

FLOOD DIVERSION AUTHORITY
FINANCE COMMITTEE
AGENDA FOR TUESDAY, NOVEMBER 10, 2015

Fargo City Commission Chambers
2:30 PM

1. Call to order
2. Approval of the minutes from the previous meeting Item No. 2
3. Approval of bills Item No. 3
4. Financial update (Costin) Item No. 4
5. Special Assessment update (Brodshaug)
6. Property Acquisitions (Dodds)
 - a. Anderson property Item No. 6a
 - b. Haug property Item No. 6b
 - c. Mondragon property Item No. 6c
 - d. Art Mathison Trust property Item No. 6d
7. Land Acquisition Directive (Dodds)
8. 2016 Budget (Spiller)
9. Other business
10. Next meeting discussion
11. Adjournment

cc: Local Media
Flood Diversion Board of Authority
CH2M
AE2S

**FLOOD DIVERSION FINANCE COMMITTEE
OCTOBER 7, 2015—3:00 PM**

1. MEETING TO ORDER

A meeting of the Flood Diversion Finance Committee was held on Wednesday, October 7, 2015, at 3:00 PM in the Fargo City Commission Chambers, Fargo City Hall, with the following present: Cass County Auditor Mike Montplaisir; Cass County Commission Representative Darrell Vanyo; Cass County Administrator Keith Berndt; Fargo City Commissioner Mike Williams; Cass County Joint Water Resource District Chairman Mark Brodshaug; Fargo City Mayor Tim Mahoney; and Clay County Auditor/Treasurer Lori Johnson; Cass County Commissioner Rick Steen; and Moorhead Finance Director Wanda Wagner. Moorhead City Council Member Nancy Otto arrived later in the meeting. Fargo Finance Director Kent Costin was absent.

Also present were Bruce Grubb, Interim Fargo City Administrator; John Shockley, Ohnstad Twichell; Bruce Spiller, CH2M; Eric Dodds, AE2S; Rocky Schneider, AE2S; Tanaya Reitz, AE2S; and Paul Breen, AE2S.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

MOTION, passed

**Mr. Vanyo moved and Mr. Berndt seconded to approve the minutes from the September 9, 2015, meeting as presented.
Motion carried.**

3. APPROVAL OF BILLS

Mr. Montplaisir said the largest expense for the month is the reimbursement to the Cass County Joint Water Resource District (CCJWRD) for \$5.4 million. Mr. Brodshaug said the cover letter of the CCJWRD reimbursement request shows a \$67,000 line item for previously submitted invoices. These invoices were previously pulled off a reimbursement request for further review by Erik Johnson to validate that they were Diversion related.

MOTION, passed

Dr. Mahoney moved and Mr. Vanyo seconded to approve the bills in the amount of \$5,918,684.76 and to forward them to the Flood Diversion Board of Authority. On roll call vote, the motion carried unanimously.

4. FINANCIAL UPDATE

Mr. Montplaisir reviewed the financial statements for September. The total disbursed to date is \$146,367,180. There is \$58 million remaining in the FY 2015 budget, taking into account outstanding encumbrances.

Nancy Otto arrived for the remainder of the meeting.

5. AUTHORIZATON TO DRAW DOWN FUNDS

Mr. Montplaisir said there is currently \$14 million on hand for bill payments, and more funds will soon be needed. Mr. Costin has requested the drawdown of the final \$25 million from the U.S. Bank loan taken out by the City of Fargo.

MOTION, passed

Dr. Mahoney moved and Mr. Brodshaug seconded to approve a drawdown of loan funds from U.S. Bank in the amount of \$25 million and to forward the request to the Diversion Board of Authority. On roll call vote, the motion carried unanimously.

6. SHORT TERM FINANCING OPTIONS

Mr. Montplaisir said as the final drawdown of the U.S. Bank loans is completed, other short term financing options need to be considered.

Mr. Shockley said one short term financing option that has been studied is issuing temporary improvement bonds to refund both of the \$50 million U.S. Bank loans, in which case more funds could then be borrowed. The turnaround time for the temporary improvement bonds could be up to 150 days.

Mr. Montplaisir said he and Mr. Costin will be meeting with U.S. Bank once again in November.

7. SPECIAL ASSESSMENT UPDATE

Mr. Brodshaug said a court date has been set for October 30th for the hearing on the appeal of a landowner of the special assessment to his property. If the court rules in favor of CCJWRD, the appeal may make its way all the way to the North Dakota Supreme Court, in which case it may take an additional six to eight months for a decision to be handed down.

8. LAND ACQUISITION DIRECTIVE

Mr. Spiller presented a Land Acquisition Directive (LAD) for a temporary and permanent easement required for the construction of the Mickelson Levee project.

MOTION, passed

Dr. Mahoney moved and Mr. Williams seconded to approve LAD-00016 as presented. Motion carried.

9. HARDSHIP PROPERTY OPTION AGREEMENT

Mr. Dodds said the hardship program was established over three years ago. The program allows homeowners suffering from a medical hardship to apply for an early buyout. Applicants must fill out an application and submit a doctor's note to be reviewed and approved by the Hardship Committee. Once an application is approved, the normal acquisition process begins.

Mr. Dodds said there are currently four applications pending with no action being taken due to the judgment ordering acquisitions be halted until the Minnesota EIS has been completed. One of the applicant's medical conditions is worsening, so the possibility of a purchase option agreement is being studied by the legal team. Potentially, the applicant would receive 80-90% of the buyout amount plus relocation assistance. Once the MN EIS has been completed the property would be closed on and purchased fully. The applicant has been approached and seemed very receptive to the idea.

The matter will be brought to the next meeting for review and approval.

10. UPCOMING MEETING SCHEDULE

Mr. Montplaisir said a second meeting will be held this month where up to five property acquisitions will be presented for approval. Mr. Dodds said as the same property acquisitions will be presented to the Land Management Committee, a joint meeting at 4:00 PM would be preferable.

The next meeting will be held on Wednesday, October 21st, at 4:00 PM, in conjunction with the Land Management Committee.

The regularly scheduled meeting in November falls on Veteran's Day. Mr. Montplaisir suggested moving the meeting to one day earlier, Tuesday, November 10th, at 2:30 PM.

The regularly scheduled meeting in December conflicts with the State Water Commission meeting. Mr. Montplaisir suggested moving the meeting to one week later, Wednesday, December 16th, at 2:30 PM.

11. RECESS

The meeting recessed at 3:54 PM.

12. RECONVENE

The meeting reconvened at 4:01 PM.

13. OXBOW ACQUISITION AND RELOCATION DETAILS PRESENTATION

In conjunction with the Land Management Committee, Pat Roberts and Scott Steiner from ProSource Technologies, Inc. gave a presentation on Oxbow home acquisitions and relocation details.

The committees discussed the details of the replacement house costs; house to home costs, including the bidding process and determination of the costs for window coverings and outdoor spaces; other federal program examples of Housing of Last Resort; the availability of data on new assessed values for the replacement houses; the potential for an amendment to the Oxbow MOU; and the process in which future acquisitions will be presented to the committees for approval.

14. ADJOURNMENT

MOTION, passed

On motion by Mr. Steen, seconded by Mr. Brodshaug and all in favor, the meeting was adjourned at 5:05 PM.

Finance Committee Bills for November 2015

Vendor	Description	Amount
Fredrikson & Bryon, P.A.	Government Relations Fee - October	\$3,500.00
U.S. Army Corps of Engineers	Cost Share	\$700,000.00
Aevenia	2nd St Project - fiber relocation	\$16,230.00
Dorsey & Whitney	Legal Services Rendered through 9/30/2015	\$91,161.41
Clay County Highway Department	Demolition and site cleanup of 387 170th Ave SW, Moorhead	\$31,826.71
Cass County Joint Water Resource District	Reimburse Diversion bills	\$5,757,430.86
Erik R. Johnson & Associates, Ltd.	Metro Flood Project - General Legal Matters for October	\$6,250.05
Erik R. Johnson & Associates, Ltd.	Metro Flood Project - LEERDS Matters for October	\$1,690.65
Total Bills Received in October		<u><u>\$6,608,089.68</u></u>

REMITTANCE PAGE

Diversion Board of Authority
211 9th Street South
P.O. Box 2806
Fargo, ND 58108-2806

Please remit this page with your payment. Thank you. We appreciate your business.

Invoice: 1336500
Client Account: 072720.0001
Regarding: Government Relations LOB 30321
Invoice Date: October 9, 2015

Total Fees:	\$ 3,500.00
Total This Invoice	\$ 3,500.00

Payment is due within 30 days from receipt of invoice

If you have any questions please email accounting@fredlaw.com or contact a client representative at 612.492.7574.

INVOICE DETAIL

Diversion Board of Authority
211 9th Street South
P.O. Box 2806
Fargo, ND 58108-2806

Invoice: 1336500
Client Account: 072720.0001
Regarding: Government Relations LOB 30321
Invoice Date: October 9, 2015

Government Relations flat fee payment 4 of 12.

Total For Fees	\$ 3,500.00
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Total This Invoice	\$ 3,500.00
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DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MN 55101

October 9, 2015

RECEIVED

OCT 12 2015

Planning, Programs and Project Management Division
Project Management Branch

CASS COUNTY COMMISSION

SUBJECT: Fargo-Moorhead Metro Preconstruction, Engineering, and Design Phase

Chairman Darrell Vanyo
Flood Diversion Board of Authority
Box 2806
211 Ninth Street South
Fargo, ND 58108

Dear Chairman Vanyo:

Based upon the Division Board of Authority's August 13, 2015 meeting where the Corps funds request for FY15-16 was passed and in accordance with Article IV of the Design Cost Share Agreement executed on September 12, 2011, please provide cost share funds in the amount of \$700,000. These funds will count towards the required 5 percent cash contribution and are associated with Cost Share Control Record Number 531.

We request that \$700,000 be wired directly to the U.S. Army Corps of Engineers. We are providing the following information:

- a. Bank Name: Cash Link-ACH Receiver
Account Name: USACE Finance Center
Bank ABA Number: 051036706
Account Number: 220025
Bank Address: Riverdale MD
Account Type: Checking
- b. Advance Account Number: 293
- c. ROV Number: 1637
- d. Cost Share Number: 531

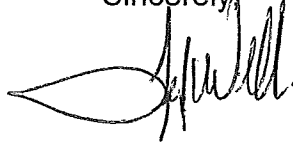
The instructions require a notification letter from the non-Federal sponsor 14 days in advance of the transfer. To do this, please email terryl.l.williams@usace.army.mil and shannon.e.gross@usace.army.mil with the date of transfer, amount and type of transfer.

We will then forward this information to our point of contact at our finance center in Tennessee.

Please contact Shannon Gross of our Finance and Accounting Branch at (651) 290-5389, if additional help is required to complete the electronic funds transfer.

If you have any questions concerning the project, please contact me at (651) 290-5517 or at terryl.l.williams@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Williams', written over a large, stylized leaf-shaped graphic.

Terry Williams
Project Manager

cc:

Honorable Del Rae Williams
Mayor of Moorhead
500 Center Avenue
PO Box 779
Moorhead, MN 56561-0779

Honorable Dr. Tim Mahoney
Mayor of Fargo
200 Third Street North
Fargo, ND 58102

Mr. Bob Zimmerman
Moorhead City Hall
500 Center Avenue
PO Box 779
Moorhead, MN 56561-0779

Mr. Mark Bittner
Director of Engineering
200 Third Street North
Fargo, ND 58102

Mr. Keith Berndt
Cass County
211 9th Street South
PO Box 2806
Fargo ND 58108-2806



MINNEAPOLIS OFFICE
612-340-2600

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Fargo-Moorhead Flood Diversion Bd of Authority
c/o Erik R. Johnson & Associates, Ltd.
Attn: Erik Johnson
505 Broadway, Suite 206
Fargo, ND 58102

October 16, 2015
Invoice No. 3234890

RECEIVED
BY _____ DATE 10-22-15

Client-Matter No.: 491379-00001
Red River Diversion Project

For Legal Services Rendered Through September 30, 2015

INVOICE TOTAL

Total For Current Legal Fees	\$90,160.00
Total For Current Disbursements and Service Charges	\$1,001.41
Total For Current Invoice	\$91,161.41

Summary of Account

*Prior Balance Due	\$76,494.10 <i>pd 10/21/15</i>
Total Amount Due	\$167,655.51

*If payment has been submitted for prior balance due, please disregard.

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:
Dorsey & Whitney LLP
P.O. Box 1680
Minneapolis, MN 55480-1680

Wire Instructions:
U.S. Bank National Association
800 Nicollet Mall
Minneapolis, MN 55402

ABA Routing Number: 091000022
Account Number: 1602-3010-8500
Swift Code: USBKUS44IMT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY

October 2015

Dear Client:

In accordance with Dorsey's custom and practice, and our engagement communications concerning periodic rate increases, the standard rates for many Dorsey lawyers are increasing effective October 1, 2015. The overall Firm average standard billing rate increase for all attorneys is 3.9%. In addition, associates may have a rate increase component that recognizes their class year promotion. While these figures represent a Firm-wide average across all of our offices and practice groups, the actual change in billing rates for the timekeepers working on your specific matters is likely to vary. This increase may or may not apply to specific engagements you have with our Firm.

Dorsey's domestic average lawyer billing rates have historically been among the lowest for firms of our size and caliber. We pride ourselves on delivering value to our clients, and believe that our rates are very competitive with peer firms in our offices' locations. We will strive to continue to remain one of the best values among law firms of our size.

As you are aware, billing rates are just one component of legal fees. We have provided, and will continue to provide, our services to you in the most effective and efficient manner befitting the engagement. Our careful approach to staffing and our thoughtful consideration of your needs will continue to reflect our efforts to provide you with effective, high quality and value-added legal services.

We are very thankful for the relationship we have established and look forward to continuing to assist you with your current and future legal needs. We would be happy to discuss any aspect of this letter with you at your convenience.

Sincerely,

Dorsey & Whitney LLP



Office of the City Attorney

City Attorney
Erik R. Johnson

Assistant City Attorneys
Nancy J. Morris
Jason T. Loos

October 23, 2015

Kent Costin
Finance Director
City of Fargo
200 North Third Street
Fargo, ND 58102

Re: Red River Diversion Project

Dear Kent:

I am enclosing a Summary Invoice dated October 16, 2015 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through September 30, 2015 on the Red River Diversion Project.

Please note that I have also enclosed a letter from the Dorsey Firm concerning a rate increase effective October 1, 2015.

If you have any questions, please feel free to contact me. Please remit payment directly to Dorsey Whitney.

Sincerely,

A handwritten signature in black ink, appearing to be "ERJ", written over a horizontal line.

Erik R. Johnson

ERJ/jmf
Enclosure
cc: Bruce Grubb



HIGHWAY DEPARTMENT

DAVID L OVERBO, Engineer

NATHAN GANNON, Assistant Engineer

Office: (218) 299-5099

Fax: (218) 299-7304



RECEIVED

NOV 4 2015

CASS COUNTY COMMISSION

Flood Diversion Authority
211 9th St S
PO Box 2806
Fargo, ND 58108-2806

BILLING DATE: November 2, 2015

Acct # 415

ACCOUNT CHARGES		AMOUNT
Demolition and Site Cleanup of Property at 387 170th Ave SW, Moorhead		
American Enterprises Inc. - Site Demolition & Debris Removal	27,660.00	
Materials - Gate / Posts	285.72	
Clay County Employee Labor/Equipment	3,880.99	
Total		\$ 31,826.71
* Itemized Charges on Succeeding Page		

BALANCE DUE

\$

31,826.71

Approved:

Clay County Highway Engineer

Please make check payable to: CLAY COUNTY HIGHWAY DEPARTMENT

Please send remittance to: Clay County Auditor Office
807 North 11th Street
PO Box 280
Moorhead, Minnesota 56560

VOLK PROPERTY SITE RESTORATION / CLEANUP

DATE	EMP #	EMPLOYEE		HOURS	RATE	AMOUNT	FRINGE	LABOR TOTAL	EQUIP #	EQUIPMENT	HOURS	RATE	EQUIP TOTAL
7/9/2015	428	BRASETH, KEVIN	REG	6.00	20.44	122.64	51.77	174.41	1149	2009 CHEVY SILVERADO PICKUP	1.00	10.00	10.00
7/9/2015	428	BRASETH, KEVIN	REG			-	-	-	2024	2005 UTILITY TRAILER	1.00	5.00	5.00
7/9/2015	1084	GRINDE, JOHN	REG	5.00	15.88	79.40	33.51	112.91	1289	2008 FORD F350 4x2 PICKUP	2.50	12.00	30.00
7/9/2015	96	MCDONALD, BRAD	REG	6.00	25.63	153.78	64.91	218.69	1352	2012 GMC SIERRA PICKUP	6.00	10.00	60.00
7/9/2015	401	MOORE, C THOMAS	REG			-	-	-	1091	2001 FORD F250 4x4 PICKUP	1.50	10.00	15.00
7/9/2015	401	MOORE, C THOMAS	REG	6.00	18.41	110.46	46.63	157.09	1763	2013 CASE IH 105 TRACTOR	2.00	20.00	40.00
7/9/2015	401	MOORE, C THOMAS	REG			-	-	-	3760	2000 NEW HOLLAND DISK MOWE	2.00	8.00	16.00
7/9/2015	1083	SINNER, DAN	REG	6.00	15.88	95.28	40.22	135.50					-
8/5/2015	203	BEAUDRY, LEE	REG	2.00	28.95	57.90	24.44	82.34	1195	2015 GMC SIERRA PICKUP	1.50	10.00	15.00
8/7/2015	1010	OLSON, AMANDA	REG	1.00	18.37	18.37	7.75	26.12					-
8/7/2015	248	OVERBO, DAVID	REG	6.50	47.38	307.97	129.99	437.96	1013	2013 GMC ACADIA	1.00	10.00	10.00
8/10/2015	1199	GRINDE, TERRI	REG	1.00	14.36	14.36	6.06	20.42					-
8/10/2015	1010	OLSON, AMANDA	REG	1.00	18.37	18.37	7.75	26.12					-
8/17/2015	428	BRASETH, KEVIN	AFP	1.50	22.44	33.66	14.21	47.87	1303	2013 CAT SKID STEER	0.50	25.00	12.50
8/17/2015	1023	JOHNSON, JERALD	REG	1.50	16.39	24.59	10.38	34.97					-
8/19/2015	865	GANNON, NATHAN	REG	1.00	39.83	39.83	16.81	56.64					-
8/20/2015	203	BEAUDRY, LEE	REG	2.00	28.95	57.90	24.44	82.34	1195	2015 GMC SIERRA PICKUP	1.00	10.00	10.00
8/24/2015	203	BEAUDRY, LEE	REG	1.50	28.95	43.43	18.33	61.76					-
8/24/2015	1019	FRIEDRICH, BRIAN	REG	1.50	25.24	37.86	15.98	53.84					-
8/24/2015	865	GANNON, NATHAN	REG	2.00	39.83	79.66	33.62	113.28	1024	2014 FORD EXPLORER SUV	0.50	10.00	5.00
8/24/2015	248	OVERBO, DAVID	REG	2.00	47.38	94.76	40.00	134.76					-
9/10/2015	203	BEAUDRY, LEE	REG	7.50	28.95	217.13	91.65	308.78	1195	2015 GMC SIERRA PICKUP	1.00	10.00	10.00
9/11/2015	203	BEAUDRY, LEE	REG	4.00	28.95	115.80	48.88	164.68	1195	2015 GMC SIERRA PICKUP	2.00	10.00	20.00
9/14/2015	203	BEAUDRY, LEE	REG	9.50	28.95	275.03	116.09	391.12	1195	2015 GMC SIERRA PICKUP	1.00	10.00	10.00
9/14/2015	865	GANNON, NATHAN	REG	2.00	39.83	79.66	33.62	113.28	1024	2014 FORD EXPLORER SUV	1.00	10.00	10.00
9/15/2015	203	BEAUDRY, LEE	REG	6.00	28.95	173.70	73.32	247.02	1195	2015 GMC SIERRA PICKUP	1.50	10.00	15.00
9/16/2015	203	BEAUDRY, LEE	REG	1.00	28.95	28.95	12.22	41.17	1195	2015 GMC SIERRA PICKUP	0.75	10.00	7.50
9/17/2015	248	OVERBO, DAVID	REG	1.50	47.38	71.07	30.00	101.07	1013	2013 GMC ACADIA	0.75	10.00	7.50
9/18/2015	203	BEAUDRY, LEE	REG	1.00	28.95	28.95	12.22	41.17	1195	2015 GMC SIERRA PICKUP	0.75	10.00	7.50
9/23/2015	203	BEAUDRY, LEE	REG	1.00	28.95	28.95	12.22	41.17	1195	2015 GMC SIERRA PICKUP	0.75	10.00	7.50
9/29/2015	203	BEAUDRY, LEE	REG	2.00	28.95	57.90	24.44	82.34	1195	2015 GMC SIERRA PICKUP	0.75	10.00	7.50
10/19/2015	203	BEAUDRY, LEE	REG	1.00	28.95	28.95	12.22	41.17					-
								3,549.99					331.00

LABOR / EQUIPMENT TOTAL

3,880.99

DATE	INVENTORY #	MATERIAL	UNITS	RATE	MATERIAL TOTAL
7/9/2015	8023	6' 1.12# POSTS	16.00	5.2342	83.75

MATERIALS TOTAL

83.75

DATE	VENDOR #	VENDOR	DESCRIPTION	TOTAL
7/8/2015	6229	TRACTOR SUPPLY CO.	GATE / POSTS	201.97
16-Oct	9308	AMERICAN ENTERPRISES, INC.	SITE DEMOLITION / DEBRIS REMOVAL	27,660.00
				27,861.97

OUTSIDE VENDOR TOTAL

27,861.97

TOTAL PROJECT (LABOR / EQUIPMENT / MATERIALS)

31,826.71

American Enterprises Inc.

310 7th St N.W.

West Fargo, ND 58078

Invoice

DATE	INVOICE #
10/16/2015	1463

BILL TO
Clay County Highway Dept

DESCRIPTION	AMOUNT
387 170th Ave SE, Clay County, MN Demolish/Remove Foundation, Garage, Debris and Well Removal	23,875.00
Additional Items:	
Remove and dispose of extra debris and concrete along the river on the back of the lot	
3 Side Dumps - 2 hrs each at \$125.00/hr each	750.00
Track Skid - 2 hrs at \$90.00/hr	180.00
324 Excavator - 2 hrs at \$165.00/hr	330.00
Landfill fees - 2 loads at \$420.00/load	840.00
Relocating gate	
Track Skid with Post Hole Attachment - 0.5 hrs at \$110.00/hr	55.00
1 Laborer - 0.5 hrs at \$65.00/hr	32.50
1 Laborer - 1 hr at \$65.00/hr	65.00
Sakrete	10.00
Complete removal of road into the property	
324 Excavator - 2 hrs at \$165.00/hr	330.00
700 Dozer - 5.5 hrs at \$135.00/hr	742.50
Track Skid - 5 hrs at \$90.00/hr	450.00
Total	\$27,660.00

Zagal neighborhood and Park East apartments, Habitat for Humanity will be allowed to salvage items from the structures. The Fargo Fire Department will conduct some training exercises in the apartment complex before demolition.

Committee Membership

Mr. Vanyo said the Fargo City Commission recently appointed Mike Williams to the Finance Committee to replace Pat Zavoral and Dave Piepkorn to the Land Management Committee. He said since Mr. Piepkorn is an additional member on the committee, he asked for approval of the appointment by the Diversion Board.

MOTION, passed

Mr. Pawluk moved and Mr. Olson seconded to approve the addition of Fargo City Commissioner Dave Piepkorn to the Land Management Committee. On roll call vote, the motion carried with Mr. Vanyo, Mr. Mahoney, Mr. Williams, Mr. Pawluk, Mr. Thorstad, Ms. Otto, and Mr. Olson voting “Yes”; Mr. Piepkorn abstaining.

9. **FINANCE UPDATE**

Committee report

The Finance Committee met on July 8th. Kent Costin, Fargo Finance Director, said the total disbursed on the project to date is \$127 million. The committee acted on the following items:

City of Fargo – Loan Advance

The Finance Committee approved an advance of \$10 million from the U.S. Bank Loan to help fund property closings on the Howard Johnson Hotel and Sidestreet Bar. This is the third draw down request from the \$50 million loan taken out by the City of Fargo.

MOTION, passed

Mr. Mahoney moved and Mr. Williams seconded to approve a draw down request for loan funds from U.S. Bank in the amount of \$10,000,000. On roll call vote, the motion carried unanimously.

Clean up of property in Clay County

Mr. Costin said the Diversion Authority purchased buildings located at 387 170th Avenue SW in Clay County as part of the hardship buyout program. The committee authorized Clay County to contract to clean up the property at a cost not to exceed \$40,000.

MOTION, passed

Mr. Mahoney moved and Ms. Otto seconded to authorize Clay County to contract for the necessary work to clean up the property located at 387 170th Avenue SW, Moorhead, Minnesota, with a budget appropriation not to exceed \$40,000 to be billed to the Diversion Authority. On roll call vote, the motion carried unanimously.

Corps of Engineers Cost Share Funding Request

Mr. Costin said a request of \$525,000 for the final installment of FY2014 funds was received from the Corps of Engineers. This will be the last installment out of the \$3.35 million total work plan that was approved.

MOTION, passed

Mr. Mahoney moved and Ms. Otto seconded to approve the cost share funding request from the Corps of Engineers in the amount of \$525,000. On roll call vote, the motion carried unanimously.



Cass County
Joint Water
Resource
District

November 2, 2015

Diversion Authority
P.O. Box 2806
Fargo, ND 58108-2806

Mark Brodshaug
Chairman
Fargo, North Dakota

Rodger Olson
Manager
Leonard, North Dakota

Dan Jacobson
Manager
West Fargo, North Dakota

Ken Lougheed
Manager
Gardner, North Dakota

Raymond Wolfer
Manager
Argusville, North Dakota

Greetings:

RE: Fargo-Moorhead Area Diversion
In-Town Levees
Access and Diversion Project Assessment Committee (DPAC)
Oxbow-Hickson-Bakke Ring Levee
Oxbow Golf and Country Club – Golf Course Construction

Enclosed please find copies of bills totaling \$5,757,430.86 regarding the above referenced projects. The breakdown is as follows:

Access issues	42,530.07
In-Town Levees	5,500,939.60
DPAC	1,627.00
Oxbow-Hickson-Bakke Ring Levee	212,334.19

At this time, we respectfully request 100% reimbursement as per the Joint Powers Agreement between the City of Fargo, Cass County and Cass County Joint Water Resource District dated July 7, 2014.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis
Secretary-Treasurer

Carol Harbeke Lewis
Secretary-Treasurer
1201 Main Avenue West
West Fargo, ND 58078-1301

Enclosures

701-298-2381
FAX 701-298-2397
wrд@casscountynd.gov
casscountygov.com

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES

11/2/15

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
10/8/2015	9/21/2015	137656	100007	2,856.63	Ohnstad Twichell, P.C.	Legal-ROE requests
10/8/2015	9/21/2015	137667	130007	16,926.69	Ohnstad Twichell, P.C.	Legal-Diversion ROW Acquisition
10/8/2015	9/21/2015	137654	90007	612.00	Ohnstad Twichell, P.C.	Legal-Draft consultant agreements
10/8/2015	9/30/2015	2340		80.00	Erik R. Johnson & Associates, Ltd	Legal- right of entry court filing fee
10/22/2015	10/6/2015	677038		3,680.00	Larkin Hoffman Attorneys	Legal-rights of entry
10/22/2015	10/13/2015	11329	16921	18,374.75	Moore Engineering, Inc.	file & surface drainage study for staging area
Total				42,530.07		

IN-TOWN LEVEES INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
10/08/15	06/22/15	15458		17,900.00	Techtron Engineering Inc.	asbestos surveys and reports
10/08/15	09/30/15			240.00	Barbara Sidler	Moving costs
10/22/2015	9/30/2015			9,306.14	Kelly Moraghan	replacement housing incidental expense
10/8/2015	9/16/2015	472061247		19.05	Xcel Energy	Service to 18 N Terrace
10/22/2015	10/13/2015	475233777		132.23	Xcel Energy	Service to 1330 Elm ST and 1341 Oak St
10/22/2015	10/7/2015	1031200059		43.50	City of Fargo	Water service to 26 North Terrace
10/8/2015	9/29/2015	381042585	479407	18,763.80	CH2M Hill Engineers, Inc.	Land Management Services
10/8/2015	9/25/2015	1224	2002	314,312.03	Houston-Moore Group	Negotiation and Acquisition services
10/8/2015	10/3/2015	4806		4,034.50	Sentry Security, Inc.	Security patrol services
10/22/2015	10/17/2015	4838		3,608.75	Sentry Security, Inc.	Security patrol services
11/2/2015	11/2/2015			5,132,579.60	The Title Company	Northland Hospitality property purchase
Total				5,500,939.60		

DIVERSION PROJECT ASSESSMENT DISTRICT (DPAC) INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
10/8/2015	9/21/2015	137662	120007	1,190.00	Ohnstad Twichell, P.C.	Legal-DPAC
10/8/2015	9/21/2015	137714	150007	437.00	Ohnstad Twichell, P.C.	Legal-Garaas appeal
Total				1,627.00		

OXBOW-HICKSON-BAKKE RING LEVEE INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
10/8/2015	9/21/2015	137675	140007	15,367.28	Ohnstad Twichell, P.C.	Legal - OHB property purchases
10/8/2015	9/29/2015	381042584	479407	130,000.00	CH2M Hill Engineers, Inc.	Construction Management Services
10/8/2015	9/9/2015	202		142.33	Cass County Treasurer	weed control at Oxbow
10/8/2015	9/25/2015	11151		86.23	Cass Rural Water Users District	Service to 5059 Mackenzie Dr
10/22/2015	10/5/2015	1125474		31.47	Cass County Electric Cooperative	Service to 336 Schnell Dr
10/22/2015	10/5/2015	1108711		30.35	Cass County Electric Cooperative	Service to 345 Schnell Dr
10/22/2015	10/5/2015	1122560		44.36	Cass County Electric Cooperative	Service to 349 Schnell Dr
10/22/2015	10/5/2015	1125656		62.81	Cass County Electric Cooperative	Service to 353 Schnell Dr
10/22/2015	10/5/2015	1123339		42.41	Cass County Electric Cooperative	Service to 357 Schnell Dr
10/22/2015	10/5/2015	1125655		52.40	Cass County Electric Cooperative	Service to 361 Schnell Dr
10/22/2015	10/5/2015	1125415		27.79	Cass County Electric Cooperative	Service to 748 Riverbend Rd
10/22/2015	10/5/2015	1125687		70.59	Cass County Electric Cooperative	Service to 752 Riverbend Rd
10/22/2015	10/5/2015	1122561		168.30	Cass County Electric Cooperative	Service to 5059 Mackenzie Cir
10/22/2015	10/15/2015	1121701		39.48	Cass County Electric Cooperative	Service to 17495 52 St SE
10/8/2015	9/29/2015	381042585	479407	66,526.18	CH2M Hill Engineers, Inc.	Project Management & Land Mgmt services
10/7/2015	10/7/2015			-357.79	The Title Company	Escrow funds for Jeff and Cindy Fisher
Total				212,334.19		
Grand Total				5,757,430.86		

Erik R. Johnson & Associates, Ltd.
Attorneys at Law
505 Broadway Street North – Suite 206
Fargo, ND 58102
Phone: (701) 280-1901
Fax: (701) 280-1902

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

City of Fargo – Auditor’s Office
Attn: Kent Costin
200 North Third Street
Fargo, ND 58102

October 25, 2015
Invoice No. 2345

RE: Metro Flood Project – General Legal Matters

For Legal Services Rendered Through October 25, 2015

INVOICE TOTAL

Total for Current Legal Fees	\$ 6,250.05
Total for Current Disbursements and Service Charges	\$ 0
Total for Current Invoice	\$ 6,250.05

Summary of Account

*Prior Balance Due	\$ 0
Total Amount Due	\$ 6,250.05

*If payment has been submitted for prior balance due, please disregard.

We appreciate your business.

Erik R. Johnson & Associates, Ltd
Attorneys at Law

Erik R. Johnson - Nancy J. Morris - Jason T. Loos

505 Broadway - Suite 206

Fargo, ND 58102

(701) 280-1901

Invoice #

2345-

Invoice

City of Fargo -- Auditor's Office

Attn: Kent Costin

200 North 3rd Street

Fargo, ND 58102

Date

10/25/2015

Description	Qty	Rate	Amount
Metro Flood Project -- General legal matters: Erik Johnson-Sept 26 thru Oct 25, 2015-itemization enclosed	17.6	204.00	3,590.40
Nancy J. Morris-Sept 26 thru Oct 25, 2015-itemization enclosed	14.9	178.50	2,659.65
<i>We appreciate your business.</i>			TOTAL: \$6,250.05

October 25, 2015

Client: City of Fargo
Job: Metro Flood - General Legal

Atty	DATE	DESCRIPTION	TIME
E	9/30/2015	City/Metro Flood/General -- review presentation document from Eric Dodds; review invoices of Ohnstad Twichell for Mark Brodshaug	0.5
E	10/2/2015	City/Metro Flood/General -- Attend Admin Advisory meeting	2.0
E	10/2/2015	City/Metro Flood/General -- continue working on Oxbow MOU Amendment and send communication	1.0
E	10/2/2015	City/Metro Flood/General -- work on modifications to amendment of Oxbow MOU	2.0
E	10/8/2015	City/Metro Flood - General-- review agenda packet and review litigation matters	0.5
E	10/8/2015	City/Metro Flood/General -- attend Ag Risk Study presentation (NDSU study)	0.5
E	10/8/2015	City/Metro Flood -- attend Div Bd of Auth mtg and attend subseq discussion meeting Mayor, Vanyo and others	2.8
E	10/9/2015	City/Metro Flood--review Comm and draft brief	0.8
E	10/13/2015	City/Metro Flood -- emails and t/c with Mark Becker re record request and t/c w Tietz re coordination	0.5
E	10/14/2015	City/metro flood--P3 Framework session	1.8
E	10/15/2015	Admin Advisory	1
E	10/15/2015	City/Metro Flood -- tc with Cattnach, other communication; t/c with Jennica re non-disclosure question; email John Glatzmeier re HDR; P3 legal counsel rfq matter; conf with Grubb	1.5
E	10/19/2015	City/Metro Flood/General -- comm with Dorsey; comm with Spiller re Oxbow MOU matters and review latest draft	0.5
E	10/19/2015	City/Metro Flood - General -- t/c with Bruce Spiller; revise Oxbow MOU and send out to Turman	0.5
E	10/20/2015	City/Metro Flood--general : meeting with Turman and Spiller and follow up comm	1.2
E	10/22/2015	City/Metro Flood / General -- t/c with Spiller re Oxbow MOU; comm with Sean	0.5
Total Time - ERJ			17.6
Hourly Rate - ERJ \$			204.00
Total Fees - ERJ \$			3590.40
N	9/29/2015	Correspondence re: land president; BID opening	2
N	9/30/2015	Meeting w/ Erik & phone call w/ Chris McShane	1
N	10/2/2015	Special meeting re: land acquisition; Admin. Meeting	3.2
N	10/3/2015	Correspondence re: Oxbow	0.5
N	10/7/2015	Land/finance meeting	2
N	10/8/2015	Meeting w/ Erik re: authority issues, land/finance recap; Diversion Authority meeting & Dakota Metro Flood	2
N	10/9/2015	Correspondence re: authority	0.8
N	10/12/2015	Correspond & phone call w/ John Shockley	0.8

October 25, 2015

Client: City of Fargo
Job: Metro Flood - General Legal

Atty	DATE	DESCRIPTION	TIME
N	10/15/2015	Meeting on the admin advisory board	1.6
N	10/16/2015	Correspondence re: Program management	0.5
N	10/23/2015	SWAT review agreement & correspond	0.5
Total Time - NJM			14.9
Hourly Rate - NJM \$			178.50
Total Fees - NJM \$			2659.65

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STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

City of Fargo – Auditor’s Office
Attn: Kent Costin
200 North Third Street
Fargo, ND 58102

October 25, 2015
Invoice No. 2344

RE: Metro Flood Project – LEERDS Matters

For Legal Services Rendered Through October 25, 2015

INVOICE TOTAL

Total for Current Legal Fees	\$ 1,690.65
Total for Current Disbursements and Service Charges	\$ 0
Total for Current Invoice	\$ 1,690.65

Summary of Account

*Prior Balance Due	\$ 0
Total Amount Due	\$ 1,690.65

*If payment has been submitted for prior balance due, please disregard.

We appreciate your business.

Erik R. Johnson & Associates, Ltd
Attorneys at Law

Erik R. Johnson - Nancy J. Morris - Jason T. Loos

505 Broadway - Suite 206

Fargo, ND 58102

(701) 280-1901

Invoice #

2344-

Invoice

City of Fargo -- Auditor's Office

Attn: Kent Costin

200 North 3rd Street

Fargo, ND 58102

Date

10/25/2015

Description	Qty	Rate	Amount
Metro Flood Project -- LERRDS related matters: Erik Johnson-Sept 26 thru Oct 25, 2015-itemization enclosed	3.3	204.00	673.20
Nancy J Morris-Sept 26 thru Oct 25, 2015-itemization enclosed	5.7	178.50	1,017.45
<i>We appreciate your business.</i>		TOTAL: \$1,690.65	

October 25, 2015

Client: City of Fargo
Job: Metro Flood - LEERDS

Atty	DATE	DESCRIPTION	TIME
E	10/2/2015	City/Metro Flood/LEERDS--attend informational meeting regarding land acquisition processes	2.0
E	9/29/2015	City/Metro Flood/LEERDS -- call with Eric Dodds	0.3
E	10/8/2015	City/Metro Flood - LEERDS -- conf with NJM re acquisition related matters	0.5
E	10/19/2015	City/Metro Flood - LEERDS -- email with Dorsey re hardship matter; t/c with Bob Zimm and email re same	0.5
Total Time - ERJ			3.3
Hourly Rate - ERJ \$			204.00
Total Fees - ERJ \$			673.20
N	10/5/2015	In town discussion correspondence re: FPS	1.5
N	10/7/2015	Correspondence re: acquisition	0.8
N	10/14/2015	House move correspondence	0.4
N	10/15/2015	Review replacement housing info correspondence w/ Eric Dodds	1
N	10/19/2015	Land Acquisition call; Review Case Plaza parking easement & correspond w/ Nathan	2
Total Time			5.7
Hourly Rate \$			178.50
Total Fees - NJM \$			1017.45

**FM Diversion Authority
Fiscal Accountability Report Design Phase (Fund 790)
As of 10/31/2015**

	2011	2012	2013	2014	2015	Cumulative Totals
Revenues						
City of Fargo	443,138	7,652,681	7,072,961	19,373,131	23,301,465	57,843,376
Cass County	443,138	7,652,681	7,072,961	19,373,131	23,301,465	57,843,376
State Water Commission	-	-	3,782,215	602,918	24,461,302	28,846,435
Other Agencies	98,475	1,700,595	1,571,769	4,305,140	5,178,103	12,854,082
Lease/Rental Payments	-	-	17,358	154,180	180,341	351,879
Asset Sales	-	-	-	616,774	245,546	862,320
Miscellaneous	-	-	1,705	626	427	2,758
Total Revenues	984,750	17,005,957	19,518,970	44,425,900	76,668,648	158,604,226
Expenditures						
7905 Army Corp Payments	-	-	875,000	1,050,000	2,725,000	4,650,000
7910 WIK - Administration	107,301	331,321	77,614	169,019	258,315	943,569
7915 WIK - Project Design	149,632	5,366,147	3,220,859	9,118,723	3,836,440	21,691,800
7920 WIK - Project Management	679,037	7,223,650	4,695,477	3,579,339	4,027,852	20,205,355
7925 WIK - Recreation	-	163,223	-	-	-	163,223
7930 LERRDS - North Dakota	48,664	3,843,620	2,763,404	17,013,358	46,551,584	70,220,630
7931 LERRDS - Minnesota	-	27,996	289,387	13,068	625	331,075
7940 WIK Mitigation - North Dakota	-	-	-	587,180	-	587,180
7941 WIK Mitigation - Minnesota	-	-	-	-	-	-
7950 Construction - North Dakota	-	-	-	1,738,638	12,680,663	14,419,301
7951 Construction - Minnesota	-	-	-	-	-	-
7952 Construction - O/H/B	-	-	-	11,282,504	4,849,783	16,132,287
7955 Construction Management	-	-	-	556,209	2,267,551	2,823,761
7990 Project Financing	-	50,000	70,000	216,376	294,399	630,775
7995 Project Eligible - Off Formula Costs	-	-	-	-	-	-
7999 Non Federal Participating Costs	116	-	-	-	-	116
0000 Advance to City of Oxbow	-	-	7,527,231	630	-	7,527,861
Total Expenditures	984,750	17,005,957	19,518,970	45,325,044	77,492,212	160,326,933

FM Diversion Authority
FY 2015 Summary Budget Report (In Thousands)
October 1, 2014 through December 31, 2015
As of October 31, 2015

	FY 2015 Approved Budget	Current Month	Fiscal Year To Date	% Expended	Outstanding Encumbrances	Remaining Budget Balance
Revenue Sources						
City of Fargo	59,040	4,446	29,423			29,617
Cass County	59,040	4,446	29,423			29,617
State of ND - 50% Match	57,200	1,936	21,371			35,829
State of ND - 100% Match	35,800	1,816	7,153			28,647
State of Minnesota	-	-	-			-
Other Agencies	13,120	988	6,538			6,582
Financing Proceeds	-	-	-			-
Sale of Assets	-	141	246			(246)
Property Income	-	-	193			(193)
Miscellaneous	-	-	0			(0)
Total Revenue Sources	224,200	13,773	94,346			129,854
Funds Appropriated						
Army Corp Local Share	525	700	2,725		2,279	(4,479)
Management Oversight	7,200	1,898	8,415	117%	3,942	(5,157)
Technical Activities	16,575	202	6,905	42%	3,809	5,861
Land Acquisitions	106,700	8,988	52,482	49%	27,086	27,132
Construction	91,300	2,146	24,597	27%	40,520	26,183
Mitigation	-	-	-		-	-
Other Costs	1,900	26	409	22%	522	969
Total Appropriations	224,200	13,960	95,533	43%	78,159	50,508

**FM Diversion Authority
Summary of Cash Disbursements
October 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7905-429.33-42	10/20/2015	WIRE	ARMY CORP OF ENGINEERS	\$ 700,000.00	FY15 ARMY CORP LOCAL SHARE	V01101	Army Corp Local Share Pmt
Total Local Share to USACE - Army Corp of Engineers				700,000.00			
790-7910-429.33-20	10/31/2015	JB10150030	CITY OF FARGO	1,240.00	CHARGE COF TIME - 10/15	V00102	General & Admin. WIK
Total WIK - General & Admin. - Accounting Services				1,240.00			
790-7910-429.33-25	10/28/2015	262833	OXBOW, CITY OF	2,922.40	OHNSTAD TWICHELL LEGAL SE	V02407	OXBOW MOU-LEGAL SERVICES
	10/28/2015	262833	OXBOW, CITY OF	639.00	OHNSTAD TWICHELL LEGAL SE	V02407	OXBOW MOU-LEGAL SERVICES
	10/28/2015	262833	OXBOW, CITY OF	99.00	OHNSTAD TWICHELL LEGAL SE	V02407	OXBOW MOU-LEGAL SERVICES
	10/28/2015	262833	OXBOW, CITY OF	97.00	OHNSTAD TWICHELL LEGAL SE	V02407	OXBOW MOU-LEGAL SERVICES
	10/28/2015	262833	OXBOW, CITY OF	517.08	OHNSTAD TWICHELL LEGAL SE	V02407	OXBOW MOU-LEGAL SERVICES
	10/28/2015	262833	OXBOW, CITY OF	203.56	OHNSTAD TWICHELL LEGAL SE	V02407	OXBOW MOU-LEGAL SERVICES
	10/28/2015	262833	OXBOW, CITY OF	8,674.00	TURMAN & LANG 8/20-9/16	V02407	OXBOW MOU-LEGAL SERVICES
	10/21/2015	262553	ERIK R JOHNSON & ASSOCIATES	6,046.05	METRO FLOOD PROJECT	V00102	General & Admin. WIK
Total WIK - General & Admin. - Legal Services				19,198.09			
790-7910-429.38-68	10/21/2015	262562	FREDRIKSON & BYRON, PA	3,500.00	GOV RELATIONS LOB 30321	V00102	General & Admin. WIK
	10/21/2015	262562	FREDRIKSON & BYRON, PA	3,500.00	FMDA LOBBYIST PHASE 2	V00102	General & Admin. WIK
Total WIK - General & Admin. - Lobbyist				7,000.00			
790-7915-429.33-05	10/28/2015	262833	OXBOW, CITY OF	4,999.45	MOORE ENG OHB LEVEE PROJ	V02401	OXBOW MOU-PROJ MGMT ADMIN
	10/28/2015	262833	OXBOW, CITY OF	4,750.00	MOORE ENG OHB LEVEE PROJE	V02415	OXBOW MOU-H2O QUALITY INF
	10/28/2015	262833	OXBOW, CITY OF	9,999.60	MOORE ENG OHB LEVEE PROJE	V02416	OXBOW MOU-MISC INFRA ENG
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	5,264.49	RECREATION AND USE MASTER	V01607	RECREATION/USE MASTER PLN
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	17,535.79	WORK-IN-KIND	V01608	WORK-IN-KIND (WIK)
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	628.00	HYDROLOGY/HYDRAULIC MODEL	V01609	HYDROLOGY/HYDRAULIC MODEL
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	114,093.98	LEVEE & DESIGN SUPPORT	V01613	LEVEE DESIGN & SUPPORT
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	7,911.50	DRAFT OPERATIONS PLAN	V01615	DRAFT OPERATIONS PLAN
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	650.00	PERMIT SUBMITTAL PREP	V01616	PERMIT SUBMITTAL PREP
	10/28/2015	262881	URS CORPORATION	36,316.11	CULTURAL RESOURCE INVESTI	V01003	CULTURAL RESOURCES INVEST
Total WIK - Project Design - Engineering Services				202,148.92			
790-7920-429.33-05	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	59,615.49	FM DIVERSION PROJECT	V01601	HMG - PROJECT MANAGEMENT
Total WIK Construction Mgmt. - Engineering Services				59,615.49			
790-7920-429.33-79	10/28/2015	262833	OXBOW, CITY OF	7,335.90	MOORE ENG JOB DEVELOPMENT	V02410	OXBOW MOU - PROJ MGMT JDA
	10/14/2015	262273	CH2M HILL ENGINEERS INC	425,000.00	TASK ORDER 5 AUGUST2015	V00205	CH2M Hill-8.30.14-2.27.15
	10/14/2015	262273	CH2M HILL ENGINEERS INC	425,000.00	TASK ORDER 5 SEPT 2015	V00205	CH2M Hill-8.30.14-2.27.15

**FM Diversion Authority
Summary of Cash Disbursements
October 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
	10/28/2015	262747	CH2M HILL ENGINEERS INC	425,000.00	OCT CONTRACT MGMT	V00205	CH2M Hill-8.30.14-2.27.15
Total WIK Construction Mgmt. - Construction Management				1,282,335.90			
790-7930-429.33-05	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	8,569.00	OXBOW DIVERSION	V01201	Cass Joint Water ROE
	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	2,326.00	OXBOW DIVERSION	V01202	Cass Joint Water DPAC
	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	33,603.40	OXBOW DIVERSION	V01203	Cass Joint Water OHB
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	1,612.86	DIVERSION COST	V01201	Cass Joint Water ROE
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	1,653.00	FM DIVERSION LAND MANAGE	V01606	LAND MANAGEMENT SERVICES
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	78.50	REACH 6 (CR-20 BRIDGE)	V01611	REACH 6 & CR20 BRIDGE
	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	111,644.41	CR-16/CR-17 BRIDGE DESIGN	V01618	WP28 - CR-16/CR-17 BRIDGE
Total LERRDS - North Dakota - Engineering Services				159,487.17			
790-7930-429.33-25	10/21/2015	262548	DORSEY & WHITNEY LLP	76,494.10	FMDA AUG 2015 LEGAL EXPEN	V00101	Dorsey Whitney Legal
	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	50,312.79	OXBOW DIVERSION	V01201	Cass Joint Water ROE
	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	9,237.00	OXBOW DIVERSION	V01202	Cass Joint Water DPAC
	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	9,724.58	OXBOW DIVERSION	V01203	Cass Joint Water OHB
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	98,787.51	DIVERSION COST	V01201	Cass Joint Water ROE
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	2,087.00	DIVERSION COST	V01202	Cass Joint Water DPAC
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	13,667.00	DIVERSION COST	V01203	Cass Joint Water OHB
	10/21/2015	262553	ERIK R JOHNSON & ASSOCIATES	2,302.65	METRO FLOOD PROJECT LEERD	V00103	General & Admin. LERRDS
Total LERRDS - North Dakota - Legal Services				262,612.63			
790-7930-429.33-79	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	133,265.13	OXBOW DIVERSION	V01203	Cass Joint Water OHB
	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	37,587.60	OXBOW DIVERSION	V02807	CASS JOINT WATER IN-TOWN
Total LERRDS - North Dakota - Construction Management				170,852.73			
790-7930-429.33-91	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	20,000.00	DIVERSION COST	V01703	ND LAND PURCH - IN TOWN
Total LERRDS - North Dakota - Property Management				20,000.00			
790-7930-429.38-61	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	4,801.25	OXBOW DIVERSION	V01703	ND LAND PURCH - IN TOWN
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	4,879.38	DIVERSION COST	V01703	ND LAND PURCH - IN TOWN
Total LERRDS - North Dakota - Security Services				9,680.63			
790-7930-429.38-95	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	4,485.00	DIVERSION COST	V01203	Cass Joint Water OHB
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	427.40	DIVERSION COST	V01204	Cass Joint Water OCC
Total LERRDS - North Dakota - Mowing Services				4,912.40			

**FM Diversion Authority
Summary of Cash Disbursements
October 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description	
790-7930-429.38-99	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	861.48	OXBOW DIVERSION	V01203	Cass Joint Water OHB	
	10/21/2015	262658	NDSU BUSINESS OFFICE-BOX 6050	135,167.00	AG RISK ECONOMIC EVAL	V02701	AG RISK STUDY SERVICES	
Total LERRDS - North Dakota - Other Services				136,028.48				
790-7930-429.41-05	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	76.23	OXBOW DIVERSION	V01701	ND LAND PURCH-OUT OF TOWN	
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	(2.27)	DIVERSION COST	V01701	ND LAND PURCH-OUT OF TOWN	
Total LERRDS - North Dakota - Water and Sewer				73.96				
790-7930-429.62-51	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	365.91	OXBOW DIVERSION	V01701	ND LAND PURCH-OUT OF TOWN	
	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	34.76	OXBOW DIVERSION	V01703	ND LAND PURCH - IN TOWN	
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	346.21	DIVERSION COST	V01701	ND LAND PURCH-OUT OF TOWN	
Total LERRDS - North Dakota - Electricity				746.88				
790-7930-429.67-10	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	616,000.00	OXBOW DIVERSION	V02411	OXBOW MOU-RESIDENT RLCTN	
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	540,000.00	DIVERSION COST	V01701	ND LAND PURCH-OUT OF TOWN	
	11/7/2016	JB10150038	CASS COUNTY JOINT WATER RESOURCE DI	(540,000.00)	CORRECT EARNEST MONEY EXP	V01701	ND LAND PURCH-OUT OF TOWN	
	11/7/2016	JB10150038	CASS COUNTY JOINT WATER RESOURCE DI	(1,363,000.00)	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN	
	11/4/2016	JB10150036	CASS COUNTY JOINT WATER RESOURCE DI	(277,000.00)	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN	
	11/3/2016	JB10150034	CASS COUNTY JOINT WATER RESOURCE DI	(211,000.00)	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN	
	11/3/2016	JB10150033	CASS COUNTY JOINT WATER RESOURCE DI	(218,000.00)	CORRECT EARNEST MONEY EXP	V02411	OXBOW MOU-RESIDENT RLCTN	
Total LERRDS - North Dakota - Oxbow Replacement Lots				(1,453,000.00)				
790-7930-429.67-11	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	26,248.37	OXBOW DIVERSION	V01703	ND LAND PURCH - IN TOWN	
	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	757,854.33	OXBOW DIVERSION	V02411	OXBOW MOU-RESIDENT RLCTN	
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	318,500.00	DIVERSION COST	V01701	ND LAND PURCH-OUT OF TOWN	
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	117,173.50	DIVERSION COST	V01703	ND LAND PURCH - IN TOWN	
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	849,677.50	DIVERSION COST	V02411	OXBOW MOU-RESIDENT RLCTN	
	11/3/2016	JB10150032	CASS COUNTY JOINT WATER RESOURCE DI	261,554.00	CORRECT FISHER & JEZIORSKI	V02411	OXBOW MOU-RESIDENT RLCTN	
	11/7/2016	JB10150038	CASS COUNTY JOINT WATER RESOURCE DI	(318,500.00)	CORRECT EARNEST MONEY EXP	V01701	ND LAND PURCH-OUT OF TOWN	
	11/7/2016	JB10150038	CASS COUNTY JOINT WATER RESOURCE DI	(685,226.00)	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN	
	11/4/2016	JB10150036	CASS COUNTY JOINT WATER RESOURCE DI	(159,616.44)	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN	
	11/3/2016	JB10150034	CASS COUNTY JOINT WATER RESOURCE DI	(81,277.00)	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN	
	11/3/2016	JB10150033	CASS COUNTY JOINT WATER RESOURCE DI	(40,000.00)	CORRECT EARNEST MONEY EXP	V02411	OXBOW MOU-RESIDENT RLCTN	
	Total LERRDS - North Dakota - Residential Buildings				1,046,388.26			
	790-7930-429.67-12	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	748,674.88	OXBOW COUNTY CLUB	V01204	Cass Joint Water OCC
10/21/2015		262528	CASS COUNTY JOINT WATER RESOURCE DI	993,293.52	OXBOW COUNTRY CLUB	V01204	Cass Joint Water OCC	
10/21/2015		262528	CASS COUNTY JOINT WATER RESOURCE DI	66,213.29	DIVERSION COST	V01204	Cass Joint Water OCC	

**FM Diversion Authority
Summary of Cash Disbursements
October 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
Total LERRDS - North Dakota - Commercial Buildings				1,808,181.69			
790-7930-429.71-30	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	859,098.24	OXBOW DIVERSION	V01701	ND LAND PURCH-OUT OF TOWN
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	1,856,915.56	DIVERSION COST	V01701	ND LAND PURCH-OUT OF TOWN
	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	473,607.08	DIVERSION COST	V01703	ND LAND PURCH - IN TOWN
	11/3/2016	JB10150032	CASS COUNTY JOINT WATER RESOURCE DI	(261,554.00)	CORRECT FISHER & JEZIORSKI	V02411	OXBOW MOU-RESIDENT RLCTN
	11/7/2016	JB10150038	CASS COUNTY JOINT WATER RESOURCE DI	858,500.00	CORRECT EARNEST MONEY EXP	V01701	ND LAND PURCH-OUT OF TOWN
	11/7/2016	JB10150038	CASS COUNTY JOINT WATER RESOURCE DI	2,048,226.00	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN
	11/4/2016	JB10150036	CASS COUNTY JOINT WATER RESOURCE DI	436,616.44	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN
	11/3/2016	JB10150034	CASS COUNTY JOINT WATER RESOURCE DI	292,277.00	CORRECT EARNEST MONEY EXP	v02411	OXBOW MOU-RESIDENT RLCTN
	11/3/2016	JB10150033	CASS COUNTY JOINT WATER RESOURCE DI	258,000.00	CORRECT EARNEST MONEY EXP	V02411	OXBOW MOU-RESIDENT RLCTN
Total LERRDS - North Dakota - Land Purchases				6,821,686.32			
790-7950-429.73-52	10/28/2015	262775	INDUSTRIAL BUILDERS INC	593,874.68	2 ST N PUMP STATION	V02801	2ND ST NORTH PUMP STATION
	10/28/2015	262775	INDUSTRIAL BUILDERS INC	54,320.00	2 ST N FLOODWALL	V02812	2ND ST NORTH FLOODWALL
	10/28/2015	262776	INDUSTRIAL CONTRACT SERVICES INC	1,219,036.81	PUMP STATION & FLOOD WALL	V02805	PUMP STATION & FLOODWALL
Total ND Construction - Flood Control				1,867,231.49			
790-7950-429.73-70	10/21/2015	262715	XCEL ENERGY-FARGO	16,275.85	ELECTRICAL SVCTO BB COURT	V02811	XCEL WP42 UTILITY RELOCTE
	10/21/2015	262533	CONSOLIDATED COMMUNICATIONS	131,149.35	IN TOWN LEVEES UTIL RELOC	V02803	EVENTIS WP42 UTILITY RLCT
	10/21/2015	262533	CONSOLIDATED COMMUNICATIONS	83,595.68	IN TOWN LEVEES UTIL RELOC	V02803	EVENTIS WP42 UTILITY RLCT
Total ND Construction - Utilities				231,020.88			
790-7952-429.33-05	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	13,961.25	DIVERSION COST	V01204	Cass Joint Water OCC
Total O/H/B Construction - Engineering Services				13,961.25			
790-7952-429.33-79	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	26,000.00	DIVERSION COST	V01204	Cass Joint Water OCC
Total O/H/B Construction - Construction Management				26,000.00			
790-7952-429.44-20	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	4,746.61	DIVERSION COST	V01204	Cass Joint Water OCC
Total O/H/B Construction - Equipment & Vehicle Rent				4,746.61			
790-7952-429.52-10	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	(1,274.00)	OXBOW DIVERSION	V01204	Cass Joint Water OCC
Total O/H/B Construction - Property Insurance				(1,274.00)			
790-7952-429.57-60	10/21/2015	262528	CASS COUNTY JOINT WATER RESOURCE DI	4,241.83	DIVERSION COST	V01204	Cass Joint Water OCC

**FM Diversion Authority
Summary of Cash Disbursements
October 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
Total O/H/B Construction - Out of State Travel Exp				4,241.83			
790-7955-429.33-05	10/14/2015	262325	HOUSTON-MOORE GROUP LLC	169,285.32	SERVICES DURING WP 42	V02806	CONSTRUCTION SVCS WP42
Total Construction Management - Engineering Services				169,285.32			
790-7955-429.33-06	10/14/2015	262448	TERRACON CONSULTING ENGINEERS	11,015.75	PROJECT # M1141339	V02802	WP-42 MATERIALS TESTING
	10/14/2015	262448	TERRACON CONSULTING ENGINEERS	11,585.25	PROJECT # M1141339A	V02802	WP-42 MATERIALS TESTING
	10/14/2015	262448	TERRACON CONSULTING ENGINEERS	17,846.50	PROJECT # M1141339	V02802	WP-42 MATERIALS TESTING
	10/14/2015	262448	TERRACON CONSULTING ENGINEERS	12,886.35	PROJECT # M1141339A	V02802	WP-42 MATERIALS TESTING
	10/28/2015	262873	TERRACON CONSULTING ENGINEERS	10,792.50	MATERIALS TESTING	V02802	WP-42 MATERIALS TESTING
	10/28/2015	262873	TERRACON CONSULTING ENGINEERS	8,904.50	MATERIALS TESTING	V02802	WP-42 MATERIALS TESTING
	10/28/2015	262873	TERRACON CONSULTING ENGINEERS	21,097.25	MATERIALS TESTING	V02802	WP-42 MATERIALS TESTING
	10/28/2015	262873	TERRACON CONSULTING ENGINEERS	4,767.00	MATERIALS TESTING	V02802	WP-42 MATERIALS TESTING
Total Construction Management - Quality Testing				98,895.10			
790-7955-429.33-79	10/7/2015	262058	CASS COUNTY JOINT WATER RESOURCE DI	260,000.00	OXBOW DIVERSION	V01203	Cass Joint Water OHB
Total Construction Management - Construction Management				260,000.00			
790-7990-429.34-55	10/28/2015	262791	JP MORGAN CHASE-LOCKBOX PROCESSING	9,268.50	FINANCIAL ADVISORY SERVIC	V03301	PPP FINANCL ADVISORY SVCS
Total Project Financing - Financial Advisor				9,268.50			
790-7990-520.80-20	10/1/2015	WIRE	US BANK	17,187.50	US BANK INTEREST PAYMENT	V02902	\$50M FARGO USBANK ADVANCE
Total Project Financing - Financial Advisor				17,187.50			
Total Disbursed for Period				\$ 13,959,754.03			

**FM Diversion Authority
Cumulative Vendor Payments Since Inception
As of October 31, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
CASS COUNTY JOINT WATER RESOUR	\$ 99,831,960.86	\$ 67,540,840.52	\$ 32,291,120.34	Land Purchases, O/H/B Ring Levee, DPAC, & ROE
HOUSTON-MOORE GROUP LLC	28,848,598.10	22,513,694.99	6,334,903.11	Engineering Services
INDUSTRIAL BUILDERS INC	24,782,769.05	5,490,032.89	19,292,736.16	2nd St North Pump Station Project and 2nd Street Floodwall, South of Pump Station
CH2M HILL ENGINEERS INC	18,665,819.01	16,965,819.01	1,700,000.00	Project Management
INDUSTRIAL CONTRACT SERVICES I	17,806,634.56	8,347,624.18	9,459,010.38	4th St Pump Station and 2nd Street Floodwall
OXBOW, CITY OF	14,804,345.96	13,839,776.53	964,569.43	City of Oxbow - MOU
ARMY CORP OF ENGINEERS	6,929,000.00	4,650,000.00	2,279,000.00	Local Share
COMMERCIAL TITLE LLC	3,869,541.00	3,869,541.00	-	Oxbow MOU - Advance for Land Purchase
TITLE COMPANY	3,641,500.00	3,641,500.00	-	Oxbow MOU - Advance for Land Purchase
DORSEY & WHITNEY LLP	2,576,982.84	2,485,821.43	91,161.41	Legal Services
MINNESOTA DNR	2,188,007.43	1,740,211.07	447,796.36	EIS Scoping
URS CORPORATION	1,775,118.42	1,487,060.58	288,057.84	Engineering Services
KENNELLY & OKEEFFE	1,729,310.56	1,729,310.56	-	Home Buyouts
CONSOLIDATED COMMUNICATIONS	1,324,403.00	214,745.03	1,109,657.97	Utility Relocation
LANDWEHR CONSTRUCTION INC	1,089,888.00	-	1,089,888.00	Demo Park East Apartments
XCEL ENERGY-FARGO	824,917.82	16,275.85	808,641.97	Utility Relocation
MOORE ENGINEERING INC	662,468.17	662,468.17	-	Engineering Services
DUCKS UNLIMITED	587,180.00	587,180.00	-	Wetland Mitigation Credits
HOUSTON ENGINEERING INC	576,669.57	576,669.57	-	Engineering Services
RED RIVER BASIN COMMISSION	500,000.00	447,747.40	52,252.60	Engineering Services
ENVENTIS	497,594.62	115,685.62	381,909.00	Utility Relocation
NORTHERN TITLE CO	484,016.00	484,016.00	-	Land Purchases
TERRACON CONSULTING ENGINEERS	450,000.00	173,440.91	276,559.09	Materials Testing
AT&T	441,330.44	-	441,330.44	Utility Relocation
ERIK R JOHNSON & ASSOCIATES	400,867.46	400,867.46	-	Legal Services
JP MORGAN CHASE-LOCKBOX PROCES	350,000.00	77,859.89	272,140.11	Financial Advisor
CITY OF FARGO	329,418.71	329,418.71	-	Digital Imagery Project, Utility Relocation & Accounting Svcs
702 COMMUNICATIONS	275,862.91	199,910.18	75,952.73	Utility Relocation
US BANK	256,299.96	256,299.96	-	Loan Advance Debt Service Payments
CASS COUNTY TREASURER	245,565.40	245,565.40	-	Property Tax
ROBERT TRENT JONES	200,000.00	200,000.00	-	Oxbow MOU - Golf Course Consulting Agreement
CABLE ONE (FARGO)	148,511.37	-	148,511.37	Utility Relocation
PFM PUBLIC FINANCIAL MANAGEMEN	146,460.00	146,460.00	-	Financial Advisor
NDSU BUSINESS OFFICE-BOX 6050	135,167.00	135,167.00	-	Ag Risk Study Services
BEAVER CREEK ARCHAEOLOGY	111,000.00	-	111,000.00	Engineering Services
UNITED STATES GEOLOGICAL SURVE	104,600.00	104,600.00	-	Water Level Discharge Collection
PROSOURCE TECHNOLOGIES, INC	100,000.00	8,324.94	91,675.06	Engineering Services
ULTEIG ENGINEERS INC	100,000.00	-	100,000.00	Engineering Services
BRAUN INTERTEC CORP	90,210.00	77,629.00	12,581.00	Quality Testing
EL ZAGAL TEMPLE HOLDING CO	68,040.72	68,040.72	-	Easement Purchase for El Zagal Levee
GRAY PANNELL & WOODWARD LLP	66,300.68	66,300.68	-	Legal Services
OHNSTAD TWICHELL PC	65,035.11	65,035.11	-	ROE and Bonding Legal Fees
FREDRIKSON & BYRON, PA	63,000.00	35,000.00	28,000.00	Lobbying Services
IN SITU ENGINEERING	54,800.00	47,973.00	6,827.00	Quality Testing

**FM Diversion Authority
Cumulative Vendor Payments Since Inception
As of October 31, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
ADVANCED ENGINEERING INC	50,000.00	50,000.00	-	Public Outreach
US GEOLOGICAL SURVEY	46,920.00	46,920.00	-	Stage Gage Installation
GEEKON INC	33,815.36	33,815.36	-	Vibrating Wire Piezometer Equipment
COLDWELL BANKER	33,066.02	33,066.02	-	Property Management Services
NIXON PEABODY LLC	30,000.00	30,000.00	-	Legal Services
WARNER & CO	19,900.00	19,900.00	-	General Liability Insurance
INNOVATIVE ABSTRACT & TITLE CO	15,921.53	15,921.53	-	Oxbow MOU - Advance for Land Purchase
MOORHEAD, CITY OF	15,062.90	15,062.90	-	ROE Legal Fees
BRIGGS & MORGAN PA	12,727.56	12,727.56	-	Legal Services
ND WATER USERS ASSOCIATN	5,000.00	5,000.00	-	Membership Dues
ONE	3,575.00	-	3,575.00	Utility Relocation
MCKINZIE METRO APPRAISAL	3,200.00	3,200.00	-	Appraisal Services
FORUM COMMUNICATIONS (LEGALS)	2,224.20	2,224.20	-	Advertising Services
CLAY COUNTY AUDITOR	1,970.00	1,970.00	-	Property Tax
DAWSON INSURANCE AGENCY	1,867.81	1,867.81	-	Property Insurance - Home Buyouts
FORUM COMMUNICATIONS (ADVERT)	1,743.77	1,743.77	-	Advertising Services
NORTH DAKOTA TELEPHONE CO	1,697.00	1,697.00	-	Communication
SEIGEL COMMUNICATIONS SERVICE	1,490.00	1,490.00	-	Public Outreach
RED RIVER TITLE SERVICES INC	1,305.00	1,305.00	-	Abstract Updates
HUBER, STEVE	1,056.43	1,056.43	-	Home Buyouts
TRIO ENVIRONMENTAL CONSULTING	747.60	747.60	-	Asbestos and LBP Testing - Home Buyouts
BNSF RAILWAY CO	600.00	600.00	-	Permit for 4th St N Project
RED RIVER VALLEY COOPERATIVE A	536.96	536.96	-	Electricity - Home Buyouts
FERRELLGAS	496.00	496.00	-	Propane - Home Buyouts
BROKERAGE PRINTING	473.33	473.33	-	Custom Printed Forms
KOCHMANN, CARTER	315.00	315.00	-	Lawn Mowing Services
GALLAGHER BENEFIT SERVICES INC	250.00	250.00	-	Job Description Review
DONS PLUMBING	240.00	240.00	-	Winterize - Home Buyouts
CURTS LOCK & KEY SERVICE INC	138.10	138.10	-	Service Call - Home Buyouts
GOOGLE LOVEINTHEOVEN	116.00	116.00	-	Meeting Incidentals
FEDERAL EXPRESS CORPORATION	71.89	71.89	-	Postage
CASS COUNTY RECORDER	68.00	68.00	-	Oxbow MOU - Advance for Land Purchase
Grand Total	\$ 238,485,790.19	\$ 160,326,933.82	\$ 78,158,856.37	

**FM Diversion Authority
In-Town Levee Work
as of October 31, 2015**

Vcode #	Vendor Name	Descriptions	Contract Amount	Amount Paid
V02801	Industrial Builders	2nd Street North Pump Station - Work Package 42.A2	\$ 8,428,373.00	\$ 5,435,712.89
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	450,000.00	173,440.91
V02803	Enventis	2nd Street Utility Relocation	3,146,400.62	330,430.65
V02804	702 Communications	2nd Street Utility Relocation	275,862.91	199,910.18
V02805	ICS	4th St Pump Station & Gatewell and 2nd St Floodwall S - WP-42A.1/A.3	17,807,234.56	8,348,224.18
V02806	HMG	Services During Construction - Work Package 42	2,243,000.00	1,042,614.06
V02807	CCJWRD	In-Town Levee Work	1,362,236.13	1,362,236.13
V02808	City of Fargo	Relocation of fiber optic along 2nd Street North	38,002.05	34,427.05
V02809	AT & T	2nd Street Utility Relocation	441,330.44	-
V02810	Cable One	2nd Street Utility Relocation	148,511.37	-
V02811	Xcel Energy	2nd Street & 4th Street Utility Relocations	824,917.82	16,275.85
V02812	Industrial Builders	2nd Street North Floodwall, South of Pump Station - WP-42F.1S	16,354,396.05	54,320.00
V02813	Landwehr Construction	Park East Apartments Demolition	1,089,888.00	-
V01703	Various	In-Town Property Purchases	18,589,331.06	13,867,101.19
			\$ 71,199,484.01	\$ 30,864,693.09

**Lands Expense - Life To Date
As of October 31, 2015**

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Tax Payment	Relocation Assistance	Property Management Expense	Property Management Income	Sale Proceeds	Total
Home Buyouts - Fargo									
1322 Elm St N, Fargo ND	11/19/2014	347,270.27	-	2,840.39	47,168.14	2,420.83	-	-	399,699.63
1341 N Oak St, Fargo ND	1/29/2015	309,888.24	-	-	78,889.24	-	-	-	388,777.48
1326 Elm St N, Fargo ND	12/23/2014	230,196.41	-	-	8,001.02	-	-	-	238,197.43
1330 Elm St N, Fargo ND	2/12/2015	229,982.44	-	-	62,362.63	-	-	-	292,345.07
18 North Terrace N, Fargo ND	4/2/2015	129,698.25	-	-	44,688.72	-	-	-	174,386.97
Park East Apartments - 1 2nd St S Fargo, ND	6/23/2015	9,002,442.20	-	-	909,725.33	42,390.26	-	-	9,954,557.79
1318 Elm St N, Fargo ND	5/29/2015	229,012.67	-	-	55,452.01	-	-	-	284,464.68
724 North River Road, Fargo, ND	6/8/2015	204,457.83	-	-	2,295.00	34.76	-	(15,000.00)	191,787.59
1333 Oak Street N, Fargo, ND	6/24/2015	238,513.23	-	-	2,700.85	-	-	-	241,214.08
26 North Terrace N, Fargo ND	9/11/2015	138,619.58	-	-	12,620.00	-	-	-	151,239.58
16 North Terrace N, Fargo ND	9/24/2015	227,987.50	-	-	87,411.00	-	-	-	315,398.50
301 3rd Ave N, Fargo ND	-	-	-	-	1,000,000.00	-	-	-	1,000,000.00
1314 Elm Street N, Fargo ND	-	-	100,000.00	-	2,512.50	-	-	-	102,512.50
Home Buyouts - Moorhead									
387 170th Ave SW, Moorhead MN	11/1/2013	281,809.91	-	1,970.00	-	2,247.01	-	(8,440.00)	277,586.92
Home Buyouts - Oxbow									
105 Oxbow Drive, Oxbow ND	11/28/2012	216,651.85	-	4,993.72	-	13,695.77	(18,680.72)	(181,249.54)	35,411.08
744 Riverbend, Oxbow ND	12/3/2012	343,828.30	-	10,599.10	-	19,786.48	(37,617.16)	-	336,596.72
121 Oxbow Drive, Oxbow ND	7/31/2013	378,781.20	-	1,581.52	-	19,519.02	-	(186,918.33)	212,963.41
333 Schnell Drive, Oxbow ND	9/20/2013	104,087.79	-	2,781.89	-	30,017.65	-	-	136,887.33
346 Schnell Dr, Oxbow ND	2/13/2014	512,970.73	-	3,143.13	-	13,006.13	(18,000.00)	-	511,119.99
345 Schnell Dr, Oxbow ND	10/24/2014	478,702.98	-	3,055.99	6,869.44	1,821.44	-	-	490,449.85
336 Schnell Dr, Oxbow ND	1/29/2015	310,888.51	-	-	-	-	-	-	310,888.51
Lots 1-3, Block 1, Babe's Addition - Bartram	5/21/2015	2,698,226.97	-	-	10,549.70	629.27	-	-	2,709,405.94
326 Schnell Drive, Oxbow, ND	5/13/2015	130,000.00	-	-	62,505.89	-	-	-	192,505.89
748 Riverbend Rd / 755 River Bend Rd	9/1/2015	480,784.30	-	-	205,649.82	-	-	-	686,434.12
752 Riverbend Rd / 768 River Bend Rd	9/4/2015	469,078.13	-	-	506,044.10	-	-	-	975,122.23
349 Schnell Dr / 761 River Bend Rd	6/26/2015	306,725.20	-	-	309,992.53	120.50	-	-	616,838.23
353 Schnell Dr / 772 River Bend Rd	9/11/2015	494,342.87	-	-	312,212.95	-	-	-	806,555.82
357 Schnell Dr / 760 River Bend Rd	6/18/2015	465,825.80	-	-	177,777.58	166.41	-	-	643,769.79
361 Schnell Dr / 764 River Bend Rd	9/2/2015	490,091.32	-	-	267,757.65	-	-	-	757,848.97
SE 1/4-23-137-49 & NW 1/4 SW 1/4 24-137-49 - Heitman	9/30/2015	1,328,151.00	-	-	-	-	-	-	1,328,151.00
749 Riverbend Rd / 433 Trent Jones Dr	-	-	195,500.00	-	-	-	-	-	195,500.00
334 Schnell Dr / 751 River Bend Rd	-	-	146,226.00	-	-	-	-	-	146,226.00
350 Schnell Dr / 769 River Bend Rd	-	-	135,000.00	-	-	-	-	-	135,000.00
829 Riverbend Rd / 788 River Bend Rd	-	-	-	-	8,000.00	-	-	-	8,000.00
328 Schnell Dr / 347 Trent Jones Dr	-	-	200,000.00	-	-	-	-	-	200,000.00
338 Schnell Dr / 775 River Bend Rd	-	-	222,500.00	-	-	-	-	-	222,500.00
813 Riverbend Rd / 449 Trent Jones Dr	-	-	228,000.00	-	-	-	-	-	228,000.00
341 Schnell Dr / 351 Trent Jones Dr	-	-	238,500.00	-	-	-	-	-	238,500.00
329 Schnell Dr / 417 Trent Jones Dr	-	-	180,000.00	-	-	-	-	-	180,000.00
805 Riverbend Rd / 776 River Bend Rd	-	-	220,855.00	-	-	-	-	-	220,855.00
317 Schnell Dr / 409 Trent Jones Dr	-	-	222,000.00	-	-	-	-	-	222,000.00
309 Schnell Dr / 261 S Schnell Dr	-	-	210,000.00	-	-	-	-	-	210,000.00

FM Diversion Authority
Lands Expense - Life To Date
As of October 31, 2015

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Tax Payment	Relocation Assistance	Property Management Expense	Property Management Income	Sale Proceeds	Total
810 Riverbend Rd / 787 River Bend Rd		-	289,500.00	-	-	-	-	-	289,500.00
332 Schnell Dr / 421 Trent Jones Dr		-	158,000.00	-	-	-	-	-	158,000.00
833 Riverbend Rd / 446 Trent Jones Dr		-	269,000.00	-	-	-	-	-	269,000.00
828 Riverbend Rd / 779 River Bend Rd		-	25,000.00	-	-	-	-	-	25,000.00
330 Schnell Dr / 425 Trent Jones Dr		-	150,000.00	-	-	-	-	-	150,000.00
			-						-
			-						-
Home Buyouts - Hickson									
17495 52nd St SE, Hickson, ND	4/28/2015	785,747.66	-	-	27,604.74	183.90	-	-	813,536.30
			-						-
Easements - Fargo									
Part of Lot 5 El Zagal Park, Fargo ND	10/9/2014	68,040.72	-	-	-	-	-	-	68,040.72
			-						-
Easements - Oxbow									
Oxbow Parcel 57-0000-10356-070 - Pearson	10/13/2014	55,500.00	-						55,500.00
			-						-
Farmland Purchases									
SE 1/4 11-140-50 (Raymond Twp) - Ueland	1/20/2014	959,840.00	-	-	-	-	(27,892.63)	-	931,947.37
2 Tracts in the E 1/2-2-137-49 - Sorby/Maier	1/24/2014	1,636,230.00	-	-	-	-	(56,114.10)	-	1,580,115.90
3 Tracts NW1/4 1-140-50, NW1/4 11-140-50, & S1/2 25-141-50 - Rust	2/18/2014	3,458,980.70	-	-	-	-	(121,611.02)	-	3,337,369.68
11-140-50 NE1/4 (Raymond Twp) - Diekrager	4/15/2014	991,128.19	-	-	-	-	(32,244.98)	-	958,883.21
NW 1/4 36-141-50 - Monson	5/7/2014	943,560.05	-	-	-	-	(28,029.64)	-	915,530.41
SW 1/4-11-140-50 - Hوجلund	7/21/2014	989,706.03	-	2,566.59	-	-	(3,725.49)	-	988,547.13
NW 1/4 14-140-50 - Hوجلund	10/23/2014	948,782.22	-	5,327.10	-	-	(22,249.56)	-	931,859.76
SW 1/4 2-140-50 -Rust	10/29/2014	955,901.00	-	2,265.76	-	-	(11,053.17)	-	947,113.59
Fercho Family Farms, Oxbow ND	3/25/2015	464,600.00	-	-	-	-	-	-	464,600.00
W 1/2 SE 1/4 SW 1/4 & SW 1/4 SW 1/4 2-137-49 - Gorder	5/13/2014	321,386.00	-	-	-	-	(3,786.29)	-	317,599.71
2-140-50 S 1/2 of NW 1/4 & Lot 4A - Pile	3/4/2015	594,108.00	-	-	-	-	-	-	594,108.00
W 1/2 NW 1/4 2-141-49 - Heiden	4/24/2015	433,409.00	-	-	-	-	-	-	433,409.00
(Raymond Twp) - Henke	6/17/2015	1,196,215.00	-	-	-	-	-	-	1,196,215.00
Land Purchases									
Hayden Heights Land, West Fargo ND	10/12/2012	484,016.00	-	219,899.45	-	-	-	(485,711.81)	218,203.64
Lot 4, Block 4, ND R-2 Urban Renewal Addition, Fargo ND - Professional Associates	5/14/2015	39,900.00	-	-	-	-	-	-	39,900.00
BNSF Railway Company		-	27,000.00	-	-	-	-	-	27,000.00
Total		36,106,066.05	3,217,081.00	261,024.64	4,208,790.84	146,039.43	(381,004.76)	(877,319.68)	42,680,677.52

FM Diversion Authority
 State Water Commission Funds Reimbursement Worksheet
 Fargo Flood Control Project Costs

Time Period for This Request: October 1, 2015 - October 31, 2015

Drawdown Request No: 20	
Requested Amount:	\$ 3,751,422
Total Funds Expended This Period:	\$ 5,687,000
Total Funds Requested at 100% Match	1,815,844
Remaining Funds Requested at 50% Match	3,871,156
SB 2020 Matching Requirements	50%
Total Funds Requested at 50% Match	1,935,578
Total Funds Requested:	\$ 3,751,422

STATE AID SUMMARY:	
Summary of State Funds Appropriated	
Appropriations from 2009 Legislative Session	\$ 45,000,000
Appropriations from 2011 Legislative Session	30,000,000
Appropriations from 2013 Legislative Session	100,000,000
Appropriations from 2015 Legislative Session	69,000,000
Total State Funds Appropriated	244,000,000
Less: Payment #1 through #35 - City of Fargo	(55,510,209)
Less: Payment #1 - Cass County	(136,039)
Less: Payment #1 through #10 - FM Diversion Authority	(8,524,053)
Less: Payment #11 - FM Diversion Authority	(470,398)
Less: Payment #12 - FM Diversion Authority	(1,231,810)
Less: Payment #13 - FM Diversion Authority	(612,361)
Less: Payment #14 - FM Diversion Authority	(1,182,540)
Less: Payment #15 - FM Diversion Authority	(4,501,221)
Less: Payment #16 - FM Diversion Authority	(3,325,169)
Less: Payment #17 - FM Diversion Authority	(2,833,772)
Less: Payment #18 - FM Diversion Authority	(1,528,056)
Less: Payment #19 - FM Diversion Authority	(885,633)
Less: Payment #20 - FM Diversion Authority	(3,751,422)
Total Funds Reimbursed	(84,492,683)
Total State Fund Balances Remaining	\$ 159,507,317

FM Diversion Authority
 State Water Commission Funds Reimbursement Worksheet
 Fargo Flood Control Project Costs

LOCAL MATCHING FUNDS SUMMARY:		
Matching Funds Expended To Date - City of Fargo	\$	47,629,069
Matching Funds Expended To Date - Cass County		291,500
Matching Funds Expended To Date - FM Diversion Authority		7,587,523
Total Matching Funds Expended To Date		55,508,092
Less: Match Used on Payment #1 through #35 - City of Fargo		(41,506,620)
Less: Match used on Payment #1 - Cass County		(136,039)
Less: Match Used on Payment #1 - FM Diversion Authority		(18,600)
Less: Match Used on Payment #2 - FM Diversion Authority		(66,888)
Less: Match Used on Payment #6 - FM Diversion Authority		(238,241)
Less: Match Used on Payment #8 - FM Diversion Authority		(346,664)
Less: Match Used on Payment #11 - FM Diversion Authority		(470,398)
Less: Match Used on Payment #12 - FM Diversion Authority		(237,286)
Less: Match Used on Payment #16 - FM Diversion Authority		(3,018,978)
Less: Match Used on Payment #17 - FM Diversion Authority		(1,374,624)
Less: Match Used on Payment #20 - FM Diversion Authority		(1,815,844)
Balance of Local Matching Funds Available	\$	6,277,910

FM Area Diversion Project Property Acquisition Summary

November 10, 2015

Property:

Owner	Robert L and Judith Anderson
Address	16678 3 rd St S., Moorhead, Clay County, MN
Property Type	Single Family Residential
Identification Number	1802

Property Need

Acquisition of this property is required as part of the future project staging area. See attached map. The property owner has applied for and been granted approval from the hardship committee of a purchase in advance of the project timeline in order to accommodate the owners medical hardship and need to sell the property.

Description of Acquired Property

The buyout property is a 1903 2 story rural residential dwelling with 2,350 SQFT situated on 4.53 acres. The buyout property also includes one 36’ x 50’ pole barn, and 2 detached 2 car garages.

Compensation & Negotiations Summary:

Compensation amounts proposed are based on an appraisal of the subject property provided by a qualified appraiser following the Yellow Book standards. The appraisal has been reviewed and approved by USACE. The property appraisal identified a market value of \$214,000.00 for the subject property.

The tax assessed value by Clay County, MN for the property is \$164,300.

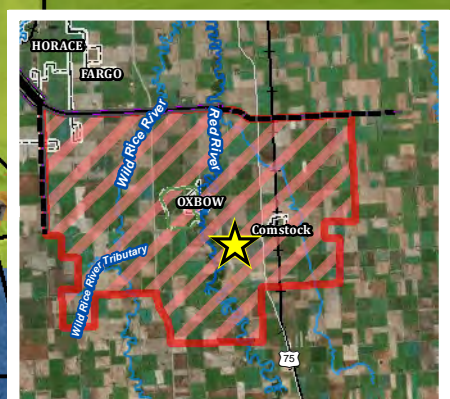
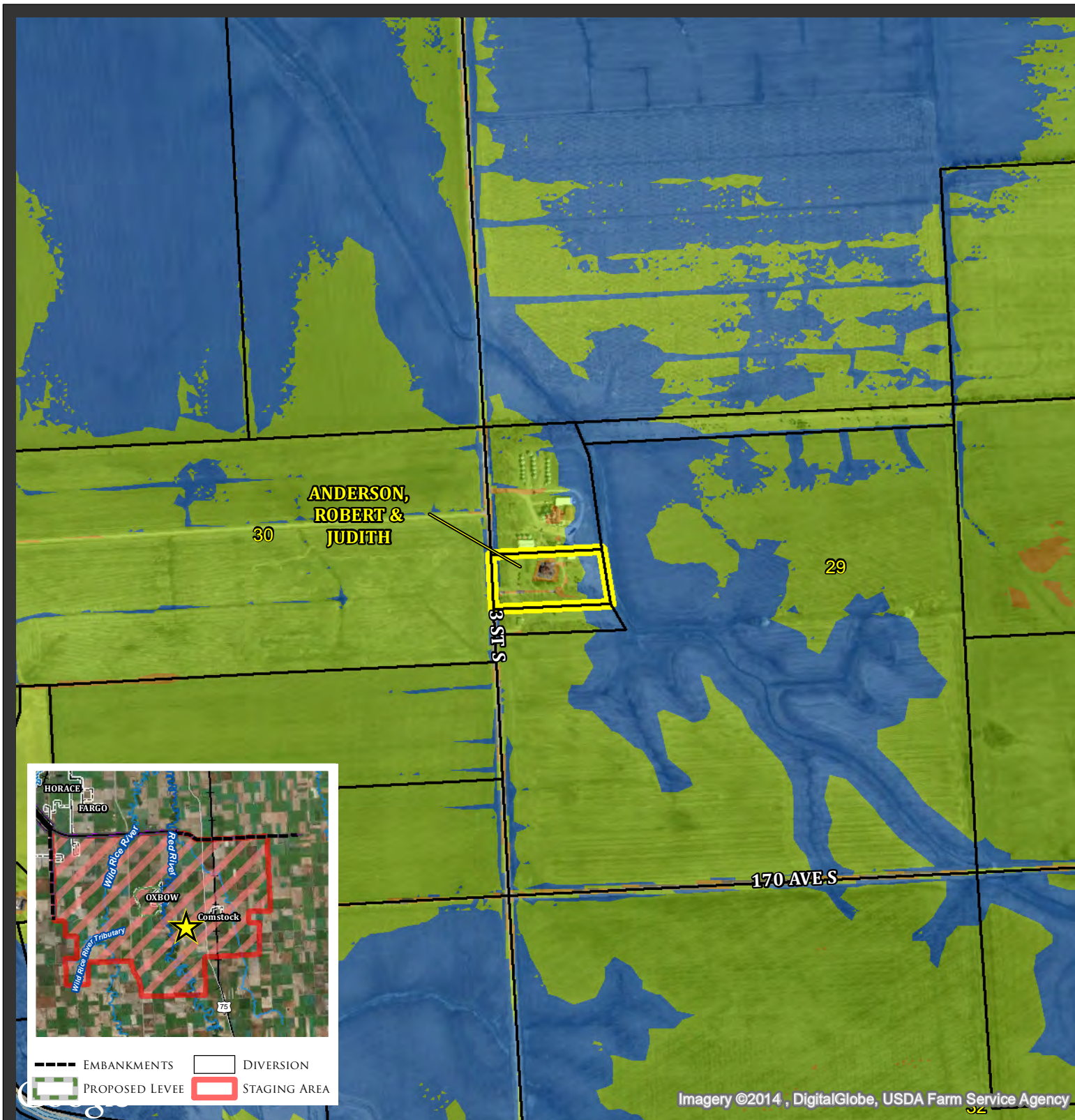
Requested Action/Recommendation

Authorization of a Purchase Agreement with Robert L and Judith Anderson in the amount of \$214,000.00.

In consideration of the medical hardship condition as well as the MnEIS, the Purchase Agreement will not include acquisition of the property until the MnEIS is complete. The Purchase Agreement will provide the Anderson’s with funds that will enable them to secure a replacement property in accordance with URA.

Relocation Compensation Summary:

The Replacement Housing Study and Payment for the above listed property is attached. The recommended maximum eligible replacement housing differential payment is \$116,000.00 based on the replacement housing study conducted of comparable properties. There will be other relocation benefits provided to the Anderson’s under URA. These may include a move payment, closing costs associated with the replacement property, as well as an interest differential payment.



Imagery ©2014, DigitalGlobe, USDA Farm Service Agency

APPLICANT PARCEL
ROBERT & JUDITH ANDERSON
PIN #: 150293001
ADDRESS: 16678 3RD ST. S
MOORHEAD, MN 56560
COUNTY: CLAY

LEGAL DESCRIPTION




BEG 1610.96' N OF SW COR; N 307.47', E 623.89', S309.49' & W 659.15' TO BEG 29-137-48

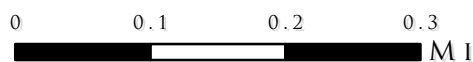
 Subject Parcel


PARCEL INFORMATION

OIN: 1802
 Impacted: Yes
 WP: 38
 Location: Staging

100 YEAR TOTAL DEPTH

 0.5' - 1'
 1' - 3'
 >3'



LAST UPDATED: 10/8/2014 

October 26, 2015

SRF No. 7715.08

Robert and Judith Anderson
16678 3rd Street South
Holy Cross, MN 56560

In reply refer to: FM Area Diversion Project-Medical Hardship
Parcel No. 1802
Address: 16678 3rd Street South, Holy Cross, MN

Dear Robert and Judith:

This is a NOTICE OF RELOCATION ELIGIBILITY. You will be entitled to relocation payments and other assistance in accordance with Federal regulations which implement the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (Uniform Relocation Act). You are now eligible for relocation assistance.

To assist in covering your costs of moving, you may choose either (1) a payment for your actual reasonable moving and related expenses, limited to a distance of 50 miles, or (2) a fixed payment based on the number of rooms you furnish and occupy.

Also, if you owned and occupied your home for at least 180 days and you buy a decent, safe and sanitary replacement house, you may receive a replacement housing payment to assist in covering the following costs:

1. Differential Amount. If you must pay more to buy a comparable replacement home than you receive for your present home, this amount will cover the difference within certain limits.
2. Incidental Expenses. This amount covers some costs incidental to settlement on your new home, such as recording fees, the title insurance premium, and appraisal fees.
3. Increased Mortgage Interest Costs. This amount will help compensate for some additional interest costs that would be incurred if you have a mortgage on your home and must pay a higher interest rate on a mortgage on your replacement home.

Listed below are properties similar to yours which are currently available for purchase. We have chosen the listed property at 361- 2nd Street NE, Barnesville, MN 56514, to use as your “comparable” home in determining your replacement housing benefits as described above.

	Address	Asking Price
1.	361- 2 nd Street NE, Barnesville, MN	\$330,000
2.	8- 59 th Avenue NW, Moorhead, MN	\$267,472 (carve out price)
3.	1321 15 th Street South, Moorhead, MN	\$239,780 (carve out price)

The “comparable” home listed above has an asking price of \$330,000. Based on a \$214,000 acquisition price for your present home and the \$330,000 comparable dwelling price, you are eligible for a replacement housing differential payment up to \$116,000. This is the maximum differential payment which you may receive. If your actual replacement home costs less than \$330,000, the differential payment would be based on your actual replacement home purchase price.

We will explain the basis for the selection of this listing and, if necessary. We will not base your payment on any unit that is not a “comparable replacement home.”

You have been provided with a booklet that describes the relocation benefit program. Please read the booklet carefully. It explains your rights and some things you must do to obtain a payment. (For example, to receive a replacement housing payment you must purchase and move to a decent, safe and sanitary home within one year after you move or receive your final acquisition payment, if later.)

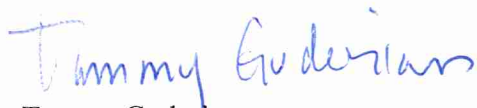
We want to make it clear that you are eligible for assistance to help you relocate. In addition to relocation payments and housing referrals, counseling and other services are available to you.

If you have any questions, please call us. We can be reached by calling 763-452-4713. We are sure that we can answer your questions.

This letter is of importance to you and should be carefully filed for safekeeping.

Sincerely,

SRF CONSULTING GROUP, INC.



Tammy Guderian
Right of Way Specialist

PRICE DIFFERENTIAL PAYMENT

ANALYSIS OF COMPARABLE PROPERTIES

Project: FM Area Diversion-Medical Hardship County: Clay

Parcel: 1802

Owner: Robert and Judith Anderson

Address: 16678 3rd Street South

City: Holy Cross

	Subject	Most Comparable		Referral-Comparable Properties			
		No. 1	Map	No. 2	Map	No. 3	Map
Appraised Value	\$214,000						
List Price		\$330,000		\$239,900		\$209,900	
Carve Out				\$267,472		\$239,780	
Address	16678 3 rd Street South	361 2 nd Street NE (23.5 miles)		8- 59 th Avenue NW (26 miles)		1321 15 th Street South (18.87 miles)	
City	Holy Cross	Barnesville		Moorhead		Moorhead	
Date of Inspection	February 12, 2015						
Style	Two Story	Two Story		One Story		One & One Half Story	
Construction	Wood	Wood		Wood		Wood	
Actual Age/Eff. Age	1903	1903				1955	
Condition EGF	Average	Average (as-is)		Average		Average	
No. of Units	Single Family	Single Family		Single Family		Single Family	
No. of Rooms	8	11		9		11	
No. of Bedrooms	5	6		5		7	
Bedrooms Required	5	5		5		5	
No. of Baths	3 Full Bathes	2 Full Bathes 1-3/4 Bath 1-1/2 Bath 1-1/4 Bath		3 Full Bathes 1-1/2 Bath		3 Full Bathes	
Total Area (Sq. Ft.)	2,350 FSF – AG 1,175-BG	4,758 FSF		2,674 FSF		3,218 FSF	
Basement	unfinished	unfinished		unknown		Partially finished	
Bsmt – types of Fin. Rms.	none	unknown		unknown		2 BR, FR	
Heat/Cooling	Propane/CA	Gas/Propane Boiler, GT					
Fireplaces		1		0		0	
Other Finished Space		Bonus Room-3 rd Floor					
Garage	(2) - 2 Car Detached	2 Car Detached		2 Car Detached		2 Car Detached	
Lot Size	4.53 Acres	4.94 acres		.59 acres		.26 acres	
Neighborhood E/B	Rural Residential	Rural Residential		Rural Residential		Rural Residential	
Schools	Available	Available		Available		Available	
Public Transportation	Available	Available		Available		Available	
Church	Available	Available		Available		Available	
Place of Employment	Available	Available		Available		Available	
Water 1. Type 2. Adequate		City					
Sewer 1. Type 2. Adequate		City					
Other Comments	Porch, Deck, 36 x 50 Pole Barn	Porch, Security System		Shed, Underground Fence			

Comparable Comments & Conclusions:

The Cass County Joint Water Resource District has determined that the #1 Comparable listed above meets the definition of a comparable replacement property as defined in 49CFR Section 24.2(6). In order for this property owner to purchase a comparable property as defined in 49CFR, the maximum Replacement Housing Differential Payment (RHDP) would be \$ 116,000.

\$ 330,000
List Price of Prime Comparable

\$330,000 minus \$214,000 = \$116,000

Comparable Acquisition Cost Maximum RHDP

Approval (CCJWRD)

Date

FM Area Diversion Project

Property Acquisition Summary

November 10, 2015

Property:

Owner	Wayne Haug
Address	24 North Terrace N, Fargo, ND 58102
Property Type	Single Family Residential
Identification Number	9195

Property Need

Acquisition of this property is required as part of the in town levee system, specifically the Mickelson levee extension. See attached map.

Description of Acquired Property

The buyout home is a single family two story home with 1,984 SQFT. This home has three bedrooms and 2 baths. This home has a detached two stall garage. Special features include newer windows and steel siding.

Compensation & Negotiations Summary:

Compensation amounts proposed are based on an appraisal of the subject property provided by a qualified appraiser following the Yellow Book standards. The appraisal has been reviewed and approved by USACE. The property appraisal identified a market value of \$184,000.00 for the subject property.

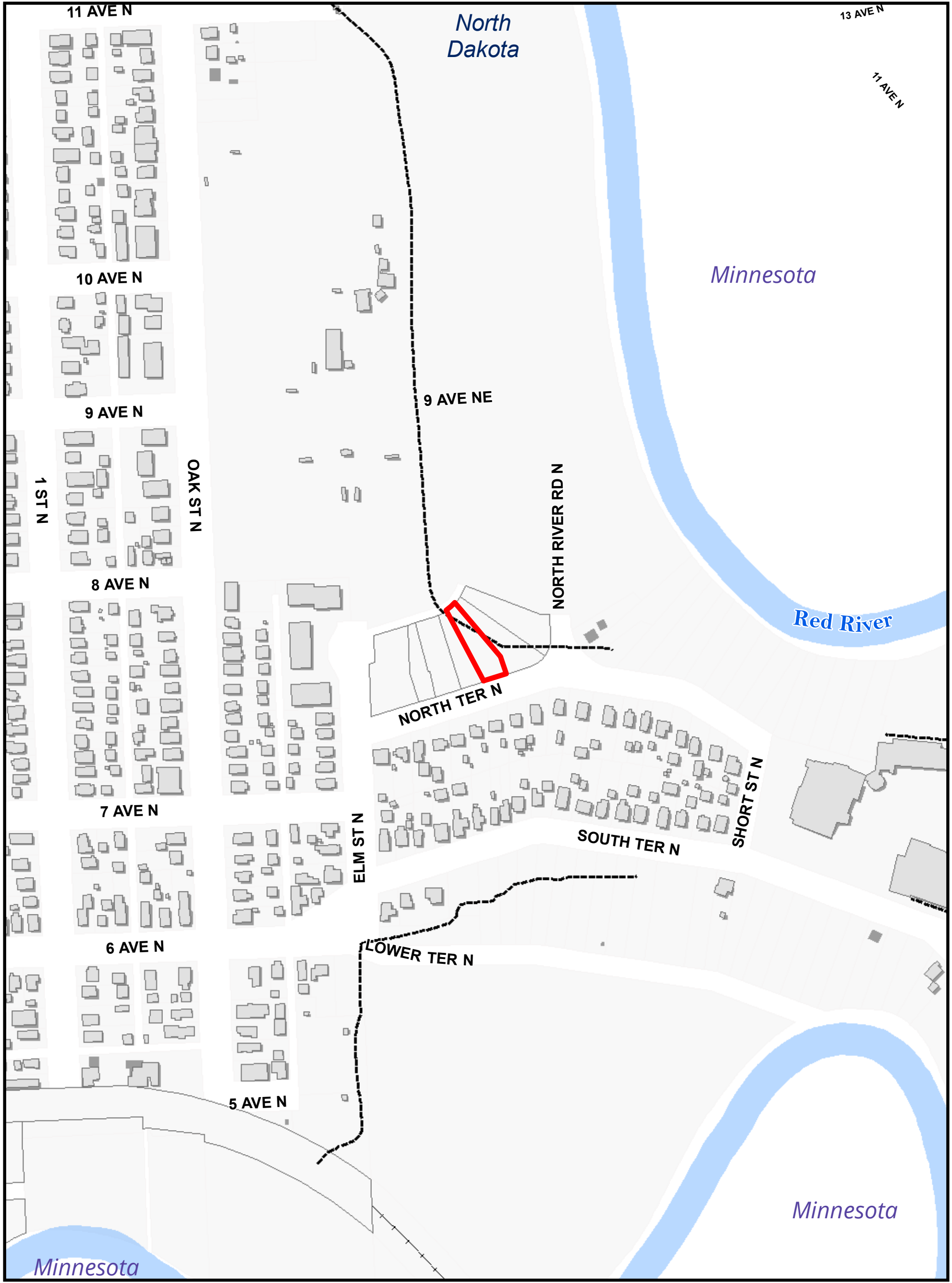
The 2014 tax assessed value by the City of Fargo, ND for the property is \$133,500.

Requested Action/Recommendation

Recommend that CCJWRD execute a Purchase Agreement with Wayne Haug in the amount of \$184,000.00.

Relocation Compensation Summary:

A summary of the Replacement Housing Study and Payment for the above listed property is attached. The recommended maximum eligible replacement housing differential payment is \$22,500.00 based on the replacement housing study conducted of comparable properties. This number was previously approved by the CCJWRD. There will be other relocation benefits provided to the Mr. Haug under URA.



 CURRENT COST SHARE REQUEST


OIN# 9195
OWNER: WAYNE HAUG

PROPERTY ADDR: 24 NORTH TERRACE N, FARGO CITY
TOWNSHIP: BARNES TOWNSHIP

PARCEL ACREAGE: 0.23 AC.

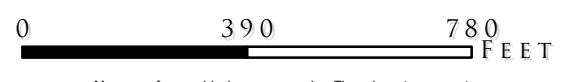
 Diversion Channel

 OHB Levee

 In Town Levee

LAST UPDATED: 8/12/2015
REF PAGE NUMBER: 9195

Document Path: D:\GIS\Projects\FM Diversion\FM Area Diversion\Projects\Land Acquisition\SWC Reimbursement (Cost Share)\Mapbook2.mxd cfm ae2S



Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable, The Diversion Authority does not guarantee the accuracy of the information, and waives any warranty or guarantee of any kind, express or implied. The data involved in the project is continuously refined and revised; you should not rely on this information for technical purposes or accuracy.

July 2, 2015

SRF No. 7715.08

Wayne Haug
24 North Terrace North
Fargo, ND 58102

In reply refer to: FM Area Diversion Project-Mickelson Levee Extension (WP-421)
Parcel No. 9195
Address: 24 North Terrace North, Fargo, North Dakota

Dear Wayne:

This is a NOTICE OF RELOCATION ELIGIBILITY. You will be entitled to relocation payments and other assistance in accordance with Federal regulations which implement the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (Uniform Relocation Act). You are now eligible for relocation assistance.

To assist in covering your costs of moving, you may choose either (1) a payment for your actual reasonable moving and related expenses, limited to a distance of 50 miles, or (2) a fixed payment based on the number of rooms you furnish and occupy.

Also, if you owned and occupied your home for at least 180 days and you buy a decent, safe and sanitary replacement house, you may receive a replacement housing payment to assist in covering the following costs:

1. Differential Amount. If you must pay more to buy a comparable replacement home than you receive for your present home, this amount will cover the difference within certain limits.
2. Incidental Expenses. This amount covers some costs incidental to settlement on your new home, such as recording fees, the title insurance premium, and appraisal fees.
3. Increased Mortgage Interest Costs. This amount will help compensate for some additional interest costs that would be incurred if you have a mortgage on your home and must pay a higher interest rate on a mortgage on your replacement home.

Listed below are properties similar to yours which are currently available for purchase. We have chosen the listed property at 2602 Pacific Drive South, Fargo, ND 58103, to use as your "comparable" home in determining your replacement housing benefits as described above.

	Address	Asking Price
1.	2602 Pacific Drive South, Fargo	\$206,500
2.	222 29 th Avenue North, Fargo	\$195,000
3.	1250 3 rd Street North, Fargo	\$190,000

The “comparable” home listed above has an asking price of \$206,500. Based on a \$184,000 acquisition price for your present home and the \$206,500 comparable dwelling price, you are eligible for a replacement housing differential payment up to \$22,500. This is the maximum differential payment which you may receive. If your actual replacement home costs less than \$206,500, the differential payment would be based on your actual replacement home purchase price.

We will explain the basis for the selection of this listing and, if necessary. We will not base your payment on any unit that is not a “comparable replacement home.”

You have been provided with a booklet that describes the relocation benefit program. Please read the booklet carefully. It explains your rights and some things you must do to obtain a payment. (For example, to receive a replacement housing payment you must purchase and move to a decent, safe and sanitary home within one year after you move or receive your final acquisition payment, if later.)

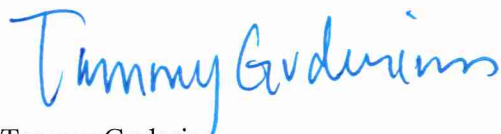
We want to make it clear that you are eligible for assistance to help you relocate. In addition to relocation payments and housing referrals, counseling and other services are available to you.

If you have any questions, please call us. We can be reached by calling 763-452-4713. We are sure that we can answer your questions.

This letter is of importance to you and should be carefully filed for safekeeping.

Sincerely,

SRF CONSULTING GROUP, INC.



Tammy Guderian
Right of Way Specialist

PRICE DIFFERENTIAL PAYMENT

ANALYSIS OF COMPARABLE PROPERTIES

Project: Fargo–Moorhead In-Town Levee Project County: Cass

Parcel: 9195

Owner: Wayne Haug

Address: 24 North Terrace North

City: Fargo

	Subject	Most Comparable		Referral-Comparable Properties			
		No. 1	Map	No. 2	Map	No. 3	Map
Appraised Value	\$184,000						
List Price		\$206,500		\$195,000		\$190,000	
Address	24 North Terrace North	2602 Pacific Drive S (4.63 miles)		222 29 th Avenue N. (2.6 miles)		1250 3 rd Street N (.88 miles)	
City	Fargo	Fargo		Fargo		Fargo	
Date of Inspection	April 7, 2015						
Style	One & a Half Story	One Story		One Story		One & a Half Story	
Construction	Wood	Wood		Wood		Wood	
Actual Age/Eff. Age	1919	1977		1970		1927	
Condition EGF	Average	Good		Good		Good	
No. of Units	Single Family	Single Family		Single Family		Single Family	
No. of Rooms	8	9		8		9	
No. of Bedrooms	3	4		4		5	
Bedrooms Required	3	3		3		3	
No. of Baths	2 Full Bathes	1 Full Bath 1-3/4 Bath		2 Full Bathes		1 Full Bath 1-3/4 Bath	
Total Area (Sq. Ft.)	1,256 TSF	1,464 TSF		1,104 –TSF		1,593-TSF	
Basement	516 SF-BG	Finished				Partially Finished	
Bsmt – types of Fin. Rms.	FR, Laundry	FR, BR, Utility		FR, BR, Laundry		BR, Utility, Laundry, Craft Room	
Heat/Cooling	GHW, radiator & electric baseboard	GFA/CA		GFA/CA		GFA/CA	
Fireplaces	0	2		0		1	
Other Finished Space							
Garage	2 Car Detached	2 Car Attached		2 Car Attached		2 Car Detached	
Lot Size	0.25 Acres	0.27 Acres		0.18 Acres		0.16 Acres	
Neighborhood E/B	Urban	Urban		Urban		Urban	
Schools	Available	Available		Available		Available	
Public Transportation	Available	Available		Available		Available	
Church	Available	Available		Available		Available	
Place of Employment	Available	Available		Available		Available	
Water 1. Type 2. Adequate	City	Yes	City		City		City
Sewer 1. Type 2. Adequate	City	Yes	City		City		City
Other Comments	Fenced Yard,	Parking Pad, Fenced Yard, Heated Garage, Shed, Updates		Parking Pad, Updated Bathroom		Parking Pad	

Comparable Comments & Conclusions:

The Cass County Joint Water Resource District has determined that the #1 Comparable listed above meets the definition of a comparable replacement property as defined in 49CFR Section 24.2(6). In order for this property owner to purchase a comparable property as defined in 49CFR, the maximum Replacement Housing Differential Payment (RHDP) would be \$ 22,500.

\$ 206,500
List Price of Prime Comparable

\$ 206,500 minus \$184,000 = \$ 22,500

Comparable Acquisition Cost Maximum RHDP

Approval (CCJWRD)

Date

FM Area Diversion Project

Property Acquisition Summary

November 10, 2015

Property:

Owner	Juan and Annele Mondragon
Address	1313 Elm St, Fargo, ND
Property Type	Single Family Residential
Identification Number	9126

Property Need

Acquisition of this property is required as part of the in town levee system, specifically the El Zagal levee project. See attached map.

Description of Acquired Property

The buyout home is a single family one story home with 2,366 SQFT, 2 bedrooms and 2.5 baths. Note this home does not have a basement. This home has an attached two stall garage and a detached 380 square foot one stall garage. The home is located directly adjacent to Trefoil Park.

Compensation & Negotiations Summary:

Compensation amounts proposed are based on an appraisal of the subject property provided by a qualified appraiser following the Yellow Book standards. The appraisal has been reviewed and approved by USACE. The Owners requisitioned their own appraisal dated 9-23-2015, which valued the home at \$365,000. This appraisal was completed by Mark Thelen who is a licensed appraiser. There will be no Replacement Housing Differential Payment since the recommended purchase price exceeds the amount in the original study completed by SRF and the original appraised amount.

The original property appraisal identified a market value of \$299,000.00 for the subject property. The owners rejected this offer and requisitioned their own appraisal which identified a market value of \$365,000.00. After reviewing the new appraisal and adjusting for the relocation comps, an offer of \$340,000.00 was made to the Mondragon's. They countered at \$350,000.00.

The tax assessed value by the City of Fargo, ND for the property is \$320,900.

Requested Action/Recommendation

Recommend that CCJWRD execute a Purchase Agreement with Mondragon's in the amount of \$350,000.00. Please note that this amount is under 110% of assessed value.



CURRENT COST SHARE REQUEST

OIN# 9126
OWNER: JUAN M MONDRAGON

PROPERTY ADD: 1313 ELM ST N, FARGO CITY
TOWNSHIP: REED TOWNSHIP

PARCEL ACREAGE: 0.33 AC.



Diversion Channel

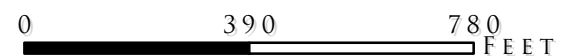


OHB Levee

----- In Town Levee

LAST UPDATED: 8/12/2015
REF PAGE NUMBER: 9126

Document Path: D:\GIS\Projects\FM Diversion\FM Area Diversion\Projects\Land Acquisition\SWC Reimbursement (Cost Share)\Mapbook2.mxd cfm ae2S



Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable, The Diversion Authority does not guarantee the accuracy of the information, and waives any warranty or guarantee of any kind, express or implied. The data involved in the project is continuously refined and revised; you should not rely on this information for technical purposes or accuracy.

FM Area Diversion Project

Property Acquisition Summary

November 10, 2015

Property:

Owner	Arthur Mathison Trust
Address	C/O David Camrud, Trustee Wells Fargo Bank, N.A. Manager-Real Estate PO Box 340 Moorhead, MN 56561-0340
Property Type	Agricultural Land
Identification Numbers	1975 & 1985

Property Need

Acquisition of this property is required to accommodate construction of the OHB Ring Levee project and associated internal drainage features (Work Package WP-43B). See attached map.

Description of Acquired Property

The property required for the OHB Ring Levee project is a 74.66 acre tract of farmland and 6.22 acres of permanent and temporary easement.

Compensation & Negotiations Summary:

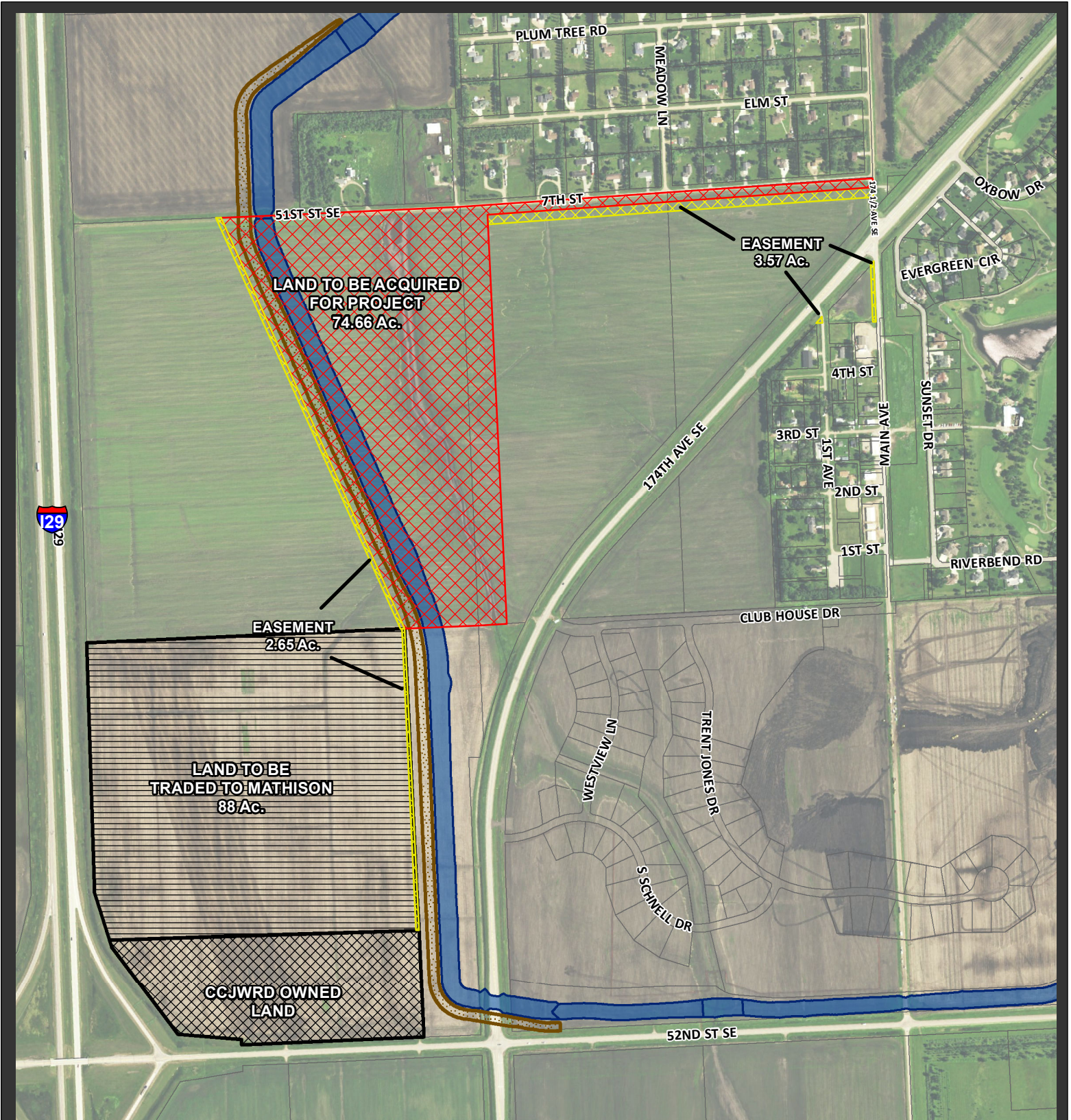
The recommended agreement includes acquisition of 74.66 acres of Mathison land for the ring levee and pond, acquisition of 6.22 acres of permanent and temporary easement for construction of utilities, agreement not to protest annexation into Oxbow of the portion of the property where the OHB Ring Levee will be constructed and that portion of the property inside of OHB Ring levee if and when it is proposed, in exchange for 88 acres of farmland to the Mathison family, and providing three access points (location tbd) to the farmland tract. There will no monetary compensation for this exchange.

Negotiations began in April of 2014 and have continued on in a sporadic manner since. Ongoing and recent discussions between David Camrud (Trustee of the Arthur Mathison Trust), Mark Brodshaug (CCJWRD board chair), and Stefan Olafson (negotiating agent), at the request of the Mathison Trust, have focused on land exchange options rather than cash acquisition.

These discussions stemmed from the CCJWRD purchasing the entire adjacent property to the south of the Mathison property from the Heitmann family. It became evident that a land exchange in which the CCJWRD would trade acreage from the Heitman tract for acreage for the ring levee and pond from the Mathison family.

Requested Action/Recommendation

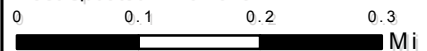
1. Recommend to CCJWRD, execution of an Exchange Agreement as just compensation for real property (land for land, no monetary compensation).



SUBJECT PROPERTIES

- CCJWRD Owned Land
- OHB Levee
- Construction Easement
- Land to be Traded to Mathison
- Fee Title
- Ditch

Last Updated: 11/6/2015



Acreage amounts source:
Certificate of Survey and Easement Exhibits by HMG.
Parcels by Cass County, ND. Heitman traded land acreage
breakdown is approximate and has not been taken from
any surveys as of map date.

