

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 22nd day of November, 2016, at 1:00 P.M. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN, for its regular monthly business meeting and the continued final hearing on the Branch "M" Ditch No. 15 improvement project.

The following members were present: Donald Belter
 Larry Phillips
 Matt Melberg
 Larry Kramer
 Corey Henke

Also attending the meeting were: Pete Kasal, Attorney
 Charles Eberhard, Engineer

President Belter called the meeting to order and announced the first order of business was the continued final hearing initially held on November 15, 2016, regarding the Branch "M" Ditch No. 15 improvement project. Maury Noonan of the Rinke Noonan law firm presented to the Board a proposed Findings and Order for the improvement project. After a short discussion, it was moved by Manager Henke, which motion was seconded by Manager Kramer, to adopt the Findings and Order as drafted. There being four "Yea's" and Manager Melberg abstaining, the Findings and Order were adopted.

President Belter next called for consideration of the minutes of the regular meeting of the Board of Managers held on October 25, 2016. 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 October 25, 2016.

President Belter 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	\$ 21,264.54	
Rec'd: Interest	.17	
MN State – MC ACH	<u>2,562.97</u>	
		\$ 23,827.68
LESS: Transfer to checking		3,535.15
3 rd Quarter W/H		482.62
Bolton & Menk, Inc. – McLeod Co. Ditch No. 33		<u>3,359.00</u>
NOVEMBER BALANCE		\$156,450.91

CHECKING:

October balance	\$ 1,000.00	
Moved from savings to cover checks issued	3,535.15	
Transferred from savings – Co. Ditch No. 33	<u>3,359.00</u>	
		\$ 7,894.15
Transfer from savings to cover checks issued		<u>(6,894.15)</u>

NOVEMBER BALANCE \$ 1,000.00

PROJECT 79-2:

McLeod Co. Auditor/79-2 Fund	\$22,310.57	
Rickert Excavating – Washout on Wayne Renneke farm	<u>(995.69)</u>	
		\$21,314.88

Upon motion of Manager Kramer, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved the Treasurer's report.

President Belter called upon Perry Collins, President of Castle Rock Contracting & Tree Service. Mr. Collins presented a proposal for tree clearing on the Buffalo Creek channel. The Board took the proposal under advisement and advised Mr. Collins that they would be in contact with him in the near future.

Engineer Eberhard reported on Application for Permit No. 2016-27. Upon motion of Manager Kramer, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved removing Application for Permit No. 2016-27 from the table. Engineer Eberhard had obtained an engineering review of the effects of removing the existing cattle pass on County Road No. 3 as originally proposed by the applicant, McLeod County. He noted that no adverse drainage effects would be expected. After an extensive discussion with representatives of McLeod County and several landowners adjacent to the project who were in attendance, the Board asked the parties to try and resolve their issues with regard to the project and submit a proposal that can be acted on by the Board of Managers. Upon motion of Manager Kramer, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers tabled Application for Permit No. 2016-27.

President Belter next called for agenda item - Marsh Water Project. Engineer Otterness reported that he has met with Seneca representatives and has resolved several easement issues. He noted there is an updated construction schedule. The final draft specifications have been completed and he anticipated construction bids to be let at the December Board meeting. He stated that the Corps of Engineers permit is still pending but progress has been made.

President Belter next called for agenda item – Ditch No. 33. Engineer Eberhard submitted a bill for testing of bedding aggregate used in the project. The bill had been submitted by American Engineer Testing. Upon motion of Manager Phillips, which motion was seconded by Manager Melberg, by unanimous vote the Board of Managers approved payment of the bill submitted by American Engineer Testing. Manager Phillips reported that on this project there was a change order necessitated on a lateral because of a conflict with an existing gas line in the area.

Application for Permit No. 2016-10 submitted by the U.S. Fish & Wildlife Service, which had previously been tabled, was next discussed. Engineer Eberhard noted that he has sent emails to the Fish & Wildlife Service and has not received any response to his inquiries. Upon motion of Manager Melberg, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers denied Application for Permit No. 2016-10.

President Belter next called for items of new business. Engineer Eberhard advised the Board that he had sent a letter to a landowner near Glencoe who was reported to have installed a 15-inch tile line without a permit. He noted that he had advised the landowner that they must report to the Board at the December meeting with regard to the project and have the line surveyed.

Chris Otterness of Houston Engineering reported on the TMDL study recently completed for the south fork of the Crow River. He expressed no immediate concerns that the results of the study would affect Buffalo Creek, but advised the Board that the process needs to be monitored. He requested that the Board authorize him to represent the Board's interests in the ongoing process. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers authorized Mr. Otterness to represent the Board in discussions regarding the south fork of the Crow River.

Manager Henke next reported on a request received from Shady Lane Hunting Club asking the Board to contribute to the upgrade of their septic system. After a brief discussion, the Board determined that they will review the request and address it at the December meeting.

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	\$ 744.12
Rinke Noonan	6,732.50
Houston Engineering	11,187.39
Standard Publishing	118.11
Hubin Publishing	489.93
Eberhard Consulting	1,569.54
Linda Phillips – secretarial/accounting	120.02
Mary Henke – secretarial	131.15
Corey Henke – per diem & mileage	169.44
Donald Belter – per diem & mileage	242.82
Larry Phillips – per diem & mileage	102.92
Larry Kramer – per diem & mileage	213.72
Matt Melberg – per diem & mileage	<u>193.20</u>
	\$22,014.86

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

Engineer Eberhard next advised the Board that it was necessary for the Board to approve an easement agreement with the Lutheran Church Cemetery Assn. in regard to the Marsh Water Project. Upon motion of Manager Melberg, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers authorized President Belter to enter into the easement agreement with the Lutheran Church Cemetery Assn.

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 27 at 1:00 P.M. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Matt Melberg, Secretary