

**MINUTES OF THE ROSEAU RIVER WATERSHED DISTRICT BOARD
OF MANAGERS MEETING HELD OCTOBER 2, 2025**

ORDER: Chairman Diesen called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance.

MANAGERS PRESENT: Carter Diesen, Laverne Voll, Jason Braaten, and Cody Schmalz

STAFF PRESENT: Administrator Halstensgard (via Teams), Technician Broten, and Assistant Wensloff

OTHERS PRESENT: Ericka Halstensgard and Ryan Murray, Roseau County Highway Dept.; Nick Mertens, Gladen Construction

CONSULTING STAFF PRESENT: Erik Jones, Houston Engineering; Jaqueline Turnow, Attorney; Nate Dalager and Torin McCormack, HDR Engineering.

AGENDA: A **motion** was made by Manager Voll to approve the agenda as amended, seconded by Manager Braaten. Motion carried unanimously.

CONSENT AGENDA: A **motion** to approve the Consent Agenda was made by Manager Schmalz. The motion was seconded by Manager Voll. The motion was carried unanimously. Adoption of the Consent Agenda included:

- Approval of September 4, 2025, regular meeting minutes (as amended).
- Treasurer's Report with additional bills for Moren Law Office \$2,291.95 and Elan Financial Services for \$1,930.85
- Permit 2025-25(MnDOT)
- Review and Approve manager and employee expense vouchers as read by Manager Braaten.

PERMITS: Manager Braaten made a **motion** to approve permit 2025-24. Chairman Diesen seconded the motion. Motion carried unanimously. Manager Voll made a **motion** to approve permit 2025-26. Manager Braaten seconded the motion. Motion carried unanimously.

DELEGATION: There were no delegates for this meeting.

OLD BUSINESS: Nate Dalager presented on CD8 & WD3. The old ditch records are incomplete so there is need for records re-establishment. Under MN Statute 103E.101, we are required to have complete and established records for each ditch system. WD3 has plans for alignment, cross section, grade profile, and right-of-way. It has a few things off the checklist but needs additional section corners to better define the alignment. Manager Braaten made a **motion** to do a survey to find the missing corners on WD3. Manager Schmalz seconded the motion. Motion carried unanimously. The board discussed holding a meeting to inform landowners of WD3 status and answer questions. Manager Braaten made a **motion** to set up an informational

landowner meeting on WD3. Manager Schmalz seconded the motion. Motion carried unanimously.

CD 8 has no record plans for alignment, cross section, grade profile, and right-of-way. There was also discussion on setting up a landowner meeting on CD8. Manager Voll made a **motion** to set up an informational landowner meeting on CD8. Manager Braaten seconded the motion. Motion carried unanimously.

NEW BUSINESS: MN Watersheds Annual Conference will be held December 2-5 in Nisswa, MN. Due to the conference being scheduled for the same date as the RRWD regular monthly meeting, the RRWD meeting date will be moved from December 4th to December 11th. The regular meeting time will also be changed from 8:00 a.m. to 12:00 p.m. Technician Broten and Torin McCormack will be presenting on Roseau Lake at the MN Watersheds Annual Conference.

PROJECTS:

Juneberry: EAW update: Erik provided an update on the EAW Findings & Order.

Hay Creek Project Team update: The update on potential Best Management Practice (BMPs) on Hay Creek was given by Technician Broten. He reported speaking with landowners about the six possible BMP sites. There was discussion on moving forward with land purchase.

Erik informed the board about the field review he did, mentioning a grade stabilization and a side water inlet that could still be done this fall. He talked a little about the Santl land, noting that a little more work needs to be done before he can give a more in-depth report. Manager Voll expressed not wanting to miss out on the opportunity to purchase the Santl land. Administrator Halstensgard added that permitting and funding should be kept in mind, she also noted that land purchase is always a good investment.

CD8 Construction update: Technician Broten gave an update on the finished project and presented photos. Cass Simmons is working on the ditch cleaning. Torin McCormack added more details to the update. Manager Voll made a **motion** to pay the APEX payment application #2 for \$43,042.91. Manager Schmalz seconded the motion. Motion carried unanimously.

Roseau Lake: construction update- Technician Broten informed the board that he and Torin McCormack will be presenting at the MN Watersheds Conference on Roseau Lake. He gave an update with Torin, adding more information on the punch list items, including the new Pine Creek structure and access. Photos of the project site were shown to the board. Torin talked about the sheet pile locations being marked on Sprague Creek for Northern Harbor.

Change orders- Nick Mertens introduced himself to the board as the foreman on site and gave a short update. Nate Dalager presented a change order. He recommended that granular backfill be used around the structure with estimate cost of \$17,000. Manager Braaten made a **motion** to go ahead with the first part of Change Order #1 granular backfill option, including giving Administrator Halstensgard authorization to sign. Manager Schmalz seconded that motion. Motion carried unanimously.

Nate presented the second part of Change Order #1 as adding fabric and an additional 4" (10" total) of gravel to the County maintained gravel road as well as going east to the east inlet structure. Manager Voll made a **motion** to approve Change Order #1, with Manager Braaten seconding it. The motion carried unanimously.

Payment application approval- Manager Voll made the **motion** to approve all three payment applications: 03-04.1, 03-04.2, & 03-04.3 with a sum total of \$1,579,834.33. Manager Braaten seconded it. Motion carried unanimously.

ECP funding application- Administrator Halstensgard gave a short report with a request from Tom Enright, DNR, as project partner, to submit the ECP grant application. Board approval is needed to apply for it and sign. Manager Braaten made a **motion** to approve the request. Manager Schmalz seconded the motion. Motion carried unanimously.

REPORTS:

RRWMB: Manager Braaten gave a report and provided a written report. He has mentioned the potential Santl land purchase for \$2,000 an acre to the RRWMB.

Technician: Technician Broten reported on the Palmville road maintenance, beaver dams, CD8 brush removal and ditch cleaning. He also attended MWPCP training in Brainerd last month and announced that he passed his in-training exam and now has his wetland professional certification. Technician Broten noted that the RRWD Stihl brush cutter was in costly disrepair. Manager Voll made a **motion** to give Technician Broten a \$1000 budget for the purchase of a new brush cutter. Chairman Diesen seconded the motion. Motion carried unanimously.

Administrator: Administrator Halstensgard provided a written report on Roseau Lake funding & construction, JPB, and Hay creek. She stated that Technician Broten completed his MWPCP training certification. She recommended that he receives a salary increase to \$56,160.00 (\$27.00/hour) effective immediately, separate from the annual cost of living increase. Chairman Diesen made a **motion** to approve his salary increase. Manager Braaten seconded the motion. Motion carried unanimously.

Erik revisited the EAW Findings & Order. Manager Braaten made a **motion** to accept the Findings & Order. Manager Voll seconded his motion. The motion carried unanimously.

Closed meeting to discuss pending litigation: Manager Voll made a **motion** to adopt the resolution to close the public meeting to discuss the pending litigation – Plaintiff – Lins et al. Manager Braaten seconded the motion. The motion carried unanimously.

OTHER BUSINESS:

After a **motion** by Manager Braaten, seconded by Manager Voll, the meeting was adjourned at 10:45 a.m. The next meeting will be held on November 6, 2025, at 8:00 a.m.

Respectfully submitted,



Laverne Voll, Secretary



Tracy Halstensgard, Administrator

RESOLUTION CLOSING BOARD MEETING

WHEREAS, the Minnesota Open Meeting Law, Minn. Stat. § 13D.05, subd. 3(b) states that “meetings may be closed if the closure is expressly authorized by statute or permitted by the attorney-client privilege;” and

WHEREAS, Darrell Lins, *et al* have commenced litigation regarding the Roseau Lake project and the Roseau River Restoration project; claiming *inter alia* unlawful deprivation of property; and

WHEREAS, the RRWD seeks to meet with its attorney, to discuss the pending litigation and potential settlement proposals; and

WHEREAS, it would be detrimental to the interests of the Board of Managers of the RRWD to hold a public discussion with its attorney regarding the strengths and weaknesses of its legal position(s), strategy, and potential settlement position where an opposing party or opposing attorney could listen to or be made aware of the RRWD’s positions; and

WHEREAS, there is an absolute need for the RRWD Board of Managers to obtain confidential legal advice regarding pending litigation and potential settlement in order to maintain the attorney-client privilege.

BE IT RESOLVED by the Board of Managers of the Roseau River Watershed District as follows:

1. The Roseau River Watershed District Board of Managers hereby closes this meeting based upon the attorney-client privilege pursuant to Minn. Stat. § 13D.05, subd. 3(b);
2. The specific subjects to be discussed, pursuant to Minn. Stat. § 13D.01, subd. 3, are the legal strategy in responding to the pending litigation (Roseau Lake and Roseau River Restoration matters) against the RRWD and potential settlement position.

Dated this 2nd day of October, 2025.



Chairman



Secretary



Sign-in sheet

October 2, 2025 – 8:00 a.m.

RRWD 714 6th St SW Roseau, MN 56751

[illegible]