

MINUTES OF MEETING OF MANAGERS
OF BUFFALO CREEK WATERSHED DISTRICT

The Managers of Buffalo Creek Watershed District met on the 22nd day of January, 2013, at 1:00 P.M. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN, for its regular monthly business meeting.

The following members were present:

Donald Belter
Charles Kubesh
Larry Phillips
Corey Henke
Scott Lang

Also attending the meeting were:

Charles Eberhard, Engineer
Pete Kasal, Attorney

President Belter called the meeting to order and announced the first order of business was the consideration of the minutes of the regular meeting of the Board of Managers held on December 27, 2012. Upon motion of Manager Kubesh, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers approved the minutes of the regular meeting held on December 27, 2012.

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

SAVINGS:

C.D.	\$ 58,059.96	
C.B.	67,851.69	
Rec'd: Interest to 12/28/12 (C/D #8358)	17,539.84	
Interest (Savings #4206225)	1.39	
Minnesota State Finance	943.36	
79-2 CD's	<u>2,448.29</u>	
		\$ 146,844.53
LESS: Transfer to checking		<u>15,511.15</u>
		\$ 131,333.38

CHECKING:

December balance	\$ 1,667.96
Deposit from savings	<u>15,511.15</u>

LESS: Checks drawn		\$ 17,179.11
		<u>15,903.59</u>
JANUARY BALANCE		\$ 1,275.52
<u>PROJECT 79-2:</u>		
CD's #7949 & 11550 redeemed	\$9,978.58	
LESS: 79-2 expense	<u>2,448.29</u>	
New CD		\$ 7,530.29
McLeod Co. Auditor/79-2 Fund		<u>21,271.63</u>
TOTAL 79-2 Funds		\$ 28,801.92

Upon motion of Manager Lang, 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 bills that had been presented to the Board as follows:

Kasal Law Office – attorneys fees	\$ 826.68
Rinke Noonan – consulting fees	200.00
Drop ‘N Go	12.00
Castle Rock Tree Service	19,600.00
Eberhard Consulting – engineering fees	2,010.59
Mary Henke – secretarial	152.63
Linda Phillips – secretarial/accounting	378.77
Corey Henke – per diem & mileage	235.17
Donald Belter – per diem & mileage	165.82
Larry Phillips – per diem & mileage	485.63
Scott Lang – per diem & mileage	112.29
Charles Kubesh – per diem & mileage	<u>111.16</u>
TOTAL	\$24,290.74

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

President Belter next called upon Perry Collins of Castle Rock Tree Service concerning the channel clearing project currently undertaken on Buffalo Creek. Mr. Collins reported that the channel clearing project was going well. Weather conditions were optimum for the work being done and he anticipated that the clearing project would conclude within the next week.

President Belter next called upon Charles Melberg. Mr. Melberg addressed the Board and indicated that he wanted to add an extension to an existing county tile line in Hector Township, Renville County. This project also included adding a new tile line as

part of the project, which consists of approximately 5,000 feet of 24-inch tile. Upon motion of Manager Phillips, which motion was seconded by Manager Henke, by unanimous vote the Board of Managers accepted Mr. Melberg's application for a permit for consideration and designated it Application for Permit No. 2013-1. Following a general discussion between the Board members and Mr. Melberg, the application was tabled pending further information and evaluation.

President Belter next called upon Larry Kraemer, who appeared with regard to the permit application he had previously submitted to the Board (Application for Permit No. 2012-10). He indicated he is now proposing to abandon an existing county tile line in Renville County and substituting new construction. Since the original application has been pending for a number of months and the original design has changed considerably, Engineer Eberhard recommended that the Board deny the permit at this time and have Mr. Kraemer re-apply for a new permit for the amended proposed project. Upon motion of Manager Henke, which motion was seconded by Manager Lang, by unanimous vote the Board of Managers voted to deny Application for Permit No. 2012-10.

President Belter next called for any new permits. Engineer Eberhard presented an application for a permit that was presented on behalf of Wesley Bell by Ryan Freitag. Upon motion of Manager Lang, which motion was seconded by Manager Phillips, by unanimous vote the Board of Managers accepted Mr. Bell's application for a permit for consideration and designated it Application for Permit No. 2013-2. Mr. Freitag outlined that the purpose of the permit application was to develop some wetlands on property in Lynn Township, McLeod County. Engineer Eberhard stated he had reviewed the permit application and recommended approval. Upon motion of Manager Kubesh, which motion was seconded by Manager Lang, by unanimous vote the Board of Managers approved Permit No. 2013-2.

Engineer Eberhard then reported on Application for Permit No. 2012-14. He advised the Board that the applicant had not submitted the required easements necessary for the project and recommended denial. Upon motion of Manager Phillips, which motion was seconded by Manager Kubesh, by unanimous vote the Board of Managers denied Application for Permit No. 2012-14.

Engineer Eberhard next reported on Application for Permit No. 2012-18 submitted by Dale Stamer of Lynn Township, McLeod County. He indicated Mr. Stamer had not submitted the requested information with regard to culvert dimensions, pump specifications and other required specifications needed to review the project. President Belter called upon Scott Glup of the U.S. Fish & Wildlife Service with regard to this application. Mr. Glup stated that the U.S. Fish & Wildlife Service owns the property onto which the Stamer project plans to pump water as a discharge. He indicated that their agency had attempted to determine the effect of the water discharge on their property. Their calculations show that the tiling activity on the Stamer property increased run-off onto the Fish & Wildlife property. He also indicated that their research revealed that the discharge from the Stamer property does not show any benefit to the Fish & Wildlife property. It was noted during the discussion that present Watershed District rules require permission of downstream owners for discharge of pumps. A discussion followed on several potential resolutions of the issue. Attorney Kasal was directed to send a letter to

Mr. Stamer saying that if no further information was received by the March meeting of the Board of Managers, the Board would consider denying the permit and requiring removal of the pump.

Engineer Eberhard next reported on the Marsh Water Project. He stated that an MPCA grant could be applied for to partially fund the project, but he needed authorization from the Board to submit the grant application. Upon motion of Manager Phillips, which motion was seconded by Manager Lang, by unanimous vote the Board of Managers authorized Manager Henke to submit a grant application to the MPCA for the Marsh Water Project. It was also noted during the general discussion that it had been recommended that in order to increase the likelihood of the grant being approved, the Board needed to proceed with the project with regard to establishing right-of-way, assessments and other preliminary actions. Upon motion of Manager Henke, which motion was seconded by Manager Lang, by unanimous vote the Board of Managers approved pursuing legal advice on the procedures necessary to enact the Marsh Water Project. It was anticipated that Rinke Noonan Law Firm of St. Cloud would be consulted with regard to the project and the necessary procedures to begin establishment of the project.

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 next regular meeting of the Board of Managers on February 26, 2013 at **1:00** P.M. at its regular meeting place in Suite 103, Glencoe City Center, 1107 11th Street E., Glencoe, MN.

Charles Kubesh, Secretary