

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 24th day of July, 2007 at 8:00 P.M. at its regular meeting place in the City Council Chambers, City Hall, 630 10th Street E., Glencoe, MN, for its regular monthly business meeting.

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

President Belter announced the first order of business was the consideration of the minutes of the regular meeting of the Managers held on June 26, 2007. 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 June 26, 2007.

President Belter next called upon Treasurer Phillips for the Treasurer's report. Treasurer Phillips presented a written report which outlined expenses and income as follows:

<u>SAVINGS:</u>	
C.D.	\$ 58,059.96
C.B.	216,077.63
Rec'd: Interest to 3/28/07 (C/D #8358)	7,674.54
Interest (Savings #4206225)	709.84
Renville County	16,335.13
McLeod County	<u>25,521.72</u>
	\$324,378.82
LESS: Transfer to checking	<u>8,410.56</u>
JULY BALANCE	\$315,968.26

<u>CHECKING:</u>		
June balance	\$ 2,430.02	
Deposit from savings	8,410.56	
Interest	<u>.11</u>	
		\$10,840.69
LESS: Checks drawn		<u>8,364.67</u>
		\$ 2,476.02

<u>PROJECT 79-2:</u>		
CD #7949 and #11550	\$ 7,697.12	
Interest to 7/10/07	<u>1,124.81</u>	
		8,821.93
McLeod Co. Auditor/79-2 Fund		<u>54,330.36</u>
		\$63,152.29

<u>Clean Water Legacy Grant Funds (Act. #4215367):</u>		
Deposit from savings #4206225	\$190,000.00	
Interest to 6/30/07	<u>1,882.00</u>	
		\$191,882.00

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	\$ 921.38
Computer purchase	589.98
Tax withholding	316.78
Charles Eberhard – engineering fees	255.95
Donald Belter – per diem & mileage	398.46
Corey Henke – per diem & mileage	1,018.00
Larry Phillips – per diem & mileage	857.16
George Schlagel – per diem & mileage	705.93
Charles Kubesh – per diem & mileage	<u>775.97</u>
TOTAL	\$ 5,839.61

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

President Belter next called upon Arthur Haag, who was in attendance at the meeting, regarding a drainage issue with his neighbor, Randall Thalmann. Mr. Haag alleged that fill placed by Mr. Thalmann had changed the flow of surface water in the area. Thereafter followed a general discussion by the Board and Mr. Haag about what might resolve the situation. It was the general consensus of the Managers that the previous action taken by the Board was sufficient to prevent further fill issues in the area.

President Belter next called upon Diane Popelka. She reported that no action had been taken by her neighbor, Harry Exsted, to open up the dike recently created on the boundary between their properties. Recent survey shots taken by one of the Board members indicated that the original levels of the Popelka property are below the foundation of the house and water drains naturally to the Exsted property prior to the creation of the dike. An alternate route for water drainage from the Popelka property is not feasible. Manager Phillips suggested a cost-sharing project to create a rain garden to contain the excess run-off from the Popelka property. Diane Sanders, a representative from the Crow River Watershed District, was also present and reported that Crow River Watershed has cost-sharing funds available for rain gardens. It was the consensus of the Board that the Board will conduct further research on creating a rain garden on the Popelka property. The Board also directed Engineer Eberhard to write a letter to Mr. Exsted ordering him to remove the dike on or before November 15, 2007. Upon motion of Manager Schlagel, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved the foregoing directive to Engineer Eberhard.

President Belter next called upon Diane Sanders of the Crow River Watershed District for an update on 319 Grants available. She indicated that mailings will be sent out in the near future to notify area landowners of cost-sharing benefits available for septic updates, erosion control and other projects to improve the watershed. She also indicated her new address is 311 Brighton Ave., Ste. C, Buffalo, MN 55313. In addition, she reported that water monitoring is continuing on Buffalo Creek and its tributaries throughout the summer.

President Belter next called for discussion on agenda item City of Glencoe Application for Permit No. 2007-06. Engineer Eberhard reported that he had received correspondence from the City, and based on that correspondence and his review of the permit application, he recommended approval. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Application for Permit No. 2007-06.

The Board of Managers next reviewed the Lake Allie desilting basin Purchase Agreement. After a general discussion there were some additional suggestions, including cost allocation of survey costs associated with the project.

The Board of Managers next reviewed the Employment Contract drafted by the Watershed's attorney between the Board of Managers and Engineer Eberhard. After review of the contract, upon motion of Manager Kubesh, which motion was seconded by Manager Schlagel, by unanimous vote the Board of Managers approved the Employment Contract with Engineer Eberhard and directed President Belter to sign it.

Engineer Eberhard next reported to the Board that plans and specifications are currently being prepared for the Plato erosion control site.

President Belter announced the next order of business was the consideration of the proposed Budget for the year 2008. A general discussion was held by the Managers concerning the budget items. Following discussion, Manager Schlagel offered the following resolution and moved its adoption:

RESOLVED, that the Board of Managers of Buffalo Creek Watershed District adopt the following proposed Budget for the year 2008:

Audit expense	\$	2,000.00
Dues to Minnesota Watershed Assn.		2,000.00
Salaries of Managers, per diem & mileage		15,000.00
Bond premiums & insurance, including workers compensation		4,000.00
Legal expenses		12,000.00
Engineering expenses		20,000.00
Newspaper notices & office expenses		1,000.00
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	\$122,500.00

Projected interest income \$ 1,500.00

Project 79-2 Budget:

Projected interest income	\$	150.00
Anticipated maintenance expense		20,000.00

BE IT FURTHER RESOLVED, that Buffalo Creek Watershed District hold a public hearing on the proposed Budget as required by Minnesota Statutes §103D.911 on the 28th day of August, 2007 at 7:30 P.M. at its offices in the City Council Chambers, City Hall, 630 11th St. E., Glencoe, MN; and

BE IT FURTHER RESOLVED, that Attorney Pete Kasal prepare the proper notice and arrange for publication of said notice in one newspaper of general circulation in each county in which Buffalo Creek Watershed District extends, once each week for 2 consecutive weeks, the last publication which will be at least 2 days before the hearing.

Manager Henke seconded the motion. The question was on the adoption of the proposed Budget for the year 2008 and for a public hearing to be held thereon, and there being five “Yea’s” and no “Nay’s” as follows:

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

The resolution was declared carried.

Treasurer Phillips informed the Board that it would be appropriate to determine the District's tax levy for 2008. The Board of Managers then discussed the question of how much the Board should levy for the year 2008. After discussion, Manager Schlagel offered the following resolution and moved its adoption:

RESOLVED, that Buffalo Creek Watershed District levy \$95,000.00 upon all taxable property in Buffalo Creek Watershed District located in the Counties of McLeod, Renville, Kandiyohi, Sibley and Carver, State of Minnesota, for the purpose of paying the administrative expenses of the District as provided by Minnesota Statutes §103D.905,. Subd. 3.

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

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

The resolution was declared carried.

There being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned until the next meeting of the Board of Managers on Tuesday, August 28, 2007 at 7:30 P.M. for its Budget Hearing and 8:00 P.M. for its regular meeting at its regular meeting place in the City Council Chambers, City Hall, 630 10th St. E., Glencoe, MN.

Charles Kubesh, Secretary