

FLOOD DIVERSION BOARD OF AUTHORITY

Thursday, July 9, 2015

3:30 PM

Fargo City Commission Room

Fargo City Hall

200 3rd Street North

1. Call to order
2. Approve minutes from previous meeting Item 2. Action
3. Approve order of agenda Action
4. Management Information
 - a. PMC report
 - b. Corps of Engineers report
5. Administrative/Legal Information
 - a. Lawsuit / Injunction update
6. Technical Information/action
 - a. Recommended Contract Actions Summary Item 6a.
 - i. HMG AWD-00050—services during bidding of in-town levees Item 6a. (i)
7. Public Outreach Information/action
 - a. Committee report
 - b. Business Leaders Task Force update
8. Land Management Information/action
 - a. Committee report
 - b. CCJWRD update
9. Finance Information/action
 - a. Committee report
 - b. Clean up of acquired property in Clay County Item 9b.
 - c. Corps of Engineers cost share funding request Item 9c.
 - d. Voucher approval Item 9d.
10. Other Business
11. Next Meeting – August 13, 2015
12. Adjournment

cc: Local Media

**FLOOD DIVERSION BOARD OF AUTHORITY
JUNE 11, 2015—3:30 PM**

1. MEETING TO ORDER

A meeting of the Flood Diversion Board of Authority was held Thursday, June 11, 2015, at 3:30 PM in the Fargo City Commission Room with the following members present: Cass County Commission representative Darrell Vanyo; Cass County Commissioner Mary Scherling; West Fargo City Commissioner Mike Thorstad; Fargo City Mayor Tim Mahoney; Fargo City Commissioner Melissa Sobolik; Fargo City Commissioner Mike Williams; Cass County Joint Water Resource District Manager Mark Brodshaug; and Moorhead City Council Member Nancy Otto. Clay County Commissioner Kevin Campbell was absent. Also present was ex-officio member Gerald Van Amburg, Buffalo-Red River Watershed District.

Staff members and others present: Cass County Administrator Keith Berndt; Clay County Administrator Brian Berg; Moorhead City Manager Michael Redlinger; Fargo City Engineer April Walker; and Mark Nesbit, Chamber of Commerce Business Leaders Taskforce.

2. MINUTES APPROVED

MOTION, passed

Mr. Mahoney moved and Ms. Otto seconded to approve minutes from the May 14, 2015, meeting as presented. Motion carried.

3. AGENDA ORDER

Keith Berndt asked if the board would be willing to allow public comments from Clay Dietrich and Jim Nyhof prior to the executive session.

MOTION, passed

Mr. Mahoney moved and Ms. Otto seconded to approve the order of the agenda with the addition of public comments from Clay Dietrich and Jim Nyhof prior to the executive session. Motion carried.

4. ADMINISTRATIVE/LEGAL UPDATE

Public comments on stoppage of Oxbow home construction

Clay Dietrich, Owner of Dietrich Homes and President of the F-M Homebuilders' Association, discussed the issues facing home builders currently working with Oxbow residents whose homes are on hold because of the injunction issued to stop work on the Oxbow Hickson Bakke (OHB) levee. He said custom home builders have scheduled the entire summer to work on homes and will have to be laid off. There are 20 homes that were slated to be completed before winter time. He estimates approximately 1,000 staff including construction workers and subcontractors are affected by the work being halted. He said his company needs to know in the next one or two weeks in order to make contingency plans for its construction schedule and employees.

Jim Nyhof, Oxbow City Mayor, said he finds it difficult to believe that the judge's injunction ruling was intended to harm innocent people that are not party to the lawsuit. He said regardless of the outcome, there is going to be a ring dike around Oxbow to provide long-term flood protection for Oxbow and the surrounding areas. He said it is important to move forward on infrastructure in Oxbow, which includes the replacement homes, golf course and roads.

Mr. Mahoney asked about the 20% property tax reduction approved by the State Board of Equalization in 2012 for Oxbow properties and issues recently raised by Pleasant Township regarding the impact to the Kindred Public School District. Mr. Nyhof said the City of Oxbow Board of Equalization approved a 5% increase for 2015 to begin making up the 20% reduction; however, this was approved before the injunction. Mr. Mahoney asked how the 20% reduction has affected the Kindred Public School District since 2012. Mr. Nyhof said the school district's valuation has increased despite the reduction.

Lawsuit Update – Executive Session

Attorney Erik Johnson provided an update regarding lawsuits filed by the Richland-Wilkin Joint Powers Authority. An injunction order was issued by the Federal District Court on May 13th to stop construction on the OHB levee. He said there are issues to discuss and the board is allowed under North Dakota state law to meet in private session to consult with legal counsel.

MOTION, passed

Mrs. Scherling moved and Ms. Otto seconded to meet in executive session as authorized by North Dakota Century Code Section 44-04-19.1 Sub. (2) for consultation with its attorneys regarding pending litigation with the Richland-Wilkin Joint Powers Authority (JPA). Motion carried.

The Flood Diversion Board members, key administrative and engineering staff, Attorney Erik Johnson and Attorney John Shockley moved to the River Room at 3:45 PM. Robert Cattnach, Attorney for the Board, joined the closed meeting via conference call.

The executive session ended at 5:26 PM, and the meeting was re-opened to the public.

Mr. Johnson said the board fully intends to follow the injunction ruling and is seeking clarification from the judge on home construction in Oxbow. The board also agreed to support Oxbow if the city decides to participate in the lawsuit.

Dakota Metro JPA

Mr. Johnson said a third amendment to the Joint Powers Agreement (JPA) was approved in concept by the Diversion Board at the last meeting. The JPA provides a mechanism to approve and/or ratify expenditures, agreements and other decisions of the Flood Diversion Authority Board, and establishes the Dakota Metro Flood Board. The JPA has been approved by the member entities of Fargo, Cass County and Cass County Joint Water Resource District. Moorhead Mayor Del Rae Williams asked for language to be included in the JPA for the Dakota Metro Flood Board to re-visit the need for this board at the end of the year and every six months if necessary.

Ms. Otto vehemently objects to those saying that Minnesota does not have a voice as a result of the Dakota Metro Flood Board. She said Minnesota has three representatives on the Finance Committee, including herself, that review expenditures and make recommendations to the Flood Diversion Board. She said this mechanism will also allow Fargo to move forward with its dike projects.

5. MANAGEMENT UPDATE

Program management consultant (PMC) report

Ty Smith from CH2M provided an update on activities over the last month including work on in-town levees at 2nd Street North, El Zagal, and Mickelson; assistance with the MNDNR

Environmental Impact Statement (EIS) process; and work with the Corp of Engineers to develop strategies for public-private partnership (PPP) options.

Corps of Engineers report

Terry Williams was not present at the meeting, but provided a written update of activities by Corps of Engineers staff which include continued support of MN EIS process through reviewing draft documents and supplying requested data; work on completion of the Maple River aqueduct physical model; mailing of draft cemetery mitigation plan on June 4th; continued review of appraisals and support of land acquisition activities; and work on the alternative resourcing and delivery plan for expedited implementation of the project.

6. TECHNICAL UPDATE

Recommended Contract Actions Summary

Mr. Smith discussed one task order with Houston Moore Group (HMG) and cost reimbursement agreements for utility relocations totaling \$3,445,266.51 as follows:

- HMG Task Order No. 13 Amendment 10—levee design and design support for in-town levees in the amount of \$602,000;
- 702 Communications cost reimbursement agreement—utility relocation associated with the 2nd Street flood wall in the amount of \$175,379.73;
- AT&T cost reimbursement agreement—utility relocation associated with the 2nd Street flood wall in the amount of \$441,330.44;
- Cable One cost reimbursement agreement—utility relocation associated with the 2nd Street flood wall in the amount of \$148,511.37;
- Enventis Telcom, Inc. cost reimbursement agreement—utility relocation associated with the 2nd Street flood wall in the amount of \$1,324,403;
- Xcel Energy cost reimbursement agreement—utility relocation associated with the 2nd Street flood wall in the amount of \$700,000;
- Xcel Energy cost reimbursement agreement—utility relocation associated with the 4th Street High Rise in the amount of \$53,641.97.

MOTION, passed

Mr. Mahoney moved and Mr. Brodshaug seconded to approve HMG Task Order No. 13 Amendment 10 and recommend approval of the appropriation of funds for the task order by the Dakota Metro Flood Board in the amount of \$602,000; and approve the Cost Reimbursement Agreements for 702 Communications, AT&T, Cable One, Enventis Telecom, and Xcel Energy and recommend approval of the appropriation of funds for said agreements by the Dakota Metro Flood Board in the amount of \$2,843,266.51. On roll call vote, the motion carried unanimously.

7. PUBLIC OUTREACH UPDATE

Committee report

Ms. Sobolik said the Public Outreach Committee met June 10th and referred to the handout provided to the board members on activities over the last month including community outreach meetings; efforts to provide accurate information on the draft cemetery mitigation report and OHB levee injunction to impacted homeowners and businesses; and e-newsletter and website updates.

8. LAND MANAGEMENT UPDATE

Mr. Mahoney said the Land Management Committee met earlier this afternoon and discussed topics including:

CCJWRD update

Mark Brodshaug referred to the handout regarding land acquisitions completed through May 31, 2015 which includes completed acquisitions, budget figures, and completed negotiations. He said clarification on the OHB levee injunction is needed in order for construction to continue on replacement homes in Oxbow. He said relocations from the Park East apartment complex continue to move forward and tenants have until July 15th to be out of the building.

Eric Dodds from AE2S discussed an agreement with the Cass County Joint Water Resource District to clarify liability insurance language outlined in the Limited Joint Powers Agreement (JPA), which will allow the CCJWRD to secure premise liability insurance through the North Dakota Insurance Reserve Fund. Through the JPA, the Diversion Authority directed and delegated authority to the CCJWRD to obtain rights of entry necessary for the FM diversion project and OHB levee project. This new agreement will provide specific indemnity protection for the CCJWRD for the tasks delegated to it by the Diversion Authority.

MOTION, passed

Ms. Sobolik moved and Mr. Williams seconded to authorize the chairman to sign the agreement to clarify liability insurance language and indemnity protection for the CCJWRD under the Limited JPA. Motion carried.

9. FINANCE UPDATE

Committee report

The Finance Committee met on June 10th. Kent Costin, Fargo Finance Director, said approximately \$106 million has been spent so far on the project.

City of Fargo – Loan Advance

The City of Fargo recently closed on the second round of financing with U.S. Bank for \$50 million. The Finance Committee approved a loan advance for \$15 million to help fund upcoming property acquisitions, including the Park East apartment complex which will total around \$9 million.

MOTION, passed

Mr. Mahoney moved and Ms. Sobolik seconded to approve a loan advance from U.S. Bank in the amount of \$15,000,000. On roll call vote, the motion carried unanimously.

Voucher approval

The bills for the month are with Fredrikson & Byron, P.A. for government relation services; Erik Johnson & Associates, Ltd. for legal services; and Cass County Joint Water Resource District for costs associated with the in-town levees, OHB ring levee, Diversion Project Assessment Committee (DPAC), and Oxbow Country Club golf course construction.

MOTION, passed

Mr. Mahoney moved and Mr. Thorstad seconded to approve the vouchers in the amount of \$5,762,127.13 for May, 2015. On roll call vote, the motion carried unanimously.

10. NEXT MEETING DATE

The next meeting will be held on Thursday, July 9, 2015, at 3:30 PM.

11. ADJOURNMENT

MOTION, passed

**On motion by Ms. Otto, seconded by Ms. Sobolik, and all voting in favor,
the meeting was adjourned at 5:50 PM.**

Minutes prepared by Heather Worden, Cass County Administrative Assistant



US Army Corps
of Engineers
St. Paul District

Monthly Update

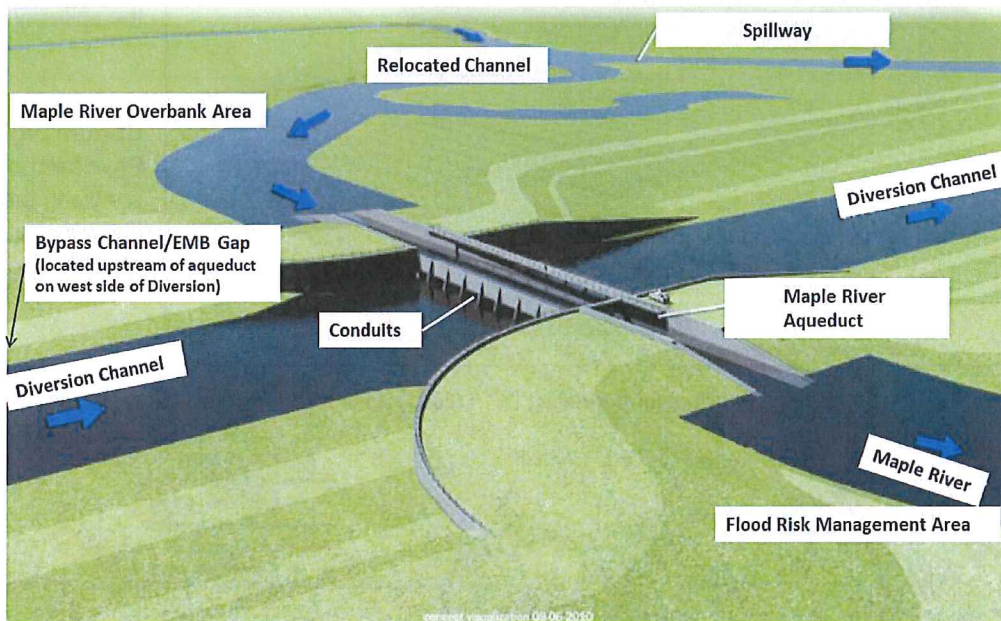
July 9, 2015

Since the last Diversion Authority meeting, the following project-related activities were worked on.

1. **Minnesota EIS:** Continued to support this process through coordination, supply of requested data and review of draft documents. Draft EIS for public review currently scheduled for 28 August 2015.
2. **Maple River Physical Model:** Final report complete – see attached for summary from contractor HDR. Awarded contract for flume study to analyze velocity conditions across aqueduct.
3. **Reach 7:** Includes the Maple River Aqueduct Structure and associated diversion channel. Preliminary Engineering Report (PER) out for Sponsor/ATR review on 12 June 2015.
4. **Diversion Inlet Structure:** Final Technical Review (FTR) scheduled for 8 September 2015.
5. **Optimization of Diversion Channel and Low Flow Channel:** Continuing this work upstream of the Maple River to the Diversion Inlet Structure. Complete this year.
6. **Cemetery Mitigation Plan:** Mailed draft to Cemetery POCs and ND/MN SHPOs on 4 June 2015. Also posted on www.fmdiversion.com. Requested any comments be provided by 13 July. Completed Cultural surveys for 8 of 11 sites. No longer pursuing Rights-of-Entry or surveys for Roen (Clay Co.), South Pleasant Church and Eagle Valley cemeteries (Richland Co).
7. **In-Town Levees:** Continue to support design and construction to assure features can be incorporated into FMM Project. Includes ATR and IEPR reviews.
8. **Alternate Financing/Split Delivery Plan:** Continue to advance this plan for expedited implementation of the FMM Project.
9. **Rights-of-Entry and Surveys:** Continue to obtain Rights-of-Entry and conduct surveys along the project alignment in ND (cultural, HTRW, borings, USGS flow measurements, land surveys).
10. **Real Estate:** Continue to review appraisals and support land acquisition activities.

FMM Maple River Aqueduct Hydraulic Modeling Summary

The Maple River Aqueduct will carry Maple River flow over a man-made diversion channel providing continuous aquatic and hydraulic connectivity while reducing flooding in the flood risk management area. An aqueduct was recommended for the crossing during feasibility, a base layout was selected during the design charrette, and physical and numeric modeling analyses were conducted to refine the design and develop hydraulic design criteria. Bergmann, Hanson, HDR, and St Anthony Falls Laboratory conducted the hydraulic analysis in cooperation with the U.S. Army Corps of Engineers (USACE). The USACE is developing the plans for the Maple River Aqueduct based on the results of this hydraulic analysis.



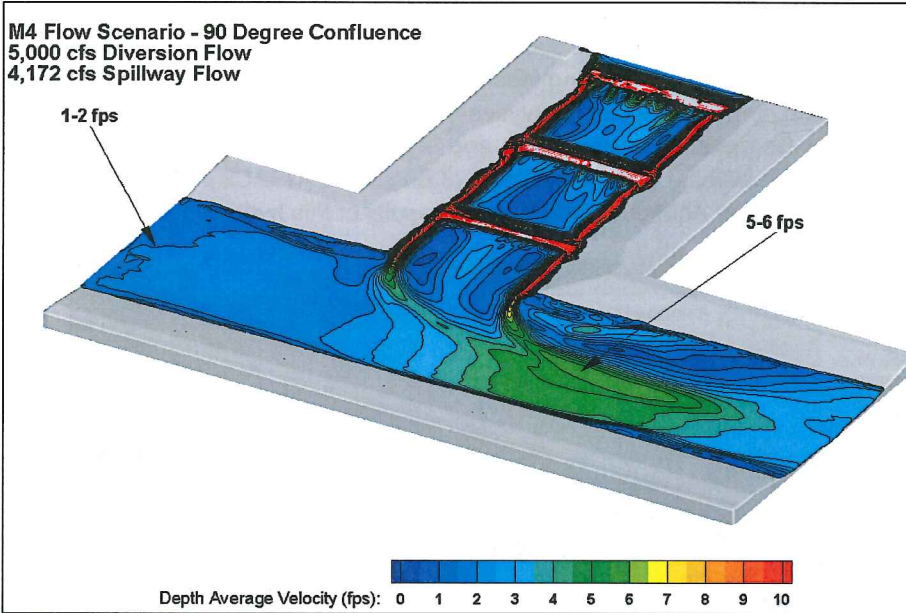
Analysis

- Hydraulic model calibration (Physical, 1-D, 2-D, 3-D)
- Preferred alternative hydraulic investigation
- Hydraulic optimization of the aqueduct, spillway, and engineered channel
- Optimization of the flow split between the spillway and flood risk reduction area
- Ice effects/impacts/mitigation investigation
- Review of fish passage across the aqueduct

Results

- Optimization of the conduits resulted in lowered headloss, and thus lower design water surface elevations in the diversion channel. This headloss reduction allowed for narrowing of the diversion channel bottom width from 300 feet to 210 feet upstream of the Maple River Aqueduct.
- Spillway realignment and narrowing resulted in less excavation for the spillway. The spillway weirs were adjusted to maintain the desired flow split in the flood risk reduction area. Velocities were provided for erosion protection design.
- Flow transitions upstream and downstream of the conduits, aqueduct, spillway, and engineered channel were optimized.
- Dimensions for a bypass channel layout were provided allowing for aqueduct design resiliency.
- The ice evaluation provided recommendations for the relocated channel, an upstream ice control structure, erosion protection at the spillway, and ice mitigation measures through the aqueduct.
- Reporting of hydraulic design parameters (velocities, shear stress, and/or water surface elevations) through spillway, relocated channel, aqueduct, conduits, and diversion channel.
- Lessons learned in design of the Maple River Aqueduct will be applied to design of the Sheyenne River Aqueduct.

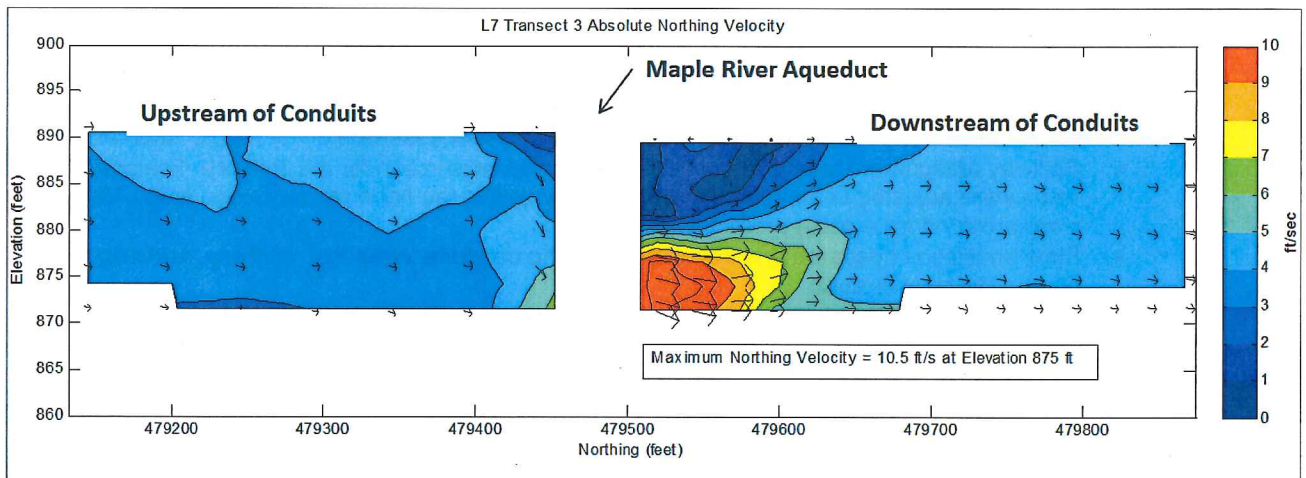
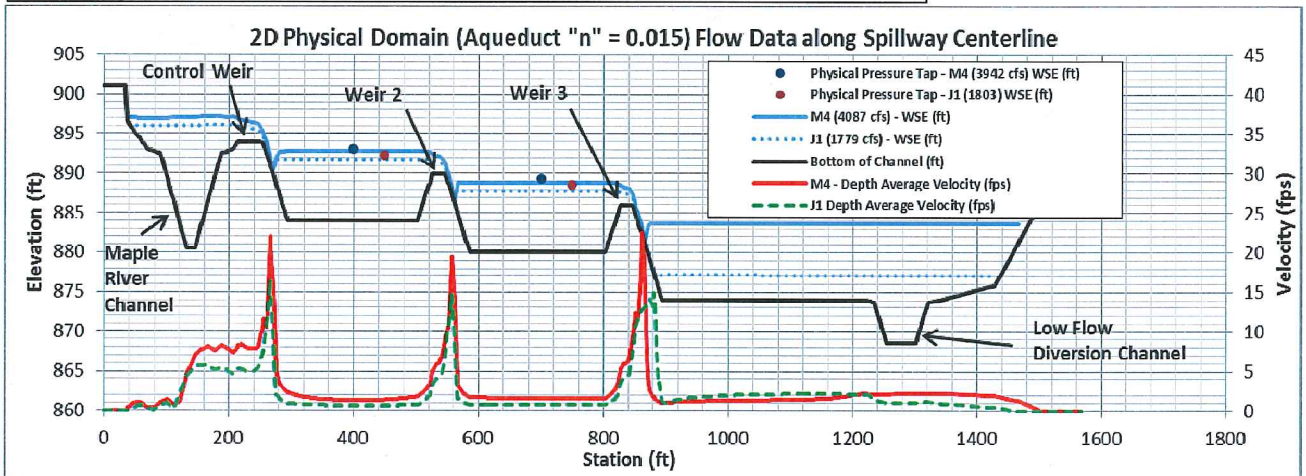
FMM Maple River Aqueduct Hydraulic Modeling Summary



Top Figure:
3-D results in diversion channel

Middle Figure:
2-D results through the spillway

Bottom Figure:
Physical model results in the diversion, at the aqueduct/conduits.





Recommended Contracting Actions Summary

Date: July 9, 2015

Description	Budget Estimate (\$)
HMG AWD-00050 R0 (WP-42F.1S SDC, Services During Bidding)	20,000
• WP-42F.1S Services During Bidding	
	Total \$20,000

RECOMMENDED CONTRACTING ACTION DETAIL

AWD SUMMARY

AWD-00050 R0

Houston-Moore Group, LLC (HMG)

SDCs - Services During Bidding-WP-42F.1S

Add \$ 20,000

Description:

The AWD authorizes HMG to provide Services During Bidding for WP-42F.1S (Flood Control, 2nd Street North, South of Pump 2 Station-Phase 42F.1S) of the In Town Levees project. Services include but are not limited to: preparing Contract Documents, responding to bidder questions, preparing addenda, attending the pre-bid meeting and site visit, attending bid opening, assist in evaluation of bids, and incorporating addenda into the plans and technical specifications to create a set of Contract Award Documents.

Background:

HMG is the Engineer of Record for WP-42F.1S and as part of the In Town Levees project, will provide Services During Construction (SDC), including bidding services, to ensure the project is built according to their design.

Scope and budget changes will be incorporated into a future amendment to Task Order No. 17.

Cost incurred under this AWD is not to exceed \$20,000.

Recommendation:

PMC recommends authorization of AWD-00050 R0 for \$ 20,000.



METRO FLOOD DIVERSION PROJECT

AUTHORITY WORK DIRECTIVE

AWD-00050 REV-0

Services During Bidding-WP-42F.1S

		WORK TYPE:	WIK
TO:	Houston-Moore Group, LLC	DATE INITIATED:	7/9/2015
PROJECT:	Fargo-Moorhead Diversion Engineering Design		
OWNER:	Metro Flood Diversion Authority		

The following additions, deletions, or revisions to the Work have been ordered and authorized:

OBJECTIVE:

Provide Services During Bidding for WP-42F.1S of the In Town Levees project.

BACKGROUND:

HMG is the Engineer of Record for WP-42F.1S (Flood Control, 2nd Street North, South of Pump 2 Station-Phase 42F.1S) and as part of the In Town Levees project, will provide Services During Construction (SDC), including bidding services, to ensure the project is built according to their design. HMG's existing Task Order 17, Amendment 0 (WP-42 SDC) does not included services for WP-42F.1S.

SCOPE:

As part of HMG's WP-42F.1S SDC, provide the following services during bidding:

- Prepare Contract Documents.
- Respond to bidder inquiries and prepare addenda to provide a clear, biddable set of solicitation documents.
- Attend and participate in pre-bid meeting and site visit.
- Attend bid opening and, if requested, assist in evaluation of bids.
- Incorporate addenda into the plans and technical specifications to create a set of Contract Award Documents.

DELIVERABLES:

Deliverables include Contract Documents, Addenda, and Contract Award Documents.

SCHEDULE:

Begin upon receipt of AWD.

HOW WORK IS PERFORMED:

This work will be performed on a time and material basis.

COST:

Cost incurred under this AWD is not to exceed \$20,000.00. Scope and budget changes for Services During Construction work will be included in a future amendment to Task Order No. 17, Services During Construction.

REASON FOR CHANGE(S):

To provide required engineering services for the bidding phase of WP-42F.1S.

ATTACHMENTS (List Supporting Documents):

None

It is understood that this Authority Work Directive will not change the Contract Price or Times, but is evidence that the parties expect a Contract Amendment to be subsequently issued reflecting the changes.

Recommended by: CH2M HILL
Program Management Consultant

Bruce Spiller, P.E. Program Manager
Name Title

 01 JULY 2015
Signature Date

Ordered by: Board of Authority
Owner

Darrell Vanyo Board Chair
Name Title

Signature Date

Land Management Summary

July 9, 2015

Acquisitions Completed Through June 30, 2015

Property Type	Complete	
	Properties	Acreage
Single-Family Residential	20	31
<i>Subset: Medical Hardship</i>	5	27
Agricultural	20	2,267
Commercial	3	295
Multi-Family Residential	--	--
Public	3	3
Other	--	--

Acquisition Budget Through June 30, 2015

Fiscal Year	No. Properties Acquired	Lands Budget (\$000)	Lands Expenses (\$000)	Outstanding Encumbrances (\$000)	Remaining Budget (\$000)
FY13	4	\$28,000	\$1,628		n/a
FY14	15	\$37,700	\$20,006		n/a
FY15	19	\$106,700	\$35,948	\$29,488	\$41,264

Other News for month of June:

- Construction continues for the homes in Oxbow currently under construction. Two of those homes were completed and closed on in June. The negotiations for the remaining 25 homes without signed purchase agreements are ongoing, however, no new agreements will be signed until the injunction is lifted or clarified.
- Received approval from USACE on seven (7) In-town residential appraisal.
- Several appraisals are awaiting review by USACE, including:
 - ProSource has four (4) appraisals with USACE for review.
 - Ulteig has three (3) appraisals with USACE for review.
 - HMG has four (4) appraisals with USACE for review.
- Relocations from Park East continue to move forward. At present, approximately 89% of the tenants have vacated.
- Park East property acquisition was completed in mid-June, residents still have until July 15th to vacate.
- Habitat for Humanity has begun salvaging usable items from the El Zagal area homes. They will begin salvage efforts at the Park East building in the coming weeks.
- CCJWRD took ownership of four (4) properties through real estate closings.

Land Management Summary

July 7, 2015

Appraisals Complete or In Negotiation (sorted by closing date)

Street Address	USACE Orig ID No.	Type	Activity ¹	Land Acq Firm/ Appraiser	Est. Closing Date
724 North River Road	9197	Residential	Closed	HMG/Britton	
Park East Apartments, LLC	9782	Commercial	Closed	HMG/Britton	
349 Schnell Drive	9664	Residential	Closed	ProSource/Hraba	
357 Schnell Drive	9666	Residential	Closed	ProSource/Hraba	
Agricultural property 49.5ac – S13, T137, R49	1931, 1936	Agricultural	Purchase Agreement Signed	Ulteig/Bock	
749 Riverbend Road	9511	Residential	Purchase Agreement Signed	ProSource/McKinzie	
748 Riverbend Rd	9591	Residential	Purchase Agreement Signed	ProSource/Hraba	July, 2015
752 Riverbend Road	9592	Residential	Purchase Agreement Signed	ProSource/Hraba	July, 2015
334 Schnell Drive	9645	Residential	Purchase Agreement Signed	ProSource/Hraba	December, 2015
350 Schnell Drive	9649	Residential	Purchase Agreement Signed	ProSource/Hraba	August, 2015
353 Schnell Drive	9665	Residential	Purchase Agreement Signed	ProSource/Hraba	July, 2015
361 Schnell Drive	9667	Residential	Purchase Agreement Signed	ProSource/Hraba	July, 2015
Agricultural property 157ac – S10, T141, R49; S10, T141, R49	0547, 0548	Agricultural	In Negotiation	Ulteig/Bock	
Agricultural property 45ac – S25, T138, R50	1201	Agricultural	In Negotiation	Direct negotiations	
Agricultural property 214ac – S13, T137, R49; S14, T137, R49	1930, 1940, 1941	Agricultural	In Negotiation	Ulteig/Bock	
Agricultural property 266ac – S23, T137, R49; S24, T137, R49	1975, 1985	Agricultural	In Negotiation	Ulteig/Bock	
Agricultural property 140ac – S23, T137, R49; S24, T137, R49	1979, 1987	Agricultural	In Negotiation	Ulteig/Bock	
16678 3 rd St S	1802	Residential	In Negotiation	HMG/Britton	
5302 174 ½ Ave SE	1898	Residential	In Negotiation	HMG/Britton	
6 North Terrace #6	8926	Residential	In Negotiation	HMG/Britton	
6 North Terrace #5	8927	Residential	In Negotiation	HMG/Britton	
6 North Terrace #4	8928	Residential	In Negotiation	HMG/Britton	
6 North Terrace #3	8929	Residential	In Negotiation	HMG/Britton	

Land Management Summary

July 7, 2015

Street Address	USACE Orig ID No.	Type	Activity ¹	Land Acq Firm/ Appraiser	Est. Closing Date
2 North Terrace #2	8930	Residential	In Negotiation	HMG/Britton	
2 North Terrace #1	8931	Residential	In Negotiation	HMG/Britton	
12 North Terrace	9168	Residential	In Negotiation	HMG/Britton	
1314 Elm St N	9125	Residential	In Negotiation	HMG/Britton	
1313 Elm St N	9126	Residential	In Negotiation	HMG/Britton	
833 Riverbend Road	9504	Residential	In Negotiation	ProSource/McKinzie	
829 Riverbend Road	9505	Residential	In Negotiation	ProSource/Hraba	
821 Riverbend Road	9506	Residential	In Negotiation	ProSource/Hraba	
817 Riverbend Road	9507	Residential	In Negotiation	ProSource/McKinzie	
813 Riverbend Road	9508	Residential	In Negotiation	ProSource/Hraba	
809 Riverbend Road	9509	Vacant Lot	In Negotiation	Ulteig/Bock	
805 Riverbend Road	9510	Residential	In Negotiation	ProSource/Hraba	
724 Riverbend Road	9587	Residential	In Negotiation	Ulteig/Bock	
808 Riverbend Road (2 parcels at this address)	9593, 9594	Residential	In Negotiation	ProSource/McKinzie	
810 Riverbend Road	9595	Residential	In Negotiation	ProSource/Hraba	
816 Riverbend Road	9596	Residential	In Negotiation	ProSource/Hraba	
828 Riverbend Road	9599	Residential	In Negotiation	ProSource/Hraba	
840 Riverbend Road	9600	Residential	In Negotiation	ProSource/Hraba	
844 Riverbend Road	9601	Residential	In Negotiation	ProSource/Hraba	
872 Riverbend Road	9607	Vacant Lot	In Negotiation	ProSource /Bock	
869 Riverbend Road	9608	Vacant Lot	In Negotiation	ProSource /Bock	
873 Riverbend Road	9609	Vacant Lot	In Negotiation	ProSource /Bock	
477 Oxbow Drive	9614	Vacant Lot	In Negotiation	ProSource /Bock	
473 Oxbow Drive	9615	Vacant Lot	In Negotiation	ProSource /Bock	
469 Oxbow Drive	9616	Vacant Lot	In Negotiation	ProSource /Bock	
465 Oxbow Drive	9617	Vacant Lot	In Negotiation	ProSource /Bock	
461 Oxbow Drive	9618	Vacant Lot	In Negotiation	ProSource /Bock	
457 Oxbow Drive	9619	Vacant Lot	In Negotiation	ProSource /Bock	
455 Oxbow Drive	9620	Vacant Lot	In Negotiation	ProSource /Bock	
425 Oxbow Drive	9628	Vacant Lot	In Negotiation	ProSource /Bock	

Land Management Summary

July 7, 2015

Street Address	USACE Orig ID No.	Type	Activity ¹	Land Acq Firm/ Appraiser	Est. Closing Date
326 Schnell Drive	9641	Residential	In Negotiation	ProSource/Hraba	
328 Schnell Drive	9642	Residential	In Negotiation	ProSource/Hraba	
330 Schnell Drive	9643	Vacant Lot	In Negotiation	ProSource/Hraba	
332 Schnell Drive	9644	Residential	In Negotiation	ProSource/Hraba	
338 Schnell Drive	9647	Residential	In Negotiation	ProSource/Hraba	
354 Schnell Drive	9650	Vacant Lot	In Negotiation	Ulteig/Bock	
358 Schnell Drive	9651	Vacant Lot	In Negotiation	Ulteig/Bock	
309 Schnell Drive (owner of 2 other parcels)	9654	Residential	In Negotiation	ProSource/McKinzie	
313 Schnell Drive	9655	Residential	In Negotiation	ProSource/Hraba	
317 Schnell Drive	9656	Residential	In Negotiation	ProSource/Hraba	
321 Schnell Drive	9657	Residential	In Negotiation	ProSource/Hraba	
325 Schnell Drive	9658	Residential	In Negotiation	ProSource/McKinzie	
329 Schnell Drive	9659	Residential	In Negotiation	ProSource/Hraba	
337 Schnell Drive	9661	Residential	In Negotiation	ProSource/Hraba	
341 Schnell Drive	9662	Residential	In Negotiation	ProSource/McKinzie	
365 Schnell Drive	9668	Vacant Lot	In Negotiation	Ulteig/Bock	
Case Plaza LLC	9770	Commercial	In Negotiation	HMG/Britton	
5059 Makenzie Cir, Horace	9672	Residential	In Negotiation	ProSource/Hraba	
Feder Realty Co.	9776	Commercial	In Negotiation	HMG/Britton	
City of Fargo - School District 1	9777	Commercial	In Negotiation	HMG/Britton	
Northern Hospitality	9785	Commercial	In Negotiation	HMG/Britton	
BNSF	9259, 9779, 9780	Commercial	In Negotiation	HMG/Britton	
Agricultural Property 320ac – S28, T137, R48; S37, T137, R48	1790,1811	Agricultural	Appraisal in Review	Crown/Berg	
16 North Terrace	9167	Residential	Appraisal in Review	HMG/Britton	
24 North Terrace	9195	Residential	Appraisal in Review	HMG/Britton	
26 North Terrace	9196	Residential	Appraisal in Review	HMG/Britton	
Mid America Steel	9215, 9216, 9217, 9218, 9783	Commercial	Appraisal in Review	HMG/Britton	

Land Management Summary

July 7, 2015

Street Address	USACE Orig ID No.	Type	Activity ¹	Land Acq Firm/ Appraiser	Est. Closing Date
843 Riverbend Road	9502	Residential	Appraisal in Review	ProSource/McKinzie	
839 Riverbend Road	9503	Residential	Appraisal in Review	ProSource/McKinzie	
848 Riverbend Road	9602	Residential	Appraisal in Review	ProSource/McKinzie	
852 Riverbend Road (owner of 3 other parcels)	9603	Residential	Appraisal in Review	ProSource/McKinzie	
856 Riverbend Road (owner at 852 Riverbend)	9604	Vacant Lot	Appraisal in Review	ProSource /Bock	
860 Riverbend Road (owner at 852 Riverbend)	9605	Vacant Lot	Appraisal in Review	ProSource /Bock	
864 Riverbend Road (owner at 852 Riverbend)	9606	Vacant Lot	Appraisal in Review	ProSource /Bock	

¹ Activity sequence: 1) Appraisal in Review; 2) In Negotiation; 3) Purchase Agreement Signed, 4) Closed

Appraisals in Progress (sorted by Activity, then Original ID Number)

Street Address	USACE Orig ID No.	Type	Activity ¹	Land Acq Firm/ Appraiser
Rural address (owner at 5059 Makenzie?)	9670, 9671	Residential	Appraisal Initiated	Ulteig/Bock
City of Fargo	9768	Commercial	Appraisal Initiated	HMG/Britton
City of Fargo - Housing Authority	9769	Commercial	Appraisal Initiated	HMG/Britton
City of Fargo	9772	Commercial	Appraisal Initiated	HMG/Britton
5017 171 Ave SE	1953	Residential	Appraisal Assigned	Ulteig/Bock
17556 Pfiffer Dr	9383	Residential	Appraisal Assigned	Ulteig/Bock
17465 49 th St SE	9403	Residential	Appraisal Assigned	Ulteig/Bock
17471 49 th St SE	9411	Residential	Appraisal Assigned	Ulteig/Bock
4989 Klitzke Dr	9440	Residential	Appraisal Assigned	Ulteig/Bock
Easement - 16 1st Avenue	9464	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - 308 Main Ave	9469, 9495, 9496	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - 182 Main Ave	9470	Residential	Appraisal Assigned	Ulteig/Bock
Easement - Horace Rural Fire Dept.	9472, 9473	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - PO Box 203	9474	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - Pleasant Twp	9475, 9476, 9477	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - 626 Evergreen	9494	Commercial	Appraisal Assigned	Ulteig/Bock

Land Management Summary

July 7, 2015

Street Address	USACE Orig ID No.	Type	Activity ¹	Land Acq Firm/ Appraiser
Easement - Jack Nick LLC	9497, 9498, 9501	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - PO Box 367	9576, 9579	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - Hickson Grain Company	9577, 9578	Commercial	Appraisal Assigned	Ulteig/Bock

¹ Activity stages: 1) Appraisal Assigned 2) Owner notified; 3) Appraisal Initiated

² Easements are being acquired for an internal drainage project

Easements in Progress on Publicly Owned Parcels (sorted by Activity, then Original ID Number)

Street Address	USACE Orig ID No.	Type	Activity ¹
City of Fargo - Park District	9212. 9771, 9781, 9784	Commercial	Easement in Process
Oxbow Job Development Authority <i>Permanent easement</i>	9581	Residential	Easement Identified

¹ Activity stages: 1) Easement Identified; 2) Easement in Process; 3) Easement Secured

² These Publicly Owned Parcels have entered into a MOU with the DA, therefore not requiring the parcels go through the appraisal process.

TO: FM DIVERSION AUTHORITY BOARD OF AUTHORITY
FROM: FINANCE COMMITTEE *KAC*
RE: FM DIVERSION PROPERTY – 387 170th Ave SW, Moorhead
DATE: JULY 8, 2015

A letter of explanation is attached explaining the need to clean up property owned at 387 170th Ave SW in Moorhead. The Finance Committee discussed this proposal and recommend that we authorize this work. Clay County will lead this effort with the understanding that the FM Diversion Authority will reimburse them for the actual costs incurred.

Our project engineers have estimated that cost to be approximately \$40,000.

Suggested Motion:

Authorize Clay County to work to clean up the property currently owned at 387 170th Ave. SW with a budget appropriation not to exceed \$40,000.



211 9th Street South, P.O. Box 2806, Fargo, ND 58108-2806
Phone 701-241-5600 Fax 701-241-5728

July 9, 2015

Brian Berg, County Administrator
Clay County Courthouse
807 11th Street North
Moorhead MN 56560

Re: FM Diversion Property – 387 170 Avenue SW, Moorhead

Dear Brian:

In October of 2013, the Diversion Authority acquired property located at 387 170 Avenue SW, Moorhead, Minnesota, and later sold the buildings that were located on the site. The Diversion Authority, through its contract with the Cass County Joint Water Resource District, was planning to complete the remaining demolition work and clean-up of the site. However, with the ongoing work on the Minnesota EIS and uncertainty of the authority to do work within Minnesota, it has been suggested that Clay County solicit bids and contract for the remaining demolition and cleanup of the site.

The accompanying photos show an aerial view of the site before the purchase, and the collage of photos shows what remains on the site. There is a building, LP tank, an open basement with some debris, and other amenities consistent with a homestead that needs to be removed. We would basically want the site returned to its natural state.

If this is agreeable with Clay County, we would request the county to solicit bids, contract for the necessary work, supervise the cleanup, and bill the Diversion Authority for the necessary costs.

Sincerely,

Darrell Vanyo, Chairman
FM Flood Diversion Board of Authority

City of Fargo

Tim Mahoney
Melissa Sobolik
Mike Williams

City of Moorhead

Nancy Otto

Cass County

Darrell Vanyo, *Chair*
Ken Pawluk
Mike Thorstad
(City of West Fargo)

Clay County

Kevin Campbell

Cass County Joint
Water Resource District


Rodger Olson

Buffalo-Red River
Watershed District

Gerald VanAmburg
(ex-officio)



Traffic, Bicycling, Directions

Imagery ©2015 Google, Map data ©2015 Google 50 ft 





Item 9c.

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MN 55101

JUL 01 2015

Planning, Programs and Project Management Division
Project Management Branch

SUBJECT: Fargo-Moorhead Metro Preconstruction, Engineering, and Design Phase

Chairman Darrell Vanyo
Flood Diversion Board of Authority
Box 2806
211 Ninth Street South
Fargo, ND 58108

Dear Chairman Vanyo:

Based upon the Division Board of Authority's August 8, 2013 meeting, the passing of the fiscal year 2014 budget, and in accordance with Article IV of the Design Cost Share Agreement executed on September 12, 2011, please provide cost share funds in the amount of \$525,000. These funds will count towards the required 5 percent cash contribution and are associated with Cost Share Control Record Number 531.

We request that \$525,000 be wired directly to the U.S. Army Corps of Engineers. We are providing the following information:

- a. Bank Name: Cash Link-ACH Receiver
Account Name: USACE Finance Center
Bank ABA Number: 051036706
Account Number: 220025
Bank Address: Riverdale MD
Account Type: Checking
- b. Advance Account Number: 293
- c. ROV Number: 1604
- d. Cost Share Number: 531

The instructions require a notification letter from the non-Federal sponsor 14 days in advance of the transfer. To do this, please email terryl.l.williams@usace.army.mil and shannon.e.gross@usace.army.mil with the date of transfer, amount and type of transfer. We will then forward this information to our point of contact at our finance center in Tennessee.

Please contact Shannon Gross of our Finance and Accounting Branch at (651) 290-5389, if additional help is required to complete the electronic funds transfer.

If you have any questions concerning the project, please contact me at (651) 290-5517 or at terryl.l.williams@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Williams', with a large, sweeping flourish on the left side.

Terry Williams
Project Manager

cc:

Honorable Del Rae Williams
Mayor of Moorhead
500 Center Avenue
PO Box 779
Moorhead, MN 56561-0779

Honorable Dr. Tim Mahoney
Mayor of Fargo
200 Third Street North
Fargo, ND 58102

Mr. Bob Zimmerman
Moorhead City Hall
500 Center Avenue
PO Box 779
Moorhead, MN 56561-0779

Mr. Mark Bittner
Director of Engineering
200 Third Street North
Fargo, ND 58102

Mr. Keith Berndt
Cass County
211 9th Street South
PO Box 2806
Fargo ND 58108-2806

Finance Committee Bills for July 2015

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
Fredrickson & Byron, P.A.	Government Relations flat fee	\$ 3,000.00
Dorsey & Whitney	Legal Services Rendered through 4/30/2015	\$ 29,381.98
Dorsey & Whitney	Legal Services Rendered through 5/31/2015	\$ 144,498.21
Cass County Joint Water Resource District	Reimburse Diversion bills	\$ 5,634,617.13
Total Bills Received in June		<u>\$ 5,811,497.32</u>

REMITTANCE PAGE

Diversion Board of Authority
211 9th Street South
P.O. Box 2806
Fargo, ND 58108-2806

Please remit this page with your payment. Thank you. We appreciate your business.

Invoice: 1320288
Client Account: 072720.0001
Regarding: Government Relations LOB 30321
Invoice Date: June 9, 2015

Total Fees:	\$ 3,000.00
Total This Invoice	\$ 3,000.00

Payment is due within 30 days from receipt of invoice

If you have any questions please email accounting@fredlaw.com or contact a client representative at 612.492.7574.

Fredrikson

& BYRON, P.A.

INVOICE DETAIL

Diversion Board of Authority
211 9th Street South
P.O. Box 2806
Fargo, ND 58108-2806

Invoice: 1320288
Client Account: 072720.0001
Regarding: Government Relations LOB 30321
Invoice Date: June 9, 2015

Government Relations flat fee payment 7 of 7.

Total For Fees	\$ 3,000.00
-----------------------	--------------------

Total This Invoice	\$ 3,000.00
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MINNEAPOLIS OFFICE
612-340-2600

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Fargo-Moorhead Flood Diversion Bd of Authority
c/o Erik R. Johnson & Associates, Ltd.
Attn: Erik Johnson
505 Broadway, Suite 206
Fargo, ND 58102

May 27, 2015
Invoice No. 3204953

RECEIVED
BY _____ DATE 6-1-15

Client-Matter No.: 491379-00001
Red River Diversion Project

For Legal Services Rendered Through April 30, 2015

INVOICE TOTAL

Total For Current Legal Fees	\$28,904.00
Total For Current Disbursements and Service Charges	\$477.98
Total For Current Invoice	\$29,381.98
Summary of Account	
*Prior Balance Due	\$145,239.39 pd 5/20/15
Total Amount Due	\$174,621.37

*If payment has been submitted for prior balance due, please disregard.

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:
Dorsey & Whitney LLP
P.O. Box 1680
Minneapolis, MN 55480-1680

Wire Instructions:
U.S. Bank National Association
800 Nicollet Mall
Minneapolis, MN 55402

ABA Routing Number: 09100022
Account Number: 1602-3010-8500
Swift Code: USBKUS44IMT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY



Office of the City Attorney

City Attorney
Erik R. Johnson

Assistant City Attorneys
Nancy J. Morris
Jason T. Loos

June 8, 2015

Kent Costin
Finance Director
City of Fargo
200 North Third Street
Fargo, ND 58102

Re: Red River Diversion Project

Dear Kent:

I am enclosing a Summary Invoice dated May 27, 2015 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through April 30, 2015 on the Red River Diversion Project. If you have any questions, please feel free to contact me. Please remit payment directly to Dorsey Whitney.

Sincerely,

A handwritten signature in black ink, appearing to be "Erik R. Johnson", written over a circular scribble.

Erik R. Johnson

ERJ/jmf
Enclosure
cc: Pat Zavoral





Cass County
Joint Water
Resource
District

June 29, 2015

Diversion Authority
P.O. Box 2806
Fargo, ND 58108-2806

Mark Brodshaug
Chairman
Fargo, North Dakota

Rodger Olson
Manager
Leonard, North Dakota

Dan Jacobson
Manager
West Fargo, North Dakota

Ken Loughheed
Manager
Gardner, North Dakota

Raymond Wolfer
Manager
Argusville, North Dakota

Greetings:

RE: Fargo-Moorhead Area Diversion
In-Town Levee Project
Access and Diversion Project Assessment Committee (DPAC)
Oxbow-Hickson-Bakke Ring Levee
Oxbow Golf and Country Club – Golf Course Construction

Enclosed please find copies of bills totaling \$5,634,617.13 regarding the above referenced projects. The breakdown is as follows:

Access issues	\$1,255,237.08
In-Town Levee Project	1,090,059.28
DPAC	167,909.41
Oxbow-Hickson-Bakke Ring Levee	2,379,089.41
Oxbow Golf and Country Club	742,321.95

At this time, we respectfully request 100% reimbursement as per the Joint Powers Agreement between the City of Fargo, Cass County and Cass County Joint Water Resource District dated July 7, 2014.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis
Secretary-Treasurer

Carol Harbeke Lewis
Secretary-Treasurer
1201 Main Avenue West
West Fargo, ND 58078-1301

Enclosures

701-298-2381
FAX 701-298-2397
wrđ@casscountynd.gov
casscountygov.com

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES

6/29/15

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
4/28/2015	5/14/2015	134462	100007	2,661.00	Ohnstad Twichell, P.C.	Legal - Right of Entry
4/28/2015	5/14/2015	134471	130007	15,611.50	Ohnstad Twichell, P.C.	Legal - Right of Way Acquisition
5/29/2015	6/11/2015	135557	100007	1,334.00	Ohnstad Twichell, P.C.	Legal - Right of Entry
5/29/2015	6/11/2015	135562	130007	20,519.48	Ohnstad Twichell, P.C.	Legal - Right of Way Acquisition
4/30/2015	5/14/2015	134778	140007	5,083.00	Ohnstad Twichell, P.C.	Legal - Diversion Bond
5/29/2015	6/11/2015	135678	140007	3,995.00	Ohnstad Twichell, P.C.	Legal - Diversion Bond
5/15/2015	5/28/2015	51669	R12.00049	6,691.80	Ulteig Engineering, Inc.	Appraisals and Land Acquisition
6/12/2015	6/25/2015	52167	R12.00049	3,126.30	Ulteig Engineering, Inc.	Land Acquisition
6/17/2015	6/17/2015			339,071.00	The Title Company	Property Purchase - Gerald and Candice Henke
6/17/2015	6/17/2015			857,144.00	The Title Company	Property Purchase - Gerald Henke
Total				1,255,237.08		

IN-TOWN LEVEES INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
05/19/15		381029029	479407	15,634.74	CH2MHILL	Land acquisition management services
06/17/15		381031927	479407	15,695.63	CH2MHILL	Land acquisition management services
5/29/2015				229,012.67	The Title Company	Purchase Property - John and Barbara Crabtree
6/9/2015				204,457.83	The Title Company	Purchase Property - Theresa Hest
6/24/2015				238,513.23	The Title Company	Purchase Property - Elizabeth and Erin Lavenuta
4/17/2015				-54.04	The Title Company	Refund on Closing - Fisher
5/18/2015				-11.44	The Title Company	Refund on Closing - Rau
4/20/2015				1,595.00	Matthew Morse, Emily Davy & Gabrielle Thibert	Final moving costs
4/24/2015				1,843.58	Fettes Transportation Systems	Moving costs for Persys Piersall
4/20/2015				6,541.50	LaVern Hoganson	Final rental assistance relocation claim
4/21/2015				1,330.00	Marcus Pearson	Final moving costs
4/21/2015				710.00	Tyler Taghon	Final moving costs
4/23/2015				1,610.28	Henry Huynh	Final rental assistance
4/23/2015				1,609.86	Tony Lipinski	Final rental assistance
4/23/2015				1,609.86	Gabriel Deng	Final Rental assistance
4/30/2015				2,000.50	A-1 Services of Fargo-Moorhead, Inc.	Moving costs for Gary Fiem
4/30/2015				19,563.41	Gary Fiem	Final moving costs and rental assistance
4/23/2015				520.00	Barbara Sidler	Moving costs
4/20/2015				1,280.07	John and Barbara Crabtree	Closing costs
4/21/2015				4,069.02	Michael and Janet Stewart	Replacement housing exp and closing costs
5/6/2015				1,522.67	Fettes Transportation Systems	Moving costs for Sheila Christianson
5/1/2015				1,070.00	A to Z Moving	Moving costs for Naomi Vining
5/6/2015				7,686.00	Mahfooz Peshimam	Final rental assistance
4/28/2015				1,330.00	Alyce Jensen	Final moving costs
5/6/2015				2,379.72	Hannah Anderson and Heidi Peterson	Final rental assistance
4/28/2015				690.00	Frank and Peggy Kohoutek	Final moving costs
5/8/2015				1,330.00	Charles Aldrich	Advance relocation payment
5/8/2015				1,330.00	Delia Barton	Advance relocation payment
5/20/2015				665.00	Nathan Qual	Final moving costs
5/19/2015				5,180.00	Larry and Marcle Bekkerus	Final rental assistance and moving costs
5/7/2015				6,300.00	Gii and Carolyn Nelson	Final moving costs and rental assistance
5/12/2015				7,106.82	Alyce Jensen	Final rental assistance
5/7/2015				665.00	Matt Pelowski	Final moving costs
5/7/2015				665.00	Jacob Shreffler	Final moving costs
5/6/2015				2,659.44	Matthew Morse and Emily Davy	Final rental assistance
5/12/2015				1,995.00	Tyler Taghon	Final rental assistance
5/15/2015				8,098.09	Terrance and Shari Krchnavy	Replacement housing and fixed move payment
5/8/2015				1,190.00	Christy King	Final moving costs
5/26/2015				1,330.00	Brittany Scherer	Final moving costs
6/3/2015				5,394.00	Sheila Christianson	Final moving costs and rental assistance
5/29/2015				1,015.00	Lynn Shima	moving relocation
5/29/2015				4,620.00	Lynn Shima & FM Title	down payment assistance
6/4/2015				5,227.32	Robert Muth	Final rental assistance
5/20/2015				2,234.96	Brandon Lee	Final moving costs and rental assistance
5/26/2015				2,705.00	Caleb Smith	Final moving costs and rental assistance
6/1/2015				2,013.33	Carin Neseth	Final moving costs and rental assistance
5/27/2015				1,420.00	Jacob Grossman and Amber Rein	Final moving costs
5/29/2015				1,190.00	Tara Wegner	moving relocation
5/29/2015				4,620.00	Tara Wegner and Security Title	down payment assistance
6/8/2015				1,904.00	Jerad Hanson	Final moving costs and rental assistance
6/4/2015				2,013.34	Megan Larson	Final moving costs and rental assistance
5/28/2015				473.33	Molly Perkins	Final moving costs
6/5/2015				5,585.00	Priyanka and Dallas Graten	Final moving costs and rental assistance
6/4/2015				1,595.00	Gayle Thune	Final moving costs
6/11/2015				1,330.00	Ryan Babb	Final moving costs
6/8/2015				1,569.96	Andrew Greenmyer	Final down payment assistance
5/27/2015				6,148.46	Garda Ann Cowman	Final moving costs and rental assistance
6/9/2015				2,295.00	Bryan and Theresa Hest	Fixed move payment
6/9/2015				-1,822.76	Troy and Mandy Elseth	Overpayment Return
5/13/2015				237,803.90	Park East Apartments LLC	Reimbursement of lost rent
Total				1,090,059.28		

DIVERSION PROJECT ASSESSMENT DISTRICT (DPAC) INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
4/28/2015	5/14/2015	134467	120007	14,522.14	Ohnstad Twichell, P.C.	Legal - assessment district
5/29/2015	6/11/2015	135561	120007	7,663.19	Ohnstad Twichell, P.C.	Legal - assessment district
3/31/2015	5/14/2015	42604	P11473-2012-000	87,550.32	AE2S	Financial services - development & implementation
4/30/2015	5/28/2015	43110	P11473-2012-000	30,189.95	AE2S	Financial services - development & implementation
5/31/2015	6/25/2015	43472	P11473-2012-000	18,628.28	AE2S	Financial services - development & implementation
4/28/2015	5/14/2015			6,452.53	Cass County Treasurer	Laserfiche software
5/29/2015	6/11/2015	JA 14199		903.00	Doug Ketcham & Associates, Inc.	Court reporter at public hearing
6/8/2015	6/11/2015			2,000.00	Richard Lewis	services re FM Flood Risk Mgmt District No 1

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
Total				167,909.41		

OXBOW-HICKSON-BAKKE RING LEVEE INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
4/28/2015	5/14/2015	134479	140007	17,734.98	Ohnstad Twichell, P.C.	Legal - purchase agreements
5/29/2015	6/11/2015	135569	140007	24,045.88	Ohnstad Twichell, P.C.	Legal - purchase agreements
5/19/2015	5/28/2015	381029012	479407	130,000.00	CH2MHILL	Engineering - construction management
6/17/2015	6/25/2015	381031928	479407	130,000.00	CH2MHILL	Engineering - construction management
5/19/2015	5/28/2015	381029029	479407	55,432.27	CH2MHILL	Engineering - Land acquisition management
6/17/2015	6/25/2015	381031927	479407	55,648.12	CH2MHILL	Engineering - Land acquisition management
6/11/2015	6/19/2015	1	WP-43D.4	42,500.00	S&A Land Clearing Inc	Tree removal
4/30/2015	6/18/2015	16185	2830-00	67,254.18	ProSource Technologies, LLC	Appraisals, acquisition, relocation, tree clearing easern
5/31/2015	6/11/2015	16251	2830-00	32,692.15	ProSource Technologies, LLC	Acquisition, relocation, tree clearing easements
5/14/2015	5/15/2015			50,000.00	Bryce and Kristina Mattson	Builder down payment
5/14/2015	5/15/2015			150,000.00	Bryce and Kristina Mattson	lot payment
5/14/2015	5/15/2015			107,500.00	Eldon Johnson	Builder down payment
5/14/2015	5/15/2015			115,000.00	Eldon Johnson	lot payment
5/14/2015	5/15/2015			163,000.00	Michael Bindas	lot payment
5/14/2015	5/15/2015			65,000.00	Michael Bindas	Builder down payment
5/18/2015	5/21/2015			130,000.00	Joseph and Jolene Sauvageau	earnest money
6/18/2015	6/18/2015			332,720.80	The Title Company	Purchase property - Jeffrey and Cindy Fisher
6/18/2015	6/18/2015			159,966.58	The Title Company	Replacement Housing - Jeffrey and Cindy Fisher
6/5/2015	6/25/2015			5,614.70	Kevin J. Bartam	Closing costs
6/5/2015	6/25/2015			8,164.00	Jeffrey and Cindy Fisher	Closing costs
6/26/2015	6/25/2015			182,725.20	The Title Company	Purchase property - James and Darla Jeziorski
6/24/2015	6/25/2015			306,661.53	The Title Company	Replacement Housing - James and Darla Jeziorski
5/5/2015	5/14/2015			39.68	Cass County Electric Coop	Service to 345 Schnell Drive
6/15/2015	6/25/2015	1121701		66.76	Cass County Electric Coop	Service to 17495 52 St SE
6/5/2015	6/25/2015	1108711		39.58	Cass County Electric Coop	Service to 345 Schnell Drive
4/28/2015	5/14/2015	49467		47,283.00	Red Valve Company, Inc.	Check valve
Total				2,379,089.41		

OXBOW COUNTRY CLUB INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
6/5/2015	6/25/2015	10330	18229	2,897.05	Oxbow Golf and Country Club	Moore Engineering Invoice
5/21/2015	6/11/2015	140	98214	106,341.83	Oxbow Golf and Country Club	Golf course bridge work
4/30/2015	6/11/2015	5	1470	120,764.88	Oxbow Golf and Country Club	golf course construction
5/31/2015	6/25/2015	6	1470	400,080.08	Oxbow Golf and Country Club	golf course construction
5/21/2015	6/11/2015	15013-PH1		79,737.66	Oxbow Golf and Country Club	pump house construction
5/18/2015	6/11/2015	1016		328.23	Oxbow Golf and Country Club	architect reimbursable expenses
5/11/2015	6/11/2015			647.40	Oxbow Golf and Country Club	architect reimbursable expenses
	6/25/2015			1,450.80	Oxbow Golf and Country Club	architect reimbursable expenses
	6/25/2015			1,810.70	Oxbow Golf and Country Club	architect reimbursable expenses
5/28/2015	6/25/2015	4499610		2,127.87	Oxbow Golf and Country Club	Equipment rental
6/19/2015	6/25/2015	4500952		135.45	Oxbow Golf and Country Club	Equipment rental
6/10/2015	6/11/2015	4		13,000.00	Oxbow Golf and Country Club	May consultant fees
6/10/2015	6/11/2015	5		13,000.00	Oxbow Golf and Country Club	June consultant fees
Total				742,321.95		
Grand Total				5,634,617.13		

FM Diversion Authority
Fiscal Accountability Report Design Phase (Fund 790)
As of 6/30/2015

	2011	2012	2013	2014	2015	Cumulative Totals
Revenues						
City of Fargo	443,138	7,652,681	7,072,961	19,373,131	12,284,252	46,826,163
Cass County	443,138	7,652,681	7,072,961	19,373,131	12,284,252	46,826,163
State Water Commission	-	-	3,782,215	602,918	16,238,057	20,623,190
Other Agencies	98,475	1,700,595	1,571,769	4,305,140	2,729,834	10,405,813
Lease/Rental Payments	-	-	17,358	154,180	174,757	346,295
Asset Sales	-	-	-	616,774	69,702	686,476
Miscellaneous	-	-	1,705	626	427	2,758
Total Revenues	984,750	17,005,957	19,518,970	44,425,900	43,781,281	125,716,859

Expenditures						
7905 Army Corp Payments	-	-	875,000	1,050,000	900,000	2,825,000
7910 WIK - Administration	107,301	331,321	77,614	169,019	91,870	777,125
7915 WIK - Project Design	149,632	5,366,147	3,220,859	9,118,723	1,807,956	19,663,317
7920 WIK - Project Management	679,037	7,223,650	4,695,477	3,579,339	2,110,994	18,288,497
7925 WIK - Recreation	-	163,223	-	-	-	163,223
7930 LERRDS - North Dakota	48,664	3,843,620	2,763,404	17,013,358	30,017,415	53,686,460
7931 LERRDS - Minnesota	-	27,996	289,387	13,068	625	331,075
7940 WIK Mitigation - North Dakota	-	-	-	587,180	-	587,180
7941 WIK Mitigation - Minnesota	-	-	-	-	-	-
7950 Construction - North Dakota	-	-	-	1,738,638	5,789,121	7,527,759
7951 Construction - Minnesota	-	-	-	-	-	-
7952 Construction - O/H/B	-	-	-	11,282,504	2,625,665	13,908,169
7955 Construction Management	-	-	-	556,209	936,138	1,492,347
7990 Project Financing	-	50,000	70,000	216,376	149,347	485,722
7995 Project Eligible - Off Formula Costs	-	-	-	-	-	-
7999 Non Federal Participating Costs	116	-	-	-	-	116
0000 Advance to City of Oxbow	-	-	7,527,231	630	-	7,527,861
					-	
Total Expenditures	984,750	17,005,957	19,518,970	45,325,044	44,429,131	127,263,852

FM Diversion Authority
FY 2015 Summary Budget Report (In Thousands)
October 1, 2014 through December 31, 2015
As of June 30, 2015

	FY 2015 Approved Budget	Current Month	Fiscal Year To Date	% Expended	Outstanding Encumbrances	Remaining Budget Balance
Revenue Sources						
City of Fargo	59,040	3,918	18,754			40,286
Cass County	59,040	3,918	18,754			40,286
State of ND - 50% Match	57,200	5,188	15,562			41,638
State of ND - 100% Match	35,800	2,607	3,963			31,837
State of Minnesota	-	-	-			-
Other Agencies	13,120	871	4,168			8,952
Financing Proceeds	-	-	-			-
Sale of Assets	-	-	70			(70)
Property Income	-	2	187			(187)
Miscellaneous	-	-	0			(0)
Total Revenue Sources	224,200	16,504	61,459			162,741
Funds Appropriated						
Army Corp Local Share	525	-	900		525	(900)
Management Oversight	7,200	879	5,000	69%	4,313	(2,113)
Technical Activities	16,575	89	4,876	29%	4,586	7,113
Land Acquisitions	106,700	13,746	35,948	34%	29,488	41,264
Construction	91,300	1,921	15,481	17%	32,262	43,557
Mitigation	-	-	-		-	-
Other Costs	1,900	6	265	14%	350	1,285
Total Appropriations	224,200	16,640	62,470	28%	71,524	90,206

**FM Diversion Authority
Summary of Cash Disbursements
June 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-0000-206.10-00	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	\$ 49,342.48	PO #178192 Retainage	V01203	Cass Joint Water OHB
Total - Retainage Paid				49,342.48			
790-7910-429.33-20	6/23/2015	JB06150012	CITY OF FARGO	620.00	CHARGE COF TIME - 05/15	V00102	General & Admin. WIK
	6/23/2015	JB06150020	CITY OF FARGO	1,350.00	CHARGE COF TIME - 06/15	V00102	General & Admin. WIK
Total WIK - General & Admin. - Accounting Services				1,970.00			
790-7910-429.33-25	6/17/2015	259181	ERIK R JOHNSON & ASSOCIATES	9,052.30	FMDA LEGAL COSTS-APRIL	V00102	General & Admin. WIK
	6/17/2015	259181	ERIK R JOHNSON & ASSOCIATES	11,261.08	FMDA LEGAL COSTS-MAY	V00102	General & Admin. WIK
Total WIK - General & Admin. - Legal Services				20,313.38			
790-7910-429.38-68	6/17/2015	259193	FREDRIKSON & BYRON, PA	3,000.00	FMDA-LOBBYIST FOR MN SESS	V00102	General & Admin. WIK
Total WIK - General & Admin. - Lobbyist				3,000.00			
790-7915-429.33-05	6/17/2015	259310	URS CORPORATION	65,534.10	CULTURAL RESOURCES INVEST	V01003	CULTURAL RESOURCES INVEST
	6/17/2015	259310	URS CORPORATION	23,190.27	CULTURAL RESOURCES INVEST	V01003	CULTURAL RESOURCES INVEST
Total WIK - Project Design - Engineering Services				88,724.37			
790-7920-429.33-79	6/17/2015	259159	CH2M HILL ENGINEERS INC	310,000.00	8/30/14-2/27/15 CONTRACT	V00205	CH2M Hill-8.30.14-2.27.15
Total WIK Construction Mgmt. - Construction Management				310,000.00			
790-7930-429.33-05	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	121,178.58	DIVERSION EXPENSES	V01201	Cass Joint Water ROE
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	85,981.31	DIVERSION EXPENSES	V01202	Cass Joint Water DPAC
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	278,514.26	DIVERSION EXPENSES	V01203	Cass Joint Water OHB
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	598,296.45	DIVERSION EXPENSES	V02807	CASS JOINT WATER IN-TOWN
Total LERRDS - North Dakota - Engineering Services				1,083,970.60			
790-7930-429.33-25	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	44,961.74	DIVERSION EXPENSES	V01201	Cass Joint Water ROE
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	15,057.90	DIVERSION EXPENSES	V01202	Cass Joint Water DPAC
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	47,682.50	DIVERSION EXPENSES	V01203	Cass Joint Water OHB
	6/17/2015	259181	ERIK R JOHNSON & ASSOCIATES	7,089.40	FMDA LEGAL COSTS-APRIL	V00103	General & Admin. LERRDS
	6/17/2015	259181	ERIK R JOHNSON & ASSOCIATES	5,634.55	FMDA LEGAL COSTS-MAY	V00103	General & Admin. LERRDS
Total LERRDS - North Dakota - Legal Services				120,426.09			

**FM Diversion Authority
Summary of Cash Disbursements
June 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7930-429.33-79	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	310,363.49	DIVERSION EXPENSES	V01203	Cass Joint Water OHB
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	87,538.41	DIVERSION EXPENSES	V02807	CASS JOINT WATER IN-TOWN
Total LERRDS - North Dakota - Construction Management				397,901.90			
790-7930-429.34-65	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	21,000.00	DIVERSION EXPENSES	V01201	Cass Joint Water ROE
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	1,750.00	DIVERSION EXPENSES	V02807	CASS JOINT WATER IN-TOWN
Total LERRDS - North Dakota - Right of Entry Requests				22,750.00			
790-7930-429.38-99	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	500.00	DIVERSION EXPENSES	V01201	Cass Joint Water ROE
Total LERRDS - North Dakota - Other Services				500.00			
790-7930-429.41-05	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	615.00	DIVERSION EXPENSES	V01701	ND LAND PURCH-OUT OF TOWN
Total LERRDS - North Dakota - Water and Sewer				615.00			
790-7930-429.61-50	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	48,853.99	DIVERSION EXPENSES	V01201	Cass Joint Water ROE
Total LERRDS - North Dakota - Postage				48,853.99			
790-7930-429.62-51	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	793.21	DIVERSION EXPENSES	V01701	ND LAND PURCH-OUT OF TOWN
Total LERRDS - North Dakota - Electricity				793.21			
790-7930-429.67-10	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	319,000.00	DIVERSION EXPENSES	V02411	OXBOW MOU-RESIDENT RLCTN
Total LERRDS - North Dakota - Oxbow Replacement Lots				319,000.00			
790-7930-429.67-11	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	385,655.12	DIVERSION EXPENSES	V01703	ND LAND PURCH - IN TOWN
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	172,595.44	DIVERSION EXPENSES	V02411	OXBOW MOU-RESIDENT RLCTN
Total LERRDS - North Dakota - Residential Buildings				558,250.56			
790-7930-429.67-12	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	327,245.71	OCC CONTRACT/LANDSCAPES	V01204	Cass Joint Water OCC
	6/16/2015	JB06150009	CASS COUNTY JOINT WATER RESOURCE DI	9,000,000.00	BUSINESS BUYOUT - PARK EAST	V01703	ND LAND PURCH - IN TOWN
	6/24/2015	JB06150013	CASS COUNTY JOINT WATER RESOURCE DI	2,442.20	BUSINESS BUYOUT - PARK EAST	V01703	ND LAND PURCH - IN TOWN
Total LERRDS - North Dakota - Commercial Buildings				9,329,687.91			

**FM Diversion Authority
Summary of Cash Disbursements
June 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7930-429.71-30	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	1,371,626.66	DIVERSION EXPENSES	V01701	ND LAND PURCH-OUT OF TOWN
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	129,752.29	DIVERSION EXPENSES	V01703	ND LAND PURCH - IN TOWN
Total LERRDS - North Dakota - Land Purchases				1,501,378.95			
790-7930-429.80-17	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	10,648.85	DIVERSION EXPENSES	V01701	ND LAND PURCH-OUT OF TOWN
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	2,840.39	DIVERSION EXPENSES	V01703	ND LAND PURCH - IN TOWN
Total LERRDS - North Dakota - Property Tax - FMDA				13,489.24			
790-7950-429.73-52	7/1/2015	259568	INDUSTRIAL BUILDERS INC	583,740.00	2 ST N PUMP STATION	V02801	2ND ST NORTH PUMP STATION
	7/1/2015	259568	INDUSTRIAL BUILDERS INC	177,800.00	2 ST N PUMP STATION	V02801	2ND ST NORTH PUMP STATION
	7/1/2015	259569	INDUSTRIAL CONTRACT SERVICES INC	785,376.24	4 ST PUMP STATION	V02805	PUMP STATION & FLOODWALL
Total ND Construction - Flood Control				1,546,916.24			
790-7952-429.33-05	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	117,080.35	DIVERSION EXPENSES	V01204	Cass Joint Water OCC
Total O/H/B Construction - Engineering Services				117,080.35			
790-7952-429.33-06	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	14,400.00	DIVERSION EXPENSES	V01204	Cass Joint Water OCC
Total O/H/B Construction - Quality Testing				14,400.00			
790-7952-429.33-79	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	39,000.00	DIVERSION EXPENSES	V01204	Cass Joint Water OCC
Total O/H/B Construction - Construction Management				39,000.00			
790-7952-429.52-10	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	27,420.00	DIVERSION EXPENSES	V01204	Cass Joint Water OCC
Total O/H/B Construction - Property Insurance				27,420.00			
790-7952-429.73-20	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	64,300.26	DIVERSION EXPENSES	V01204	Cass Joint Water OCC
Total O/H/B Construction - Site Improvements				64,300.26			
790-7952-429.73-52	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	310,082.80	CCJWRD CONTRACT-RILEY BRO	V01203	Cass Joint Water OHB
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	0.01	CCJWRD CONTRACT-MEYER CON	V01203	Cass Joint Water OHB
Total O/H/B Construction - Flood Control				310,082.81			

**FM Diversion Authority
Summary of Cash Disbursements
June 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7952-429.73-70	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	150,351.35	DIVERSION EXPENSES	V01203	Cass Joint Water OHB
Total O/H/B Construction - Utilities				150,351.35			
790-7955-429.33-05	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	42,938.03	DIVERSION EXPENSES	V01203	Cass Joint Water OHB
Total Construction Management - Engineering Services				42,938.03			
790-7955-429.33-06	6/24/2015	259470	TERRACON CONSULTING ENGINEERS	2,981.10	MATERIALS TESTING-DIVERSI	V02802	WP-42 MATERIALS TESTING
	6/24/2015	259470	TERRACON CONSULTING ENGINEERS	1,216.35	MATERIALS TESTING-DIVERSI	V02802	WP-42 MATERIALS TESTING
	6/24/2015	259470	TERRACON CONSULTING ENGINEERS	8,573.10	MATERIALS TESTING-DIVERSI	V02802	WP-42 MATERIALS TESTING
	6/24/2015	259470	TERRACON CONSULTING ENGINEERS	14,431.50	MATERIALS TESTING-DIVERSI	V02802	WP-42 MATERIALS TESTING
	6/24/2015	259470	TERRACON CONSULTING ENGINEERS	4,353.50	MATERIALS TESTING-DIVERSI	V02802	WP-42 MATERIALS TESTING
	6/24/2015	259470	TERRACON CONSULTING ENGINEERS	16,490.50	MATERIALS TESTING-DIVERSI	V02802	WP-42 MATERIALS TESTING
	6/24/2015	259470	TERRACON CONSULTING ENGINEERS	12,398.50	MATERIALS TESTING-DIVERSI	V02802	WP-42 MATERIALS TESTING
	6/24/2015	259470	TERRACON CONSULTING ENGINEERS	13,720.00	MATERIALS TESTING-DIVERSI	V02802	WP-42 MATERIALS TESTING
	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	1,471.75	DIVERSION EXPENSES	V01203	Cass Joint Water OHB
Total Construction Management - Quality Testing				75,636.30			
790-7955-429.33-79	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	425,000.00	DIVERSION EXPENSES	V01203	Cass Joint Water OHB
Total Construction Management - Construction Management				425,000.00			
790-7990-429.33-25	6/17/2015	259156	CASS COUNTY JOINT WATER RESOURCE DI	5,661.00	DIVERSION EXPENSES	V01201	Cass Joint Water ROE
Total Project Financing - Legal Services				5,661.00			
Total Disbursed for Period				16,689,754.02			

**FM Diversion Authority
Cumulative Vendor Payments Since Inception
As of June 30, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
CASS COUNTY JOINT WATER RESOUR	87,315,840.58	50,989,972.22	36,325,868.36	Land Purchases, O/H/B Ring Levee, DPAC, & ROE
HOUSTON-MOORE GROUP LLC	26,571,077.45	19,457,571.86	7,113,505.59	Engineering Services
CH2M HILL ENGINEERS INC	17,860,819.01	15,380,819.01	2,480,000.00	Project Management
INDUSTRIAL CONTRACT SERVICES I	17,630,171.59	4,109,742.24	13,520,429.35	4th St Pump Station and 2nd Street Floodwall
OXBOW, CITY OF	13,674,481.92	11,866,237.70	1,808,244.22	City of Oxbow - MOU
INDUSTRIAL BUILDERS INC	8,204,021.00	3,166,820.64	5,037,200.36	2nd St North Pump Station Project
COMMERCIAL TITLE LLC	3,869,541.00	3,869,541.00	-	Oxbow MOU - Advance for Land Purchase
TITLE COMPANY	3,641,500.00	3,641,500.00	-	Oxbow MOU - Advance for Land Purchase
ARMY CORP OF ENGINEERS	3,350,000.00	2,825,000.00	525,000.00	Local Share
MINNESOTA DNR	2,188,007.43	1,740,211.07	447,796.36	EIS Scoping
DORSEY & WHITNEY LLP	2,181,203.59	2,007,323.40	173,880.19	Legal Services
URS CORPORATION	1,745,618.42	1,306,169.75	439,448.67	Engineering Services
KENNELLY & OKEEFFE	1,729,310.56	1,729,310.56	-	Home Buyouts
ENVENTIS	1,440,088.62	115,685.62	1,324,403.00	Utility Relocation
XCEL ENERGY-FARGO	753,641.97	-	753,641.97	Utility Relocation
MOORE ENGINEERING INC	662,468.17	662,468.17	-	Engineering Services
DUCKS UNLIMITED	587,180.00	587,180.00	-	Wetland Mitigation Credits
HOUSTON ENGINEERING INC	576,669.57	576,669.57	-	Engineering Services
RED RIVER BASIN COMMISSION	500,000.00	447,747.40	52,252.60	Engineering Services
NORTHERN TITLE CO	484,016.00	484,016.00	-	Land Purchases
AT&T	441,330.44	-	441,330.44	Utility Relocation
ERNST & YOUNG	350,000.00	-	350,000.00	Financial Advisor
CITY OF FARGO	326,278.71	326,278.71	-	Digital Imagery Project, Utility Relocation & Accounting Svcs
ERIK R JOHNSON & ASSOCIATES	321,723.99	321,723.99	-	Legal Services
702 COMMUNICATIONS	275,862.91	100,483.18	175,379.73	Utility Relocation
CASS COUNTY TREASURER	245,565.40	245,565.40	-	Property Tax
US BANK	202,706.21	202,706.21	-	Loan Advance Debt Service Payments
ROBERT TRENT JONES	200,000.00	200,000.00	-	Oxbow MOU - Golf Course Consulting Agreement
CABLE ONE (FARGO)	148,511.37	-	148,511.37	Utility Relocation
PFM PUBLIC FINANCIAL MANAGEMEN	146,460.00	146,460.00	-	Financial Advisor

**FM Diversion Authority
Cumulative Vendor Payments Since Inception
As of June 30, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
NDSU BUSINESS OFFICE-BOX 6050	135,167.00	-	135,167.00	Ag Risk Study Services
UNITED STATES GEOLOGICAL SURVE	104,600.00	52,300.00	52,300.00	Water Level Discharge Collection
PROSOURCE TECHNOLOGIES, INC	100,000.00	8,324.94	91,675.06	Engineering Services
ULTEIG ENGINEERS INC	100,000.00	-	100,000.00	Engineering Services
BRAUN INTERTEC CORP	90,210.00	77,629.00	12,581.00	Quality Testing
TERRACON CONSULTING ENGINEERS	80,000.00	74,545.81	5,454.19	Materials Testing
EL ZAGAL TEMPLE HOLDING CO	68,040.72	68,040.72	-	Easement Purchase for El Zagal Levee
GRAY PANNELL & WOODWARD LLP	66,300.68	66,300.68	-	Legal Services
OHNSTAD TWICHELL PC	60,514.16	60,514.16	-	ROE and Bonding Legal Fees
IN SITU ENGINEERING	54,800.00	47,973.00	6,827.00	Quality Testing
ADVANCED ENGINEERING INC	50,000.00	50,000.00	-	Public Outreach
US GEOLOGICAL SURVEY	46,920.00	46,920.00	-	Stage Gage Installation
GOKON INC	33,815.36	33,815.36	-	Vibrating Wire Piezometer Equipment
COLDWELL BANKER	33,066.02	33,066.02	-	Property Management Services
NIXON PEABODY LLC	30,000.00	30,000.00	-	Legal Services
FREDRIKSON & BYRON, PA	21,000.00	18,000.00	3,000.00	Lobbying Services
WARNER & CO	19,900.00	19,900.00	-	General Liability Insurance
INNOVATIVE ABSTRACT & TITLE CO	15,921.53	15,921.53	-	Oxbow MOU - Advance for Land Purchase
MOORHEAD, CITY OF	15,062.90	15,062.90	-	ROE Legal Fees
BRIGGS & MORGAN PA	12,727.56	12,727.56	-	Legal Services
ND WATER USERS ASSOCIATN	5,000.00	5,000.00	-	Membership Dues
MCKINZIE METRO APPRAISAL	3,200.00	3,200.00	-	Appraisal Services
FORUM COMMUNICATIONS (LEGALS)	2,224.20	2,224.20	-	Advertising Services
CLAY COUNTY AUDITOR	1,970.00	1,970.00	-	Property Tax
DAWSON INSURANCE AGENCY	1,867.81	1,867.81	-	Property Insurance - Home Buyouts
FORUM COMMUNICATIONS (ADVERT)	1,743.77	1,743.77	-	Advertising Services
NORTH DAKOTA TELEPHONE CO	1,697.00	1,697.00	-	Communication
SEIGEL COMMUNICATIONS SERVICE	1,490.00	1,490.00	-	Public Outreach
RED RIVER TITLE SERVICES INC	1,305.00	1,305.00	-	Abstract Updates
HUBER, STEVE	1,056.43	1,056.43	-	Home Buyouts

**FM Diversion Authority
Cumulative Vendor Payments Since Inception
As of June 30, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
TRIO ENVIRONMENTAL CONSULTING	747.60	747.60	-	Asbestos and LBP Testing - Home Buyouts
BNSF RAILWAY CO	600.00	600.00	-	Permit for 4th St N Project
RED RIVER VALLEY COOPERATIVE A	536.96	536.96	-	Electricity - Home Buyouts
FERRELLGAS	496.00	496.00	-	Propane - Home Buyouts
BROKERAGE PRINTING	473.33	473.33	-	Custom Printed Forms
KOCHMANN, CARTER	315.00	315.00	-	Lawn Mowing Services
GALLAGHER BENEFIT SERVICES INC	250.00	250.00	-	Job Description Review
DONS PLUMBING	240.00	240.00	-	Winterize - Home Buyouts
CURTS LOCK & KEY SERVICE INC	138.10	138.10	-	Service Call - Home Buyouts
GOOGLE LOVEINTHEOVEN	116.00	116.00	-	Meeting Incidentals
FEDERAL EXPRESS CORPORATION	71.89	71.89	-	Postage
CASS COUNTY RECORDER	68.00	68.00	-	Oxbow MOU - Advance for Land Purchase
GRAND TOTAL	\$ 198,787,748.93	\$ 127,263,852.47	\$ 71,523,896.46	

**FM Diversion Authority
In-Town Levee Work
as of June 30, 2015**

Vcode #	Vendor Name	Descriptions	Contract Amount	Amount Paid
V02801	Industrial Builders	2nd Street North Pump Station - Work Package 42.A2	\$ 8,204,021.00	\$ 3,166,820.64
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	80,000.00	74,545.81
V02803	Enventis	2nd Street Utility Relocation	1,440,088.62	115,685.62
V02804	702 Communications	2nd Street Utility Relocation	275,862.91	100,483.18
V02805	ICS	4th St Pump Station & Gatewell and 2nd St Floodwall S - WP-42A.1/A.3	17,630,771.59	4,110,342.24
V02806	HMG	Services During Construction - Work Package 42	1,550,000.00	330,095.77
V02807	CCJWRD	In-Town Levee Work	1,293,318.16	1,293,318.16
V02808	City of Fargo	Relocation of fiber optic along 2nd Street North	34,427.05	34,427.05
V02809	AT & T	2nd Street Utility Relocation	441,330.44	-
V02810	Cable One	2nd Street Utility Relocation	148,511.37	-
V02811	Xcel Energy	2nd Street & 4th Street Utility Relocations	753,641.97	-
V01703	Various	In-Town Property Purchases	16,647,581.45	10,999,108.01
			<u>\$ 48,499,554.56</u>	<u>\$ 20,224,826.48</u>

FM Diversion Authority
 State Water Commission Funds Reimbursement Worksheet
 Fargo Flood Control Project Costs

Time Period for This Request: June 1, 2015 - June 30, 2015

Drawdown Request No: 16	
Requested Amount:	\$ 3,293,493
Total Funds Expended This Period:	\$ 3,631,360
Total Funds Requested at 100% Match	2,955,627
Remaining Funds Requested at 50% Match	675,733
SB 2020 Matching Requirements	50%
Total Funds Requested at 50% Match	337,866
Total Funds Requested:	\$ 3,293,493

STATE AID SUMMARY:	
Summary of State Funds Appropriated	
Appropriations from 2009 Legislative Session	\$ 45,000,000
Appropriations from 2011 Legislative Session	30,000,000
Appropriations from 2013 Legislative Session	100,000,000
Appropriations from 2015 Legislative Session	69,000,000
Total State Funds Appropriated	244,000,000
Less: Payment #1 through #35 - City of Fargo	(55,510,209)
Less: Payment #1 - Cass County	(136,039)
Less: Payment #1 - FM Diversion Authority	(18,600)
Less: Payment #2 - FM Diversion Authority - REVISED	(782,908)
Less: Payment #3 - FM Diversion Authority - REVISED	(293,590)
Less: Payment #4 - FM Diversion Authority - REVISED	(2,905)
Less: Payment #5 - FM Diversion Authority - REVISED	-
Less: Payment #6 - FM Diversion Authority - REVISED	(238,241)
Less: Payment #7 - FM Diversion Authority	(1,206,310)
Less: Payment #8 - FM Diversion Authority	(1,153,978)
Less: Payment #9 - FM Diversion Authority	(4,949,724)
Less: Payment #10 - FM Diversion Authority	(685,111)
Less: Payment #11 - FM Diversion Authority	(470,398)
Less: Payment #12 - FM Diversion Authority	(1,231,810)
Less: Payment #13 - FM Diversion Authority	(612,361)
Less: Payment #14 - FM Diversion Authority	(1,182,540)
Less: Payment #15 - FM Diversion Authority	(4,501,221)
Less: Payment #16 - FM Diversion Authority	(3,293,493)
Total Funds Reimbursed	(76,269,438)
Total State Fund Balances Remaining	\$ 167,730,562

FM Diversion Authority
 State Water Commission Funds Reimbursement Worksheet
 Fargo Flood Control Project Costs

LOCAL MATCHING FUNDS SUMMARY:		
Matching Funds Expended To Date - City of Fargo	\$	47,629,069
Matching Funds Expended To Date - Cass County		291,500
Matching Funds Expended To Date - FM Diversion Authority		4,397,055
Total Matching Funds Expended To Date		52,317,624
Less: Match Used on Payment #1 through #35 - City of Fargo		(41,506,620)
Less: Match used on Payment #1 - Cass County		(136,039)
Less: Match Used on Payment #1 - FM Diversion Authority		(18,600)
Less: Match Used on Payment #2 - FM Diversion Authority		(66,888)
Less: Match Used on Payment #6 - FM Diversion Authority		(238,241)
Less: Match Used on Payment #8 - FM Diversion Authority		(410,015)
Less: Match Used on Payment #11 - FM Diversion Authority		(470,398)
Less: Match Used on Payment #12 - FM Diversion Authority		(237,286)
Less: Match Used on Payment #16 - FM Diversion Authority		(2,955,627)
Balance of Local Matching Funds Available	\$	6,277,910

**FM Diversion Authority
Lands Expense - Life To Date
As of June 30, 2015**

Property Address	Purchase Date	Purchase Price	Replacement Lot	Down Payment	Tax Payment	Relocation Assistance	Property Management Expense	Property Management Income	Sale Proceeds	Total
Farmland Purchases										
SE 1/4 11-140-50 (Raymond Twp) - Ueland	1/20/2014	959,840.00	-	-	-	-	-	(27,892.63)	-	931,947.37
2 Tracts in the E 1/2-2-137-49 - Sorby/Maier	1/24/2014	1,636,230.00	-	-	-	-	-	(56,114.10)	-	1,580,115.90
3 Tracts NW1/4 1-140-50, NW1/4 11-140-50, & S1/2 25-141-50 - Rust	2/18/2014	3,458,980.70	-	-	-	-	-	(121,611.02)	-	3,337,369.68
11-140-50 NE1/4 (Raymond Twp) - Diekrager	4/15/2014	991,128.19	-	-	-	-	-	(32,244.98)	-	958,883.21
NW 1/4 36-141-50 - Monson	5/7/2014	943,560.05	-	-	-	-	-	(28,029.64)	-	915,530.41
SW 1/4-11-140-50 - Hoglund	7/21/2014	989,706.03	-	-	2,566.59	-	-	(3,725.49)	-	988,547.13
NW 1/4 14-140-50 - Hoglund	10/23/2014	948,782.22	-	-	5,327.10	-	-	(22,249.56)	-	931,859.76
SW 1/4 2-140-50 - Rust	10/29/2014	955,901.00	-	-	2,265.76	-	-	(11,053.17)	-	947,113.59
Fercho Family Farms, Oxbow ND	3/25/2015	464,600.00	-	-	-	-	-	-	-	464,600.00
W 1/2 SE 1/4 SW 1/4 & SW 1/4 SW 1/4 2-137-49 - Gorder	5/13/2014	321,386.00	-	-	-	-	-	(3,786.29)	-	317,599.71
2-140-50 S 1/2 of NW 1/4 & Lot 4A - Pile	3/4/2015	594,108.00	-	-	-	-	-	-	-	594,108.00
W 1/2 NW 1/4 2-141-49 - Heiden	4/24/2015	433,409.00	-	-	-	-	-	-	-	433,409.00
Land Purchases										
Hayden Heights Land, West Fargo ND	10/12/2012	484,016.00	-	-	219,899.45	-	-	-	(309,868.60)	394,046.85
Total		29,666,427.10	1,025,000.00	431,702.41	267,894.08	678,683.61	102,166.04	(381,004.76)	(686,476.47)	31,104,392.01

TO: FM DIVERSION BOARD OF AUTHORITY

FROM: FINANCE COMMITTEE *Kse*

RE: REQUEST TO ESCROW CONSTRUCTION FUNDS FOR EXISTING OXBOW HOUSING CONTRACTS

DATE: JULY 8, 2015

The Finance Committee discussed two letters of request to consider escrowing construction funds for homes under contract so that builder have assurance that they will be paid and not be impacted by the injunction. This issue was discussed briefly last month and based upon the discussion this month there was support for proceeding with this for the six remaining homes where contracts have been issued.

One builder and one lender requested that consider this option to help with the continuation of projects in process. Copies of their letters are attached for your review and consideration.

Suggested Motion:

Authorize Cass Joint Water District to establish and fund construction escrow accounts for contracted work related to six homes in Oxbow.



July 7, 2015

Darryl Vanyo – Diversion Authority Chairman

Bell State Bank & Trust has a number of construction loans out with contractors affected by the recent injunction placed on the Oxbow projects. As you may be aware, many of these smaller contractors rely on individual completed projects to ensure the profitability of their companies along with paying their various subcontractors in a timely manner. The individual homeowners on these projects are requesting that the contractors continue with the construction of their new home. With the unknown result of the injunction, the builders are hesitant to move forward without assurance that their contracts will be honored.

There has been some discussion about having funds escrowed to allow these builders to move forward on their Oxbow projects. It seems to me that this would give the builders a sense of comfort and allow them to move forward with project completion.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Krajsa". The signature is fluid and cursive, written over a light blue horizontal line.

Ken Krajsa
Sr Vice President

bellbanks.com

PO BOX 10877 | FARGO, ND 58106-0877

CALL FREE 800.450.8949 | PHONE 701.298.1500



Dan Lindquist Construction, Inc.

PO Box 9676 • Fargo, ND 58106

701-261-8230

June 29, 2015

To Darryl Vanyo, Diversion Authority Chairman,

I have entered into a construction contract for \$644,523.00 with Matthew and Rebecca Murphy for the construction of their personal residence to be located at 751 Riverbend Rd, Oxbow, ND.

With the recent injunction placed on the Oxbow projects, I am concerned about the funds being available to the Murphy's for them to complete their construction contract with me for the \$644,523.00 less the \$32,226.00 deposit made. I would like an assurance the funding for the remaining \$612,297.00 be in place, which would allow payoff of my construction loan with Bell State Bank & Trust and transfer title back to the Murphy's.

I am requesting that the purchase contract of \$644,523.00, less the deposit made, be placed in escrow so that I am able to continue with completion of the Murphy project.

Respectfully,

Dan Lindquist
Dan Lindquist Construction, Inc.
PO Box 9676
Fargo, ND 58106
danlindquist@cableone.net
701-261-8230