

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 26th day of August, 2008 at 7:30 P.M. at its regular meeting place in the City Council Chambers, City Hall, 630 10th Street E., Glencoe, MN, for a public hearing on the proposed Budget for the Watershed District for the year 2009 and for its regular meeting at 8:00 P.M.

The following members were present:

Donald Belter
Larry Phillips
George Schlagel
Corey Henke
Charles Kubesh

Also attending the meeting were:

Pete Kasal, of the firm of
KEEFE & KASAL
Hutchinson, MN

Charles Eberhard, Engineer
Litchfield, MN

The public hearing was called to order by President Belter at 7:30 P.M.

President Belter read the Notice of Hearing and recited the proposed Budget for the year 2009. It was noted that the Notice of Hearing had been published as required by law in the legal newspapers within the Watershed District for the various counties involved.

There being no other persons in attendance at the hearing, upon motion duly made, seconded and unanimously carried, the hearing on the Budget for the year 2009 was adjourned.

President Belter then called the regular meeting of the Board of Managers to order at 8:00 P.M.

President Belter announced the first order of business was the consideration of the minutes of the regular meeting of the Board of Managers held on July 22, 2008. After review of the minutes, upon motion of Manager Schlagel, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers approved the minutes of the meeting held on July 22, 2008.

President Belter next called upon Treasurer Larry Phillips for the Treasurer's report. Treasurer Phillips's written report to the Board of Managers was as follows:

<u>SAVINGS:</u>	
C.D.	\$ 58,059.96
C.B.	208,519.73
Rec'd: Interest (Savings #4206225)	211.49
Interest to 6/28/08 (CD #8358)	10,943.75
Carver Co.	396.76
Kandiyohi Co.	<u>598.77</u>
	\$278,730.46
Less: Transfer to checking	<u>5,037.10</u>
AUGUST BALANCE	\$273,693.36

<u>CHECKING:</u>	
July balance	\$ 2,538.72
Deposit from savings	5,037.10
Interest	<u>.13</u>
	\$ 7,575.95
LESS: Checks drawn	<u>3,350.85</u>
AUGUST BALANCE	\$ 4,225.10

<u>PROJECT 79-2:</u>	
CD #7949 and #11550	\$ 7,697.12
Interest to 7/11/08	<u>1,547.32</u>
	9,244.44
McLeod Co. Auditor/79-2 Fund	<u>21,330.36</u>
TOTAL 79-2 Funds	\$30,574.80

<u>Clean Water Legacy Grant Funds (Act. #4215367):</u>	
July balance	\$ 43,843.22
Interest to 7/31/08	<u>21.60</u>
AUGUST BALANCE	\$ 43,864.82

Upon motion of Manager Schlagel, 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. Treasurer Phillips reported as follows:

Keefe & Kasal - attorneys fees	\$ 899.62
Holger Olson & Son – tree removal	450.00
Glencoe Enterprise – publication	56.00
Gaylord Hub – publication	106.25
Hubin Publishing – publication	122.54
Wetland Habitat Restoration	15,701.00

Holger Olson & Son	25,406.00
Charles Eberhard – engineering services	413.56
Mary Henke – secretarial services	61.12
George Schlagel – per diem & mileage	177.50
Charles Kubesh – per diem & mileage	112.44
Corey Henke – per diem & mileage	418.88
Donald Belter – per diem & mileage	83.19
Larry Phillips – per diem & mileage	<u>152.98</u>
TOTAL	\$44,161.08

Upon motion of Manager Kubesh, 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 Jennie Gieseke, a representative from CROW. She reported on the various activities currently being conducted by CROW. She reported that on October 2, 2008 a tour of various area projects will be held. Among the sites to be visited are the new Hutchinson dam, a streambank restoration project near Glencoe, a rain garden project in Glencoe, the Goebel property project completed by Buffalo Creek for bank erosion, a rain garden project near Lake Allie, and she indicated other stops may be included. Ms. Gieseke also reported on the TMDL study being conducted by CROW and the progress in that regard. She also indicated that a rain garden workshop is planned for September 12, 2008 in Glencoe. She stated that the annual river clean-up on the Crow River will be held on September 13 and that 13 communities are participating with numerous volunteers. Ms. Gieseke requested that the Board of Managers donate \$200.00 toward the clean-up costs. Upon motion of Manager Henke, which motion was seconded by Manager Schlagel, by unanimous vote the Board approved a payment of \$200.00 toward the clean-up efforts of CROW.

President Belter next called upon Matt Johnson of Mid-Minnesota Development Commission for a report on the revisions to the Comprehensive Drainage Management Plan. Mr. Johnson presented an updated Plan to each Board member for review and any corrections or additions. He requested that the Board review the Plan and get back to him in the near future. He indicated to the Board that he will take care of publication of the notice required for a meeting to adopt the Plan. Thereafter followed an extensive general discussion of the Plan and the information contained in the update. Mr. Johnson indicated that further work will be required in order to complete a revision of the Buffalo Creek Watershed District Rules & Regulations. He stated that approximately 100 hours of additional will be required by the Commission at the rate of \$75.00 per hour. Upon motion of Manager Henke, which motion was seconded by Manager Kubesh, by unanimous vote the Board authorized the further work by Mid-Minnesota Development Commission on the revision of the Rules & Regulations. It was decided that a public hearing for comments on the new Comprehensive Drainage Management Plan will be set for November 25 at 1:00 P.M. prior to the regular meeting of the Board of Managers.

President Belter next called for any new permits. Engineer Eberhard reported on an Application for Permit submitted by Neubauer Farms, Inc. for a project in Section 19, Melville Township, Renville County. The permit requests installation of 1,900 ft. of 12-in. tile line. Upon motion of Manager Kubesh, which motion was seconded by Manager Henke, by unanimous vote the Board accepted the application for a permit for consideration and designated it Application for Permit No. 2008-8. Engineer Eberhard advised the Board that the project falls within the Board guidelines and recommended approval subject to obtaining the applicant's signature on the permit application, which had been omitted on the original application. Upon motion of Manager Phillips, which motion was seconded by Manager Kubesh, by unanimous vote the Board approved Permit No. 2008-8, subject to the applicant providing his signature on the application.

Engineer Eberhard next presented an Application for Permit submitted by Terry Dean for a project located in Section 29, Melville Township, Renville County. Upon motion of Manager Schlagel, which motion was seconded by Manager Kubesh, by unanimous vote the Board accepted the application for a permit for consideration and designated it Application for Permit No. 2008-9. Engineer Eberhard advised the Board that the application is seeking a permit to install 2,300 ft. of 12-in. tile. He noted, however, that the application was incomplete and he would need further information in order to make a recommendation on this permit. It was the consensus of the Board that Application for Permit No. 2008-9 will be tabled until further information is required.

President Belter next called for any items of old business. Engineer Eberhard addressed the Board with regard to Application for Permit No. 2008-3. He recommended denial of the permit application because further information which has been requested has not been provided. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers denied Application for Permit No. 2008-3.

Engineer Eberhard then reported on Application for Permit No. 2008-4. He indicated that further information that he had requested from the applicant has not been provided and recommended that the matter be tabled until the September meeting. In the meantime he will write to the applicant and advise him that the permit will be denied if further information is not received by the Board's September meeting.

The next item of old business was Application for Permit No. 2008-5. After a brief discussion, the Board generally agreed to table the application until the September meeting.

Engineer Eberhard next reported that the Hanson site project was 90% completed and indicated that he authorized additional seeding on the project and that the project is within budget.

Engineer Eberhard then advised the Board that the Lake Allie desilting basin project will need additional seeding because a chemical spray applied to adjoining cropland had damaged the seeded area.

Engineer Eberhard next reported on the Popelka rain garden project. He indicated that excavation has been completed and that the plants have been ordered and should arrive within a week.

Engineer Eberhard next addressed the Sondergaard site project. The project is complete except for some additional leveling that may be required.

President Belter recited the fact that a hearing on the Budget had been conducted prior to the regular meeting and that no objections to the proposed Budget for the year 2009 had been made. Manager Phillips offered the following resolution and moved its adoption:

RESOLVED, that the Board of Managers of Buffalo Creek Watershed District adopt the following Budget for Buffalo Creek Watershed District as the Budget for the year 2009:

Audit expense	\$	2,000.00
Dues to Minnesota Watershed Assn.		2,000.00
Salaries of Managers, per diem & mileage		17,500.00
Bond premiums & insurance, including workers compensation		4,000.00
Legal expenses		10,000.00
Engineering expenses		20,000.00
Newspaper notices & office expenses		3,000.00
Routine stream maintenance		10,000.00
Special projects		18,000.00
Water quality monitoring		13,500.00
BWRS matching grant		<u>25,000.00</u>
	TOTAL	\$125,000.00

Projected interest income \$ 1,000.00

Project 79-2 Budget:

Projected interest income	\$	150.00
Anticipated maintenance expense		2,500.00

Manager Schlagel seconded the motion. The question was on the adoption of the proposed Budget for the year 2009. There were five “Yea’s” and no “Nay’s” as follows:

Larry Phillips	Yea
George Schlagel	Yea
Donald Belter	Yea
Corey Henke	Yea
Charles Kubesh	Yea

The resolution was declared carried.

Treasurer Phillips informed the Board that it was necessary to determine the District's tax levy for the year 2009. The Board of Managers then discussed the question of how much the Board should levy for the year 2009. Manager Phillips suggested that the levy remain the same as in 2008. Manager Kubesh offered the following resolution and moved its adoption:

RESOLVED, that Buffalo Creek Watershed District levy \$105,000.00 upon all taxable property in Buffalo Creek Watershed District located in the Counties of McLeod, Renville, Kandiyohi, Sibley and Carver in the State of Minnesota for the purpose of paying the administrative expenses of the District as provided by Minnesota Statutes §103D.905, Subd. 3.

Manager Phillips seconded the motion. Upon vote there were five "Yea's" and no "Nay's" as follows:

Larry Phillips	Yea
George Schlagel	Yea
Donald Belter	Yea
Corey Henke	Yea
Charles Kubesh	Yea

The resolution was declared carried.

The Board of Managers then reviewed slides of the Sondergaard and Maiers' projects which had recently been completed.

Lastly, Engineer Eberhard reported that channel clearing needs to be considered in the near future since there is significant debris in many parts of Buffalo Creek. Manager Phillips indicated to the Board that he will contact the respective contractors.

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, September 23, 2008 at **8:00** P.M. at its regular meeting place in the City Council Chambers, City Hall, 630 10th St. E., Glencoe, MN.

Charles Kubesh, Secretary