

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

The Managers of Buffalo Creek Watershed District met on the 26th day of November, 2013, at 1:00 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:

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 October 22, 2013. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved the minutes of the regular meeting held on October 22, 2013.

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	\$ 101,810.96
Rec'd: Interest	<u>3.71</u>
	\$ 101,814.67
LESS: Transfer to checking	15,666.92
LMC refund transferred to checking	<u>655.00</u>
NOVEMBER BALANCE	\$ 85,492.75
 <u>CHECKING:</u>	
October balance	\$ 2,525.31
Deposit from savings	15,666.92
LMC refund	<u>655.00</u>
	\$ 18,847.23
LESS: Checks drawn	<u>16,002.07</u>
NOVEMBER BALANCE	\$ 2,845.16

<u>PROJECT 79-2:</u>		
CDs #87051	\$7,530.29	
Interest	<u>28.86</u>	\$ 7,559.15
McLeod Co. Auditor/79-2 Fund		<u>21,271.63</u>
TOTAL 79-2 Funds		\$ 28,830.78

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

President Belter next called upon Roger Berggren of the McLeod County Environmental Office. Mr. Berggren asked if the Board would consider contributing to the cost of an aerial survey project for McLeod County scheduled for 2014. He suggested a contribution of approximately \$9,600.00 to cover approximately one-half of the cost of the project. The matter was tabled pending review with Engineer Eberhard.

President Belter next called upon representatives of the City of Glencoe who were in attendance. Justin Black presented an aerial photo of an area of the City adjacent to Buffalo Creek. He indicated that the City of Glencoe is proposing construction of an overflow spillway for use during large rain events. The construction is proposed for 2014. During the last major rain event in June, 2013, the backup of water from this area posed a significant threat to several homes in the area. Mr. Black provided a detailed map to the Board of the proposed project. It was the consensus of the Board of Managers that they will review the matter with the Board Engineer and report back to the City. Mr. Black provided a second map of the northern edge of Glencoe, particularly the area around North Country Estates. He stated that a local landowner has proposed draining another 60 acres of farmland toward the retention pond in the Estates instead of through Glencoe's stormwater sewer system and that the City would like input from the Board regarding the proposed change. Mr. Black also presented a third map depicting the northwest corner of Glencoe where the retention pond of North Country Estates drains into a private ditch and then south along the west edge of Glencoe, ultimately outletting into Buffalo Creek. He indicated the City would like to clean the private ditch to improve drainage in that area.

After a significant discussion regarding the area and its drainage problems, upon motion of Manager Henke, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers approved a contribution to split the cost with the City of Glencoe for cleaning out the private ditch. The total cost of the project is estimated at \$3,500.00.

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 ó attorneys fees	\$ 675.72
Rinke Noonan ó consulting fees	200.00
Houston Engineering	961.75
Olson & Sons	1,575.00
Eberhard Consulting ó engineering fees	3,017.14

Mary Henke - secretarial	239.06
Linda Phillips ó secretarial/accounting	117.19
Corey Henke ó per diem & mileage	640.68
Donald Belter ó per diem & mileage	566.16
Larry Phillips ó per diem & mileage	609.75
Larry Kramer ó per diem & mileage	117.94
Charles Kubesh ó per diem & mileage	<u>111.16</u>
TOTAL	\$ 8,831.55

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

Manager Henke presented to the Board an application for a permit submitted by the City of Stewart to riprap the stormsewer outlet of the City into Buffalo Creek. 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 for consideration and designated it Application for Permit No. 2013-22. Manager Henke indicated that Engineer Eberhard had reviewed and approved the project. Upon motion of Manager Kubesh, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Permit No. 2013-22.

Manager Henke next provided to the Board a second permit application submitted by the City of Stewart. Upon motion of Manager Henke, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers accepted the application for a permit for consideration and designated it Application for Permit No. 2013-23. The Board was informed that the City of Stewart had installed a catch basin during a stormsewer system update and construction which drained a small area of High Island Watershed District into Buffalo Creek Watershed District. Engineer Eberhard reviewed the project and approved the application. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Permit No. 2013-23.

Manager Henke next submitted an application for a permit submitted by Donald Dammann. Upon motion of Manager Kramer, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers accepted the application for a permit for consideration and designated it Application for Permit No. 2013-24. The permit application proposes closing 2 open intakes, replacing an existing 12-in. line, and installing 650 ft. of 18-in. line. All necessary easements have been obtained and no new drainage area was added. Upon motion of Manager Henke, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers approved Permit No. 2013-24.

Attorney Kasal reported to the Board that he has again contacted Orlando Hillman's attorney regarding the Eagle Lake outlet easement. He indicated Mr. Hillman's attorney stated he would again contact Mr. Hillman to try and get the easement signed and submitted.

Manager Henke presented a preliminary plan submitted by Ducks Unlimited regarding the Eagle Lake outlet dam. He indicated that a meeting is proposed for December 10, 2013 at 9:00 A.M. with DNR and DU representatives. He requested that Attorney Kasal also attend the hearing.

Manager Henke next reported that the County Ditch No. 4 capacity survey work has been completed and will be submitted shortly.

Manager Henke then reported on a drainage issue regarding County Ditch No. 64 in McLeod County. He indicated that a landowner had pattern tiled a farm into County Ditch No. 64. Watershed maps indicate a portion of the farm appears to be in High Island Watershed District rather than Buffalo Creek Watershed District, but it was noted that the entire parcel is assessed into County Ditch No. 64. Engineer Eberhard had reviewed the area and determined that the drainage was allowed because the land was presently assessed into County Ditch No. 64.

President Belter next called for items of new business. Managersø Phillips and Henke reported that they and Engineer Eberhard had attended a meeting in Renville County concerning the overall Watershed plan.

Manager Henke reported that he had met with the Soybean Growersø Assn. and their attorney regarding the TMDL designation of Buffalo Creek by the MPCA. He indicated that he was advised that no further action seems feasible with the MPCA regarding the dispute concerning the findings of the study.

Manager Phillips reported that the contractor has inquired about channel clearing of Buffalo Creek for the upcoming year. It was the consensus of the Board that they would proceed with channel clearing as they have in the past.

Manager Phillips reported that delegates need to be appointed for the MAWD annual meeting. After discussion, it was agreed that Managersø Phillips and Henke would be delegates to the meeting, with Manager Belter being the alternate.

The Board then discussed the December meeting, which is regularly scheduled to occur on December 24, which is Christmas Eve. It was the consensus of the Board that the meeting needed to be changed. Upon motion of Manager Kubesh, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers agreed to change the regular December meeting to December 23 at 1:00 P.M. Attorney Kasal was instructed to provide the proper public notice of the change.

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 December 23, 2013 at 1:00 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