

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

The Managers of Buffalo Creek Watershed District met on the 28th day of July, 2009, at 7:00 P.M. at its regular meeting place in the City Council Chambers, City Hall, 630 10<sup>th</sup> Street E., Glencoe, MN, for an informational meeting regarding the request of a Glencoe resident, Charlie Schmidt.

The following members were present:

Donald Belter  
Charles Kubesh  
Corey Henke  
Larry Phillips  
George Schlagel

Also attending the meeting was:

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

Engineer Charles Eberhard  
Litchfield, MN

Randy Freitag  
SOIL & WATER CONSERVATION SERVICE

Gary Scheifels, representing CITY OF GLENCOE

Ron Shimanski  
Minnesota State Representative

Tom Fischer  
BOARD OF WATER & SOIL RESOURCES

Charlie Schmidt  
Glencoe, MN

President Belter called upon Charlie Schmidt to present his requests to the Board of Managers. Mr. Schmidt proposed that a clean-out of the Buffalo Creek channel through the City of Glencoe be conducted in order to relieve potential flooding which may occur on the north side of Highway 212. Mr. Schmidt indicated he wanted Buffalo Creek to be dredged to its original level when the creek was re-routed in 1971 during highway construction. Thereafter there was extended discussion between Mr. Schmidt and Board members regarding the feasibility of his proposal and ultimate remedies that

may be sought. Following the discussion, it was the general consensus of the Board of Managers that such a project was not feasible. Permit applications would have to be obtained from the DNR and the Corps of Engineers. The cost of the project would be prohibitive and the benefits of the proposed project would be minimal.

The informational meeting was adjourned and President Belter called to order the regular meeting of the Board of Managers.

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 June 23, 2009. Upon motion of Manager Henke, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers approved the minutes of the regular meeting held on June 23, 2009.

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

<u>SAVINGS:</u>		
C.D.	\$ 58,059.96	
C.B.	127,510.34	
Rec'd: Interest to 6/3/28/09 (C/D #8358)	13,742.79	
Interest (Savings #4206225)	65.89	
Renville County	19,859.34	
Renville County	214.87	
Sibley County	<u>1,180.96</u>	
		\$220,634.15
LESS: Transfer to checking		<u>7,077.55</u>
	JULY BALANCE	\$213,556.60
<u>CHECKING:</u>		
June balance	\$ 3,664.64	
Deposit from savings	7,077.55	
Interest	<u>.21</u>	
		\$10,742.40
LESS: Checks drawn		<u>6,709.21</u>
	JULY BALANCE	\$ 4,033.19
<u>PROJECT 79-2:</u>		
CD #7949 and #11550	\$ 7,697.12	
Interest to 7/11/09	<u>1,864.25</u>	
		9,561.37
McLeod Co. Auditor/79-2 Fund		<u>21,330.36</u>
	TOTAL 79-2 Funds	\$30,891.73

<u>Clean Water Legacy Grant Funds (Act. #4215367):</u>		
5/31/09 balance		\$17,939.94
Interest to 6/30/09		<u>.78</u>
		\$17,940.72
LESS: P.R.I. for Rain Garden		618.82
Hansen Gravel		217.26
Holger Olson & Son for Rain Garden		<u>6,240.00</u>
	JULY BALANCE	\$10,864.64

Upon motion of Manager Schlagel, which motion was seconded by Manager Kubesh, 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 as follows:

Kasal & Scotting – attorneys fees	\$ 717.62
Mid-Minnesota Development	3,375.00
Mid-Minnesota Development – rules review	450.00
Jerry Scharpe – audit	1,500.00
Charles Eberhard – engineering fees	803.61
Mary Henke – secretarial	661.65
Linda Phillips – secretarial/accounting	404.26
Corey Henke – per diem & mileage	864.15
Donald Belter – per diem & mileage	82.70
Larry Phillips – per diem & mileage	819.20
George Schlagel – per diem & mileage	216.55
Charles Kubesh – per diem & mileage	<u>744.60</u>
TOTAL	\$10,639.34

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

President Belter next called for any new permits. Engineer Eberhard reported there were no new permit applications since the last meeting.

President Belter next called for items of old business. Engineer Eberhard reported regarding the Arvid Acres application for a permit near Lake Allie. He noted that he met with the owner personally to discuss the permit application. The owner of the property wanted an alternate solution to a large storage pond and he suggested rain gardens on the individual lots proposed by the plat. The owner suggested that covenants would be placed on deeds to the lots to guarantee maintenance of the rain gardens on each individual lot. Engineer Eberhard indicated he will be receiving more information

regarding this proposal and then will make his recommendations regarding permit approval.

President Belter next called for items of new business and called on Matt Johnson from Mid Minnesota Development, who was in attendance. Mr. Johnson reported on the work by Mid Minnesota Development on updating the Watershed records and its website. He submitted to the Board a budget and work plan for updating the Watershed records and also a grant application to seek funds to pay for the updating. Mr. Johnson then presented an extensive report on the records updating that is anticipated. Mr. Johnson next addressed updating of the Rules & Regulations of Buffalo Creek Watershed District. He indicated he would need to do further review, and it was agreed that he would meet with Manager Henke, Manager Kubesh and Engineer Eberhard to conduct a further review on August 3, 2009.

President Belter next called upon Diane Sanders of CROW, who was in attendance. She reported on CROW activities and a grant application being considered by CROW. Thereafter followed an extensive discussion concerning the TMDL study being proposed by CROW. Ms. Sanders also indicated that the proposal at present is only preliminary and that more discussion and conferences will be required to fine-tune the proposed TMDL study.

Manager Phillips next reported to the Board regarding the proposed office space quote from the City of Glencoe. He indicated the quote received suggested an upfront cost of \$66,000.00 (\$100.00 per square foot), which could be spread out over 3 years, and an ongoing annual fee of \$2,400.00 per year. Manager Phillips indicated he will pursue further negotiations with the City regarding the proposed office space.

President Belter next called upon State Representative Ron Shimanski, who asked for comments on waterflow restrictions being considered by the Legislature in upcoming legislation. There next followed a general discussion with regard to what was being proposed. The Board indicated they would be happy to review any legislative proposals.

President Belter announced the next order of business was the consideration of the proposed Budget for the year 2010. A general discussion was held by the Managers concerning the budget categories and any changes that might need to be made from the 2009 Budget. Following discussion, Manager Kubesh 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 2010:

Audit expense	\$ 1,500.00
Dues to Minnesota Watershed Assn.	2,200.00
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	15,000.00
Newspaper notices & office expenses	3,000.00
Routine stream maintenance	30,000.00
Special projects	10,000.00
Office expense	18,500.00
Matching grant funds	<u>16,300.00</u>

TOTAL                      \$128,000.00

Projected interest income                      \$    500.00

Project 79-2 Budget:

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

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 25th day of August, 2009 at 7:30 P.M. at its offices in the City Council Chambers, City Hall, 630 11<sup>th</sup> 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 Phillips seconded the motion. The question was on the adoption of the proposed Budget for the year 2010 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 2010. The Board of Managers then discussed the question of how much the Board should levy for the year 2010. After discussion, Manager Phillips 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, State of Minnesota, for the purpose of paying the administrative expenses of the District as provided by Minnesota Statutes §103D.905,. Subd. 3.

Manager Schlagel 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.

President Belter next called for a motion to approve the 2008 audit. Upon motion of Manager Henke, which motion was seconded by Manager Schlagel, by unanimous vote the Board of Managers approved the 2008 audit.

President Belter next called for a motion to approve the 2008 annual report. Upon motion of Manager Kubesh, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved the 2008 annual report.

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 hearing on the 2010 budget on August 25, 2009 at 7:30 P.M. and the regular meeting of the Board of Managers on July 28, 2009 at 8:00 P.M. at its regular meeting place in the City Council Chambers, City Hall, 630 10<sup>th</sup> St. E., Glencoe, MN.

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Charles Kubesh, Secretary