



1303 4TH Ave. NE
Barnesville, MN 56514
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www.brrwd.org

Board Meeting Minutes

Monday March 10, 2025

Managers Present: Peter Fjestad; Catherine Affield; William Davis; Troy Larson; Gerald Van Amburg (remote); Curtis Stubstad; Todd Andresen.

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

Consultants Present: Bennett Uhler, Engineer, Houston Engineering, Inc. (HEI); Daniel Brees, Attorney, Gordon Rees Scully Mansukhani (remote); Tami Norgard, Attorney, Vogel Law Firm (remote); Bennett Johnson, Attorney, Vogel Law Firm (remote).

Others Attending: Amy Wieser Willson; William Steffl; June Steffl; Jon Braton, Wilkin County Commission; David Ebinger, Clay County Commission; Kevin Campbell, Clay County Commission; Stephen Larson, Clay County Administrator.

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

Agenda: Additions to agenda: Whiskey Creek Watershed Section 319 Grant. **Motion** by Stubstad to approve agenda with addition. **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Larson, Stubstad, Andresen. Absent – Van Amburg. **Motion Carried.**

Citizens to be Heard:

Steve Larson, David Ebinger, and Kevin Campbell, Clay County. Update on Fargo-Moorhead Diversion Project. S. Larson, Ebinger, and Campbell provided update on Fargo-Moorhead Diversion Project in Minnesota. Clay County has been active in the 2025 Minnesota Legislative Session to attempt to bring funding to the projects in Minnesota. There is a temporary pause on bidding projects until the end of the 2025 Minnesota Legislative Session to ensure that projects going out for bid qualify for funds allocated by the State. Land acquisition and project design are still progressing as there is a strong commitment to complete the projects. S. Larson, Ebinger, and Campbell noted the importance of coordinating Project No. 84 – City of Wolverton Flood Protection with Clay County Engineer to ensure road detours are not extended by the simultaneous construction of the levees in the City of Wolverton and the road raises near Comstock.

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

February 10, 2025 Board Meeting Minutes

Financial Report

Permit Nos.

25-001, Novel Energy Solutions, c/o Eric Lapointe – land development, NW ¼, Section 8, Elmwood Township, Clay County with conditions

25-005, City of Hawley, c/o Lonnie Neuner – culvert replacement, N ½, Section 2, Hawley Township, Clay County with conditions

25-006, Steve Thompson – tiling, NW ¼, Section 10, Alliance Township, Clay County with conditions

25-007, Keith Faus – installation of water and sediment control basin (WASCOB), SW ¼, Section 4, Cuba Township, Becker County with conditions

Seconded by Affield. Aye – Fjestad, Affield, Davis, Larson, Stubstad, Andresen. Absent – Van Amburg. **Motion Carried.**

Permits for Discussion:

Permit No. 25-010. Steve Thompson. Applicant proposing to replace culverts in Section 10, Alliance Township Clay County. Culverts proposed to be replaced with same size culvert but different material. One location is an existing side inlet into Whisky Creek and the second location is a driveway culvert. Uhler recommended approval subject to installation of a 24" culvert at each location. **Motion** by Larson to approve Permit Nos. 25-010 with conditions outlined above. **Seconded** by Stubstad. Aye – Fjestad, Affield, Davis, Larson, Stubstad, Andresen. Absent – Van Amburg. **Motion Carried.**

Projects:

South Branch Buffalo River Restoration Phase 2. Engineer's Report. **Motion** by Larson to accept Engineer's Report as presented. **Seconded** by Affield. Aye – Fjestad, Affield, Davis, Larson, Stubstad, Andresen. Absent – Van Amburg. **Motion Carried.**

South Branch Buffalo River Restoration. Water Management District. **Motion** by Davis to accept water management district as presented. **Seconded** by Affield. Aye – Fjestad, Affield, Davis, Larson, Stubstad, Andresen. Absent – Van Amburg. **Motion Carried.**

South Branch Buffalo River Restoration Phase 2. Set Time and Date for Hearing. **Motion** by Affield to set a hearing for the South Branch Buffalo River Restoration Phase 2 for Monday April 14, 2025 at 5:00 PM at the BRRWD office. **Seconded** by Larson. Aye – Fjestad, Affield, Davis, Larson, Stubstad, Andresen. Absent – Van Amburg. **Motion Carried.**

Upper Buffalo River Restoration. Reinvest in Minnesota (RIM) Discussion. Uhler provided update on RIM easement acquisition in Section 12, Riceville Township, Becker County. A dumpsite was identified on a property and the State of Minnesota would like the dumpsites cleaned up before obtaining RIM easement. Uhler stated one location is within the project area where contractors will be working. The other site is not in the construction area but an easement is needed. This site is cleaned up, but not to the State of Minnesota's standard for the RIM easement. Uhler recommended Board of Managers consider hiring contractor to clean up dumpsite in project area and removing the other site from the RIM easement, but paying landowner RIM rate plus incentive as the landowner attempted to enroll parcel in RIM. **Motion** by Stubstad to authorize staff to hire contractor to clean up site within construction area and remove other site from RIM easement and pay landowner RIM rate plus incentive as presented. **Seconded** by Larson. Aye – Fjestad, Affield, Davis, Larson, Stubstad, Andresen. Absent – Van Amburg. **Motion Carried.**

Upper Buffalo River Restoration. Water Management District. **Motion** by Van Amburg to accept water management district as presented. **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

Upper Buffalo River Restoration. Set Time and Date for Hearing. **Motion** by Affield to set a hearing for the Upper Buffalo River Restoration for Monday April 28, 2025 at 5:00 PM at the BRRWD office. **Seconded** by Andresen. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

Project No. 46 – Turtle Lake Outlet. 2023 Appraisal Report. **Motion** by Stubstad to approve the updated Appraisal Report as presented. **Seconded** by Andresen. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

Project No. 49 – Oakport Flood Mitigation. Request to Stockpile Material. Northwest Excavating requested Board of Managers consider allowing them to stockpile material (a mix of clay and gravel) on BRRWD property in Oakport for the yearly rodeo in March at the Fargodome. Their request was to store roughly 1,000' of material yearly at this location. **Motion** by Stubstad to deny request due to ongoing transfer to the City of Moorhead. **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

Project No. 49 – Oakport Flood Mitigation. Request to Use Property for Bee Hives. Paul Luthi, owner of Three Bears Honey, requested Board of Managers consider allowing them to set up bee hives on BRRWD owned property in Oakport. Board of Managers discussed that Luthi may need to contact City of Moorhead in the future once property is transferred. **Motion** by Van Amburg to authorize Luthi to utilize BRRWD owned property in Oakport for bee hive in 2025. **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

Ditches:

Drainage Repair Recommendations

Drainage	Township	Section	Problem/Proposed Work	Estimated Cost
Clay County Ditch No. 35	Moland	31	Scour hole and plugged culvert. Haul in 60' of clay and remove sediment in culvert.	\$2,000 - \$2,500

Motion by Stubstad to approve repair as presented. **Seconded** by Larson. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

Other:

Citizen Advisory Committee (CAC). Schedule Meeting. Board of Managers scheduled meeting for April 16, 2025 from 1:00 PM to 2:30 PM. Board of Managers discussed ways to make meeting more engaging.

Quote to Seal Coat Parking Lot. Motion by Stubstad to accept quote from Richard Seidel for \$2,000.00 to reseal and stripe parking lot as presented. **Seconded** by Larson. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

Minnesota Watersheds Special Meeting. Appoint Delegates. Motion by Stubstad to appoint Fjestad and Affield as delegates to represent BRRWD at the Minnesota Watersheds Special Meeting on Friday March 21, 2025. **Seconded** by Davis. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

Red River Management Board (RRWMB). Culvert Inventory. RRWMB is proposing to conduct a culvert inventory in the Red River Basin using funds from Minnesota Homeland Security and Emergency Management (HSEM) and Federal Emergency Management Agency (FEMA). RRWMB is determining if there is interest from Red River Basin Watershed Districts before they submit application to Minnesota HSEM. In general, Board of Managers support a culvert inventory and think information obtained would be useful for ongoing work in BRRWD.

RRWMB and Flood Damage Reduction Workgroup (FDRWG). Joint Conference. RRWMB and FDRWG are hosting their Annual Joint Conference on March 18 and 19. Van Amburg Plans to attend.

Bills. Motion by Affield to approve bills totaling \$282,389.60. **Seconded** by Stubstad. Aye – Fjestad, Affield, Davis, Stubstad, Van Amburg, Larson, Andresen. **Motion Carried.**

*Board of Managers went into Closed Executive Session at 8:13 PM under MN Statute 13D.05 Subd 3b for **Project No. 81 – Whiskey Creek Enhancement.** Attorneys Brees and Norgard provided update on active litigation. Executive Session ended at 9:04 PM.*

After consultation with Norgard, Board of Managers considered moving forward with eminent domain in the Ted and Marlene Terfehr and Rick and Audrey Terfehr easement acquisition matters. **Motion** by Stubstad to authorize Norgard to initiate the preparation of an appraisal and engagement in voluntary easement acquisition offers with the parties, with the understanding that eminent domain will follow if unsuccessful. **Seconded** by Andresen. Aye – Fjestad, Affield, Davis, Larson, Stubstad, Andresen. Absent – Van Amburg. **Motion Carried.**

*Board of Managers went into Closed Executive Session at 9:09 PM under MN Statute 13D.05 Subd 3b for **Wilkin County Ditch No. 22.** Attorney Johnson provided update on active litigation. Executive Session ended at 9:34 PM.*

Whiskey Creek Watershed Section 319 Grant. Uhler provided update on second round of funding for Section 319 grant through Minnesota Pollution Control Agency (MPCA) and Environmental Protection Agency (EPA). Working with MPCA, staff are proposing working with Wilkin Soil and Water Conservation District (SWCD) and West Otter Tail SWCD to match Watershed Based Implementation Funds (WBIF) for WASCObS and other storage projects. Staff will also determine if any of the ditch outlets in the watershed need to be repaired to reduce pollution entering Whiskey Creek.

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

President Fjestad adjourned meeting at 9:42 PM.

/s/ William Davis
Secretary