKING:

July balance	\$ 1,000.00
Deposit from savings	3,676.99
Transfer from savings – JD Branch "M"	91.50
Transfer from savings – McLeod Co. Ditch 33	<u>5,947.72</u>

LESS: Checks drawn	\$10,716.21
	<u>9,716.21</u>

AUGUST BALANCE \$ 1,000.00

PROJECT 79-2:

McLeod Co. Auditor/79-2 Fund	\$22,310.57
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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	\$ 804.10
Rinke-Noonan	7,483.92
McLeod Ditch No. 22 viewers	6,560.60
Drop & Go	12.75
McLeod Publishing – Ditch No. 33	231.40
Hubin Publishing – budget publication	145.02
Eberhard Consulting	1,228.33
Mary Henke – secretarial services	290.63
Linda Phillips – secretarial/accounting	121.42
Corey Henke – per diem & mileage	94.44
Donald Belter – per diem & mileage	183.48
Larry Phillips – per diem & mileage	155.94
Larry Kramer – per diem & mileage	116.04
Matt Melberg – per diem & mileage	<u>114.96</u>

TOTAL \$17,543.03

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

President Belter next called for any new permits. Engineer Eberhard reported receiving a permit request from the City of Glencoe for extension of a drainage line near the Glencoe High School. He noted that the request is incomplete and asked that the Board take no action until further information is received.

Manager Melberg introduced an application for a permit submitted by Kevin Dettman. Upon motion of Manager Phillips, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers accepted the permit application for consideration and designated it Application for Permit No. 2016-18. Manager Melberg indicated that the applicant wants to install a 10-inch line to drain approximately 40 acres and that the project is within the guidelines set by the Board. Upon motion of Manager Phillips, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers approved Permit No. 2016-18.

An application for a permit was submitted by Jack Squibb. Upon motion of Manager Phillips, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers accepted the permit application for consideration and designated it Application for Permit No. 2016-19. Engineer Eberhard indicated that the permit application seeks to install an 18-inch line at approximately .08 grade to replace an existing line. He noted that he needs additional information before he can make recommendations. Upon motion of Manager Henke, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers tabled Application for Permit No. 2016-19.

President Belter next called for items of old business. Manager Phillips reported regarding the Marsh Water Project. He stated that 4 easements still need to be signed. The Army Corps of Engineers' permit is still pending and there appears to be a dispute with the Army Corps of Engineers as to the placement of a holding pond as proposed.

Engineer Eberhard reported to the Board that he has consulted with Attorney Kolb regarding the City of Glencoe petition recently submitted to the Board. He noted that Mr. Kolb recommends no action be taken until further evaluation of the petition.

President Belter called for items of new business. Engineer Eberhard provided to the Board a draft Viewers' Report for Judicial Ditch No. 15 – Branch "M". Upon motion of Manager Kramer, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers accepted the draft for inclusion in the Board's minutes. It was noted that an informational hearing needs to be set for the project. Engineer Eberhard suggested that the meeting be held at the Hector Community Center on September 26 at 7:00 P.M. After discussion, upon motion of Manager Henke, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers scheduled the hearing to be held on September 26, 2016 at 7:00 P.M. at the Hector Community Center. A final hearing will be scheduled in November for the entire Judicial Ditch No. 15 Viewers' Report.

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 2017 had been made. After discussion among the Board members concerning

the Budget, including a recommendation to amend the ad valorem assessment for the Marsh Water Project from \$152,100.00 to \$210,000.00, Manager Henke made a motion to amend the proposed 2017 Budget to increase the ad valorem assessment from \$152,100.00 to \$210,000.00. 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 2017:

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	72,000.00
Marsh Water Project ad valorem assessment	<u>210,000.00</u>
TOTAL	\$404,500.00

Manager Melberg seconded the motion. The question was on the adoption of the proposed Budget for the year 2017. 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.

President Belter next called for consideration of assessments on the Marsh Water Project. It was noted that previously the landowners’ assessments within the project area were set at \$286,766.00 and the total assessment for the City of Glencoe at \$156,960.00. Manager Henke made a motion to set the landowners’ assessment at \$28,766.00 per year for a period of 10 years beginning in 2017 and the assessment for the City of Glencoe at \$15,696.00 per year for a period 10 years beginning in 2017. Said motion was seconded by Manager Kramer. Upon roll call vote, 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 2017. After discussion, Manager Phillips 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 Melberg 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 called for the Board to consider the ongoing compensation rates for secretarial, accounting and website work provided to the Board. Upon motion of Manager Melberg, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers approved a compensation rate of \$18.75 per hour for those services.

Engineer Eberhard advised the Board that he would like to recess the present meeting to September 6 at 7:00 P.M. for consideration of contract awards on the Ditch No. 33 project only. Upon motion of Manager Henke, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers approved a recess of the meeting to September 6 at 7:00 P.M. for consideration of the contract awards on the Ditch No. 33 project.

There being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the Board of Managers adjourned the regular meeting of the Board of Managers to Tuesday, September 27, 2016 at 8:00 P.M. at its meeting place in the Glencoe City Center, 1107 11<sup>th</sup> Street E., Suite 103, Glencoe, MN 55336.

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Matt Melberg, Secretary