

Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 P.M. – November 17, 2022

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on November 17, 2022. The following members were present: Chad Peterson, Cass County Commissioner; Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Chuck Hendrickson, Moorhead City Council; David Ebinger, Clay County Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner; Rick Steen, Cass County Commissioner and Rodger Olson, Cass County Joint Water Resource District.

Members absent: Shelly Carlson, Mayor, City of Moorhead; Dave Piepkorn, Fargo City Commissioner; John Strand, Fargo City Commissioner and Larry Seljevold, Moorhead City Council.

1. CALL TO ORDER

Mr. Peterson called the meeting to order at 3:31 PM. Roll call was taken, and a quorum was present.

2. APPROVE MINUTES FROM THE OCTOBER 2022 MEETING

MOTION PASSED

Mr. Jacobson moved to approve the minutes from the October 2022 meeting and Mr. Steen 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

MOTION PASSED

Mrs. Scherling moved to approve the consent agenda and Mr. Ebinger seconded the motion. On a roll call vote, the motion passed.

4. EXECUTIVE DIRECTOR REPORT

Mr. Paulsen provided the following updates:

Happenings

Media & Event Highlights

- Presented “Establishing Governance & Funding for the FM Area Diversion Project” at Minnesota Association of Floodplain Managers Conference
- Tours for FM Engineers and NDSU Drainage & Wetland Engineering students
- Public meetings on supplemental crop insurance programs and flowage easements

P3 Updates

- Excavation happening on first 3 reaches of the channel
- 5 utility relocations underway
- Working around the clock, including weekends
- Reviewing 100+ submittals

5. GENERAL COUNSEL UPDATE

Mr. Shockley did not have any updates to report.

6. USACE PROJECT UPDATE

Mr. Paulsen provided the following USACE update:

1. Diversion Inlet Structure (DIS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 89% complete and remains on schedule. Required completion date is 7 June 2023. Preparations continue for gate setting this winter. Bridge beams/deck and downstream riprap being installed. Schedule for remaining primary features: 2022-2023: Install bridge deck, gates, and operating machinery, seeding. 2024: Turf established.

2. Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 75% complete and remains on schedule. The required completion date is 20 October 2023. Work on dam walls and approach aprons nearing completion. Gate #2 installation planned prior to Thanksgiving. Install of mechanical platform/vehicle service bridge ongoing. Schedule for remaining primary features: 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 60% complete and remains on schedule. The CR18 interchange opened this week. IBI continues to pave the mainline raise, to be complete Summer 2023. Required completion date NLT 1 January 2024.

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

Construction is nearing completion. Final inspection held 10 Nov 22 and O&M Manual being completed. Turnover to the Diversion Authority for Operations and Maintenance being scheduled.

5. Red River Structure (RRS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 6% complete. Structural excavation, embankment construction and foundation pile driving ongoing. Required completion date is 19 March 2026.

6. Drain 27 Wetland Mitigation Project – Construction

Pre-final inspection held 9 Nov 2022. Native plantings contract to be issued November 2022 or later, dependent on remaining land acquisition.

7. Drayton Dam Mitigation Project Design – Construction

Sheet pile weir complete. Riprap being placed. Removal of the existing dam planned for Summer 2023. Anticipated completion is Fall 2023.

8. Southern Embankment – Reach SE-2A – Construction

Inspection trench and embankment placement continues. Anticipated completion is Sept. 2024.

9 Southern Embankment Design – All remaining reaches are being designed.

SE-1B: Final design signoff pending. Contract award: February 2024

SE-2B: 95% review starts mid-Jan 2023. Contract award: April 2024

SE-3: 35% review starts mid-Jan 2023. Contract award: January 2025

SE-4: 35% review starts mid-March 2023. Contract award: April 2024

SE-5: 35% review starts mid-Jan 2023. Contract award: January 2025

7. COMMUNICATIONS UPDATE

A drone video highlighting the progress at the project sites as of November 2022 was viewed; Ms. Willson provided the following updates:

- **The Diversion Current:** Issue 6 was distributed on November 2 resulting in 42.9% of opens
- **Videos:** released ASN equipment operator; next is ASN HR director for Faces of the Diversion
- **Media:** Drone footage shared on local TV stations; feature published in The Good Life magazine

8. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Ms. Smith provided the following property acquisition status report:

- 91.3% completion in the Construction Footprint
- 29.4% completion in the UMA Footprint
- 74.7% of the parcels in the Southern Embankment have been acquired
- 29.4% of the parcels in the Upstream Mitigation Area have been acquired
- 71.8% of the Environmental Easements have been signed
- 98.5% of the parcels in the Stormwater Diversion Channel have been acquired
- 100% of the Oxbow-Hickson-Bakke levee, MFDA constructed in-town levees and the Drayton Dam mitigation is completed

Key Activities

- Held two public meetings in North Dakota and Minnesota regarding Crop Insurance and Flowage Easements
- Continue negotiating settlement agreements for existing eminent domain actions
- Batch #1 of the last written offers for Flowage Easements went out to ten property owners
- Finalizing batch #2 of last written offers for Flowage Easements for 16 property owners
- Planning and coordination for batch #3 of last written offers for Flowage Easements

9. FINANCE UPDATE

Mayor Dardis shared Ms. Gayhart's financial report indicating that the bills for November totaled \$11,594,911 and the current net position is \$145,006,235. Mayor Dardis reported that a buildable units diagram will be created to provide current financial updates and tracking of where funds are being spent on the Channel.

Mayor Dardis thanked Mr. Steen for his years of service as a member of the finance committee and Board of Authority and wished him well in his new endeavors.

10. OTHER BUSINESS

Mr. Paulsen reported that the "draft" 2023 cash budget will likely be presented at the December meeting for final approval.

11. NEXT MEETING

The next meeting will be December 15, 2022.

12. ADJOURNMENT

Mr. Campbell moved to adjourn, and Dr. Mahoney seconded the motion. The meeting adjourned at 3:57 PM.