

SPECIAL MEETING
Moorhead - Clay County Joint Powers Authority (MCCJPA)

Thursday, May 2, 2024, 1:00 p.m.

Clay County Courthouse, Third Floor Meeting Rooms
In Person Meeting with Microsoft Teams Option Available

MINUTES

1) CALL TO ORDER

The meeting was called to order by Chair Campbell at 1:00 p.m.

2) ROLL CALL

City of Moorhead:	Mayor Shelly Carlson
	Council Member Chuck Hendrickson
Clay County:	Commissioner Kevin Campbell
	Commissioner Jenny Mongeau

Others Present or on Microsoft Teams:

Jodi Smith, Lands & Compliance Director, Madeline Daudt, Land Specialist, and Jessica Warren, Compliance Specialist, Diversion Authority

Attorneys, John Shockley, Kathryn McNamara, Chris McShane, and Lukas Andrud, Ohnstad Twichell Law

Ken Helvey, SRF Consulting

Gerald Van Amburg, BRRWD

Stephen Larson and Sarah Hellem, Clay County staff

3) APPROVAL OF AGENDA

Mayor Carlson moved, and Council Member Hendrickson seconded, to approve the agenda. Motion carried.

4) EXECUTIVE SESSION

Closed Executive Session pursuant to Minn. Stat. § 13D.05 subd. 3(c)(3) for consultation regarding the purchase price for property interests for the property identified as OINs 1252.

Council Member Hendrickson moved, and Commissioner Mongeau seconded, to close the meeting at 1:02 p.m. Motion carried.

Mayor Carlson moved, and Council Member Hendrickson seconded, to open the meeting at 1:24 p.m. Motion carried.

Commissioner Campbell asked for Mr. McShane to provide proposed language for this settlement proposal.

Chris McShane, Ohnstad Twitchel, stated the proposal would be that Keith & Norma Kragerud would convey to the Moorhead-Clay County Joint Powers Authority (MCCJPA) flowage easement interests over approximately 6.28 acres on OIN 1252, as identified by the survey. The MCCJPA will pay the Kragerud's a total of \$750,000, inclusive of the replacement housing differential

payment (RHDP), upon closing of the real estate transaction contemplated under the parties' settlement agreement for the property rights conveyed by Kragerud's as outlined above, prior to July 1, 2024. The Kragerud's will be allowed to use the home and structures on OIN 1252 from the day of the closing until the sooner of June 1, 2025, or upon election of the Kragerud's to vacate the home. The MCCJPA will remove the structures and mitigate the property after June 1, 2025. The district will reimburse the Kragerud's for reasonable attorneys' fees, not to exceed \$54,500.

Commissioner Campbell asked about the June 1, 2025, date, and the importance of that date. Jodi Smith, Diversion Authority, stated that date has been communicated to all Wilkin County property owners who have structures, that structures will need to be removed by that date. Otherwise, what will happen is we'll come in and remove the structures for them. The Kragerud's know this and they're supposed to have their home rebuilt and be relocated, and then Ms. Daudt will arrange to have someone come out there and remove those structures. The Clay County properties deadline is May 1, 2025. Commissioner Campbell stated these dates are important for several reasons, but more importantly to maintain the timeline to ensure the completion date.

Mr. McShane stated once the Kragerud's relocate from that home, they will receive other relocation benefits.

Mayor Carlson moved, and Council Member Hendrickson seconded, to approve the Kragerud's to convey to the Moorhead-Clay County Joint Powers Authority (MCCJPA) flowage easement interests over approximately 6.28 acres on OIN 1252, as identified by the survey. The MCCJPA will pay the Kragerud's a total of \$750,000, inclusive of the replacement housing differential payment (RHDP), upon closing of the real estate transaction contemplated under the parties' settlement agreement for the property rights conveyed by Kragerud's as outlined above, prior to July 1, 2024. The Kragerud's will be allowed to use the home and structures on OIN 1252 from the day of the closing until the sooner of June 1, 2025, or upon election of the Kragerud's to vacate the home. The MCCJPA will remove the structures and mitigate the property after June 1, 2025. The district will reimburse the Kragerud's for reasonable attorneys' fees, not to exceed \$54,500. Motion carried.

10) ADJOURN

The meeting adjourned at 1:29 p.m.

Stephen Larson, MCCJPA Secretary