

Land Management Committee Agenda



Diversion Authority Land Management Committee

September 23, 2026 @ 3:00pm CST

This meeting will be in-person at Fargo City Hall Commission Chambers (225 4th St N, Fargo ND 58102).

1. Call to Order
 - a. Roll call of Members
2. Approve minutes from July 22, 2026
[Attachment 01.00] (Pg. 2)
3. Approve Order of Agenda
4. OIN 1834 Excess Land Sale Recommendation
[Attachment 02.00] (Pg. 4)
5. OIN 1890 Excess Land Sale Recommendation
[Attachment 03.00] (Pg. 12)
6. Horace Elevator Sale Recommendation
[Attachment 04.00] (Pg. 19)
7. Other Business
8. Next Meeting: To Be Determined
9. Adjournment

MEDIA AND PUBLIC PARTICIPATION INFORMATION

There are multiple ways to attend or watch this public meeting.

- View the Meeting on Fargo TV or at www.TVFargo.com
- View the Meeting on the City of Fargo's Facebook.

Metro Flood Diversion Authority Land Management Committee Meeting Minutes

3:00 PM July 22, 2026

City of Fargo Commission Chambers

A meeting of the Metro Flood Diversion Authority Land Management Committee was held on July 22, 2026. The following members were present: Duane Breitling, Cass County Commissioner; Brenda Derrig, Assistant Administrator, City of Fargo; Bob Zimmerman, Director of Engineering, City of Moorhead; Nathan Boerboom, Fargo Division Engineer; Tim Flakoll, Cass County Commissioner; Kevin Campbell, Clay County Commissioner; Matt Stamness, Cass County Engineer; Jake Gust, Cass County Joint Water Resource District; Jenny Mongeau, Clay County Commissioner and Deb White, Moorhead City Council.

Member(s) absent: Michelle Turnberg, Fargo City Commissioner.

1. CALL TO ORDER

Mr. Breitling called the meeting to order at 3:00 PM, roll call was taken and a quorum was present.

2. APPROVE THE MINUTES FROM THE MAY 2026 MEETING

MOTION PASSED

Ms. White moved to approve the minutes from May 2026, and Mr. Campbell seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

Ms. Mongeau moved to approve the order of the agenda as presented and Ms. White seconded the motion. On a voice vote, the motion carried.

4. OINs 9053N & 9992Y SALE OF EXCESS LAND RECOMMENDATION

Mr. Fisher introduced OINs 9053N and 9992Y. OINs 9053N and 9992Y are narrow strips of land located north of Harwood, North Dakota, along the south side of 27th St. SE. These properties were originally purchased to accommodate roadway improvements extending from the Diversion Channel, but the actual roadway connection was accomplished without affecting these properties. These parcels total 8.01 acres, and the proposed sale price is \$20,000, based on \$5,000 per tillable acre.

MOTION PASSED

Mr. Flakoll moved to recommend OINs 9053N and 9992Y as excess land per the policy and to offer them for sale at \$20,000. Mr. Boerboom seconded the motion and on a roll call vote, the motion carried.

5. OINs 9403, 9404 & 9411 SALE OF EXCESS LAND RECOMMENDATION

Mr. Fisher introduced OINs 9403, 9404 and 9411. OINs 9403, 9404, and 9411 are located just south of the Southern Embankment Reach 3 (SE-3) and west of the Red River Control Structure along 49th St. SE in Cass County, North Dakota. The three parcels total 9.0 acres and the proposed sale price is \$40,000, based on \$4,500 per acre.

MOTION PASSED

Ms. White moved to recommend OINs 9403, 9404 and 9411 as excess land per the policy and Mr. Stamness seconded the motion. On a roll call vote, the motion carried.

6. HORACE RAILROAD PLAT UPDATE

The MFDA declared OINs 7234B, 7234C, and 7234D as Excess Land in March 2025, and directed staff to follow the MFDA's Policy on the Disposition and Management of Comprehensive Project Lands (Policy). Subsequent to the March Land Management Committee meeting, letters were sent to the 28 landowners adjacent to the OINs 7234B, 7234C, and 7234D informing them that the land has been deemed as excess land and per the policy, the adjacent owners are given preference to acquire the excess land at market value. During these efforts landowners were asked to sign and return a Notice of Intent to Purchase by May 12. Notice of Intent to Purchase forms were received from nearly all adjacent landowners.

Based on this overwhelming feedback and interest in purchasing a portion of the property, the MFDA staff and consulting team proceeded with surveying the property, preparing purchase agreements for each adjacent landowner, preparing a plat to subdivide the property and join the subdivided lots with the existing adjacent parcels, and rezone the subdivided lots to match the zoning of the existing adjacent parcels. The preliminary plat has been reviewed with the adjacent landowners and the City of Horace to confirm future parcel boundaries, right-of-way dedications, and any easement needs. The sale of this property will include a small administration fee charged to each adjacent landowner to offset a portion of the costs associated with preparing the plat and closing documents.

Over the past several months, staff and consulting teams have advanced the plat and continued to communicate with the adjacent landowners, as well as the City of Horace. The preliminary plat will be presented to the Horace Planning and Zoning Commission on August 25th. As we prepare for this meeting project staff are working to confirm intent to purchase again with all the adjacent landowners. During the platting process a handful of sales within the community occurred, meaning we have new owners to discuss this sale with. A few of the adjacent landowners have questioned the City of Horace's requested 20 ft drainage preservation easement that is included on the plat. The landowners have been informed to share their comments and questions regarding the City's requested easement during the Planning and Zoning meeting on August 25th, and the subsequent City Council meeting.

7. UPSTREAM MITIGATION AREA HISTORICAL PROGRESS SLIDES

Mr. Fisher shared upstream mitigation historical progress slides from January 2024 to July 2026.

8. OTHER BUSINESS

There was no other business to discuss.

9. NEXT MEETING

To be determined.

10. ADJOURNMENT

The meeting adjourned at 3:13 PM.

Memorandum



To: Metro Flood Diversion Authority Lands Committee
From: Jason Benson, Executive Director
Cc: John Shockley, MFDA Legal Counsel
Date: September 23, 2026
Re: OIN 1834 Excess Land Sale Adjustment

RECOMMENDATION/ACTIONS NEEDED:

Approve the sale price of \$41,000 for excess land parcel OIN 1834.

Background/Key Points:

In July 2025 an excess land recommendation for OIN 1834 was presented at the MFDA Land Committee, the MCCJPA Board, and the MFDA Board meetings. The recommendation included a market value of \$52,000 and was unanimously approved at each of the three meetings. Since those approvals, and in accordance with the Policy on Disposition of Excess Lands, the notice of this sale was sent to the Member Entities, the Prior Landowner, and the Adjacent Landowners. Throughout those efforts some interest was received but things ultimately fell through, and the parcel was made available for public sale. An interested party has come forward through the public sale step but is proposing the purchase of the property for \$41,000, which is lower than the original approved value of \$52,000. In 2025 the Project paid roughly \$3,500/year in property taxes and has also paid JT Lawn Services to help maintain the property. In efforts to dispose of this property we are requesting approval to proceed with this sale for \$41,000.

This recommendation is similar to the sale adjustments that were made for the interested buyers of OINs 858 and 839, see table below.

Parcel/OIN	Original Sale Price	Revised Sale Price
858	\$57,970	\$20,000
839	\$10,500	\$7,000

ATTACHMENTS:

- Approved Memo – Excess Lands Recommendation – OIN 1834



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: July 11, 2025

RE: Excess Lands Recommendation – OIN 1834, subject to Flowage Easement

1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Co-Executive Directors may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Co-Executive Directors to declare OIN 1834 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 1834

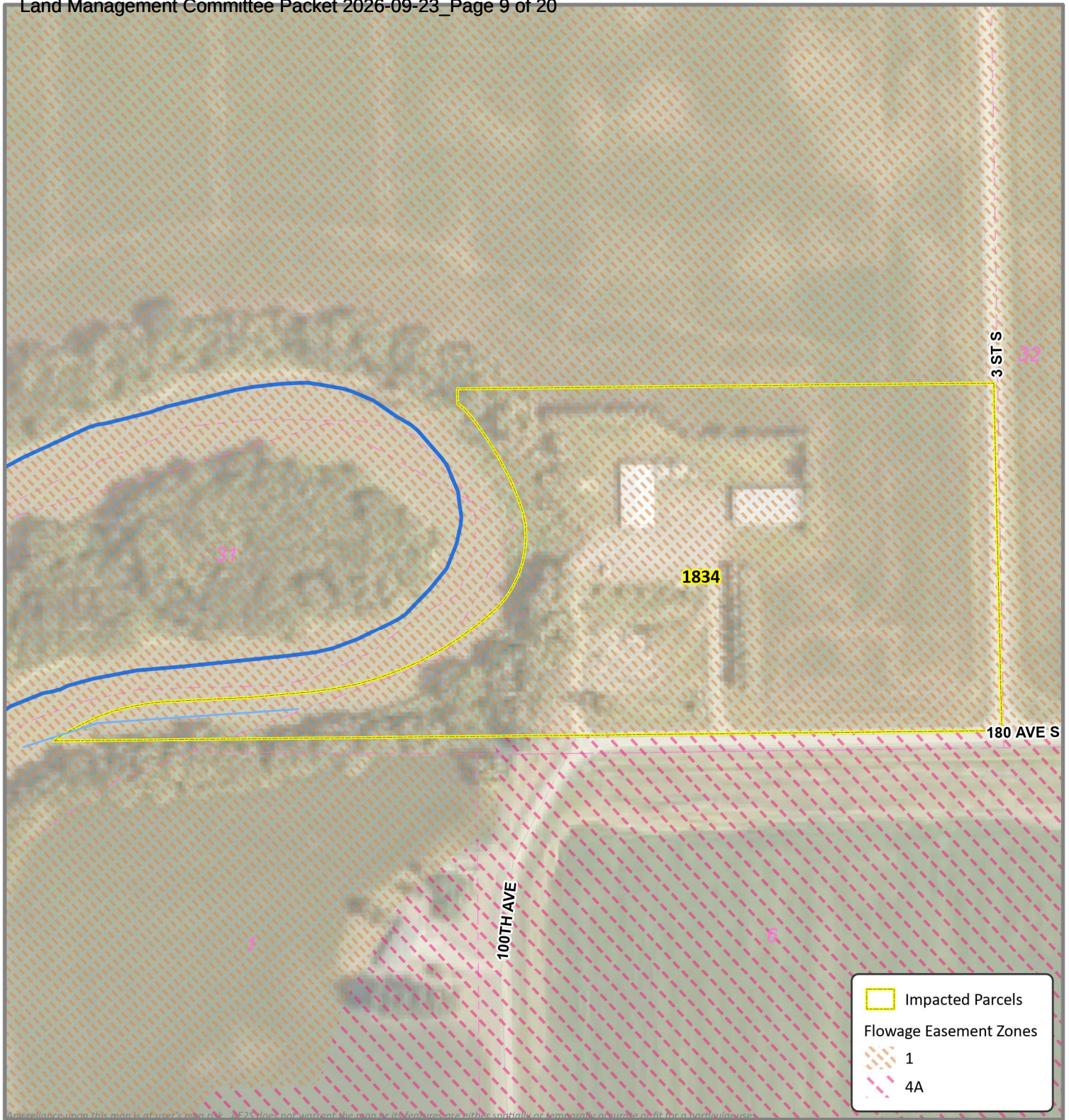
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	9.53 acres

Narrative Description of Parcel(s)	OIN 1834 is located in Minnesota on the corner of 180 th Ave South and 37 th St South in the Upstream Mitigation Area associated with the Comprehensive Project. There are approximately 3 acres of irregularly shaped tillable land as part of this parcel
Purchase Date	November 14, 2021
Purchase Price	\$620,800
Proposed Sale Price	\$52,000 Based on \$5,500/acre for flowage easement encumbered recreational land, considering the tillable acres on this parcel are small and irregularly shaped.
Former Owner	Micki Barnard
Adjacent Owners	OIN 1827 & 1833X – Ness Family Farm LLP OIN 1252 & 1824X – Keith & Norma Kragerud OIN 1250X – Paul & James Quinnild OIN 1670X – Larry & Judith Ness, LLLP
Property Management Approach	The farmstead portion of this parcel has been maintained through a weed control and mowing contract with JT Lawn Services and a Farmland Lease on the tillable acres.
Property Taxes	For 2024 this property had an annual of \$3,662 in property taxes and \$46 so far for 2025.
Relation to Construction	This parcel is in the UMA and not impacted by construction of the Comprehensive Project. The former owner desired a full-take buyout of the property. The former buildings on the parcel have been removed from the site, and the site has been restored. Any future sale will need to reserve a flowage easement on the parcel to ensure no future development.
Right of First Refusal	The prior landowner is not entitled to a ROFO.

3. Conclusion and Recommendation

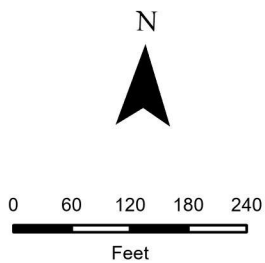
Based on the pertinent facts presented above, it is recommended to declare OIN 1834 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey.

Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | Not Data Driven Layout



OIN: 1834

Owner: MCCJPA
Parcel ID: 15.031.4401

Clay County, MN

FM AREA DIVERSION
Map Date: 5/20/2025



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the Purchase Agreement dated October 19, 2021.

The South 507 feet of that part of Government Lot Six and the Northeast Quarter of the Southeast Quarter of Section Thirty-one, Township One Hundred Thirty seven North of Range Forty-eight West of the Fifth Principal Meridian, Clay County, Minnesota, which is included within the following metes and bounds description: Beginning at the Southeast corner of Section Thirty-one, Township One Hundred Thirty-seven North of Range Forty-eight West of the Fifth Principal Meridian, Clay County, Minnesota; thence North 00°00'00" West along the East line of said Section Thirty-one, a distance of 1,743.82 feet; thence South 89°50'40" West a distance of 760.61 feet; thence South 00°17'38" West a distance of 1,324 feet, more or less, to a Point of Intersection with the East Bank of the Red River of the North; thence Southerly and Southwesterly along said East River Bank to the Point of Intersection with the South line of said Section Thirty-one; thence South 89°23'43" East along said South Section line a distance of 1,429 feet, more or less, to the point of beginning.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 1834 as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.



Jason Benson
Executive Director

7/14/2025

Date

Memorandum



To: Metro Flood Diversion Authority Lands Committee
From: Jason Benson, Executive Director
Cc: John Shockley, MFDA Legal Counsel
Date: September 23, 2026
Re: OIN 1890 Excess Land Sale Adjustment

RECOMMENDATION/ACTIONS NEEDED:

Approve the sale price of \$152,250 for excess land parcel OIN 1890.

Background/Key Points:

In May 2026 an excess land recommendation for OIN 1890 was presented at the MFDA Land Committee, the CCJWRD Board, and the MFDA Board meetings. The recommendation included a market value of \$199,000 and was unanimously approved at each of the three meetings. Since those approvals, and in accordance with the Policy on Disposition of Excess Lands, the notice of this sale was sent to the Member Entities, the Prior Landowner, and the Adjacent Landowners. Throughout those efforts no interest was received, and the parcel was made available for public sale. An interested party has come forward through the public sale step but is proposing the purchase of the property for \$152,250, which is lower than the original approved value of \$199,000. In efforts to dispose of this property we are requesting approval to proceed with this sale for \$152,250.

This recommendation is similar to the sale adjustments that were made for the interested buyers of OINs 858 and 839, see table below.

Parcel/OIN	Original Sale Price	Revised Sale Price
858	\$57,970	\$20,000
839	\$10,500	\$7,000

ATTACHMENTS:

- Approved Memo – Excess Lands recommendation – OIN 1890



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: May 18, 2026

RE: Excess Lands Recommendation – OIN 1890, subject to Flowage Easement

1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Executive Director to declare OIN 1890 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 1890

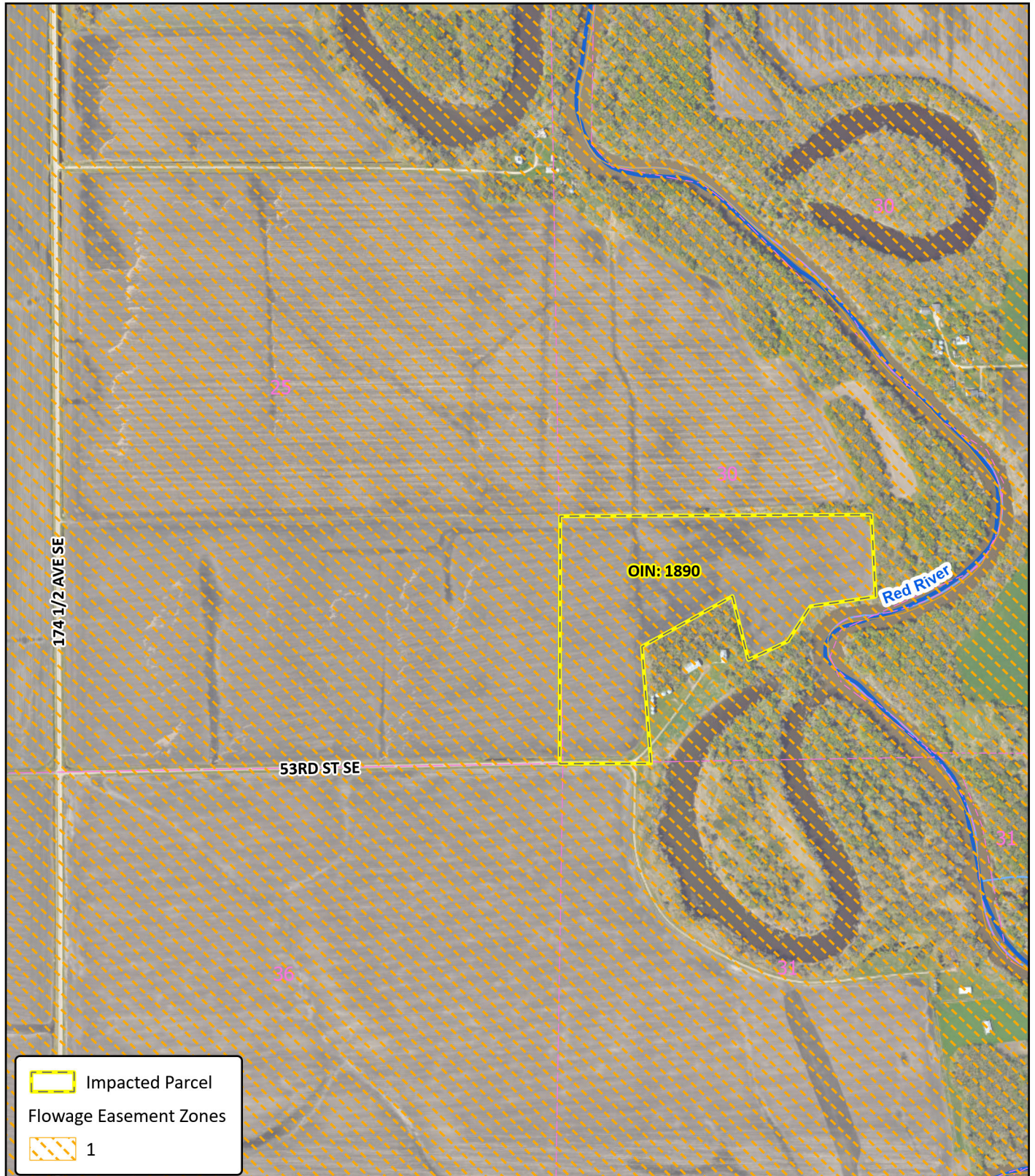
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	29.08 acres

Narrative Description of Parcel(s)	OIN 1890 is located in North Dakota along 53 rd Street SE in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	May 17, 2021
Purchase Price	\$190,200
Proposed Sale Price	\$199,000 *Based on \$6,900/acre for flowage easement encumbered tillable acreage in Cass County.
Former Owner	Jacob Sip
Adjacent Owners	OIN 1891 – Rodney & Cherie Mathison OIN 7213 – Caden Coleman OIN 1898 – Ryan & Heather Hanson OINs 1897 & 2048 – Randy Backlund OIN 1995 – Terry & Kay Compson RT OINs 1895 & 1991 – Susan Evert
Property Management Approach	This property has been maintained through a farmland lease with Pifer's Land Management since 2022.
Property Taxes	For 2025 this property had roughly \$457 in property taxes.
Relation to Construction	This parcel is in the UMA and not impacted by construction of the Comprehensive Project. The former owner desired a full-take buyout of the property. Any future sale will need to reserve a flowage easement.
Right of First Refusal	The prior landowner has secured a ROFO that is set to expire on May 17, 2026.

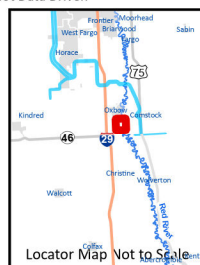
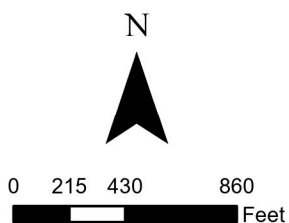
3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OIN 1890 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser, AE2S, LLC | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps.aprx | Individual Layout Not Data Driven



OIN: 1890
Owner: Cass County Joint Water Resource District
Parcel ID: 57-0000-10217-060

Cass County, ND
FM AREA DIVERSION
Date: 4/30/2026



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

That part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Beginning at a found iron monument which designates the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 480.65 feet to a found iron monument at the southwest corner of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County; thence North 03 degrees 56 minutes 01 second West along the westerly line of said tract for a distance of 619.78 feet to a found iron monument on the northerly line of said tract; thence North 61 degrees 08 minutes 10 seconds East along said northerly line for a distance of 546.41 feet to a found iron monument; thence South 13 degrees 22 minutes 25 seconds East continuing along said northerly line for a distance of 347.95 feet to a found iron monument; thence North 65 degrees 00 minutes 41 seconds East continuing along said northerly line for a distance of 230.32 feet to an iron monument; thence North 33 degrees 12 minutes 36 seconds East for a distance of 219.36 feet to an iron monument; thence North 81 degrees 59 minutes 58 seconds East for a distance of 347.09 feet to an iron monument; thence North 02 degrees 25 minutes 29 seconds West for a distance of 434.29 feet to an iron monument on the north line of said Government Lot 4; thence North 89 degrees 46 minutes 32 seconds West along said north line for a distance of 1637.44 feet to a found iron monument at the northwest corner of said Government Lot 4; thence South 00 degrees 36 minutes 35 seconds West along the west line of said Government Lot 4 for a distance of 1310.51 feet to the point of beginning. Said tract contains 29.08 acres, more or less.

SUBJECT TO an easement for ingress-egress purposes over, under and across that part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota, being a strip 40.00 feet wide, lying to the left of, as measured at a right angle to and parallel with a line described as follows:

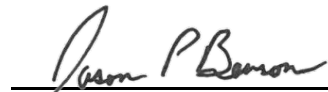
Commencing at the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 408.68 feet to the point of beginning; thence North 42 degrees 04 minutes 05 seconds East for a distance of 99.78 feet to the westerly line of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County and said line there terminates. The northwesterly sideline of said 40.00 foot wide easement shall be prolonged or shortened to terminate on the south line of said Section 30 and on the westerly line of said tract.

AND FURTHER SUBJECT TO an easement for ingress-egress purposes over, under and across that part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota, being a strip 10.00 feet wide, lying to the left of, as measured at a right angle to and parallel with a line described as follows:

Commencing at the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 408.68 feet; thence North 42 degrees 04 minutes 05 seconds East for a distance of 99.78 feet to the westerly line of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County, the point of beginning; thence North 03 degrees 56 minutes 01 second West along the westerly line of said tract of land described in Document No. 1436183 for a distance of 545.15 feet to the northerly line of said tract; thence North 61 degrees 08 minutes 10 seconds East for a distance of 546.41 feet; thence South 13 degrees 22 minutes 25 seconds East continuing along said northerly line for a distance of 347.95 feet; thence North 65 degrees 00 minutes 41 seconds East continuing along said northerly line for a distance of 230.32 feet and said line there terminates. The westerly and northerly sideline of said 10.00 foot wide strip shall be prolonged or shortened to terminate on a line bearing South 42 degrees 04 minutes 05 seconds West from the point of beginning and on a line bearing North 33 degrees 12 minutes 36 seconds East from the point of termination. AND FURTHER SUBJECT TO all easements, restrictions, reservations and rights of way of record, if any.

Exhibit C: Declaration of Excess Land Form

I hearby declare that OIN 1890 as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.

A handwritten signature in black ink, appearing to read "Jason P. Benson", is written over a horizontal line.

Jason Benson
Executive Director

May 20, 2026

Date

Memorandum



To: Metro Flood Diversion Authority Lands Committee
From: Jason Benson, Executive Director
Cc: John Shockley, MFDA Legal Counsel
Date: September 23, 2026
Re: Excess Land Update – OIN 7234A Horace Elevator Property

BACKGROUND & UPDATE:

The MFDA declared OIN 7234A as Excess Land in February of 2025, with the direction to go straight to Public Sale given the nature of the abandoned grain elevator on site. This direction was a variance from the MFDA's Policy on the Disposition and Management of Comprehensive Project Lands (Policy) but was unanimously passed by the board. The recommendation included an asking price of \$1,025,000 for the site. Since that approval in 2025 the parcel has remained visible to the public through the Project's webpage on Excess Lands.

In July of 2025, the elevator site was included in an online auction hosted by Pifer's Land Management to assist with the disposal of this property. The MFDA established a minimum offer for Pifer's going into this auction, which was for \$550,000. Post auction results showed that the highest offer received was for only \$99,500. This number did not meet our minimum and was therefore rejected.

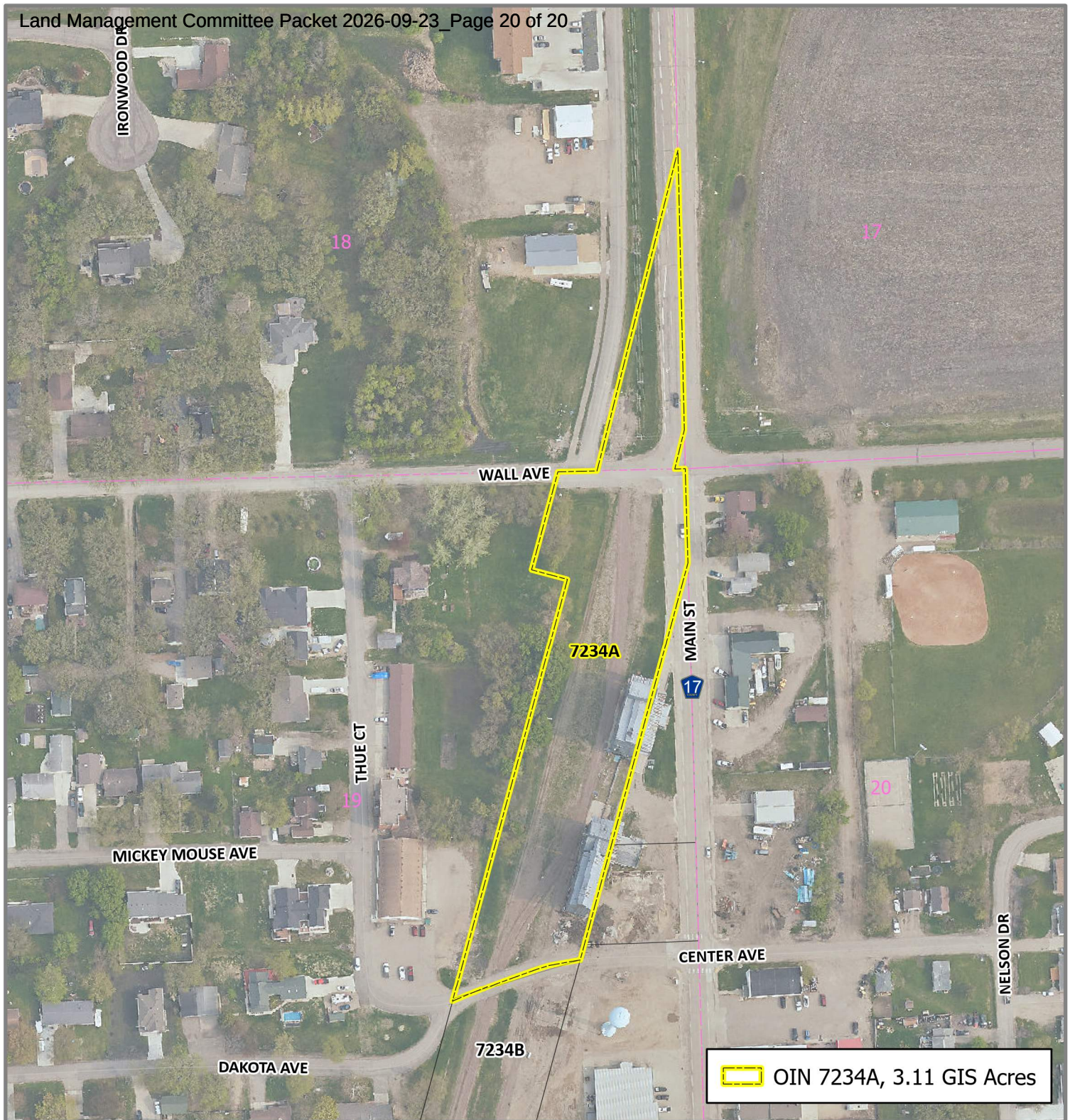
In the fall of 2025, the MFDA retained professional real estate services from Horizon Real Estate Group to assist in selling the property. From the fall of 2025 to date the property has had limited interest from other buyers.

With the services Horizon Real Estate has provided, we were able to expand the visibility of this site. In recent correspondence the MFDA received an offer for \$130,000.

Given these extensive efforts to find a buyer for the property and relieve the MFDA from the obligations associated with owning this unique property, staff are asking to move forward with this sale for \$130,000.

ATTACHMENTS:

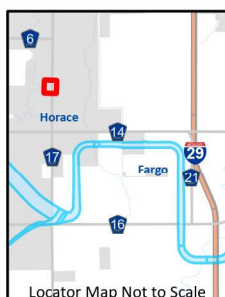
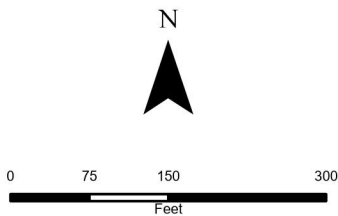
1. OIN 7234A Parcel Exhibit



Any reliance upon this map is at user's own risk. AE25 does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.

All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey.

Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\DCAI\Horace Railroad\HoraceRailroad.aprx | Horace RR Parcel Exhibit B C D



**OIN: 7234A
Cass County Joint
Water Resource District
Cass County, ND**

FM AREA DIVERSION
Map Date: 7/22/2025

