

Metro Flood Diversion Authority Board of Authority

Meeting Minutes

3:30 PM – September 24, 2026
City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on September 24, 2026. The following members were present: Josh Boschee, Mayor, City of Fargo; Rick Steen, Manager, Cass County Joint Water Resource District; Jim Kapitan, Cass County Commissioner; Tony Grindberg, Cass County Commissioner; Kevin Campbell, Clay County Commissioner; David Ebinger, Clay County Commissioner; Lisa Borgen, Moorhead City Council; Duane Breitling, Cass County Commissioner; Shelly Carlson, Mayor, City of Moorhead and Chad Peterson, Fargo City Commission.

Member(s) absent: Eric Gjerdevig, Mayor, City of West Fargo; Chuck Hendrickson, Moorhead City Council and Michelle Turnberg, Fargo City Commissioner.

1. CALL TO ORDER

Mayor Boschee called the meeting to order at 3:32 PM. Roll call was taken, and a quorum was present.

2. APPROVE THE MINUTES FROM THE AUGUST 2026 BOARD OF AUTHORITY MEETING

MOTION PASSED

Mr. Steen moved to approve the minutes from the August 2026 meeting and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

Mr. Steen moved to approve the order of the agenda and Mayor Carlson seconded the motion. On a voice vote, the motion carried.

4. APPROVE THE CONSENT AGENDA

MOTION PASSED

Mayor Boschee noted that item 4., d., iii., was amended at the Finance Committee meeting reducing the HMG task order #102 by \$800,000. Mr. Steen moved to approve the Consent Agenda as amended and Ms. Borgen seconded the motion. On a roll call vote, the motion carried.

5. EXECUTIVE DIRECTOR UPDATE

a. Board Retreat Recap

Mr. Benson reported that the board retreat went well and he received positive feedback regarding the tour.

b. Federal Agency Coordination Meetings

Mr. Benson reported that the federal agency meetings have been going well and included a two-day meeting with FEMA; a trip to St. Paul to meet with the USACE and Ms. Williams, Mr. Denn and LTC Rud visited Fargo to attend the board meeting.

6. GENERAL COUNSEL UPDATE

a. WIFIA Update

Mr. Shockley reported that draw #4 has not been submitted as invoices have not been received from the developer. Draw #3 was received in the amount of \$30,500,000.

b. WIFIA Internal Controls Policy

Mr. Shockley reported that an internal controls policy has been created for the WIFIA loan. This is a standard process and procedure that is implemented by organizations that utilize the WIFIA program.

MOTION PASSED

Mayor Carlson moved to approve the policy as presented and Mr. Ebinger 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 Red River Structure (RRS)

16 Sept 2026 Ongoing Construction Structure includes 3-50 ft. wide Tainter gates. Construction is 99% complete. Final punch list items being addressed and key turnover pending. Turnover to Sponsors for OMRRR anticipated in October 2026.

2 Reach SE-2B

99% complete. Contractor addressing punch list items. Completion date is 23 October 2026.

3 Reach SE-3

88% complete. Hwy 81 road repair ongoing and involves excavation and replacement of road embankment, flattening side slopes, repaving, and adding/replacing box culvert sections. Reopening date is TBD and weather dependent. Contract completion date is 19 October 2026.

4 Reach SE-4

85% complete. Topsoiling and seeding ongoing. Contractor resurfacing 130th Ave S. up and over. Contract completion date is 15 October 2026.

5 Reach SE-5

68% complete. Soil-cement placement is ongoing. Contract completion date is 31 October 2026. Ongoing Mitigation

6 Forest Mitigation

Three Contracts. Planting/maintenance ongoing. Completion dates are December 2028.

7 Drain 27

Wetland Mitigation Project Plantings Native plantings 5-year contract for wetland establishment. Completion date is 2 December 2027. Operations, Maintenance, Repair, Replacement, Rehabilitation (OMRRR)

8 Reach SE-1B

Turnover to MFDA occurred on 14 September 2026. Turf maintenance ongoing.

9 Wild Rice River Structure (WRRS)

Turnover to MFDA occurred on 20 July 2026.

10 Diversion Inlet Structure (DIS)

Turnover to MFDA occurred on 15 June 2026.

11 OHB Reach 43-B Ring Levee

Turnover to MFDA occurred on 29 December 2025. Turf maintenance ongoing.

12 I-29 Raise

Turnover to MFDA occurred on 20 December 2025.

13 Drayton Dam Mitigation Project

Turnover to MFDA occurred on 28 Nov 2023.

14 Reach SE-1

Turnover to MFDA occurred on 29 December 2022.

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:

Progress Map Updates

- Drain Inlets
- Channel
- AAB

30 to 60-Day Outlook

- Red River Structure
- Channel Reaches
- Southern Embankment

c. Project Safety Update

Mr. Bakkegard reported that it was a good month with only one minor recordable incident involving a bee sting that required medical treatment.

d. P3 Monthly Update

Mr. Bakkegard highlighted the Submittals section in September update.

SUBMITTALS

	Reporting Period	To Date
Submittals received for review and comment (including ITP Complete)	161	6,061
Reviews carried out*	131	5,540
Submittals returned with no comment	78	2,288
Submittals in review with the Authority as at end of reporting period	193	n/a
Submittals back with RRVA for resubmission as at end of reporting period		255
rejected as incomplete at end of reporting period	3	44
rejected with comments at end of reporting period	38	211
number of comments at end of reporting period	147	4,670
CDS returned with no comments	0	198
RFC documents (includes minor updates that are not redesigns)	0	191
Relating to utility relocations (some BUs combined into a single RFC)	0	81
RFCs back in redesign	8	n/a
Redesigned once (RFC1)	1	33
Redesigned twice (RFC2)	0	8
Redesigned three times (RFC3)	0	1

* Some submittals will have been seen more than once within the reporting period and therefore this section may not tally with the number "back with RRVA" or "no comment" which is a position as at the month-end. This also excludes ITP Close out reviews as comments on these are included in the associated Construction Certificates.

- The ICE Notices for CR22 and Drain Inlet for Raymond Township South were agreed during August 2026.

- 5 Notices were received in August 2026; CR 6 Crossing, Drain 14B and Drain Inlet for Raymond Township North are currently in review and CR16/17 and 32nd Ave W were rejected during the month.
- The report can be viewed in its entirety on the website at www.fmdiversion.gov. Please reach out to Mr. Barthel should you have any questions.

e. Monthly Drone Video

A video highlighting the progress that has been achieved in September 2026 was viewed.

8. COMMUNICATIONS TEAM UPDATE

Ms. Wieser Willson provided the following communications update:

PR/Media Relations:

- August construction update
- Hemnes Cemetery
- Highway 81 closure
- I-29 lane closure

Newsletter:

- PMC
- 55.3% open rate
- 11.5% click rate
- Next issue: O&M

Outreach:

- RRBC Board Meeting
- International Leaders Forum tour
- Great Plains Food Bank Board

9. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Mr. Fisher provided the following property acquisition status report:

Key Activities:

- **In the last month, successfully closed 2 parcels / 1 owner in the UMA**
- **Continued negotiating settlement agreements for existing eminent domain actions**
 - To date, completed three (3) eminent domain trials in Cass County. No new trials in the last month.
 - Completed site inspections and initial discovery hearing for the actions in Minnesota.
 - Scheduled Commissioner Hearings for Minnesota actions.
 - Negotiated many settlements since completing the first trial.
 - 13 pending settlement offers with property owners.
- **Closings are pending for:**
 - MN: 9 parcels / 3 owner/266 Flowage Easement Acres
 - ND: 42 parcels / 14 owners/1,803 Flowage Easement Acres
- **22,030 acres of flowage easements have been acquired, and 5,060 acres are outstanding**
- **Continued development of the MFDA's post operation clean-up and restoration programs**
- **Continued development of the MFDA's crop loss programs**

Property Acquisition Progress:

- 98.4% completion in the Construction Footprint
- 70.1% completion in the UMA Footprint
- 95.3% of the parcels in the Southern Embankment have been acquired
- 70.1% of the parcels in the Upstream Mitigation Area have been acquired
- 79.8% of the Environmental Easements have been signed
- 100% completed: Stormwater Diversion Channel; Oxbow-Hickson-Bakke levee; in-town levees and the Drayton Dam mitigation

10. FINANCE UPDATE

a. Sales Tax Update

Mr. Steen reported that sale tax receipts from Cass County are up 14.9% and the City of Fargo is up 8.6%.

Mr. Barthel and Mr. Shockley provided an overview of the various line-item funds shown on the Statement of Net Position and what is included in each of them.

11. OTHER BUSINESS

There was no other business.

12. PUBLIC COMMENT

There was no public comment.

13. CLOSED EXECUTIVE SESSION

*Closed Executive Session pursuant to N.D.C.C. 44-04-19.1 (2) and (9) to discuss negotiating strategy and to provide negotiating instructions to its General Counsel and Executive Director regarding a requested amendment to the ICE Advance Agreement between the MFDA, RRVA and ASN.

MOTION PASSED

Mayor Carlson moved to go into executive session, and Ms. Borgen seconded the motion. On an affirmative roll call vote, a quorum retreated to the Red River Room at 4:11 PM.

A quorum returned to the Commission Chambers at 4:47 PM.

14. NEXT MEETING

The next meeting will be on October 22, 2026.

15. ADJOURNMENT

Mayor Carlson moved to adjourn, and Mr. Peterson seconded the motion. On a voice vote, the meeting adjourned at 4:48 PM.