

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 26th day of February, 2013, 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.

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 to welcome new Board member, Larry Kramer, who has been appointed by Renville County. His address is 87132 State Hwy. 4, Hector, MN 55342.

President Belter announced the next order of business was the consideration of the minutes of the regular meeting of the Board of Managers held on January 22, 2013. Upon motion of Manager Kubesh, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers approved the minutes of the regular meeting held on January 22, 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:

SAVINGS:

C.D.	\$ 58,059.96	
C.B.	55,733.58	
Rec'd: Interest to 12/28/12 (C/D #8358)	17,539.84	
Interest (Savings #4206225)	1.22	
McLeod County	604.93	
Renville County	1,707.00	
Renville County	10.19	
Sibley County	22.29	
Kandiyohi County	20.79	
Carver County	<u>13.64</u>	
		\$ 133,713.44
LESS: Transfer to checking		<u>24,290.74</u>
		\$ 109,422.70

CHECKING:

January balance	\$ 1,275.52	
Deposit from savings	<u>24,290.74</u>	\$ 25,566.26
LESS: Checks drawn		<u>24,184.86</u>
FEBRUARY BALANCE		\$ 1,381.40

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 Kubesh, which motion was seconded by Manager Henke, 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	\$ 1,237.82
Rinke Noonan – consulting fees	768.00
Larry Kunkel – beaver trapping	105.00
City of Glencoe – rent	1,200.00
Castle Rock Tree Service	11,440.00
U.S. Postal Service – box rental	78.00
Standard Printing	131.00
MAWD – annual dues	2,506.81
Houston Engineering	4,965.50
League of Minnesota Cities	93.00
Eberhard Consulting – engineering fees	1,766.48
Jerry Scharpe – audit	1,800.00
Mary Henke – secretarial	333.00
Linda Phillips – secretarial/accounting	146.54
Corey Henke – per diem & mileage	253.25
Donald Belter – per diem & mileage	185.03
Larry Phillips – per diem & mileage	457.62
Larry Kramer – per diem & mileage	117.94
Charles Kubesh – per diem & mileage	<u>111.16</u>
TOTAL	\$27,696.15

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

President Belter next called upon Perry Collins of Castle Rock Tree Service concerning the channel clearing project currently undertaken on Buffalo Creek. Mr. Collins indicated the scheduled work had been completed and that no unforeseen difficulties had been encountered.

President Belter next called upon Jim Steinbach, who was present to inquire as to the conditions contained in a previous permit issued in 2012 to Michael Loncorich for a drainage project draining Judicial Ditch No. 4. Mr. Steinbach requested that the Board verify that Mr. Loncorich's project had followed the grade specs of the permit. Engineer Eberhard indicated to Mr. Steinbach that he would follow up on his request and attempt to obtain additional information from the contractor hired by Mr. Loncorich.

President Belter next called upon Larry Dreier of Norwood, MN. Mr. Dreier indicated to the Board that he is proposing a drainage project in Carver County near the McLeod County line but within the Buffalo Creek Watershed District. The project includes approximately 1,200 ft. of tile outletting into what is commonly known as "Misery Creek". After discussion, Mr. Dreier was advised that more information would be needed for the project. Upon motion of Manager Kubesh, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers accepted Mr. Dreier's application for a permit for consideration and designated it Application for Permit No. 2013-3. Mr. Dreier acknowledged that he would provide the additional information request by the Board's engineer. Upon motion of Manager Henke, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers tabled Application for Permit No. 2013-3.

President Belter next called for any other new permits. Engineer Eberhard presented a permit application he had received from MnDOT for work on Highway 212 starting east of Glencoe and ending near Plato. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers accepted MnDOT's application for a permit for consideration and designated it Application for Permit No. 2013-4. After a review by Engineer Eberhard and his recommendation for approval, upon motion of Manager Phillips, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers approved Permit No. 2013-4.

Engineer Eberhard next submitted an application for a permit on behalf of Donald Gruenhagen. Upon motion of Manager Kubesh, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers accepted Mr. Gruenhagen's application for a permit for consideration and designated it Application for Permit No. 2013-5. Engineer Eberhard indicated to the Board that he had reviewed the application, which proposed approximately 1,375 ft. of tile line, 12-in. and 10-in. diameter. He indicated that the project intends to drain approximately 75 acres. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Permit No. 2013-5,

President Belter next called for items of old business. Engineer Eberhard addressed the Board regarding Application for Permit No. 2013-1, previously submitted by Charles Melberg. Engineer Eberhard indicated to the Board he has asked Larry Zupke, the drainage representative for Renville County, to set up a meeting with Mr. Zupke and Mr. Melberg. The proposed project may seek to replace a county tile line. There appears to be a number of issues to resolve before the permit can be approved.

Engineer Eberhard next addressed Application for Permit No. 2012-18 submitted by Dale Stamer. Engineer Eberhard asked the Board to continue to have this permit application tabled pending further information. He indicated he plans to meet with the applicant and the applicant's engineer.

With regard to the Marsh Water Project, Engineer Eberhard reported that Houston Engineering is in contact with Attorney Curt Deter to prepare potential options available to the Board for proceeding on the project.

Engineer Eberhard next reported to the Board on a permit application previously submitted by the Board to the Dept. of Natural Resources for work near the County Park east of Glencoe. It should be withdrawn at this time since the proposed project has remained idle for approximately 2 years. If necessary, a new permit application could be submitted. The Board of Managers instructed Engineer Eberhard to withdraw the permit.

Attorney Kasal reported to the Board that an Affidavit was filed on behalf of the Watershed District to dismiss Buffalo Creek Watershed District from the Gatz personal injury lawsuit. He indicated to the Board that it appeared the submission of the Affidavit would be sufficient to allow dismissal of Buffalo Creek Watershed District from the lawsuit, but no final confirmation had been received yet.

Manager Phillips next provided to the Board of Managers the annual financial report and stated that the report has been submitted to the proper authorities on the State level.

Engineer Eberhard addressed the Board and requested that his hourly rate for his engineering services be increased from \$55.00 an hour to \$60.00 an hour. He also requested that secretarial services of Mary Henke and financial services of Linda Phillips should be provided at a \$.25 per hour raise over their previous billing rate. After a general discussion, upon motion of Manager Kubesh, which motion was seconded by Manager Kramer, by unanimous vote the Board of Managers approved the foregoing raises in rates of compensation.

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 March 26, 2013 at **1:00 P.M.** at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Charles Kubesh, Secretary