

Metro Flood Diversion Authority Planning Committee Meeting Minutes

1:00 P.M. – March 7, 2023
City of Fargo River Room

A meeting of the Metro Flood Diversion Authority Planning Committee was held on March 7, 2023. The following members were present: Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Shelly Carlson, Mayor, City of Moorhead and Mary Scherling, Cass County Commissioner.

Members absent: Rodger Olson, Cass County Joint Water Resource District and Kevin Campbell, Clay County Commissioner.

1. CALL TO ORDER

Mayor Mahoney called the meeting to order at 1:11 PM. Roll call was taken, and a quorum was present.

2. APPROVAL OF MINUTES FROM FEBRUARY 2023

MOTION PASSED

Mayor Dardis moved to approve the minutes from the February 21, 2023, meeting and Mrs. Scherling seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF AGENDA

MOTION PASSED

Mrs. Scherling moved to approve the order of the agenda and Mayor Dardis seconded the motion. On a voice vote, the motion carried.

4. RECREATION TASK FORCE DEVELOPMENT

Mr. Paulsen shared that the intent of the recreational task force is to define a direction and scope for the recreational plan. It is in concept phase and will expand as the plan develops. It was noted that RRVA will be included in the discussions as the recreational plan could potentially change the operations and maintenance costs to be charged by RRVA and could also result in additional capital costs.

Mr. Paulsen will compile a list of potential task force members representing the cities of Fargo, West Fargo, Horace and Moorhead as well as Cass County.

5. MINNESOTA FUNDING AND LOBBYING EFFORTS

Mr. Paulsen reported that \$60 million is being requested by the MCCJPA. The City of Moorhead's request from last year is in the current bonding bill but was reduced to \$11 million from the original request of \$24 million. The \$60 million request prioritizes funding requests as between projects, in, and those outside of the City of Moorhead. If the funding is received, it will cover the requirement that the Minnesota Member entities request funding from the Minnesota legislature in accordance with the JPA.

6. EMINENT DOMAIN LESSONS LEARNED

Ms. Smith shared three key points regarding the eminent domain process:

- Most of the filings are in North Dakota and it generally takes two years for the entire process to be completed.
- Eminent domain is the path chosen before proceeding to quick take action.
- There are a lot of complexities in the eminent domain process and there are several requirements that must be met prior to filing with the courts.

7. OPERATIONS AND MAINTENANCE CONTRACTS

Mayor Mahoney asked if it is feasible, effective now, for all O&M costs to be paid by the DA, using sales tax revenues. Mr. Shockley commented that while sales tax receipts are ahead of projections, that under the financial plan, the sales tax is to be used first to repay debt. The Authority has been working on a comprehensive model to cover the operations and maintenance costs and there is some complexity as it relates to in-town works as some of those projects benefit both the City and the Comprehensive Project. He also commented that a budget is needed that defines the O&M costs and a full policy needs to be developed.

Mr. Nicholson commented that it may be beneficial to have this discussion after the legislative session since we will have a better understanding of the financial picture at that time.

8. OTHER BUSINESS

Mayor Mahoney inquired how the P3 compliance was going and asked that this remain as a regular topic on the planning meeting agenda. Mr. Shockley and Mr. Paulsen commented that the majority of the non-compliance points are administrative in nature and generally not related to the actual construction.

9. NEXT MEETING

The next meeting will be April 11, 2023.

10. ADJOURNMENT

The meeting adjourned at 2:11 PM.