

Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 PM – December 19, 2024
City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on December 19, 2024. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of Fargo; Chuck Hendrickson, Moorhead City Council; David Ebinger, Clay County Commissioner; Kevin Campbell, Clay County Commissioner; Duane Breitling, Cass County Commissioner; Tony Grindberg, Cass County Commissioner; Larry Seljevold, Moorhead City Council; Rick Steen, Cass County Joint Water Resource District; Dave Piepkorn, Fargo City Commissioner; Shelly Carlson, Mayor, City of Moorhead and Denise Kolpack, Fargo City Commissioner.

Member(s) absent: Jim Kapitan, Cass County Commissioner.

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 THE MINUTES FROM THE NOVEMBER 2024 MEETING

MOTION PASSED

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

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

Mayor Dardis moved to amend the order of the agenda, removing item 4.c., i., from the Consent Agenda. Mr. Hendrickson seconded the motion and on a voice vote, the motion carried.

4. APPROVE THE CONSENT AGENDA

MOTION PASSED

Mayor Mahoney moved to approve the Consent Agenda as amended and Ms. Kolpack seconded the motion. On a roll call vote, the motion carried.

5. CO-EXECUTIVE DIRECTOR'S UPDATE

a. MFDA Award Solicitation/Procurement Policy

Mr. Wilson provided an overview and summary of the Award Solicitation Policy and asked the Board for approval of the policy.

MOTION PASSED

Mr. Seljevold moved to approve the policy as presented and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried.

b. MFDA Sponsorship Policy

Mr. Wilson provided an overview and summary of the Sponsorship Policy and asked the Board for approval of the policy.

MOTION PASSED

Mayor Mahoney moved to approve the policy as presented and Ms. Kolpack seconded the motion. On a roll call vote, the motion carried.

6. GENERAL COUNSEL UPDATE

Mr. Shockley did not have an update.

7. 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: 2024-2025: Complete operating machinery corrections; training and commissioning.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 98% complete. Construction completion date will be revised pending outcome of modifications to the gate machinery design. Schedule for remaining work: 2024-2025: Complete operating machinery corrections; training and commissioning.

3 I-29 Raise – Construction

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 100% complete. Final inspection held 3 January 2024; turf establishment inspection held 29 August. Preparation of O&M documents and turnover is ongoing.

4 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 70% complete. Construction completion date is 19 March 2026. Tainter gate #2 continues to be assembled on site and delivery of gate #3 and mechanical equipment is ongoing.

5 Drain 27 Wetland Mitigation Project Plantings - Construction

Native plantings 5-year contract awarded 17 May 2023. Completion date for wetland establishment is 1 December 2027. Encroachments continue to be an issue.

6 Drayton Dam Mitigation Project Design - Construction

Construction is complete. Turnover to MFDA for O&M occurred on 28 Nov 2023. OMRRR manual will be finalized once MFDA provides comments.

7 Southern Embankment – Reach SE-2A - Construction

Construction is 75% complete but continues to be behind schedule. Scheduled completion date of 13 October 2024 was not met. Revised schedule and completion date pending.

8 FY2024 Contract Awards:

OHB Ring Levee: Awarded 22 February and is 12% complete. Inspection trench, earthwork and storm sewer activities ongoing. Contract completion date is 31 August 2025.

Reach SE-1B: Awarded 27 February and is 29% complete. Stripping, hauling, road subgrade and box culvert work continues. Contract completion date is 13 March 2026.

Reach SE-2B: Awarded 11 March and is 37% complete. CR 16 to be opened for winter. Contract completion date is 30 October 2025.

Forest Mitigation #1: Contractor is preparing lands for additional planting next season. Reach SE-4: 130th realignment and north embankment work ongoing. Contract completion date is 3 June 2026.

9 FY25 Contract Awards:

SE-3: Bid opening held 26 November. HSG Park JV 2, LLC is the low bidder. Contract award: January 2025.

SE-5: Bid opening scheduled for 13 December. Contract award: January 2025.

Forest Mitigation #2: Advertise 16 December 2024. Award in February 2025.

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:

30 to 60 Day Outlook

- CR-32 Crossing
- Maple River Aqueduct
- Red River Structure

Misc. Highlights

- Channel Reaches 1 & 2
- BNSF Prosper
- Sheyenne Aqueduct
- Channel Excavation
- SE-2B

c. Project Safety Update

Mr. Bakkegard provided the safety update for the period November 1, 2024, to November 30, 2024. He reported that an individual was electrocuted and has suffered severe injuries. Another employee partially lost a finger in an incident with a drill. There were no other incidents to report.

d. P3 Monthly Update

Mr. Barthel provided a brief summary indicating that the commercial matters team are working with ASN and RRVA to ensure that everything gets paid and any changes get properly documented. The MFDA has initiated 23 change requests to date. Please reach out to Mr. Barthel if you have any questions regarding the report.

e. 2024 Year in Review Project Video

A video highlighting 2024 and the progress that has been achieved was viewed.

8. COMMUNICATIONS TEAM UPDATE

Ms. Willson provided the following communications update:

Outreach Products

Media Relations:

- November construction update release
- Year-in-review release with video and infographic

Event Facilitation:

- Rotary Club project update

9. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Mr. Dodds provided the following property acquisition status report:

- 98.4% completion in the Construction Footprint
- 57.5% completion in the UMA Footprint
- 95.3% of the parcels in the Southern Embankment have been acquired
- 57.5% of the parcels in the Upstream Mitigation Area have been acquired
- 77.3% of the Environmental Easements have been signed
- 100.0% completed: Stormwater Diversion Channel; Oxbow-Hickson-Bakke levee; in-town levees and the Drayton Dam mitigation

Key Activities:

- Continued negotiating settlement agreements for existing eminent domain actions
- In the last month, successfully closed on 21 parcels / 5 owners in the UMA and Southern Embankment
- Completing appraisal reports for Christine area flowage easements and Sheyenne River Benching Project
- Continuing the process of disposing of Excess Lands
 - 39 parcels / 682.83 acres have been approved as Excess Lands
 - 17 parcels / 546.36 acres are moving through the Policy
 - 22 parcels / 136.47 acres have been sold or pending closing
- Continued work on farmland leases for 2025
- Reminder: The vacate dates for occupied Minnesota properties
 - Deadline in Clay County = April 1st, 2025
 - Deadline in Wilkin County = June 1st, 2025

10. FINANCE UPDATE

Mayor Dardis reported that the December bills payable total \$7,060,087, and the current grand total net position is \$283,095,804. Mayor Dardis also reported that version 3 of the draft 2025 cash budget was presented, and the final 2025 cash budget will be presented at the January meeting. The current proposed cash budget is \$421,172,019.

11. OTHER BUSINESS**a. MFDA 2023 & 2024 Rates Summary**

Mr. Barthel reported that the contract summary has been reviewed and noted that there hasn't been much consistency in the rate increases over the last five years. Mr. Barthel asked the committee members to review the report and to reach out to him with any questions.

12. NEXT MEETING

The next meeting will be on January 23, 2025.

13. ADJOURNMENT

The meeting adjourned at 4:17 PM.