

DIVERSION AUTHORITY
PUBLIC OUTREACH COMMITTEE
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
WEDNESDAY, NOVEMBER 9, 2016
1:00 P.M.

The Diversion Authority Public Outreach Committee met on November 9, 2016, at 1:00 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

The following Committee members were present: Rodger Olson (by phone) and Jacob Gust, Cass County Joint Water Resource District; Ken Pawluk, Cass County Commissioner; Kevin Campbell, Clay County Commissioner; Mike Thorstad, West Fargo City Commissioner; Brenda Elmer, Moorhead City Council; Gerald Van Amburg, Buffalo-Red River Watershed District; and Jason Benson, Cass County Engineer. Absent were: John Strand, Fargo City Commissioner; and Elly Peterson, Fargo-Moorhead West Fargo Chamber of Commerce.

Also present were: Grant Weyland, Clay County Commissioner; Eric Dodds, Rocky Schneider and Tammy Jo Taft, Advanced Engineering and Environmental Services, Inc. (AE2S); Connie Piotter, Sisseton, South Dakota, resident; and Michelle Anderson, Cass County Joint Water Resource District staff.

Kevin Campbell conducted the meeting.

Minutes

It was moved by Brenda Elmer, seconded by Mike Thorstad and unanimously carried to approve the minutes of the October 12, 2016, meeting.

Metro Flood Diversion Project - election recap

Brief discussion was held on the results of the election and vote to extend the current flood sales tax in the City of Fargo and Cass County to help fund the Metro Flood Diversion Project. Consultants plan to hold briefings and update newly elected officials in January 2017.

The Committee expressed their appreciation to Cass County Commissioner Ken Pawluk for his knowledge and participation on the Diversion Authority Public Outreach Committee for the Metro Flood Diversion Project and for his service to the residents of Cass County.

North Dakota Water Convention and Irrigation Expo update

Jason Benson and Fargo Mayor Tim Mahoney will give a presentation on the Metro Flood Diversion Project at the 53rd Joint Annual North Dakota Water Convention and Irrigation Workshop in Bismarck, North Dakota, on December 8, 2016.

Minnesota Department of Natural Resources update

City of Moorhead officials met with Minnesota Senator Ken Eken and Minnesota Representative Ben Lien to discuss the denial of the *Dam Safety and Work in Public Waters Permit* for the Metro Flood Diversion Project by the Minnesota Department of Natural Resources (DNR).

Rocky Schneider updated the Committee on the *F-M Flood Protection & Upstream Mitigation Working Group* (Working Group) formed to strengthen communications and collaboration through discussion with Minnesota, North Dakota, the Diversion Authority, the Corps of Engineers and the Minnesota DNR. Mr. Schneider stated the Working Group will be led by a senior member of the City of Moorhead and a senior manager of the Minnesota DNR.

Mr. Schneider stated the legal representatives for the Diversion Authority have filed motions to dismiss all of the remaining claims in the federal lawsuit brought by the Richland-Wilkin Joint Powers Authority. The judge previously dismissed all claims against the Corps of Engineers and three of the five claims against the Diversion Authority. Response briefs are expected to be filed by the end of December 2016.

Discussion was held on the published information released to the press by the Minnesota DNR, the *Findings of Fact* and reasons for the Minnesota DNR's denial of the *Dam Safety and Work in Public Waters Permit* and Corps of Engineer requirements to be followed due to federal authorization to build the Metro Flood Diversion Project.

Business Leaders Flood Taskforce update

The Committee expressed their appreciation to the Business Leaders Flood Taskforce for the public outreach efforts and education on the extension of the current flood sales tax to help fund the Metro Flood Diversion Project.

Community Outreach update

Mr. Schneider presented a summary of the presentations made to various clubs and organizations regarding the Metro Flood Diversion Project.

Metro Flood Diversion Project - outreach videos update

Mr. Schneider provided the *Video Education Communications Work Plan*. He explained the videos are a key component to the Metro Flood Diversion Project *Communications Plan* and that a video kiosk will be available in the West Acres Mall in the future.

Discussion was held on opportunistic property acquisition, the 2017 budget, the assessment district, mitigation, benefits of the project to the residents of Minnesota and Richland County residents not understanding Richland and Wilkin County opposition to the Metro Flood Diversion Project.

The Committee recommended consultants provide a quick response to dispel myths and to continue to provide good information to the public so they can make an informed and educated decision regarding the Metro Flood Diversion Project. The Committee

requested consultants provide information on the alignment, retention and to dispel the myth the project was determined for property development reasons. Brenda Elmer stated she does not believe the public is aware the project was downsized and the design was modified to allow more water to flow through the City of Fargo.

E-Newsletter topics

The October article featured frequently asked questions (FAQ) to educate voters on the extension of the current flood sales tax to help fund the Metro Flood Diversion Project. Tammy Jo Taft stated there are approximately 30 new subscribers to the E-newsletter every month.

FMDiversion.com

Ms. Taft gave an update to the Committee on design modifications for the FMDiversion.com website.

Mr. Schneider stated the standing floor signs outlining the Metro Flood Diversion Project were placed at the West Acres Mall and the Cass County Courthouse. A sign will also be placed at the Clay County Courthouse.

Adjournment

There being no further business to be considered, the meeting adjourned without objection.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Cass County Joint Water Resource District
Secretary-Treasurer