

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on July 22, 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; David Ebinger, Clay County Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner; Rick Steen, Cass County Commissioner; Larry Seljevold, Moorhead City Council and Rodger Olson, Cass County Joint Water Resource District.

Members absent: John Strand, Fargo City Commissioner; Chuck Hendrickson, Moorhead City Council and Dave Piepkorn, Fargo City Commissioner.

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 JUNE 2021 MEETING

MOTION PASSED

Mayor Dardis moved to approve the June 18, 2021, special meeting minutes along with the June 24, 2021, regular meeting minutes and Mr. Peterson seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF AGENDA

MOTION PASSED

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

CONSENT AGENDA APPROVAL

Mr. Paulsen asked that item 8a. iii Stanley Township MOU SEAI be removed from the consent agenda. It was not discussed at the meeting due to their legal counsel not being present.

MOTION PASSED

Dr. Mahoney moved to approve the consent agenda as amended and Mr. Steen seconded the motion. On a roll call vote, the motion carried.

4. EXECUTIVE DIRECTOR REPORT

Mr. Paulsen provided the following July update:

P3 updates

- Coordination with RRVA to move towards commercial close in August and financial close in October.

Communications

- Outreach with NDSCS, M State and others concerning workforce development
- Outreach with The Chamber related to potential industry related impacts
- Communications Plan

On-going coordination

- Utility/Township/Municipality MOUs and Agreements
- Settlement Agreement status update prepared to submit ahead of August 1, 2021, for on-going six-month updates
- Permit coordination

5. GENERAL COUNSEL UPDATE

Mr. Shockley provided a summary and explanation outlining the purpose and need for the following resolution:

a. Resolution Establishing the Alternative Dispute Resolution Board

Lengthy discussion centered around the appointment list of officers for the resolution board. Mr. Steen recommended tabling the resolution until next month and asked that Mr. Paulsen provide clarification on how the officers were determined.

MOTION PASSED

Dr. Mahoney moved to table approval of the resolution until the August meeting and Mayor Dardis seconded the motion. On a roll call vote, the motion carried.

6. USACE PROJECT UPDATE

Ms. Williams provided the following USACE update:

1 Diversion Inlet Structure Construction

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

Construction is 51%

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. Continue 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 40% 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. Continue gate fabrication.

2022: Control building, dam embankment.

2023: Complete excavation, dam embankment, gate installation, seed.

2024: Turf established.

3 I-29 Raise Construction

Includes approximately 4 miles of interstate raise south of the Wild Rice River. Utilizes excess borrow material from the future site of the Red River Structure. 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. Required completion date NLT 30 June 2023.

5 Red River Structure Design

Structure includes 3-50 ft. wide Tainter gates. The design of this critical-path feature remains on schedule. The final review began on 12 July 2021. Final plans and specs are scheduled to be completed late-August 2021. Award of a construction contract is being planned for late March 2022.

6 Southern Embankment – Reach SE-1B Design

65% review scheduled to begin in October 2021.

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

The final design review is scheduled to begin mid-August 2021. Final plans and specifications are scheduled for November 2021. Reach SE-2B 35% design review is scheduled to begin late-Oct 2021.

8 Drain 27 Wetland Mitigation Project Design

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

9 Drayton Dam Mitigation Project Design

The final plans and specs are currently due 1 October 2021 with a construction contract award planned for February 2022. This mitigation project includes replacing the existing dam to incorporate fish passage.

7. PUBLIC OUTREACH UPDATE

Mr. Olson reported that the committee shared the communications plan with the team. Ms. Darling stated that mid-August is the target date to have the communications plan in place.

8. LAND MANAGEMENT UPDATES

Property Acquisition Status Report

Mrs. Scherling reported that the current focus is on the Red River Control Structure, Drain 27 and SE2-A. 581 parcels have been acquired to date and 90 remain in LRED status.

Exchange of Project Owned Land – OIN 1121

The Cass County Joint Water Resource District (CCJWRD) is requesting that the Diversion Authority approve the exchange of OIN 1121 to Mr. Eric Score to serve as a replacement building site for his home and business. Mr. Score is the current owner of OIN 8385, where he operates Score Brothers Construction and Siding Inc. This parcel is impacted by both the Drain 27 Wetland Restoration Project and the Upstream Mitigation Area, Zone 1. These impacts require the acquisition and displacement of Mr. Score and his property. The requested land exchange will help CCJWRD and the displaced property owner overcome the challenge of finding suitable replacement building sites.

MOTION PASSED

Dr. Mahoney moved to approve the property exchange request as presented by Mr. Dodds and Mrs. Scherling seconded the motion. On a roll call vote, the motion carried.

Mr. Campbell reported that the MCCJPA met today, and two of the four RRCS acquisitions have been completed and they continue to work with the other two property owners. Four additional appraisals and two differential housing agreements have been approved. The pest control issue was remedied in the log cabin that will be moved to Rollag.

Mr. Olson reported that two appraisals were approved. He also reported that the easement process is going slow and property owners do not want to give up their land for a long period of time. Overall, things are going as expected.

9. FINANCE UPDATE

Mayor Dardis reported that the Finance Committee met and approved the IBI change order and recommended that it go to the Board for final approval.

MOTION PASSED

Dr. Mahoney made a motion to approve the IBI change order and Mayor Dardis seconded the motion. On a roll call vote, the motion carried.

10. OTHER BUSINESS

There was no other business.

11. NEXT MEETING

The next meeting will be August 26, 2021, at 3:30 PM.

12. ADJOURNMENT

MOTION PASSED

Mr. Campbell moved to adjourn the meeting and Mrs. Scherling seconded the motion. The meeting adjourned at 4:32 PM.