

# Metro Flood Diversion Authority Board of Authority Meeting Minutes

**3:30 PM – November 16, 2023**  
**City of Fargo Commission Chambers**

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on November 16, 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; Chad Peterson, Cass County Commissioner; David Ebinger, Clay County Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner; Tony Grindberg, Cass County Commissioner; Rodger Olson, Cass County Joint Water Resource District and Larry Seljevold, Moorhead City Council.

Member(s) absent: Chuck Hendrickson, Moorhead City Council; Dave Piepkorn, Fargo City Commissioner and John Strand, Fargo City Commissioner.

**1. CALL TO ORDER**

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

**2. APPROVE MINUTES FROM THE OCTOBER 2023 MEETING**

**MOTION PASSED**

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

**3. APPROVE ORDER OF THE AGENDA**

**MOTION PASSED**

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

**CONSENT AGENDA**

**MOTION PASSED**

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

**4. EXECUTIVE DIRECTOR REPORT**

Mr. Paulsen provided the following updates:

**Happenings**

**Presentations & Events:**

- DIS turnover celebration
- 3 presentations and a project tour for MN ASFPM Conference
- Presentations to groups from Norman County High School and Horace High School
- American Council of Engineering Companies of ND presentation

**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 99% complete. Construction completion date is currently estimated to be in December 2023 due issues related to the gate machinery.

Schedule for remaining primary features:

2023: Complete operating machinery corrections.

2024: Turf established.

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

Structure includes 2-40 ft. wide Tainter gates. Construction is 91% complete. The construction completion date is 3 December 2023. Completing construction of eastern earthen dam. Remaining schedule:

2023: 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 94% complete. Traffic was switched to all new lanes on 1 November. Current construction completion date is 1 January 2024.

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

Structure includes 3-50 ft. wide Tainter gates. Construction is 42% complete. Construction completion date is 19 March 2026. Placing concrete for abutments, piers, approach and retaining walls, dentated end sills, and stilling basins. Completion date is 19 March 2026.

**5 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.

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

Construction is 99% complete. All placement in the river is complete. Willow plantings in 2024 during low water conditions. Construction completion is 20 November 2023.

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

Construction is 68% complete. Embankment construction shutting down for the winter, with 1/3 built to full height and remaining to elevation 918. Scheduled completion date is 30 September 2024.

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

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

SE-2B: BCOES reviews complete ..... Contract award: January 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 complete ..... Contract award: March 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-22 (Bypass)
- Raymond Township South Drain Inlet
- Channel Reach 9
- CR-14 (Surcharge Embankments – off alignment)

#### **30 to 60 Day Outlook**

- Main channel excavation (will continue throughout the Winter months – in reaches already started)

#### **Misc. Updates**

- Diversion Outlet – boulder weir placement is now under-way
- BNSF - Prosper shoofly is now active, Hillsboro shoofly track installation is under-way
- CR-4/31 Crossing – pile driving is now under-way
- Maple River Aqueduct – foundation work continues, nearing first concrete placement
- SWDCAI Map Legend – updated to reflect additional progress as features become functional and completed (work in progress for future months)

### **c. Project Safety Update**

Mr. Bakkegard reiterated the safety statistics for the period September 1-30, 2023. Current stats will resume again in January.

### **d. Drone Footage Video**

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

## **7. COMMUNICATIONS UPDATE**

Ms. Willson provided the following Communications update:

#### **Videos:**

- Faces of the Diversion: Greg Yavicoli, ASN Constructors
- Animation: Preparations for winter excavation

#### **Media Relations+:**

- Engineering News Record piece published
- Widespread coverage of DIS turnover
- Chamber Advertorial expected November/December Bridge

#### **Coming Soon:**

- 2023 Year in Review pieces

## **8. LAND MANAGEMENT UPDATE**

### **a. Property Acquisition Status Report**

Ms. Smith provided the following property acquisition status report:

- 92.2% completion in the Construction Footprint
- 45.9% completion in the UMA Footprint
- 80.3% of the parcels in the Southern Embankment have been acquired
- 45.9% of the parcels in the Upstream Mitigation Area have been acquired
- 72.8% of the Environmental Easements have been signed
- 97.6% 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 23 parcels (8 MN, 15 ND) / 11 landowners (4 MN, 7 ND)
- 17 parcels / 4 landowners are scheduled to close in November
- Sent Last Written Offer letters to 51 landowners in MN and received acceptance from 4 landowners so far
- On November 6, 2023, the Horace City Council voted unanimously to withdraw their purchase of the BNSF rail corridor, CCJWRD and MFDA properties
- First preference letters related to the sale of 2 sets of Excess Lands were mailed to the Member Entities in accordance with the MFDA's Policy on the Disposition and Management of Comprehensive Lands

**9. FINANCE UPDATE**

**Finance Report**

Mayor Dardis reported that the bills payable totaled \$3,004,240, and the current net position is \$199,983,872. Mayor Dardis also reported that all three of the contracting actions that were presented were unanimously approved.

**10. OTHER BUSINESS**

**City of Fargo South University Floodwall Repair**

Mr. Paulsen introduced the resolution that was approved by the finance committee and board in January 2022, outlining the procedure for requesting that the City of Fargo undertake development of comprehensive project in-kind work elements and authorize the reimbursement of such development costs and expenses.

**MOTION PASSED**

**Mayor Dardis moved to continue going forward with the design of the floodwall repair, to be paid by the City of Fargo contingencies, not to exceed \$165,000. Mr. Campbell seconded the motion and on a roll call vote, the motion carried.**

**MOTION PASSED**

**Mr. Campbell moved not to table item 10 a (the above-referenced resolution) but to defer it back to the finance committee for further discussion and evaluation. Mrs. Scherling seconded the motion and on a roll call vote, the motion carried.**

**11. NEXT MEETING**

The next meeting will be December 14, 2023.

**12. ADJOURNMENT**

Mrs. Scherling moved to adjourn, and Mr. Ebinger seconded the motion. The meeting adjourned at 4:40 PM.