

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

The Managers of Buffalo Creek Watershed District met on the 27th day of May, 2008, at 8:00 P.M. at its regular meeting place in the City Council Chambers, City Hall, 630 10<sup>th</sup> Street E., Glencoe, MN, for 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:

Troy Scotting, 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 Board of Managers held on April 22, 2008. The Board requested that page 3 of the minutes be amended to reflect the correct spelling of Buffalo "Creek" in the 5<sup>th</sup> paragraph of that page. Upon motion of Manager Schlagel, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers approved the minutes of the regular meeting held on April 22, 2008 as amended.

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

<u>SAVINGS:</u>	
C.D.	\$ 58,059.96
C.B.	178,300.74
Rec'd: Interest to 3/28/08 (C/D #8358)	10,164.75
Interest (Savings #4206225)	<u>174.68</u>
	\$246,700.13
LESS: Transfer to checking	<u>5,319.23</u>
MAY BALANCE	\$241,380.90

<u>CHECKING:</u>	
April balance	\$ 2,175.91
Deposit from savings	5,319.23
Interest	<u>.11</u>
	\$ 7,495.25
LESS: Checks drawn	<u>5,278.44</u>
 MAY BALANCE	 \$ 2,216.81

<u>PROJECT 79-2:</u>	
CD #7949 and #11550	\$ 7,697.12
Interest to 4/11/08	<u>1,442.06</u>
	9,139.18
McLeod Co. Auditor/79-2 Fund	<u>21,330.36</u>
 TOTAL 79-2 Funds	 \$30,469.54

<u>Clean Water Legacy Grant Funds (Act. #4215367):</u>	
April balance	\$50,271.39
Rec'd: Interest to 3/31/08	<u>23.96</u>
 MAY BALANCE	 \$50,295.35

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. Manager Phillips reported as follows:

Keefe & Kasal – attorneys fees	\$ 570.16
League of Minnesota Cities - insurance coverage	2,345.00
Mike Karg – trap 42 beaver	1,470.00
Ed Rettman Excavating – Lake Marion desilting basin	500.00
Ed Rettman Excavating – 79-2 Ditch	2,000.00
Ed Rettman Excavating – Lake Allie desilting basin	5,500.00
Charles Eberhard – engineering	1,527.83
Mary Henke – secretarial	201.35
Linda Phillips	71.25
Donald Belter – per diem & mileage	82.07
Charles Kubesh – per diem & mileage	150.00
Corey Henke – per diem & mileage	413.38
Larry Phillips – per diem & mileage	306.76
George Schlagel – per diem & mileage	<u>210.00</u>
 TOTAL	 \$15,347.80

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

President Belter then called for any new permits. Engineer Eberhard reported he had received an application for a permit from the USDA and NRCS for easements in Section's 29 and 32 of Lynn Township. The proposed work to be done includes building dikes and moving culverts and a drainage ditch. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers accepted the application for a permit for consideration and designated it Application for Permit No. 2008-4. Engineer Eberhard and Manager Henke reported that they had gone out and looked at the area of the proposed project and had come up with 13 questions. Those questions were forwarded, and Engineer Eberhard subsequently received a phone call with answers to some of those questions. Some of the questions still need to be answered so Engineer Eberhard recommended that the permit be tabled until further information is received. Upon motion of Manager Schlagel, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers approved tabling Application for Permit No. 2008-4.

President Belter next called for any items of old business. Engineer Eberhard reported that with respect to Application for Permit No. 2008-3, he had sent a letter requesting additional information from the permit applicant but had not received a response. Engineer Eberhard recommended continuing to table the application until the information is received.

Engineer Eberhard reported to the Board that he had received a bond in the amount of \$15,000.00 from the Minnesota Pipeline Company with respect to Permit No. 2007-1 for crossing of Buffalo Creek with a gas pipeline. After a brief discussion, it was decided by the Board members that the actual bond would be kept in the Watershed District file at Keefe & Kasal.

Engineer Eberhard reported next that he had recently attended the last CROW meeting. He learned that not much was happening on the TMDL project. He also reported that he had spoken with CROW regarding the proposed rain garden project on the Diane Popelka property. Engineer Eberhard indicated that CROW had requested he reduce the number of plants because the cost of the project was going to be too high. He also indicated that he was unsure of what, if any, amount CROW would ultimately be willing to finance. After a general discussion, the Board came to a consensus that the rain garden project would be a very good study project for the Watershed District, and that it was a project that needed to move forward quickly. Manager Henke made a motion that the Watershed District move forward with the project and be the lone financial sponsor. The motion was seconded by Manager Kubesh. All members voted in favor except George Schlagel, who voted "Nay". The estimated cost for the project is \$6,000.00.

Engineer Eberhard next reported that he attended an inspection by CROW and BOWSR of the Lake Allie desilting basin. He indicated that BOWSR had a couple of concerns regarding erosion and blocking drainage to a wetland. Engineer Eberhard indicated that those issues shouldn't be a concern because the work on the project was done so late last year.

Engineer Eberhard and Manager Henke both reported that they had received calls regarding Lake Marion and concerns that the level of the lake was rising and causing erosion of the lakeshore. They inspected the lake and noticed that an outlet and a ditch approximately 100 ft. long between the lake and the dam was 80-85% filled with silt and cattails. Engineer Eberhard indicated that he had talked with the DNR earlier and had suggested that the Watershed District clean out the ditch. This would require a permit from the DNR and Engineer Eberhard indicated that he believes it would cost approximately \$2,000.00 in order to clean out the ditch. Upon motion of Manager Henke, which motion was seconded by Manager Schlagel, by unanimous vote the Board of Managers authorized Engineer Eberhard to explore the Watershed District cleaning out the ditch, including getting a permit from the DNR.

Engineer Eberhard next reported that he had received reports regarding a high level of water at Lake Allie. He inspected the lake and saw nothing blocking water. Water was flowing well over the dam and was moving well downstream.

President Belter next called upon some citizens from the City of Glencoe that were in attendance. They indicated that they had concerns regarding a project being proposed by the City of Glencoe involving construction of a berm in a floodplain. After a general discussion, the Board indicated that they would need to wait for an application for a permit from the City before they would deal with the project. Engineer Eberhard will contact the City of Glencoe regarding this proposed project.

Engineer Eberhard next reported that he had talked with Matt Johnson from Mid-Minnesota regarding the Comprehensive Drainage Management Plan. He reported that he had received a written proposal regarding implementation of the drainage plan, and he provided copies to all members of the Board. After a brief discussion, it was decided that this issue would be placed on the agenda for the next meeting.

Manager Phillips reported that he had received an inquiry regarding the possible sale of a boat owned by the Watershed District. This is a 12 ft. aluminum boat with trailer and motor, and the Watershed District has not used it for approximately 5 years. After a brief discussion, upon motion of Manager Kubesh, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved authorizing President Belter to negotiate a potential sale of the boat.

Manager Phillips next reported with regard to the Ditch #79-2. He had learned that some farmers had already planted crops in the one-rod buffer area surrounding the ditch. Manager Phillips indicated that he had sent a letter to all landowners regarding the requirement that there be a one-rod buffer area surrounding the ditch. After discussion, it

was decided that Manager's Henke and Phillips would determine who the actual landowners are that were planting in the buffer area. One question that came up was what the possible legal consequences were for a landowner failing to follow the one-rod buffer requirement. The Managers requested that the Watershed District's attorney look into this issue and report back on it at the next meeting.

Upon motion of Manager Schlagel, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers adjourned the meeting. Shortly after the meeting was adjourned and before anyone left the meeting room, one of the Managers brought to the attention of the Board that there was one issue they had forgotten to talk about. President Belter subsequently re-opened the meeting.

It was reported that a final bill on the Tom Maiers project would be coming in from Olson & Sons. After a brief discussion and upon motion of Manager Henke, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers authorized that a payment be made to Olson & Sons after inspection and approval of the work performed by them. The inspection would be done by Manager Henke and Engineer Eberhard.

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 **June 24, 2008 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.

---

Charles Kubesh, Secretary