

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

The Managers of Buffalo Creek Watershed District met on the 23rd day of October, 2007, 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:

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 Ditch 79-2 special meeting held on September 25, 2007. After review of the minutes, upon motion of Manager Phillips, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers approved the minutes of the Ditch 79-2 special meeting held on September 25, 2007.

President Belter announced the next order of business was the consideration of the minutes of the regular meeting of the Board of Managers held on September 25, 2007. After review of the minutes, upon motion of Manager Schlagel, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers approved the minutes of the regular meeting held on September 25, 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.	197,746.92	
Rec'd: Interest to 9/28/07 (C/D #8358)	8,537.77	
Interest (Savings #4206225)	<u>484.12</u>	
		\$264,828.77
LESS: Transfer to checking		<u>4,966.40</u>
OCTOBER BALANCE		\$259,862.37

CHECKING:

September balance	\$ 10,740.40	
Deposit from savings	4,966.40	
Interest	<u>2.58</u>	

\$15,709.38

LESS: Checks drawn		<u>12,876.90</u>
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OCTOBER BALANCE \$ 2,832.48

PROJECT 79-2:

CD #7949 and #11550	\$ 7,697.12	
Interest to 10/11/07	<u>1,233.98</u>	

8,931.10

McLeod Co. Auditor/79-2 Fund		<u>54,330.36</u>
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TOTAL 79-2 Funds \$63,621.46

Clean Water Legacy Grant Funds (Act. #4215367):

Deposit from savings #4206225	\$190,000.00	
Interest to 9/30/07	<u>3,469.76</u>	

193,469.76

LESS: #1001 – DNR permit	300.00	
#1002 – DNR permit	500.00	
#1003 – Oleson & Son (2007-8 project)	<u>16,422.52</u>	

17,222.52

OCTOBER BALANCE \$176,247.24

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	\$ 674.10
Charles Eberhard – engineering fees	457.45
Mary Henke – secretarial	321.03
Donald Belter – per diem & mileage	89.79
Charles Kubesh – per diem & mileage	104.40
Corey Henke – per diem & mileage	424.92
Larry Phillips – per diem & mileage	237.85
Larry Phillips – Ditch #79-2	508.20
George Schlagel – per diem & mileage	75.00
Withholding tax	705.38
Ed Rettmann Excavating – Ditch #79-2	20,000.00
Linda Phillips – Annual Report & Audit	<u>442.50</u>

TOTAL           \$24,040.62

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

President Belter next called upon Diane Sanders of Crow River Watershed, who was in attendance at the meeting. Ms. Sanders reported on the Crow River clean-up recently conducted. She reported that 13 communities participated, along with scout groups. Approximately 10 tons of trash was removed from the watershed, and approximately 320 people participated. Ms. Sanders also reported that 279 acres in the Buffalo Creek Watershed had recently been enrolled in the CRP program. She also reported that the Lake Allie desilting project was funded with \$20,000.00 of grant funds and that water sampling is planned to determine the effect of the desilting basin on water quality once the desilting basin is constructed.

President Belter next called upon Keith Olson, who resides at 720 Heritage Trail, Jordan, MN, who was in attendance. Mr. Olson reported that he is an owner of farm property located in Collins Township, McLeod County. He reported that during the construction of the Country Road #7 project, McLeod County had lowered the culverts under Country Road #7 by a substantial amount, and he inquired as to whether this was permissible. Engineer Eberhard stated that permits were issued to McLeod County for the project, but he indicated that the plans submitted to the Board had identified no significant changes in drainage of the area. Following discussion by the Board, it was the general agreement of the Board that the drainage issues raised by Mr. Olson were issues to be negotiated with McLeod County and its engineer rather than with the Board of Managers.

President Belter next called upon Diane Popelka of Glencoe, MN. She reported to the Board that her neighbor, Harry Exsted, had removed some blockage materials placed along his property line to obstruct the drainage off of her property, but she indicated that although some material was removed, there may not be sufficient openings for proper drainage to continue. Engineer Eberhard stated that he would inspect the area again to determine the extent of removal of the obstructions. He suggested that a proposed rain garden on the Popelka property may resolve any remaining issues, and he stated he will write a letter to Mr. Exsted if further removal of the artificial berm is needed.

President Belter next called for any new permits. Engineer Eberhard reported no new permit applications had been submitted since the last meeting of the Board.

President Belter next called for agenda item - Ditch #79-2. Manager Phillips reported that a letter was sent to all landowners with regard to the clean-out action. He indicated Ed Rettmann, the contractor hired by the Board, had started the clean-out and had made significant progress. He also indicated some re-seeding may be necessary along the banks of the ditch.

President Belter next called for agenda item – Comprehensive Drainage Management Plan. Engineer Eberhard expressed dissatisfaction with the Plan as presently drafted. He didn't feel that the plan was complete and it needs expansion of its

present wording. Engineer Eberhard indicated he will send a letter to Mid-Minnesota to express the problems that he sees with the Plan and request that they send a representative to the November Board meeting to discuss revisions to the Plan. Upon motion of Manager Kubesh, which motion was seconded by Manager Schlagel, by unanimous vote the Board of Managers authorized Engineer Eberhard to direct a letter to Mid-Minnesota and request their attendance at the Board's next meeting.

Engineer Eberhard next reported to the Board on the progress of the legacy grant projects. He reported that he had a meeting with a representative of BWSR and discussed changes in the proposed projects. He also indicated that more money would be allocated from the legacy grant to the Lake Allie desilting basin. Two proposals had been submitted on the Hanson site near Plato. Sondergaard Trucking's bid was \$39,040.00 and Wetland Habitat Restoration had submitted a bid of \$33,061.00. Engineer Eberhard recommended the low bid. Upon motion of Manager Schlagel, which motion was seconded by Manager Phillips, by unanimous vote the Board awarded the bid for the Hanson project to Wetland Habitat Restoration. Engineer Eberhard also stated that the Sondergaard site project, also utilizing legacy grant funds, has started and is in process and hopefully will be completed this fall.

Engineer Eberhard also reported extensively regarding the Lake Allie desilting basin project. He indicated that the project plans had been revised to comply with county ditch requirements, and that the amount of excavation material has increased from 6,000 cubic yards to 8,000 cubic yards. Engineer Eberhard stated that he has consulted with Renville County authorities on the changes in the project. He also stated he received a letter from BWSR expressing some concerns about the design of the project. The land for the project has been cleared and surveyed. Engineer Eberhard stated that he has had some frustration with communication with the Lake Allie Lake Assn., and also indicated that a stormwater permit must be filed with the MPCA in order for the project to proceed. Upon motion of Manager Henke, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers authorized Engineer Eberhard to file the permit request with the MPCA and to pay the \$400.00 permit fee. Engineer Eberhard indicated that legacy grant funds to be allocated to the desilting basin project will be approximately \$85,000.00.

Engineer Eberhard also reported that the legacy grant project on the Tom Maiers property had received two quotes for the work to be done, one for \$36,921.00 and one for \$56,000.00. He also indicated that Mr. Maiers was willing to contribute \$2,500.00 toward the project. Engineer Eberhard stated that the onset of the project will be delayed until the Hanson and Lake Allie projects proceed. He suggested that the Maiers project proceed and that \$26,000.00 of legacy grant money be applied to the project and that any amounts required over and above that \$26,000.00 could come from stream maintenance funds to supplement the cost of the project over available legacy grant funds. Upon motion of Manager Schlagel, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers agreed to proceed with the Maiers project and use up to \$5,000.00 of stream maintenance funds to supplement the cost of the project.

President Belter next called for consideration of Application for Permit No. 2007-11, a new permit related to the Maiers project previously discussed by the Board. Upon motion of Managers Phillips, which motion was seconded by Manager Henke, by

unanimous vote the Board of Managers accepted the application for a permit for discussion. After a general discussion by the Board with regard to the Maiers erosion project, upon motion of Manager Phillips, which motion was seconded by Manager Schlagel, Application for Permit No. 2007-11 was approved.

President Belter next called for any items of new business. The first item of new business was the Buffalo Creek Annual Report and Audit for 2006. Following review and upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers approved the Buffalo Creek Watershed District Annual Report and Audit for 2006.

Manager Phillips next reported on applications received for CRP grants available for buffer strips on waterways in the Watershed that would be paid out of legacy grant funds. He stated that he will review the applications and will determine which proposals would qualify for the legacy grant funds.

The Board next considered delegates for the annual convention of Watershed Districts. Manager's Phillips and Henke were appointed as delegates and Manager Schagel was appointed as alternate delegate.

The Board next considered approval for Mary Henke to attend the tech meeting relating to her work conducted on behalf of the Board and its website. Upon motion of Manager Schlagel, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers approved Mary Henke attending the tech meeting.

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 November 27, 2007 at **1:00 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