

Board Agenda



Diversion Board of Authority

May 23, 2024 @ 3:30 p.m. CST

This meeting will be in-person at Fargo City Hall Commission Chambers (225 4th St N, Fargo, ND 58102) and online.

1. Call to Order
 - a. Roll Call of Members
2. Approve minutes from April 11, 2024
[Attachment 00.01] (Pg. 3)
3. Approve minutes from April 25, 2024
[Attachment 00.02] (Pg. 4)
4. Approve Order of Agenda

CONSENT AGENDA – APPROVE THE FOLLOWING:

- a. Finance Report [Attachment 01.00] (Pg. 9)
- b. Voucher Approval [Attachment 02.00] (Pg. 35)
- c. DA Board Approval Contract Actions [Attachment 03.00] (Pg. 47)
 - i. Cass County Electric TO16, Amendment 0 [Attachment 03.01] (Pg. 49)
 - ii. LTP Enterprises, WP47C, Change Order 02 [Attachment 03.02] (Pg. 51)

REGULAR AGENDA:

4. Co-Executive Director Update
 - a. MFDA Employee Handbook Review
[Attachment 04.00] (Pg. 53)
 - b. Executive Director Next Steps
[Attachment 05.00] (Pg. 95)
5. General Counsel Update –
 - a. Resolution Amending the Appointment of Members to the Land Management Committee of the MFDA [Attachment 06.00] (Pg. 100)
 - b. Resolution Related to the Automatic Issuance and Exchange of Temporary Authority Loan Improvement Warrants
[Attachment 07.00] (Pg. 103)
6. Construction Project Updates
 - a. USACE Project Update

- [Attachment 08.00] (Pg. 105)
 - b. SWDCAI Project Update
[Attachment 09.00] (Pg. 107)
 - c. Project Safety Update Tom
[Attachment 10.00] (Pg. 108)
 - d. Drone Footage Video
 - 7. Communications Team Update
 - 8. Land Management Update
 - a. Property Acquisition Status Report
[Attachment 11.00] (Pg. 109)
 - 9. Finance Update
 - 10. Other Business.
 - a. WP52A Bid Award
[Attachment 12.00] (Pg. 115)
 - 11. Closed Executive Session pursuant to N.D.C.C. § 44-04-19.1, subdivision (2) and (5) and N.D.C.C. § 44-04-19.2 in anticipation of reasonably predictable and pending civil or adversarial administrative proceedings regarding the submittal of the ECR issue to the Technical Dispute Resolution Board and to receive external P3 Litigation Counsel's advice and guidance in anticipation of reasonably anticipated adversarial administrative proceedings and disputes regarding the interrelated matters of the status and potential application of Non-Compliance Points pursuant to the Project Agreement.

**No Final action concerning the topics discussed or considered during the above-described executive session is anticipated to be taken after the above-described executive session so the Board will then proceed to the second Closed Executive Session.*
 - 12. Closed Executive Session pursuant to N.D.C.C. § 44-04-19.1, subdivision (2) (5) and (9) and N.D.C.C. § 44-04-19.2 regarding an update from the Chair and External P3 Litigation and HR Counsel's advice and guidance regarding negotiating instructions and updates for a potential agreement with the Former Executive Director.
 - 13. Next Meeting: June 27, 2024
 - 14. Adjournment
-

MEDIA AND PUBLIC PARTICIPATION INFORMATION

There are multiple ways to attend or watch this public meeting.

- View the Meeting on Fargo TV or at www.TVFargo.com
- View the Meeting on the City of Fargo's Facebook or Twitter feed.
- View the Meeting at FMDiversion.com/Meeting
- View the Meeting at [Twitter.com/FMDiversion](https://twitter.com/FMDiversion)



Metro Flood Diversion Authority Special Board of Authority Meeting Minutes

7:00 AM – April 11, 2024

Hjemkomst Center, Willow Room

A special meeting of the Metro Flood Diversion Authority Board of Authority was held on April 11, 2024. The following members were present: Shelly Carlson, Mayor, City of Moorhead; Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Chad Peterson, Cass County Commissioner; 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; John Strand, Fargo City Commissioner; Rodger Olson, Cass County Joint Water Resource District and Larry Seljevold, Moorhead City Council.

Member(s) absent: no members were absent.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:58 AM. Roll call was taken, and a quorum was present.

2. APPROVE ORDER OF THE AGENDA

Mr. Strand moved to amend agenda item 3 to include an action item to accept the Executive Director's resignation.

MOTION PASSED

Mr. Strand moved to approve the order of the agenda as amended and Mr. Piepkorn seconded the motion.

On a roll call vote, the motion carried.

3. REPORT FROM GENERAL COUNSEL REGARDING EXECUTIVE DIRECTOR'S EMPLOYMENT CONTRACT

Mr. Shockley asked for a motion that would allow him to negotiate a rate of pay with Mr. Paulsen should his testimony be needed for any litigation matters. Mr. Strand requested that the motion be divided into two parts. The first motion to accept the Executive Directors resignation and the second motion to authorize the chair and general counsel to negotiate a contract with the Executive Director for his time if he is called to testify in Diversion related matters.

MOTION PASSED

Mayor Mahoney moved to accept the Executive Director's resignation and Mr. Grindberg seconded the motion. On a roll call vote, with Mr. Piepkorn and Mr. Strand voting "nay", the motion carried.

MOTION PASSED

Mayor Mahoney moved to authorize the chair and general counsel to negotiate a contract rate with Mr. Paulsen for litigation matters requiring his testimony and Mr. Ebinger seconded the motion. On a roll call vote, with Mr. Piepkorn and Mr. Strand voting "nay", the motion carried.

4. UPDATE FROM CO-EXECUTIVE DIRECTORS/DEPUTY EXECUTIVE DIRECTOR REGARDING UPCOMING MEETINGS

Co-executive directors Redlinger and Wilson will be assisting with the continuity of operations in the absence of an executive director.

5. NEXT MEETING

The next meeting will be May 25, 2024.

6. ADJOURNMENT

The meeting adjourned at 7:31 AM.



Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 PM – April 25, 2024

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on April 25, 2024. The following members were present: Shelly Carlson, Mayor, City of Moorhead; Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Chad Peterson, Cass County Commissioner; 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; John Strand, Fargo City Commissioner and Rodger Olson, Cass County Joint Water Resource District.

Member(s) absent: Larry Seljevoll, Moorhead City Council.

1. CALL TO ORDER

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

2. APPROVE MINUTES FROM THE MARCH 2024 MEETING

MOTION PASSED

Mr. Hendrickson moved to approve the minutes from the March 2024 meeting and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF THE AGENDA

MOTION PASSED

Mr. Grindberg moved to approve the order of the agenda as amended, moving item 4., board chair update, to precede the consent agenda and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.

MOTION FAILED

Mr. Strand made an additional motion requesting full disclosure to the diversion authority board, a detailed report of the April 9, 2024, planning committee executive session and the discussions(s) that followed. Mr. Piepkorn seconded the motion and on a roll call vote, the motion failed.

4. BOARD CHAIR UPDATE

Mayor Carlson provided the following board chair update:

There has been a lot of misinformation and rumors that have been floating around, so I wanted to take this opportunity to clarify what took place and state the facts.

In accordance with the JPA and the executive director employment agreement (Article 6), the executive director serves as a report to the Board chair. In that role, as Board chair, I was made aware of, and additionally had my own increasing concerns related to the former executive director's inappropriate communications with the P3 developer, his leadership abilities, and his insufficient communication with Board members. These warranted further examination. Separate from the Planning Committee, I met with the former director to discuss these concerns. I did not take, and I do not take, this responsibility as the chair, nor the information that was presented to me or the information that I personally had, lightly.

Based on the course of our discussion regarding the concerns with his work performance, I chose to present Joel with a letter that sought to offer him a non-disciplinary – and I want to fully emphasize that, that it was a non-disciplinary – paid administrative leave to examine the concerns more closely. After what I hoped would be placing him on a non-disciplinary paid administrative leave, I intended to immediately call a special Board meeting where the Board could either affirm my decision, override my decision, or take a completely different action, and the former executive director was made aware of that. It was also made clear to the former executive director that this was non-disciplinary action and again that the Board could have a different position than mine. At no point was he asked to resign or forced to resign. In fact, I told him several times he did not have to resign. The former director ultimately did decide to resign after this discussion and gave a verbal resignation.

As a result of his decision, I did call a special Board meeting, and the Board accepted his resignation in a 11-2 vote on April 11, 2024. In addition to that vote, there was also a vote to allow legal counsel and myself as the chair to negotiate with the former director regarding compensation for his time that may be needed for ongoing litigation matters.

Furthermore, considering all the discussion related to epoxy-coated rebar and the dispute resolution board, I've asked Dorsey Whitney to review the Metro Flood Diversion Authority's contract related to our specifications within that contract related and regarding epoxy-coated reinforcing steel and to provide an overview of the dispute resolution board process and timeline.

CONSENT AGENDA

MOTION PASSED

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

5. CO-EXECUTIVE DIRECTOR UPDATE

Mr. Wilson reported that he and Mr. Redlinger will continue to assist in keeping the project moving forward in the absence of an executive director.

6. GENERAL COUNSEL UPDATE

There was no general counsel update.

7. 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 will be revised pending outcome of modifications to the gate machinery design. Schedule for remaining work:

2024: Complete operating machinery corrections; turf established.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 97% complete. The construction completion date of 3 December 2023 was not met due to work remaining. Schedule for remaining work:

2024: Complete operating machinery corrections; resolve punchlist items; turf established.

3 I-29 Raise – Construction

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 99% complete. Final inspection held 3 January 2024; turf establishment to be extended to 26 July 2024. Planning for O&M documents and turnover is ongoing.

4 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 56% complete. Construction completion date is 19 March 2026. Placing concrete for piers, fabricating gates. Tainter gate #1 delivery continues.

5 Drain 27 Wetland Mitigation Project Plantings - Construction

Native plantings 5-year contract awarded 17 May 2023. Remaining seeding is in progress. Completion date for wetland establishment is 1 December 2027.

6 Drayton Dam Mitigation Project Design - Construction

Construction is complete. Turnover to MFDA for O&M occurred on 28 Nov 2023. Willow plantings in 2024 during low water conditions, potentially in May.

7 Southern Embankment – Reach SE-2A - Construction

Construction is 69% complete. Embankment construction shut down for the winter, with 1/3 built to full height and remaining to elevation 918. Scheduled completion date is 30 September 2024.

8 FY2024 Contract Awards:

OHB Ring Levee: Awarded 22 February

Reach SE-1B: Awarded 27 February

Reach SE-2B: Awarded 11 March

Forest Mitigation: Award pending, April 2024

Reach SE-4: Advertised: 2 April. Contract award planned for May 2024

9 Southern Embankment Design: Remaining Reaches:

SE-3: 95% review started 28 March 2024 Contract award: January 2025

SE-5: 95% review delayed until July 2024 Contract award: January 2025

10 Supplemental Environmental Assessment – Diversion Channel

Issued to disclose updated designs and impacts. Public comment period closed on 15 March 2024 and the final SEA is being prepared.

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

- Mapleton Township Drain Inlet
- Channel Reach 13

30- to 60-Day Outlook

- River/Drain Inlets
 - Rush
 - Lower Rush
 - Drain 14B
 - Drain 21C
 - Sheyenne Aqueduct
 - Drain 50
- CR-6 Crossing
- Channel Reach 10

Misc. Highlights

- Channel Excavation
- I-29
- Lower Rush Maintenance Road Bridge
- Maple River Aqueduct - Flume/Conduit Structure

c. Project Safety Update

Mr. Bakkegard provided the safety update for the period March 1, 2024, to March 31, 2024, and reported that it was a good month with only two minor injuries. Mr. Bakkegard also noted that we are nearing one million hours worked on the channel project.

d. Drone Footage Video

A drone video highlighting the progress that has been achieved since March 2024 was viewed.

8. COMMUNICATIONS UPDATE

Ms. Willson provided the following Communications update:

Outreach Support:

UND School of Engineering

Western Association of State Highway Transportation Officials Construction/Materials Committee Annual Meeting, hosted by ND DOT

UND Civil Engineering & Water Resources

Spring 2024 State Partners Conference

North Dakota Professional Communicators Recognition:

1st Place: MFDA Funding & Financing 101 video

** Advancing to national competition*

2nd Place: www.FMDiversion.gov editing and management

2nd Place: Public-Private Partnerships 101 video

2nd Place: The Diversion Current newsletter writing

2nd Place: Green & Dry: This Isn't Just About Flood Control specialty article

3rd Place: Single Advertisement: Turning the Tide Together

3rd Place: Advertising Campaign

Honorable Mention: The Diversion Current

9. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Mr. Dodds provided the following property acquisition status report:

- 95.4% completion in the Construction Footprint
- 48.0% completion in the UMA Footprint
- 88.7% of the parcels in the Southern Embankment have been acquired
- 48.1% of the parcels in the Upstream Mitigation Area have been acquired
- 74.3% of the Environmental Easements have been signed
- 99.0% 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
- Successfully completed the necessity hearing for property rights on 29 parcels/11 owners in MN
- In the last month, successfully closed 12 parcels/5 landowner groups (8 parcels in MN and 4 parcels in ND)
- Completed the Right of Way Certifications for SE-4 & SE-5

- Obtained Right of Entry on 32 of the 56 Christine Easement parcels (57%)
- Initiated Right of Way acquisition process with Wolverton property owners
- Finalized platting the Diversion Channel lands in Harwood and Berlin Townships
- Completed staking of farmable areas along the Southern Embankment and OHB project limits
- Continuing farmland leases for 2024

b. OINs 717Y 9732Y, 7247, 7248, 7249, 8385Y and 877 excess land recommendations (group one)

Mr. Dodds introduced the above-referenced excess land parcels, advising that they will be sold in two separate groups, and asked for approval to sell the parcels per the Excess Lands Policy.

OINs 717Y and 9732Y: it is recommended that these parcels be sold together as two small strips on the unprotected (western) side of the diversion channel.

OIN 7247: this parcel is part of the rail corridor south of Horace. The land committee recommended selling 2.46 acres at \$0.50/SF based on adjacent sales from BNSF. Bids may be received from both adjacent landowners and if so, it will need to be revisited by the lands committee. A ROE will be needed as we are required to remove the rail ballasts.

OIN 7248: this parcel is part of the rail corridor south of Horace, south of OIN 7247. Slightly over one acre, it is recommended to sell at \$0.50/SF based on adjacent sales from BNSF. It is the same landowner on both sides of the corridor, and they have expressed interest in purchasing.

OIN 7249: this parcel is part of the rail corridor south of Horace. Slightly under four acres, it is recommended to sell the parcel at \$0.50/SF based on adjacent sales from BNSF.

OINs 877 and 8385Y (group two)

OIN 877: we reserve the right to maintain a flowage easement with no structures allowed on this parcel. Located in the UMA, it is approximately 2.75 acres, and the recommended price is \$5,000/acre. This parcel is an expense to the project as we are paying for mowing and weed control.

OIN 8385Y: we reserve the right to maintain a flowage easement with no structures allowed on this parcel. Located UMA, it is slightly over eight acres. The recommended price is \$5,000/acre. This parcel is an expense to the project as we are paying for mowing and weed control.

MOTION PASSED

Mayor Mahoney moved to approve both the recommended motions as listed in the packet and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried.

10. FINANCE UPDATE

Finance Report

Mayor Dardis reported that the bills payable through April 17, 2024, totaled \$7,166,699, and the current net position is \$245,061,927. Mayor Dardis also reported three land acquisition directives (LADs) were presented and all were approved.

11. OTHER BUSINESS

There was no other business to discuss.

12. NEXT MEETING

The next meeting will be May 23, 2024.

13. ADJOURNMENT

The meeting adjourned at 4:59 PM.

790: FM Diversion Project Fund							770: Budget Fund			773: Excess Capital Fund			
	2011-2020	2021	2022	2023	2024	Total	2021-2023	2024	Total	2023	2024	Total	Grand Total
Revenues <small>Accrual Basis</small>													
City of Fargo	229,263,214	39,900,525	41,606,950	43,281,539	5,463,449	359,515,676	-	-	-	-	-	-	359,515,676
Cass County	238,074,113	20,605,468	20,077,388	21,720,075	2,739,429	303,216,473	-	-	-	-	-	-	303,216,473
State Water Commission	270,967,976	44,928,872	21,249,909			337,146,758	-	-	-	-	-	-	337,146,758
State of ND - Legacy Fund	-	-	105,992,160	129,134,268		235,126,428	-	-	-	-	-	-	235,126,428
State of ND - SRF	-	-	1,272,652	8,316,726	2,731,423	12,320,801	-	-	-	-	-	-	12,320,801
Cass County Joint Water Resource District	-	28,630,991				28,630,991	-	-	-	-	-	-	28,630,991
Other Agencies	706,805	-				706,805	-	-	-	-	-	-	706,805
City of Oxbow MOU Repayment	2,822,634	122,038				2,944,671	-	-	-	-	-	-	2,944,671
Reimbursements	168,602	52,055	18,930	15,735		255,322	-	-	-	-	-	-	255,322
Lease/Rental Payments	2,951,681	622,459	743,700	744,622	15,000	5,077,462	-	-	-	-	-	-	5,077,462
Asset Sales	1,235,569	1,802,265	1,348,132	4,125,699	303,705	8,815,371	-	-	-	-	-	-	8,815,371
Interest Income	4,790,772	1,011,554	1,377,312	7,208,616	3,338,195	17,726,448	-	-	-	-	-	-	17,726,448
Miscellaneous	4,886	7,336	1,987	70,350	567	85,127	3,320,850	554,550	3,875,400	-	-	-	3,960,527
Total Revenues	750,986,254	137,683,563	193,689,120	214,617,631	14,591,768	1,311,568,335	3,320,850	554,550	3,875,400	-	-	-	1,315,443,735
Expenditures													
7905 Army Corp Payments	53,159,000	-	-	24,800	-	53,183,800	-	-	-	-	-	-	53,183,800
7910 WIK - Administration	6,125,744	2,650,150	1,994,938	3,221,009	527,340	14,519,181	3,249,868	399,409	3,649,277	-	-	-	18,168,457
7915 WIK - Project Design	36,316,433	2,261,337	2,491,982	4,347,833	732,163	46,149,748	-	-	-	-	-	-	46,149,748
7920 WIK - Project Management	70,718,325	13,629,756	14,935,064	14,936,935	2,284,523	116,504,604	-	-	-	-	-	-	116,504,604
7925 WIK - Recreation	278,223	-	-	-	-	278,223	-	-	-	-	-	-	278,223
7930 LERRDS - North Dakota	275,657,728	42,321,398	53,946,968	73,284,991	3,739,228	448,950,313	-	-	-	-	-	-	448,950,313
7931 LERRDS - Minnesota	4,982,754	3,832,050	5,722,668	5,714,157	14,694,670	34,946,299	-	-	-	-	-	-	34,946,299
7940 WIK Mitigation - North Dakota	1,022,658	35,279,546	57,777	1,039,229	12,862	37,412,072	-	-	-	-	-	-	37,412,072
7941 WIK Mitigation - Minnesota	-	112,271	357,080	933,799	15,611	1,418,761	-	-	-	-	-	-	1,418,761
7950 Construction - North Dakota	104,100,296	25,488,649	17,899,069	17,768,082	632,656	165,888,752	-	-	-	-	-	-	165,888,752
7951 Construction - Minnesota	-	-	210,000	669,048	-	879,048	-	-	-	-	-	-	879,048
7952 Construction - O/H/B	33,612,243	2,070,541	646,144	118,976	15,317	36,463,221	-	-	-	-	-	-	36,463,221
7955 Construction Management	11,598,799	180,481	137,041	1,062	1,730	11,919,113	-	-	-	-	-	-	11,919,113
7959 SRF Construction	-	-	5,936,985	7,781,266	-	13,718,251	-	-	-	-	-	-	13,718,251
7980 Operations & Maintenance	190,811	2,971	138,066	83,898	-	415,746	-	-	-	-	-	-	415,746
7990 Project Financing	48,092,864	14,236,187	9,053,457	9,422,840	566,971	81,372,319	-	-	-	-	-	-	81,372,319
7995 Project Eligible - Off Formula Costs	-	-	-	-	-	-	-	-	-	-	-	-	-
7999 Non Federal Participating Costs	221,686	-	-	-	-	221,686	-	-	-	-	-	-	221,686
Total Expenditures	646,077,564	142,065,337	113,527,239	139,347,924	23,223,072	1,064,241,136	3,249,868	399,409	3,649,277	-	-	-	1,067,890,413
Other Financing Sources (Uses)													
Transfers From Other Diversion Funds	-	-				-	-	-	-	-	-	-	-
Transfers to Other Diversion Funds	-	659,566	1,250,000	1,395,000	550,000	3,854,566	-	-	-	-	-	-	3,854,566
Total Other Financing Sources (Uses)	-	659,566	1,250,000	1,395,000	550,000	3,854,566	-	-	-	-	-	-	3,854,566

FM Metropolitan Area Flood Risk Management Project
Statement of Net Position
April 30, 2024

	FM Diversion Project Fund	Budget Fund	Grand Total
Assets			
Cash	\$ 199,127,962	\$ 226,123	\$ 199,354,086
Cash Horace 3.01 MIT	4,339,882	-	4,339,882
Cash BRRWD	8,645,371	-	8,645,371
Cash Held In Trust at BND			
Excess Revenue Fund	697,619	-	697,619
Temp Debt Obligation Fund	1,349,258	-	1,349,258
Authority Loan Fund	53,650	-	53,650
P3 Reserve Fund	16,133,951	-	16,133,951
SRF Loan Reserve Fund	2,288,340		2,288,340
Revenue Fund	1,912		1,912
Prepaid Expense	4,633,885	-	4,633,885
Refundable Deposit	50,000		50,000
Total assets	237,321,830	226,123	237,547,953
Liabilities			
Vouchers payable	(6,307,145)	-	(6,307,145)
Retainage payable	137,096	-	137,096
Rent Deposit	13,750	-	13,750
Deferred Revenue	5,500		5,500
Total liabilities	(6,150,799)	-	(6,150,799)
NET POSITION	\$ 243,472,629	\$ 226,123	\$ 243,698,752

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.11-00	4/11/2024	335033	Cass County Government	\$90,293.66	DIVERSION PAYROLL EXP	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$90,293.67	DIVERSION SALARIES	V00106	EXECUTIVE DIRECTOR
Full Time Staff / Salaries				\$180,587.33			
770-7910-429.20-01	4/11/2024	335033	Cass County Government	\$9,338.00	DIVERSION PAYROLL EXP	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$9,338.00	DIVERSION SALARIES	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Health Insurance				\$18,676.00			
770-7910-429.20-03	4/11/2024	335033	Cass County Government	\$200.00	DIVERSION PAYROLL EXP	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$200.00	DIVERSION SALARIES	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Dental Insurance				\$400.00			
770-7910-429.20-06	4/11/2024	335033	Cass County Government	\$36.50	DIVERSION PAYROLL EXP	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$36.50	DIVERSION SALARIES	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Vision Insurance				\$73.00			
770-7910-429.21-01	4/11/2024	335033	Cass County Government	\$5,437.42	DIVERSION PAYROLL EXP	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$5,437.43	DIVERSION SALARIES	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Social Security				\$10,874.85			
770-7910-429.21-02	4/11/2024	335033	Cass County Government	\$1,271.65	DIVERSION PAYROLL EXP	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$1,271.66	DIVERSION SALARIES	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Medicare				\$2,543.31			
770-7910-429.22-07	4/11/2024	335033	Cass County Government	\$11,972.95	DIVERSION PAYROLL EXP	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$11,972.95	DIVERSION SALARIES	V00106	EXECUTIVE DIRECTOR
Pension Benefits / Retirement				\$23,945.90			
770-7910-429.33-37	4/25/2024	335381	HighRoad Partners, LLC	\$700.00	APRIL HR PARTNER FEES	V09701	HR SERVICES
Other Services / HR Services				\$700.00			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.34-15	4/11/2024	335042	CONSOLIDATED COMMUNI	\$470.00	ACCT #701-150-0113/0	V00106	EXECUTIVE DIRECTOR
	4/11/2024	335104	Marco Technologies	\$686.20	DIVERSION IT SERVICES	V10301	SERVICE AGREEMENT - IT
	4/25/2024	335357	CONSOLIDATED COMMUNI	\$480.60	ACCT #701-150-0113/0	V00106	EXECUTIVE DIRECTOR
	4/25/2024	335400	Marco Technologies	\$2,042.84	DIVERSION IT SERVICES	V10301	SERVICE AGREEMENT - IT
	5/2/2024	335649	Marco Technologies	\$1,298.78	DIVERSION IT SERVICES	V10301	SERVICE AGREEMENT - IT
Technical Services / Computer Services				\$4,978.42			
770-7910-429.38-99	4/11/2024	335033	Cass County Government	\$70.00	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
Other Services / Other Services				\$70.00			
770-7910-429.53-20	4/11/2024	335033	Cass County Government	\$799.30	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$704.12	DIVERSION EXPENSES	V00106	EXECUTIVE DIRECTOR
Communications / Cellular Phone Service				\$1,503.42			
770-7910-429.56-60	4/11/2024	335033	Cass County Government	\$2,742.91	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$136.68	DIVERSION EXPENSES	V00106	EXECUTIVE DIRECTOR
In State Travel / In State Travel Expenses				\$2,879.59			
770-7910-429.57-60	5/2/2024	335490	Cass County Government	\$2,735.33	DIVERSION EXPENSES	V00106	EXECUTIVE DIRECTOR
Out of State Travel / Out of State Travel Exp				\$2,735.33			
770-7910-429.57-61	4/11/2024	335033	Cass County Government	\$5,554.48	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
Out of State Travel / P3 Travel Exp				\$5,554.48			
770-7910-429.59-11	5/2/2024	335490	Cass County Government	\$180.00	DIVERSION EXPENSES	V00106	EXECUTIVE DIRECTOR
Education / Dues/Membership Outstate				\$180.00			
770-7910-429.59-21	4/11/2024	335033	Cass County Government	\$595.00	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$735.00	DIVERSION EXPENSES	V00106	EXECUTIVE DIRECTOR
Education / Seminar & Conf. Outstate				\$1,330.00			
770-7910-429.61-10	4/11/2024	335033	Cass County Government	\$787.54	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$27.98	DIVERSION EXPENSES	V00106	EXECUTIVE DIRECTOR
General Supplies / Office Supplies				\$815.52			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.68-30	4/11/2024	335033	Cass County Government	\$151.16	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
	5/2/2024	335490	Cass County Government	\$2,441.23	DIVERSION EXPENSES	V00106	EXECUTIVE DIRECTOR
Miscellaneous / Meeting Incidentals				\$2,592.39			
770 Subtotal				\$260,439.54			
790-0000-206.10-00	4/3/2024	LT03240	JR Ferche Inc.	\$0.00	REV 12.31.23 AP 3.28.2024	V11801	WP47D AGREEMENT
	4/3/2024	LT15230	JR Ferche Inc.	\$0.00	12.31.23 AP 3.28.2024	V11801	WP47D AGREEMENT
Retainage				\$0.00			
790-7910-429.33-20	4/11/2024	335059	EIDE BAILLY LLP	\$350.00	PREP 2023 1099'S	V00102	General & Admin. WIK
	4/25/2024	335362	EIDE BAILLY LLP	\$1,431.00	CUNSLTING SERVICES	V00102	General & Admin. WIK
Other Services / Accounting Services				\$1,781.00			
790-7910-429.33-25	5/5/2024	1099	OHNSTAD TWICHELL PC	\$93,017.01	AFP Ohnstad Twichell P	V00102	General & Admin. WIK
	4/11/2024	335054	DORSEY & WHITNEY LLP	\$46,457.23	FEB LEGAL SERVICES	V00101	Dorsey Whitney Legal
	5/2/2024	335519	DORSEY & WHITNEY LLP	\$41,722.30	LITIGATION CLAIMS ADVICE	V00101	Dorsey Whitney Legal
	5/2/2024	335602	WOLD JOHNSON, P.C.	\$420.00	REIMB WOLD JOHNSON, P.C.	V02407	OXBOW MOU-LEGAL SERVICES
Other Services / Legal Services				\$181,616.54			
790-7910-429.34-20	4/11/2024	335027	C THREE MEDIA, LLC	\$8,522.31	VIDEOGRAPHY SERVICES	V08601	VIDEOGRAPHY
	4/18/2024	335252	Neon Loon Communications, LL	\$8,757.00	COMMUNICATIONS SUPPORT	V09601	COMMUNICATIONS SUPPORT
	4/25/2024	335391	Michael H Klein	\$862.50	PUBLIC OUTREACH/COMM	V07201	COMMUNICATION CONSULTING
	5/2/2024	335486	C THREE MEDIA, LLC	\$8,545.69	VIDEOGRAPHY SERVICES	V08601	VIDEOGRAPHY
Technical Services / Marketing / Public Relat.				\$26,687.50			
790-7910-429.34-40	4/25/2024	335369	Flint Group	\$300.00	WEBSITE DESIGN	V10201	WEBSITE DESIGN
Technical Services / Web Site Develop/Maintain				\$300.00			
790-7910-429.34-56	3/27/2024	ES03240	City of Fargo	\$17,483.00	FISCAL AGENT FEE - 03/24	V05902	MONTHLY FISCAL AGENT FEE
	4/25/2024	ES04240	City of Fargo	\$17,483.00	FISCAL AGENT FEE - 04/24	V05902	MONTHLY FISCAL AGENT FEE
Technical Services / FMDA Fiscal Agent Fees				\$34,966.00			
790-7910-429.42-05	4/11/2024	335012	Ambassador, Inc.	\$925.00	DIVERSION OFFICE CLEANING	V10501	JANITORIAL SERVICES
Cleaning Services / Custodial Services				\$925.00			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7915-429.33-05	4/18/2024	335220	HOUSTON-MOORE GROUP L	\$94,373.11	DIVERSION PROJECT	V01634	H&H MITIG. & PERMIT SUPPO
	4/25/2024	335384	HOUSTON-MOORE GROUP L	\$144,477.53	DIVERSION PROJECT	V01633	DESIGN & CONST. SUPPORT
	5/2/2024	335470	AECOM	\$3,574.50	CULTURAL RESOURCES INVEST	V01004	SEAI CULTURAL RES INVEST
Other Services / Engineering Services				\$242,425.14			
790-7915-429.38-99	5/2/2024	335633	UNITED STATES GEOLOGIC	\$67,467.50	WATER QUALITY MONITORING	V02203	WATER QUALITY MONITORING
	4/30/2024	ES04240	Fugro USA Land, Inc.	\$99,847.22	MFDA SHARE OF DIGITAL	V02504	2023 DIGITAL IMAGERY PROJEC
Other Services / Other Services				\$167,314.72			
790-7920-429.33-05	4/18/2024	335220	HOUSTON-MOORE GROUP L	\$38,234.25	DIVERSION PROJECT	V01634	H&H MITIG. & PERMIT SUPPO
	4/25/2024	335384	HOUSTON-MOORE GROUP L	\$33,416.53	DIVERSION PROJECT	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$71,650.78			
790-7920-429.33-79	4/25/2024	335353	CH2M Hill Engineers Inc	\$416,803.75	PROGRAM MGMT & SERVICES	V00211	CH2M HILL-6/2019-12/2021
	4/25/2024	335353	CH2M Hill Engineers Inc	\$676,446.81	P3 SUPPORT SERVICES	V00212	P3 PROCUREMENT SUPPORT
	5/2/2024	335602	MOORE ENGINEERING INC	\$360.43	REIMB MOORE ENGINEERING	V02421	OXBOW MOU-MOORE PROJ MG
Other Services / Construction Management				\$1,093,610.99			
790-7930-429.33-05	4/4/2024	334896	HDR Engineering, Inc.	\$14,690.00	HDR ENGINEERING INC	V01201	Cass Joint Water ROE
	4/4/2024	334896	Prosource Technologies, Inc	\$6,544.90	PROSOURCE TECHNOLOGIES	V01201	Cass Joint Water ROE
	4/4/2024	334896	SRF Consulting Group	\$29,807.69	SRF CONSULTING GROUP, INC	V01201	Cass Joint Water ROE
	4/4/2024	334896	ULTEIG ENGINEERS INC	\$2,275.00	ULTEIG ENGINEERS, INC.	V01201	Cass Joint Water ROE
	4/18/2024	335182	MOORE ENGINEERING INC	\$118,698.41	REIMB MOORE ENGINEERING	V10601	CITY OF CHRISTINE MOU
	4/18/2024	335220	HOUSTON-MOORE GROUP L	\$12,347.25	DIVERSION PROJECT	V01634	H&H MITIG. & PERMIT SUPPO
	4/25/2024	335384	HOUSTON-MOORE GROUP L	\$43,022.72	DIVERSION PROJECT	V01633	DESIGN & CONST. SUPPORT
	5/2/2024	335469	ADVANCED ENGINEERING I	\$159,249.67	DIVERSION PROJECT	V00302	PROGRAM MGMT SERVICES
	4/30/2024	LT04240	MOORE ENGINEERING INC	(\$118,698.41)	REV 12.31.23 AP 4.18.24	V10601	CITY OF CHRISTINE MOU
	4/30/2024	LT17230	MOORE ENGINEERING INC	\$118,698.41	12.31.23 AP-04.18.24 CK	V10601	CITY OF CHRISTINE MOU
Other Services / Engineering Services				\$386,635.64			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7930-429.33-25	4/4/2024	334896	Larkin Hoffman Attorneys	\$13,114.00	LARKIN HOFFMAN	V01201	Cass Joint Water ROE
	4/4/2024	334896	OHNSTAD TWICHELL PC	\$4,894.69	OHNSTAD TWICHELL, PC	V01203	Cass Joint Water OHB
	4/4/2024	334896	OHNSTAD TWICHELL PC	\$69,592.92	OHNSTAD TWICHELL, PC	V01201	Cass Joint Water ROE
	4/11/2024	335039	Swanson & Warcup	\$2,464.00	REIMB SWANSON & WARCUP	V10601	CITY OF CHRISTINE MOU
	4/11/2024	335039	Swanson & Warcup	\$467.50	REIMB-SWANSON & WARCUP	V10601	CITY OF CHRISTINE MOU
	4/18/2024	335182	LIES, BULLIS & HATTING, P	\$3,280.63	REIMB LIES, BULLIS & HATT	V10601	CITY OF CHRISTINE MOU
	4/30/2024	LT04240	LIES, BULLIS & HATTING, P	(\$3,280.63)	REV 12.31.23 AP 4.18.24	V10601	CITY OF CHRISTINE MOU
	4/30/2024	LT17230	LIES, BULLIS & HATTING, P	\$3,280.63	12.31.23 AP-04.18.24 CK	V10601	CITY OF CHRISTINE MOU
Other Services / Legal Services				\$93,813.74			
790-7930-429.33-32	4/4/2024	334896	CROWN APPRAISALS	\$30,000.00	CROWN APPAISALS, INC	V01201	Cass Joint Water ROE
	4/4/2024	334896	Patchin Messner Valuation Coun	\$3,750.00	PATCHIN MESSNER	V01201	Cass Joint Water ROE
Other Services / Appraisal Services				\$33,750.00			
790-7930-429.33-79	4/25/2024	335353	CH2M Hill Engineers Inc	\$32,410.87	PROPERTY ACQUISITION	V00210	CH2M HILL-LAND ACQUISITON
Other Services / Construction Management				\$32,410.87			
790-7930-429.52-70	4/11/2024	335156	Watts and Associates, Inc.	\$4,201.32	CROP INS DEVELOPMENT	V06901	CROP INSURANCE DEVELOPMN
	4/18/2024	335296	Watts and Associates, Inc.	\$10,714.47	CROP INSURANCE DEVELOPMEN	V06901	CROP INSURANCE DEVELOPMN
Insurance / Crop Insurance				\$14,915.79			
790-7930-429.62-51	4/4/2024	334896	Cass County Electric Cooperativ	\$371.99	CASS COUNTY ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
	4/11/2024	335031	Cass County Electric Cooperativ	\$113.00	ACCT #1184422 ENERGY	V01701	ND LAND PURCH-OUT OF TOWN
	4/25/2024	335346	Cass County Electric Cooperativ	\$116.00	ACCT #1184422 DIVERSION	V01701	ND LAND PURCH-OUT OF TOWN
Energy / Electricity				\$600.99			
790-7930-429.67-12	4/4/2024	334896	2014 - ODEGAARD 4	\$46,397.16	OBRETT & HEIDI ODEGAARD	V01701	ND LAND PURCH-OUT OF TOWN
Relocation / Commercial Buildings				\$46,397.16			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7930-429.71-31	4/4/2024	334896	1352 - KLEIN, ROBERT H & J	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	1354 - KLEIN, ROBERT H & J	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	1361 - KLEIN, PAUL &	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	1368 - KLEIN, JULIE A	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	1515 - KLEIN, PAUL &	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	1578 - KLEIN, ROBERT H & J	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	1580 - KLEIN, ROBERT H & J	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	1616 - KLEIN, PAUL & ROBE	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	8465 - KLEIN, PAUL & ROBE	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	8473 - KLEIN, PAUL & ROBE	\$34,578.55	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	8789 - KLEIN, PAUL &	\$34,578.50	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
Land / Easements				\$380,364.00			
790-7930-429.73-20	5/2/2024	335616	Schmidt and Sons Inc.	\$107,600.00	PROPERTY STRUCTURE MITIGAT	V03808	WP-38B CONSTRUCTION
Infrastructure / Site Improvements				\$107,600.00			
790-7930-429.80-17	4/4/2024	334896	CASS COUNTY TREASURER	\$12,572.59	CASS COUNTY GOVERNMENT	V01701	ND LAND PURCH-OUT OF TOWN
	4/4/2024	334896	CASS COUNTY TREASURER	\$79,518.34	CASS COUNTY FINANCE	V01701	ND LAND PURCH-OUT OF TOWN
Debt Service / Property Tax - FMDA				\$92,090.93			
790-7931-429.33-05	4/11/2024	335041	Prosource Technologies, Inc	\$27,388.81	PROSOURCE TECHNOLOGIES	V06201	MCCJPA - MN ROE
	4/11/2024	335041	SRF Consulting Group	\$18,792.01	SRF CONSULTING GROUP	V06201	MCCJPA - MN ROE
	5/2/2024	335503	Prosource Technologies, Inc	\$22,726.38	PROSOURCE TECHNOLOGIES	V06201	MCCJPA - MN ROE
	5/2/2024	335503	SRF Consulting Group	\$13,523.00	SRF CONSULTING GROUP	V06201	MCCJPA - MN ROE
Other Services / Engineering Services				\$82,430.20			
790-7931-429.33-25	4/11/2024	335041	Larkin Hoffman Attorneys	\$1,339.25	LARKIN HOFFMAN	V06201	MCCJPA - MN ROE
	4/11/2024	335041	OHNSTAD TWICHELL PC	\$64,618.82	OHNSTAD TWICHELL	V06201	MCCJPA - MN ROE
	5/2/2024	335503	Larkin Hoffman Attorneys	\$5,359.75	LARKIN HOFFMAN	V06201	MCCJPA - MN ROE
	5/2/2024	335503	OHNSTAD TWICHELL PC	\$82,760.42	OHNSTAD TWICHELL	V06201	MCCJPA - MN ROE
Other Services / Legal Services				\$154,078.24			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7931-429.54-10	4/11/2024	335041	The Hawley Herald	\$36.00	THE HAWLEY HERALD	V06201	MCCJPA - MN ROE
	5/2/2024	335503	The Hawley Herald	\$30.00	THE HAWLEY HERALD	V06201	MCCJPA - MN ROE
Advertising / Legal Publications				\$66.00			
790-7931-429.61-50	4/11/2024	335041	Clay County Government	\$7.23	CLAY COUNTY MAIL ROOM	V06201	MCCJPA - MN ROE
General Supplies / Postage				\$7.23			
790-7931-429.62-51	5/2/2024	335503	RED RIVER VALLEY COOPE	\$141.73	RED RIVER VALLEY COOP	V02301	MN LAND PURCHASES
Energy / Electricity				\$141.73			
790-7931-429.67-11	4/11/2024	335041	1665 - ROOD	\$88,497.88	MORGAN BOOTH&DAVID DOBIS	V02301	MN LAND PURCHASES
Relocation / Residential Buildings				\$88,497.88			
790-7931-429.71-30	4/11/2024	335041	0247N - VICKIE R JOSAL	\$225,877.76	THE TITLE CO	V02301	MN LAND PURCHASES
	4/11/2024	335041	0255N - NEVA & RICHARD P	\$377,921.12	THE TITLE CO	V02301	MN LAND PURCHASES
	4/11/2024	335041	1783N - BLESSINGSBE	\$391,183.71	THE TITLE CO	V02301	MN LAND PURCHASES
	4/11/2024	335041	1850N - NEVA & RICHARD P	\$377,921.13	THE TITLE CO	V02301	MN LAND PURCHASES
	5/2/2024	335503	0257N - SCOTT D & RUTH I B	(\$3,200.66)	THE TITLE CO	V02301	MN LAND PURCHASES
	5/2/2024	335503	1630N - MOORHEAD CLAY C	\$17,620.73	THE TITLE CO	V02301	MN LAND PURCHASES
	5/2/2024	335503	1840N - MOORHEAD CLAY C	\$408,266.15	THE TITLE CO	V02301	MN LAND PURCHASES
Land / Land Purchases				\$1,795,589.94			
790-7931-429.71-31	4/11/2024	335041	0251X - LARRY & AJ DAHLS	\$5,175.00	LARRY & A.J. DAHLSTROM	V02301	MN LAND PURCHASES
Land / Easements				\$5,175.00			
790-7940-429.33-06	4/25/2024	335338	BRAUN INTERTEC CORP	\$12,366.84	MATERIALS TESTING	V00407	TASK ORDER #5
Other Services / Quality Testing				\$12,366.84			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7950-429.33-05	4/25/2024	335384	HOUSTON-MOORE GROUP L	\$21,212.00	DIVERSION PROJECT	V01633	DESIGN & CONST. SUPPORT
	4/25/2024	335399	MOORE ENGINEERING INC	\$4,042.55	REIMB MOORE ENGINEERING	V08901	MAPLE RIVER-DRAIN EXPENSE
	4/25/2024	335444	MOORE ENGINEERING INC	\$13,045.00	REIMB MOORE ENGINEERING	V08801	RUSH RIVER-DRAIN EXPENSE
	4/25/2024	335450	MOORE ENGINEERING INC	\$2,446.44	REIMB MOORE ENGINEERING	V12201	SE CASS WRD MOU
	5/2/2024	335569	MOORE ENGINEERING INC	\$482.00	REIMB MOORE ENGINEERING	V08901	MAPLE RIVER-DRAIN EXPENSE
	5/2/2024	335626	MOORE ENGINEERING INC	\$82.50	REIMB MOORE ENGINEERING	V12201	SE CASS WRD MOU
	5/2/2024	335626	MOORE ENGINEERING INC	\$105.00	REIMB MOORE ENGINEERING 2	V12201	SE CASS WRD MOU
	4/15/2024	ES04240	City of Fargo	\$750.75	City of Fargo	V05405	LEVEE/FLOODWALL - BELMONT
Other Services / Engineering Services				\$42,166.24			
790-7950-429.33-06	5/2/2024	335483	BRAUN INTERTEC CORP	\$27,970.75	MATERIALS TESTING	V00406	TASK ORDER #4
Other Services / Quality Testing				\$27,970.75			
790-7950-429.33-25	4/25/2024	335450	OHNSTAD TWICHELL PC	\$705.00	REIMB OHNSTAD TWICHELL	V12201	SE CASS WRD MOU
Other Services / Legal Services				\$705.00			
790-7950-429.41-05	4/11/2024	335034	Cass Rural Water	\$27.00	ACCT #18789 DIVERSION	V05006	DIVERSION INLET UTILITY
Utility Services / Water and Sewer				\$27.00			
790-7950-429.73-52	4/15/2024	ES04240	INDUSTRIAL BUILDERS INC	\$43,967.77	INDUSTRIAL BUILDERS INC	V05409	FLOOD MIT-WOODCREST DRIVE
Infrastructure / Flood Control				\$43,967.77			
790-7950-429.73-58	4/15/2024	ES04240	City of Fargo	\$4,500.00	City of Fargo	V05419	STORM LIFT STATION #24
Infrastructure / Storm Sewer Systems				\$4,500.00			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7950-429.73-70	4/11/2024	335034	Cass Rural Water	\$12,703.36	CASS RURAL WATER TO #11	V05018	TO 11 - 57TH ST ABONDONMEN
	4/11/2024	335034	Cass Rural Water	\$17,169.15	CASS RURAL WATER TO #10	V05017	TO 10 - CR 16 ABONDONMENT
	4/18/2024	335178	Cass County Electric Cooperativ	\$6,018.72	LABOR & OVERHEADS	V04716	TO14-OIN 1906 LINE REPLACE
	4/18/2024	335178	Cass County Electric Cooperativ	\$73,390.20	AID TO CONST-DIVERSION	V04717	TO15-OIN 5028 OH LN REPLACE
	4/25/2024	335350	CENTURYLINK COMMUNIC	\$1,695.00	LINE LOWERING	V04811	TO5-CR16/CR21 LINE LOWER
	5/2/2024	335499	Cass Rural Water	\$4,413.42	DISCON. 4980 KLITZKE DR	V05016	TO 9 - WP38C DISCONNECTS
	5/2/2024	335499	Cass Rural Water	\$4,413.42	DISCONNECT 12004 57 ST S	V05016	TO 9 - WP38C DISCONNECTS
	4/3/2024	LT03240	JR Ferche Inc.	\$0.00	REV 12.31.23 AP 3.28.2024	V11801	WP47D AGREEMENT
	4/4/2024	LT03240	JR Ferche Inc.	\$100.42	CORRECT 12.31.23 AP 3.28	V11801	WP47D AGREEMENT
	4/3/2024	LT15230	JR Ferche Inc.	(\$100.42)	REV 12.31.23 AP 3.28.24	V11801	WP47D AGREEMENT
	4/3/2024	LT15230	JR Ferche Inc.	\$0.00	12.31.23 AP 3.28.2024	V11801	WP47D AGREEMENT
Infrastructure / Utilities				\$119,803.27			
790-7950-429.74-10	4/15/2024	ES04240	City of Fargo	\$1,974.76	City of Fargo	V05405	LEVEE/FLOODWALL - BELMONT
Capital Outlay / Machinery & Equipment				\$1,974.76			
790-7952-429.33-05	4/25/2024	335384	HOUSTON-MOORE GROUP L	\$6,422.00	DIVERSION PROJECT	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$6,422.00			
790-7952-429.73-70	4/11/2024	335031	Cass County Electric Cooperativ	\$3,012.87	CCEC TO #9 OXBOW PUMP HOUS	V04713	OXBOW PUMP HOUSE
Infrastructure / Utilities				\$3,012.87			
790-7955-429.33-05	4/25/2024	335384	HOUSTON-MOORE GROUP L	\$1,468.00	DIVERSION PROJECT	V02827	IN TOWN LEVY MAINTENANCE
Other Services / Engineering Services				\$1,468.00			
790-7959-429.33-05	4/15/2024	ES04240	HOUSTON ENGINEERING IN	\$7,397.75	HOUSTON ENGINEERING INC	V05406	DRAIN 27 LIFT STATION #56
	4/15/2024	ES04240	HOUSTON ENGINEERING IN	\$73,407.50	HOUSTON ENGINEERING	V05433	NR24B - LIFT STAT 11 & 57
Other Services / Engineering Services				\$80,805.25			
790-7959-429.73-52	4/15/2024	ES04240	FUSION AUTOMATION INC.	\$51,450.13	FUSION AUTOMATION INC.	V05431	STORM LIFT IMPR #47 & #48
Infrastructure / Flood Control				\$51,450.13			
790-7990-429.33-05	4/4/2024	334896	MOORE ENGINEERING INC	\$1,335.00	MOORE ENGINEERING, INC.	V01201	Cass Joint Water ROE
	4/25/2024	335384	HOUSTON-MOORE GROUP L	\$57,973.70	DIVERSION PROJECT	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$59,308.70			

Data Through Date: Friday, April 26, 2024

Summary Of Expenses
EXP-2024-04

Wednesday, May 15, 2024

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7990-429.33-25	5/5/2024	1099	OHNSTAD TWICHELL PC	\$86,772.80	AFP Ohnstad Twichell P	V00102	General & Admin. WIK
Other Services / Legal Services				\$86,772.80			
790-7990-429.33-47	4/11/2024	335128	Program Advisor Services, LLC	\$57,196.68	DIVERSION CONSULTING SERV	V05801	CONSULTING SERVICES
	4/25/2024	335436	Program Advisor Services, LLC	\$49,200.00	DIVERSION CONSULTING SERV	V05801	CONSULTING SERVICES
Other Services / Consulting Services				\$106,396.68			
790-7990-429.34-57	4/24/2024	9884	BANK OF NORTH DAKOTA	\$17,483.00	BND TRUSTEE FEE 4/24	V08502	MONTHLY TRUSTEE FEE
Technical Services / FMDA Trustee Fees BND				\$17,483.00			
790-7990-520.80-20	4/30/2024	ES04240	BANK OF NORTH DAKOTA	\$68,524.48	REC SRF ADMIN FEE AND	VBILL	FM Div. Cost Recovery
Debt Service / Interest On Bonds				\$68,524.48			
790-7990-520.80-55	4/30/2024	ES04240	BANK OF NORTH DAKOTA	\$22,841.49	REC SRF ADMIN FEE AND	VBILL	FM Div. Cost Recovery
Debt Service / SRF Admin Fees				\$22,841.49			
790-7998-555.90-81	4/25/2024	ES04240	Diversion Admin Budget Transfe	\$0.00	ANNUAL ADMIN BDGT TRF-APR	VADMIN	Diversion Administration
FMDA Admin. Budget Fund				\$0.00			
790 Subtotal				\$5,893,810.04			

Total Amount Invoiced this period:	\$6,154,249.58	
	\$0.00	Less Paid Retainage
	\$6,154,249.58	Total Less Paid Retainage

Data Through Date: Friday, April 26, 2024

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
LAND PURCHASE	\$378,742,774.53	\$378,742,774.53	\$0.00	Land Purchase
CH2M HILL ENGINEERS INC	\$153,344,991.12	\$117,632,592.70	\$35,712,398.42	Project & Construction Management
HOUSTON-MOORE GROUP LLC	\$94,554,195.48	\$72,792,683.37	\$21,761,512.11	Engineering Services
INDUSTRIAL BUILDERS INC	\$62,857,057.56	\$62,857,057.56	\$0.00	2nd St N Pump Station Project and 2nd St Floodwall, South of Pu
ARMY CORP OF ENGINEERS	\$53,183,800.00	\$53,183,800.00	\$0.00	Local Share
NORTH DAKOTA PUBLIC FINANCE AUTHORIT	\$37,785,300.00	\$37,785,300.00	\$0.00	Debt Service
RICHLAND-WILKIN JPA	\$35,000,000.00	\$35,000,000.00	\$0.00	Economic Impact Relief Fund
OHNSTAD TWICHELL PC	\$22,837,069.94	\$22,837,069.94	\$0.00	Legal Services
KEY CONTRACTING INC	\$20,315,278.41	\$20,315,278.41	\$0.00	FM1413 - Oakcreek and Copperfield Court Levee
MEYER CONTRACTING	\$19,244,280.80	\$19,244,280.80	\$0.00	WP-43CD and Gatewell - PVD & Surcharge Installation
INDUSTRIAL CONTRACT SERVICES INC	\$18,419,743.64	\$18,419,743.64	\$0.00	4th St Pump Station and 2nd Street Floodwall
ADVANCED ENGINEERING INC	\$14,379,176.00	\$12,426,044.89	\$1,953,131.11	Lands Management and Public Outreach
WELLS FARGO	\$11,607,080.05	\$11,607,080.05	\$0.00	Debt Service
DORSEY & WHITNEY LLP	\$11,536,187.51	\$11,536,187.51	\$0.00	Legal Services
DAKOTA UNDERGROUND	\$11,141,625.69	\$11,141,625.69	\$0.00	Utility Relocation
LANDSCAPES UNLIMITED	\$11,007,612.78	\$11,007,612.78	\$0.00	Golf Course Construction - Oxbow Country Club
OKEEFE, OBRIAN, LYSON & FOSS LTD	\$9,962,512.68	\$9,962,512.68	\$0.00	FLDBUY - COF Flood Home Buyouts
CITY OF FARGO	\$7,846,164.73	\$7,840,525.98	\$5,638.75	Utility Relocation, Accounting Svcs, Interest on Deficit Funds
MOORE ENGINEERING INC	\$7,707,768.50	\$6,372,315.25	\$1,335,453.25	Engineering Services
ASHURST LLP	\$6,352,853.01	\$6,352,853.01	\$0.00	PPP Legal Counsel
SRF CONSULTING GROUP	\$6,331,729.08	\$3,187,613.85	\$3,144,115.23	Engineering Services
CASS RURAL WATER	\$6,286,416.81	\$6,220,243.65	\$66,173.16	Utilities and Utility Relocation
NUSTAR PIPELINE OPERATING PARTNERSHIP	\$5,884,100.74	\$5,867,251.62	\$16,849.12	Utility Relocation
HOUSTON ENGINEERING INC	\$5,597,480.73	\$5,597,480.73	\$0.00	Engineering Services
ERNST & YOUNG	\$5,377,000.00	\$5,017,370.30	\$359,629.70	P3 Financial Advisory Services
BRAUN INTERTEC CORP	\$4,774,098.26	\$2,011,846.91	\$2,762,251.35	Materials Testing
CASS COUNTY GOVERNMENT	\$4,479,329.08	\$4,479,329.08	\$0.00	Gravel on County Rd 17 Bypass

Data Through Date: Friday, April 26, 2024

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
PROSOURCE TECHNOLOGIES, INC	\$3,906,009.55	\$3,413,192.29	\$492,817.26	Land Acquisition Services
RED RIVER VALLEY ALLIANCE LLC	\$3,776,558.86	\$3,776,558.86	\$0.00	P3 Developer payments
CENTURYLINK COMMUNICATIONS	\$3,735,501.33	\$3,605,328.31	\$130,173.02	Utility Relocation
RILEY BROS	\$3,656,841.67	\$3,656,841.67	\$0.00	Construction - OHB Ring Levee & WP-28A
MAGELLAN PIPELINE	\$3,607,000.00	\$2,852,375.85	\$754,624.15	Utility Relocation
RED RIVER VALLEY & WESTERN RAILROAD C	\$3,589,388.46	\$3,589,388.46	\$0.00	Railroad Facilities and the Rail Property
BNSF RAILWAY CO	\$3,581,295.20	\$3,581,295.20	\$0.00	Permits for In-Town Levee Projects
SCHMIDT AND SONS INC.	\$3,167,638.25	\$2,920,822.83	\$246,815.42	Residential Demolition in Oxbow
CHS INC.	\$3,049,153.37	\$3,049,153.37	\$0.00	Purchase Agreement (DB-1011)
PLENARY AMERICAS USA LTD	\$3,000,000.00	\$3,000,000.00	\$0.00	Stipend Payment for P3 RFP
CROWN APPRAISALS	\$2,851,230.00	\$2,213,030.00	\$638,200.00	Flowage Easements Valuation and Appraisal Services
SELLIN BROS INC	\$2,814,909.59	\$2,814,909.59	\$0.00	Riverwood Flood Risk Project - Construction
MINNESOTA DNR	\$2,636,755.60	\$2,617,681.40	\$19,074.20	EIS Scoping and Permit Application
CASS COUNTY ELECTRIC COOPERATIVE	\$2,630,833.67	\$2,181,342.29	\$449,491.38	Electrical Services
HDR ENGINEERING, INC.	\$2,574,791.12	\$1,896,552.59	\$678,238.53	Engineering Services
PROGRAM ADVISOR SERVICES, LLC	\$2,510,982.87	\$2,150,463.90	\$360,518.97	Program Consulting Services
OXBOW, CITY OF	\$2,383,317.16	\$2,383,317.16	\$0.00	OXBOW MOU - LAND ADVANCE
LANDWEHR CONSTRUCTION INC	\$2,304,622.16	\$2,304,622.16	\$0.00	In-Town and WP-43 Demolition Contracts
HOUGH INC	\$2,088,832.83	\$2,088,832.83	\$0.00	Construction WP-42F.2 and Oxbow River Intake & Pumping Syst
CASS COUNTY JOINT WATER RESOURCE DI	\$2,051,139.37	\$2,051,139.37	\$0.00	O/H/B Ring Levee, DPAC, Postage, Miscellaneous
EXCAVATING INC - FARGO	\$2,018,659.41	\$2,018,659.41	\$0.00	Excavation and Utilities
ACONEX (NORTH AMERICA) INC	\$2,010,595.97	\$1,547,273.06	\$463,322.91	Electronic Data Mgmt and Record Storage System
URS CORPORATION	\$1,805,670.90	\$1,805,670.90	\$0.00	Cultural Resources Investigations
XCEL ENERGY-FARGO	\$1,702,121.19	\$1,306,121.19	\$396,000.00	Utility Relocation
ULTEIG ENGINEERS INC	\$1,659,901.59	\$1,489,958.09	\$169,943.50	Land Acquisition Services
REINER CONTRACTING INC	\$1,599,646.21	\$1,599,646.21	\$0.00	El Zagal Flood Risk Management
WAGNER CONSTRUCTION INC.	\$1,476,462.45	\$770,028.50	\$706,433.95	Utility Relocation

Data Through Date: Friday, April 26, 2024

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
CASS COUNTY TREASURER	\$1,464,203.58	\$1,464,203.58	\$0.00	Property Taxes
AECOM	\$1,401,419.14	\$1,034,026.35	\$367,392.79	Cultural Resources Investigations
UNITED STATES GEOLOGICAL SURVEY	\$1,332,840.00	\$546,145.00	\$786,695.00	Water Level Discharge Collection & Stage Gage Installation
AON RISK SERVICES CENTRAL INC	\$1,328,940.33	\$1,250,003.83	\$78,936.50	Risk Advisory Services P3 Pre-Award
US BANK	\$1,205,546.13	\$1,205,546.13	\$0.00	Loan Advance Debt Service Payments
CONSOLIDATED COMMUNICATIONS	\$1,082,078.57	\$1,082,078.57	\$0.00	Utility Relocation
KPH, INC.	\$1,025,640.12	\$1,025,640.12	\$0.00	WP-43D5 Construction
CITY OF HORACE	\$990,496.15	\$990,496.15	\$0.00	Infrastructure Fund
MINNKOTA POWER COOPERATIVE	\$940,269.48	\$565,269.48	\$375,000.00	Utility Relocation
CLERK OF DISTRICT COURT	\$939,044.32	\$939,044.32	\$0.00	FLDBUY - COF Flood Home Buyouts
TERRACON CONSULTING ENGINEERS	\$887,718.41	\$887,718.41	\$0.00	Materials Testing
LARKIN HOFFMAN ATTORNEYS	\$885,936.26	\$885,936.26	\$0.00	Legal Services
SBA COMMUNICATIONS	\$851,648.91	\$851,648.91	\$0.00	Utility Relocation
SPRINT COMMUNICATIONS COMPANY L.P.	\$812,034.58	\$812,034.58	\$0.00	Fiber Optic Relocation
COMPASS LAND CONSULTANTS, INC	\$804,820.00	\$635,689.43	\$169,130.57	Property Appraisal Services
UNITED STATES ENVIRONMENTAL PROTECTI	\$767,386.35	\$767,386.35	\$0.00	WIFIA LOAN APPLCATION FEE
BORDER STATES PAVING, INC	\$762,980.64	\$762,980.64	\$0.00	Street repairs
CC STEEL, LLC	\$755,550.09	\$755,550.09	\$0.00	Lift Station Improvements
BANK OF NORTH DAKOTA	\$744,915.50	\$744,915.50	\$0.00	Legal review fees
MASTER CONSTRUCTION CO INC	\$739,364.30	\$739,364.30	\$0.00	Flood Mitigation - Royal Oaks Area - Construction
DAKOTA CARRIER NETWORK	\$727,348.58	\$727,348.58	\$0.00	Utility Relocation
ERIK R JOHNSON & ASSOCIATES	\$686,572.23	\$686,572.23	\$0.00	Legal Services
PATCHIN MESSNER VALUATION COUNSELORS	\$641,462.50	\$490,383.75	\$151,078.75	Property Appraisal Services
METROPOLITAN COUNCIL OF GOVERNMENTS	\$637,390.01	\$637,390.01	\$0.00	Digital Aerial Photography
NEON LOON COMMUNICATIONS, LLC	\$635,958.00	\$345,711.03	\$290,246.97	Communications Support
CLAY COUNTY AUDITOR	\$613,712.50	\$613,712.50	\$0.00	Property Taxes - MN
NDSU BUSINESS OFFICE-BOX 6050	\$606,145.00	\$454,616.25	\$151,528.75	Ag Risk Study Services

Data Through Date: Friday, April 26, 2024

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
DUCKS UNLIMITED	\$587,180.00	\$587,180.00	\$0.00	Wetland Mitigation Credits
AT&T	\$586,269.60	\$586,269.60	\$0.00	Utility Relocation
LINNCO, INC.	\$534,003.11	\$534,003.11	\$0.00	House Demo and Removal
MIDCONTINENT COMMUNICATIONS	\$531,980.41	\$527,490.41	\$4,490.00	Utility Relocation
RED RIVER BASIN COMMISSION	\$501,000.00	\$501,000.00	\$0.00	Retention Projects - Engineering Services
HOFFMAN & MCNAMARA CO.	\$491,334.67	\$491,334.67	\$0.00	General Landscaping and Planting (WP-42G)
BUFFALO-RED RIVER WATERSHED DISTRICT	\$474,032.90	\$474,032.90	\$0.00	Retention Projects - Engineering Services
RICK ELECTRIC INC	\$455,200.00	\$455,200.00	\$0.00	Riverwood Flood Risk Project - Electrical
LTP ENTERPRISES INC.	\$452,519.00	\$55,856.00	\$396,663.00	Test Holes and Test Well Drilling
RED RIVER VALLEY COOPERATIVE ASSOC	\$451,077.58	\$451,077.58	\$0.00	Electricity - Home Buyouts
ROBERT TRENT JONES	\$440,431.73	\$440,431.73	\$0.00	Oxbow MOU - Golf Course Consulting Agreement
WATTS AND ASSOCIATES, INC.	\$400,000.00	\$345,288.97	\$54,711.03	Crop insurance product development services
BEAVER CREEK ARCHAEOLOGY	\$396,970.25	\$369,370.25	\$27,600.00	Engineering Services
C THREE MEDIA, LLC	\$394,063.70	\$345,783.06	\$48,280.64	Videography Services
MBA	\$380,636.36	\$380,636.36	\$0.00	Golf course and pump house - Oxbow Country Club
MVM CONTRACTING	\$339,448.03	\$339,448.03	\$0.00	Fiber Relocation
SWANSON HEALTH PRODUCTS, INC.	\$337,059.00	\$337,059.00	\$0.00	FM1471 - Storm Lift Stations #55 and #56 - Drain 27
INTEGRA REALTY RESOURCES	\$320,750.00	\$260,725.00	\$60,025.00	Property Appraisal Services
DFI BRIDGE CORPORATION	\$316,211.21	\$316,211.21	\$0.00	Bridge Construction - Oxbow Country Club
FEDERAL STEEL SUPPLY, INC.	\$307,378.00	\$307,378.00	\$0.00	OHB - 42 inch steel pipe
DIRT DYNAMICS	\$301,332.37	\$301,332.37	\$0.00	HD18A1 - Oakcreek, Copperfield & Univerisy - Demo
GARY KILLEBREW	\$279,500.00	\$279,500.00	\$0.00	Project Manager Services - Oxbow Country Club
TURMAN & LANG	\$277,139.55	\$277,139.55	\$0.00	Legal Services
JR FERCHE INC.	\$277,004.58	\$277,004.58	\$0.00	Water System Improvements
MOODYS INVESTORS SERVICE, INC.	\$274,375.00	\$274,375.00	\$0.00	WIFIA loan fees
702 COMMUNICATIONS	\$266,892.07	\$266,892.07	\$0.00	Utility Relocation
FORUM COMMUNICATIONS	\$248,913.75	\$248,913.75	\$0.00	Advertising Services

Data Through Date: Friday, April 26, 2024

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
PR FOR GOOD, INC	\$242,482.28	\$242,482.28	\$0.00	Communications Support Services
FREDRIKSON & BYRON, PA	\$241,881.28	\$241,881.28	\$0.00	Lobbying Services
PLEASANT TOWNSHIP	\$238,722.25	\$238,722.25	\$0.00	Building Permit Application
NORTHERN IMPROVEMENT COMPANY	\$235,531.95	\$235,531.95	\$0.00	CR-17 asphalt paving
MICHAEL H KLEIN	\$234,965.25	\$89,421.10	\$145,544.15	Communications Support
DAWSON INSURANCE AGENCY	\$232,155.45	\$232,155.45	\$0.00	Property Insurance - Home Buyouts
GRAY PANNELL & WOODWARD LLP	\$231,300.68	\$231,300.68	\$0.00	Legal Services
APEX ENGINEERING GROUP INC	\$227,256.79	\$227,256.79	\$0.00	Engineering
WILLIAM D. SCEPANIAK, INC.	\$226,235.21	\$226,235.21	\$0.00	ROADWAY RESHAPING & AGGREGATE SURFACING
GA GROUP, PC	\$204,229.32	\$164,229.32	\$40,000.00	Government Relations
AMERICAN ENTERPRISES, INC.	\$200,281.00	\$200,281.00	\$0.00	Construction/Demolition
CITY OF OXBOW MOU	\$200,000.00	\$200,000.00	\$0.00	Oxbow Park Relocation MOU Amendment
EXECUTIVE MANAGEMENT SYSTEMS, INC.	\$196,763.96	\$196,763.96	\$0.00	Executive Coaching
SERKLAND LAW FIRM	\$189,803.71	\$189,803.71	\$0.00	Legal services
MAPLETON, CITY OF	\$179,605.00	\$87,870.22	\$91,734.78	Prelim Engineering Services
SPRINGSTED INCORPORATED	\$178,010.15	\$178,010.15	\$0.00	Financial Advisor
KADRMAS LEE & JACKSON, INC.	\$176,164.00	\$176,164.00	\$0.00	Engineering Services
LANDVEST, INC.	\$167,000.00	\$0.00	\$167,000.00	Appraisal services
MUNICIPAL AIRPORT AUTHORITY	\$166,981.00	\$166,981.00	\$0.00	Easement for Airport
SOIL BORINGS	\$166,232.50	\$166,232.50	\$0.00	Soil Borings
RED RIVER COMMUNICATIONS	\$160,943.20	\$0.00	\$160,943.20	Fiber Relocation
KLJ ENGINEERING, LLC	\$156,242.25	\$156,242.25	\$0.00	Lift Station Improvements
PFM PUBLIC FINANCIAL MANAGEMENT	\$146,460.00	\$146,460.00	\$0.00	Financial Advisor
S&P GLOBAL RATINGS	\$145,625.00	\$145,625.00	\$0.00	Ratings Evaluation Service
DAILY NEWS	\$143,075.16	\$143,075.16	\$0.00	Advertising Services
CHAPMAN AND CUTLER	\$140,000.00	\$140,000.00	\$0.00	Legal Services
EIDE BAILLY LLP	\$139,270.75	\$107,261.75	\$32,009.00	Audit Services

Data Through Date: Friday, April 26, 2024

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
QUANTUM SPATIAL, INC.	\$139,061.35	\$139,061.35	\$0.00	Digital Aerial Photography
JT LAWN SERVICE LLC	\$137,044.00	\$137,044.00	\$0.00	Mowing and weed control
FUGRO USA LAND, INC.	\$130,396.52	\$130,396.52	\$0.00	Digital Aerial Photography
MARCO TECHNOLOGIES	\$125,554.72	\$77,199.21	\$48,355.51	IT Services
SENTRY SECURITY, INC.	\$121,212.85	\$121,212.85	\$0.00	Security Services
AFFINITEXT INC	\$118,630.00	\$74,413.20	\$44,216.80	Document Management Services
ENVENTIS	\$115,685.62	\$115,685.62	\$0.00	Utility Relocation
GE BOCK REAL ESTATE, LLC	\$112,590.00	\$112,590.00	\$0.00	Property Appraisal Services
TINJUM APPRAISAL COMPANY, INC.	\$112,100.00	\$112,100.00	\$0.00	Property Appraisal Services
OXBOW COUNTRY CLUB	\$110,391.68	\$110,391.68	\$0.00	Golf Course - Oxbow
JORGE PAGAN	\$109,500.00	\$109,500.00	\$0.00	Appraisal services
MAPLETON TOWNSHIP	\$108,030.00	\$108,030.00	\$0.00	Lost tax revenue and attorney fees
DAVID CLARDY	\$105,215.05	\$105,215.05	\$0.00	Home buyouts - easement
148 Vendors	Report Totals: \$1,140,352,240.39	\$1,064,037,852.46	\$76,314,387.93	

METRO FLOOD DIVERSION AUTHORITY

Wednesday, May 15, 2024

Data Through Date: Friday, April 26, 2024

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
	9	0	0	0%	9	\$0
UMA-W2	9	0	0	0%	9	\$0
BIOGEO	425	258	130	91%	37	\$1,101,731
BIOGEO	295	257	1	87%	37	\$330,046
HC	130	1	129	100%	0	\$771,685
CHANNEL	711	504	206	100%	1	\$99,121,577
ENV	1	0	0	0%	1	\$0
HC	240	34	206	100%	0	\$3,559,111
LAP01	130	130	0	100%	0	\$8,026,504
LAP02	99	99	0	100%	0	\$13,602,554
LAP03	84	84	0	100%	0	\$22,790,904
LEGACY	156	156	0	100%	0	\$51,141,254
SheyMit	1	1	0	100%	0	\$1,250
DOWNSTREAM	7	0	7	100%	0	\$0
HC	7	0	7	100%	0	\$0
Habitat Improveme	22	6	0	27%	16	\$2,000
ENV	5	5	0	100%	0	\$0
Habitat_Shey	17	1	0	6%	16	\$2,000
MOBILITY	123	0	1	1%	122	\$0
DA_MOB37_MN	51	0	0	0%	51	\$0
DA_MOB37_ND	19	0	0	0%	19	\$0
DA_MOB38TH	52	0	0	0%	52	\$0
HC	1	0	1	100%	0	\$0

METRO FLOOD DIVERSION AUTHORITY

Wednesday, May 15, 2024

Data Through Date: Friday, April 26, 2024

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
SEAILAND	511	464	40	99%	7	\$93,209,167
DRAIN 27	39	39	0	100%	0	\$20,565,082
HC	46	6	40	100%	0	\$458,806
LEGACY	126	126	0	100%	0	\$21,439,155
SE_I29	10	10	0	100%	0	\$4,383,360
SE-1	41	40	0	98%	1	\$6,526,631
SE-2A	13	13	0	100%	0	\$3,914,646
SE-2B	74	69	0	93%	5	\$11,318,469
SE-3	12	12	0	100%	0	\$1,009,802
SE-4	70	69	0	99%	1	\$11,862,809
SE-5	24	24	0	100%	0	\$1,406,709
SE-INLET	9	9	0	100%	0	\$2,952,107
SE-RRCS	37	37	0	100%	0	\$6,932,634
SE-WRCS	10	10	0	100%	0	\$438,958
Sheyenne Mitigatio	3	1	0	33%	2	\$1,750
SheyMit	3	1	0	33%	2	\$1,750
WP36	2	2	0	100%	0	\$2,750
WRDAM	2	2	0	100%	0	\$2,750
WP38	1,026	324	376	68%	326	\$90,195,693
HC	380	4	376	100%	0	\$1,283,123
LEGACY	3	3	0	100%	0	\$750
UMA	570	316	0	55%	254	\$88,894,666
UMA-C	56	0	0	0%	56	\$0
UMA-W	14	1	0	7%	13	\$17,153
UMA-W2	3	0	0	0%	3	\$0
WP40	18	8	10	100%	0	\$48,923
DRAYTON	7	7	0	100%	0	\$48,923
HC	10	0	10	100%	0	\$0
LEGACY	1	1	0	100%	0	\$0
WP42	66	49	4	80%	13	\$37,850,061
HC	4	0	4	100%	0	\$0
LEGACY	6	6	0	100%	0	\$18,014,935
WP42	56	43	0	77%	13	\$19,835,126

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
WP43	268	121	147	100%	0	\$79,807,670
Non-OIN Hard Land Cost	0	0	0	0%	0	\$22,598,547
HC	148	1	147	100%	0	\$500
LEGACY	6	6	0	100%	0	\$3,589,519
WP43A	1	1	0	100%	0	\$0
WP43B	6	6	0	100%	0	\$1,927,138
WP43C	74	74	0	100%	0	\$45,142,769
WP43D	19	19	0	100%	0	\$5,286,226
WP43D5	5	5	0	100%	0	\$1,175,055
WP43G	9	9	0	100%	0	\$87,915
Totals	3,191	1,737	921	83%	533	\$401,341,322

FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of April 30, 2024

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
Commercial Relocations - Fargo		16,099,989.70	-	16,300,462.10	(1,100.00)	32,399,351.80
Home Buyouts - Fargo		3,044,054.89	-	521,417.80	-	3,565,472.69
Home Buyouts - Moorhead		495,809.91	-	84,060.80	(8,440.00)	571,430.71
Home Buyouts - Oxbow		29,678,181.97	-	17,142,531.46	(368,167.87)	46,452,545.56
Home Buyouts - Hickson		1,031,674.37	-	120,422.18	-	1,152,096.55
Home Buyouts - Horace		7,604,598.67	-	595,320.88	-	8,199,919.55
Home Buyouts - Argusville		215,030.91	-	6,912.57	-	221,943.48
Easements - Fargo		504,716.00	-	-	-	504,716.00
Easements - Hickson		500.00	-	-	-	500.00
Easements - Oxbow		55,500.00	-	-	-	55,500.00
Easements - Diversion Inlet Control Structure		4,234,581.90	-	-	-	4,234,581.90
Easements - Piezometer		259,765.00	-	-	-	259,765.00
Easements - Minesota		1,542,370.79	-	-	-	1,542,370.79
Farmland Purchases		306,807,145.51	-	5,109,571.44	(19,216,329.99)	164,881,628.74

FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of April 30, 2024

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
Land Purchases		171,647,215.32	-	2,563,701.41	(9,356,287.99)	164,881,628.74
Auditors Lot 4 of the SW Quarter Section 34, in Township 138 North of Range 49 West of the Fifth Principal Meridian, Cass County North Dakota	8/31/2023	4,045,125.04				
All that part of the fractional N% of Section 31, Township 137 North, Range 48 West of the 5" P.M., Clay County, Minnesota,	8/31/2023	2,203,072.86				
The W1/2SW1/4 of Section 33, Township 138 North, Range 49 West of the Fifth Principle Meridian, Cass County, North Dakota	10/26/2023	53,576.00				
Part of NE1/4 SE1/4 24-136-49 Richland County	10/26/2023	20,685.00				
Lots 17 and 18, Block 2, of River Shore Subdivision a part of Government Lots 5, 6 and 7, of Section 7, Township 137 North, Range 48 West, Cass County, North Dakota.	12/28/2023	73,064.40				
Part of NE1/4 27-138-49 Cass County North Dakota	12/28/2023	1,252,891.00				
5515 174th St SE. Christine, ND Section 12-136N-49W, Richland County, ND	2/29/2024	962,175.56				
Part of SW1/4 29-137-48 Clay County MN	2/8/2024	221,165.40				
Part of the SW 1/4 SE1/4 34-137-48 Clay County MN	2/29/2024	210,070.00				
SW 1/4 Sec 5-137N-48W Holy Cross Clay County MN	4/11/2024	225,877.76				
Part of the South Half of the Northeast Quarter of Section 29, Township 137 North, Range 48 West of the 5th Principal Meridian, Clay County, Minnesota	4/11/2024	391,183.71				
31 137N 48W, Holy Cross Twp, Clay County, MN	5/2/2024	408,266.15				
		371,573,919.62	-	39,880,699.23	(19,594,037.86)	391,860,580.99
				Property Management Expense		6,310,687.76
				Grand Total	\$	398,171,268.75

**FM Metropolitan Area Flood Risk Management Project
In-Town Levee Work
as of April 30, 2024**

Vcode #	Vendor Name	Descriptions	Contract Amount		Amount Paid
V02801	Industrial Builders	WP42.A2 - 2nd Street North Pump Station	\$	8,696,548.46	\$ 8,696,548.46
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	\$	884,070.41	\$ 884,070.41
V02803	Consolidated Communications	2nd Street Utility Relocation	\$	1,178,781.73	\$ 1,178,781.73
V02804	702 Communications	2nd Street Utility Relocation	\$	266,892.07	\$ 266,892.07
V02805	ICS	WP-42A.1/A.3 - 4th St Pump Station & Gatewell and 2nd St Floodwall S	\$	18,365,229.13	\$ 18,365,229.13
V02806	HMG	WP42 - Services During Construction	\$	6,513,429.90	\$ 6,513,429.90
V02807	CCJWRD	In-Town Levee Work	\$	3,756,545.64	\$ 3,756,545.64
V02808	City of Fargo	Relocation of fiber optic along 2nd Street North	\$	397,906.52	\$ 397,906.52
V02809	AT & T	2nd Street Utility Relocation	\$	586,269.60	\$ 586,269.60
V02811	Xcel Energy	2nd Street & 4th Street Utility Relocations	\$	769,791.73	\$ 769,791.73
V02812	Industrial Builders	WP-42F.1S - 2nd Street North Floodwall, South of Pump Station	\$	16,720,591.15	\$ 16,720,591.15
V02813	Landwehr Construction	Park East Apartments Demolition	\$	1,169,651.74	\$ 1,169,651.74
V02814	Primoris Aevenia	2nd Street Utility Relocation	\$	16,230.00	\$ 16,230.00
V02815	Centurylink Communications	2nd Street Utility Relocation	\$	2,660,937.92	\$ 2,660,937.92
V02816	Landwehr Construction	WP-42C.1 - In-Town Levees 2nd Street/Downtown Area Demo	\$	907,999.08	\$ 907,999.08
V02817	Reiner Contracting, Inc	WP-42H.2 - El Zagal Area Flood Risk Management	\$	1,599,646.21	\$ 1,599,646.21
V02818	Industrial Builders	WP-42I.1 - Mickelson Levee Extension	\$	738,880.50	\$ 738,880.50
V02819	Industrial Builders	WP42F.1N - 2nd Street North	\$	13,362,906.82	\$ 13,362,906.82
V02820	CH2M Hill	WP42 - Construction Management Services	\$	851,775.30	\$ 851,775.30
V02821	Hough Incorporated	WP42F.2 - 2nd Street South	\$	1,639,524.33	\$ 1,639,524.33
V02822	City of Fargo	COF - 2016 O&M on Lifts	\$	406,921.54	\$ 406,921.54
V02823	Hoffman & McNamara	WP-42G General Landscaping and Planting	\$	491,334.67	\$ 491,334.67
V02824	City of Fargo	COF – In-Town Flood Protection Debt Payments	\$	30,283,715.00	\$ 30,283,715.00
V01703	Various	In-Town Property Purchases	\$	21,176,116.94	\$ 19,958,677.43
V02825	Industrial Builders	WP-42E - 2nd Street South and Main Avenue Flood Mitigation	\$	8,632,103.73	\$ 8,632,103.73
V02826	City of Fargo	In-Town Levee Maintenance	\$	8,823.82	\$ 8,823.82
V054XX	City of Fargo	In-Town Complementary Work - Reimbursements	\$	39,289,243.78	\$ 39,289,243.78
			\$	181,371,867.72	\$ 180,154,428.21

Legacy Bond Fund Balance Report
As of 04/30/2024

Total Authorized \$ 435,500,000.00

Current Allocation \$ 435,500,000.00

Available funds remaining \$ 200,373,571.55

Funds Requested					
	2021	2022	2023	2024	Total
January	\$ -	\$ 2,942,906.60	\$ 9,981,188.76	\$ 6,088,699.53	\$ 19,012,794.89
February	\$ -	\$ 4,564,036.17	\$ 8,921,227.42	\$ 9,838,208.63	\$ 23,323,472.22
March	\$ -	\$ 5,302,899.35	\$ 17,730,945.56	\$ 14,687,498.12	\$ 37,721,343.03
April	\$ -	\$ 1,472,504.37	\$ 11,046,323.21	\$ -	\$ 12,518,827.58
May	\$ -	\$ 1,450,140.38	\$ 4,548,883.57	\$ -	\$ 5,999,023.95
June	\$ -	\$ 4,423,864.76	\$ 14,466,204.50	\$ -	\$ 18,890,069.26
July	\$ -	\$ 2,663,992.40	\$ 3,974,515.98	\$ -	\$ 6,638,508.38
August	\$ 5,059,974.19	\$ 13,491,974.29	\$ 13,633,750.92	\$ -	\$ 32,185,699.40
September	\$ 2,970,327.95	\$ 8,406,666.33	\$ 965,586.18	\$ -	\$ 12,342,580.46
October	\$ 6,089,707.34	\$ 4,618,116.80	\$ 23,248,333.49	\$ -	\$ 33,956,157.63
November	\$ 6,415,461.09	\$ 11,768,061.46	\$ 8,921,783.21	\$ -	\$ 27,105,305.76
December	\$ 6,854,966.95	\$ 17,496,559.97	\$ 11,695,525.26	\$ -	\$ 36,047,052.18
Total	\$ 27,390,437.51	\$ 78,601,722.88	\$ 129,134,268.06	\$ 30,614,406.28	\$ 265,740,834.73

Funds Received					
May 2022	\$ 27,390,437.51				\$ 27,390,437.51
Jul 2022		\$ 12,809,842.12			\$ 12,809,842.12
Sep 2022		\$ 7,346,509.51			\$ 7,346,509.51
Dec 2022		\$ 29,180,749.82			\$ 29,180,749.82
Jan 2023			\$ 29,264,621.43		\$ 29,264,621.43
Apr 2023			\$ 18,902,416.18		\$ 18,902,416.18
Aug 2023			\$ 47,792,356.84		\$ 47,792,356.84
Nov 2023			\$ 18,573,853.08		\$ 18,573,853.08
Feb 2024				\$ 43,865,641.96	\$ 43,865,641.96
					\$ -
					\$ -
Total	\$ 27,390,437.51	\$ 49,337,101.45	\$ 114,533,247.53	\$ 43,865,641.96	\$ 235,126,428.45

State Revolving Fund (SRF) Status Report
As of 04/30/2024

Total Authorized	\$	51,634,000.00
Funds Received to Date	\$	12,320,801.21
Available Balance Remaining	\$	39,313,198.79

Funds Requested			
Draw Request Number	Period Covered	Amount	Date Submitted
1	12-Aug through 17-Oct-2022	\$ 1,272,651.90	19-Dec-22
2	09-Dec through 16-Dec-2022	\$ 2,125,033.67	17-Jan-23
3	03-Feb through 10-Feb-2023	\$ 2,539,298.51	03-Apr-23
4	11-Feb through 30-Apr. 2023	\$ 1,600,121.65	25-Jul-23
5	11-July through 28-Sept. 2023	\$ 2,052,271.94	24-Oct-23
6	11-July through 28-Sept. 2023	\$ 2,731,423.54	07-Feb-24
7	1-Nov 2023 through 31-Jan. 2024	\$ 1,384,772.59	01-May-24
Total		\$ 13,705,573.80	

Funds Received			
Draw Request Number	Period Covered	Amount	Date Received
1	12-Aug through 17-Oct-2022	\$ 1,272,651.90	23-Dec-22
2	09-Dec through 16-Dec-2022	\$ 2,125,033.67	10-Feb-23
3	03-Feb through 10-Feb-2023	\$ 2,539,298.51	21-Apr-23
4	11-Feb through 30-Apr. 2023	\$ 1,600,121.65	21-Aug-23
5	11-July through 28-Sept. 2023	\$ 2,052,271.94	08-Nov-23
6	11-July through 28-Sept. 2023	\$ 2,731,423.54	22-Feb-24
Total		\$ 12,320,801.21	

Finance Committee Bills from May 2024

Vendor	Description		
Cass County Joint Water Resource District	Diversion bills – Request #120 CCJWRD	\$	3,678,621.57
Clay County	Diversion bills – Request #41 MCCJPA	\$	463,391.24
Dorsey & Whitney	Legal services rendered through April 30, 2024	\$	179,726.22
Buffalo-Red River Watershed District	BRRWD – City of Wolverton Project	\$	147,056.50
Ohnstad Twichell, P.C.	Legal services rendered through April 21, 2024	\$	138,829.26
Buffalo-Red River Watershed District	BRRWD – City of Georgetown Project	\$	85,351.50
Rush River Water Resource District	Reimburse engineering services related to MOU	\$	17,503.35
Cass County	Reimburse misc expenses from Diversion Authority office	\$	3,538.30
Total Bills Received through May 15, 2024		\$	4,714,017.94



SENT VIA EMAIL

Cass County
Joint Water
Resource
District

May 15, 2024

Diversion Authority
P.O. Box 2806
Fargo, ND 58108-2806

Rodger Olson
Chairman
Leonard, North
Dakota

Greetings:

Ken Loughheed
Manager
Gardner, North Dakota

RE: Metro Flood Diversion Project
Oxbow-Hickson-Bakke Ring Levee Project

Keith Weston
Manager
Fargo, North Dakota

Enclosed please find copies of bills totaling \$3,678,621.57 regarding the above referenced projects. The breakdown is as follows:

Jacob Gust
Manager
Fargo, North Dakota

Metro Flood Diversion	\$3,674,536.07
Oxbow-Hickson-Bakke Ring Levee	\$4,085.50

Rick Steen
Manager
Fargo, North Dakota

At this time, we respectfully request 100% reimbursement per the Joint Powers Agreement between the City of Fargo, Cass County and Cass County Joint Water Resource District dated June 1, 2015.

If you have any questions, please feel free to contact us.

Thank you.

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Leilei Bao
Leilei Bao
Treasurer

Enclosures

Melissa Hinkemeyer
Director, Secretary

1201 Main Avenue West
West Fargo, ND 58078-1301

701-298-2381
FAX 701-298-2397
wrđ@casscountynd.gov
casscountynd.gov

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES							
Invoice	Invoice	Invoice		Project			
Paid	Date	No.		No.	Amount	Vendor	Description
4/2/2024					(139,574.00)	Cass County	Excess land sale
4/15/2024					(13,015.00)	The Title Company	Overpayment of Emden Partners OIN 836/232/5613
4/24/2024	4/2/2024	195254		130007	21,576.11	Ohnstad Twichell, PC	Diversion Right of Way Acquisition
4/24/2024	4/2/2024	195256		160007	2,538.00	Ohnstad Twichell, PC	Diversion Authority Agreement - Drains
4/24/2024	4/2/2024	195257		160007	90.00	Ohnstad Twichell, PC	Channel Phase II
4/24/2024	4/2/2024	195258		160007	855.00	Ohnstad Twichell, PC	Channel Phase III
4/24/2024	4/2/2024	195259		170007	32,449.78	Ohnstad Twichell, PC	Upstream Mitigation Area
4/24/2024	4/2/2024	195260		187007	75.00	Ohnstad Twichell, PC	Diversion-Southern Embankment
4/24/2024	4/2/2024	195261		197007	1,248.00	Ohnstad Twichell, PC	Western Tie Back
4/24/2024	4/2/2024	195262		207007	7,225.50	Ohnstad Twichell, PC	Wetland Mitigation Drain 27
4/24/2024	4/2/2024	195263		247007	188.00	Ohnstad Twichell, PC	1099 Preparation - 2023 Acquisitions
4/24/2024	4/2/2024	195264		187007	255.00	Ohnstad Twichell, PC	BIO/GEO Easements
4/24/2024	4/2/2024	195265		207007	7,572.50	Ohnstad Twichell, PC	Larry Brandt Revocable Living Trust (OIN 9348) QTED
4/24/2024	4/2/2024	195266		207007	715.00	Ohnstad Twichell, PC	Orton Perhus (OIN 747/751/5014/5015/5277) QTED
4/24/2024	4/2/2024	195267		207007	15,979.50	Ohnstad Twichell, PC	Orten Brodshaug RLT (OIN 5008/1930/1932/1940/1941/8517-8)
4/24/2024	4/2/2024	195268		217007	1,170.00	Ohnstad Twichell, PC	Charles Coster Real Estate Trust (OIN 9736/9737) QTED
4/24/2024	4/2/2024	195269		227007	97.50	Ohnstad Twichell, PC	Askegaard Patrician (OIN 2051) ED
4/24/2024	4/2/2024	195270		227007	1,812.00	Ohnstad Twichell, PC	Emden Partners LLP (OIN 836/232/5613) ED
4/24/2024	4/2/2024	195271		227007	895.50	Ohnstad Twichell, PC	Hamilton (OIN 1949/1956/5036) ED
4/24/2024	4/2/2024	195272		227007	97.50	Ohnstad Twichell, PC	Hertsgaard Family LLLP (OIN 2042) ED
4/24/2024	4/2/2024	195273		237007	844.50	Ohnstad Twichell, PC	Christenson (OIN 7002) ED
4/24/2024	4/2/2024	195274		237007	97.50	Ohnstad Twichell, PC	Johnson, Ted & Mary (OIN 9423) ED
4/24/2024	4/2/2024	195275		237007	942.50	Ohnstad Twichell, PC	Brakken (OIN 1173N) ED
4/24/2024	4/2/2024	195276		237007	162.50	Ohnstad Twichell, PC	Cossette, Marjorie (OIN 1947/1948) ED
4/24/2024	4/2/2024	195277		237007	20,685.17	Ohnstad Twichell, PC	2023 Consolidated ED Actions
4/16/2024	4/3/2024	836693		38810.00014	79.00	Larkin Hoffman	Brungard/Nelson FE Acquisition
4/16/2024	4/3/2024	836692		38810.00012	158.00	Larkin Hoffman	Hanson FE Acquisition
4/16/2024	4/3/2024	836694		38810.00028	750.50	Larkin Hoffman	CCJW v Alm, Melvin and Ricky FE
4/16/2024	4/3/2024	836696		38810.00049	1,027.00	Larkin Hoffman	CCJW v Allan and Mary Swenson
4/16/2024	4/3/2024	836695		38810.00045	39.50	Larkin Hoffman	CCJW v Becca Saunders
4/16/2024	4/3/2024	836691		38810.00004	3,120.50	Larkin Hoffman	Richland/Cass Cos./Applications for Permit to Enter Land
4/16/2024	4/3/2024	836697		38811.00053	1,264.00	Larkin Hoffman	Granholt Family Farm
4/2/2024	2/29/2024	13783.00-46			47,236.87	SRF Consulting Group, Inc.	Project mgmt, ROW Services and relocation services
5/2/2024	4/11/2024	37966		19706	2,350.00	Moore Engineering, Inc.	FM Div Des Coord-Task 2
5/2/2024	4/11/2024	37965		19706	315.00	Moore Engineering, Inc.	FM Diversion Design Coordination - MOU
4/26/2024	2/1/2024	5010			4,000.00	Crown Appraisal	Task Order 6 - Amend 6 (OIN 1093 and OIN 2016)
4/26/2024	3/29/2024	5039			6,000.00	Crown Appraisal	Task Order 6 - Amend 6 (OIN 507Y)
4/1/2024	3/14/2024	1136126			329.41	Cass County Electric Cooperative	Service to 4005 124 Ave S Home
4/1/2024	3/14/2024	1129748			12.00	Cass County Electric Cooperative	Service to 4005 124 Ave S Heat
4/1/2024	3/14/2024	1160310			68.26	Cass County Electric Cooperative	Service to 4005 124 Ave S Storage add
4/1/2024	3/14/2024	1122560			36.65	Cass County Electric Cooperative	service to 1701 14 St S
4/1/2024	3/14/2024	1132241			49.00	Cass County Electric Cooperative	Service to 5251 174 1/2 AV SE
4/1/2024	3/14/2024	1125474			180.70	Cass County Electric Cooperative	Service to 12004 57 ST S
5/2/2024	4/22/2024	1200614307			14,198.75	HDR engineering	TO2 Property Acquisition Services
4/26/2024	4/25/2024				47,440.74	Glass Impression	Relocation reimbursement
4/26/2024	4/25/2024				1,035.00	Darwin & Sandra Duval	Relocation reimbursement
4/26/2024	4/25/2024				1,000.00	Alliance	Relocation reimbursement
4/26/2024	4/25/2024				3,142.13	Evan Holman	Crop Damage
4/12/2024	4/15/2024			273499	2,450,320.00	The Title Company	Flowage Easement Emden Partners (OIN 232 836 5013)
4/26/2024	4/26/2024			273033	965,075.00	The Title Company	Flowage Easement of Darwin and Sandra Duval (OIN 1912)
5/3/2024	4/26/2024			273791	160,325.00	The Title Company	Purchase agreement of Brakeen (OIN 1173N 233Y1 1088Y)
				Total	3,674,536.07		
OXBOW-HICKSON-BAKKE RING LEVEE INVOICES							
Invoice	Invoice	Invoice	Purchase	Project			
Paid	Date	No.	Order No.	No.	Amount	Vendor	Description
4/24/2024	4/2/2024	195255			4,085.50	Ohnstad Twichell, PC	Legal - OHB Levee Project
				Total	4,085.50		
				Grand Total	3,678,621.57		



COUNTY AUDITOR
LORI J. JOHNSON
Office Telephone (218) 299-5006

May 7, 2024
Diversion Authority
P.O. Box 2806
Fargo, ND 58108-2806

RE: Metro Flood Diversion Project

Greetings:

Attached to these email(s), please find a spreadsheet summary of invoices/expense and documentation for invoices paid by Clay County for the FM Flood Diversion project. All requests were approved or authorized by the Diversion Authority. Current invoice/expense reimbursement request total is as follows:

Metro Flood Diversion	\$463,391.24
-----------------------	--------------

We respectfully request 100% reimbursement as per the Joint Powers Agreement.

If you have any questions, please feel free to contact us.

Sincerely,

Lori J. Johnson
Clay County Auditor

Enclosures

Clay County Government Center
3510 12th Ave S
PO Box 280
Moorhead, MN 56560

FM Diversion MCCJPA invoices

Processed

	Invoice		Invoice		Date			Reimb
Vendor	Date		Amount	Invoice #	Approved	Date Paid	Check #	Request
Ohnstad Twichell	4/3/24	general 2024	\$4,600.45	195275	4/8/24	4/17/24	564933	5/7/2024
Ohnstad Twichell	4/3/24	eminent domain clay	\$16,335.85	195273	4/8/24	4/17/24	564933	5/7/2024
Ohnstad Twichell	4/3/24	Southern embankment	\$32,895.80	195272	4/8/24	4/17/24	564933	5/7/2024
Ohnstad Twichell	4/3/24	eminent domain wilkin	\$6,839.56	195274	4/8/24	4/17/24	564933	5/7/2024
Ohnstad Twichell	4/3/24	Upstream mitigation	\$39,406.68	195271	4/8/24	4/17/24	564933	5/7/2024
Red River Valley Coop	4/2/24	svc 3348 180th ave s	\$59.25		4/16/24	4/24/24	565027	5/7/2024
Red River Valley Coop	4/2/24	svc 13689 3rd st s	\$55.16		4/16/24	4/24/24	565027	5/7/2024
Forum Communications	3/29/24	Certified mail postage	\$21.38	10069573	4/16/24	4/24/24	565009	5/7/2024
The Hawley Herald	3/18/24	JPA meeting 3/18/24	\$36.00	5391	4/16/24	4/24/24	565034	5/7/2024
Larkin Hoffman	4/3/24	prof svc thru 3/31/24	\$15,983.30	836709	4/16/24	4/24/24	118839	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.017.3300	\$126.00	1149936	4/22/24	4/24/24	118813	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.034.4700	\$76.00	1149951	4/22/24	4/24/24	118813	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.034.3700	\$44.00	1149959	4/22/24	4/24/24	118813	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.019.1001	\$46.00	1146900	4/22/24	4/24/24	118813	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.029.3003	\$1,770.00	1140410	4/22/24	4/24/24	118813	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.034.4301	\$1,008.00	1144317	4/22/24	4/24/24	118813	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.008.2550	\$994.00	1123582	4/22/24	4/24/24	118813	5/7/2024
Wilkin County Auditor-Treasurer	4/8/24	2024 prop tax 22-003-0210	\$12.00	15279	4/22/24	5/8/24	119075	5/7/2024
Wilkin County Auditor-Treasurer	4/8/24	2024 prop tax 22-004-0110	\$10.00	15280	4/22/24	5/8/24	119075	5/7/2024
Wilkin County Auditor-Treasurer	4/8/24	2024 prop tax 22-004-0250	\$10.00	15281	4/22/24	5/8/24	119075	5/7/2024
Wilkin County Auditor-Treasurer	4/8/24	2024 prop tax 22-004-0310	\$10.00	15282	4/22/24	5/8/24	119075	5/7/2024
Wilkin County Auditor-Treasurer	4/8/24	2024 prop tax 22-101-0400	\$30.00	15283	4/22/24	5/8/24	119075	5/7/2024
SRF Consulting Group	3/31/24	Prof svcs thru 3/31/24	\$12,473.45	13820.00-42	4/19/24	5/8/24	565198	5/7/2024
Larkin Hoffman	4/3/24	prof svc thru 3/31/24	\$5,525.60	836711	4/25/24	5/8/24	119017	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.008.2550	\$3,184.00	1140454	4/25/24	5/8/24	118979	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.008.2550	\$1,298.00	1139348	4/25/24	5/8/24	118979	5/7/2024
Clay County Auditor-Treasurer	4/8/24	2024 prop tax 15.008.2550	\$496.00	1141926	4/25/24	5/8/24	118979	5/7/2024
ProSource Technologies	3/31/24	Prof svc thru 3/31/24	\$15,921.68	3251	4/25/24	5/8/24	565187	5/7/2024
Morgan Buth & David Dobis	4/25/24	Relocation reimbursement	\$1,863.00		4/26/24	5/8/24	119032	5/7/2024
The Title Co	4/12/24	closing oin 7215 schmidt & sons	\$302,260.08		4/12/24	4/11/24	907195	5/7/2024

\$463,391.24



MINNEAPOLIS OFFICE
612-340-2600

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Metro Flood Diversion Authority
4784 Amber Valley Pkwy
Suite 100
Fargo, ND 58104

May 6, 2024
Invoice Number 3972970

Client-Matter No.: 491379-00004
Provide advice on potential construction litigation claims

For Legal Services Rendered Through April 30, 2024

INVOICE TOTAL

Total For Current Legal Fees	\$179,461.00
Total For Current Disbursement and Service Charges	\$265.22
Total Due This Invoice	\$179,726.22

Payment Methods

ACH/Wire (Preferred Method)

Beneficiary Bank U.S. Bank National Association
800 Nicollet Mall
Minneapolis, MN 55402
ABA Routing Number 091000022
Account Number 1047-8339-8282
Swift Code USBKUS44IMT

Check

Dorsey & Whitney LLP
P.O. Box 1680
Minneapolis, MN 55480-1680

Online Options

Contact our Billing team for first time access
credentials at onlinepayments@dorsey.com

Payment site:
[Dorsey Login \(e-billexpress.com\)](https://dorseylogin.com)

Please make reference to the invoice number – send remittance to remittance@dorsey.com

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY

Questions regarding this invoice? Please contact your Dorsey attorney or Accounts Receivable @ ARhelpdesk@dorsey.com or 612-492-5278.



1303 4th Ave NE
Barnesville, MN 56514
EIN#: 41-1311776

Invoice # 1032

Bill To:

Metro Flood Diversion Authority
Attention: Director of Engineering
4784 Amber Valley Parkway South, Suite 100
Fargo, ND 58104

City of Wolverton Flood Protection

Billing Period - Dec. 24, 2023 - April 27, 2024

Name	Description	Hours	Rate	Invoice #	Total Amount
Buffalo-Red River WD	Project Coordination: 12/31/2023-01/13/2024			322	\$ 54.37
Houston Engineering Inc.	Professional Services: 12/24/2023-01/27/2024			69266	\$ 23,702.33
Buffalo-Red River WD	Project Coordination: 01/28/2024-02/10/2024			323	\$ 36.25
Buffalo-Red River WD	Project Coordination: 02/11/2024-02/24/2024			324	\$ 344.33
Houston Engineering Inc.	Professional Services: 01/28/2024-02/24/2024			69640	\$ 28,570.25
Buffalo-Red River WD	Project Coordination: 02/25/2024-03/09/2024			325	\$ 126.86
Buffalo-Red River WD	Project Coordination: 03/10/2024-03/23/2024			326	\$ 144.98
Houston Engineering Inc.	Professional Services: 02/25/2024-03/23/2024			70090	\$ 35,348.95
Buffalo-Red River WD	Project Coordination: Mailing Costs			327	\$ 70.55
Buffalo-Red River WD	Project Coordination: 03/24/2024-04/06/2024			328	\$ 144.98
Buffalo-Red River WD	Project Coordination: 04/07/2024-04/20/2024			329	\$ 367.49
Houston Engineering Inc.	Professional Services: 03/24/2024-04/27/2024			70563	\$ 58,145.52
					\$ -
					\$ -
	Total Amount Due				\$ 147,056.86
	Billed to date				\$ 530,784.39

OHNSTAD TWICHELL, P.C.**Attorneys at Law**

P.O. Box 458
West Fargo, ND 58078-0458
(701) 282-3249

15-1395 (JTS) Invoice # 196001

Flood Diversion Board

Bond Counsel Work - PPP

Date: May 10, 2024

To: Flood Diversion Board
P.O. Box 2806
Fargo, ND 58108-2806

PROFESSIONAL SERVICES RENDERED			
	Hours	Rate	Totals
JTS	113.4	\$398.00	\$45,133.20
CMM	20.3	\$398.00	\$8,079.40
SNW	0.3	\$398.00	\$119.40
LDA	0.7	\$398.00	\$278.60
KJS	51.7	\$398.00	\$20,576.60
TJL	0.4	\$398.00	\$159.20
LWC	10.3	\$398.00	\$4,099.40
DCP	38.3	\$398.00	\$15,243.40
ABG	0.5	\$365.00	\$182.50
KJM	30.3	\$345.00	\$10,453.50
SJH	1.0	\$325.00	\$325.00
TJF	3.6	\$265.00	\$954.00
MAN	1.5	\$280.00	\$420.00
CAS	4.9	\$235.00	\$1,151.50
AJR	20.6	\$235.00	\$4,841.00
TWS	0.6	\$225.00	\$135.00
MRH	34.9	\$225.00	\$7,852.50
LDS	16.3	\$225.00	\$3,667.50
Total Fees:	349.6		\$123,671.70
Monthly Credit Card Processing Fee			\$3,814.80
Westlaw			\$100.40
Photocopies			\$18.60
Prof Service Fee Gwendolyn			\$11,125.00
UPS			\$25.76
Recording Fees			\$70.00
Search Fee			\$3.00
Total Expenses:			\$15,157.56
Grand Total			\$138,829.26

		Rates
JTS	John T. Shockley, Partner, Supervising Attorney	\$398.00
CMM	Christopher M. McShane, Partner	\$398.00
ADC	Andrew D. Cook, Partner	\$398.00
SNW	Sarah M. Wear, Partner	\$398.00
LDA	Lukas D. Andrud, Partner	\$398.00
KJS	Katie J. Schmidt, Partner	\$398.00
MWM	Marshall W. McCullough, Partner	\$398.00
TJL	Tyler J. Leverington, Partner	\$398.00
LWC	Lukas W. Croaker, Partner	\$398.00
BTB	Brent T. Boeddeker, Partner	\$398.00
DCP	David C. Piper, Partner	\$398.00
ABG	Alexander B. Gruchala, Associate	\$365.00
JRS	J.R. Strom, Associate	\$350.00
KJM	Kathryn J. McNamara, Associate	\$345.00
JAM	Jenna A. McPherson, Associate	\$310.00
SJH	Stephen J. Hilfer, Associate	\$325.00
TJF	Tiffany J. Findlay, Associate	\$265.00
KKW	Katherine K. Wong, Associate	\$290.00
MAN	Morgan A. Nyquist, Associate	\$280.00
CAS	Carol A. Stillwell, Paralegal	\$235.00
AJR	Andrea J. Roman, Paralegal	\$235.00
CRR	Christie R. Rust, Paralegal	\$225.00
TWS	Tim W. Steuber, Paralegal	\$225.00
MRH	Meghan R. Hockert, Paralegal	\$225.00
LAH	Lacey A. Hruby, Paralegal	\$225.00
DLR	Dena L. Ranum, Paralegal	\$180.00
ATW	Amy T. White, Paralegal	\$205.00
LDS	Lynne D. Spaeth, Paralegal	\$225.00

OHNSTAD TWICHELL, P.C.

WEST FARGO, NORTH DAKOTA 58078

COST ADVANCES BY US FOR YOUR ACCOUNT, FOR WHICH WE HAVE NOT
BEEN BILLED, WILL APPEAR ON YOUR NEXT STATEMENT.

Page 2 of 2

PROFESSIONAL SERVICES RENDERED

15-1395 JTS Invoice # 196001 Flood Diversion Board		Bond Counsel Work - P3
FILE NUMBER	MATTER DESCRIPTION	INVOICE - TOTAL FEES
151395-1	General Topics	\$29,161.60
151395-2	Executive Director	\$199.00
151395-4	Public Finance Issues	\$517.40
151395-5	Consultant Contract Review/Development	\$253.20
151395-9	Environmental Permitting Issues/NEPA	
151395-12	USACE Interface/Questions	\$31,708.30
151395-13	Third Party Utility MOU's	\$18,887.10
151395-23	PRAM	\$3,752.50
151395-24	P3 Implementation	\$24,668.00
151395-26	Appraisal Review	\$199.00
151395-27	UMA/Utility Review	\$6,332.30
151395-28	CCJWRD Temporary RIB 2024A	\$6,441.10
151395-30	Dispute Review Board Minutes	\$1,552.20
TOTAL		\$123,671.70

*exp only

Invoice # 1031

Metro Flood Diversion Authority
Attention: Director of Engineering
4784 Amber Valley Parkway South, Suite 100
Fargo, ND 58104

Billing Period - Dec. 24, 2023 - May 13, 2024, 2024

[illegible]



**Rush River
Water Resource
District**

SENT VIA EMAIL

William A. Hejl
Chairman
Amenia, North Dakota

April 24, 2024

Dick Sundberg
Manager
Harwood, North Dakota

Diversion Authority
P.O. Box 2806
Fargo, ND 58108-2806

Jacob Gust
Manager
Fargo, North Dakota

Greetings:

RE: Metro Flood Diversion Project

Enclosed please find a copy of invoices totaling \$17,503.35 regarding the Metro Flood Diversion Project.

At this time, we respectfully request 100% reimbursement per the Memorandum of Understanding between Metro Flood Diversion Authority and Rush River Water Resource District dated December 21, 2020.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,

RUSH RIVER WATER RESOURCE DISTRICT

Leilei Bao

Leilei Bao
Accountant

Melissa Hinkemeyer
Director, Secretary

Enclosure

1201 Main Avenue West
West Fargo, ND 58078-1301

701-298-2381
FAX 701-298-2397
wrđ@casscountynđ.gov
www.casscountynđ.gov



INVOICE: INV010425

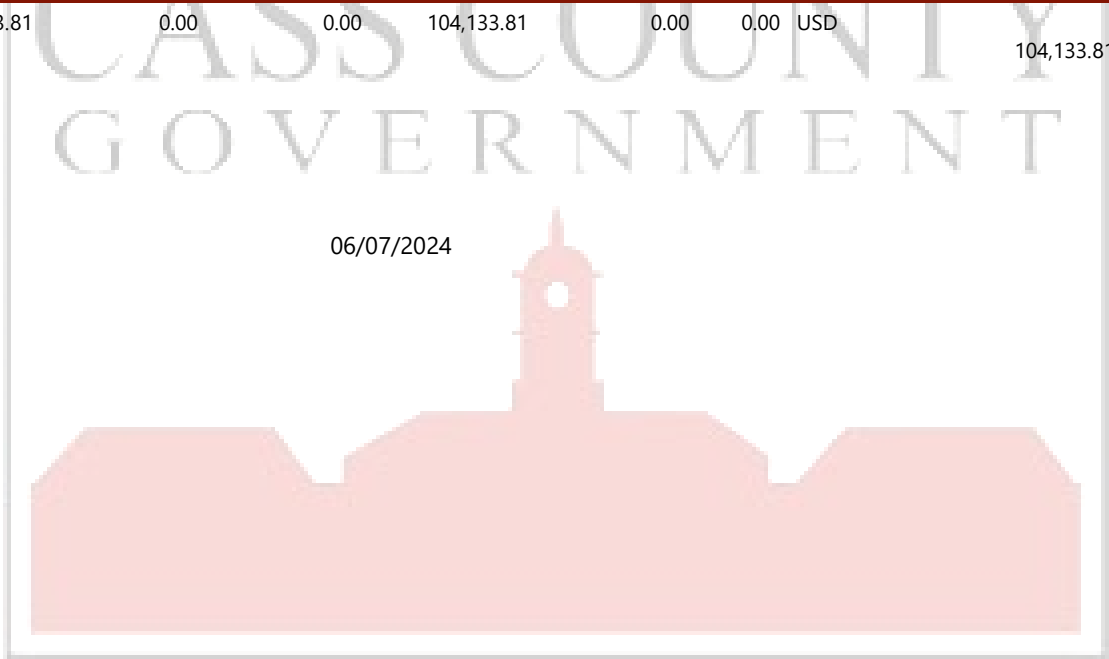
Date 05/08/2024
Invoice account 198

CITY OF FARGO
PO BOX 49
Fargo, ND

Description	Quantity	Unit price	Amount
FM DIVERSION MISC EXPENSES	1.00	3,538.30	3,538.30
FM DIVERSION PAYROLL	1.00	100,595.51	100,595.51

Sales subtotal amount	Total discount	Total charges	Net amount	Sales tax	Round-off	Currency	Total
104,133.81	0.00	0.00	104,133.81	0.00	0.00	USD	104,133.81

Due date 06/07/2024



Please detach and send this copy with remittance.

MAKE CHECK
PAYABLE TO:

Cass County Government
211 9th Street South
P.O Box 2806
Fargo, ND 58108-2806

Invoice:INV010425
Date: 05/08/2024
Total: 104,133.81

Name: CITY OF FARGO
Account #: 198
Due date 06/07/2024



METRO
FLOOD
DIVERSION
AUTHORITY

Diversion Board of Authority Meeting

May 23, 2024

Contracting Actions

DA Board Approval Contract Actions

(ACTION)



Description	Company	Budget/ Estimate (\$)
Task Order 16, Amendment 0 – Utility Relocation – This task order will include burying approximately 2.2 miles of OH power out of the existing Oxbow substation from Main Avenue near Bakke, ND to the SE-3 crossing on Highway 81 near the Red River Structure.	Cass County Electric Coop, Inc	\$556,020
WP-47C, Change Order 2 – Test Holes and Wells – This Change order is required to increase the number of monitoring wells to allow for aquifer testing for five production well locations. It also accounts for changing the well casing material from SDR 21 PVC to SDR 17 PVC due to the change in well depth per the final design.	LTP Enterprises, Inc	\$142,993

Executive Director

Contracting Recommendation



The PMC has prepared the following Contract Action(s):

Cass County Electric Cooperative, Inc TO16 Amendment 0 OHB to SE3	\$556,020.00
<ul style="list-style-type: none">• Bury overhead feeders out of existing Oxbow substation from Main Ave in Hickson to the SE-3 crossing on Highway 81 near the Red River control structure	

1 Recommendation for action:

The Executive Director has reviewed and recommended approval of the following Contract Action(s).

2 Summary of Contracting action:

Per the contract review and approval procedures that were adopted by the Metro Flood Diversion Authority on November 10, 2016 and amended December 16, 2021, the Owner’s Program Management Consultant (PMC) or Engineer of Record (EOR) is directed to task orders and task order amendments for existing Master Services Agreements (MSA) and submit them to the Co-Executive Director and Member Entity Technical Representative (METR) for review. The METR will provide comments to the PMC who will combine the comments for the Director of Engineering. The Director of Engineering (DOR) will review and provide recommendations to the Co-Executive Director for review and action.

Reason why it is required

Cass County Electric will bury overhead feeders out of the existing Oxbow substation for approximately 2.2 miles from Main Avenue in Hickson to the SE-3 crossing on Highway 81 near the Red River control structure. This work is necessary due to the substation relocation and the overhead lines being located in a high inundation area. This is the main feed for the city of Oxbow and will ensure reliability during periods of high water in the UMA. Cass County Electric will complete the underground work in 2024 but removal of the overhead lines will be dependent on some demos and other factors.

3 Background and discussion

CH2M, now Jacobs, has served as the Program Management Consultant (PMC) to the OWNER since November of 2011, with primary responsibilities to plan and implement the Fargo-Moorhead Area Diversion Project (the PROJECT). As such, the OWNER and CONSULTANT have agreed to enter into a Task Order focused on managing and reporting on the various aspects of the PROJECT. The PMC reports directly to the Executive Director.

In accordance with Section 2.01 of the Mater Utility Relocation Agreement between the Metro Flood Diversion Authority (the “Authority”) and Cass County Electric, Inc (“Utility”) dated May 27, 2021 (the “Agreement”), the Authority and the Utility agree to the above services.

See the table below for a summary of this task order’s contracting history, including this amendment.

Table 1 - Summary of Contracting History and Current Contract Action

Original Agreement or Amendment	Contract Change \$	Original or Revised Contract \$	Agreement Execution Date	Project Completion	Comments
TO16-A0	0.00	556,020.00	4/9/2024	12/31/2024	Initial scope of work
Total		556,020.00			

4 Financial considerations:

The Budget Cost Proposal is attached or in the Task Order document.

Cost account code is required for accounting purposes to match the invoicing in Source for the Diversion Authority to reconcile.

Table 2 - Summary of Annual Budget Allocation – Per Year

Original Agreement or Amendment	Cost Account Code	Estimated Cost (\$)	Budget Allocated (\$)	Actual paid to date (\$)	Budget Remaining (\$)	Comments
2024	CN-4010	556,020.00	556,020.00	0.00	556,020.00	Within allocated budget

5 Attachments:

- Task Order 16 Amendment 0

The PMC prepared this contracting action and feels the information is accurate, complete, and ready for Executive Director review.

Recommendation: Kris Bakkegard, Director of Engineering recommends approval of this contract.

The Executive Director has approved in Workflow and granted permission to add his name to the document.

Approved by: Michael Redlinger, Co-Executive Director

Date: 5/9/2024

Executive Director

Contracting Recommendation



The PMC has prepared the following Contract Action(s):

LTP Enterprises, Inc Change Order 02 Work Package 47C - Test Holes and Wells	\$142,993.00
<ul style="list-style-type: none"> • Additional monitoring wells • Additional budget for change in production well casing. 	

1 Recommendation for action:

The Co-Executive Director has reviewed and recommended approval of the following Contract Action(s).

2 Summary of Contracting action:

Per the contract review and approval procedures that were adopted by the **Metro Flood Diversion Authority** on November 10, 2016 and amended December 16, 2021, the Owner's Program Management Consultant (PMC) or Engineer of Record (EOR) is directed to prepare Change Order greater than \$50,000.00 and submit them to the Member Entity Technical Representatives and the Co-Executive Director. The Member Entity Technical Representatives will provide comments which will be consolidated in one form by the PMC and provided to the Director of Engineering. The Director of Engineering will review the comments and provide recommendations to the Co-Executive Director for review. The Co-Executive Director will provide their recommendations along with the Member Entity Technical Representatives to the Finance and Board Committees.

3 Reason why it is required:

This Change Order is to increase number of monitoring wells to allow for aquifer testing at all five production well locations. It also allows for the production well casing material to change from SDR 21 PVC to SDR 17 PVC due to the well depth per the final well design. Test holes have been completed and the results analyzed leading to the final design of the production wells to meet the capacity requirements for CRW.

4 Background and discussion:

The Diversion Authority awarded the WP47C Test Holes and Wells contract to LTP Enterprises Inc. (Contractor). The effective Date of the contract was September 13, 2023 Since the start of construction, the Contractor and Owner have submitted one (1) other change other.

See the table below for a summary of this task order's contracting history, including this amendment.

Table 1 - Summary of Contracting History and Current Contract Action

Original Agreement or Amendment	Budget Change \$	Original or Revised Budget \$	Agreement Execution Date	Project Completion	Comments
Contract	0.00	438,600.00	9/13/2023	9/20/2024	Contract Award
Change Order 01	13,919.00	452,519.00	9/13/2023	9/20/2024	2 additional test holes
Change Order 02	142,993.00	595,512.00	9/13/2023	9/20/2024	Additional monitoring wells and change in casing material.
Totals		595,512.00			

Financial considerations:

Cost account code is required for accounting purposes to match the invoicing in Source for the Metro Flood Diversion Authority to reconcile.

Table 2 - Summary of Annual Budget Allocation – Per Year

Original Agreement or Amendment	Cost account code	Estimated Cost (\$)	Budget Allocated (\$)	Actual Paid to date (\$)	Budget Remaining (\$)	Comments
2023	CN-4150	0.00	0.00	0.00	0.00	No payments made in 2023.
2024	CN-4150	595,512.00	595,512.00	55,586.00	396,933.00	
Totals		595,512.00	595,512.00	55,586.00	396,933.00	

5 Attachments:

- Change Order 02
- Change Proposal #2
- Unit Price Schedule
- Work Change Directive 02 (incl. Drawing and Final well design)

The PMC prepared this contracting action and feels the information is accurate, complete, and ready for Executive Director review.

Recommendation: Kris Bakkegard, Director of Engineering recommends approval of this contract.

The Executive Director has approved in Workflow and granted permission to add his name to the document.

Approved by: Michael Redlinger, Co-Executive Director

Date: 5/9/2024

Memorandum



To: Metro Flood Diversion Board of Authority

From: Co-Executive Directors Robert Wilson & Michael Redlinger

Cc: Mr. John Shockley, General Counsel

Date: May 15, 2024

Re: Diversion Authority Personnel Policy/Employee Handbook Review

The Co-Executive Directors have worked with Chair Carlson and General Counsel John Shockley to understand Diversion Authority matters that require immediate attention and those that are longer-term in nature.

One item identified as requiring near-term follow-up and Board direction involves Diversion Authority personnel policies. There are two sets of personnel policies that have been authorized and/or utilized simultaneously, and it appears the Board of Authority has not formally adopted the policy currently being utilized.

The Diversion Authority has a Memorandum of Understanding (MOU) with Cass County to provide payroll and benefits to Diversion Authority staff. At multiple points the MOU refers to Cass County human resource policies and the Cass County Employee Handbook. In accordance with this MOU, prior to 2022 the County provided HR support to the Diversion Authority as needed based on Cass County policy.

Separately, on December 15, 2021, the Authority entered into an agreement with HighRoad Partners HR Solutions, LLC to “deliver a customized employee handbook.” HighRoad Partners delivered an MFDA Employee Handbook (the “2022 MFDA Handbook”) to the former Executive Director in October 2022. The Cass County Human Resources Director was provided a copy of the 2022 MFDA Handbook to review but was not asked to authorize or approve this material.

A short time later the former Executive Director informed Cass County the Diversion Authority would adopt human resource policies described in the 2022 MFDA Handbook prepared by HighRoad Partners and no longer utilize Cass County HR policies. After review of Diversion Authority Minutes this change in policy was never considered or authorized by the Diversion Board of Authority.

In addition to the initial 2022 MFDA Handbook, HighRoad Partners provided the former Executive Director with an updated MFDA Employee Handbook in late 2023 (the “2023 MFDA Handbook”). Neither the Cass County Human Resources Director nor the Diversion Authority’s General Counsel were provided a copy of the 2023 MFDA Handbook. The 2023 MFDA Handbook was not approved by the Diversion Board of Authority.

On May 7, 2024, at its regular and properly noticed meeting the Diversion Authority Planning Committee recommended referring this matter to HR legal counsel (Dorsey firm) for further review and recommendation and asked General Council to obtain an estimate of the cost to perform a legal review of the 2023 MFDA Handbook from HR Legal Counsel. At the Authority Board meeting on May 23rd the Board will be asked to consider the Planning Committee’s recommendation and authorize the Dorsey review.



Employee Handbook

Metro Flood Diversion Authority
2023



ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this manual to help employees find the answers to many questions that they may have regarding their employment with Metro Flood Diversion Authority. Please take the necessary time to read it.

We do not expect this manual to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this manual nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. Metro Flood Diversion Authority adheres to the policy of employment at will, which permits the Authority or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No Authority representative other than Executive Director may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this manual, such as benefit plan descriptions, are also described in separate Authority documents. These Authority documents are always controlling over any statement made in this manual or by any member of management.

This manual states only general Authority guidelines. The Authority may, at any time, in its sole discretion, modify or vary from anything stated in this manual, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and Executive Director.

This manual supersedes all prior manuals.

Table of Contents

Section 1 - GOVERNING PRINCIPLES OF EMPLOYMENT	6
1-1. Introduction	6
1-2. Equal Employment Opportunity	6
1-3. Non-Harassment	6
1-4. Drug-Free And Alcohol-Free Workplace	8
1-5. Workplace Violence	9
1-6. Whistleblower Protections	10
1-7. Federal Contractors: Pay Transparency	11
1-8. Reasonable Accommodations & Interactive Dialogue	11
Section 2 - OPERATIONAL POLICIES	13
2-1. Employee Classifications	13
2-2. Employee Service Credit	13
2-3. Your Employment Records	13
2-4. Working Hours And Schedule	14
2-5. Remote Work/Telecommuting	14
2-6. Timekeeping Procedures	16
2-7. Overtime	16
2-8. Travel Time For Non-Exempt Employees	17
2-9. Safe Harbor Policy For Exempt Employees	17
2-10. Your Paycheck	18
2-11. Direct Deposit	19
2-12. Performance Review	19
2-13. Record Retention	19
2-14. Job Postings	19
2-15. Artificial Intelligence	20
2-16. Open Door Policy	20
Section 3 - BENEFITS	21
3-1. Benefits Overview	21
3-2. Paid Holidays	21
3-3. Paid Vacations	22
3-4. Paid Personal Days	23
3-5. Sick Days	24
3-6. Lactation Accommodations	25
3-7. Workers' Compensation	25

Table of Contents

3-8. Jury Duty	25
3-9. Bereavement Leave	26
3-10. Voting Leave	26
3-11. Insurance Programs	26
3-12. Salary Continuation	26
3-13. Employee Assistance Program	26
3-14. Retirement Plan	27
Section 4 - LEAVES OF ABSENCE	28
4-1. Personal Leave	28
4-2. Military Leave	28
Section 5 - GENERAL STANDARDS OF CONDUCT	29
5-1. Workplace Conduct	29
5-2. Punctuality And Attendance	30
5-3. Use Of Communications And Computer Systems	30
5-4. Use Of Social Media	31
5-5. Personal And Company-Provided Portable Communication Devices	31
5-6. Inspections	33
5-7. Smoking	33
5-8. Personal Visits And Telephone Calls	33
5-9. Solicitation And Distribution	33
5-10. Confidential Company Information	33
5-11. Conflict Of Interest And Business Ethics	34
5-12. Use Of Facilities, Equipment And Property, Including Intellectual Property	34
5-13. Health And Safety	35
5-14. Hiring Relatives/Employee Relationships	35
5-15. Employee Dress And Personal Appearance	36
5-16. Publicity/Statements To The Media	36
5-17. Operation Of Vehicles	36
5-18. Business Expense Reimbursement	37
5-19. References	37
5-20. If You Must Leave Us	37
5-21. Exit Interviews	37
5-22. A Few Closing Words	37
GENERAL HANDBOOK ACKNOWLEDGMENT	39

Table of Contents

RECEIPT OF NON-HARASSMENT POLICY	40
----------------------------------	----

Section 1 - GOVERNING PRINCIPLES OF EMPLOYMENT

1-1. Introduction

For employees who are commencing employment with Metro Flood Diversion Authority ("Metro Flood Diversion Authority" or "the Authority"), on behalf of Metro Flood Diversion Authority, let me extend a warm and sincere welcome.

For employees who have been with us, thanks for your past and continued service.

I extend my personal best wishes for success and happiness here at Metro Flood Diversion Authority. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

Joel Paulsen, Executive Director

1-2. Equal Employment Opportunity

Metro Flood Diversion Authority is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, pregnancy-related conditions, and lactation), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Metro Flood Diversion Authority's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Executive Director. Metro Flood Diversion Authority will not allow any form of retaliation against employees who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact Executive Director. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

1-3. Non-Harassment

It is Metro Flood Diversion Authority's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, public assistance status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by Metro Flood Diversion Authority.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on Authority premises, while on Authority business (whether or not on Authority premises) or while representing the Authority. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The following are examples of conduct that violate this policy. Please note these examples are not an exhaustive list:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and

12. teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to Executive Director. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Diversion Authority's attorney. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, the Authority will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

1-4. Drug-Free And Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect Authority property, and to ensure efficient operations, Metro Flood Diversion Authority has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the Authority.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances (including medical marijuana), drug paraphernalia or alcohol by an individual anywhere on Authority premises, while on Authority business (whether or not on Authority premises) or while representing the Authority, is strictly prohibited. Employees and other individuals who work for the Authority also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this exception does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law. This restriction does not apply to responsible drinking of alcohol at business meetings and related social outings.

The Authority maintains a policy of non-discrimination and will endeavor to make reasonable

accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any Authority employee, including themselves.

Violation of this policy will result in disciplinary action, up to and including discharge.

The Authority maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any Authority employee, including themselves.

1-5. Workplace Violence

Metro Flood Diversion Authority is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Authority and personal property.

Metro Flood Diversion Authority does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, Metro Flood Diversion Authority specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, Metro Flood Diversion Authority does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Authority policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any Authority employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation.

Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede Metro Flood Diversion Authority's

ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the Authority determines, after an appropriate good faith investigation, that someone has violated this policy, the Authority will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for the Authority to be aware of any potential danger in its offices. Indeed, the Authority wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

1-6. Whistleblower Protections

We strive to create an ethical and open work environment, to ensure we have a governance and accountability structure that supports our mission, and to encourage and enable you to raise legitimate concerns about the occurrence of illegal or unethical actions within the Authority instead of turning to outside parties for resolution.

We expect you to report activities you consider to be illegal, unethical, or dishonest internally. You are not responsible for formally investigating the activity or determining fault or corrective measures. Instead, as discussed below, appropriate management officials are charged with these responsibilities.

Examples of illegal, unethical, or dishonest activities include, but are not limited to:

- Violations of federal, state or local laws
- Activities that potentially violate healthcare reform laws
- Theft or inappropriate removal or possession of property
- Unethical, immoral, or criminal conduct in or outside the workplace
- Falsification of timekeeping records
- Violation of OSHA or other regulatory standards
- Sexual or other unlawful or unwelcome harassment
- Unauthorized disclosure of business "secrets" or confidential information

If you have knowledge of or a concern about actual or potential illegal, dishonest, or fraudulent activity, you should contact your immediate supervisor or the Executive Director. The matter will be investigated to determine the proper course of corrective action.

Insofar as possible, we will try to maintain your confidentiality. However, your identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. We will not retaliate, nor permit retaliation against anyone who brings forward a legitimate concern under this policy. If you believe you are being retaliated against, contact the Executive Director immediately. Protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

If you intentionally or recklessly file a false or baseless report of wrongdoing, you will be subject to discipline up to and including termination.

1-7. Federal Contractors: Pay Transparency

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is: 1) in response to a formal complaint or charge; 2) in furtherance of an investigation, proceeding, hearing or action, including an investigation conducted by the employer; or 3) consistent with the contractor's legal duty to furnish information.

1-8. Reasonable Accommodations & Interactive Dialogue

Metro Flood Diversion Authority is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA). To that end, we will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom Metro Flood Diversion Authority has notice may require such an accommodation, without regard to any protected classifications, related to an individual's:

- Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;
- Sincerely held religious beliefs and practices;
- Needs as a victim of domestic violence, sex offenses, or stalking;
- Needs related to pregnancy, childbirth, or related medical conditions; and/or
- Any other reason required by applicable law, unless the accommodation would impose an undue hardship on the operation of our business.

Any individual who would like to request an accommodation based on any of the reasons set forth above should contact Cass County Human Resources. Accommodation requests can be made in writing using a form which can be obtained from Cass County Human Resources. If an individual who has requested an accommodation has not received an initial response within five (5) business days, the employee should contact Cass County Human Resources.

After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, Metro Flood Diversion Authority will engage in an interactive dialogue with the employee.

Even if employee has not formally requested an accommodation, Metro Flood Diversion Authority may initiate an interactive dialogue under certain circumstances, such as when Metro Flood Diversion Authority has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event Metro Flood Diversion Authority initiates an interactive dialogue with an employee, it should not be construed as Metro Flood Diversion Authority's belief an individual requires an accommodation, but will serve as an invitation for the employee to share with Metro Flood Diversion Authority any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, Metro Flood Diversion Authority will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how Metro Flood Diversion Authority may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, Metro Flood Diversion Authority will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. Metro Flood Diversion Authority is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.

As part of the interactive dialogue, Metro Flood Diversion Authority reserves the right to request supporting documentation, to the maximum extent permitted by applicable law.

Metro Flood Diversion Authority will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing an accommodation.

Metro Flood Diversion Authority will not allow any form of retaliation against employees who have requested an accommodation, for whom Metro Flood Diversion Authority has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact Cass County Human Resources.

Section 2 - OPERATIONAL POLICIES

2-1. Employee Classifications

For purposes of this manual, all Metro Flood Diversion Authority employees fall within one of the classifications below.

Full-Time Employees - Employees who regularly work at least 40 hours per week who were not hired on a short-term basis.

Part-Time Employees - Employees who regularly work fewer than 40 hours per week who were not hired on a short-term basis.

Short-Term Employees - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term employees generally are not eligible for Authority benefits, but are eligible to receive statutory benefits.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

2-2. Employee Service Credit

"Length of service" refers to the length of time that employees spend as active full-time or part-time employees with Metro Flood Diversion Authority. Service begins on the day they become full-time or part-time employees.

Length of service may be used in determining certain employee benefits, such as time-off benefits. Employees will not lose credit for service with the Authority provided their last day of service was within 60 days of again becoming an active employee. Cass County Human Resources will discuss this issue with any rehired employees upon hire.

2-3. Your Employment Records

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing Cass County Human Resources of any changes. Employees also should inform Cass County Human Resources of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

An employee who desires to review a personnel file may contact the Executive Director to arrange a time for

review. Such review must be supervised and no material may be added, removed, or altered during the review. A copy of materials in the file may be provided upon request.

In accordance with N.D.C.C. § 44-04-18, personnel files are public records that are open to inspection by the public during reasonable office hours. Personal information may not be released without the written consent of the employee.

2-4. Working Hours And Schedule

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point Metro Flood Diversion Authority may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.

2-5. Remote Work/Telecommuting

Metro Flood Diversion Authority may allow employees to work remotely if their job duties and work performance are determined to be eligible for remote work. Eligibility will be decided on a case-by-case basis by the Authority. Employees also may be required to work remotely during periods of public health emergencies if government orders and mandates recommend such work.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by the Authority at any time and at the discretion of the Authority. Employees also may discontinue the arrangement but may not be guaranteed office space at the Authority's location.

At-Will Employment

This policy and any individual agreement addressing this work arrangement do not create a contract of employment and are not intended to be considered or construed as a promise of continued employment. Employment is at will and may be discontinued at any time by the Authority or employee without notice, cause, or liability.

Hours of Work

Employees will work full time from home. Scheduled hours of work will be set by the employees' manager or supervisor. Employees should maintain regular contact with their supervisors and managers.

Nonexempt employees must accurately record all hours worked pursuant to the Authority's timekeeping system and take rest and meal breaks as if in the Authority's workplace and as required by law. Nonexempt employees may not work beyond scheduled working hours (including working more than 40 hours in a workweek) without prior, written authorization from their manager or supervisor.

Location

Employees will provide, at their expense, a secure, dedicated work area. Employees are responsible for

maintaining the work area in a safe, secure, and nonhazardous condition at all times. Employees will maintain security devices and procedures necessary to prevent use by unauthorized persons, including by preventing the connection of any Authority-furnished computer system, network, or database to any computer, network, or database other than a computer, network, or database to which connections are provided or authorized by the Authority.

Duties

Employees are expected to follow all existing Authority policies and procedures. The duties, obligations, responsibilities, and conditions of employment with the Authority remain unchanged. Employees must stay engaged with work throughout the workday and be fully available during normal business hours. If employees do not successfully perform their job duties remotely, this arrangement will be revoked. Employees are expected to follow existing Authority policies with respect to scheduled and unscheduled time off, including the obligation to speak with their manager or supervisor before the scheduled start time in the event of an unscheduled absence, tardy, or early departure.

Accidents and Injuries

Employees agree to maintain safe conditions in the remote work space and to practice the same safety habits and rules applied on Authority premises. If employees incur an injury arising out of the course and scope of the assigned job duties while working in the remote work space, the workers' compensation provisions in place for the state in which the employees are working will apply. Employees must notify their supervisor or manager immediately and complete all necessary and/or requested documents regarding the reported injury. The Authority assumes no responsibility for injuries occurring in the remote work space outside normal working hours or for injuries that occur as a result of a reasonably recognizable unsafe remote work space.

Equipment

Employees agree to use electronic equipment that has been encrypted and meets all of the Authority's security requirements. If the Authority provides equipment for home use, employees agree to provide a secure location for Authority-owned equipment and will not use, or allow others to use, such equipment for purposes other than Authority business. Employees have no expectation of ownership in such equipment, linkages, property, or other items installed or provided by the Authority. The Authority will bear the expense of removal of any such equipment, linkages, and installations provided by the Authority upon the termination of the remote work/telecommuting arrangement but not modification of or repairs to the work location. Employees hereby release the Authority from any damage or liability incurred in the installing or removal of the equipment provided by the Authority.

Return of Authority Property

All equipment, records, and materials provided by the Authority will remain Authority property. Employees agree to return Authority equipment, records, and materials upon request. All Authority equipment will be returned by employees for inspection, repair, or replacement as needed or requested or immediately upon termination of the remote work/telecommuting arrangement. All equipment must be returned within five (5) business days of written notice to the employees.

Expenses

After having provided receipts and in accordance with the Business Expense Reimbursement policy, the Authority will reimburse employees for certain preapproved expenses.

Regular household utility charges, such as electricity, water, phone, Internet service, auto, homeowners' insurance, etc., are not reimbursable unless state law requires reimbursement.

Confidentiality

Employees agree that they are subject to the Authority's policies prohibiting the nonbusiness use or dissemination of the Authority's confidential business information. Employees will take all appropriate steps to safeguard the Authority's confidential business information, including segregating it from personal papers and documents, not allowing nonemployees to access such information, and keeping such information in locked drawers or file cabinets when not in use. Employees will maintain confidential information, including, but not limited to, information regarding the Authority's products or services, processing, marketing and sales, client lists, client e-mail addresses and mailing addresses, client data, orders, memoranda, notes, records, technical data, sketches, designs, plans, drawings, trade secrets, research and development data, experimental work, proposals, new product and/or service developments, project reports, sources of supply and material, operating and cost data, and corporate financial information.

Contact

If employees have any questions concerning this policy or would like to apply to work remotely, they should contact Cass County Human Resources.

2-6. Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business. Exempt employees who have worked at least four hours in a day do not need to record vacation leave for a partial day absence.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

2-7. Overtime

Like most successful companies, Metro Flood Diversion Authority experiences periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their normal hourly wage for all time worked in excess of 40 hours each week, unless otherwise required by law.

Employees may work overtime only with prior management authorization.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12:01 am on Saturday and ends 168 hours later at 12:00 am on the following Friday.

2-8. Travel Time For Non-Exempt Employees

Overnight, Out-of-Town Trips

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

Out-of-Town Trips for One Day

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: time spent traveling between the employee's home and the local railroad, bus or plane terminal; and meal periods.

Local Travel

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when the employee goes directly home from the final job site, unless it is much longer than the regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

Commuting Time

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half (1-1/2) times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

2-9. Safe Harbor Policy For Exempt Employees

It is Metro Flood Diversion Authority's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for Metro Flood Diversion Authority. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires

otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 457(b) or pension plan.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because the Authority has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact Cass County Human Resources or any other supervisor in Metro Flood Diversion Authority with whom the employee feels comfortable.

2-10. Your Paycheck

Employees will be paid monthly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, Metro Flood Diversion Authority is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of Cass County Human Resources immediately so the Authority can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

2-11. Direct Deposit

Metro Flood Diversion Authority strongly encourages employees to use direct deposit. Authorization forms are available from Cass County Human Resources.

2-12. Performance Review

Depending on the employee's position and classification, Metro Flood Diversion Authority endeavors to review performance annually. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Annual cost-of-living adjustment (COLA) increases occur on the employee's anniversary date and will generally follow the Social Security Administration's guidance, along with other relevant factors. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, the Authority encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

2-13. Record Retention

Metro Flood Diversion Authority acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the Authority and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the Executive Director to inform them of potential or actual litigation, external audit, investigation or similar proceeding involving the Authority that may have an impact on record retention protocols.

2-14. Job Postings

Metro Flood Diversion Authority is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the job posting process which is in place for all employees. To be eligible to apply for an open position, employees must meet the following requirements:

- be a current, regular, full-time or part-time employee;
- have been in current position for at least six (6) months;
- maintain a performance rating of satisfactory or above;
- not be on conduct/performance-related probation or warning;
- meet the job qualifications listed on the job posting; and
- provide their current manager with notice prior to applying for the position.

If employees find a position of interest and they meet the eligibility requirements, an application must be completed in order to be considered for the position. Not all positions are guaranteed to be posted. The Authority reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

For more specific information about the program, please contact the Executive Director.

2-15. Artificial Intelligence

The Authority recognizes that the use of AI tools can potentially assist employees with the performance of job duties. However, there are many risks. To ensure the protection of confidential information and the integrity of our operations, as set forth below, all employees who wish to use AI tools must receive management approval and, if granted, comply with the below best practices.

Evaluation of AI tools. Employees must evaluate the utility and security of any AI tool before using it. This includes reviewing the tool's security features, terms of service, and privacy policy. Employees should also review the reputation of the tool developer and any third-party services used by the tool. But most importantly, employees **must** receive management approval prior to using any AI tool after explaining the manner in which it will be used and the benefits to the business.

Protection of confidential data. In using any AI tool, employees must not upload or share any confidential, proprietary, or protected data without prior written approval from the Executive Director. This includes data related to customers, employees, or partners. Similarly, employees must ensure any AI tool does not utilize confidential or copyrighted information of a third party.

Access control. Employees must not give access to any AI tools approved for business use to anyone outside the company without prior approval from the Executive Director and implementation of processes as required to meet security compliance requirements. This includes sharing login credentials or other sensitive information with third parties.

Compliance with security policies. Employees must apply the same security best practices we use for all company and customer data. This includes using strong passwords, keeping software up-to-date, and following the Authority's data retention and disposal policies.

2-16. Open Door Policy

All employees have the opportunity to express ideas and opinions to management. The Authority believes that open communication is essential to a successful work environment, as well as to the Authority's success. All employees may express ideas and opinions directly to Authority management. Employees who would like to bring an idea or suggestion to the Authority's attention, or just simply wishes to discuss an issue not covered by a separate reporting procedures, are always welcome to send an email or make a call to Human Resources.

Section 3 - BENEFITS

3-1. Benefits Overview

In addition to good working conditions and competitive pay, it is Metro Flood Diversion Authority's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs Metro Flood Diversion Authority provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from Cass County Human Resources. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this manual.

Further, Metro Flood Diversion Authority (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While the Authority intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact Cass County Human Resources.

3-2. Paid Holidays

Full-time employees will be paid for the following holidays:

New Year's Day

Martin Luther King, Jr. Day

President's Day

Good Friday

Memorial Day

Independence Day

Labor Day

Indigenous People's Day

Veterans' Day

Thanksgiving Day

Christmas Day

When holidays fall or are celebrated on a regular work day, eligible employees will receive one (1) day's pay at their regular straight-time rate.

If a holiday falls within an eligible employee's approved vacation period, the eligible employee will be paid for the holiday (at the regular straight-time rate).

If a holiday falls within a jury duty or bereavement leave, the eligible employee will be paid through the jury duty or bereavement leave programs (at the regular straight-time rate).

If a non-exempt employee is called into work on a holiday, the employee will be paid their regular wage plus "holiday pay" of .5 times the regular rate for each hour worked, typically called "time and a half".

If an example employee is called into work on a holiday, the employee will be able to observe the holiday on an alternate day within the same calendar year upon approval of his or her supervisor.

The Executive Director will review the calendar annually for holidays that fall on weekends to determine if the holiday will be observed on a weekday. Typically, if the holiday falls on a Saturday it will be observed on a Friday, and if it falls on a Sunday, it will be observed on a Monday.

3-3. Paid Vacations

Metro Flood Diversion Authority appreciates how hard employees work and recognizes the importance of providing time for rest and relaxation. Metro Flood Diversion Authority fully encourages employees to get this rest by taking time away from work. Vacation leave may be used for vacation, illness, and personal reasons.

Eligibility

Regular full-time and regular part-time employees accrue and use vacation leave as described in this policy. Temporary employees are not eligible for vacation leave. The accrual schedule set forth in the table below is based a forty (40) hour per week schedule. Accruals for part-time employees (i.e. those working less than 40 hours per week), will be pro-rated accordingly. Employees will accrue vacation leave hours on the first day of each calendar month.

VACATION LEAVE ACCRUAL SCHEDULE

Years of Eligible Service	Vacation Leave Days Each Year	Vacation Leave Hours Each Month
Years 0-2	12 Days	8 Hours
Years 2-5	18 Days	12 Hours
5+ Years	24 Days	16 Hours

Usage and Rollover

Vacation leave may not be used before it has accrued (negative balances are not permitted). Any time off taken in excess of your accrual balance will be considered unpaid time off, and is generally discouraged.

Vacation leave is paid at your base pay rate at the time of absence. It does not include overtime or any special forms of compensation such as incentives, commissions, or bonuses.

To schedule vacation leave, advance approval must be requested from your supervisor as soon as possible. All departments must be appropriately staffed to meet the needs of our customers and clients. Therefore, while efforts will be made to accommodate requests, vacation leave may not be granted in all circumstances.

Upon Termination

Upon termination, an employee will be paid for accrued, but unused, vacation time. If the employee has taken more vacation leave than has been earned and resigns or is terminated, the negative balance will be withheld from the employee's final paycheck. Negative PTO balance is treated as an advance in pay and is required to be repaid upon termination if not earned. Pursuant to North Dakota law, accrued PTO will not be paid to employees who have been employed for less than one year and who voluntarily resign employment with less than a 5 days' notice.

3-4. Paid Personal Days

Full-time employees are eligible to accrue up to four (4) paid personal days per calendar year on a pro-rata basis. However, during the calendar year in which a full-time employee is first hired, those full-time employees hired after June 30 will be eligible to accrue personal days on a pro-rata basis and to use up to two (2) paid personal days. Any additional personal time that must be taken by eligible employees generally will be unpaid.

Part-time employees accrue personal days in a similar manner, except on a pro-rated basis depending upon the number of hours they work.

Accrued, unused personal days are forfeited at the end of the calendar year and are not paid out at separation unless otherwise required by law.

Personal days must be used in at least half-day increments.

Personal days must be scheduled at least two (2) weeks in advance. Management reserves the right in its sole discretion to deny any requests.

Advanced but unaccrued personal days will be deducted from the final paychecks, to the extent permitted by law.

3-5. Sick Days

Eligibility

The Authority provides paid sick leave benefits to all full-time and part-time employees for periods of temporary absence due to illnesses or injuries. Temporary employees are not eligible.

Accrual

Full-time employees accrue sick leave benefits at the rate of 8 hours per month (12 days per year). Sick leave is pro-rated for part-time employees according to hours worked. Sick Leave accruals cease after 30 calendar days of continuous unpaid leave.

Guidelines for Use

Sick leave may be used for an absence due to the employee's illness or injury, or for medical and dental appointments. Employees can also use sick leave to care for family members who are ill or need assistance obtaining medical or health services. For the purposes of this policy, eligible family members include: spouse, parent, child (natural, adoptive, foster, or step), and any other family member financially or legally dependent upon the employee, residing with you the employee in order to receive care. Up to 160 hours per year may be used for the purpose of caring for family members under this policy. If more than 160 hours are required to care for a family member, advance approval of the Executive Director is required.

Notice

If you are unable to report to work due to illness or injury, you should notify your direct supervisor before the scheduled start of the workday if possible. Your direct supervisor must also be contacted on each additional day of absence. In general, calls from friends or family members are not acceptable. If you are absent for three or more consecutive days due to illness or injury, or at our discretion, a physician's statement may be required to verify the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

Sick leave benefits will be calculated based on your base pay rate at the time of absence.

Unused sick leave benefits will be allowed to accumulate until you have accrued a total of 960 hours' worth of sick leave benefits. If your benefits reach this maximum, you will receive monetary compensation for 50% of all hours accumulated over 960 at your hourly rate of pay. This compensation will occur annually in December or upon termination.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence, except where specifically provided for in this handbook. Please use your sick leave only for legitimate illnesses and injuries, and keep in mind that if you are out of sick leave and/or annual leave, then any other absences will be unpaid, may be considered unexcused, and may subject to disciplinary action up to and including termination of employment. In rare circumstances, unpaid time off may be permitted if approved in advance. Note that unpaid time off will not count against you if it is approved under another leave policy within this handbook.

3-6. Lactation Accommodations

Metro Flood Diversion Authority will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their child, in accordance with and to the extent required by applicable law. The break time, if possible and permitted by applicable law, must run concurrently with rest and meal periods already provided. If the break time cannot run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

The Authority may not be able to provide additional break time if doing so would seriously disrupt the Authority's operations, subject to applicable law.

The Authority will make reasonable efforts to provide employees with the use of a room or location in close proximity to the employee's work area, other than a bathroom, to express milk in private. This location may be the employee's private office, if applicable. Please consult Cass County Human Resources with questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

3-7. Workers' Compensation

On-the-job injuries are covered by Metro Flood Diversion Authority's Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor. Failure to follow Authority procedures may affect the ability of employees to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this manual for more information.

3-8. Jury Duty

Metro Flood Diversion Authority realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees on jury duty leave will be paid for their jury duty service in accordance with state law; however, exempt employees will be paid their full salary for any week in which time is missed due to jury duty if work is performed for the Authority during such week.

3-9. Bereavement Leave

The death of a family member is a time when employees wish to be with their families. If the employee is full-time and loses a close relative, the employee will be allowed paid time off of up to four (4) workdays to assist in attending to obligations and commitments. For the purposes of this policy, a close relative includes a spouse, domestic/civil union partner, child, parent, sibling, grandchildren, grandparents or any other relation required by applicable law. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, Metro Flood Diversion Authority may require verification of death.

3-10. Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. Where possible, supervisors should be notified at least two (2) days prior to the voting day.

3-11. Insurance Programs

Full-time employees may participate in Metro Flood Diversion Authority's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, employees will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact Cass County Human Resources with any further questions.

3-12. Salary Continuation

Metro Flood Diversion Authority provides enhanced monetary short-term disability benefits to full-time employees. These enhanced monetary benefits are inclusive of any monetary workers' compensation or statutory short-term disability benefits.

This is not a leave of absence provision. Employees who will be out of work must request a leave of absence. See the Leave of Absence sections of this manual for more information. Employees will be required to submit medical certification as requested by Metro Flood Diversion Authority. Required medical certification under this policy may differ from the medical certification required for any leave of absence requested.

3-13. Employee Assistance Program

Metro Flood Diversion Authority provides the Employee Assistance Program, which offers qualified counselors to help employees cope with personal problems they may be facing. Further details can be obtained through Human Resources.

3-14. Retirement Plan

Eligible employees are able to participate in North Dakota Public Retirement System. Plan participants will make pre-tax contributions via payroll deduction to a retirement account.

Upon becoming eligible to participate in this plan, employees will receive an SPD describing the plan in greater detail. Please refer to the SPD for detailed plan information. Of course, feel free to speak to Cass County Human Resources if there are any further questions.

Section 4 - LEAVES OF ABSENCE

4-1. Personal Leave

If employees are ineligible for any other Authority leave of absence, Metro Flood Diversion Authority, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to eight (8) weeks. However, a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days, or sick days. Metro Flood Diversion Authority will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to the Authority in a timely manner, subject to the terms of the plan documents.

When the employees anticipate returning to work, they should notify management of the expected return date. This notification should be made at least one (1) week before the end of the leave.

Upon completion of the personal leave of absence, the Authority will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by the Authority will be considered a voluntary resignation of employment.

Personal leave runs concurrently with any Authority-provided Short-Term Disability Leave of Absence.

4-2. Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that Metro Flood Diversion Authority can maintain proper coverage while employees are away.

Section 5 - GENERAL STANDARDS OF CONDUCT

5-1. Workplace Conduct

Metro Flood Diversion Authority endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense, and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in the Authority's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing, or defacing Metro Flood Diversion Authority property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of Metro Flood Diversion Authority's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening, or disrupting the work of others or other violations of Metro Flood Diversion Authority's Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness, or unexcused absences.
10. Gambling on Authority property.
11. Willful or careless destruction or damage to Authority assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of Metro Flood Diversion Authority's Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of Metro Flood Diversion Authority policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Metro Flood Diversion Authority reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The Authority will deal with each situation individually and nothing in this manual should be construed as a promise of specific treatment in a given situation.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

5-2. Punctuality And Attendance

Employees are hired to perform important functions at Metro Flood Diversion Authority. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and Supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify Supervisors as early as possible, but no later than the start of the work day. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Unreported absences of three (3) consecutive work days generally will be considered a voluntary resignation of employment with the Authority.

5-3. Use Of Communications And Computer Systems

Metro Flood Diversion Authority's communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other Authority policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the Metro Flood Diversion Authority systems.

Metro Flood Diversion Authority may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Authority deems it appropriate to do so. The reasons for which the Authority may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Authority operations continue appropriately during the employee's absence.

Further, Metro Flood Diversion Authority may review Internet usage to ensure that such use with Authority property, or communications sent via the Internet with Authority property, are appropriate. The reasons for which the Authority may review employees' use of the Internet with Authority property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Authority operations continue appropriately during the employee's absence.

The Authority may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The Authority's policies prohibiting harassment, in their entirety, apply to the use of Authority's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since the Authority's communication and computer systems are intended for business use, all

employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

5-4. Use Of Social Media

Metro Flood Diversion Authority respects the right of any employee to use social media sites. Social media is any web-based network used to share information between users. Social media sites include, but are not limited to, Facebook, Twitter, Youtube, Instagram, LinkedIn, Snapchat, Nextdoor, Pinterest, Tumblr, TikTok, etc. However, to protect Authority interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not use social media sites during work time or at any time with Authority equipment or property.

All rules regarding confidential and proprietary business information apply in full to social media sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a social media site.

Whether the employees are posting something on their own social media site or on someone else's, if the employee mentions the Authority and also expresses either a political opinion or an opinion regarding the Authority's actions that could pose an actual or potential conflict of interest with the Authority, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not the Authority's position. This is necessary to preserve the Authority's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a social media site. For example, posted material that is discriminatory, obscene, defamatory, libelous or violent is forbidden. Authority policies apply equally to employee social media usage.

Metro Flood Diversion Authority encourages all employees to keep in mind the speed and manner in which information posted on a social media site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

5-5. Personal And Company-Provided Portable Communication Devices

Metro Flood Diversion Authority-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal

PCD also may subject to monitoring if sent through the Authority's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a Authority-provided or personal device, employees must comply with applicable Authority guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a Authority-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If employees who use a personal PCD for business resign or are discharged, they will be required to submit the device to the IT department for resetting on or before their last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, Authority information and personal data (such as contacts, e-mails and photographs). The IT department will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of Authority information. This is the only way currently possible to ensure that all Authority information is removed from the device at the time of termination. The removal of Authority information is crucial to ensure compliance with the Authority's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a Authority-issued device, the Authority's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect. Personal devices used for Authority business may be subject to North Dakota open records requirements as determined by North Dakota law. Therefore, it is critical that employees who choose to utilize their personal mobile device to conduct Authority business are cognizant of the impact these communications or interactions may have in the event of an open records request.

Portable Communication Device Use While Driving

Employees who drive on Authority business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving. Further, even if usage is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while driving, and permitted by law, employees must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

5-6. Inspections

Metro Flood Diversion Authority reserves the right to require employees while on Authority property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on Authority or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to the Authority or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

5-7. Smoking

Smoking, including the use of e-cigarettes, is prohibited on Authority premises and in all Authority vehicles.

5-8. Personal Visits And Telephone Calls

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls must be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees are prohibited from having personal guests visit or accompanying them anywhere in Metro Flood Diversion Authority facilities other than the reception areas, without prior approval.

5-9. Solicitation And Distribution

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing their work tasks for Metro Flood Diversion Authority. Solicitation of any kind by non-employees on Authority premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of the Authority is prohibited at all times. Distribution of literature by non-employees on Authority premises is prohibited at all times.

5-10. Confidential Company Information

During the course of work, employees may become aware of confidential information about Metro Flood Diversion Authority's business, including but not limited to information regarding Authority finances, pricing, products and new product development, software and computer programs, marketing strategies, suppliers and customers and potential customers. Employees also may become aware of similar confidential information belonging to the Authority's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to Metro Flood Diversion Authority's competitors. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of the Authority may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

5-11. Conflict Of Interest And Business Ethics

It is Metro Flood Diversion Authority's policy that all employees avoid any conflict between their personal interests and those of the Authority. The purpose of this policy is to ensure that the Authority's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of the Authority.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the Authority, by any employee who is in a position to directly or indirectly influence either the Authority's decision to do business, or the terms upon which business would be done with such organization;
2. holding any interest in an organization that competes with the Authority;
3. being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with the Authority or which competes with the Authority; and/or
4. profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with the Authority.

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and the Authority.

5-12. Use Of Facilities, Equipment And Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the Authority's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, the Authority is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

Employees have a duty to preserve the assets of the Authority. Employees may not use Authority-owned materials, equipment, property, or other assets for any unauthorized purpose. Employees who willfully damage, misuse, steal, or destroy Authority property or assets may be disciplined up to and including termination of employment.

5-13. Health And Safety

The health and safety of employees and others on Authority property are of critical concern to Metro Flood Diversion Authority. The Authority intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the Authority's premises, or in a product, facility, piece of equipment, process or business practice for which the Authority is responsible should be brought to the attention of management immediately.

Periodically, the Authority may issue rules and guidelines governing workplace safety and health. The Authority may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

5-14. Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, Metro Flood Diversion Authority may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of the Authority. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. The Authority generally will attempt to identify other available positions, but if no alternate position is available, the Authority retains the right to decide which employee will remain with the Authority.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

5-15. Employee Dress And Personal Appearance

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. Some employees may be required to wear uniforms or safety equipment/clothing. Employees should contact their supervisor for specific information regarding acceptable attire for their position. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well groomed and wearing the proper attire.

5-16. Publicity/Statements To The Media

All media inquiries regarding the position of the Authority as to any issues must be referred to Executive Director. Only Executive Director is authorized to make or approve public statements on behalf of the Authority. No employees, unless specifically designated by Executive Director, are authorized to make those statements on behalf of Authority. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the Authority must first obtain approval from Executive Director.

5-17. Operation Of Vehicles

All employees authorized to drive Authority-owned or leased vehicles or personal vehicles in conducting Authority business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

Employees must have a valid driver's license in their possession while operating a vehicle off or on Authority property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

Authority-owned or leased vehicles may be used only as authorized by management.

Portable Communication Device Use While Driving

Employees who drive on Authority business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employees are driving, and permitted by law, they must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities

that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

5-18. Business Expense Reimbursement

Employees will be reimbursed for reasonable approved expenses incurred in the course of business. These expenses must be approved by the employee's Supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to the employee's Supervisor along with the receipts in a timely manner.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their Supervisor in advance if they have any questions about whether an expense will be reimbursed.

5-19. References

Metro Flood Diversion Authority will respond to reference requests through Cass County Human Resources Department. The Authority will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to Cass County Human Resources Department.

Only Cass County Human Resources Department may provide references.

5-20. If You Must Leave Us

Should any employees decide to leave the Authority, we ask that they provide a Supervisor with at least four (4) weeks advance notice of departure. Thoughtfulness will be appreciated. All Authority property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of the Authority's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the Authority (through payroll deduction, if lawful) for any lost or damaged Authority property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

5-21. Exit Interviews

Employees who resign are requested to participate in an exit interview with a Highroad HR Partner, if possible.

5-22. A Few Closing Words

This manual is intended to give employees a broad summary of things they should know about Metro Flood Diversion Authority. The information in this manual is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this manual, Metro Flood Diversion Authority, in its sole discretion, may always amend, add to, delete from or modify the provisions of this manual and/or change its interpretation of

any provision set forth in this manual. Employees should not hesitate to speak to management if they have any questions about the Authority or its personnel policies and practices.

GENERAL HANDBOOK ACKNOWLEDGMENT

This Employee Manual is an important document intended to help employees become acquainted with Metro Flood Diversion Authority. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the Authority's operations may change, the contents of this Manual may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Manual.

I have received and read a copy of Metro Flood Diversion Authority's Employees Manual. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the Authority at any time.

I further understand that my employment is terminable at will, either by myself or the Authority, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no representative of Metro Flood Diversion Authority other than Executive Director may alter "at will" status and any such modification must be in a signed writing.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the Authority's Employee Manual.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.

RECEIPT OF NON-HARASSMENT POLICY

It is Metro Flood Diversion Authority's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, public assistance status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by Metro Flood Diversion Authority.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on Authority premises, while on Authority business (whether or not on Authority premises) or while representing the Authority. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The following are examples of conduct that violate this policy. Please note these examples are not an

exhaustive list:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually-explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to Executive Director. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Diversion Authority's attorney. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, the Authority will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

I have read and I understand Metro Flood Diversion Authority's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

Memorandum



To: Chair Shelly Carlson & Members of the Metro Flood Diversion Board of Authority

From: Co-Executive Directors Robert Wilson & Michael Redlinger

Date: May 23, 2024

Re: MFDA Executive Director Search Process Update

On May 7, 2024, the Metro Flood Diversion Authority's Planning Committee discussed the recruitment and selection process for the MFDA Executive Director. The appointment procedure of the Executive Director position is outlined in the Diversion Authority's Joint Powers Agreement (JPA).

To support the Planning Committee's discussion of this item, the Co-Executive Directors compiled background material from previous search processes the Board authorized in the 2017-2019 timeframe. The previous search processes, like the one today, focused on the solicitation, recruitment, interview process, and placement of the MFDA Executive Director-designee. A link to the May 7, 2024 Planning Committee agenda packet is below for your reference and includes historical documents for background and use by the full Board.

May 7, 2024 MFDA Planning Committee Agenda Packet:

<https://fmdiversion.gov/wp-content/uploads/2024/05/May-Planning-Committee-Packet.pdf>

At the conclusion of the Planning Committee's May 7th discussion, it was requested that the Co-Executive Directors provide the full Board of Authority with the current position description for review and to request any feedback Board Members have on the current position description. An electronic copy of this position description is attached for reference.

Request: Please send any suggestions or requested changes to the position description by Tuesday, May 21, 2023 by email to: MRedlinger@FargoND.gov. Proposed revisions will be summarized by the Co-Executive Directors and presented to the Board of Authority at your May 23, 2024 regular meeting. At that time, a proposed schedule of events will be discussed with the Board of Authority, and the Board will be requested to provide its approval of the final position description and search process parameters, including the advertising and recruitment phase. It is intended that the Executive Director advertising and recruitment will begin shortly after this approval on May 23rd.

Please let Robert or me know if you have any questions regarding the current position description or the upcoming search process.

Attachment: MFDA Executive Director Position Description



JOB DESCRIPTION

JOB TITLE: Executive Director

APPROVED BY: Diversion Authority Board on January __, 2017

GENERAL DESCRIPTION

The Executive Director is the chief executive officer of the Metro Flood Diversion Authority (MFDA), reporting directly and responsible to the Diversion Authority (DA) Board for the efficient and effective day-to-day administration and leadership of the FM Metro Area Flood Control Diversion Project (Project).

The MFDA is a political subdivision of the State of North Dakota, and it is a joint-powers entity.¹ The MFDA consists of the following Member Entities: the City of Fargo (ND), the City of Moorhead (MN), Cass County (ND), Clay County (MN), and Cass County Joint Water Resource District (ND). The DA Board is the governing body of the MFDA; its members are appointed from the Member Entities' governing bodies, and the DA Board also includes one (1) member from the West Fargo City Commission.

JOB DUTIES

The Executive Director performs and is responsible for a wide range of duties and tasks as described in the MFDA Joint Powers Agreement. Those and others include, but are not limited to, the following:

1. Responsible for the overall management of all affairs and functions under the jurisdiction of the Diversion Authority Board.
2. Ensure compliance and enforcement of the MFDA Joint Powers Agreement and resolutions of the DA Board.
3. Hire qualified staff to assist the Executive Director in the performance of duties as approved by the DA Board.
4. Responsible for the supervision of all MFDA administration and related functions as directed by the DA Board, including:
 - a. Personnel systems
 - b. Budget systems
 - c. Purchasing systems
 - d. Management Information systems
 - e. Communications systems
 - f. Planning

¹ The MFDA was created by the Joint Powers Agreement, which sets forth the duties and responsibilities of the Executive Director. See Article XIV of the Joint Powers Agreement, available at fmdiversion.com.

5. Responsible for all MFDA purchases including procurement of services as directed by the DA Board and pursuant to purchasing regulations established by the DA Board. Administer various agreements and contracts entered into by the DA Board.
6. Attend DA Board meetings, recommend to the DA Board for adoption measures necessary for the efficient administration of the MFDA's affairs, and keep the DA Board fully informed of the Project.
7. Identify expertise and innovative solutions necessary to administer project tasks, lead a diverse team of consultants, contractors, entity staff, and implement the project.
8. In cooperation with the MFDA Finance Committee, prepare and submit to the DA Board a proposed annual budget and long-range capital expenditure program for such period as the DA Board may direct, each of which shall include detailed estimates of revenue and expenditures, and enforce the provisions of the budget when adopted by the DA Board.
9. Examine the books and papers of officers and departments of the MFDA as directed by the DA Board and report the findings to the DA Board, keep the DA Board fully advised as to the financial condition and needs of the MFDA, and make such other reports from time to time as required by the DA Board or the Executive Director deems advisable.
10. Develop and implement administrative procedures for the MFDA as directed by the DA Board.
11. Represent the MFDA in public and stakeholder meetings and events; serve as the MFDA's ambassador.
12. Responsible for organizing and directing all aspects of government relations; advocate for the project with local, state, and federal staff and elected officials; serve as the MFDA's legislative liaison with local, state, and federal officials.
13. Serve as public information officer for the MFDA.
14. Perform such other management and administrative duties as directed from time to time by the DA Board.
15. Manage and direct the Program Management Consultant.

QUALIFICATIONS AND EXPERIENCE

1. Skills and experience in the development and implementation of public infrastructure projects (preferably over \$500M in total costs) in a management or administrative position.
2. Experience with alternative forms of project delivery, including Design, Build, Finance, Operate, and Maintain (DBFOM) and P3 delivery models.

3. Experience with public speaking, presentations, and media relations.
4. Experience with multi-jurisdictional stakeholder briefings and involvement.
5. Demonstrated ability to maintain focus on critical project issues and make effective decisions to move the project forward.
6. Experience implementing projects under the policy direction of a Board of Directors or elected officials using a mixed team of consultants and entity staff.
7. Experience with governance development.
8. 15+ years of experience required at equal or prerequisite level for the responsibilities and duties of the position.
9. Experience in giving public presentations to local, state, and federal elected and appointed officials.
10. Experience in advising large public boards, commissions, or city councils.
11. Minimum BS/BA or equivalent degree required.
12. PMP Certificate/PE preferred, but not required.

GENERAL SKILLS AND ABILITIES

1. Ability to communicate effectively.
2. Effective interpersonal skills.
3. Data analysis, project design, and project management skills.
4. Labor negotiation and contract administration skills.
5. Ability to provide leadership and motivate others.
6. Ability to prepare and present reports and informational material effectively.

SKILLS AND PERSONAL ATTRIBUTES – SPECIFIC TO MFDA

1. Knowledge of local JPA member agencies, staff, and business practices.
2. Understanding of the Project; its history, status, and long-term importance to the community.
3. Ability to collaborate, build credibility, and establish trust with the Project team, entity staff, the DA Board, and the USACE; foster an effective and collaborative team.

4. Ability to operate as the leader of a team of consultants, entity staff, and local stakeholders.
5. Capable of launching the JPA, and building processes and procedures to implement the Project consistent with the MFDA JPA.
6. Capable and experienced in crisis management, with the ability to proactively manage critical situations.
7. Willingness and ability to commit full-time to the Project for a minimum of 3 to 5 years.
8. Knowledge of USACE policies and procedures within the context of a locally-led and implemented P3.
9. Ability to delegate and leverage team members for effective and efficient Project delivery.
10. Excellent oral, written, and presentation communication skills.
11. Ability to effectively communicate at all levels: senior elected local, state, and federal officials, staff, public, and members of groups affected by the project.

PHYSICAL REQUIREMENTS

- Sedentary to light work.

WORKING RELATIONSHIPS

- Ongoing working relationships with the Member Entities of the MFDA, the Diversion Authority Board and Committee Members, Member Entities' staff, MFDA consultants, USACE, and local, state, and federal officials.

POSITION REPORTS TO

- Diversion Authority Board

BUDGET

- Total MFDA Annual Budget for 2017: ____.

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION AMENDING THE APPOINTMENT OF MEMBERS TO
THE LAND MANAGEMENT COMMITTEE OF THE
METRO FLOOD DIVERSION AUTHORITY**

WHEREAS, Section 5.01 of the Joint Powers Agreement dated June 1, 2016, (“JPA”), establishes the governing body of the Diversion Authority, the Diversion Authority Board, and sets forth its member composition; and

WHEREAS, such member composition consists of individuals appointed by the member entities, as well as two (2) other entities, to the Diversion Authority Board; and

WHEREAS, Article VI of the JPA contains the powers, duties, and membership requirements of committees established by the Diversion Authority Board; and

WHEREAS, the Diversion Authority Board must appoint the members of the Land Management Committee in accordance with Section 6.04 of the JPA; and

WHEREAS, the Diversion Authority Board appointed members to the Land Management Committee at its first meeting of 2024, and the City of Fargo now desires to change its appointment from Mike Redlinger, City Administrator, to Brenda Derrig, Assistant City Administrator, who will serve on the Land Management Committee on behalf of the City of Fargo; and

WHEREAS, pursuant to Section 6.04 of the JPA, the Diversion Authority Board desires to amend and confirm members of the Land Management Committee.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Metro Flood Diversion Authority:

1. The Diversion Authority hereby appoints and confirms the appointment of Brenda Derrig, the Assistant City Administrator for the City of Fargo, as a member of the Land Management Committee of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Land Management Committee meets the requirements of Section 6.04 of the JPA.
2. This Resolution shall take effect immediately upon adoption.

Dated: May 23, 2024

APPROVED:

Michelle (Shelly) A. Carlson, Chair

ATTEST:

Dawn Lindblom, Secretary

The motion for adoption of the foregoing resolution was duly seconded by Member _____, and upon roll call vote, the following voted in favor thereof: _____.

The following members were absent and not voting: _____. The following members voted against the same: _____. A majority of the members having voted aye, the resolution was declared duly passed and adopted.

EXHIBIT A

Land Management Committee

Arlette Preston

Bob Zimmerman

~~Mike Redlinger~~

Brenda Derrig

Chuck Hendrickson

Duane Breitling

Jenny Mongeau

Kevin Campbell

Matt Stamness

Mary Scherling

Nathan Boerboom

Rodger Olson

Fargo City Commissioner

Engineer, City of Moorhead

~~City Administrator, City of Fargo~~

Assistant City Administrator, City of Fargo

Moorhead City Council Member

Cass County Commissioner

Clay County Commissioner

Clay County Commissioner

Assistant Engineer, Cass County

Cass County Commissioner

Engineer, City of Fargo

Cass County Joint Water Resource District

Member _____ introduced the following RESOLUTION and moved its adoption:

**RESOLUTION RELATED TO THE AUTOMATIC ISSUANCE AND EXCHANGE OF
TEMPORARY AUTHORITY LOAN IMPROVEMENT WARRANTS**

WHEREAS, on June 18, 2021, the Cass County Joint Water Resource District (the “District”) issued its Temporary Authority Loan Improvement Warrant No. RTAL-1 in the total principal amount of \$90,000,000; and

WHEREAS, the District issued the Temporary Authority Loan Improvement Warrant No. RTAL-1 pursuant to the WIFIA Loan Bond Resolution, adopted May 27, 2021, by the governing body of CCJWRD and the Metro Flood Diversion Authority (the “Authority”); and

WHEREAS, the Temporary Authority Loan Improvement Warrant No. RTAL-1, remains outstanding and enforceable until refunded by the earlier of: (i) payment of all payments due under Authority Loans; (ii) three (3) years from the date of original issue; or (iii) the issuance of Temporary Authority Loan Improvement Warrant(s) or Definitive Authority Loan Improvement warrants to refund Temporary Authority Loan Improvement Warrant No. RTAL-1 as required to continue to provide security for the holders of the Authority Loans as set forth in the Master Indenture of Trust; and

WHEREAS, pursuant to Section 3.06 of the WIFIA Loan Bond Resolution, in the event the Temporary Authority Loan Improvement Warrant No. RTAL-1 matures prior to refunding thereof by the Definitive Authority Loan Improvement Warrant, the District shall issue a Temporary Authority Loan Improvement Warrant No. RTAL-2, in the same principal amount of, and on the same terms, aside from the maturity date, as, the Temporary Authority Loan Improvement Warrant of 2021 No. RTAL-1; and

WHEREAS, pursuant to Section 3.06 of the WIFIA Loan Bond Resolution, the District shall exchange the Temporary Authority Loan Improvement Warrant No. RTAL-2 with the Temporary Authority Loan Improvement Warrant No. RTAL-1 to serve as security for holders of the WIFIA Loan Bond.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Metro Flood Diversion Authority:

1. The Authority hereby authorizes the District to exchange of the Temporary Authority Loan Improvement Warrant No. RTAL-2 with the Temporary Authority Loan Improvement Warrant No. RTAL-1, in the Temporary Authority Loan Improvement Warrant Account, to continue to serve as security for holders of the WIFIA Loan Bond.
2. This Resolution shall take effect immediately upon adoption.

Dated: _____, 2024

APPROVED:

Michelle (Shelly) A. Carlson, Chair

ATTEST:

Dawn Lindblom, Secretary

The motion for adoption of the foregoing resolution was duly seconded by Member _____, and upon roll call vote, the following voted in favor thereof: _____. The following members were absent and not voting: _____. The following members voted against the same: _____. A majority of the members having voted aye, the resolution was declared duly passed and adopted.



US Army Corps
of Engineers®
St. Paul District

FARGO MOORHEAD DIVERSION PROJECT

MONTHLY UPDATE

15 May 2024

1 Diversion Inlet Structure (DIS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 99% complete. Construction completion date will be revised pending outcome of modifications to the gate machinery design. Schedule for remaining work: 2024: Complete operating machinery corrections; turf established.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 97% complete. Construction completion date will be revised pending outcome of modifications to the gate machinery design. Schedule for remaining work: 2024: Complete operating machinery corrections; resolve punchlist items; turf established.

3 I-29 Raise – Construction

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 99% complete. Final inspection held 3 January 2024; turf establishment to be extended to 26 July 2024. Planning for O&M documents and turnover is ongoing.

4 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 56% complete. Construction completion date is 19 March 2026. Placing concrete for downstream baffle blocks, fabricating gates. Tainter gate #1 delivery is complete and assembly on site is pending.

5 Drain 27 Wetland Mitigation Project Plantings - Construction

Native plantings 5-year contract awarded 17 May 2023. Remaining seeding is in progress. Completion date for wetland establishment is 1 December 2027.

6 Drayton Dam Mitigation Project Design - Construction

Construction is complete. Turnover to MFDA for O&M occurred on 28 Nov 2023. Willow plantings partially completed; remaining requires low water conditions.

7 Southern Embankment – Reach SE-2A - Construction

Construction is 69% complete. Contractor mobilizing to commence work after winter break. Scheduled completion date is 30 September 2024.

8 FY2024 Contract Awards:

OHB Ring Levee: Awarded 22 February

Reach SE-1B: Awarded 27 February

Reach SE-2B: Awarded 11 March

Forest Mitigation: Bid protest is delaying contract work

Reach SE-4: Bid opening on 7 May; 6 bids received. Contract award planned for May/June 2024.

Apparent Low Bid: \$23,893,746 by PWS, Inc., Brooklyn Park, MN

Government Estimate: \$37,485,404

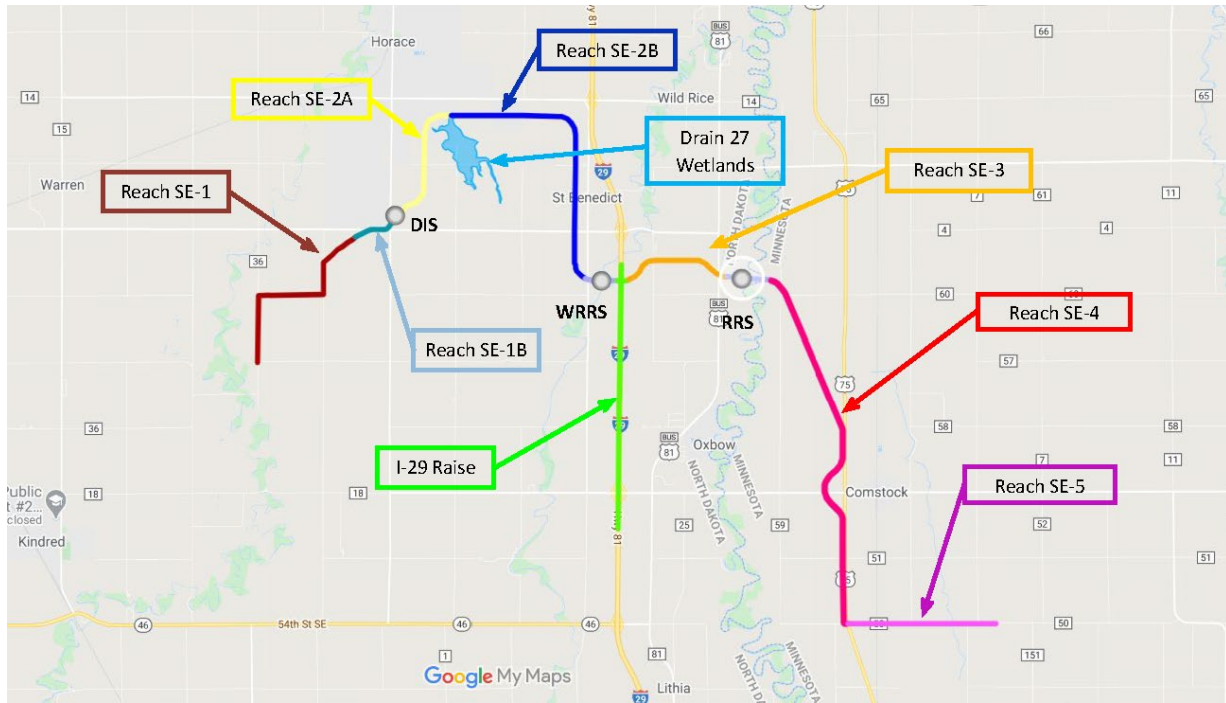
9 Southern Embankment Design: Remaining Reaches:

SE-3: Final review starts 10 June 2024..... Contract award: January 2025

SE-5: 95% review starts 10 July 2024..... Contract award: January 2025

10 Supplemental Environmental Assessment – Diversion Channel

Issued to disclose updated designs and impacts. FONSI signed and the final SEA was posted 6 May 2024.



Fargo-Moorhead Metro FRM – Federal Work/Southern Embankment and Control Structures

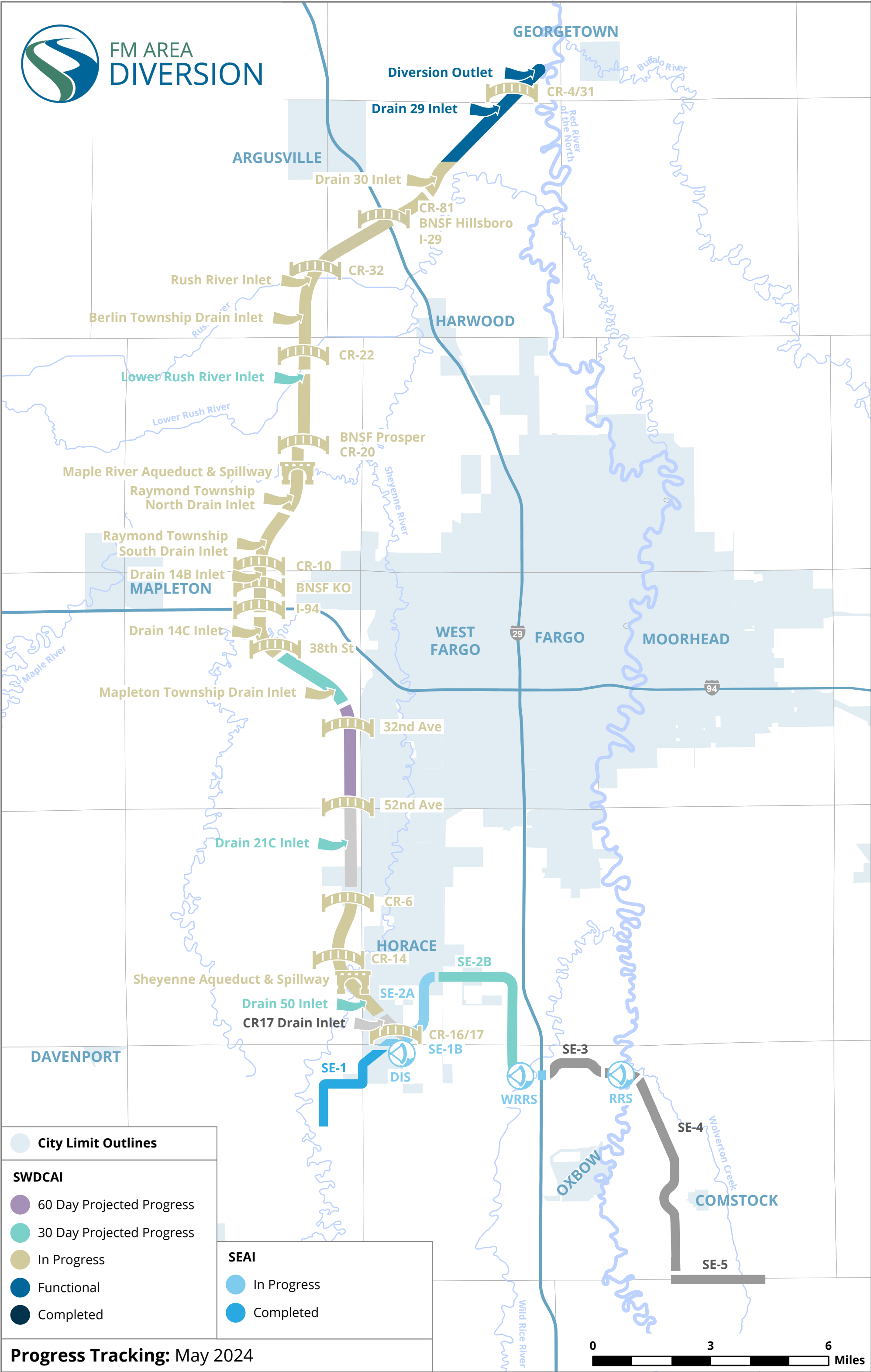
DIS = Diversion Inlet Control Structure

WRRS = Wild Rice River Control Structure

RRS = Red River Control Structure



FM AREA DIVERSION



City Limit Outlines

- SWDCAI**
- 60 Day Projected Progress
 - 30 Day Projected Progress
 - In Progress
 - Functional
 - Completed

- SEAI**
- In Progress
 - Completed

Progress Tracking: May 2024

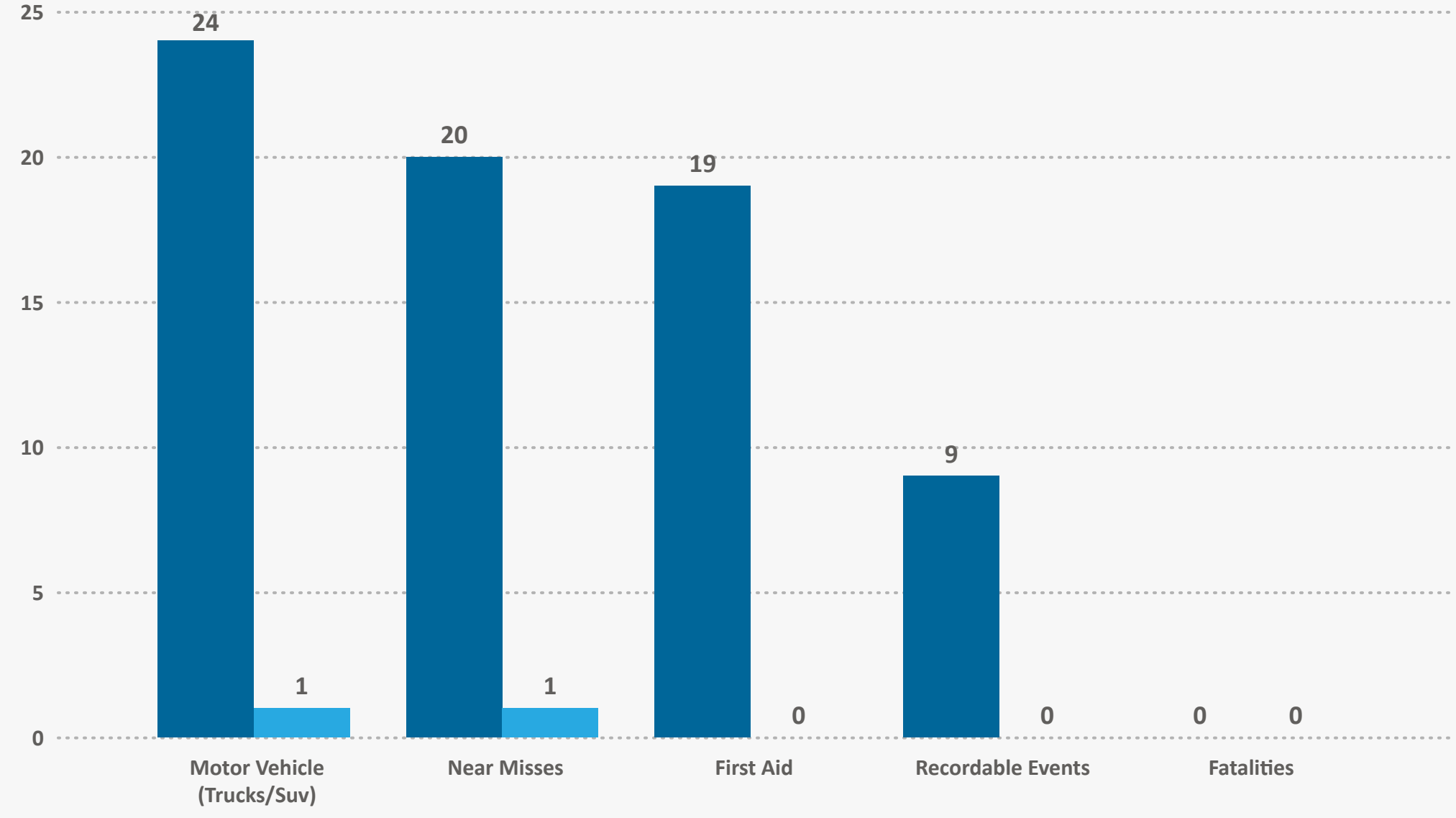
0 3 6 Miles

FM Area Diversion Safety Statistics - April 2024

Current Reporting Period: April 1- April 30

Developer Led Projects

● Sum to Date ● Sum of Current Reporting Period



City of Fargo Led Projects

Sum of Current Reporting Period	Sum to Date
0	1
Incidents	Incident

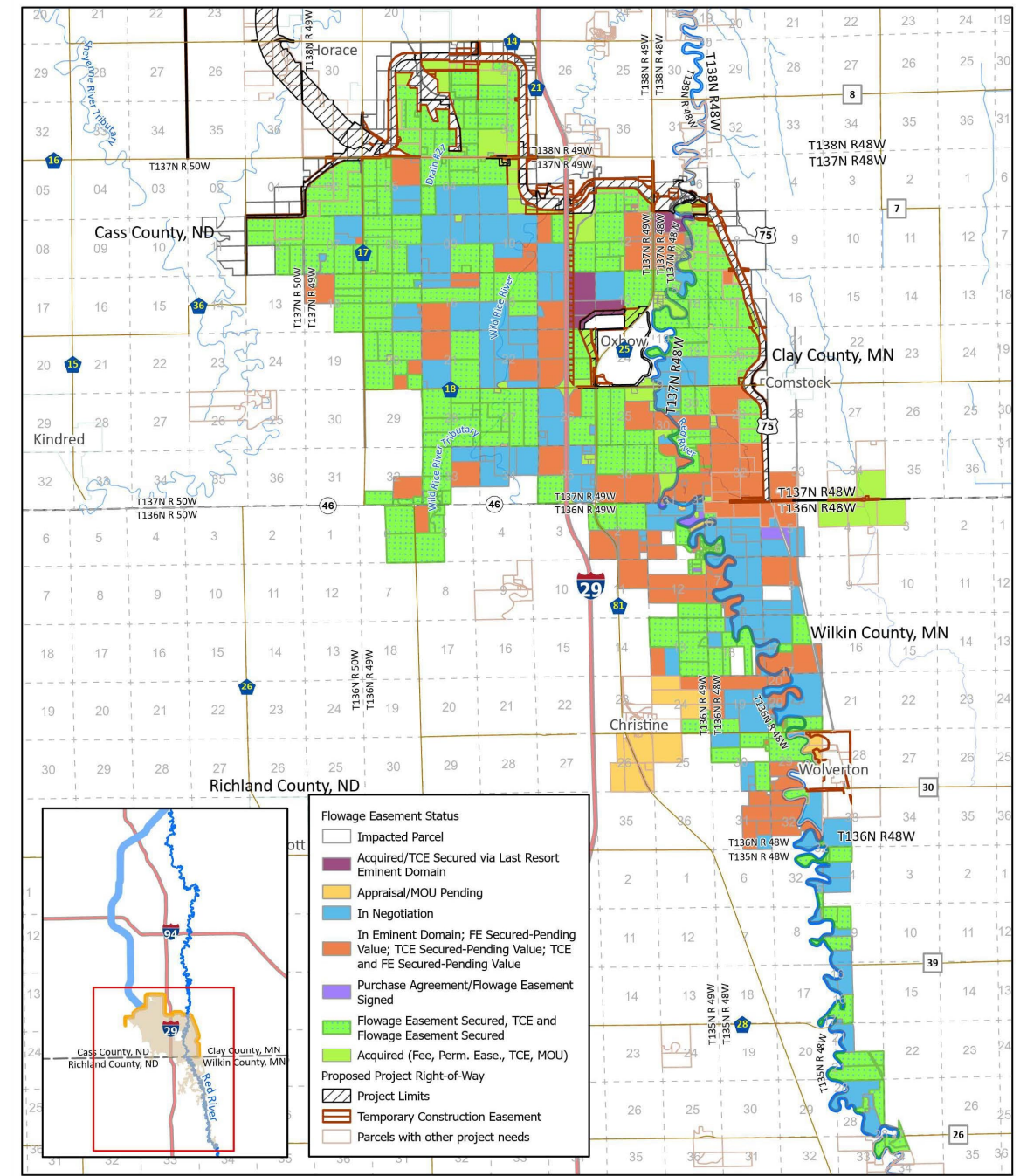
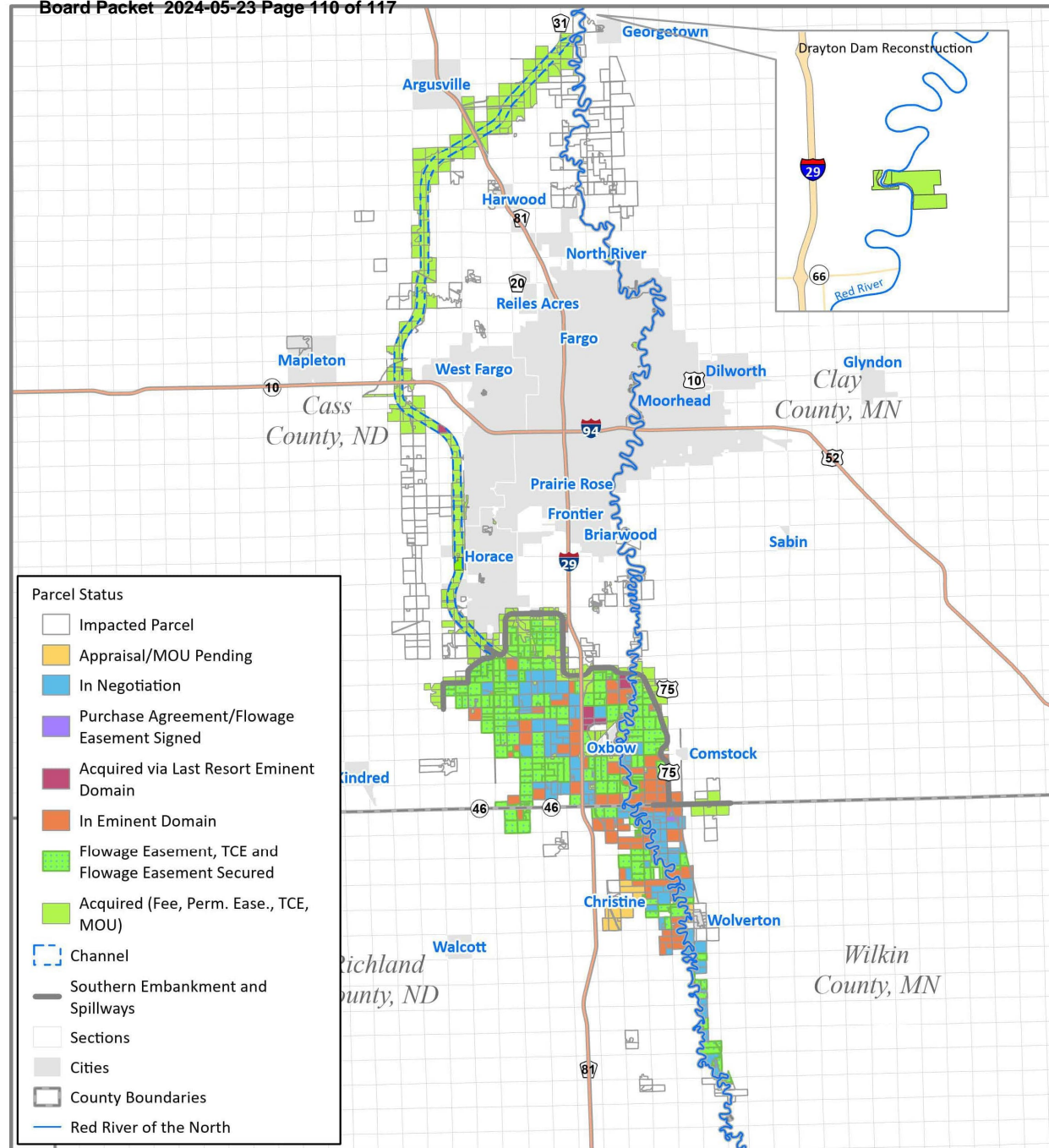
Authority Led Projects

Sum of Current Reporting Period	Sum to Date
0	1
Incidents	Incident



May 2024





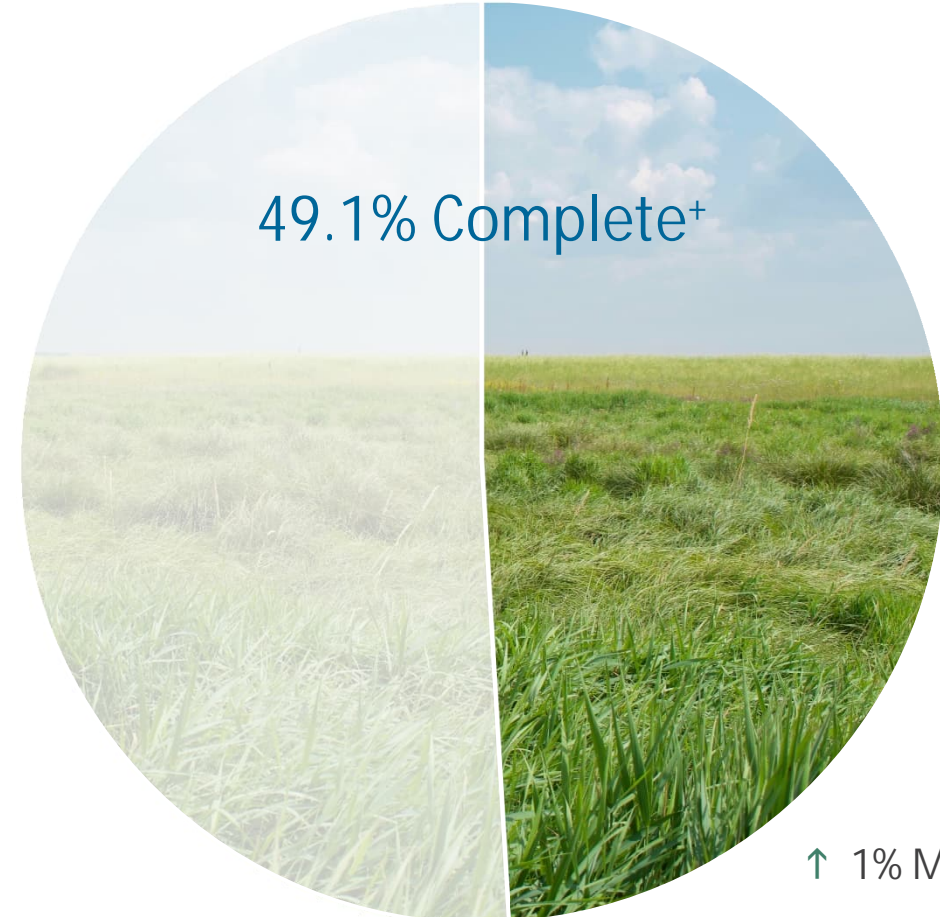
Property Acquisition Progress

Construction Footprint^{*}



No Change

UMA Footprint^{**}

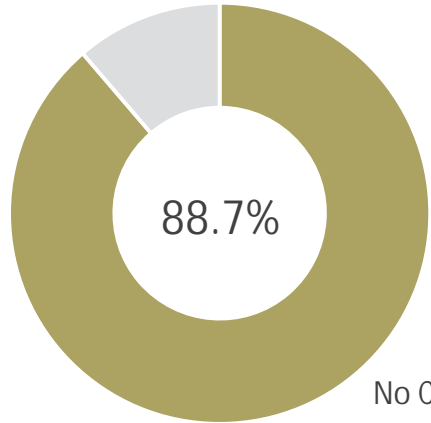


↑ 1% MoM

^{*} Includes SWDCAI, SEAI, In-Town, Oxbow and Drayton

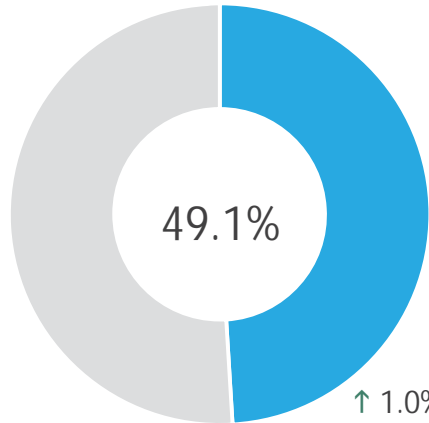
^{**} Includes parcels for Christine and Wolverton
As of May 15, 2024

Property Acquisition Progress by Location



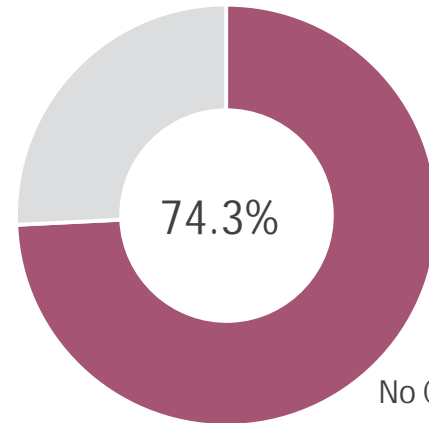
No Change

Southern Embankment & Associated Infrastructure



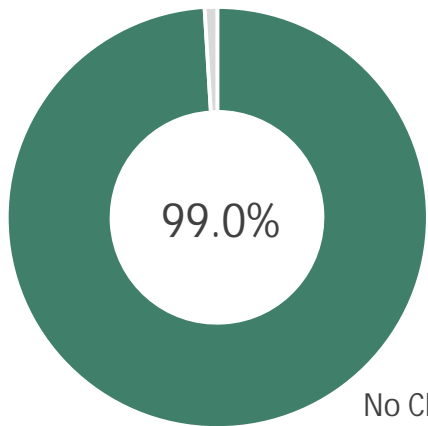
↑ 1.0% MoM

Upstream Mitigation Area



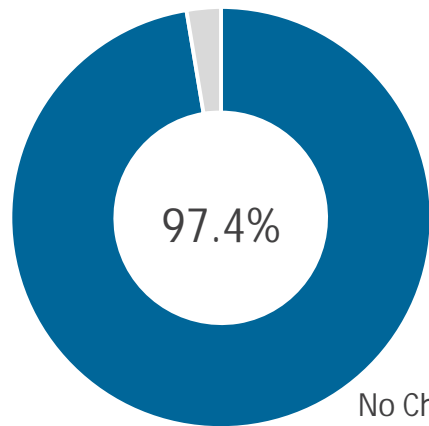
No Change

Environmental Monitoring Easements



No Change

Stormwater Diversion Channel

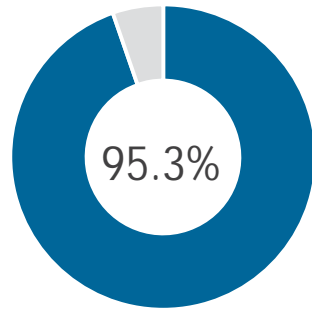


No Change

Oxbow-Hickson-Bakke

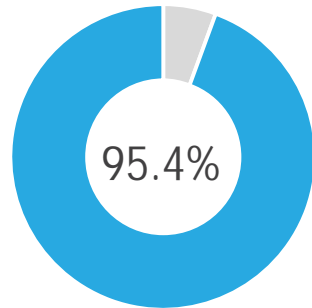
Landowner Overview

Construction Footprint^{*}



296 Owner Groups
262 in ND & 35 in MN⁺
282 settlements achieved
0 ongoing negotiations
16 in litigation

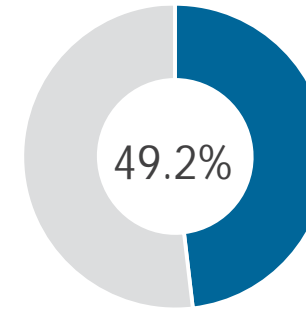
95.3% of owner groups have settled



571 Parcels
545 settlements achieved
0 ongoing negotiations
26 in litigation

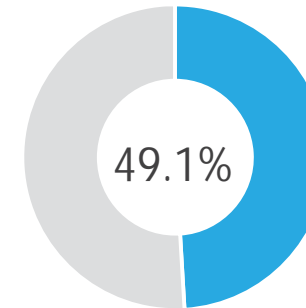
95.4% of parcels have been acquired

UMA Footprint^{**}



295 Owner Groups
224 in ND & 73 in MN⁺
145 settlements achieved
56 ongoing negotiations
100 in litigation

49.2% of owner groups have settled



636 Parcels
312 settlements achieved
103 ongoing negotiations
221 in litigation

49.1% of parcels have been acquired

^{*} Includes SWDCAI, SEAI, In-Town, Oxbow and Drayton

⁺ Some owner groups have property in both states

^{**} Includes Christine and Wolverton parcels

Property Acquisition Status Report

Key Activities:

- Continue negotiating settlement agreements for existing eminent domain actions
- Reached a mediated settlement on 6 parcels / 5 owners (4 ND, 1 MN)
- In the last month, successfully closed 3 parcels / 1 landowner group (all in ND)
- Held landowner informational meeting for the Wolverton project with BRRWD
- Supported a pre-construction meeting for the OHB project with USACE
- Developing a tracking system for release of temporary construction easements
- Continuing farmland leases for 2024



4784 Amber Valley Parkway South,
Suite 200
Fargo, ND 58104
www.jacobs.com

April 26, 2024

Attention Kris Bakkegard, Director of Engineering
Metro Flood Diversion Authority
4784 Amber Valley Parkway South, Suite 100
Fargo, ND 58104

Project Name: FM Area Diversion
Project Number: WP-52A

**Subject: Work Package 52A, Gravel Resurfacing Cass County, North Dakota
Recommendation of Award**

Dear Metro Flood Diversion Authority,

The contract for Work Package 52A Gravel Resurfacing, Cass County, North Dakota was publicly advertised, and three (3) bids were received at the virtual public bid opening on April 25, 2024, at 1:00pm.

The bids were from:

- | | |
|--|--------------|
| 1. Central Specialties, Inc in the amount of | \$501,551.00 |
| 2. Industrial Builders, Inc in the amount of | \$479,655.00 |
| 3. Park Construction Company, in the amount of | \$538,829.85 |

The Engineers Estimate for the project was **\$459,002.50**

Jacobs (PMC), HMG LLC (EOR), and the Authority's Legal counsel have reviewed and evaluated the bid documents and recommend the Metro Flood Diversion Authority award the contract for WP52A to **Industrial Builders, Inc** in the amount of **\$479,655.00** as the lowest responsive bidder. Enclosed is the Bid Tabulation Assessment.

Please contact me at ian.joynes@jacobs.com if you have any questions regarding this recommendation.

Yours sincerely

Ian Joynes, BEng CEng FICE, Construction Contracts Manager

Copies to:

Bob Zimmerman
Matt Stamness
Nathan Boerboom
Jason Benson
Justin Sorum

Bid Tabulation Assessment

Project: WP52A- Gravel Resurfacing

Bid Opening April 25, 2024

				Engineers Estimate		Industrial Builders		Centrial Specialties		Park Construction	
No.	ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1.	Mobilization	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 25,145.00	\$ 25,145.00	\$ 53,000.00	\$ 53,000.00
2.	Subgrade Preparation - Type A - 12IN	15,563	LF	\$ 7.50	\$ 116,722.50	\$ 5.00	\$ 77,815.00	\$ 6.00	\$ 93,378.00	\$ 3.95	\$ 61,473.85
3.	Traffic Control	1	LS	\$ 8,000.00	\$ 8,000.00	\$ 21,000.00	\$ 21,000.00	\$ 2,400.00	\$ 2,400.00	\$ 12,300.00	\$ 12,300.00
4.	Aggregate Surface Course	11,640	TON	\$ 27.00	\$ 314,280.00	\$ 31.00	\$ 360,840.00	\$ 32.70	\$ 380,628.00	\$ 35.40	\$ 412,056.00
				Engineers Estimate		Industrial Builders		Centrial Specialties		Park Construction	
						\$ 479,655.00		\$ 501,551.00		\$ 538,829.85	
				Contingency (10%) \$45,900.25							
				TOTAL \$504,902.75							