

**FLOOD DIVERSION AUTHORITY
FINANCE COMMITTEE
AGENDA FOR WEDNESDAY, MAY 8, 2013**

Cass County Commission Conference Room
9:00 AM

1. Call to Order
2. Approval of the minutes from the previous meeting
3. Approval of Bills **Item No. 3 a.=April Bills**
Item No. 3 b.=May Bills
4. Financial Update (Costin) **Item No. 4 a.=April**
Item No. 4 b.=May
5. Hardship Acquisition Update (Dodds) **Item No. 5**
 - a) George and Dorothy Scilley
6. Legislative Update on House Bill 1020 (Berndt)
7. USACE Supplemental Funding Request (O'Hara) **Item No. 7**
8. Financial Model Update (Montplaisir)
9. Special Assessment Update (Brodshaug)
10. Other business
11. Next meeting
12. Adjournment

cc: Local Media
Flood Diversion Board of Authority
CH2M Hill
AE2

**FLOOD DIVERSION FINANCE COMMITTEE
MARCH 13, 2013—9:00 AM**

1. MEETING TO ORDER

A meeting of the Flood Diversion Finance Committee was held on March 13, 2013, at 9:00 AM in the Cass County Commission Conference Room with the following present: City of Fargo Finance Director Kent Costin; Fargo City Administrator Pat Zavoral; Cass County Auditor Mike Montplaisir; City of Moorhead Finance Director Wanda Wagner; Moorhead City Commissioner Nancy Otto; and Clay County Auditor Lori Johnson. Absent were: Cass County Commission Darrell Vanyo; Cass County Administrator Keith Berndt; Fargo City Commissioner Brad Wimmer; and Southeast Water Resource District Manager Mark Brodshaug.

Also present were Mark Enochs and Tom O'Hara, CH2MHill; Eric Dodds, AE2S; and Jessica Mitchell, PFM Group.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

MOTION, passed

Ms. Otto moved and Mr. Johnson seconded to approve the minutes from the February 13, 2013 meeting as presented. Motion carried.

3. APPROVAL OF BILLS, WIKS and LERRDS, Approved

Mr. Costin distributed a handout outlining the city and county sales tax revenue projections and the projected growth in sales tax revenue.

The bills presented are for legal services rendered.

MOTION, passed

Mr. Zavoral moved and Ms. Otto seconded to approve the bills and forward them to the Flood Diversion Board of Authority. Motion carried.

4. FINANCIAL UPDATE, WIKS and LERRDS, Approved

Mr. Costin reviewed the financial statement.

MOTION, passed

Mr. Zavoral moved and Ms. Otto seconded to approve the financial statement for February as presented. Motion carried.

Mr. Montplaisir requested budget overview to assist new diversion board members in understanding the budget.

5. FINANCIAL ADVANCE TO CORPS

Mr. Zavoral said the fiscal year end for the Corps is September 30, 2013, if the work is to continue they will need an additional \$4.3 million. Mr. Zavoral has asked them to push their funding deadline back to the end of April due to the legislative process. At that time they will need \$600,000 for administrative work and an additional \$1.7 million for engineering and design.

6. LEGISLATIVE UPDATE

Mr. Montplaisir distributed a handout outlining the two House Bills which would directly affect the diversion project or Diversion Board of Authority. House Bill 1210 would require the Diversion Board of Authority to pay the taxes on the 20% of the valuation on the state tax equalization board reduction as well as any properties that were purchased.

If passed, House Bill 1020 would block both state and local funds from being used on "for a river diversion project" or "construction of ring dikes or water retention structures associated with the Fargo flood control project." Area representatives have been in Bismarck meeting with legislative representatives regarding getting the bill changed.

7. SPECIAL ASSESSMENT UPDATE

Mr. Dodds gave an update and distributed a handout on the progress of the Diversion Project Assessment Committee (DPAC). A methodology will be developed for use when assigning benefits, followed by a series of public meetings prior to starting the formal assessment district formation process.

The sales tax will likely generate sufficient revenue to pay the local share of the project costs, however; at the end of their authorization there would need to be a decision to vote a sales tax extension or to finish paying the local share by other means, which could include special assessments.

8. OTHER BUSINESS

Mr. Dodds gave a brief update on the hardship buyouts. To date nine hardship buyout applications have been received and of those received four were approved for buyout. Two of the four have been purchased and one is being rented. The third house is still in the appraisal process as an appraisal has not yet been accepted. The fourth house was approved at the Hardship Committee Meeting last month and the appraisal is expected back in early April.

Ms. Mitchell said there are only two house bills which could apply to some portion of the funding for diversion purposes. House Bill 1426 is only applicable to cities and counties with a population of under 10,000 but could apply to Oxbow. House Bill 2336 is a revolving loan fund for public housing and could possibly be used for infrastructure.

9. NEXT MEETING

The next meeting is Wednesday, April 24, 2013 at 9:00 AM.

10. ADJOURNMENT

MOTION, passed

On motion by Ms. Otto, seconded by Mr. Costin, and all voting in favor, the meeting was adjourned at 9:30 AM.

Minutes prepared by Cindy Stoick, Principal Secretary



Cass County
Joint Water
Resource
District

March 22, 2013

Mark Brodshaug
Chairman
Fargo, North Dakota

Rodger Olson
Manager
Leonard, North Dakota

Dan Jacobson
Manager
West Fargo, North Dakota

Michael Buringrud
Manager
Gardner, North Dakota

Raymond Wolfer
Manager
Argusville, North Dakota

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

Greetings:

RE: Fargo-Moorhead Area Diversion
Access and Diversion Project Assessment Committee (DPAC)

Enclosed please find copies of bills totaling \$52,735.94 regarding the above referenced project. Of that amount, \$20,916 is related to work on access issues and \$31,819.94 is for DPAC work. 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 June 7, 2010.

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

Enclosures

1201 Main Avenue West
West Fargo, ND 58078-1301

701-298-2381
FAX 701-298-2397
wrj@co.cass.nd.us
casscountygov.com

OHNSTAD TWICHELL, P.C.
 901 13TH AVENUE EAST
 PO BOX 458
 WEST FARGO ND 58078-0458
 WK 701-282-3249 FAX 701-282-0825
 Federal I.D. #45-0310621

January 22, 2013

CASS COUNTY JOINT WATER RESOURCE DISTRICT
 ATTN CAROL HARBEKE LEWIS
 1201 W MAIN AVE
 WEST FARGO, ND 58078-1301

Invoice# 118548 SMF
 Our file# 100007 00007
 Billing through 01/17/2013

FM DIVERSION - RIGHT OF ENTRY

Balance forward as of invoice dated	12/10/12	\$16,273.37
Last payment received	12/18/2012	\$16,273.37
A/R adjustments made since last invoice		\$0.00
Accounts receivable balance carried forward		<u>\$0.00</u>

PROFESSIONAL SERVICES

11/30/2012	CMM	Telephone conference with Brad regarding two additional parcels we need access to; prepare access agreement for the two parcels.	96.00
		0.60 hrs 160.00 /hr	
12/10/2012	CMM	Review updated spreadsheet; send e-mail to Kyle Volk at Moore regarding updated spreadsheet; review e-mails from Brad about borings in town.	64.00
		0.40 hrs 160.00 /hr	
12/10/2012	LDA	Review legal descriptions and update spreadsheet.	176.00
		1.10 hrs 160.00 /hr	
12/11/2012	CMM	Review spreadsheet revised by attorney Lukas D. Andrud; send revised spreadsheet to Moore; correspond with Lyndon regarding ROE agreements for in-town properties, and the cover letter to go with the agreements.	192.00
		1.20 hrs 160.00 /hr	
12/11/2012	LDA	Review deeds and update spreadsheet.	240.00
		1.50 hrs 160.00 /hr	
12/12/2012	CMM	Draft documents required for quick take of an easement for placement of subsurface monitoring equipment, including resolutions, a letter to extend an offer to purchase, and a statement of compensation; draft memorandum of law for ongoing ROE action; draft affidavit in support of application for ROE; correspond with Moore to obtain a map to be attached to the affidavit; file and serve the memorandum of law and affidavit in support for the ROE action; provide ROE agreements to Pam to be sent to landowners.	672.00
		4.20 hrs 160.00 /hr	
12/12/2012	SNW	Review email correspondence from Kyle Volk, attorney Chris McShane.	48.00
		0.30 hrs 160.00 /hr	
12/13/2012	SNW	Attend Land Management meeting.	288.00
		1.80 hrs 160.00 /hr	
12/14/2012	JDR	Interoffice conference with attorney Chris McShane; locate interested parties.	24.00
		0.30 hrs 80.00 /hr	
12/14/2012	CMM	Attend Joint Board meeting to discuss Easement for Placement of Subsurface monitoring equipment for Mathys property; instruct staff to confirm the addresses of	

PAID
 JAN 25 2013
 10648
 GH

PURSUANT TO SECTION 13-01-14, NDCC, A LATE PAYMENT CHARGE OF 1% PER MONTH IS ASSESSED UPON ACCOUNTS NOT PAID 30 DAYS FROM BILLING DATE. THANK YOU.

		the landowners; draft and send letter to the three owners of the property we are seeking an easement for.	1.40 hrs	160.00 /hr	224.00
12/17/2012	CMM	Telephone call from Edward Olson about upcoming hearing regarding ROE; review what Edward's property will be used for.	0.50 hrs	160.00 /hr	80.00
12/18/2012	CMM	Attend and participate in bi-weekly telephone conference with the Corps.	0.80 hrs	160.00 /hr	128.00
12/18/2012	SNW	Review email correspondence and attend bi-weeking ROE conference call/meeting at Moore Engineering.	0.90 hrs	160.00 /hr	144.00
12/19/2012	CMM	Prepare for hearing; outline argument, and print proposed orders; correspond with Lyndon about attending the hearing; travel to and from Cass County District Court; participate in hearing on ROE; obtained signed copy of the Order from the clerk's office; forward signed Order to Moore and the Corps.	1.50 hrs	160.00 /hr	240.00
12/20/2012	CMM	Telephone call from Brad regarding access for those parcels we received Court approval for; review access agreement from one of the apartment buildings, and notify Lee and attorney Sean M. Fredricks of the insertion of a clause calling for payment for any damage done to the apartment building's parking lot.	0.80 hrs	160.00 /hr	128.00
12/21/2012	CMM	Telephone conference with Paul Mathys about the easement for subsurface monitoring equipment.	0.50 hrs	160.00 /hr	80.00
12/28/2012	CMM	Conference with Paul Mathys to collect his easement; draft 1099 forms for Paul and his sisters; correspond with Nina about new, desperate, checks for the three owners; coordinate with attorney Lukas D. Andrud to have the checks exchanged for the easements on Monday.	1.40 hrs	160.00 /hr	224.00
12/31/2012	ARR	Scan and save documents into Object ID folders.	7.00 hrs	75.00 /hr	525.00
01/07/2013	LSH	Final review of records of the office of the Cass County Recorder's Office; obtain remaining deeds of landowners.	1.00 hrs	80.00 /hr	80.00
01/09/2013	CMM	Review Mathys easement; telephone conference with Paul Mathys about the easement; get payment out to the landowners and the original easement to Mark for execution; review easement from Lyndon regarding ROE for new parcels downtown; telephone call with Mark Doll regarding ROE for his property.	0.90 hrs	160.00 /hr	144.00
01/10/2013	CMM	Prepare for CCJT meeting regarding ROE by reviewing outstanding ROE parcels, the new request for ROE, and the amount of excavations sites dug in the process of conducting Phase II cultural resources; attend and participate in CCJT meeting; work with staff to get ROE agreements and cover letters to landowners for downtown levee investigation; correspond with Lee and Lyndon regarding ROE for the railroad and who to contact at the City of Fargo to get an Access Agreement signed.	2.10 hrs	160.00 /hr	336.00
01/10/2013	SNW	Attend Cass County Joint meeting; attend Diversion Authority meeting.	3.30 hrs	160.00 /hr	528.00
01/11/2013	CMM	Work with Pam to get the Access Agreements and cover letters to her for downtown levees in a format she could open and use; correspond with Lyndon and Pam regarding who will receive the access agreements and who should answer questions about them.	1.80 hrs	160.00 /hr	288.00
01/11/2013	LDA	Review and redraft spreadsheets.	1.20 hrs	160.00 /hr	192.00
01/14/2013	SMF	Office conference with attorney Chris McShane regarding right of entry on railroad property; research STB decisions regarding ability to condemn easements from railroads.	2.00 hrs	160.00 /hr	320.00
01/14/2013	CMM	Review Access agreements that went out on Friday, and receive e-mails from Pam about those agreements; interoffice conference with attorney Sean M. Fredricks			

		regarding ROE for railroad property.			
			0.40 hrs	160.00 /hr	64.00
01/15/2013	CMM	Correspond with Lyndon prior to telephone conference to discuss the need for ROE across the railroad property; review e-mails from Houston Engineering regarding ROE for railroad properties; attend and participate in bi-weekly telephone conference regarding ROE; telephone call to Jerry from Houston Engineering regarding in-town levees (leave message).	1.60 hrs	160.00 /hr	256.00
01/15/2013	SNW	Review email correspondence and attachments; attend bi-weekly meeting at Moore Engineering.	1.00 hrs	160.00 /hr	160.00
01/16/2013	JDR	Telephone conference with attorney Sean M. Fredricks; draft email to attorney Sean M. Fredricks regarding charter.	0.20 hrs	80.00 /hr	16.00
					<u>5597.00</u>
		Total fees for this matter			<u>5597.00</u>

EXPENSES

12/11/2012		North Dakota Recorders Information Network fee			\$7.00
12/12/2012		Receipt #531276 - copies from the Cass County Recorder on 12/12/2012			\$2.00
01/07/2013		Receipt #532547 - copies from the Cass County Recorder on 1/4/2013			\$10.00
01/15/2013		Recording Fee paid to the Cass County Recorder			\$34.00
					<u>53.00</u>
		Total expenses for this matter			<u>53.00</u>

BILLING SUMMARY

Total fees	\$5,957.00
Total expenses	<u>53.00</u>
Total of new charges for this invoice	<u>\$6,010.00</u>
Total balance now due	<u>\$6,010.00</u>

Erik R. Johnson & Associates, Ltd
Attorneys at Law
505 Broadway - Suite 206
Fargo, ND 58102
(701) 280-1901

Cass County Joint Water Resource District
1201 Main Avenue West
West Fargo, ND 58078

Invoice

Date	12/31/2012
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Description	Amount
Right of Way Entry -- Metro Flood Project: Nancy J. Morris legal services -- Nov 26th through Dec 31, 2012 (detail itemization attached) 8.50 hrs	1,275.00
<p>PAID JAN 25 2013 CB 10669 GR</p>	
<i>Thank you for your business.</i>	Total \$1,275.00

December 31, 2012

Client: Cass County Joint Water District
Matter: Metro Flood

Atty	DATE	DESCRIPTION	TIME
N	11/26/2012	Review file for service; call w/ Chris McShane; correspondence re: service	0.6
N	11/29/2012	Phone call w/ Ken Knudsen re: access agreement	0.2
N	11/30/2012	Correspond w/ Chris McShane re: memorandum & exhibits; prepare pleadings; correspond w/ Lee Beauvais about Affidavit	1.6
N	12/3/2012	Finalize pleadings and exhibits; prepare for service	0.8
N	12/4/2012	Correspondence with L. Beauvais re: affidavit and hearing	0.1
N	12/5/2012	Finalize Pleadings and serve	0.5
N	12/10/2012	Efile pleadings; correspondence re: access agreement and hearing	1.8
N	12/14/2012	Prepare for & attend hearing	1.8
N	12/14/2012	E-file access agreements	0.5
N	12/20/2012	Correspondence re: access agreement & order; file access agreement	0.6
Total Time			8.50
Hourly Rate \$			150.00
Total Fees - NJM			

Payments for Phase II Testing – Fall of 2012

Landowner	Parcel number	Legal description	test units	payment for test units
Helen Nygren, as trustee of the Charles Larson Trust	44-0000-0029-0000	That part of the Southwest Quarter (SW¼) of Section 10, Township 141 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: The north 1,170 feet of the south 1,990 feet of the east 1,550 feet of the west 1,840 feet of the Southwest Quarter (SW¼) of said Section 10.	5	\$2,500
Helen Nygren, as trustee of the Charles Larson Trust	44-0000-0030-0010	That part of the Southwest Quarter (SW¼) of Section 10, Township 141 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: The north 1,170 feet of the south 1,990 feet of the east 1,550 feet of the west 1,840 feet of the Southwest Quarter (SW¼) of said Section 10.	2	\$1,000
Clarence & Doris Krogh James Krogh	27-0000-0165-1000	That part of the Southeast Quarter (SE¼) of Section 36, Township 141 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: The north 300 feet of the east 400 feet of the west 600 feet of the Southeast Quarter (SE¼) of said Section 36.	2	\$1,000
Heiden Family, LLLP	59-0000-1090-3000	That part of the Northeast Quarter (NE¼) of Section 22, Township 140 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: The north 1,580 feet of the south 2,220 feet of the east 1,400 feet of the Northeast Quarter (NE¼) of said Section 22 except everything lying southerly and easterly of the centerline of the Maple River.	9	\$4,500

10/1/12
 JAN 25 2013
 CL# 10687, 10688, 10689
 GK

Heiden Family, LLLP	59-0000-1090-5000	That part of the Northeast Quarter (NE¼) of Section 22, Township 140 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: The north 1,580 feet of the south 2,220 feet of the east 1,400 feet of the Northeast Quarter (NE¼) of said Section 22 except everything lying southerly and easterly of the centerline of the Maple River.	1	\$500
Heiden Family, LLLP	59-0000-1090-6000	That part of the Northeast Quarter (NE¼) of Section 22, Township 140 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: The north 1,580 feet of the south 2,220 feet of the east 1,400 feet of the Northeast Quarter (NE¼) of said Section 22 except everything lying southerly and easterly of the centerline of the Maple River.	1	\$500
		Total	20	\$10,000



Ohnstad Twichell
attorneys

Your life. Your law firm.

Including the former Burgum Law Firm

Manfred R. Ohnstad 1914 - 1987
Bradley J. Burgum 1952 - 2010

February 15, 2013

Lukas D. Andrud*
Duane R. Breiling, * Retired
Asa K. Burck
Andrew D. Cook*
Susan L. Ellison*
Sean M. Fredricks*
Robert G. Hoy*
John A. Juelson
Ross V. Keller*
Delvin J. Lasing*
Marshall W. McCullough
Christopher M. McShane*
Michael D. Nelson*
Brian D. Neugebauer*
Sarah M. Nyhus-Wear*
Robert E. Rosenvoid*
Lindsay J. Scheel*
John T. Shockley*
Sara K. Sorenson*
Michel W. Stefanowicz
Daniel B. Twichell, Retired
David L. Wanner

Peggy J. Buchholz, PLS
Office Administrator

Nina Stone
Cass County Joint Water Resource District
1201 West Main Avenue
West Fargo, ND 58078-1301

Re: Payment to Clarence Krogh, Doris Krogh, and James Krogh

Dear Ms. Stone:

The Kroghs were not willing to voluntarily sign an Easement in this matter. As a result, we were forced to condemn a Temporary Easement for Exploration. To do so, we were forced to deposit the initial funds with the Clerk of District Court. Now that we know the final number of test units completed on the Krogh property, we need to pay the Kroghs \$1,000 as part of the value of the Easement.

I have a check payable to Clarence Krogh, Doris Krogh, and James Krogh, but they still are unwilling to work with us on this matter. Therefore, I am returning the \$1,000 check identified as check number 10688 payable to Clarence Krogh, Doris, Krogh, and James Krogh. Please reissue this check payable to the "Cass County Clerk of District Court" in the amount of \$1,000.

I understand that Mark is out of the area for a short time. Having this check signed is not a rush. Please notify me when the check is ready and I will have somebody pick it up.

Sincerely yours,

OHNSTAD TWICHELL, P.C.

Christopher M. McShane

CMM:arr
Enc.

PAID

FEB 28 2013

Old 10725

OHNSTAD TWICHELL, P.C.
 901 13TH AVENUE EAST
 PO BOX 458
 WEST FARGO ND 58078-0458
 WK 701-282-3249 FAX 701-282-0825
 Federal I.D. #45-0310621

February 26, 2013

CASS COUNTY JOINT WATER RESOURCE DISTRICT
ATTN: CAROL HARBEKE LEWIS
 1201 W MAIN AVE
 WEST FARGO, ND 58078-1301

Invoice# 119201 SMF
 Our file# 100007 00007
 Billing through 02/25/2013

FM DIVERSION - RIGHT OF ENTRY

Balance forward as of invoice dated	01/22/13	\$6,010.00
Last payment received	01/28/2013	\$6,010.00
A/R adjustments made since last invoice		\$0.00
Accounts receivable balance carried forward		<u>\$0.00</u>

PROFESSIONAL SERVICES

01/15/2013	SMF	Research Corps eminent domain process, including appraisal requirements.	640.00
		4.00 hrs 160.00 /hr	
01/18/2013	CMM	Review Access agreement we received from Fargo Park district.	32.00
		0.20 hrs 160.00 /hr	
01/23/2013	CMM	Review Notary provision of easement to determine deficiency; provide a phone number for Paul Mathys to correct the notary provision on the easement.	96.00
		0.60 hrs 160.00 /hr	
01/25/2013	CMM	Review easements and tax records to determine where the Phase II test units were conducted; complete table showing how much each landowner needs to be paid for the Phase II cultural resources testing completed in the fall of 2012; send listing of required payments to Pam for consideration at the Joint Board meeting; telephone conference with Lyndon regarding ROE acquisition from BNSF.	208.00
		1.30 hrs 160.00 /hr	
01/25/2013	SNW	Attend CCJT regular meeting.	288.00
		1.80 hrs 160.00 /hr	
01/29/2013	CMM	Track when letters were sent to Ideal Ag Corp, Heiden LLLP, and Doll.	112.00
		0.70 hrs 160.00 /hr	
01/29/2013	CMM	Discuss in-town levee ROE and railroad issues; participate in bi-weekly telephone conference.	112.00
		0.70 hrs 160.00 /hr	
01/29/2013	SNW	Review materials; attend bi-weekly meeting/teleconference at Moore Engineering.	64.00
		0.40 hrs 160.00 /hr	
01/31/2013	CMM	Review e-mail from Lee and respond regarding timing for the court process for gaining ROE for properties we already have Court orders for.	48.00
		0.30 hrs 160.00 /hr	
02/04/2013	JDR	Locate contact information for landowners of subject properties.	24.00
		0.30 hrs 80.00 /hr	
02/04/2013	CMM	Review access agreements that went out from November through January, and determine which ones have not been returned; correspond with Lee and Lyndon regarding additional access needed for design around Cass 10 and Cass 20.	

PAID
 FEB 28 2013
 #10722
GH

PURSUANT TO SECTION 13-01-14, NDCC, A LATE PAYMENT CHARGE OF 1% PER MONTH IS ASSESSED UPON ACCOUNTS NOT PAID 30 DAYS FROM BILLING DATE. THANK YOU.

		0.50 hrs	160.00 /hr	80.00
02/05/2013	CMM	Correspond with Lyndon and Houston Engineering people regarding right to enter railroad property; review railroad right of entry application; review the downtown levee parcels to determine which ones we need ROE for still; confirm with Lyndon which ones we still need ROE for; send list of landowners to Pam to begin calling before we start Court action for ROE; review Access Agreement signed by someone who is not the landowner listed for tax purposes; review title for the property to determine if the person who signed is a stranger to title.		
		1.40 hrs	160.00 /hr	224.00
02/06/2013	CMM	Receive telephone call from Kevin Heiden regarding ROE; instruct staff to send out payments for cultural resources Phase II testing.		
		0.50 hrs	160.00 /hr	80.00
02/08/2013	CMM	Receive e-mail from Lee regarding Houston making contact with landowners downtown; send e-mail to Pam regarding contact with landowners.		
		0.30 hrs	160.00 /hr	48.00
02/12/2013	JDR	Obtain contact information for landowners of subject properties.		
		0.20 hrs	80.00 /hr	16.00
02/13/2013	CMM	Review e-mail from Pam regarding Ideal Ag ROE; review and respond to e-mails from Jerry Bents regarding ROE for the remaining properties downtown; work with attorney Sarah M. Nyhus-Wear to have resolutions of necessity ready for the board at Thursday's meeting.		
		0.90 hrs	160.00 /hr	144.00
02/13/2013	SNW	Interoffice conference with attorney Chris McShane; draft Resolutions of Necessity for parcels needed in town and outside of town.		
		1.40 hrs	160.00 /hr	224.00
02/14/2013	SMF	Attend land management meeting.		
		1.50 hrs	160.00 /hr	240.00
02/14/2013	CMM	Prepare and proofread a resolution of necessity to present to the board for access to properties near the outlet; attend and participate in regular meeting of the board regarding ROE and other diversion issues; research issues about depositing funds for Krogh easement test unit payments into the Court.		
		2.90 hrs	160.00 /hr	464.00
02/14/2013	SNW	Interoffice conference with attorney Chris McShane regarding meeting; attend regular Diversion Authority meeting.		
		2.30 hrs	160.00 /hr	368.00
02/19/2013	CMM	Review application for ROE for properties owned by Heiden and Ideal Ag Corp.		
		0.60 hrs	160.00 /hr	96.00
Total fees for this matter				<u>\$3,608.00</u>

EXPENSES

02/05/2013	North Dakota Recorders Information Network fee	\$7.00
02/13/2013	North Dakota Recorders Information Network fee	\$16.00
Total expenses for this matter		<u>\$23.00</u>

BILLING SUMMARY

Total fees	\$3,608.00
Total expenses	\$23.00
Total of new charges for this invoice	<u>\$3,631.00</u>
Total balance now due	<u>\$3,631.00</u>

OHNSTAD TWICHELL, P.C.
 901 13TH AVENUE EAST
 PO BOX 458
 WEST FARGO ND 58078-0458
 WK 701-282-3249 FAX 701-282-0825
 Federal I.D. #45-0310621

January 22, 2013

CASS CO JOINT WATER RESOURCE DISTRICT
 ATTN: CAROL HARBEKE LEWIS
 1201 W MAIN AVE
 WEST FARGO, ND 58078-1301

Invoice# 118561 SMF
 Our file# 120007 00006
 Billing through 01/17/2013

**DIVERSION PROJECT,
 ASSESSMENT DISTRICT**

Balance forward as of invoice dated	12/10/12	\$5,360.00
Last payment received	12/18/2012	\$5,360.00
A/R adjustments made since last invoice		\$0.00
Accounts receivable balance carried forward		<u>\$0.00</u>

PROFESSIONAL SERVICES

12/11/2012	SMF	Review talking points and proposed action paper from Eric.	320.00
		2.00 hrs 160.00 /hr	
12/12/2012	SMF	Review talking points and other items from Eric Dodds; review our proposal for DPAC; attend Finance Committee meeting; prepare draft revisions to First Amendment to JPA; correspond with Erik Johnson and Birch Burdick.	848.00
		5.30 hrs 160.00 /hr	
12/17/2012	SMF	Review Eric Dodds' draft talking points; compare to Mark's outline of obligations.	160.00
		1.00 hrs 160.00 /hr	
12/28/2012	SMF	Correspond with the County and the City regarding JPA; review Eric Dodds' draft charter; prepare draft revisions to charter; correspond with Eric, Shawn Gaddie, and Mark.	560.00
		3.50 hrs 160.00 /hr	
01/02/2013	SMF	Telephone conference with Erik Johnson; prepare draft revisions to JPA amendment; correspond with Erik, Birch, and others; correspond with Keith Berndt.	320.00
		2.00 hrs 160.00 /hr	
01/07/2013	SMF	Correspond with Keith Berndt; prepare revised First Amendment; review assessment legislation and compare to 50 year bond effort; interoffice conference with attorney Sarah M. Nyhus-Wear regarding assessment capabilities and ability to assess unequal amounts of principal.	288.00
		1.80 hrs 160.00 /hr	
01/07/2013	SNW	Interoffice conference with attorney Sean M. Fredricks regarding special assessments; interoffice conference with attorney John Shockley regarding special assessments; research statutes regarding special assessments and method of payment.	256.00
		1.60 hrs 160.00 /hr	
01/10/2013	SMF	Correspond with Erik and Birch regarding First Amendment to JPA.	48.00
		0.30 hrs 160.00 /hr	
01/11/2013	SMF	Research assessment methodologies regarding annual payments; review Maple River Dam assessment list.	320.00
		2.00 hrs 160.00 /hr	
01/16/2013	SMF	Telephone conferences with Eric and Jacob regarding debt limits and regarding	

PAID
 JAN 25 2013
 CL# 10608
 GK

PURSUANT TO SECTION 13-01-14, NDCC, A LATE PAYMENT CHARGE OF 1% PER MONTH IS ASSESSED UPON ACCOUNTS NOT PAID 30 DAYS FROM BILLING DATE. THANK YOU.

120007

CASS CO JT WRD

Invoice# 118561

Page 2

indirect benefits; review previous memo regarding indirect benefits.

2.00 hrs

160.00 /hr

320.00

Total fees for this matter

\$3,440.00

BILLING SUMMARY

Total fees

\$3,440.00

Total of new charges for this invoice

\$3,440.00

Total balance now due

\$3,440.00



December 31, 2012

Mr. Mark Brodshaug
 Cass County Joint Water Resources District
 1201 Main Ave W
 West Fargo, ND 58078-1301

Project No: P11473-2012-00
 Invoice No: 33176

Project Manager Eric Dodds *EED*
 Project P11473-2012-00 FM Area Diversion Assessment District

Professional Services for the period: December 01, 2012 to December 31, 2012

Phase 120 Financial Services

Professional Services

	Hours	Rate	Amount	
Dodds, Eric	15.00	178.00	2,670.00	
Gaddie, Shawn	5.00	160.00	800.00	
Luhmann, Jenny	.25	90.00	22.50	
Strombeck, Jacob	12.25	104.00	1,274.00	
Totals	32.50		4,766.50	
Professional Services Total				4,766.50

Expenses

Transportation 12/31/2012	15.0 Miles @ 0.65	9.75	
Expenses Totals		9.75	9.75

Contract Maximum

	Current Billing Against Maximum	Previous Billings Against Maximum	Total Billings To Date	
Total Billings	4,776.25	0.00	4,776.25	
Total			50,000.00	
Remaining			45,223.75	
			Total this Phase	\$4,776.25
			Project Invoice Total	\$4,776.25

PAID
 JAN 25 2013
 CA10670
CA



January 31, 2013

Mr. Mark Brodshaug
 Cass County Joint Water Resources District
 1201 Main Ave W
 West Fargo, ND 58078-1301

Project No: P11473-2012-00
 Invoice No: 33311

Project Manager Eric Dodds *EED*
 Project P11473-2012-00 FM Area Diversion Assessment District

Professional Services for the period: January 01, 2013 to January 31, 2013

Phase	120	Financial Services			
Professional Services					
		Hours	Rate	Amount	
Dodds, Eric		14.00	188.00	2,632.00	
Gaddie, Shawn		12.00	188.00	2,256.00	
Kleven, Miranda		2.50	128.00	320.00	
Luhmann, Jenny		1.00	92.00	92.00	
Strombeck, Jacob		20.75	108.00	2,241.00	
Totals		50.25		7,541.00	
		Professional Services Total			7,541.00
Reimbursables					
Meals				11.50	
Transportation				213.81	
		Reimbursables Totals		225.31	225.31
Expenses					
Color Laser Printouts/Copies					
1/31/2013		144.0 Pages @ 0.68		97.92	
Transportation					
1/31/2013		14.0 Miles @ 0.65		9.10	
		Expenses Totals		107.02	107.02
Contract Maximum					
		Current Billing	Previous Billings	Total Billings To	
		Against Maximum	Against Maximum	Date	
Total Billings		7,873.33	4,776.25	12,649.58	
Total				50,000.00	
Remaining				37,350.42	
				Total this Phase	\$7,873.33
				Project Invoice Total	\$7,873.33

PAID
 FEB 14 2013
 CL# 10690
CR



Shaping the Region for 50 Years.

925 10th Avenue East • West Fargo, ND 58078
T: 701.282.4692 F: 701.282.4530

Cass Co Joint Water Resource District
Attn: Carol Lewis
1201 West Main Ave
West Fargo, ND 58078-1301

Invoice number 4843
Date 01/29/2013

Project 15043 FM Metro Feasibility-Diversion

Professional Services

Phase 008

Diversion Project Assessment Calculation

Labor

	Hours	Rate	Billed Amount
Principal Engineer	3.50	155.00	542.50
			542.50
		Invoice total	542.50

DUE UPON RECEIPT

PLEASE REMIT PAYMENT - ATTENTION ACCOUNTING

PAID
FEB 14 2013
CL# 10691
CLL

OHNSTAD TWICHELL, P.C.
 901 13TH AVENUE EAST
 PO BOX 458
 WEST FARGO ND 58078-0458
 WK 701-282-3249 FAX 701-282-0825
 Federal I.D. #45-0310621

February 26, 2013

CASS CO JOINT WATER RESOURCE DISTRICT
 ATTN: CAROL HARBEKE LEWIS
 1201 W MAIN AVE
 WEST FARGO, ND 58078-1301

Invoice# 119204 SMF
 Our file# 120007 00006
 Billing through 02/25/2013

**DIVERSION PROJECT,
 ASSESSMENT DISTRICT**

Balance forward as of invoice dated	01/22/13	\$3,440.00
Last payment received	01/28/2013	\$3,440.00
A/R adjustments made since last invoice		\$0.00
Accounts receivable balance carried forward		<u>\$0.00</u>

PROFESSIONAL SERVICES

01/15/2013	SMF	Research indirect benefits, and the Board's discretion regarding same; prepare revised timeline for DPAC.	4.50 hrs	160.00 /hr	720.00
01/18/2013	SMF	Meeting at Fargo City Hall regarding DPAC.	1.50 hrs	160.00 /hr	240.00
01/21/2013	SMF	Review charter; review outline of duties; prepare for and attend DPAC staff meeting; prepare draft revisions to Charter; correspond with Eric.	5.50 hrs	160.00 /hr	880.00
01/22/2013	SMF	Review updated charter from Eric.	0.80 hrs	160.00 /hr	128.00
01/23/2013	SMF	Review AE2S Agreement; review final draft of Charter for DPAC.	1.50 hrs	160.00 /hr	240.00
01/25/2013	SMF	Prepare for and attend DPAC meeting; review statutes regarding phased voting options.	4.00 hrs	160.00 /hr	640.00
02/01/2013	SMF	Research ability to assess in phases, and ability to assess smaller projects for benefits from the future, larger project.	5.00 hrs	160.00 /hr	800.00
02/04/2013	SMF	Research assessment capabilities, including ability to assess for future benefits.	2.00 hrs	160.00 /hr	320.00
02/05/2013	SMF	Review letter from Erik Johnson; prepare letter to Carol regarding original and fully-executed First Amendment to Joint Powers Agreement; research assessments against parcel for multiple assessment districts; prepare revisions and additions to memo to DPAC.	4.00 hrs	160.00 /hr	640.00
02/11/2013	SMF	Review and revise draft memo regarding future assessments; review city assessment statutes; correspond with Eric Dodds.	1.40 hrs	160.00 /hr	224.00
02/11/2013	SMF	Prepare draft revisions to assessment district language; correspond with Mike Dwyer.			

PAID

FEB 28 2013

CL 10728

GR

PURSUANT TO SECTION 13-01-14, NDCC, A LATE PAYMENT CHARGE OF 1% PER MONTH IS ASSESSED UPON ACCOUNTS NOT PAID 30 DAYS FROM BILLING DATE. THANK YOU.

120007 CASS CO JT WRD

Invoice# 119204

Page 2

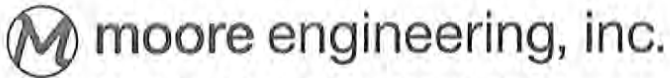
		3.50 hrs	160.00 /hr	560.00
02/20/2013	SMF	Prepare for and attend DPAC meeting.		
		2.50 hrs	160.00 /hr	400.00
		Total fees for this matter		<u>5,792.00</u>

EXPENSES

02/01/2013		Westlaw research		\$21.23
02/06/2013		Postage		\$5.76
02/25/2013		Photocopies		\$19.20
		Total expenses for this matter		<u>\$46.19</u>

BILLING SUMMARY

Total fees	\$5,792.00
Total expenses	\$46.19
Total of new charges for this invoice	<u>\$5,838.19</u>
Total balance now due	<u>\$5,838.19</u>



Shaping the Region for 50 Years.

925 10th Avenue East • West Fargo, ND 58078
T: 701.282.4692 F: 701.282.4530

Cass Co Joint Water Resource District
Attn: Carol Lewis
1201 West Main Ave
West Fargo, ND 58078-1301

Invoice number 5015
Date 02/27/2013
Project 15043 FM Metro Feasibility-Diversion

Professional Services

Phase 008

Diversion Project Assessment Committee

Labor

	Hours	Rate	Billed Amount
Principal Engineer	2.00	155.00	310.00
		Invoice total	310.00

DUE UPON RECEIPT

PLEASE REMIT PAYMENT - ATTENTION ACCOUNTING

PAID
MAR 14 2013
10731
GH



February 28, 2013

Mr. Mark Brodshaug
 Cass County Joint Water Resources District
 1201 Main Ave W
 West Fargo, ND 58078-1301

Project No: P11473-2012-00
 Invoice No: 33594

Project Manager Eric Dodds *ED*
 Project P11473-2012-00 FM Area Diversion Assessment District

Professional Services for the period: February 01, 2013 to February 28, 2013

Phase 120 Financial Services

Professional Services

	Hours	Rate	Amount	
Dodds, Eric	11.25	188.00	2,115.00	
Gaddie, Shawn	17.50	188.00	3,290.00	
Knudson, Kristi	.25	72.00	18.00	
Schneider, Rocky	2.25	132.00	297.00	
Strombeck, Jacob	29.00	108.00	3,132.00	
Totals	60.25		8,852.00	
Professional Services Total				8,852.00

Reimbursables

Transportation			103.04	
Reimbursables Totals			103.04	103.04

Expenses

Color Laser Printouts/Copies				
2/28/2013	96.0 Pages @ 0.68		65.28	
Laser Printouts				
2/28/2013	48.0 Pages @ 0.20		9.60	
Transportation				
2/28/2013	15.0 Miles @ 0.65		9.75	
Expenses Totals			84.63	84.63

Contract Maximum

	Current Billing Against Maximum	Previous Billings Against Maximum	Total Billings To Date
Total Billings	9,039.67	12,649.58	21,689.25
Total			50,000.00
Remaining			28,310.75

Total this Phase \$9,039.67

Project Invoice Total \$9,039.67

PAID

MAR 14 2013

CHK 10732

CAJ

Erik R. Johnson & Associates, Ltd.

Attorney at Law

505 Broadway - Suite 206

Fargo, ND 58102

(701) 280-1901

Statement

Date

3/25/2013

City of Fargo -- Auditor's Office
 Attn: Kent Costin
 200 North 3rd Street
 Fargo, ND 58102

Amount Due
\$2,366.41

Date	Transaction	Amount	Balance
03/25/2013	Metro Flood Project- INV #2012-53 G. Due 03/25/2013. Orig. Amount \$2,366.41.	2,366.41	2,366.41

Pursuant to NDCC Sec. 13-01-04, a late payment charge of 1.5% per month is assessed upon accounts not paid 30 days from billing date. You may at any time pay the total unpaid balance

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
2,366.41	0.00	0.00	0.00	0.00	\$2,366.41

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

City of Fargo -- Auditor's Office
 Attn: Kent Costin
 200 North 3rd Street
 Fargo, ND 58102

Invoice

Date	3/25/2013
------	-----------

Description	Qty	Rate	Amount
Metro Flood Project legal services: Erik Johnson: Legal services Feb 26 thru Mar 25, 2013 -- itemization enclosed	8.3	191.25	1,587.38
Nancy J. Morris: Legal services Feb 26 thru Mar 25, 2013 -- itemization enclosed	4.7	165.75	779.03
TOTAL:			\$2,366.41

We appreciate your business.

March 25, 2013

Client: City of Fargo
Job: Metro Flood

Atty	DATE	DESCRIPTION	TIME
E	2/26/2013	Review Amendmnt to Design Agreement and email with O'Hara	0.4
E	2/27/2013	Attend conference call re: amendment to design agreement; conference with Pat Zavoral re: same	0.8
E	3/1/2013	Conference call with O'Hara, Waters, Shockley and Corps representatives re: amendment to design agreement; followup communication; conference call with O'Hara, Waters and Shockley in followup; conference with Pat Zavoral, Mark Bittner and April Walker	2.4
E	3/4/2013	Telephone conference with John Glatemaier re: US Corps contract	0.1
E	3/11/2013	Telephone conference with Molly Hunt and received email re: changes in Corps policy	0.2
E	3/14/2013	Attend Board of Authority meeting; conference with Birch re: legislation	2.3
E	3/21/2013	Conference with O'Hara and John Shockley	0.6
E	3/22/2013	Administrative Advisory Board meeting attendance	1.5
Total Time			8.30
Hourly Rate			191.25
Total Fees - ERJ			1587.38
N	3/7/2013	Phone call w/ Gary Stewart re: research USACE docs	0.6
N	3/12/2013	Correspondence re: title opinions with E. Dodds; agenda, etc.	0.3
N	3/13/2013	Review AG Opinion re: open meeting	0.2
N	3/22/2013	Administrative staff meeting	1.6
N	3/22/2013	Correspondence re: lease terms and management contract; review lease; correspondence with D. Draper	0.8
N	3/25/2013	Phone call w/ Dirk Draper re: addendum to Lease	0.8
N	3/25/2013	Office conference w/ Erik re: title services; correspond w/ Eric Dodds	0.4
Total Time			4.70
Hourly Rate			165.75
Total Fees - NJM			779.03



Office of the City Attorney

City Attorney
Erik R. Johnson

City Prosecutors
Jodi A. Bass
Scott O. Diamond

Assistant City Attorneys
Nancy J. Morris
Jason T. Loos

April 8, 2013

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 March 26, 2013 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through February 28, 2013 on the Red River Diversion Project. If you have any questions, please feel free to contact me. Please remit payment directly to Dorsey Whitney.

Sincerely,



Erik R. Johnson

ERJ/jmf
Enclosure
cc: Pat Zavoral





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

March 26, 2013
Invoice No. 1863139

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

For Legal Services Rendered Through February 28, 2013

INVOICE TOTAL

Total For Current Legal Fees \$1,551.50
Total For Current Invoice \$1,551.50

Summary of Account	
*Prior Balance Due	\$10,442.50
Total Amount Due	\$11,994.00

paid 3/27/2013

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

*790-7910-489-33-75
PJ = V00102*

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

Finance Committee Bills for May 2013

Item No. 3 b.

Red River Basin Commission	HMS-Sub Watershed	\$52,775.00	
Briggs and Morgan	Fees for bond counsel	\$1,616.36	
Total bills received for May		\$54,391.36	



Red River Basin Commission

119 5th St. South,
PO Box 66
Moorhead, MN 56561-0066
Phone: 218-291-0422
Fax: 218-291-0438
redriverbasincommission.org

Invoice

Red River Diversion Authority
Attn: Kent Costin
200 3rd St. N.
Fargo, ND 58102

Invoice # 1: HUR Project
Invoice Date: April 10, 2013

Description	Amount
HMS – Sub-Watershed -- Snow Melt Progression	\$52,775
	\$52,775

A Red River Basin where residents, organizations and governments work together to achieve basin-wide commitment to comprehensive integrated watershed stewardship and management.

Stoick, Cindy

From: Kent Costin <KCostin@cityoffargo.com>
Sent: Friday, April 12, 2013 8:37 AM
To: Berndt, Keith; Montplaisir, Michael
Cc: Stoick, Cindy
Subject: RE: RRBC Invoice#1 Halsted Upstream Retention Project

Thanks we will process payment under that assumption.

Kent

From: Berndt, Keith [<mailto:BerndtK@casscountynynd.gov>]
Sent: Friday, April 12, 2013 8:35 AM
To: Montplaisir, Michael; Kent Costin
Cc: Stoick, Cindy
Subject: RE: RRBC Invoice#1 Halsted Upstream Retention Project

I agree

From: Montplaisir, Michael
Sent: Friday, April 12, 2013 8:25 AM
To: {Flood Diversion}-Costin, Kent
Cc: Stoick, Cindy; Berndt, Keith
Subject: RE: RRBC Invoice#1 Halsted Upstream Retention Project

I think they have authorized it in the \$500,000 approval.

From: Kent Costin [<mailto:KCostin@cityoffargo.com>]
Sent: Friday, April 12, 2013 8:17 AM
To: Montplaisir, Michael
Cc: Stoick, Cindy
Subject: FW: RRBC Invoice#1 Halsted Upstream Retention Project

Mike,

My recollection is that the FMDA has approved projects up to \$500,000 for the basin Commission. Can you confirm if this specific project / invoice should be submitted in the paid bills approval process, or do you think that they have authorized this at the project level?

Please let me know if you think we should pay this now as a previously approved contract or submit in the request for bills approval process. I would support either way but did not want to get tagged with paying for something that was not really approved.

Thanks,

Kent

From: Jeff Lewis [<mailto:jeff@redriverbasincommission.org>]
Sent: Thursday, April 11, 2013 2:34 PM
To: Kent Costin

Cc: jacque@redriverbasincommission.org; lance@redriverbasincommission.org

Subject: RRBC Invoice#1 Halsted Upstream Retention Project

Kent, attached is the first invoice from the RRBC for the work we are coordinating on the Halsted Upstream Retention Project. This first invoice is for the development of the snow melt progression work that was completed by Houston Engineering. Houston Engineering has already been paid for this work. Please let me know if you would like a copy of the actual workplan specifically covering this work. If you have any questions please let me or Lance know.

Jeff Lewis

Assistant Executive Director

Red River Basin Commission

119 5th Street South

Moorhead, MN. 56561

Office Phone: 218-291-0422

Cell Phone: 763-226-4016

Email: jeff@redriverbasincommission.org



2200 IDS Center
80 South 8th Street
Minneapolis MN 55402-2157
tel 612.977.8400
fax 612.977.8650

April 15, 2013

Catherine J. Courtney
(612) 977-8765
ccourtney@briggs.com

City of Fargo
Attn: Kent Costin
City Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Re: Statement for Services

Dear Mr. Costin:

Please find enclosed the following statement for services rendered to the City of Fargo for time and disbursements incurred and recorded on our system through December, 2012:

<u>Matter Number</u>	<u>Matter Name</u>	<u>Invoice Amount</u>
54	Metro Flood Control Project	\$ 1,616.36
	Total	<u>\$ 1,616.36</u>

This invoice reflects the final time on this file prior to Paul Tietz's retirement.

We understand that the City has decided to continue using Paul Tietz, rather than Briggs and Morgan, as its bond counsel. Therefore, upon payment of the outstanding invoices on this file, we will close the file.

However, as I've mentioned previously, please let me know if Briggs and Morgan can be of service to the City in the future. Briggs and Morgan has enjoyed its relationship with the City and we would welcome the opportunity to be of assistance again in the future.

Very truly yours,

Catherine J. Courtney

CJC/CJC
Enclosure

FM Diversion Authority
 Fiscal Accountability Report Design Phase (Fund 790)
 As of 3/31/2013

	2011	2012	2013	Cumulative Totals
Revenues				
City of Fargo	443,138	7,652,681	251,084	8,346,903
Cass County	443,138	7,652,681	251,084	8,346,903
City of Moorhead / Clay County	98,475	1,700,595	55,796	1,854,866
State Water Commission (10% Cap)	-	-	-	-
Total Revenues	984,750	17,005,957	557,965	18,548,672
Expenditures				
7905 Army Corp Payments	-	-	-	-
7910 WIK - Administration	107,301	331,321	28,506	467,128
7915 WIK - Project Design	149,632	5,366,147	11,152	5,526,931
7920 WIK - Project Management	679,037	7,223,650	487,831	8,390,518
7925 WIK - Recreation	-	163,223	-	163,223
7930 LERRDS - North Dakota	48,664	3,843,620	28,591	3,920,874
7931 LERRDS - Minnesota	-	27,996	1,886	29,882
7940 WIK Mitigation - North Dakota	-	-	-	-
7941 WIK Mitigation - Minnesota	-	-	-	-
7950 Construction - North Dakota	-	-	-	-
7951 Construction - Minnesota	-	-	-	-
7955 Construction Management	-	-	-	-
7990 Project Financing	-	50,000	-	50,000
7995 Project Eligible - Off Formula Costs	-	-	-	-
7999 Non Federal Participating Costs	116	-	-	116
Total Expenditures	984,750	17,005,957	557,965	18,548,672

**FM Diversion Authority
Outstanding Contracts
As of March 31, 2013**

Project	Account Number	PO No.	Vendor	P.O. Date	Vendor Name	Encumbered	Liquidated	Balance
V00101	790-7910-429.33-25	F12217	9367	12/31/2011	DORSEY & WHITNEY LLP	52,102.12	52,102.12	-
V00101	790-7910-429.33-25	146629	9367	1/18/2012	DORSEY & WHITNEY LLP	52,679.63	52,679.63	-
V00101	790-7910-429.33-25	F12289	9367	2/21/2012	DORSEY & WHITNEY LLP	58,693.38	58,693.38	-
V00101	790-7910-429.33-25	F12293	9367	2/21/2012	DORSEY & WHITNEY LLP	1,600.00	1,600.00	-
V00101	790-7910-429.33-25	156087	9367	10/15/2012	DORSEY & WHITNEY LLP	86,960.88	86,960.88	-
V00101	790-7910-429.33-25	157021	9367	11/9/2012	DORSEY & WHITNEY LLP	27,111.94	27,111.94	-
V00101	790-7910-429.33-25	157608	9367	11/29/2012	DORSEY & WHITNEY LLP	9,138.50	9,138.50	-
V00101	790-7910-429.33-25	159215	9367	1/14/2013	DORSEY & WHITNEY LLP	15,177.50	15,177.50	-
V00101	790-7910-429.33-25	160364	9367	2/20/2013	DORSEY & WHITNEY LLP	20,559.60	20,559.60	-
V00101	790-7910-429.33-25	161130	9367	3/18/2013	DORSEY & WHITNEY LLP	10,442.50	10,442.50	-
V00102	790-7910-429.38-99	F11738	20660	11/15/2011	GALLAGHER BENEFIT SERVICES INC	250.00	250.00	-
V00102	790-7910-429.31-10	F11749	646	11/15/2011	FORUM COMMUNICATIONS (ADVERT)	494.24	494.24	-
V00102	790-7910-429.31-10	F11750	646	11/15/2011	FORUM COMMUNICATIONS (ADVERT)	345.97	345.97	-
V00102	790-7910-429.31-10	F11751	646	11/15/2011	FORUM COMMUNICATIONS (ADVERT)	296.56	296.56	-
V00102	790-7910-429.31-10	F11752	646	11/15/2011	FORUM COMMUNICATIONS (ADVERT)	17.05	17.05	-
V00102	790-7999-729.68-30	PCARD	18009	12/20/2011	GOOGLE LOVEIN THEOVEN	116.00	116.00	-
V00102	790-7910-429.31-10	F12082	647	12/31/2011	FORUM COMMUNICATIONS (LEGAL)	2,224.20	2,224.20	-
V00102	790-7910-429.38-69	F12079	8645	12/31/2011	SEIGEL COMMUNICATIONS SERVICE	1,490.00	1,490.00	-
V00102	790-7910-429.53-60	F12218	13981	12/31/2011	NORTH DAKOTA TELEPHONE CO	81.20	81.20	-
V00102	790-7910-429.33-20	AJ	COF	2/1/2012	CITY OF FARGO	1,300.00	1,300.00	-
V00102	790-7910-429.55-10	F12256	20829	2/14/2012	BROKERAGE PRINTING	153.85	153.85	-
V00102	790-7910-429.55-10	F12256	20829	2/14/2012	BROKERAGE PRINTING	202.10	202.10	-
V00102	790-7910-429.52-30	F12595	1772	4/16/2012	WARNER & CO	4,975.00	4,975.00	-
V00102	790-7910-429.33-20	AJ	COF	5/25/2012	CITY OF FARGO	1,850.00	1,850.00	-
V00102	790-7910-429.33-25	151789	16872	6/15/2012	ERIK R JOHNSON & ASSOCIATES	673.20	673.20	-
V00102	790-7910-429.33-25	151876	16872	6/19/2012	ERIK R JOHNSON & ASSOCIATES	1,309.00	1,309.00	-
V00102	790-7910-429.33-20	AJ	COF	6/25/2012	CITY OF FARGO	340.00	340.00	-
V00102	790-7910-429.33-25	152528	1286	7/10/2012	OHNSTAD TWICHELL PC	1,903.50	1,903.50	-
V00102	790-7910-429.34-55	152692	20174	7/16/2012	PFM ASSET MANAGEMENT LLC	140,000.00	50,000.00	90,000.00
V00102	790-7910-429.33-20	AJ	COF	7/27/2012	CITY OF FARGO	240.00	240.00	-
V00102	790-7910-429.33-25	153237	1286	7/31/2012	OHNSTAD TWICHELL PC	728.50	728.50	-

**FM Diversion Authority
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Project	Account Number	PO No.	Vendor	P.O. Date	Vendor Name	Encumbered	Liquidated	Balance
V00102	790-7910-429.38-99	153670	13981	8/9/2012	NORTH DAKOTA TELEPHONE CO	71.60	71.60	-
V00102	790-7910-429.38-99	154211	13981	8/23/2012	NORTH DAKOTA TELEPHONE CO	90.60	90.60	-
V00102	790-7910-429.33-20	AJ	COF	8/30/2012	CITY OF FARGO	280.00	280.00	-
V00102	790-7910-429.33-20	AJ	COF	9/26/2012	CITY OF FARGO	320.00	320.00	-
V00102	790-7910-429.38-99	155381	13981	9/27/2012	NORTH DAKOTA TELEPHONE CO	87.40	87.40	-
V00102	790-7910-429.33-20	AJ	COF	10/30/2012	CITY OF FARGO	410.00	410.00	-
V00102	790-7910-429.33-20	AJ	COF	11/28/2012	CITY OF FARGO	220.00	220.00	-
V00102	790-7910-429.33-25	157670	16872	11/30/2012	ERIK R JOHNSON & ASSOCIATES	16,826.60	16,826.60	-
V00102	790-7910-429.38-99	158387	13981	12/20/2012	NORTH DAKOTA TELEPHONE CO	76.20	76.20	-
V00102	790-7910-429.33-20	AJ	COF	12/27/2012	CITY OF FARGO	260.00	260.00	-
V00102	790-7910-429.33-25	159214	16872	1/14/2013	ERIK R JOHNSON & ASSOCIATES	26,922.05	26,922.05	-
V00102	790-7910-429.33-20	AJ	COF	1/29/2013	CITY OF FARGO	160.00	160.00	-
V00102	790-7910-429.33-20	AJ	COF	1/29/2013	CITY OF FARGO	180.00	180.00	-
V00102	790-7910-429.38-99	159926	12961	2/5/2013	FEDERAL EXPRESS CORPORATION	71.89	71.89	-
V00102	790-7910-429.33-25	160367	16872	2/20/2013	ERIK R JOHNSON & ASSOCIATES	7,606.58	7,606.58	-
V00102	790-7910-429.52-30	160461	1772	2/25/2013	WARNER & CO	4,975.00	4,975.00	-
V00102	790-7910-429.33-20	AJ	COF	2/27/2013	CITY OF FARGO	260.00	260.00	-
V00102	790-7910-429.33-25	161131	16872	3/18/2013	ERIK R JOHNSON & ASSOCIATES	4,769.78	4,769.78	-
V00102	790-7910-429.33-20	AJ	COF	3/27/2013	CITY OF FARGO	200.00	200.00	-
V00201	790-7920-429.33-79	144170	20663	11/18/2011	CH2M HILL ENGINEERS INC	1,908,938.41	1,908,938.41	-
V00202	790-7920-429.33-79	148611	20663	3/15/2012	CH2M HILL ENGINEERS INC	3,500,000.00	3,422,306.58	77,693.42
V00203	790-7920-429.33-79	154940	20663	9/17/2012	CH2M HILL ENGINEERS INC	5,000,000.00	2,218,316.83	2,781,683.17
V00301	790-7910-429.38-69	143936	11604	11/16/2011	ADVANCED ENGINEERING INC	50,000.00	50,000.00	-
V00401	790-7920-429.33-06	143937	165	11/16/2011	BRAUN INTERTEC CORP	54,060.00	43,620.00	10,440.00
V00501	790-7915-429.33-06	143938	165	11/16/2011	BRAUN INTERTEC CORP	36,150.00	34,009.00	2,141.00
V00601	790-7915-429.33-06	144975	20729	12/13/2011	IN SITU ENGINEERING	54,800.00	47,973.00	6,827.00
V00701	790-7915-429.33-05	144866	20723	12/9/2011	MINNESOTA DNR	346,100.00	346,100.00	-
V00801	790-7915-429.33-05	146973	801	1/27/2012	HOUSTON ENGINEERING INC	92,424.03	92,424.03	-
V00802	790-7915-429.33-05	146974	801	1/27/2012	HOUSTON ENGINEERING INC	70,742.30	70,742.30	-
V00803	790-7915-429.33-05	146975	801	1/27/2012	HOUSTON ENGINEERING INC	47,124.46	47,124.46	-
V00804	790-7925-429.33-05	148054	801	2/29/2012	HOUSTON ENGINEERING INC	163,222.91	163,222.91	-

**FM Diversion Authority
Outstanding Contracts
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Date: 3/28/2013

Project	Account Number	PO No.	Vendor	P.O. Date	Vendor Name	Encumbered	Liquidated	Balance
V00805	790-7915-429.33-05	148058	801	2/29/2012	HOUSTON ENGINEERING INC	94,786.00	94,786.00	-
V00806	790-7915-429.33-05	148078	801	2/29/2012	HOUSTON ENGINEERING INC	108,369.87	108,369.87	-
V00901	790-7915-429.33-05	146976	1118	1/27/2012	MOORE ENGINEERING INC	92,291.55	92,291.55	-
V00902	790-7915-429.33-05	146977	1118	1/27/2012	MOORE ENGINEERING INC	135,231.99	135,231.99	-
V00903	790-7915-429.33-05	146978	1118	1/27/2012	MOORE ENGINEERING INC	142,924.27	142,924.27	-
V00904	790-7930-429.33-05	148055	1118	2/29/2012	MOORE ENGINEERING INC	78,760.62	78,760.62	-
V00905	790-7930-429.33-05	148056	1118	2/29/2012	MOORE ENGINEERING INC	32,727.08	32,727.08	-
V00906	790-7915-429.33-05	148057	1118	2/29/2012	MOORE ENGINEERING INC	8,326.50	8,326.50	-
V00907	790-7915-429.33-05	148077	1118	2/29/2012	MOORE ENGINEERING INC	164,867.66	164,867.66	-
V01002	790-7915-429.33-05	148086	17791	2/29/2012	URS CORPORATION	480,488.42	396,960.81	83,527.61
V01201	790-7930-429.33-25	F12069	19734	12/31/2011	CASS COUNTY JOINT WATER RESOUR	16,708.86	16,708.86	-
V01201	790-7930-429.34-65	F12069	19734	12/31/2011	CASS COUNTY JOINT WATER RESOUR	22,452.50	22,452.50	-
V01201	790-7930-429.33-25	149405	19734	4/10/2012	CASS COUNTY JOINT WATER RESOUR	20,652.04	20,652.04	-
V01201	790-7930-429.34-65	149405	19734	4/10/2012	CASS COUNTY JOINT WATER RESOUR	62,467.05	62,467.05	-
V01201	790-7930-429.33-05	156814	19734	11/5/2012	CASS COUNTY JOINT WATER RESOUR	48,138.28	48,138.28	-
V01201	790-7930-429.33-25	156814	19734	11/5/2012	CASS COUNTY JOINT WATER RESOUR	23,113.23	23,113.23	-
V01201	790-7930-429.34-65	156814	19734	11/5/2012	CASS COUNTY JOINT WATER RESOUR	8,250.00	8,250.00	-
V01201	790-7930-429.33-25	157055	19734	11/9/2012	CASS COUNTY JOINT WATER RESOUR	55,312.46	55,312.46	-
V01201	790-7930-429.34-65	157055	19734	11/9/2012	CASS COUNTY JOINT WATER RESOUR	26,500.00	26,500.00	-
V01201	790-7930-429.71-31	157055	19734	11/9/2012	CASS COUNTY JOINT WATER RESOUR	13,500.00	13,500.00	-
V01201	790-7930-429.61-50	160369	19734	2/20/2013	CASS COUNTY JOINT WATER RESOUR	24,990.57	24,990.57	-
V01301	790-7915-429.33-05	147745	1118	2/17/2012	MOORE ENGINEERING INC	5,558.50	5,558.50	-
V01301	790-7931-429.33-25	F12593	1286	4/16/2012	OHNSTAD TWICHELL PC	1,408.00	1,408.00	-
V01301	790-7931-429.33-05	149869	1118	4/23/2012	MOORE ENGINEERING INC	1,780.00	1,780.00	-
V01301	790-7931-429.33-25	150230	1286	5/3/2012	OHNSTAD TWICHELL PC	2,029.50	2,029.50	-
V01301	790-7931-429.33-25	150961	1286	5/23/2012	OHNSTAD TWICHELL PC	220.50	220.50	-
V01301	790-7931-429.33-25	151790	1122	6/15/2012	MOORHEAD, CITY OF	15,062.90	15,062.90	-
V01301	790-7931-429.33-25	152058	1286	6/27/2012	OHNSTAD TWICHELL PC	410.00	410.00	-
V01301	790-7931-429.33-25	154504	1286	9/4/2012	OHNSTAD TWICHELL PC	1,373.50	1,373.50	-
V01301	790-7931-429.33-25	154505	1286	9/4/2012	OHNSTAD TWICHELL PC	676.50	676.50	-
V01301	790-7931-429.33-25	156088	1286	10/15/2012	OHNSTAD TWICHELL PC	1,102.50	1,102.50	-

**FM Diversion Authority
Outstanding Contracts
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Date: 3/28/2013

Project	Account Number	PO No.	Vendor	P.O. Date	Vendor Name	Encumbered	Liquidated	Balance
V01301	790-7931-429.34-65	157054	1286	11/9/2012	OHNSTAD TWICHELL PC	2,685.00	2,685.00	-
V01301	790-7931-429.34-65	159216	1286	1/14/2013	OHNSTAD TWICHELL PC	1,247.16	1,247.16	-
V01301	790-7931-429.34-65	160365	1286	2/20/2013	OHNSTAD TWICHELL PC	1,148.00	1,148.00	-
V01301	790-7931-429.34-65	160797	1286	3/7/2013	OHNSTAD TWICHELL PC	738.00	738.00	-
V01501	790-7915-429.74-10	150960	19581	5/23/2012	GEOKON INC	33,815.36	33,815.36	-
V01601	790-7920-429.33-05	151232	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	2,072,675.00	835,605.94	1,237,069.06
V01602	790-7930-429.33-05	151233	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	871,000.00	648,201.15	222,798.85
V01603	790-7915-429.33-05	151234	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	2,333,300.00	2,163,121.50	170,178.50
V01604	790-7930-429.33-05	151235	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	1,421,000.00	1,213,149.96	207,850.04
V01605	790-7915-429.33-05	151236	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	905,000.00	843,380.45	61,619.55
V01606	790-7930-429.33-05	151237	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	538,103.00	303,635.07	234,467.93
V01607	790-7915-429.33-05	152022	21007	6/25/2012	HOUSTON-MOORE GROUP LLC	240,000.00	104,468.24	135,531.76
V01608	790-7915-429.33-05	152023	21007	6/25/2012	HOUSTON-MOORE GROUP LLC	727,330.00	460,829.94	266,500.06
V01609	790-7915-429.33-05	152024	21007	6/25/2012	HOUSTON-MOORE GROUP LLC	437,341.00	147,325.13	290,015.87
V01610	790-7930-429.33-05	152025	21007	6/25/2012	HOUSTON-MOORE GROUP LLC	288,000.00	34,404.40	253,595.60
V01611	790-7930-429.33-05	155529	21007	10/2/2012	HOUSTON-MOORE GROUP LLC	771,000.00	-	771,000.00
V01612	790-7930-429.33-05	155530	21007	10/2/2012	HOUSTON-MOORE GROUP LLC	665,000.00	-	665,000.00
V01613	790-7915-429.33-05	157599	21007	11/29/2012	HOUSTON-MOORE GROUP LLC	575,000.00	83,840.58	491,159.42
V01614	790-7915-429.33-05	160644	21007	3/1/2013	HOUSTON-MOORE GROUP LLC	605,000.00	-	605,000.00
V01701	790-7930-429.71-30	155627	7198	10/3/2012	NORTHERN TITLE CO	484,016.00	484,016.00	-
V01701	790-7930-429.80-17	159217	201	1/14/2013	CASS COUNTY TREASURER	84,832.36	84,832.36	-
V01702	790-7930-429.71-30	157394	20529	11/21/2012	KENNELLY & OKEEFFE	216,401.85	216,401.85	-
V01702	790-7930-429.71-30	157470	20529	11/26/2012	KENNELLY & OKEEFFE	342,601.87	342,601.87	-
V01702	790-7930-429.71-30	F13677	11046	11/26/2012	RED RIVER TITLE SERVICES INC	250.00	250.00	-
V01702	790-7930-429.71-30	F13678	11046	11/26/2012	RED RIVER TITLE SERVICES INC	170.00	170.00	-
V01702	790-7930-429.71-30	158252	21423	12/18/2012	HUBER, STEVE	1,056.43	1,056.43	-
V01702	790-7930-429.80-17	159217	201	1/14/2013	CASS COUNTY TREASURER	6,825.95	6,825.95	-
V01801	790-7930-429.33-05	155531	1714	10/2/2012	ULTEIG ENGINEERS INC	100,000.00	-	100,000.00
V01901	790-7930-429.33-05	155469	21258	10/1/2012	PROSOURCE TECHNOLOGIES, INC	100,000.00	-	100,000.00
V02001	790-7930-429.33-91	157598	10078	11/29/2012	COLDWELL BANKER	4,346.77	4,346.77	-
V02001	790-7930-429.33-91	158046	10078	12/12/2012	COLDWELL BANKER	8,000.00	8,000.00	-

**FM Diversion Authority
Outstanding Contracts
As of March 31, 2013**

Date: 3/28/2013

Project	Account Number	PO No.	Vendor	P.O. Date	Vendor Name	Encumbered	Liquidated	Balance
V02001	790-7930-429.33-91	160366	10078	2/20/2013	COLDWELL BANKER	2,600.00	2,600.00	-
V02001	790-7930-429.33-91	161153	10078	3/18/2013	COLDWELL BANKER	1,000.00	1,000.00	-
V02101	790-7930-429.33-05	157607	12775	11/29/2012	RED RIVER BASIN COMMISSION	500,000.00	-	500,000.00
						27,912,770.83	18,548,671.99	9,364,098.84

Date: 3/28/2013

Period/Year: 03/2013

**FM Diversion Authority
Summary of Cash Disbursements
Period March 2013**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7910-429.33-20	3/27/2013	4803130018	CITY OF FARGO	200.00	FISCAL SERVICES	V00102	General & Admin. WMK
Total Accounting Services				200.00			
790-7910-429.33-25	3/27/2013	238018	DORSEY & WHITNEY LLP	10,442.50	LEGAL SVCS THRU 1/31/13	V00101	Dorsey Whitney Legal WMK
	3/27/2013	238023	ERIK R. JOHNSON & ASSOCIATES	4,769.78	FEB 2013 LEAGAL SERVICES	V00102	General & Admin. WMK
Total Legal Services				15,212.28			
790-7930-429.33-91	3/27/2013	238007	COLDWELL BANKER	1,000.00	PROP MGMT EXPENSES	V02001	PROPERTY MANAGEMENT
Total Property Management				1,000.00			
790-7931-429.33-65	3/13/2013	237863	CHINSTAD TWICHELL PC	738.00	RIGHT OF ENTRY	V01301	City of Moorhead ROE
Total Right of Entry Requests				738.00			
Total Disbursed for Period				\$17,150.28			

Date: 3/28/2013

FM Diversion Authority
Summary of Cash Disbursements
Period 15, 2012 - Additional 2012 Expense

Period/Year: 15/2012

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7990-429.34-55	3/8/2013	237400	PFM ASSET MANAGEMENT LLC	50,000.00	FINANCIAL ADVISORY SERVIC	V00102	General & Admin. W/K
Total Financial Advisor				50,000.00			
Total Disbursed for Period				\$50,000.00			

FM Diversion Authority
 Fiscal Accountability Report Design Phase (Fund 790)
 As of 4/30/2013

	2011	2012	2013	Cumulative Totals
Revenues				
City of Fargo	443,138	7,652,681	670,015	8,765,834
Cass County	443,138	7,652,681	670,015	8,765,834
City of Moorhead / Clay County	98,475	1,700,595	148,892	1,947,962
State Water Commission (10% Cap)	-	-	-	-
Total Revenues	984,750	17,005,957	1,488,923	19,479,630
Expenditures				
7905 Army Corp Payments	-	-	-	-
7910 WIK - Administration	107,301	331,321	29,015	467,637
7915 WIK - Project Design	149,632	5,366,147	221,315	5,737,095
7920 WIK - Project Management	679,037	7,223,650	1,007,062	8,909,749
7925 WIK - Recreation	-	163,223	-	163,223
7930 LERRDS - North Dakota	48,664	3,843,620	229,174	4,121,458
7931 LERRDS - Minnesota	-	27,996	2,358	30,353
7940 WIK Mitigation - North Dakota	-	-	-	-
7941 WIK Mitigation - Minnesota	-	-	-	-
7950 Construction - North Dakota	-	-	-	-
7951 Construction - Minnesota	-	-	-	-
7955 Construction Management	-	-	-	-
7990 Project Financing	-	50,000	-	50,000
7995 Project Eligible - Off Formula Costs	-	-	-	-
7999 Non Federal Participating Costs	116	-	-	116
Total Expenditures	984,750	17,005,957	1,488,923	19,479,630

FM Diversion Authority
Operating Statement - April, FY 2013

	Current Month	Current F-Y-T-D 10/1-9/30/13	Annual FY Budget 10/1/12-9/30/13	% Expended	Comments
Revenues:					
City of Fargo	\$ 418,931	\$ 4,588,610	\$ 16,470,000		
Cass County	418,931	4,588,610	16,470,000		
City of Moorhead	93,096	1,019,691	3,660,000		
State of North Dakota	-	-	-		
State of Minnesota	-	-	-		
Miscellaneous	-	-	-		
Total Revenues	\$ 930,959	\$ 10,196,911	\$ 36,600,000		
Expenditures:					
7910 WIK - General & Administrative					
33-20 Accounting Services	\$ 460	\$ 2,150	\$ 10,000		
33-25 Legal Services	-	258,749	500,000		
38-99 Other Services	49	285	5,000		
52-30 General Liability Insurance	-	4,975	5,000		
Total WIK - General & Administrative	509	266,158	525,000	51%	
7915 WIK - Project Design					
33-05 Engineering Services	210,164	2,982,249	20,000,000		
Total WIK - Project Design	210,164	2,982,249	20,000,000	15%	
7920 WIK - Construction Management					
33-05 Engineering Services	67,329	481,461	-		
33-06 Quality Testing	-	5,350	-		
33-79 Project Management	451,903	3,282,687	7,600,000		
Total WIK - Construction Management	519,231	3,769,498	7,600,000	50%	
7925 WIK - Recreation					
33-05 Engineering Services	-	263	-		
Total WIK - Recreation	-	263	-	100%	
7930 LERRDS - North Dakota					
33-05 Engineering Services	200,583	1,839,217	5,000,000		
33-25 Legal Services	-	79,513	130,000		
33-91 Property Management	-	15,947	50,000		
34-65 Right of Entry Requests	-	35,290	65,000		
61-50 General Supplies / Postage	-	230	-		
71-30 Land & Building Purchases	-	1,044,496	3,000,000		
71-31 Land Easements	-	15,000	-		
80-17 Property Taxes / Special Assessments	-	91,658	100,000		
Total LERRDS - North Dakota	200,583	3,121,351	8,345,000	37%	
7931 LERRDS - Minnesota					
33-25 Legal Services	-	(21,181)	-		
34-65 Right of Entry Requests	472	28,573	10,000		
Total LERRDS - Minnesota	472	7,392	10,000	74%	
7990 Project Financing					
34-55 Financial Advisor	-	50,000	120,000	42%	
Total Project Financing	-	50,000	120,000	42%	
Total Expenditures	\$ 930,959	\$ 10,196,911	\$ 36,600,000	28%	

**FM Diversion Authority
Outstanding Contracts
As of April 30, 2013**

Project Number	Account Number	PO No.	Vendor No.	P.O. Date	Vendor Name	Encumbered	Liquidated	Balance
V00101	790-7910-429.33-25	F12217	9367	12/31/2011	DORSEY & WHITNEY LLP	52,102.12	52,102.12	-
V00101	790-7910-429.33-25	146629	9367	1/18/2012	DORSEY & WHITNEY LLP	52,679.63	52,679.63	-
V00101	790-7910-429.33-25	F12289	9367	2/21/2012	DORSEY & WHITNEY LLP	58,693.38	58,693.38	-
V00101	790-7910-429.33-25	F12293	9367	2/21/2012	DORSEY & WHITNEY LLP	1,600.00	1,600.00	-
V00101	790-7910-429.33-25	156087	9367	10/15/2012	DORSEY & WHITNEY LLP	86,960.88	86,960.88	-
V00101	790-7910-429.33-25	157021	9367	11/9/2012	DORSEY & WHITNEY LLP	27,111.94	27,111.94	-
V00101	790-7910-429.33-25	157608	9367	11/29/2012	DORSEY & WHITNEY LLP	9,138.50	9,138.50	-
V00101	790-7910-429.33-25	159215	9367	1/14/2013	DORSEY & WHITNEY LLP	15,177.50	15,177.50	-
V00101	790-7910-429.33-25	160364	9367	2/20/2013	DORSEY & WHITNEY LLP	20,559.60	20,559.60	-
V00101	790-7910-429.33-25	161130	9367	3/18/2013	DORSEY & WHITNEY LLP	10,442.50	10,442.50	-
V00102	790-7910-429.38-99	F11738	20660	11/15/2011	GALLAGHER BENEFIT SERVICES INC	250.00	250.00	-
V00102	790-7910-429.31-10	F11749	646	11/15/2011	FORUM COMMUNICATIONS (ADVERT)	494.24	494.24	-
V00102	790-7910-429.31-10	F11750	646	11/15/2011	FORUM COMMUNICATIONS (ADVERT)	345.97	345.97	-
V00102	790-7910-429.31-10	F11751	646	11/15/2011	FORUM COMMUNICATIONS (ADVERT)	296.56	296.56	-
V00102	790-7910-429.31-10	F11752	646	11/15/2011	FORUM COMMUNICATIONS (ADVERT)	17.05	17.05	-
V00102	790-7999-729.68-30	PCARD	18009	12/20/2011	GOOGLE LOVEINTHOVEN	116.00	116.00	-
V00102	790-7910-429.31-10	F12082	647	12/31/2011	FORUM COMMUNICATIONS (LEGALS)	2,224.20	2,224.20	-
V00102	790-7910-429.38-69	F12079	8645	12/31/2011	SEIGEL COMMUNICATIONS SERVICE	1,490.00	1,490.00	-
V00102	790-7910-429.53-60	F12218	13981	12/31/2011	NORTH DAKOTA TELEPHONE CO	81.20	81.20	-
V00102	790-7910-429.33-20	AJ	COF	2/1/2012	CITY OF FARGO	1,300.00	1,300.00	-
V00102	790-7910-429.55-10	F12256	20829	2/14/2012	BROKERAGE PRINTING	153.85	153.85	-
V00102	790-7910-429.55-10	F12256	20829	2/14/2012	BROKERAGE PRINTING	202.10	202.10	-
V00102	790-7910-429.52-30	F12595	1772	4/16/2012	WARNER & CO	4,975.00	4,975.00	-
V00102	790-7910-429.33-20	AJ	COF	5/25/2012	CITY OF FARGO	1,850.00	1,850.00	-
V00102	790-7910-429.33-25	151789	16872	6/15/2012	ERIK R JOHNSON & ASSOCIATES	673.20	673.20	-
V00102	790-7910-429.33-25	151876	16872	6/19/2012	ERIK R JOHNSON & ASSOCIATES	1,309.00	1,309.00	-
V00102	790-7910-429.33-20	AJ	COF	6/25/2012	CITY OF FARGO	340.00	340.00	-
V00102	790-7910-429.33-25	152528	1286	7/10/2012	OHNSTAD TWICHELL PC	1,903.50	1,903.50	-
V00102	790-7910-429.33-20	AJ	COF	7/27/2012	CITY OF FARGO	240.00	240.00	-

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V00102	790-7910-429.33-25	153237	1286	7/31/2012	OHNSTAD TWICHELL PC	728.50	728.50	-
V00102	790-7910-429.38-99	153670	13981	8/9/2012	NORTH DAKOTA TELEPHONE CO	71.60	71.60	-
V00102	790-7910-429.38-99	154211	13981	8/23/2012	NORTH DAKOTA TELEPHONE CO	90.60	90.60	-
V00102	790-7910-429.33-20	AJ	COF	8/30/2012	CITY OF FARGO	280.00	280.00	-
V00102	790-7910-429.33-20	AJ	COF	9/26/2012	CITY OF FARGO	320.00	320.00	-
V00102	790-7910-429.38-99	155381	13981	9/27/2012	NORTH DAKOTA TELEPHONE CO	87.40	87.40	-
V00102	790-7910-429.33-20	AJ	COF	10/30/2012	CITY OF FARGO	410.00	410.00	-
V00102	790-7910-429.33-20	AJ	COF	11/28/2012	CITY OF FARGO	220.00	220.00	-
V00102	790-7910-429.33-25	157670	16872	11/30/2012	ERIK R JOHNSON & ASSOCIATES	16,826.60	16,826.60	-
V00102	790-7910-429.38-99	158387	13981	12/20/2012	NORTH DAKOTA TELEPHONE CO	76.20	76.20	-
V00102	790-7910-429.33-20	AJ	COF	12/27/2012	CITY OF FARGO	260.00	260.00	-
V00102	790-7910-429.33-25	159214	16872	1/14/2013	ERIK R JOHNSON & ASSOCIATES	26,922.05	26,922.05	-
V00102	790-7910-429.33-20	AJ	COF	1/29/2013	CITY OF FARGO	160.00	160.00	-
V00102	790-7910-429.33-20	AJ	COF	1/29/2013	CITY OF FARGO	180.00	180.00	-
V00102	790-7910-429.38-99	159926	12961	2/5/2013	FEDERAL EXPRESS CORPORATION	71.89	71.89	-
V00102	790-7910-429.33-25	160367	16872	2/20/2013	ERIK R JOHNSON & ASSOCIATES	7,606.58	7,606.58	-
V00102	790-7910-429.52-30	160461	1772	2/25/2013	WARNER & CO	4,975.00	4,975.00	-
V00102	790-7910-429.33-20	AJ	COF	2/27/2013	CITY OF FARGO	260.00	260.00	-
V00102	790-7910-429.33-25	161131	16872	3/18/2013	ERIK R JOHNSON & ASSOCIATES	4,769.78	4,769.78	-
V00102	790-7910-429.33-20	AJ	COF	3/27/2013	CITY OF FARGO	200.00	200.00	-
V00102	790-7910-429.33-25	161699	16872	4/8/2013	ERIK R JOHNSON & ASSOCIATES	2,366.41	-	2,366.41
V00102	790-7910-429.38-99	161972	13981	4/17/2013	NORTH DAKOTA TELEPHONE CO	49.20	49.20	-
V00102	790-7910-429.33-25	162044	14216	4/19/2013	BRIGGS & MORGAN PA	1,616.36	-	1,616.36
V00102	790-7910-429.34-55	162074	21621	4/22/2013	PFM PUBLIC FINANCIAL MANAGEMEN	140,000.00	50,000.00	90,000.00
V00102	790-7910-429.33-20	AJ	COF	4/26/2013	CITY OF FARGO	460.00	460.00	-
V00201	790-7920-429.33-79	144170	20663	11/18/2011	CH2M HILL ENGINEERS INC	1,908,938.41	1,908,938.41	-
V00202	790-7920-429.33-79	148611	20663	3/15/2012	CH2M HILL ENGINEERS INC	3,500,000.00	3,422,306.58	77,693.42
V00203	790-7920-429.33-79	154940	20663	9/17/2012	CH2M HILL ENGINEERS INC	5,000,000.00	2,670,219.72	2,329,780.28
V00301	790-7910-429.38-69	143936	11604	11/16/2011	ADVANCED ENGINEERING INC	50,000.00	50,000.00	-

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V00401	790-7920-429.33-06	143937	165	11/16/2011	BRAUN INTERTEC CORP	54,060.00	43,620.00	10,440.00
V00501	790-7915-429.33-06	143938	165	11/16/2011	BRAUN INTERTEC CORP	36,150.00	34,009.00	2,141.00
V00601	790-7915-429.33-06	144975	20729	12/13/2011	IN SITU ENGINEERING	54,800.00	47,973.00	6,827.00
V00701	790-7915-429.33-05	144866	20723	12/9/2011	MINNESOTA DNR	346,100.00	346,100.00	-
V00801	790-7915-429.33-05	146973	801	1/27/2012	HOUSTON ENGINEERING INC	92,424.03	92,424.03	-
V00802	790-7915-429.33-05	146974	801	1/27/2012	HOUSTON ENGINEERING INC	70,742.30	70,742.30	-
V00803	790-7915-429.33-05	146975	801	1/27/2012	HOUSTON ENGINEERING INC	47,124.46	47,124.46	-
V00804	790-7925-429.33-05	148054	801	2/29/2012	HOUSTON ENGINEERING INC	163,222.91	163,222.91	-
V00805	790-7915-429.33-05	148058	801	2/29/2012	HOUSTON ENGINEERING INC	94,786.00	94,786.00	-
V00806	790-7915-429.33-05	148078	801	2/29/2012	HOUSTON ENGINEERING INC	108,369.87	108,369.87	-
V00901	790-7915-429.33-05	146976	1118	1/27/2012	MOORE ENGINEERING INC	92,291.55	92,291.55	-
V00902	790-7915-429.33-05	146977	1118	1/27/2012	MOORE ENGINEERING INC	135,231.99	135,231.99	-
V00903	790-7915-429.33-05	146978	1118	1/27/2012	MOORE ENGINEERING INC	142,924.27	142,924.27	-
V00904	790-7930-429.33-05	148055	1118	2/29/2012	MOORE ENGINEERING INC	78,760.62	78,760.62	-
V00905	790-7930-429.33-05	148056	1118	2/29/2012	MOORE ENGINEERING INC	32,727.08	32,727.08	-
V00906	790-7915-429.33-05	148057	1118	2/29/2012	MOORE ENGINEERING INC	8,326.50	8,326.50	-
V00907	790-7915-429.33-05	148077	1118	2/29/2012	MOORE ENGINEERING INC	164,867.66	164,867.66	-
V01002	790-7915-429.33-05	148086	17791	2/29/2012	URS CORPORATION	480,488.42	403,927.45	76,560.97
V01201	790-7930-429.33-25	F12069	19734	12/31/2011	CASS COUNTY JOINT WATER RESOUR	16,708.86	16,708.86	-
V01201	790-7930-429.34-65	F12069	19734	12/31/2011	CASS COUNTY JOINT WATER RESOUR	22,452.50	22,452.50	-
V01201	790-7930-429.33-25	149405	19734	4/10/2012	CASS COUNTY JOINT WATER RESOUR	20,652.04	\$20,652.04	-
V01201	790-7930-429.34-65	149405	19734	4/10/2012	CASS COUNTY JOINT WATER RESOUR	62,467.05	\$62,467.05	-
V01201	790-7930-429.33-05	156814	19734	11/5/2012	CASS COUNTY JOINT WATER RESOUR	48,138.28	\$48,138.28	-
V01201	790-7930-429.33-25	156814	19734	11/5/2012	CASS COUNTY JOINT WATER RESOUR	23,113.23	\$23,113.23	-
V01201	790-7930-429.34-65	156814	19734	11/5/2012	CASS COUNTY JOINT WATER RESOUR	8,250.00	\$8,250.00	-
V01201	790-7930-429.33-25	157055	19734	11/9/2012	CASS COUNTY JOINT WATER RESOUR	55,312.46	\$55,312.46	-
V01201	790-7930-429.34-65	157055	19734	11/9/2012	CASS COUNTY JOINT WATER RESOUR	26,500.00	\$26,500.00	-
V01201	790-7930-429.71-31	157055	19734	11/9/2012	CASS COUNTY JOINT WATER RESOUR	13,500.00	\$13,500.00	-
V01201	790-7930-429.61-50	160369	19734	2/20/2013	CASS COUNTY JOINT WATER RESOUR	24,990.57	24,990.57	-

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V01201	790-7930-429.71-31	161700	19734	4/8/2013	CASS COUNTY JOINT WATER RESOUR	52,735.94	-	52,735.94
V01301	790-7915-429.33-05	147745	1118	2/17/2012	MOORE ENGINEERING INC	5,558.50	5,558.50	-
V01301	790-7931-429.33-25	F12593	1286	4/16/2012	OHNSTAD TWICHELL PC	1,408.00	1,408.00	-
V01301	790-7931-429.33-05	149869	1118	4/23/2012	MOORE ENGINEERING INC	1,780.00	1,780.00	-
V01301	790-7931-429.33-25	150230	1286	5/3/2012	OHNSTAD TWICHELL PC	2,029.50	2,029.50	-
V01301	790-7931-429.33-25	150961	1286	5/23/2012	OHNSTAD TWICHELL PC	220.50	220.50	-
V01301	790-7931-429.33-25	151790	1122	6/15/2012	MOORHEAD, CITY OF	15,062.90	15,062.90	-
V01301	790-7931-429.33-25	152058	1286	6/27/2012	OHNSTAD TWICHELL PC	410.00	410.00	-
V01301	790-7931-429.33-25	154504	1286	9/4/2012	OHNSTAD TWICHELL PC	1,373.50	1,373.50	-
V01301	790-7931-429.33-25	154505	1286	9/4/2012	OHNSTAD TWICHELL PC	676.50	676.50	-
V01301	790-7931-429.33-25	156088	1286	10/15/2012	OHNSTAD TWICHELL PC	1,102.50	1,102.50	-
V01301	790-7931-429.34-65	157054	1286	11/9/2012	OHNSTAD TWICHELL PC	2,685.00	2,685.00	-
V01301	790-7931-429.34-65	159216	1286	1/14/2013	OHNSTAD TWICHELL PC	1,247.16	1,247.16	-
V01301	790-7931-429.34-65	160365	1286	2/20/2013	OHNSTAD TWICHELL PC	1,148.00	1,148.00	-
V01301	790-7931-429.34-65	160797	1286	3/7/2013	OHNSTAD TWICHELL PC	738.00	738.00	-
V01301	790-7931-429.34-65	161824	1286	4/11/2013	OHNSTAD TWICHELL PC	471.50	471.50	-
V01501	790-7915-429.74-10	150950	19581	5/23/2012	GEEKON INC	33,815.36	33,815.36	-
V01601	790-7920-429.33-05	151232	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	2,072,675.00	902,934.48	1,169,740.52
V01602	790-7930-429.33-05	151233	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	871,000.00	679,452.57	191,547.43
V01603	790-7915-429.33-05	151234	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	2,333,300.00	2,208,352.30	124,947.70
V01604	790-7930-429.33-05	151235	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	1,421,000.00	1,308,827.62	112,172.38
V01605	790-7915-429.33-05	151236	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	905,000.00	843,380.45	61,619.55
V01606	790-7930-429.33-05	151237	21007	5/31/2012	HOUSTON-MOORE GROUP LLC	538,103.00	322,006.10	216,096.90
V01607	790-7915-429.33-05	152022	21007	6/25/2012	HOUSTON-MOORE GROUP LLC	240,000.00	112,099.12	127,900.88
V01608	790-7915-429.33-05	152023	21007	6/25/2012	HOUSTON-MOORE GROUP LLC	727,330.00	470,929.27	256,400.73
V01609	790-7915-429.33-05	152024	21007	6/25/2012	HOUSTON-MOORE GROUP LLC	437,341.00	209,043.65	228,297.35
V01610	790-7930-429.33-05	152025	21007	6/25/2012	HOUSTON-MOORE GROUP LLC	288,000.00	36,912.40	251,087.60
V01611	790-7930-429.33-05	155529	21007	10/2/2012	HOUSTON-MOORE GROUP LLC	771,000.00	-	771,000.00
V01612	790-7930-429.33-05	155530	21007	10/2/2012	HOUSTON-MOORE GROUP LLC	665,000.00	-	665,000.00

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V01613	790-7915-429.33-05	157599	21007	11/29/2012	HOUSTON-MOORE GROUP LLC	575,000.00	162,357.93	412,642.07
V01614	790-7915-429.33-05	160644	21007	3/1/2013	HOUSTON-MOORE GROUP LLC	605,000.00	-	605,000.00
V01701	790-7930-429.71-30	155627	7198	10/3/2012	NORTHERN TITLE CO	484,016.00	484,016.00	-
V01701	790-7930-429.80-17	159217	201	1/14/2013	CASS COUNTY TREASURER	84,832.36	84,832.36	-
V01702	790-7930-429.71-30	157394	20529	11/21/2012	KENNELLY & OKEEFFE	216,401.85	216,401.85	-
V01702	790-7930-429.71-30	157470	20529	11/26/2012	KENNELLY & OKEEFFE	342,601.87	342,601.87	-
V01702	790-7930-429.71-30	F13677	11046	11/26/2012	RED RIVER TITLE SERVICES INC	250.00	250.00	-
V01702	790-7930-429.71-30	F13678	11046	11/26/2012	RED RIVER TITLE SERVICES INC	170.00	170.00	-
V01702	790-7930-429.71-30	158252	21423	12/18/2012	HUBER, STEVE	1,056.43	1,056.43	-
V01702	790-7930-429.80-17	159217	201	1/14/2013	CASS COUNTY TREASURER	6,825.95	6,825.95	-
V01801	790-7930-429.33-05	155531	1714	10/2/2012	ULTEIG ENGINEERS INC	100,000.00	-	100,000.00
V01901	790-7930-429.33-05	155469	21258	10/1/2012	PROSOURCE TECHNOLOGIES, INC	100,000.00	-	100,000.00
V02001	790-7930-429.33-91	157598	10078	11/29/2012	COLDWELL BANKER	4,346.77	4,346.77	-
V02001	790-7930-429.33-91	158046	10078	12/12/2012	COLDWELL BANKER	8,000.00	8,000.00	-
V02001	790-7930-429.33-91	160366	10078	2/20/2013	COLDWELL BANKER	2,600.00	2,600.00	-
V02001	790-7930-429.33-91	161153	10078	3/18/2013	COLDWELL BANKER	1,000.00	1,000.00	-
V02101	790-7930-429.33-05	157607	12775	11/29/2012	RED RIVER BASIN COMMISSION	500,000.00	52,775.00	447,225.00
						27,970,470.24	19,479,630.75	8,490,839.49

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Summary of Cash Disbursements
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Period/Year: 04/2013

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7910-429.33-20	4/26/2013	JB04130015	CITY OF FARGO	460.00	FISCAL SERVICES	V00102	General & Admin. WIK
Total Accounting Services \$				460.00			
790-7910-429.38-99	4/17/2013	238811	NORTH DAKOTA TELEPHONE CO	49.20	SETUP FEE 1/18/13	V00102	General & Admin. WIK
Total Other Services \$				49.20			
790-7915-429.33-05	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	45,230.80	1/1-1/31/13	V01603	CR-81 & 129 BRIDGE DESIGN
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	7,630.88	1/1-1/31/13	V01607	RECREATION/USE MASTER PLN
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	10,099.33	1/1-1/31/13	V01608	WORK-IN-KIND (WIK)
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	51,718.52	1/1-1/31/13	V01609	HYDROLOGY/HYDRAULIC MODEL
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	78,517.35	1/1-1/31/13	V01613	LEVEE DESIGN & SUPPORT
	4/29/2013	239037	URS CORPORATION	4,875.14	THRU 2/28/13	V01002	NW Alignment Survey-URS
	4/29/2013	239037	URS CORPORATION	2,091.50	THRU 3/8/13	V01002	NW Alignment Survey-URS
Total Engineering Services \$				210,163.52			
790-7920-429.33-05	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	67,328.54	1/1-1/31/13	V01601	HMG - PROJECT MANAGEMENT
Total Engineering Services \$				67,328.54			
790-7920-429.33-79	4/10/2013	238403	CH2M HILL ENGINEERS INC	451,902.89	THRU 2/22/13	V00203	CH2M HILL - 10/1-6/30/13
Total Project Management \$				451,902.89			
790-7930-429.33-05	4/17/2013	238824	RED RIVER BASIN COMMISSION	52,775.00	SUB-WATERSHED	V02101	STUDY UPPER RR RETENTION
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	31,251.42	1/1-1/31/13	V01602	CR-31 BRIDGE DESIGN
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	29,168.46	1/1-1/31/13	V01604	CR-32 & CR-22 BRIDGE DSGN
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	66,509.20	1/1-1/31/13	V01604	CR-32 & CR-22 BRIDGE DSGN

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Period/Year: 04/2013

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	18,371.03	1/1-1/31/13	V01606	LAND MANAGEMENT SERVICES
	4/10/2013	238478	HOUSTON-MOORE GROUP LLC	2,508.00	1/1-1/31/13	V01610	UTILITIES DESIGN
Total Engineering Services				\$ 200,583.11			
790-7931-429.34-65	4/17/2013	238813	OHNSTAD TWICHELL PC	471.50	RIGHT OF ENTRY/LAND ACQUI	V01301	City of Moorhead ROE
Total Right of Entry Requests				\$ 471.50			
Total Disbursed for Period				\$ 930,958.76			

Purchase Offer for Hardship Property

DECISION PAPER NO.: DP-00027

Date: 04/25/2013

RECOMMENDATION FOR BOARD ACTION:

Motion is made that the Diversion Authority Board approve agreement to purchase residential property determined to be in compliance with the conditions of the Hardship Policy adopted by the Hardship Review Committee. The contract is for purchase of not less than \$350,000, based on the "completed" appraisal, plus \$6,000 to compensate for relocation expenses, for a total not less than \$356,000.

This contract amount may be increased based on the results of a third "pending" appraisal of the property. The pending appraisal, to be conducted by an appraiser acceptable to the USACE and contracted by Houston-Moore Group, will be used to determine any additional payment to purchase the property as follows: If the pending appraisal results in a value above the accepted appraisal amount of \$350,000, Seller agrees to accept the amount resulting from an average of the accepted and pending appraisals; if the pending appraisal results in a value at or below the accepted appraisal amount of \$350,000, Seller agrees to accept the amount of the accepted appraisal.

Following approval of the Finance Committee and the Land Management Committee the motion will be forwarded to the Diversion Board of Authority for approval.

SUMMARY OF DECISION TOPIC:

The Diversion Authority has earlier recognized that while it is difficult to quantify the impacts resulting from the impending project on property values, or discern between project-related impacts in general economic conditions or other market forces, the Diversion Authority established a policy that allowed property owners with a serious health condition to have their homes determined eligible for early buyout by the Diversion Authority.

The policy was put in effect prior to the Project Partnership Agreement (PPA) between the U.S. Army Corps of Engineers and the non-federal sponsors of the Project.

The first appraisal of the property was for \$350,000. Owners disputed value and requested second appraisal, which the Authority agreed to pay for. Second appraisal of property was \$535,000, but the appraiser is not accepted by the USACE. An independent technical review concluded the second appraisal did not follow USACE Yellow Book Standards, and was not recommended to be accepted. Owners have agreed to the contingent value described in Recommendation, above.

EVALUATION OF KEY FACTORS FOR DECISION MAKING:

1. The Hardship Review Committee of the Early Acquisition Sub-Committee of the Land Management Committee of the Diversion Authority has reviewed applications for early buyout in accordance with the hardship policy adopted by the Diversion Authority. The criteria included in the Pre-PPA Hardship Policy are that the property must be located within the planned buyout area associated with the Project, the property owner must have a serious health condition certified by a medical professional, and the health condition makes it difficult for the property owner to continue residing at the residence.
2. Two appraisals of this property have been conducted after authorization by the Diversion Authority. The first appraisal was performed by a local appraiser accepted by the USACE. The third appraisal will be performed by a local appraiser accepted by the USACE.
3. A Purchase Agreement for the property was developed by the Diversion Authority staff, legal counsel, and the Program Management Consultant. The purchase offer was presented to the property owner based on the appraised value, and recognizing the pending appraisal. Relocation benefits in accordance with applicable public law and regulations was established in the amount of \$6,000 per property.

4. The owner has agreed to the sale for the total compensation of \$356,000 – including the contingency for a higher value noted in Recommendation, above – and at these terms.
5. The purchase agreements indicate that the ‘Diversion Board of Authority’ will take title of the properties.
6. The closing date for the properties will be established with the seller once the purchase order is approved, and the Diversion Authority will take possession on the date of closing.
7. The property will be managed by the property management firm, Coldwell Banker First Realty, which was selected by the Diversion Authority in October 2012.
8. To date, nine applications have been evaluated for early buyout, four of which were determined by the Hardship Review Committee to meet the criteria of the Hardship Policy. All four properties are located within the City of Oxbow.

Submitted by:



Thomas O'Hara
CH2M HILL
Program Manager
Fargo-Moorhead Area Diversion Project

04/25/13

Date

Brian C. Berg, Clay County Administrator
Concur: 04/25/13 Non-Concur: _____

Michael J. Redlinger, Moorhead City Manager
Concur: 04/25/13 Non-Concur: _____

Keith Berndt, Cass County Administrator
Concur: 04/25/13 Non-Concur: _____

April Walker, Fargo City Engineer
Concur: 04/25/13 Non-Concur: _____

Mark Bittner, Fargo Director of Engineering
Concur: 04/25/13 Non-Concur: _____

Pat Zavoral, Fargo City Administrator
Concur: 04/25/13 Non-Concur: _____

David Overbo, Clay County Engineer
Concur: 04/25/13 Non-Concur: _____

Robert Zimmerman, Moorhead City Engineer
Concur: 04/25/13 Non-Concur: _____



USACE Supplemental Funding

DECISION PAPER NO.: DP-00024

Date: 5/9/2013

RECOMMENDATION FOR BOARD ACTION:

Motion is made that the Diversion Authority Board approves providing \$350,000 in funding to the St. Paul District, US Army Corps of Engineers to fund the technical reviews required to complete the In-Town Levees and the Oxbow/Hickson/Bakke levee designs.

SUMMARY OF DECISION TOPIC:

- 1. The technical reviews for the expanded In-Town Levees and the Oxbow/Hickson/Bakke levee designs were not part of the St Paul District's Fiscal Year 2013 workplan and therefore were not funded for 2013.
2. These design reviews are required to keep these components of the project within the federal program.
3. Starting these reviews in FY2013 is needed to ensure that these designs are completed in a timely manner and in time to allow for issuance of contract solicitations in Fall 2013 and to begin construction in Spring 2014.
4. \$350,000 is the Corps' estimate of costs required to complete all of the reviews for this project. \$350,000 was budgeted for these reviews within the Diversion Authority's \$29M FY13 operating budget and this action will not require additional revenue to fund. This amount will also be credited against the local sponsors' cash contribution total for the project.
5. This action has been reviewed and recommended for approval by the Diversion Authority's technical team.

Submitted by:

Thomas E. O'Hara
CH2M HILL
Program Manager
Fargo-Moorhead Area Diversion Project

Date

Brian C. Berg, Clay County Administrator
Concur: Non-Concur:

Michael J. Redlinger, Moorhead City Manager
Concur: Non-Concur:

Keith Berndt, Cass County Administrator
Concur: Non-Concur:

April Walker, Fargo City Engineer
Concur: Non-Concur:

Mark Bittner, Fargo Director of Engineering
Concur: Non-Concur:

Pat Zavoral, Fargo City Administrator
Concur: Non-Concur:

David Overbo, Clay County Engineer
Concur: Non-Concur:

Robert Zimmerman, Moorhead City Engineer
Concur: Non-Concur: