



1303 4TH Ave. NE
Barnesville, MN 56514
218-789-3100
www.brrwd.org

Board Meeting Minutes

Monday June 9, 2025

Managers Present: Peter Fjestad; Catherine Affield; William Davis; Curtis Stubstad; Gerald Van Amburg; Troy Larson; William Steffl.

Staff Present: Kristine Goeden, Administrator; Matthew Schlauderaff, Watershed Specialist.

Consultants Present: Bennett Uhler, Engineer, Houston Engineering, Inc. (HEI).

Others Attending: Craig Hurner; Tim Pender; Wescott Tommerdahl; Lee Thomas; Bryce Karel, Brady Martz & Associates; Jenny Mongeau, Clay County Commission (remote); and Steve Stafki (remote)

President Fjestad called meeting to order at 7:00 PM.

Agenda: Additions to agenda:

2026 Legislative Funding Resolution

Human Resources Update

Buffer Violation on Wilkin County Ditch No. 12

Motion by Stubstad to approve agenda with additions, **Seconded** by Davis. **Motion Carried.**

Clay County Ditch No. 5 Hearing

President Fjestad Called the hearing to order at 7:00 PM.

Hearing is for Petition to use Clay County Ditch No. 5 as an outlet filed by Bryan Oberg on May 12, 2025, for private drain tile in the S ½ SW ¼, Section 9, Morken Township, Clay County. Once presentation was complete, all were invited to provide comment.

Uhler presented Oberg is proposing to pattern tile the S ½ SW ¼, Section 9, Morken Township, Clay County, which is not currently in benefitting area for Clay County Ditch No. 5. Uhler recommended Board Order authorize petitioned land be assessed benefits for future drainage at a rate of 50 percent of the adjoining lands (\$15.00 per acre), which is \$7.50 per acre for a total benefit of \$600.00 to Clay County Ditch No. 5. BRRWD set no outlet fee for said subsurface drainage. Total system benefits will be increased to \$441,671.10.

Fjestad asked if there is an adequate outlet for tiling system. Uhler confirmed.

Lee Thomas discussed concerns with increasing property taxes and noted property in Section 1, Flowing Township, flows east to a ditch managed by the Wild Rice Watershed District. Uhler mentioned Clay County Ditch No. 5 has protection benefits for landowners in Sections 1 and 12, Flowing Township.

Wescott Tommerdahl spoke about difference in ditch geometry in the NW ¼, Section 4, Morken Township. Ditch is narrower and has steeper side slopes through this section, which causes blockages in the spring. Tommerdahl also mentioned electric poles along ditch. Bennett discussed original ditch design and geometry, but if ditch was specifically designed this way, an improvement would be needed.

Craig Hurner brought up concerns with sediment in township road ditch and draining property in the SW ¼, Section 11, Morken Township. Stubstad guided Hurner to talk with Clay County Engineer and Township representative. Hurner

questioned if taxes for whole ditch system would go up. Uhler stated parcel will be added to benefit area, so taxes will go down slightly for everyone.

Motion by Van Amburg to close hearing at 7:15 PM, **Seconded** by Affield. **Motion Carried.**

Motion by Larson to approve Order as presented, **Seconded** by Stubstad. **Motion Carried.**

Citizens to be Heard:

Bryce Karel, Brady Martz & Associates. Audit Presentation. Review and Approve Audit Report. Karel presented Audit Report. **Motion** by Van Amburg to approve audit report as presented, **Seconded** by Stubstad. **Motion Carried.**

Tim Pender. Pender discussed concerns with neighbor's drain tile in Section 33, Riverton Township, Clay County. Permit (Permit No. 13-020) was approved with standard tile conditions and condition pump must be shut off during flooding. Pender had agreement with applicant that he could shut off tile pumps during flooding. New owners have purchased land and were running pumps in May when water was sitting on Pender's field in the SW ¼, Section 28, Riverton Township. When permit was approved, water was to go west along the south side of County Road 12. However, water also runs north through County Road 12 along the east side of Minnesota State Highway 9. Board recommended staff contact new owner and help Pender get in contact with Minnesota Department of Transportation (MNDOT) about a potential cleanout in road ditch along State Highway 9.

Consent Agenda: **Motion** by Davis to approve consent agenda items:

May 12, 2025 Board Meeting Minutes

May 12, 2025 Clay County Ditch No. 9 Minutes

Financial Report

Permit Nos.

25-028, Hawley Public Schools c/o Justin Nielsen – Land development, NW ¼, Section 1, Hawley Township, Clay County

25-030, Paul Hartke – Approach installation, NW ¼, Section 13, Riverton Township, Clay County with conditions

25-031, Adam Schenck – Culvert installation, NW ¼, Section 11, Hawley Township, Clay County with conditions

25-032, Stephen Stafki – Culvert installation, NW ¼, Section 10, Hawley Township, Clay County with conditions

25-034, Midco Communications, c/o Devin Krauter – Utility installation, NW ¼, Section 4, Moorhead Township, Clay County with conditions

25-035, Todd Andresen – install water and sediment control basins (WASCOBs), Sections 1 and 12, Audubon Township, Becker County, with conditions

Project No. 80 – Stony Creek Restoration, Pay Estimate No. 9 for \$56,738.11

Project No. 81 – Whiskey Creek Enhancement Phase 3, Pay Estimate No. 14 for \$50,578.00

Seconded by Affield. **Motion Carried.**

Permits for Discussion:

Permit No. 25-033, Dale Pederson – Applicant constructed new ditch along property in NE ¼, Section 18, Cuba Township, Becker County, to reroute surface drainage. Schlauderaff recommended Pederson apply for an after-the-fact permit. Downstream landowner expressed concern with new ditch. Staff were notified that both landowners are working with Natural Resources Conservation Service (NRCS) to resolve issue and determine elevation for swale that runs through both properties. **Motion** by Davis to table permit until July Board Meeting to allow landowners to continue to work with NRCS, **Seconded** by Larson. **Motion Carried.**

Permit No. 25-018, Bryan Oberg – Applicant proposes to install drain tile in SW ¼, Section 9, Morken Township, Clay County. Water will outlet into adequate outlet into County Road 11 and will run north two miles to Clay County Ditch No. 5. Board approved Findings and Order for proposed tile to use Clay County Ditch No. 5 as an outlet. Uhler recommended approval subject to standard tile conditions, approval from County for work within road right-of-way (ROW), and no

appeals being filed within 30 days of the Order being approved for adding this tract into the benefitting area for Clay County Ditch No. 5.

Permit No. 25-036, Justin Phillips. Applicant proposes to install drain tile in S ½, Section 9, Trondhjem Township, Otter Tail County. Tile outlets into adequate outlet on applicant's property. Uhler recommended approval subject to standard tile conditions.

Motion by Stubstad to approve Permit Nos. 25-018 and 25-036 with conditions outlined above, **Seconded** by Affield.

Motion Carried.

Projects:

Upper Buffalo River Restoration. Project Discussion. Davis discussed the time and effort that have gone into design of project and requested Board to reconsider Order to establish project. Davis noted the Lower Otter Tail River Restoration has similar concerns with the headcut. Davis listed multiple landowners that spoke at Hearing about soil benefitting projects that they had installed on their land, but their water still reaches the river. Davis discussed definition and interpretation of the word benefit and discussed that contributing waters are considered for a water management district (wmd). Larson stated the maximum wmd assessment was just under \$28,000 per year and discussed landowner appreciation for other watershed projects. Stubstad noted he was not at the meeting when Board of Managers considered the Order, but he was surprised at resistance to project at Hearing. Stubstad discussed site visit and poor condition of Buffalo River and agreed something should be done to help. Stubstad stated this project might have too much opposition to move forward. Davis and Stubstad agreed the only opposition to the project was due to the taxing of the wmd. Steffl believed wmd would not work for this project. Steffl discussed the Comprehensive Water Management Plan (CWMP) and a reference to landowners benefiting from projects that utilize the wmd. Steffl raised question about how project was initiated and asked questions about how funding and costs were determined for project and why crossings were needed for project. Uhler stated he was not involved in the project's inception, but he believed existing crossings had to be maintained due to Minnesota Department of Natural Resources (MNDNR) guidelines. Stubstad noted if crossings were removed landowners would still be assessed for maintenance. Uhler stated MNDNR plans to provide funding for culverts, so removing culverts from project would not lower wmd assessment. Steffl raised question if grant dollars could be shifted for other uses in the project to lower landowner assessment. Uhler stated construction was anticipated to be fully funded by grants, but easements and future maintenance would need local funding. Easement costs could be funded from watershed wide funding, but funding for future maintenance would still be needed. Uhler discussed funding deadlines. Fjestad noted the Becker County Commissioner stated BRRWD would need a permit from Becker County and landowner opposition could impact approval of a permit. Fjestad stated project funding should be used elsewhere given landowners did not want project. Van Amburg said he was in favor of the project, but opposition may be too great to proceed. Board of Managers did not consider a motion to approve and Order.

Upper Buffalo River Restoration. Reinvest in Minnesota (RIM) Easement Incentive Discussion. At the February 2024 Board Meeting, Board of Managers approved offering landowners a 20 percent incentive to landowners that enrolled land in RIM Program for Upper Buffalo River Restoration. Three landowners enrolled land in RIM. Staff recommended Board of Managers honor offers made in 2024, even though Upper Buffalo River Restoration is not moving forward to construction. Estimated cost is \$40,000.00 and could be paid for by watershed wide basic water management fund. **Motion** by Stubstad to approve incentive as presented, **Seconded** by Affield. **Motion Carried.**

Ditches:

Ditch Spraying, Review and Consider: Annually, BRRWD sprays ditches for woody debris, cattails, leafy spurge, and poisonous plants along BRRWD's public ditches as part of ditch maintenance. Ditches were inspected and areas that need to be sprayed were identified. Staff recommended Board of Managers authorize spraying these areas as part of annual ditch maintenance.

Ditch System	Miles of Ditch	Estimated Cost
Becker County Ditch No. 9	1	\$500.00
Becker County Ditch No. 15	0.5	\$500.00
Clay County Ditch No. 3	0.5	\$500.00
Clay County Ditch No. 5	1	\$500.00
Clay County Ditch No. 9	1.5	\$750.00

Ditch System	Miles of Ditch	Estimated Cost
Clay County Ditch No. 10	1	\$1,000.00
Clay County Ditch No. 11	1.5	\$750.00
Clay County Ditch No. 12	5	\$3,000.00
Clay County Ditch No. 16	1.5	\$1,000.00
Clay County Ditch No. 17	2	\$1,000.00
Clay County Ditch No. 21	2	\$1,000.00
Clay County Ditch No. 22	1	\$500.00
Clay County Ditch No. 23	0.5	\$250.00
Clay County Ditch No. 28	2	\$1,000.00
Clay County Ditch No. 32	1.5	\$750.00
Clay County Ditch No. 33	1	\$1,000.00
Clay County Ditch No. 39	4	\$2,500.00
Clay County Ditch No. 40	2	\$1,000.00
Clay County Ditch No. 41	1.5	\$1,000.00
Clay County Ditch No. 47	2	\$1,000.00
Clay County Ditch No. 53	0.5	\$250.00
Clay County Ditch No. 54	1	\$500.00
Clay County Ditch No. 55	3	\$1,500.00
Clay County Ditch No. 57	1.5	\$750.00
Clay County Ditch No. 58	3	\$1,500.00
Clay County Ditch No. 59	1	\$500.00
Clay County Ditch No. 59	1	\$500.00
Clay County Ditch No. 63	0.5	\$250.00
Clay County Ditch No. 65	2	\$1,000.00
Clay County Ditch No. 69	1	\$1,000.00
Wilkin County Ditch No. 1A	5	\$3,000.00
Wilkin County Ditch No. 1B	1	\$750.00
Wilkin County Ditch No. 1C	2	\$1,000.00
Wilkin County Ditch No. 2	1	\$500.00
Wilkin County Ditch No. 3	6	\$4,000.00
Wilkin County Ditch No. 4	3.5	\$1,500.00
Wilkin County Ditch No. 5	2.5	\$1,500.00
Wilkin County Ditch No. 6A	2.5	\$1,500.00
Wilkin County Ditch No. 7	1	\$500.00
Wilkin County Ditch No. 13	0.5	\$500.00
Wilkin County Ditch No. 13 L1	3	\$5,000.00
Wilkin County Ditch No. 15	1	\$500.00
Wilkin County Ditch No. 22	4	\$2,500.00
Wilkin County Ditch No. 23	4	\$1,500.00
Wilkin County Ditch No. 27	0.5	\$500.00
Wilkin County Ditch No. 28	1.5	\$1,500.00
Wilkin County Ditch No. 29	1.5	\$1,250.00
Wilkin County Ditch No. 31	7	\$5,000.00
Wilkin County Ditch No. 37	2	\$1,000.00
Wilkin County Ditch No. 41	3	\$4,000.00
Wilkin County Ditch No. 42	2	\$1,500.00
Wilkin County Ditch No. 44	4	\$1,500.00
Clay-Wilkin Judicial Ditch No. 1	2	\$1,500.00
Wilkin-Otter Tail Judicial Ditch No. 2	2	\$1,000.00
Pj. 49, Oakport Township	0.5	\$500.00

Motion by Davis to approve repairs as presented, **Seconded** by Stubstad. **Motion Carried.**

Wilkin County Ditch No. 12 Section 30, Nilsen Township: Schlauderaff conducted inspection of Wilkin County Ditch No. 12 in spring 2024 and found a buffer violation in the SE ¼, Section 30, Nilsen Township. A corrective action notice was sent, which gave landowners 11 months to replant buffer. A follow up inspection was conducted in 2025 and property was still in violation. Schlauderaff requested Board of Managers authorize Vogel Law Firm to draft Order to send to property owner to bring violation into compliance with the Minnesota Buffer Law. **Motion** by Van Amburg to approve authorizing Vogel Law Firm to send Order as presented, **Seconded** by Davis. **Motion Carried.**

Other:

Minnesota Watersheds, Review Resolutions: Goeden reviewed Minnesota Watersheds Resolutions, which included pursuing legislation to address permitting efficiency between MNDNR and Minnesota Pollution Control Agency (MPCA), expanding wetland exemptions on public drainage systems, including water management organizations in Minneapolis-St. Paul, and fen classifications. It was noted BRRWD did not have concerns with proposed resolutions.

2026 Funding Resolutions: Goeden discussed resolution in support of legislative appropriations of \$44.4 million to complete Minnesota's financial commitments for construction improvements and land acquisitions necessary for the Fargo-Moorhead area diversion project for Clay County and BRRWD. The resolution will be submitted to Minnesota Management and Budget (MMB) for funding for Georgetown and Wolverton Flood Mitigation Projects. Mongeau noted Clay County Board of Commissioners were considering same resolution at their next meeting. **Motion** by Larson to approve resolution as presented, **Seconded** by Stubstad. **Motion Carried.**

HR Update: Board of Managers reviewed renewal benefits for staff. Board of Managers discussed replacement plan following resignation of RaeAnn Berg, Administrative Assistant. Since there will be no trained individual to manage District's financial records, Board of Managers approved extended leave plan as recommended by HR Committee for Administrator's prior planned leave. Affield will assist as needed with financial records and is authorized access to bank accounts for paying bills. HR Committee also recommended Board of Managers grant them authority to hire a temporary employee to assist with answering phones and data entry. **Motion** by Stubstad to approve replacement plan and extended leave plan as recommended by the HR Committee, **Seconded** by Larson. **Motion Carried.**

Bills. **Motion** by Larson to approve bills totaling \$339,672.27. **Seconded** by Affield. **Motion Carried.**

Next Regular Meeting. Monday, July 14, 2025, at 7:00 PM in the Barnesville office.

President Fjestad adjourned meeting at 9:08 PM.

s/ William Davis
William Davis
Secretary