

# Metro Flood Diversion Authority Board of Authority Meeting Minutes

**3:30 PM – October 26, 2023**

**City of Fargo Commission Chambers**

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on October 26, 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; Chuck Hendrickson, Moorhead City Council; David Ebinger, Clay County Commissioner; John Strand, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Dave Piepkorn, Fargo City Commissioner; Mary Scherling, Cass County Commissioner; Rodger Olson, Cass County Joint Water Resource District and Larry Seljevold, Moorhead City Council.

Member(s) absent: Shelly Carlson, Mayor, City of Moorhead and Tony Grindberg, Cass County Commissioner.

**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 SEPTEMBER 2023 MEETING**

**MOTION PASSED**

**Mr. Campbell moved to approve the minutes from the September 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 as amended to remove items 8b., and 10a., and Mr. Peterson seconded the motion. On a voice vote, the motion carried.**

**CONSENT AGENDA**

**MOTION PASSED**

**Mr. Strand moved to approve the Consent Agenda, items a. through d., and Mr. Hendrickson seconded the motion. On a roll call vote, the motion carried.**

**4. EXECUTIVE DIRECTOR REPORT**

Mr. Paulsen provided the following updates:

**Happenings**

Presentations & Events:

- ND Emerging Prairie: Curiosity Week – Panel Presentation
- National Academy of Construction Award Presentation
- Storm Surge Task Force – Discussions
- Hosted reporter from Engineering News Record

**5. GENERAL COUNSEL UPDATE**

Mr. Shockley did not have an update to report.

**6. CONSTRUCTION PROJECT UPDATES**

**a. USACE Project Update**

Colonel Swenson provided the following USACE update:

**1 Diversion Inlet Structure (DIS) – Construction**

Structure includes 3-50 ft. wide Tainter gates. Construction is 98% complete. Construction completion date is currently estimated to be in December 2023 due issues related to the gate machinery. Sill beam repairs ongoing. Schedule for remaining primary features:

2023: Complete operating machinery install, seeding.

2024: Turf established.

**2 Wild Rice River Structure (WRRS) – Construction**

Structure includes 2-40 ft. wide Tainter gates. Construction is 95% complete and remains on schedule. The construction completion date is 3 December 2023. Constructing eastern earthen dam and bridge deck and remaining earthwork continues. Remaining schedule:

2023: Bridge deck, dam embankment, seeding.

2024: Turf established.

**3 I-29 Raise – Construction**

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 90% complete. Borrow ditch bridges are complete. Traffic to be switched to all new lanes by 1 November. Current construction completion date is 1 January 2024.

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

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

**5 Red River Structure (RRS) - Construction**

Structure includes 3-50 ft. wide Tainter gates. Construction is 37% complete. Construction completion date is 19 March 2026. Concrete placements for approach wall foundations and abutments ongoing. Constructing temporary bridge across the Red River. Completion date is 19 March 2026.

**6 Drain 27 Wetland Mitigation Project Plantings - Construction**

Native plantings 5-year contract awarded 17 May 2023. Seeding has commenced. Completion date is 1 December 2027.

**7 Drayton Dam Mitigation Project Design - Construction**

Construction is 95% complete. All placement in the river is complete. Willow plantings in 2024. Construction completion is 20 November 2023.

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

Construction is 68% complete. Embankment construction ongoing with 1/3 built to full height. Scheduled completion date is 30 September 2024.

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

SE-1B: BCOES review complete ..... Contract award: February 2024

SE-2B: BCOES review complete ..... Contract award: April 2024

SE-3: 95% review starts March 2024 ..... Contract award: January 2025

SE-4: 95% review starts Jan 2024 ..... Contract award: May 2024

SE-5: 95% review starts Jan 2024 ..... Contract award: January 2025

OHB Reach 43B: BCOES review starts Oct 2023 ..... Contract award: February 2024

**b. SWDCAI Project Update**

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

**New Features Under Construction**

- CR-20
- Channel Reach 8
- I-94
- 32ndAve

**30 to 60 Day Outlook**

- Raymond Township Drain Inlets\*
- Channel Reach 9\*
- CR-22, CR-14, CR-16/17 Crossings\*
- \*Weather permitting

**Misc. Updates**

- Diversion Outlet –starting placement of boulder weirs
- I-29 Bypass –4 lanes open to traffic by 11/1
- BNSF Prosper Subdivision Rail Line –BNSF installing shoefly track
- Total channel excavation surpassing 14 million CY to date

**c. Project Safety Update**

Mr. Bakkegard provided an update on the safety statistics for the period September 1-30, 2023, and noted that there was one recordable event.

**d. Drone Footage Video**

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

**7. COMMUNICATIONS UPDATE**

Ms. Willson provided the following Communications update:

**Videos:**

- Faces of the Diversion: Yehuda Ken-Dror, ASN Constructors
- Contributed to NAC Award video
- Update on BNSF, CR and interstate crossings

**Media Relations+:**

- Engineering News Record piece expected 11/13/23
- The Forum: Project update (10/2/23) & Recreation Task Force (10/22/23)
- Chamber Advertorial expected November/December

**Coming Soon:**

- November newsletter: winter prep focus
- Faces of the Diversion: Greg Yavicoli, ASN Constructors
- Winter preparations for excavating video

**8. LAND MANAGEMENT UPDATE**

**a. Property Acquisition Status Report**

Ms. Smith provided the following property acquisition status report:

- 90.8% completion in the Construction Footprint
- 44.6% completion in the UMA Footprint
- 77.7% of the parcels in the Southern Embankment have been acquired
- 44.6% of the parcels in the Upstream Mitigation Area have been acquired
- 72.6% of the Environmental Easements have been signed

- 96.2% 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
- In the last month, successfully closed 16 parcels / 4 landowners
- Received authorization to send Last Written Offer letters for property rights in MN parcels to maintain construction schedule
- Approved the first plat of project lands in Wisner Township for the Diversion Channel
- Approved three declarations of Excess Lands, and began the process to dispose of Excess Lands following policy

**9. FINANCE UPDATE**

**Finance Report**

Mayor Dardis reported that the bills payable totaled \$20,688,626, and the current net position is \$218,921,233. Mayor Dardis also reported that Mr. Paulsen and Mr. Barthel presented version 2 of the 2024 draft cash budget and indicated that the final cash budget will be presented to the board in December.

**10. OTHER BUSINESS**

There was no other business to report.

**11. CLOSED EXECUTIVE SESSION**

**MOTION PASSED**

**Mr. Peterson moved to go into executive session and Mayor Dardis seconded the motion. On a roll call vote, the motion carried, and members retreated to the Red River Room at 4:00 PM.**

**12. NEXT MEETING**

The next meeting will be November 16, 2023.

**13. ADJOURNMENT**

A quorum returned to the Chambers at 4:55 PM; the meeting adjourned at 4:58 PM.