

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

The Managers of Buffalo Creek Watershed District met on the 28th day of May, 2013, at 8:00 P.M. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11<sup>th</sup> 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

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 April 23, 2013. One correction was noted. "Jeff" Stamer should be changed to "Dale" Stamer in the middle paragraph of page 3. Upon motion of Manager Kubesh, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers approved the corrected minutes of the regular meeting held on April 23, 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	\$ 77,316.44
Rec'd: Interest	2.00
League of MN Cities	<u>54.00</u>
	\$ 77,372.44
LESS: Transfer to checking	<u>6,610.30</u>
	\$ 70,762.14
 <u>CHECKING:</u>	
April balance	\$ 1,541.45
Deposit from savings	<u>6,610.30</u>
	\$ 8,151.75
LESS: Checks drawn	<u>7,031.93</u>
	\$ 1,119.82

<u>PROJECT 79-2:</u>		
CD's #87051	\$7,530.29	
Interest	<u>9.47</u>	\$ 7,539.76
McLeod Co. Auditor/79-2 Fund		<u>21,271.63</u>
TOTAL 79-2 Funds		\$ 28,811.39

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

Randy Kramer (1<sup>st</sup> District Commissioner/Renville County), Larry Zupke (Renville Co. Ditch Inspector), and Charles Melberg were in attendance at the meeting with regard to Engineer Eberhard's May 9 letter directed to Barbara Melberg outlining permit requirements for a ditch closing. Renville County had authorized abandonment of Branch 13 of County Ditch 132 and an Engineer's Report was sent to Charles Melberg. It has been determined that the Melberg's are in violation of Buffalo Creek Watershed District Rules & Regulations. The letter requested an after-the-fact permit application be submitted to the Board of Managers at their May 28 meeting. There is also a question from the County Engineer about box culverts on County Road #54 near Buffalo Lake (Permit No. 2013-7). Commissioner Kramer asked what the Board expects or needs permits for and what the Board doesn't require permits for. Questions were addressed about the Melberg letter and procedures and what the Board does to follow up on matters. Engineer Eberhard explained the permit process and why the letter was sent to Mrs. Melberg. He had also visited the site in question. He then reviewed all the information provided to him and issued the subject letter. Engineer Eberhard had also reviewed an e-mail from the design engineer and is recommending to the Board that we allow the culverts as proposed. Mr. Zupke also commented on the ditch issues, and Mr. Melberg expressed his concerns and problems with the process involved in closing a ditch. Engineer Eberhard stated the drainage area was more than originally stated and reiterated that an after-the-fact permit is required by the Watershed's Rules & Regulations.

Matt Johnson of MidMinnesota was also in attendance and pointed out the permit policy in our Overall Plan, which is currently being updated. He stated that any tile line over 8 inches requires a permit and any tile that crosses a property line requires a permit. He also stated that the County Boards need to look at the issues and work together.

The next item discussed was Application for Permit No. 2013-7 by Renville County to replace a bridge in Preston Lake Township, which proposes three 14 ft. x 14 ft. box culverts. Engineer Eberhard recommends that the permit be approved. Manager Henke made a motion to take Application for Permit No. 2013-7 off the table, which motion was seconded by Manager Phillips and unanimously approved. Manager Phillips made a motion to approve the permit as recommended. Manager Kramer seconded the motion and by unanimous vote the Board of Managers approved Permit No. 2013-7 subject to Engineer Eberhard's recommendations.

Mr. Zupke inquired as to Renville County Road #8 recommendations. Engineer Eberhard said he has not had a chance to contact the engineer. The County does need to apply for a permit for the project.

Matt Johnson advised the Renville County representatives in attendance that he will be sending something to the counties to ask for their recommendations for the Watershed's Overall Plan and Rules & Regulations. In addition, a 3/8-in. coefficient is being questioned, and Mr. Johnson said we might be able to work out a compromise.

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	\$ 950.26
Rinke Noonan – consulting fees	1,114.00
Houston Engineering	1,581.50
Eberhard Consulting – engineering fees	1,601.83
Mid-Minnesota Development Commission	3,300.00
Mary Henke - secretarial	285.94
Linda Phillips – secretarial/accounting	126.56
Corey Henke – per diem & mileage	170.34
Donald Belter – per diem & mileage	82.71
Larry Phillips – per diem & mileage	77.83
Larry Kramer – per diem & mileage	117.94
Charles Kubesh – per diem & mileage	<u>111.16</u>
TOTAL	\$ 9,520.07

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

Matt Johnson of Mid-Minnesota presented a Contract for Professional Services for the development and preparation of an Overall Plan for the Watershed District. The contract had been verbally approved at the last Board meeting and 2 signed copies are required. President Belter signed the contract and a copy will be made a part of the minutes of this meeting.

Mr. Johnson also described a photo contest for photos to be used in Buffalo Creek Watershed District promotional materials. He felt this would be good for public relations. He is also proposing an open house and plan kick-off for 6:30 – 7:30 prior to the Board meeting on June 25. He also suggested the Board look at its Advisory Committee to determine who should be kept, removed or added and that the Advisory Committee members be formally approved.

Mr. Johnson reported that he will be attending a FEMA meeting in McLeod County tomorrow morning and that Buffalo Creek Board members are welcome to attend also. He then provided a brief Marsh Water Project update on grant availability.

President Belter called for any new permits. Engineer Eberhard reported that the City of Brownton wants to install 2-in. polyethylene natural gas lines in the entire city. The northern portion of the project would require going under the Buffalo Creek streambed. Upon motion of Manager Phillips, which motion was seconded by Manager

Kubesh, by unanimous vote the Board of Managers accepted the application for a permit from the City of Brownton for consideration and designated it Application for Permit No. 2013-8. Engineer Eberhard recommended approval with the condition that all tile line crossings encountered must be repaired. Upon motion of Manager Phillips, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers approved Permit No. 2013-8 with the repair condition.

President Belter called for items of old business. Engineer Eberhard reported nothing new had been received on Application for Permit No. 2013-3 and he is recommending that the permit be denied because of lack of information. A motion to deny the permit was made by Manager Henke, seconded by Manager Kramer and unanimously carried.

With regard to Application for Permit No. 2013-6, Engineer Eberhard reported that the tile line had been surveyed and he had examined the cut sheet and visited the site. He is recommending approval with the conditions that there be no open intakes and the last 1,200 ft. of tile have a 12-in. tile instead of a 14-in. as requested. Upon motion of Manager Kubesh, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Permit No. 2013-6 with the two conditions.

Engineer Eberhard stated there will be a telephone conference regarding the Marsh Water Project on June 6. Houston Engineering will be sending the Board a contract for hourly fees. After discussion, a motion to authorize President Belter to sign the contract was made by Manager Kubesh. The motion was seconded by Manager Phillips and unanimously carried.

President Belter called for items of new business. Manager Phillips reported that he had received \$420.00 from Hector Farms Family Partnership (Dale Stamer). It was also noted that the summer MAWD meeting is June 20-21. Manager Phillips also reported that there is some repair work going on under the road near Seneca and Seneca is paying for the repair.

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 June 25, 2013 at **8:00 P.M.** at its regular meeting place in Suite 103, Glencoe City Center, 1107 11<sup>th</sup> Street E., Glencoe, MN.

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Charles Kubesh, Secretary