

Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 PM – July 24, 2025

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on July 24, 2025. 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; Tony Grindberg, Cass County Commissioner; Rick Steen, Cass County Joint Water Resource District; Dave Piepkorn, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Jim Kapitan, Cass County Commissioner; Lisa Borgen, Moorhead City Council and Denise Kolpack, Fargo City Commissioner.

Member(s) absent: Shelly Carlson, Mayor, City of Moorhead and Duane Breitling, Cass County Commissioner.

1. CALL TO ORDER

Mr. Grindberg called the meeting to order at 3:31 PM. Roll call was taken, and a quorum was present.

2. APPROVE THE MINUTES FROM THE JUNE 26, 2025, MEETING

MOTION PASSED

Ms. Kolpack moved to approve the minutes from the June 26, 2025, meeting and Ms. Borgen seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE MINUTES FROM THE JULY 2, 2025, SPECIAL MEETING

MOTION PASSED

Mr. Ebinger moved to approve the minutes from the July 2, 2025, special meeting and Mr. Kapitan seconded the motion. On a voice vote, the motion carried.

4. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

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

5. APPROVE THE CONSENT AGENDA

MOTION PASSED

Mr. Piepkorn moved to approve the consent agenda, amending item 5., e., v., to state *sale as recommended by the Land Management Committee* and Mr. Kapitan seconded the motion. On a roll call vote, the motion carried

6. EXECUTIVE DIRECTOR UPDATE

a. MFDA Mid-Year Review

Mr. Benson presented the 2025 mid-year review, highlighting the successes. The presentation can be viewed in its entirety on www.fmdiversion.gov.

7. GENERAL COUNSEL UPDATE

a. Technical Dispute Review Board Update

Mr. Shockley reported that the TDRB held a virtual organizational meeting on July 15, 2025; they will continue to hold meetings every quarter with two on-site meetings at the MFDA office, annually. All the pending disputes were resolved and withdrawn per the settlement agreement.

8. PROJECT UPDATES

a. USACE Project Update

Mr. Grindberg introduced Colonel Matthew Chase, the new USACE St. Paul District Commander. Colonel Chase shared his background and stated that he is looking forward to leading the St. Paul District.

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. Completion date is now 28 Oct 2025. Training held 19 June. Final inspections upcoming. Turnover to Sponsors for OMRRR anticipated in November 2025.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 98% complete. Completion date is now 28 November 2025. Operating machinery corrections, final inspections and training upcoming. Turnover to Sponsors for OMRRR anticipated in December 2025.

3 Red River Structure (RRS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 81% complete. Construction completion date is 30 April 2026. East and west dam wall and approach apron and gate machinery install ongoing. Red River re-route rescheduled for 7 Aug 2025 due to wet and high river conditions.

4 Southern Embankment – Reach SE-2A – Construction

Construction is 76% complete but continues to be behind schedule. Scheduled completion date of 13 October 2024 was not met. Revised schedule and completion date pending.

5 Drain 27 Wetland Mitigation Project Plantings – Construction

Native plantings 5-year contract for wetland establishment. Completion date is 1 December 2027. Contractor replanting areas disturbed by adjacent producers.

6 FY2024 Contract Awards – Construction

OHB Ring Levee: 50% complete. Levee construction ongoing. Contractor digging inspection trench. Contract completion date is 17 October 2025. Reach SE-1B: 36% complete. Anticipate opening CR16/17 by October 2025. Contract completion date is 13 March 2026. Reach SE-2B: 45% complete. Embankment construction ongoing. Paving of CR16 crossing pending. Contract completion date is 23 August 2026. Forest Mitigation #1: Contractor is planting. Contract completion date is 31 Dec 2028. Reach SE-4: 9% complete. Embankment construction continues. road work. Contract completion date is 30 September 2026.

7 FY2025 Contract Awards – Construction

SE-3: 2% complete. Embankment construction continues. Contract completion date is 11 September 2026. SE-5: Contractor is clearing and grubbing. Wolverton Creek crossing must be complete by 15 Nov 2025. Contract completion date is 8 September 2026. Forest Mitigation #2: Contractor is planting. Contract completion date is 31 Dec 2029.

8 I-29 Raise – Operations and Maintenance (OMRRR)

Turnover to MFDA occurred on 20 December and preparation of O&M documents is ongoing.

9 Drayton Dam Mitigation Project Design - Operations and Maintenance (OMRRR)

Turnover to MFDA for O&M occurred on 28 Nov 2023. OMRRR manual coordination continues.

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-10, I-29, CR-22, BNSF Hillsboro
- BNSF Prosper
- I-94
- Drain 21C Inlet
- SE-2B
- Red River Structure

Misc. Highlights

- Channel Excavation
- Rush River Inlet
- Authority Administration Building

c. Project Safety Update

Mr. Bakkegard provided the safety update for the period June 1 to June 30, 2025. He reported that there were two minor incidents that included heat exhaustion and a fractured finger requiring first aid but overall, it was a good month and there were no other incidents to report.

d. P3 Monthly Update

Mr. Bakkegard highlighted the road closure section in the July P3 monthly update.

TEMPORARY ROAD CLOSURES AND ANTICIPATED MAINLINE OPENING DATE

Interstate 29 – Bypass Operational August 2025

County Road 81 - Bypass Operational August 2025

County Road 22 - Bypass Operational July 2025

County Road 20 - Crossing Open to the public June 2025

County Road 10 - Bypass Operational June 2025

32nd Ave – Traffic Detoured to CR 8 and CR 31 August 2025

52nd Ave – Traffic Detoured to CR 8 and CR 31 August 2025

Interstate 94 – Bypass Operational August 2025

Interstate 94 – Eastbound Left Lane Closure

County Road 6 - Bypass Operational September 2025

ROADWAYS CURRENTLY CLOSED

24th St SE – Closed 9/21/2022

172nd Ave. SE – Closed 9/19/2022

171st Ave. SE – Closed 10/31/2023

170th Ave. SE – Closed 10/31/2023

169th Ave. SE – Closed 6/21/2023

29th St. SE – Closed 9/17/2023

32nd St. SE – Closed 3/20/2024

37th St. SE – Closed 9/20/2023

166th Ave. SE – Closed 5/24/2024

43rd St. SE - Closed 10/7/2024

38th St. NW – Closed 10/7/2024

112th Ave. S – Closed 10/10/2024

64th Ave. S – Closed 10/7/2024

45th St. SE – Closed 10/10/2024

26th St. W – Closed 10/15/2024

21st Ave. W – Closed 10/15/2024

21st Ave. W – Closed 10/15/2024

35th St. SE – Closed 10/7/2027

UPCOMING PERMANENT ROAD CLOSURES (TENTATIVE SCHEDULE)

32nd Ave. NW – Planned date August 2026 (MRA Access)

40th Ave. / CR 8 – Planned date August 2025

81st S – Planned date August 2026 (SRA Access)

ACTIVE BYPASSES

CR 81, I-29, CR 22, CR10, I-94 and CR6

ACTIVE BRIDGES

CR 4/31 and CR32 Crossing

ACTIVE DETOURS

32nd/52nd Ave. W Crossings

UPCOMING DETOURS

38th St. West and CR 16/17

Please reach out to Mr. Barthel if you have any questions regarding the report.

e. Monthly Drone Video

A video highlighting the progress that has been achieved since June 2025 was viewed.

9. COMMUNICATIONS TEAM UPDATE

Ms. Wieser Willson provided the following communications update:

Outreach Products

Media Relations:

- June construction update
- Settlement agreement
- New lands director

Newsletter:

- Faces of the Diversion: Tim King
- The Diversion Current: Red River Structure

Outreach:

- Lions Club presentation

10. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Mr. Fisher provided the following property acquisition status report:

- 98.4% completion in the Construction Footprint
- 61.3% completion in the UMA Footprint
- 95.3% of the parcels in the Southern Embankment have been acquired
- 61.3% of the parcels in the Upstream Mitigation Area have been acquired
- 78.1% 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 1 parcel / 1 owners in the UMA
- Continuing the process of disposing of Excess Lands
 - 43 parcels / 739.92 acres have been approved as Excess Lands
 - 11 parcels / 344.20 acres are moving through the Policy
 - 32 parcels / 395.72 acres have been sold or pending closing

- Continuing efforts to dispose of the abandoned rail corridor in Horace, ND
- Auction of 6 Excess Land parcels on July 22
- Completed plats of Diversion Channel lands in 5 of the 7 townships, working to finalize plats for the remaining 2 townships
- Preparing for eminent domain trials starting in August 2025.

11. FINANCE UPDATE

Mayor Dardis reported that the finance committee met and approved the bills payable through July 15, 2025, in the amount of \$4,594,797. A Budget Change Request of \$20,000,000, was approved that will bring the current 2025 cash budget to \$4,447,555,689.

a. BCR 021 – Developer Statement of Principles 2025 Payments

Mr. Barthel provided an overview and summary of the above-referenced Budget Change Request: Obligate \$20 million of the P3 program contingency to the 2025 cash budget to support Section 22 of the Statement of Principles (SOP) executed 7/3/2025. The 2025 cash budget will increase from \$427,555,689 to \$447,555,689 as a result of this change and includes BCR-020 Minnkota Power substation relocation. Request justification: the Statement of Principles (SOP) executed on July 3, 2025, resolves various commercial issues and, as such payments to the Developer in 2025 are to be made according to Section 22 of the SOP.

MOTION PASSED

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

b. Sales Tax Update 2024 Collections

There was no sales tax update.

12. OTHER BUSINESS

There was no other business to discuss.

13. PUBLIC COMMENT

There were no public comments.

14. NEXT MEETING

The next meeting will be on August 28, 2025.

15. ADJOURNMENT

The meeting adjourned at 4:11 PM.