

Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 P.M. – April 27, 2023

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on April 27, 2023. The following members were present: Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Chad Peterson, Cass County Commissioner; Shelly Carlson, Mayor, City of Moorhead; Chuck Hendrickson, Moorhead City Council; Dave Piepkorn, Fargo City Commissioner; David Ebinger, Clay County Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner; Tony Grindberg, Cass County Commissioner and Rodger Olson, Cass County Joint Water Resource District.

Member(s) absent: John Strand, Fargo City Commissioner and Larry Seljevold, Moorhead City Council.

1. CALL TO ORDER

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

2. APPROVE MINUTES FROM THE MARCH 2023, MEETING

MOTION PASSED

Mr. Campbell moved to approve the minutes from the March 2023, meeting and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF AGENDA

MOTION PASSED

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

CONSENT AGENDA

MOTION PASSED

Mr. Campbell moved to approve the Consent Agenda and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried.

4. EXECUTIVE DIRECTOR REPORT

Mr. Paulsen provided the following updates:

Happenings

Speaking & Outreach Highlights

- Cass County Electric: Construction updates provided on two days for different employee groups
- Sandbag Cass: 21 volunteered with MFDA and Jacobs; more from RRVA
- City of Moorhead: Presented on lands and flowage easements to executive session
- KFGO-AM: Discussed project status with Joel Heitkamp
- Township Meetings: Eagle, Wiser, Harwood and Raymond to provide project updates

Program Highlights

- Completed Lower Otter Tail River Restoration Project funding agreement

5. GENERAL COUNSEL UPDATE

Mr. Shockley did not have an update to report.

6. CONSTRUCTION PROJECT UPDATES

a. USACE Project Update

Ms. Williams provided the following USACE update:

1 Diversion Inlet Structure (DIS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 93% complete and remains on schedule. Construction completion date is 7 June 2023. All 3 gates are in place. Schedule for remaining primary features:

2023: Complete install bridge and mechanical platform decks, operating machinery, seeding.

2024: Turf established.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 91% complete and remains on schedule. The construction completion date is 3 December 2023. River diverted through the engineered channel on 31 March 2023. Remaining schedule:

2023: Control building, complete install of mechanical platform/vehicle service bridge, complete install gate operating machinery, place dam embankment across river channel, seeding.

2024: Turf established.

3 I-29 Raise – Construction

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 74% complete and remains on schedule. Construction completion date is 1 January 2024. Most work remains paused for winter. Paving of the mainline raise to be complete Summer 2023.

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

Construction was completed 10 November 2022. O&M Manual being completed. Partial turnover to the Diversion Authority for Operations and Maintenance occurred on 29 December 2022.

5 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 11% complete. Construction completion date is 19 March 2026. Foundation pile driving is ongoing. Structural concrete pours are anticipated to begin last week of April 2023.

6 Drain 27 Wetland Mitigation Project - Construction

Construction was completed 2 December 2022. Native plantings 5-year service contract was advertised for bids on 1 February 2023. Contract award anticipated in May 2023.

7 Drayton Dam Mitigation Project Design - Construction

Construction is 54% complete. Removal of the existing dam planned for Summer 2023. Construction completion is 30 September 2023.

8 Southern Embankment – Reach SE-2A - Construction

Construction is 12% complete. All work has paused for the winter. Scheduled completion date is 30 Sept. 2024.

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

SE-1B: Final design review Aug 2023. Contract award: February 2024

SE-2B: BCOES review starts Apr 2023. Contract award: April 2024

SE-3: 65% review starts mid-Aug 2023. Contract award: January 2025

SE-4: 65% review starts late-June 2023. Contract award: April 2024

SE-5: 65% review starts late-July 2023. Contract award: January 2025

OHB Reach 43B: 95% review starts mid-July 2023 Contract award: February 2024

b. SWDCAI Project Update

Mr. Fuchs provided an update of the construction map that shows current work in progress, 30 and 60 day projected progress:

Design Submittal & Review Progress

- Over 1,000 review cycles
- 68 Approved Designs
 - 53 Utility
 - 15 Design
- 90 Submittals In-Review

Construction Look Ahead

- Reach 3
 - Excavating Channel

Bridges

- CR 4/31
- I-29/BNSF/CR 81 Bypass

Drain Inlets

- Drain 29 & 30

Maple River Aqueduct

c. Drone Footage

A drone video highlighting the progress that has been achieved since March was viewed.

7. COMMUNICATIONS UPDATE

Mr. Paulsen provided the following Communications update:

Videos:

- Faces of the Diversion: Brandi Aune (ASN support) released in April
- Animated P3 101 released in April
- Q1 Analytics: 343.4 hours viewed on MFDA YouTube

Media Relations:

- Construction update on KFGO
- WRRS coverage
- Overland flooding story
- I-29 construction coverage

8. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Ms. Smith provided the following property acquisition status report:

- 86.7% completion in the Construction Footprint
- 36.7% completion in the UMA Footprint
- 68.6% of the parcels in the Southern Embankment have been acquired
- 36.7% of the parcels in the Upstream Mitigation Area have been acquired
- 72% of the Environmental Easements have been signed
- 93.2% of the parcels in the Stormwater Diversion Channel have been acquired
- 97.4% of the Oxbow-Hickson-Bakke levee
- 100% MFDA constructed in-town levees and the Drayton Dam mitigation is completed

Key Activities

- Continue negotiating settlement agreements for existing eminent domain actions
- Received final ROW request from USACE for remaining portions of OHB Ring Levee
- USACE approved our request to raise three roads in Zone 2 and map-out 9 properties from Zone 1
- Batch #6 filing for eminent domain action was requested on 5 property owners
- In the last month 6 parcels/5 landowners successfully closed
- 44 farmland leases have been completed for the upcoming season (38 in ND, 6 in MN)

9. FINANCE UPDATE**Finance Report**

Mayor Dardis reported that the bills payable as of April 19, 2023, total \$6,871,312 and the current net position is \$165,863,660.

a. WP38A Recommendation to Accept Bid and Award

Mr. Barthel reported that the bid for property mitigation in the upstream mitigation area was approved, awarding the bid to Industrial Builders, the lowest bid at \$473,000.

MOTION PASSED

Mr. Peterson moved to award the bid to Industrial Builders and Mrs. Scherling seconded the motion. On a roll call vote, the motion carried.

b. Eide Bailly 2022 Financial Audit Notification Letter

Mr. Paulsen reported that the 2022 audit is being conducted and will be reported to the finance and board upon completion.

10. OTHER BUSINESS

Mayor Mahoney asked that board members complete their reviews on Mr. Paulsen and send them back to Mr. Shockley ASAP so Mr. Paulsen's 2022 performance evaluation can be completed.

11. NEXT MEETING

The next meeting will be May 25, 2023.

12. ADJOURNMENT

Mr. Peterson moved to adjourn, and Mr. Campbell seconded the motion. The meeting adjourned at 3:54 PM.