

**Minutes of the Technical Dispute Resolution Board Meeting
Fargo Moorhead Flood Diversion Project
Metro Flood Diversion Authority
July 18, 2024**

1 PM CT– July 18, 2024

Virtual meeting held via Zoom.

A meeting of the Technical Dispute Resolution Board was held on July 18, 2024.

None of the members of the Technical Dispute Resolution Board were absent.

Also present were Paul Franke, Bill Meyer and Richard Murray, attorneys at Polsinelli P.C.

1. CALL TO ORDER

Mark Alpert called the meeting to order at 1 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 TOPIC WAS DISCUSSED

- The parties discussed the request by the North Dakota Attorney General (“AG”) in a letter to the TDRB dated July 3, 2024, seeking information about two meetings held by the TRDB on May 31, 2024, and June 7, 2024. The request from the AG was in response to a request from a media outlet in Fargo, North Dakota for a legal opinion from the AG on whether the TDRB is a public entity and therefore required to comply with the North Dakota open meetings laws. The TDRB is seeking the assistance of legal counsel to respond to the AG’s inquiries.

Motion Passed: A motion was made by Charles Boland to engage Polsinelli to represent the TDRB in the open meetings matter. Mark Alpert seconded on the Motion. On a roll call vote, the motion carried.

4. OTHER BUSINESS – None

5. NEXT MEETING – to be scheduled

6. ADJOURNMENT

Charles Boland moved to adjourn, and Ed Pensock seconded the motion. The meeting adjourned at 2:15 p.m. CT.