

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on November 18, 2021. The following members were present: Shelly Carlson, Mayor, City of Moorhead; Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Chad Peterson, Cass County Commissioner; Chuck Hendrickson, Moorhead City Council; David Ebinger, Clay County Commissioner; John Strand, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner and Rick Steen, Cass County Commissioner.

Members absent: Dave Piepkorn, Fargo City Commissioner; Rodger Olson, Cass County Joint Water Resource District and Larry Seljevold, Moorhead City Council.

**1. CALL TO ORDER**

Mayor Carlson called the meeting to order at 3:30 PM. Roll call was taken, and a quorum was present.

**2. APPROVE MINUTES FROM THE OCTOBER 2021 MEETING**

**MOTION PASSED**

**Dr. Mahoney moved to approve the minutes from the October 2021 meeting and Mr. Campbell seconded the motion. On a voice vote, the motion carried.**

**3. APPROVE ORDER OF AGENDA**

**MOTION PASSED**

**Dr. Mahoney moved to approve the order of the agenda and Mr. Steen seconded the motion. On a voice vote, the motion carried.**

**CONSENT AGENDA APPROVAL**

**MOTION PASSED**

**Dr. Mahoney moved to approve the consent agenda as presented and Mrs. Scherling seconded the motion. On a roll call vote, the motion carried.**

**4. EXECUTIVE DIRECTOR REPORT**

Mr. Paulsen provided the following November updates:

**P3 updates**

- RRVA, Chamber and MFDA met to discuss integration within the community
- Continued coordination with RRVA re. schedule, permitting, quality plans, etc.
- Anticipating staff partnering session and kick-off meeting December 1 and 2, 2021.

## Planning

- Federal Funding update
- Jodi Smith, the new Director of Lands and Compliance started November 1, 2021

## On-going coordination

- Utility/Township/Municipality MOUs and Agreements
- Settlement agreement commitments
- Obtained key permits from Townships

## 5. GENERAL COUNSEL UPDATE

Mr. Shockley reported that the Adaptive Management and Mitigation plan update is in its final form, and we are awaiting final approval from the Minnesota DNR.

Mr. Shockley also reported that the North Dakota Public Finance Authority is working on a schedule in which they will be distributing funds to the Diversion Authority. He also noted that there will be no cost share with the state.

## 6. USACE PROJECT UPDATE

Ms. Williams provided the following update:

### 1 Diversion Inlet Structure Construction

Structure includes 3-50 ft. wide Tainter gates. Work resumed in late-February.

Construction is 78% complete with a required completion date of 7 June 2023. Anticipated remaining schedule:

2020: Foundations/site work, control structure, dam walls.

2021: Complete dam walls, concrete piers, stilling basin and walls. Complete gate fabrication.

2022: Install bridge deck, gates, and operating machinery.

2023: Paint gates, seed.

2024: Turf established.

### 2 Wild Rice River Structure Construction

Structure includes 2-40 ft. wide Tainter gates. Work resumed in late-February.

Construction is 48% complete with a required completion date of 20 October 2023.

Anticipated schedule:

2020: Foundations/site work, control structure, dam embankment.

2021: Approach walls and apron, stilling basin and walls, preloads. Complete gate fabrication.

2022: Control building, dam embankment, gate installation.

2023: Complete excavation, dam embankment, seed.

2024: Turf established.

### 3 I-29 Raise Construction

Includes approximately 4 miles of interstate raise south of the Wild Rice River.

Construction is 30% complete. 4 lanes of the bypass were opened on October 27, 2021.

Completion of the raise of the mainline is scheduled to be complete Summer 2023.

Required completion date NLT 1 January 2024.

### 4 Southern Embankment – Reach SE-1 (Western Tieback) Construction

Includes approximately 2 miles of dam embankment construction, starting southwest of the Diversion Inlet Structure location. Construction is approximately 72% complete.

Required completion date NLT 30 June 2023.

### 5 Red River Structure

Structure includes 3-50 ft. wide Tainter gates. The Request for Proposals (RFP) was issued on 12 October. Proposals are currently due 14 December. Award of the construction contract is being planned for late March 2022.

### 6 Southern Embankment – Reach SE-1B Design

65% review is complete. The 95% review is scheduled to start 9 March 2022.

### 7 Southern Embankment – Reach SE-2A and 2B Design

Final plans and specifications are now scheduled to be complete 22 November 2021.

Reach SE-2B 35% design review is currently on hold in order to resolve some design issues.

### 8 Drain 27 Wetland Mitigation Project Design

The final plans and specs were signed on 30 July 2021. Award of a construction contract is anticipated in 2nd quarter FY2022.

### 9 Drayton Dam Mitigation Project Design

Plans and specs were final on 30 September 2021 with a construction contract award planned for February 2022.

## 7. PUBLIC OUTREACH UPDATE

Ms. Darling reported that they are on track to present the Crisis Plan to the P3.

## 8. LAND MANAGEMENT UPDATES

### Property Acquisition Status Report

Mrs. Scherling provided the following land management committee update:

#### • Acquisitions

- Continue working on acquiring property for: Drain 27 Wetland Restoration Project, Southern Embankment Reach 2A (SE-2A), Upstream Structures and Structure Sites, the Drayton Dam Replacement Project, and Environmental Monitoring

#### Easements

- Acquired property interests on nearly 700 parcels (including those acquired via last resort eminent domain, and including split parcels)
  - ♣ Completed acquisitions for: Diversion Channel, SE-1, I-29 Road Raise, Wild Rice River Control Structure, Diversion Inlet Structure, and Red River Control Structure (newly completed)

#### • Appraisal Work

- Appraisals being completed for Upstream Structures (farmsteads, rural residential, etc.)
- The Phase 2 Flowage Easement Valuation Study is scheduled to be complete late 2021

#### • Key Focus Areas

- On-boarding with Jodi Smith
- Strategies for purchasing Flowage Easements
- Replacement housing and relocation benefits
- Crop Insurance – Focus group meeting in late November

#### **MCCJPA**

Mr. Campbell reported that they met today, one relocation was approved as well as the solar panel garden. All the land for the Red River Control Structure has been acquired and four organic appraisals have been received. They are currently negotiating a settlement offer on one parcel and have entered into a farmland lease template for the 2022 season.

#### **CCJWRD**

An executive session will be held at the upcoming meeting to discuss the offers and counteroffers that are currently in negotiation.

### **9. FINANCE UPDATE**

Mayor Dardis reported that the final draft of the cash budget was discussed and will be brought to the December meeting for approval. He also reported that all of the contracting items were approved.

The following contracting actions were approved:

- Task Order 01, Amendment 4 – Consulting Services – Additional budget for consulting services and extend POP to December 31, 2022, Program Advisor Services \$500,000
- Task Order 101, Amendment 1 – Design and Construction Support – Sub tasks and budget updated for a program of work up to December 2026 completion HMG \$15,070,210
- Task Order 102, Amendment 1 – H&H, Mitigation and Permitting Support – Sub tasks and budget updated for a program of work up to December 2026 completion HMG \$10,489,441
- Master Services Agreement – Consulting Services – Public Outreach and Communications Support Michael H. Klein \$0

**10. OTHER BUSINESS**

**2022 Cash Budget Final Draft**

Mr. Paulsen reported that the 2022 cash budget final draft will be going to the board for approval at the December meeting.

**11. EXECUTIVE SESSION**

**MOTION PASSED**

**Mr. Strand made a motion to go into executive session and Dr. Mahoney seconded the motion. Members retreated to the River Room at 3:54 PM.**

**12. ADJOURNMENT**

**MOTION PASSED**

**A quorum returned to the Chambers at 4:35 PM. Mr. Steen made a motion to adjourn, and Mr. Ebinger seconded the motion. The meeting adjourned at 4:35 PM.**