Planning Committee Agenda

METRO FLOOD DIVERSION AUTHORITY

Diversion Authority Planning Committee

December 3, 2026 @ 2:00 p.m. CST

This meeting will be in-person at the City of Fargo Red River Room (225 4th St N, Fargo, ND 58102).

1. Call to Order
    a. Roll call of Members
2. Approve minutes – November 5, 2026
   [Attachment 01.00] (Pg. 2)
3. Approve Order of Agenda
4. O&M Update – Future Staffing Org Chart
   [Attachment 02.00] (Pg. 5)
5. 4th Quarter Governance Policy Reviews
   [Attachment 03.00] (Pg. 7)
6. Transition of Committee and Board Members
7. Executive Director Annual Review Process
8. Other Business
9. Next Meeting: January 14, 2027
10. Adjournment

MEDIA AND PUBLIC PARTICIPATION INFORMATION

This meeting will be in-person at the City of Fargo Red River Room (225 4th St N, Fargo, ND 58102)

METRO FLOOD DIVERSION AUTHORITY

Metro Flood Diversion Authority Planning Committee Meeting Minutes

2:00 PM – November 5, 2026
Fargo City Hall, Red River Room

A meeting of the Metro Flood Diversion Authority Planning Committee was held on November 5, 2026. The following members were present: Josh Boschee, Mayor, City of Fargo; Shelly Carlson, Mayor, City of Moorhead; Rick Steen, Manager, Cass County Joint Water Resource District; Tony Grindberg, Cass County Commissioner; Eric Gjerdevig, Mayor, City of West Fargo and Kevin Campbell, Clay County Commissioner.

Members(s) absent: no members were absent

1. CALL TO ORDER

Mayor Boschee called the meeting to order at 2:00 PM. Roll call was taken, and a quorum was present.

2. APPROVE THE OCTOBER 2026 MINUTES

MOTION PASSED

Mr. Steen moved to approve the October 2026 minutes, and Mr. Campbell seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

Mayor Carlson moved to amend the agenda to include the November 19th board meeting date as item 9., a., under Other Business and Mayor Gjerdevig seconded the motion. On a voice vote, the motion carried.

4. PROJECT DOCUMENTARY RFQ

Ms. Willson provided an update on the potential costs of producing the documentary. She reported that a full, five-hour documentary versus five, one and one-half hour segments, is an approximate savings of $20,000.

It was discussed again: what do we want to use the documentary for? Board and community education? National interest? Who is the audience? Ms. Willson reported that approximately $47,000 is left from the event sponsorships that can be put toward producing the documentary. Sponsorship from national and internal sponsors, event attendees, etc., was also discussed as an option.

After extensive dialogue, the committee asked that a draft RFQ be prepared to include both options, and the committee will discuss whom it will be sent to at the next meeting.

MOTION PASSED

Mr. Grindberg moved to prepare the RFQ to include both options and Mr. Campbell seconded the motion. On a roll call vote, the motion carried.

5. CITY OF HORACE ASSESSMENT DISTRICT

Mr. Benson reported that he attended the City of Horace council meetings to address the Wall Avenue special assessments that they are placing on the MFDA. He reported that he asked them to take the $100,577 in assessments out of the $5,000,000 MOU that is between the MFDA and the City of Horace. The City of Horace

indicated that there was nothing definitive in the MOU that indicated that the funds should/could be used for special assessments.

Current assessments:

- Wall Avenue East - $22,407
- Wall Avenue West -$78,170

Future potential projects on arterial roads with ½ mile benefit areas:

- 81st Street (gravel road running N/S on the west side of the Horace Diversion)
- 64th Avenue S from Cass 17 to 81st Street

6. CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY UPDATE

Mr. Benson reported that he met with the North Dakota CISA regional director to discuss a potential partnership. They will work with the MFDA on security inspection processes, development of 3-D facility models and assist in the tabletop exercises.

7. O&M STAFFING AND EQUIPMENT NEEDS

Mr. Benson presented a spreadsheet with the proposed FTEs indicating that 17 FTEs will be needed. MRA is reviewing job descriptions and salary ranges, and 5 staff are anticipated to be hired in the next 4-5 months.

Mr. Grindberg requested an organizational chart be completed for discussion at the next meeting.

Mr. Bakkegard touched on the equipment needs for 2027 & 2028 and indicated that the list is not all inclusive and is open for comment and/or change.

8. ADAPTIVE MANAGEMENT & MITIGATION PLAN UPDATE

Mr. Fisher provided an update on the mitigation and monitoring requirements that are *mandated* by the state and federal permitting agencies.

Forest Mitigation

Planting Contracts

- 3 forest planting contracts to satisfy mitigation
    - 22 sites (121.3 ac planting; 245.4 preservation)
    - 10.4 ac to be completed by MFDA in 2027
- All contracts run through December 2028 and then will transition to MFDA monitoring and maintenance
- MFDA monitoring/management requirements:
    - Annual monitoring 2029-2031
    - Future Monitoring every 10 years or following major flooding
- Weed/Invasive species management requirements

  **MFDA will develop RFQ in fall/winter of 2028

Biotic (IBI)

- Per AMMP and Permitting requirements:
    - Index of Biotic Integrity (IBI) was utilized in 2012 and 2017 (pre-construction) to evaluate aquatic habitat conditions utilizing fish and aquatic invertebrate data
        - IBI samples are quantified between a 0 to 1 scale with 1 being excellent and 0 being very poor
            - Past sampling efforts produced IBI scores between 0.4-0.6 range
    - Future IBI efforts (post-construction):
        - Continuation of IBI studies in 2028 and 2030

          ***MFDA will develop RFQ next year

Biotics-Fish Passage Study

- Per AMMP and Permitting requirements:
  - Are resulting hydraulics in the aqueducts and channel features adequate to allow fish passage?
  - Do fish of all species and sizes enter the aqueducts?
  - Do most fish that enter the aqueducts exit the upper end of the aqueducts?
- Acoustic telemetry tagging with potential for PIT tagging efforts after 3 years of acoustic study
  - Acoustic telemetry tag study from 2027-2030
    ***MFDA will have RFQ ready next month

- **Connectivity**

- **Wetlands**

- **Cultural Resources**

Water Quality

- Per AMMP and Permitting requirements:
  - Water quality sampling for major ions, trace metals, nutrients, organic carbons (total and dissolved), bacteria pesticides and suspended sediment
  - Ten sampling/monitoring locations
    - 5 - Red River
    - 2 - Sheyenne River
    - 2 - Wild Rice River
    - 1 - Maple River
  - USGS contracted efforts
    - Pre-construction (2019-2022)
    - Construction (2022-2026)
    - Post-construction (2027-2030)
      ***MFDA has requested scope from USGS to continue efforts

Geomorphic Surveys

- Per AMMP and Permitting requirements:
  - Gather baseline to waterways, bank stability, erosion, and sedimentation within and outside of existing channels and floodplain
  - 3 studies pre-construction:
    - 2012
    - 2019
    - 2021
  - Future Studies:
    - Within 1 year of post-construction (2028)
    - Year 5
    - Year 10
    - After any project operation year
      **MFDA will be developing RFQ in next couple of months

9. OTHER BUSINESS

a. November board meeting. Ms. Lindblom will query members to ensure that a quorum is present.

10. NEXT MEETING

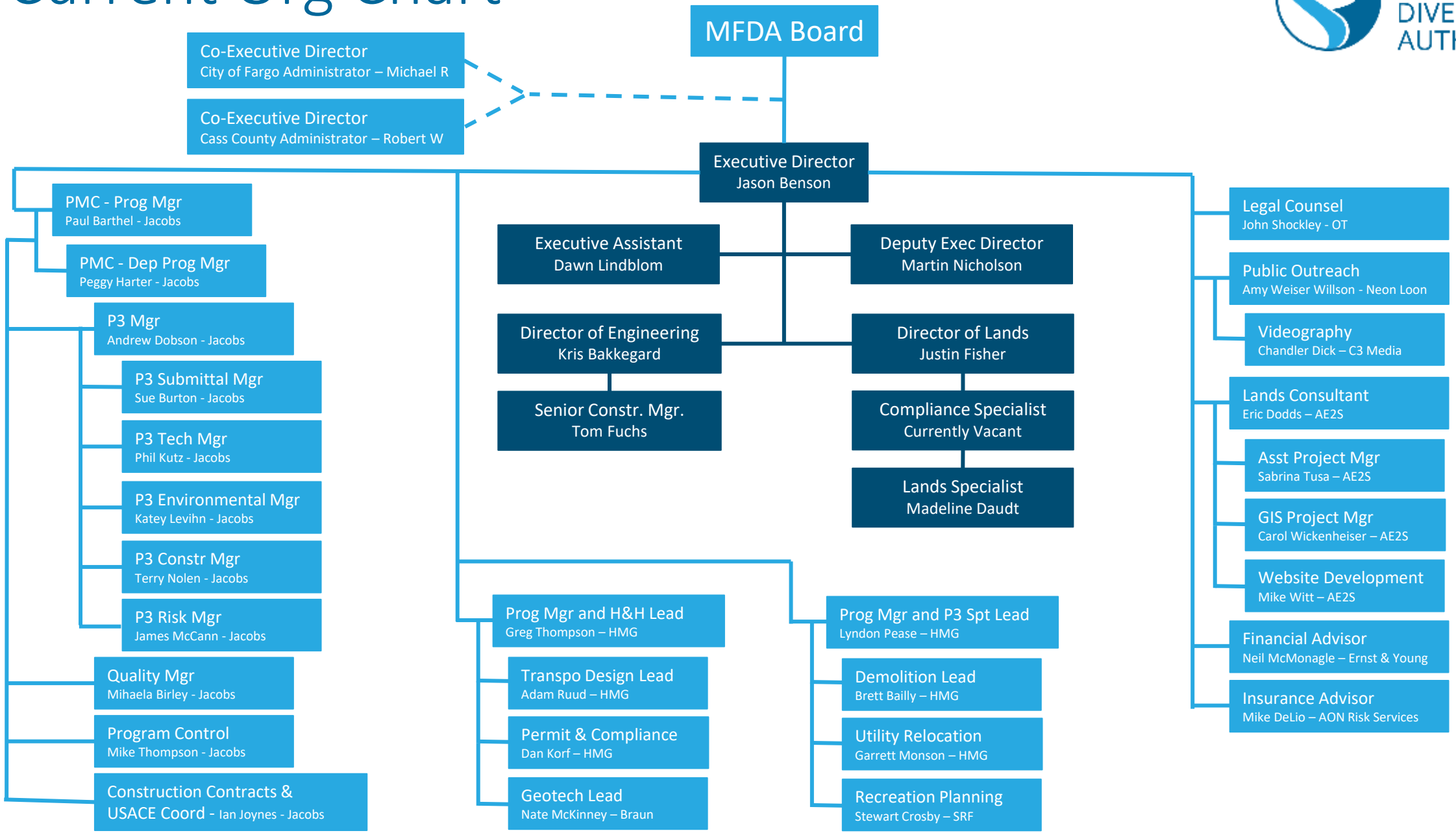
The next meeting will be on December 3, 2026.

11. ADJOURNMENT

The meeting adjourned at 3:02 PM.

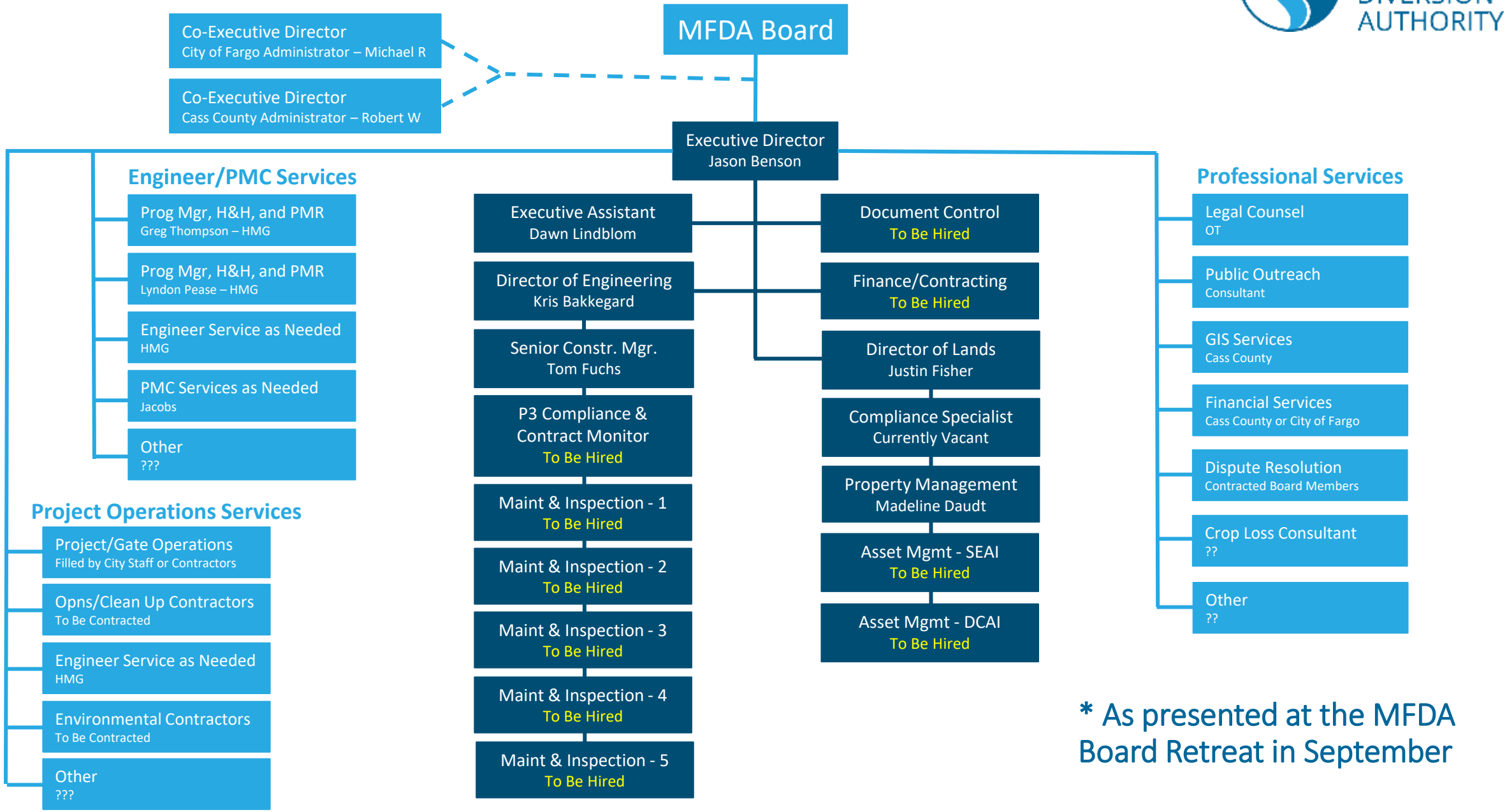
Current Org Chart

METRO FLOOD DIVERSION AUTHORITY



Post Construction/O&M Org Chart*

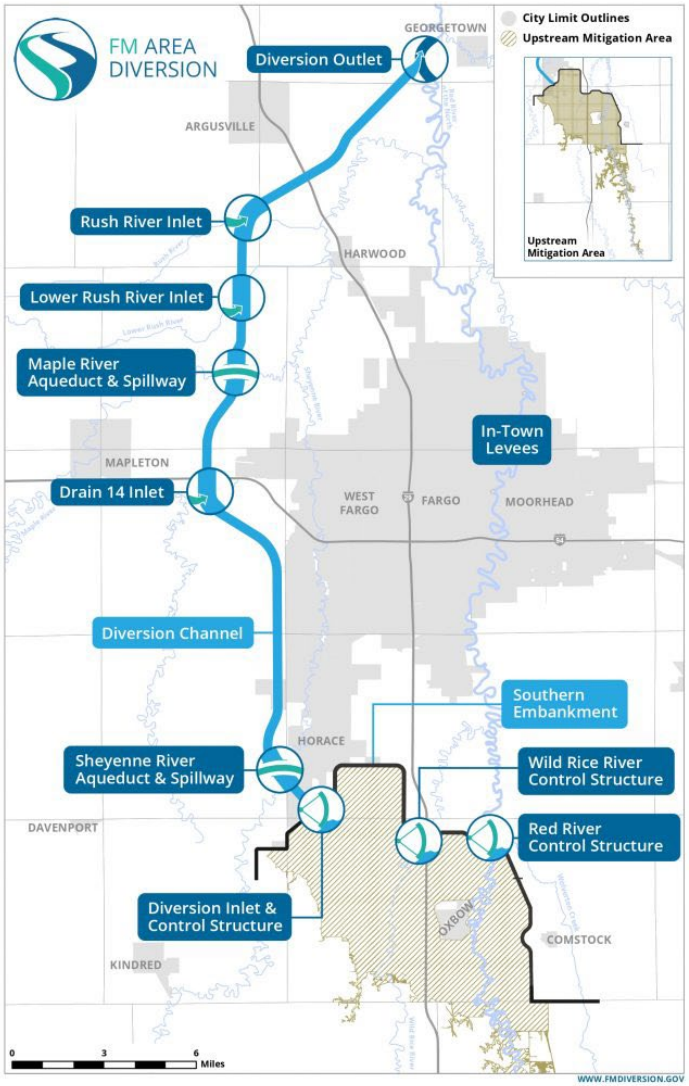
METRO FLOOD DIVERSION AUTHORITY



* As presented at the MFDA Board Retreat in September

2025

MFDA Governance Policies



Metro Flood Diversion Authority

Schatz & Associates, LLC

10/1/2025

Schatz & Associates, LLC
Strategic Planning Consultant

GP-7

Policy Type: Governance Policies

Board Member Code of Ethics/Conflict of Interest

The purpose of "A Matter of Trust: Our Code of Ethics" is to help ensure that all Board Members of the MFDA Board adhere to and promote proper ethical standards, abide by the law, and preserve the organization's integrity, reputation, and professional and business relationships.

Before taking any action or casting a vote regarding a matter before the Board that would constitute a conflict of interest under North Dakota law or as set forth in this Agreement, Board Member(s) must disclose such conflict(s) and abstain from voting on the matter involving the conflict of interest as well as from participating in Board discussions and deliberations on the matter involving the conflict of interest. Conflicts of interest include, but are not limited to, all conflicts of interest under North Dakota and Minnesota law as well as membership on a Governing Body and status as a controlling officer; membership of a board; mayor, president, or chief executive of a political subdivision, a public entity, and private entity engaged in legal or administrative action; or matters of pending litigation and active litigation in which the MFDA is an adverse party. Any Board member with a conflict of interest shall not be entitled to participate in an executive session of the Board held pursuant to Section 5.11 of the JPA.

Recognizing it is not possible to address all ways in which ethical issues may arise, the following principles are intended to guide making sound judgments and decisions on behalf of MFDA and its Purpose.

Pledge of Personal and Professional Conduct

- **Integrity** -- I will demonstrate the highest standards of individual conduct, personal accountability, trustworthiness, fair dealings, considerations of the rights of others, and the highest principles of good business relationships.
- **Excellence** -- I will strive to meet the highest performance, quality, service, and achievement standards.
- **Honesty** -- I will communicate directly, respectfully, honestly, and openly and avoid misrepresentation, including misrepresentation through omission.
- **Diversity** -- I will support and value diversity -- promoting an environment that embraces all people's similarities and differences to the organization.
- **Respect** -- I will respect and act fairly toward all those I encounter and refuse to engage in or tolerate any form of discrimination or harassment.
- **Responsibility** -- I will take responsibility for my actions and decisions and remain a careful steward of funds and resources.
- **Compliance** -- I will comply with the MFDA Code of Ethics and all laws and regulations.

A Matter of Trust: The MFDA Code of Ethics Board Members Certificate

I acknowledge that I have received and read my copy of the Metro Flood Diversion Authority Code of Ethics for Board Members. I understand that I am responsible for adhering to the Code of Ethics principles, and I confirm that I will conduct myself in accordance with the Code of Ethics principles. The certificate process is mandatory for all Board Members.

I am in compliance with the policy.

Printed Name

Signature

Date

Please sign and date this certificate and return it to the Board Secretary.

A Matter of Trust: The MFDA Code of Ethics Disclosure Statement

I acknowledge that I have received and read my copy of the Metro Flood Diversion Authority Code of Ethics for Board Members. I understand that each member of the Board is responsible for adhering to the Code of Ethics principles, and I confirm that I will conduct myself in accordance with the Code of Ethics principles.

I may not be in compliance with such policy due to:

Print Name

Signature Date

Please sign and date this certificate and return it to the Board Secretary.

Review and Comments

- ❑ You are in compliance with the Code of Ethics Policy.
- ❑ You are not in compliance with the Code of Ethics Policy. To be in compliance:

Monitoring Method: **Monitored by the Planning Committee and reviewed by the Board**
Monitoring Frequency: **Annually, per the Annual Work Plan**
Metro Flood Diversion Authority

Adopted:

GP-8

Policy Type: Governance Policies

Process for Addressing Board Member Violations

The Board and its members are committed to faithful compliance with the provisions of the Board's policies.

A Board member will inform the Board Chairperson if, in the Board member's opinion, the Board, or individual members are not in compliance with the Board's policies on Governance and Board-Executive Director Relations. If the Board Chairperson is the board member who is deemed as not acting in compliance with the policy, the Board member will inform the Board Vice-Chairperson.

In the event of a member's willful and continuing violation of policy, the Board will seek a remedy in the following order:

1. Conversation in a private setting between the offending member and the Board Chairperson or other individual member.

2. Discussion in a public meeting between the offending member and the full Board.

3. Public censure of the offending member of the Board as set forth in Robert's Rules of Order.

Monitoring Method: **Monitored by the Planning Committee and reviewed by the Board**
Monitoring Frequency: **Annually, per the Annual Work Plan**
Metro Flood Diversion Authority

Adopted:

ED/BRP-5

Policy Type: Executive Director Board Relationship Policies

Executive Director Accountability

The Board considers the Executive Director's performance to be identical to the organization's performance. The accomplishment of the Board's Operational Expectations and Monitoring of Policies will be regarded as successful Executive Director performance.

1. The Board will determine organizational performance based upon its defined systematic monitoring process, as outlined in its Annual Work Plan.

2. All policies that instruct the Executive Director (Operational Expectations and Monitoring of Policies) will be monitored according to a schedule and by a method determined by the Board and included in the Board's annual work plan. The Board may monitor any policy if it is decided that conditions warrant monitoring at times other than those specified by the annual schedule.

3. The Board will acquire monitoring data from Operational Expectations and Monitoring of Policies by one or more of three methods:

    a. By Internal Report The Executive Director submits information that certifies and documents to the Board compliance or reasonable progress.

    b. Board Inspection: The whole Board, or a committee duly charged by the Board, formally assesses compliance or reasonable progress based upon specific policy criteria.

    c. The consistent performance standard for Operational Expectations policies shall be whether the Executive Director has reasonably interpreted and followed the policies.

4. The Board will determine whether the Executive Director's interpretation of Operational Policies and Monitoring of Policies is reasonable, whether the Executive Director has complied, and whether reasonable progress has been made in meeting the MFDA’s objectives.

5. Annually, the Board will conduct a formal summative evaluation of the Executive Director. The summative evaluation will be based upon data collected and decisions made by the Board during the year related to monitoring Operational Expectations and

Monitoring of Policies. The Cass County Employee Performance Review format will serve as the standard format for the annual review. The Board will prepare a written evaluation document consisting of:

a. A summary of the data derived during the year from monitoring the Board's Operational Expectations and Monitoring Policies.

b. Conclusions are based upon the Board's monitoring of the Executive Director and have reasonably interpreted and operated according to the provisions of the Operational Expectations and Monitoring of Policies.

c. The Board Chairperson and Vice-Chairperson will conduct the Executive Director's annual review.

d. The annual review will be completed in December by the outgoing Board Chairperson and Vice Chairperson.

Monitoring Method: **Monitored by the Planning Committee and reviewed by the Board**
Monitoring Frequency: **Annually, per the Annual Work Plan**
Metro Flood Diversion Authority

Adopted:

OE-8

Policy Type: Operational Expectations Policies

Communication with the Board

The Executive Director shall ensure that the Chairperson and the MFDA Board are fully and adequately informed about matters relating to the MFDA's work and significant organizational concerns.

The Executive Director shall:

1. Attend meetings of the Board; the Executive Director may participate in discussions at Board meetings but may not vote

2. Meet weekly with the Board Chairperson

3. Recommend procedures or actions to the Board for adoption that are necessary to efficiently administrate the MFDA's affairs

4. Consult with staff members of the Member Entities and hold and conduct staff meetings as the Executive Director deems necessary

5. At least four (4) times per year, the Executive Director shall call and meet with all the Member Entities' chief administrative officers

6. Promptly provide the Board information about trends, facts, and other information relevant to the Project

7. Inform the Board of significant money transfers within funds or other changes substantially affecting the organizational financial condition

8. Ensure that the Board has adequate information from various internal and external viewpoints to foster informed Board decisions

9. Inform the Board of anticipated significant media coverage

10. Present information in simple and concise form, indicating clearly whether the information is incidental, intended for decision preparation, or formal monitoring

11. Treat all members impartially and ensure that all members have equal access to

information

12. Inform the Board, the Board Chairperson, or individual Board members if, in the Executive Director's opinion, the Board or individual members have encroached into areas of responsibility assigned to the Executive Director or if the Board or its members are non-compliant with any Governance Culture or Board/Executive Director Relations policies

13. Inform the Board and Board Chairperson of any actual or anticipated noncompliance with any Board Operational Expectation policy or any expected failure to achieve reasonable progress toward compliance with these policies

14. Inform the Board or member entity, as necessary, regarding the administrative disposition of complaints referred to the Executive Director

15. Submit required monitoring data (see policy ED/BRP-5 Executive Director Accountability) in a thorough, accurate, and understandable fashion, according to the Board's annual work plan schedule; this includes both Executive Director interpretations and relevant data to substantiate compliance or reasonable progress

16. Submit requests for travel to conferences, meetings, and other events outside of Minnesota or North Dakota to the Chairperson and Vice-Chairperson for review and approval. If the Chairperson and Vice-Chairperson do not approve the travel request, the Executive Director may request approval from the Board.

Monitoring Method: **Monitored by the Planning Committee and reviewed by the Board**
Monitoring Frequency: **Annually, per the Annual Work Plan**
Metro Flood Diversion Authority

Adopted:

:

MONITORING OF GOVERNANCE POLICIES

Monitoring of Governance policies occurs through a detailed annual work plan.

Purpose of Work Plan

A built-in feature of the governance policies that logically outlines and guides the work of the MFDA Board and Executive Director is an annual work plan. By developing an annual work plan, the Board:

- Empowers the Board to exercise leadership
- Prioritizes the work of the Board
- Regulates workflow
- Establishes a monitoring schedule of policies
- Demonstrates accountability

Work is scheduled in these areas:

- GP monitoring
- ED/BRP monitoring
- Operational Expectations monitoring
- Board and Committee meetings
- Any other work the Board should plan its workaround.

Questions to consider:

- When should the board self-assess? Should GP and ED/BRP policies be monitored all at once in a retreat or scheduled in quarterly meetings?
- When should Operational Expectations policies be monitored (i.e., in line during the year with budget adoption or financial audit)?
- When should committee meetings be scheduled (i.e., in alignment with Board meeting times and dates)?
- What other commitments will the Board have (i.e., training, public engagement, etc.)?

MFDA Governance Annual Work Plan (Draft)

Month	Governance Policies	ED/ Board Relationships	Operational Expectations	Board/Planning Committee Meetings	Other Meetings
January	GP 1-2-3	ED/BRP 1-2	OE 1-2-3	Board Meeting Planning CMTE Lands CMTE Finance CMTE	New Board Member Orientation
February				Board Meeting Planning CMTE Lands CMTE Finance CMTE	
March				Board Meeting Planning CMTE Lands CMTE Finance CMTE	
April	GP 4-5	ED/BRP 3	OE 4 - 5	Board Meeting Planning CMTE Lands CMTE Finance CMTE	
May				Board Meeting Planning CMTE Lands CMTE Finance CMTE	
June				Board Meeting Planning CMTE Lands CMTE Finance CMTE	
July	GP 6	ED/BRP 4	OE 6 - 7	Board Meeting Planning CMTE Lands CMTE Finance CMTE	New Board Member Orientation
August				Board Meeting Planning CMTE Lands CMTE Finance CMTE	
September				Board Meeting Planning CMTE Lands CMTE Finance CMTE	Fall Retreat

October	GP 7-8	ED/BRP 5-6	OE 8	Board Meeting Planning CMTE Lands CMTE Finance CMTE	
November				Board Meeting Planning CMTE Lands CMTE Finance CMTE	
December				Board Meeting Planning CMTE Lands CMTE Finance CMTE	Outgoing Board Chairperson completes the Executive Director Annual Review

Policy Monitoring Form

GP 7: Board Member Code of Ethics/Conflicts of Interest; GP 8 Process for Addressing Board Member Violations; ED/BRP 5: Executive Director Accountability; OEP 8: Communication with the Board

Summary of Compliance Status
December 17, 2026

Executive Director Certification

With respect to GP 7, GP 8, ED/BRP 5 & OEP 8 taken as a whole, the Executive Director certifies that the proceeding information is accurate and complete:

_____ In Compliance

_____ In Compliance with Exception (as noted in the evidence)

_____ Not in Compliance

Summary Statement by Executive Director

Signed:_____Date:_____

Planning Committee Recommendation for Compliance

With respect to (Name of Policy), the Board:

_____ Accepts the report as fully compliant

_____ Accepts the report as compliant with noted exceptions

_____ Finds the Executive Director to be non-compliant

Summary statement/motion of the Board

Signed:_____Date:_____