

1. CALL TO ORDER

Mark Alpert called the meeting to order at 2:00 PM CT. Roll call was taken, and a quorum of the Technical Dispute Resolution Board was present.

2. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

Ed Pensock moved to approve the order of the agenda and Charles Boland seconded the motion. On a voice vote, the motion carried.

3. THE FOLLOWING TOPICS WERE DISCUSSED

(i) Ground Rules for the Pre-hearing + Comments on the Draft Operating Procedures

The Parties provided preliminary commentary of the draft Operating Procedures including timing of Position Paper submittals and Rebuttals, DRB ability to question the parties during and after the hearing, and timeframe for the DRB recommendations to be transmitted to the parties, ability of either party to appeal or request a reconsideration of the TDRB recommendations

The FM Authority indicated it would confer with RRVA about the acceptability of the Operating Procedures once submitted by the TDRB

Agreed by the parties that recommendations of the TDRB are quasi-judicial under state law

(ii) Proposed Hearing dates

The Parties agreed to confirm dates

July 15 was suggested by the TDRB

(iii) The Dispute – continued high level discussion

The Authority indicated that should the TDRB recommend in favor of the Authority position, the Authority would then determine the appropriate remedy including replacement of any work and structures that would have been deemed non-compliant

No further discussion was had on the dispute

(iv) Press Inquiries and the Applicability of the ND Open Records