

Metro Flood Diversion Authority Land Management Committee Meeting Minutes

2:00 PM – June 26, 2024

City of Fargo Commission Chambers

A meeting of the Metro Flood Diversion Authority Land Management Committee was held on June 26, 2024. The following members were present: Mary Scherling, Cass County Commissioner; Nathan Boerboom, Fargo Division Engineer; Matt Stamness, Cass County Engineer; Arlette Preston, Fargo City Commissioner; Brenda Derrig, Assistant Administrator, City of Fargo; Rodger Olson, Cass County Joint Water Resource District; Jenny Mongeau, Clay County Commissioner and Bob Zimmerman, Moorhead City Engineer.

Member(s) absent: Kevin Campbell, Clay County Commissioner; Chuck Hendrickson, Moorhead City Council and Duane Breitling, Cass County Commissioner.

1. INTRODUCTION

Mrs. Scherling called the meeting to order at 2:01 PM. Roll call was taken, and a quorum was present.

2. APPROVE MEETING MINUTES FROM THE APRIL 2024 MEETING

MOTION PASSED

Mr. Stamness moved to approve the minutes from April 23, 2024, and Mr. Zimmerman seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF AGENDA

MOTION PASSED

Mr. Boerboom moved to approve the order of the agenda as presented and Mr. Olson seconded the motion. On a voice vote, the motion carried.

4. OINs 9191Y1 AND 9741Y EXCESS LAND RECOMMENDATIONS

Ms. Smith introduced the above-referenced OINs and asked for approval to sell the parcels per the Excess Lands Policy.

OIN 9191Y1: 66.9 acres (surveyed), this parcel will be subject to a 3.43-acre TCE. The USACE has required that the TCE shall remain in place through December 31, 2029; however, MFDA anticipates they may be completed and the TCE may be released prior to that date. It is assumed that the TCE for I-29 will be released prior to the sale of this excess land. This parcel is immediately east of I29, south of the Wild Rice River, and north of the Southern Embankment Reach 3 (SE-3) portion of the Comprehensive Project.

OIN 9741Y: OIN 9741Y is located on 38th St W on the west side of the Diversion Channel Area associated with the Comprehensive Project. This parcel (the full parent parcel) is impacted by the Diversion Channel portion of the Comprehensive Project. The prior owner chose to retain the unimpacted land north of the Diversion Channel but sold the small southerly remnant (9741Y) to the Authority. This remnant piece is outside of the Diversion Channel work limits and is not needed for the construction or operation of the Comprehensive Project.

MOTION PASSED

Mr. Olson moved to approve the recommendation and declare OINs 9191Y1 and 9741Y as excess land and proceed with the disposal of these parcels per the Excess Land Policy. Mr. Stamness seconded the motion and on a roll call vote, the motion carried.

5. OIN 7234B EXCESS LAND RECOMMENDATION

OIN 7234B: this parcel is a stretch of abandoned railroad property between Center Avenue and Park Drive in Horace, ND. This parcel was previously owned and maintained by BNSF. The parcel is located east of the Diversion Channel within Horace and is not impacted by construction of the Comprehensive Project.

There was dialogue regarding what would be the best course of action to dispose of this parcel given its value, suggesting that it may be an exception to the Excess Land Policy. The recommendation is for staff to draft an exception and bring it to the July or August Board meeting for approval. Approval would allow us to go directly to public sale via auction or a commercial realtor.

MOTION PASSED

Ms. Derrig recommended creating an exception to the Excess Land Policy regarding the disposal of parcels OINs 7234A and 7234B. Ms. Preston seconded the recommendation and on a roll call vote, the motion carried.

6. RIMP LOAN GUIDANCE

A property owner has requested to utilize the RIMP loan in a manner that has not been acknowledged. The request went to the CCJWRD Board on two separate occasions, and they are seeking the land committee's advisement on whether this request is within the spirit of the RIMP loan policy.

After extensive dialogue amongst the committee, no action was taken.

7. OTHER BUSINESS

There was no additional business to discuss.

8. NEXT MEETING

To be determined.

9. ADJOURNMENT

The meeting adjourned at 3:23 PM.