

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 26th day of June, 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
George Schlagel
Larry Phillips
Charles Kubesh
Corey Henke

Also attending the meeting were:

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

Charles Eberhard
McCOMBS FRANK ROOS ASSOC.
Plymouth, MN

President Belter announced the first order of business was the consideration of the minutes of the regular meeting of the Managers held on May 22, 2007. After review of the minutes, upon motion of Manager Kubesh, which motion was seconded by Manager Schlagel, by unanimous vote the Board of Managers approved the minutes of the meeting held on May 22, 2007.

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

SAVINGS:

C.D.	\$ 58,059.96	
C.B.	218,382.78	
Rec'd: Interest to 3/28/07 (C/D #8358)	6,822.50	
Interest (Savings #4206225)	753.65	
Renville County	<u>130.91</u>	
		\$284,149.80
LESS: Transfer to checking		<u>3,189.71</u>
JUNE BALANCE		\$280,960.09

<u>CHECKING:</u>	
May balance	\$ 2,367.19
Deposit from savings	3,189.71
Interest	<u>.11</u>
	\$ 5,557.01
LESS: Checks drawn	<u>3,126.99</u>
JUNE BALANCE	\$ 2,430.02
<u>PROJECT 79-2:</u>	
CD #7949 and #11550	\$ 7,697.12
Interest to 4/10/07	<u>1,018.12</u>
	8,715.64
McLeod Co. Auditor/79-2 Fund	<u>54,330.36</u>
TOTAL 79-2 Funds	\$63,045.60
<u>Clean Water Legacy Grant Funds (Act. #4215367):</u>	
Deposit from savings #4206225	\$190,000.00
Interest to 5/31/07	<u>1,262.00</u>
JUNE BALANCE	\$191,262.00

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:

Keefe & Kasal – attorneys fees	\$ 729.10
Michael Karg – beaver trapping	1,155.00
League of Minnesota Cities – insurance	2,350.00
McCombs Frank Roos – engineering	1,792.50
McCombs Frank Roos – Lake Allie desilting basin	1,449.50
Donald Belter – per diem & mileage	207.79
Charles Kubesh – per diem & mileage	103.13
Corey Henke – per diem & mileage	167.46
Larry Phillips – per diem & mileage	157.28
George Schlagel – per diem & mileage	<u>298.80</u>
TOTAL	\$ 8,410.56

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

President Belter next called for any items of old business. Engineer Eberhard reported on his viewing of the site located on the Diane Popelka and Harry Exsted properties. This issue had previously been discussed at the Board's May meeting. Both Ms. Popelka and Mr. Exsted were in attendance at the meeting. The issue between the parties is a berm that had been constructed by Mr. Exsted on his property located directly adjacent to the Popelka property. Ms. Popelka reported that the berm restricts water from her property draining from her homesite onto the adjoining Exsted property. Mr. Exsted stated to the Board that the Popelka's have brought in significant fill in the construction of their residence and the fill has created their problem rather than the berm that he constructed. Engineer Eberhard stated that as a result of his viewing of the site, he is suggesting that the problem could be solved if several openings could be created in the berm for drainage from the Popelka property. After a general discussion, the Board of Managers decided to view the site and report back at the July meeting.

President Belter next called upon Randall Thalmann for a report on his fill project and the west road ditch of County Rd. #81 and the north ditch of County Rd. #68. Mr. Thalmann explained the history of the adjacent properties. He said he hauled in fill to increase the slope of the county road and to increase safety of the road. He stated he also has put in additional tile lines in the area to facilitate drainage. The fill he placed along the county road ditch did cover an existing culvert, but he maintained that the culvert was basically not functioning at the time that he placed the fill in the road ditch. The adjacent landowner, Arthur Haag, appeared and expressed his concerns with the fill project and the restriction of drainage from his property caused by closing of the culvert. After a general discussion by the Board with the parties, it was the consensus of the Board that Mr. Thalmann must obtain a permit for any future fill projects. The Board noted that the concerns about the culvert under the county road must be addressed by McLeod County.

President Belter next called for any new permits. Engineer Eberhard reported that the City of Glencoe had submitted a permit application for a development in the City Industrial Park. Upon motion of Manager Phillips, which motion was seconded by Manager Schlagel, by unanimous vote the Board of Managers accepted the Application for Permit for consideration and designated it Application for Permit No. 2007-06. After discussion by the Board, the matter was tabled until further information is received from the City of Glencoe.

Engineer Eberhard next reported to the Board that he had received further information from Minnesota Pipeline regarding Application for Permit No. 2007-01 and a crossing of the Buffalo Creek channel by the oil pipeline. He stated that the applicant has indicated that they will bore the crossing of Buffalo Creek for the pipeline rather than attempt an open cut. A temporary bridge will be constructed over the creek to facilitate movement of equipment. Engineer Eberhard stated that he will obtain further information about plans to restore the stream bank when the bridge is removed. Upon motion of Manager Kubesh, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved Application for Permit No. 2007-1, subject to final authorization by Engineer Eberhard.

President Belter next called for items of new business. The Board was presented with a worksheet regarding the proposed 2008 Budget that will be on the agenda for consideration at the July meeting.

Manager Phillips reported on the proposed spraying of Ditch #79-2 and repairs that are needed. He indicated a clean-out should be considered. It was the consensus of the Board that the Managers will view the ditch and decide what maintenance is required.

Manager Phillips reported on a call he had received from a Mr. Lang with regard to property located in Lynn Township in McLeod County. Mr. Lang is proposing a drainage project and will provide further information to the Board.

Manager Henke reported on the Lake Allie desilting basin project. He indicated that purchase of the property for the basin is pending at the present time and should be completed in the near future.

President Belter next called for consideration of Engineer Eberhard's proposal for future engineering services. Mr. Eberhard previously indicated to the Board he no longer will be employed by McCombs Frank Roos Assoc. He proposed to the Board that he would be willing to serve as a part-time staffer for Buffalo Creek Watershed District, providing future engineering services. His proposal called for \$45.00 per hour plus expenses and necessary equipment, including a laptop computer and cell phone. Manager Phillips suggested that Mr. Eberhard provide the cell phone and would be reimbursed for its use. The Board would also provide secretarial service as needed. After a general discussion, the Board directed Attorney Kasal to draft an employment agreement between the Board and Mr. Eberhard limiting the time per month to 40 hours. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved the drafting of an employment agreement with Mr. Eberhard on the above terms and the specifics will be addressed at the July meeting when the employment agreement will be presented.

There being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the Board of Managers adjourned until the next regular meeting of the Board of Managers on July 24, 2007 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