

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 23rd day of April, 2013, at 8:00 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.

The following members were present:

Donald Belter
Charles Kubesh
Larry Phillips
Corey Henke
Larry Kramer

Also attending the meeting were:

Charles Eberhard, Engineer
Pete Kasal, Attorney

President Belter called the meeting to order. The first order of business was the consideration of the minutes of the regular meeting of the Board of Managers held on March 26, 2013. Upon motion of Manager Kubesh, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers approved the minutes of the regular meeting held on March 26, 2013.

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	\$	6,129.16
Rec'd: Interest (Savings #4206225)		.36
Redeemed CD #8358		<u>75,483.10</u>
		\$ 81,612.62
LESS: Transfer to checking		<u>4,296.18</u>
APRIL BALANCE		\$ 77,316.44
 <u>CHECKING:</u>		
March balance	\$	1,486.01
Deposit from savings		<u>4,296.18</u>
		\$ 5,782.19
LESS: Checks drawn		<u>4,240.74</u>
APRIL BALANCE		\$ 1,541.45

PROJECT 79-2:

CD's #7949 & 11550 redeemed	\$9,978.58	
LESS: 79-2 expense	<u>2,448.29</u>	
New CD #87051		\$ 7,530.29
McLeod Co. Auditor/79-2 Fund		<u>21,271.63</u>
TOTAL 79-2 Funds		\$ 28,801.92

Upon motion of Manager Henke, which motion was seconded by Manager Kramer, 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. Manager Phillips reported bills that had been presented to the Board as follows:

Kasal Law Office – attorneys fees	\$ 1,014.26
Rinke Noonan – consulting fees	2,160.00
City of Glencoe	150.00
Eberhard Consulting – engineering fees	1,665.18
Mary Henke - secretarial	318.75
Linda Phillips – secretarial/accounting	148.00
Corey Henke – per diem & mileage	330.51
Donald Belter – per diem & mileage	352.55
Larry Phillips – per diem & mileage	241.95
Larry Kramer – per diem & mileage	117.94
Charles Kubesh – per diem & mileage	<u>111.16</u>
TOTAL	\$ 6,610.30

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

President Belter next called upon John Kolb of the Rinke Noonan law office. Mr. Kolb presented a report on the Marsh Water Project which explained in more detail a previous memo that was sent to the Board. He noted that the project was initiated by Board action directly, and indicated that there were two distinct ways to pay for the project. The first is to assess for benefits created as a result of the project, or by funds generated by Board action by general levy over the watershed, which includes general administrative funds. Mr. Kolb noted that a combination of the two options could be considered depending on the various benefits produced by the project itself. The benefits could be classified in different categories, such as improving water quality, flood control, stormwater drainage or other corrective benefits. He noted that the project appears to be very worthwhile and needed, but he indicated that other watershed districts he has consulted with had to struggle with funding sources for similar projects.

Chris Otterness of Houston Engineering was also present and contributed to the discussion. Houston Engineering had put together the engineering study for the project. The Board was advised by Mr. Kolb that the Board needs to establish a water management district and obtain BWSR approval of an amendment from the District's

Water Management Plan, which would incorporate the project. Matt Johnson of MidMinnesota was also in attendance and asked what the timeline for the project might be. He indicated he has been assisting McLeod County in completing their Water Management Plan, and their intent is to seek grants for projects within the county. He indicated that this project would be included in the various objectives of the county plan. Mr. Kolb indicated that if the project advances at a reasonable pace, actual construction could begin in the fall of 2014. Mr. Otterness also added that steps have already been taken to apply for Clean Water Grants from the State of Minnesota.

Thereafter a general discussion was held among those present and the Board members as to the allocation of benefits and if various categories could be determined. Gary Schreifels of the City of Glencoe was also present. He indicated that a pressing need of the City was to avoid any further disruptions in the stormwater system connected to the project area. He noted that these overloads or disruptions had been a significant factor in the past. Mr. Kolb suggested that it would be advantageous if the Board, rather than initiating a petition on its own behalf, would obtain a petition from the City of Glencoe for the project. He indicated that this would make it much easier to form a water management district. Mr. Kolb indicated that he would undertake contacting the Glencoe City Council for an appearance to propose that procedure.

President Belter next called upon Jeff Stamer, who had previously submitted Application for Permit No. 2012-18 to the Board for a drainage project he has recently completed in Lynn Township, McLeod County. Engineer Eberhard addressed the Board on the project, and in doing so presented a map of the area. He indicated that as a result of the project all the acres within the project are now drained into a lift pump, which discharges into an existing 18-inch culvert. He noted that U.S. Fish & Wildlife in previous presentations to the Board had expressed some concern as to the discharge and its location. Engineer Eberhard indicated that there are actually two pumps at the discharge point, one for what appears to be normal run-off discharge, and the second pump to assist if there is an extreme event to handle excess water coming to the area. Engineer Eberhard suggested as a compromise that the Board allow one pump to discharge into the existing 18-inch culvert, and the second pump which handles excess discharge should be routed through a tile line to the south end of the property to a second discharge point so as to minimize the discharge at a single point through the 18-inch culvert. He also indicated another condition he would like for approval was that Mr. Stamer reimburse the Watershed District for approximately \$420.00 for engineering time. He also suggested that Mr. Stamer be aware that he would be liable for any damages that could be caused by excess discharge onto the Fish & Wildlife property. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Permit No. 2012-18 subject to the conditions set forth by Engineer Eberhard.

President Belter next called upon Matt Johnson of MidMinnesota. Mr. Johnson reported on the updating of the Watershed's Overall Plan for water management. He indicated the plan must be updated and submitted by the end of 2013. He made some initial recommendations as to changes in the Overall Plan and also provided a timetable to the Board for completion of the update. Upon motion of Manager Kubesh, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers authorized Mr. Johnson to update the Overall Plan.

Engineer Eberhard next reported on Application for Permit No. 2013-16. He indicated there needed to be additional time to assess the application and asked that the matter be considered at a later date. He also indicated regarding Application for Permit No. 2013-17 that no action be taken at this time.

President Belter called upon Ken Schiroo of Glencoe. Mr. Schiroo entered into a general discussion with the Board of the problems associated with the holding ponds operated by the City of Glencoe.

Manager Henke and Engineer Eberhard reported that they attended a meeting recently with a Ducks Unlimited of McLeod County representative to discuss the replacement of the dam on Eagle Lake. They indicated that the plan process is moving forward and that the lake will be drained sometime prior to beginning actual construction. They noted that a public hearing is expected to be held regarding the project in November of 2013.

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 May 28, 2013 at **8:00** P.M. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Charles Kubesh, Secretary