

Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 PM – December 18, 2025

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on December 18, 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; Kevin Campbell, Clay County Commissioner; Shelly Carlson, Mayor, City of Moorhead; Dave Piepkorn, Fargo City Commissioner; Lisa Borgen, Moorhead City Council; Denise Kolpack, Fargo City Commissioner and Jim Kapitan, Cass County Commissioner.

Member(s) absent: Duane Breitling, Cass County Commissioner.

1. CALL TO ORDER

Mr. Grindberg called the meeting to order at 3:30 PM. Roll call was taken, and a quorum was present.

2. APPROVE THE MINUTES FROM NOVEMBER 2025 MEETING

MOTION PASSED

Ms. Kolpack moved to approve the minutes from the November 2025 meeting and Mayor Mahoney seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

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

4. APPROVE THE CONSENT AGENDA

MOTION PASSED

Mayor Dardis moved to approve the consent agenda as presented and Mr. Kapitan seconded the motion. On a roll call vote, the motion carried.

5. EXECUTIVE DIRECTOR UPDATE

a. Water Topics Overview Committee Update

Mr. Benson reported that he, Kris Bakkegard and Justin Fisher presented a construction and project update to the House and Senate WTOC members. They were impressed with the amount of work that has been completed to date.

b. 2025 Year in Review Video

The 2025 Year in Review video was viewed by attendees.

6. GENERAL COUNSEL UPDATE

a. Resolution for the Amendment and Restated ICE Agreement

Mr. Shockley provided an overview and summary of the above-referenced resolution:
The amendment to the initial ICE agreement is due to a miscalculation in the finance amount.

MOTION PASSED

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

b. Metro Flood Diversion Authority Resolution Approving and Authorizing Execution of the Definitive Settlement Agreement and the Amended and Restated Project Agreement

Mr. Shockley provided an overview and summary of the above-referenced resolution and agreement:

MOTION PASSED

Mayor Dardis moved to approve the definitive settlement agreement, and the amended and restated project agreement as presented, and Ms. Kolpack seconded the motion. On a roll call vote, the motion carried.

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. Completion date is 28 Oct 2025. Final inspections upcoming. Turnover to Sponsors for OMRRR delayed into 2026.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 99% complete. Completion date is 28 November 2025. Final inspections upcoming. Turnover to Sponsors for OMRRR delayed into 2026.

3 Red River Structure (RRS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 93% complete. Construction completion date is 30 April 2026. Embankment construction will continue Spring 2026.

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 2 December 2027. Contractor replanted areas disturbed by adjacent producers.

6 FY2024 Contract Awards – Construction

OHB Ring Levee: 98% complete. Construction acceptance occurred on 4 December 2025. Turnover to Sponsors for O&M pending.

Reach SE-1B: 65% complete. CR16/17 area fully opened. Contract completion date is 13 March 2026.

Reach SE-2B: 87% complete. TRM and turf establishment remain. CR16 crossing complete. Contract completion date is 23 October 2026.

Forest Mitigation #1: Planting/maintenance ongoing. Contract completion date is 31 Dec 2028.

Reach SE-4: 27% complete. Contract completion date is 30 September 2026.

7 FY2025 Contract Awards – Construction

SE-3: 40% complete. Contract completion date is 11 September 2026.

SE-5: 37% complete. 180th Ave S. will be closed at the creek location through winter. Contract completion date is 8 September 2026.

Forest Mitigation #2: Planting/maintenance ongoing. Contract completion date is 31 Dec 2029.

8 FY2026 Contract Awards – Pending

Forest Mitigation #3: Solicitation pending. Service contract award late-February 2026.

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

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

10 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 the current work in progress, and the 30 and 60 day projected progress:

30 to 60 Day Outlook

- Channel Reaches 3 thru 6
- BNSF KO

Misc. Updates

- Interstates
- 38th St. W Crossing

c. Project Safety Update

Mr. Bakkegard provided the safety update for the period November 1, to November 30, 2025. He reported that there were two minor recordable events that required first aid and medical treatment. Overall, it was a good month and there were no other incidents to report.

d. P3 Monthly Update

Mr. Bakkegard highlighted the bridges section in the December P3 monthly update. He reported that CR4/31, Hillsboro, I-29 NB, I-29 SB, CR 32, Prosper, CR 20, CR 10, I-94 WB, I-94 EB, 38th St. W, and 32nd Ave. West bridges are all 100% open to traffic. The remaining closures will be reopened this spring.

The chart can be viewed in its entirety on the website at www.fmdiversion.gov. Please reach out to Mr. Barthel if you have any questions.

e. Monthly Drone Video

A video highlighting the progress that has been achieved in December 2025 was viewed.

8. COMMUNICATIONS TEAM UPDATE

Ms. Wieser Willson provided the following communications update:

Newsletter:

- Year-in-Review issue will be distributed soon

Outreach:

- ND WTOC

Media Relations:

- November construction update
- Bridge openings (CR 16/17, CR 81, & 32nd Ave. W.)
- SwissRe podcast

9. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Mr. Fisher provided the following property acquisition status report:

- 98.4% completion in the Construction Footprint
- 64.2% completion in the UMA Footprint
- 95.3% of the parcels in the Southern Embankment have been acquired
- 64.2% of the parcels in the Upstream Mitigation Area have been acquired
- 79.1% 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
 - Completed three eminent domain trials in Cass County
 - Completed site inspections of Minnesota properties
 - Negotiated many settlements since completing the first trial
 - 10 pending settlement offers with property owners
- In the last month, successfully closed 5 parcels / 3 owners in the UMA
- 10 parcels / 6 owners are scheduled to close in November
- Continuing the process of disposing of Excess Lands
 - 49 parcels / 781.74 acres have been approved as Excess Lands
 - 6 parcels / 40.10 acres are moving through the Policy
 - 43 parcels / 741.64 acres have been sold or pending closing
- 20,773 acres of flowage easements have been acquired and 6,317 acres are outstanding
- Developed a scope of work to finalize the MFDA's crop loss program
- Working to develop a detailed plan for the MFDA's post-operation debris clean-up and restoration program for private lands
- All needed leases for the 2026 farming year have been sent out

10. FINANCE UPDATE**a. 2026 FINAL CASH BUDGET**

Mr. Barthel presented the final 2026 cash budget and reported that there have been a few minor changes since V3, indicating the P3 milestone payment line has been updated to reflect \$774,231,710, in anticipated payments. There has been an increase in the MOUs line item based on the lack of funds spent in 2025 which were rolled into 2026 commitments.

Mr. Barthel also reported that the anticipated sales tax receipts for 2026 from the City of Fargo and Cass County remained the same as 2025 at \$66,750,000, and a WIFIA request will be submitted early in the first quarter of 2026. The temporary sales tax bonds of \$220,000,000, are anticipated to incur \$4,000,000, in interest, which was added. The final lands projections based on properties pending closeout is \$34,505,128.

The final 2026 cash budget is \$1,016,893,807.

b. Finance Meeting Update

Mayor Dardis reported that Consent Agenda items A-D were approved; general counsel Consent Agenda items 6A & 6B were approved; bills in the amount of \$4,670,738 were also approved and the net cash position is \$274,960,631.

MOTION PASSED

Mayor Dardis moved to approve the 2026 cash budget in the amount of \$1,016,893,807, and Mayor Mahoney seconded the motion. On a roll call vote, the motion carried.

11. OTHER BUSINESS

There was no other business to discuss.

12. PUBLIC COMMENT

There were no public comments.

13. NEXT MEETING

The next meetings will be on January 8 (annual meeting) and January 22, 2026.

14. ADJOURNMENT

The meeting adjourned at 4:25 PM.