

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on January 27, 2022. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of 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; Rick Steen, Cass County Commissioner; Rodger Olson, Cass County Joint Water Resource District and Larry Seljevold, Moorhead City Council.

Members absent: Shelly Carlson, Mayor, City of Moorhead and Dave Piepkorn, Fargo City Commissioner.

**1. CALL TO ORDER**

Mr. Campbell called the meeting to order at 3:00 PM. Roll call was taken, and a quorum was present.

**2&3. APPROVE MINUTES FROM DECEMBER 2021 AND JANUARY 2022**

**MOTION PASSED**

**Dr. Mahoney moved to approve the minutes from the December 2021 meeting and the January 2022 special meeting. Mr. Steen seconded the motion and on a voice vote, the motion carried.**

**4. APPROVE ORDER OF AGENDA**

**MOTION PASSED**

**Mr. Campbell moved to approve the order of the agenda as presented and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.**

**5. RESOLUTION APPOINTING VICE CHAIR & SECRETARY OF DA BOARD FOR 2022**

**MOTION PASSED**

**Mr. Ebinger nominated Mr. Campbell as the 2022 vice chair and Mr. Steen seconded the nomination. Mayor Dardis moved to cast a unanimous ballot and no additional nominations were taken. On a roll call vote, the motion carried.**

**MOTION PASSED**

**Mr. Strand moved to reappoint Ms. Lindblom as the secretary of the board and Mr. Steen seconded the motion. On a roll call vote, the motion carried.**

## **CONSENT AGENDA**

### **MOTION PASSED**

**Dr. Mahoney moved to approve the consent agenda as amended, to include items f & g, and Mr. Steen seconded the motion. On a roll call vote, the motion carried.**

## **6. EXECUTIVE DIRECTOR REPORT**

Mr. Paulsen provided an update regarding the P3, planning and on-going coordination activities.

### **P3 updates**

- Continued coordination with RRVA re. schedule, permitting, quality plans, etc.

### **Planning**

- Federal Funding update
- Risk Register workshop
- Communications strategic planning

### **On-going coordination**

- Utility/Township/Municipality MOUs and Agreements
- Settlement agreement commitment

## **7. GENERAL COUNSEL UPDATE**

### **a. Resolution Confirming DA Board & Committee Membership for 2022**

Mr. Shockley provided an updated membership list of the board and committee members for 2022.

### **MOTION PASSED**

**Dr. Mahoney moved to approve the board and committee membership as presented and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried.**

## **8. USACE PROJECT UPDATE**

Ms. Williams provided the following project update:

### **1 Diversion Inlet Structure (DIS) - Construction**

Structure includes 3-50 ft. wide Tainter gates. Construction is 79% complete and on schedule. Required completion date is 7 June 2023. Schedule for primary features:  
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 (WRRS) - Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 49% complete and on schedule. The required completion date is 20 October 2023. Schedule for primary features:

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 between County Roads 16 and 18. Construction is 37% complete and on schedule. The 4-lane bypass was opened on 27 October 2021. The mainline raise will 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, southwest of the Diversion Inlet Structure location. Construction is approximately 72% complete and ahead of schedule. Required completion date NLT 30 June 2023.

## 5 Red River Structure (RRS) - Procurement

Structure includes 3-50 ft. wide Tainter gates. The Request for Proposals (RFP) was issued on 12 October. Proposals were due 14 December and evaluations are ongoing.

Contract Award: NLT than 31 March 2022 Contract Completion: April 2026

## 6 Drain 27 Wetland Mitigation Project - Procurement

Solicitation for bids: 27 January 22. Contract Award: 31 March 2022.

## 7 Drayton Dam Mitigation Project Design - Procurement

Pending issuance of permit by the NDDWR, current plan:

Solicitation for bids: 15 February 22 Contract Award: 29 April 22

## 8 Southern Embankment – Reach SE-2A - Procurement

Solicitation for bids: 30 March 22 Contract Award: 31 May 22

## 9 Southern Embankment Design – Reaches SE-1B, 2B, 4 and 5

SE-1B: 95% review starts 9 March 2022 SE-2B: 35% review starts March 2022

SE-4: Detailed design begins mid-February 2022 SE-5: Conceptual design continues

## 10 Additional 2022 Activities

Support P3 design/construction of the diversion channel. Forest and cultural mitigations. Complete pre-project geomorphology surveys. Emergency Action Planning. Water Control Manual.

## 9. PUBLIC OUTREACH UPDATE

Mr. Olson reported that the committee met and there were no actionable items. The focus areas for 2022 are:

- Lands program communications
- Community relations
- Internal and interagency comms
- Emergency management and crisis communications
- Public affairs and industry communications

## 10. LAND MANAGEMENT UPDATES

Mrs. Scherling reported that they continue to make strides with the environmental monitoring and flowage easements.

Ms. Smith reported that they are finalizing the flowage easement packets and simplifying the language to make it easier to understand. A draft of the letter will be presented at the February 24<sup>th</sup> meeting. Informational open houses will be held on March 14<sup>th</sup>- 22<sup>nd</sup>.

### MCCJPA

Mr. Campbell reported that two appraisals and two relocation reimbursements were approved at the December meeting. 2022 farm lease agreements will be discussed at the January meeting and an executive committee meeting will be held to discuss land negotiations. It is also anticipated that a contractor amendment will be approved.

### CCJWRD

Mr. Olson reported that work continues on the environmental monitoring easements, but the process has been slow. Two relocation reimbursements were approved and one replacement housing for a landowner in the staging area.

## 11. FINANCE UPDATE

### a. WP50F Recommendation to Accept Bids and Awards

Mayor Dardis reported that the MOUs and MURAs were approved as well as the two resolutions and the bid award for demolition.

Mr. Costin gave the financial report and Mr. Paulsen reported that Eide Bailly will be conducting the 2021 audit for the Diversion Authority.

Public bids were open for property structure mitigation. After the bids were received, it was determined to award the bid to Schmidt & Sons Construction in the amount of \$224,900.75

**MOTION PASSED**

**Dr. Mahoney moved to approve the structure mitigation bid to Schmidt & Sons Construction and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried.**

**b. Financial Plan Schedule Update**

Mr. Paulsen reported that Ernst & Young will be conducting the financial plan based on the complexities with the risk register, loans, money received, etc. The final plan will be presented at the March finance and board meetings.

**12. OTHER BUSINESS**

**a. Cemetery Protection Plan Overview**

Mr. Shockley provided an overview and summary of the cemetery mitigation plan.

**Background**

- FEIS states cemeteries in the Staging Area will be impacted by the Comprehensive Project
- USACE released federal cemetery mitigation plan identifying options for impacted cemeteries
- MN DNR Dam Safety and Public Waters Work Permit Condition No. 25 requires the Authority to address impacts to cemeteries in MN
- Authority formed Local Cemetery Mitigation Team to build upon USACE's efforts and to create mitigation plan
- Settlement Agreement requires Authority to provide funds and plans for cemeteries
- PRAM requires development of Cemetery Protection Plan
- Very limited resources to use as precedent for development for the cemetery mitigation plan

**Purpose**

- Plan A was the basis for federal cemetery study conducted by USACE
- As a result of approval of Plan B and changes to the comprehensive Project, the Authority developed the Cemetery Protection Plan
- The Cemetery Protection Plan identifies impacts and mitigation measures for cemeteries in the Staging Area impacted by the Comprehensive Project

**Impacted Cemeteries:**

Six cemeteries may experience impacts as a result of the Comprehensive Project:

- Clara Cemetery
- Eagle Valley Evangelical Cemetery
- Hemnes Cemetery
- North Pleasant Cemetery
- Roen Family Cemetery
- Wolverton Cemetery

**b. MFDA 2022 Public Meeting Calendar**

**MOTION PASSED**

**Mr. Campbell moved to approve the 2022 public meeting calendar as presented and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried.**

**13. NEXT MEETING**

The next meeting will February 24, 2022.

**14. ADJOURNMENT**

**MOTION PASSED**

**Dr. Mahoney moved to adjourn, and Mr. Campbell seconded the motion. The meeting adjourned at 4:37 PM.**