

**METRO FLOOD DIVERSION AUTHORITY
JUNE 22, 2017—3:33 PM**

1. MEETING TO ORDER

A meeting of the Metro Flood Diversion Authority was held Thursday, June 22, 2017, at 3:33 PM in the Fargo City Commission Room with the following members present: Fargo City Mayor Tim Mahoney; Fargo City Commissioner Dave Piepkorn; Cass County Commissioner Mary Scherling; Cass County Commissioner Chad M. Peterson; Cass County Commission representative Darrell Vanyo; Moorhead City Mayor Del Rae Williams; Moorhead City Council Member Chuck Hendrickson; Clay County Commissioner Kevin Campbell; Clay County Commissioner Frank Gross; Cass County Joint Water Resource District Manager Mark Brodshaug; and West Fargo City Commissioner Mike Thorstad. Fargo City Commissioner Tony Grindberg and Moorhead City Council Member Joel Paulsen were absent.

2. MINUTES APPROVED

MOTION, passed

Mr. Vanyo moved and Mr. Piepkorn seconded to approve the minutes from the regular meeting held May 25, 2017, and special meeting held May 30, 2017, as presented. Motion carried.

3. AGENDA ORDER

MOTION, passed

Mr. Campbell moved and Mr. Peterson seconded to approve the order of the agenda. Motion carried.

4. MANAGEMENT UPDATE

Program management consultant (PMC) report

Randy Richardson from CH2M provided an update on activities over the last month, which include advertising for the OHB levee construction and County Road 16/County Road 17 realignment bids; continued land acquisitions; and refining the P3 RFP documents for a July release to proposers. Priority areas for the next month include sending the FEMA Conditional Letter of Map Revision (CLOMR) notification letters to individual property owners; continued land acquisitions; awarding the OHB levee and road realignment contracts; and preparing for a Federal court hearing regarding ongoing litigation on July 18th.

Robert Cowen from CH2M provided a brief financial update on the overall program status and said \$365 million has been expended to date.

Greg Baisch from CH2M provided a construction update on continued work on in-town levees, landscaping and plantings, and Oxbow home demolition and relocation projects. He said upcoming projects include the next phase of the Oxbow levee construction and re-bidding of the Oxbow City Park relocation project.

5. CORPS OF ENGINEERS UPDATE

Terry Williams, Corps of Engineers Project Manager, provided an update of activities, which include finalizing plans and specs for the Wild Rice Dam removal mitigation project; providing Wild Rice control structure draft technical plans and specs for sponsor review; providing draft preliminary engineering report and real estate drawings on southern embankment design for sponsor review; preloading of soils for Diversion inlet control structure; beginning recon field work by biotic teams for geomorphic surveys to begin in September and cultural mitigation of sites along the diversion channel in August or September.

Ms. Williams showed pictures from a flyover of the Diversion inlet control structure, which is scheduled for completion in 2020.

6. ADMINISTRATIVE/LEGAL UPDATEExecutive Director search process update

Michael Redlinger, Assistant Fargo City Administrator and Co-Executive Director, presented information on the final candidates to be considered for interviews:

- Scott Higbee, P.E., MSCE, BSCE, Principal Program/Project Manager, Water Group, CH2M Hill from 1998-2016
- Jay Neider, P.E., BSCE, Project Director of Major Corridor Metrorail Project
- Melodee Loyer, P.E., BSCE, Planning Administrator, Large Southwestern Municipality Water Utility

Mr. Redlinger said the preferred dates to hold interviews appears to be Monday, July 24th and Tuesday, July 25th. The current plan is to hold interviews on Monday, July 24th. A concept schedule will be developed for consideration by the board at a special meeting scheduled for July 13th.

Pam Derby from CPS HR Consulting, Inc. was available via conference call to answer questions. Mr. Peterson asked how many people applied for the position. Ms. Derby said outreach was done with around 5,000 individuals. She said 17 resumes were received from potential candidates. The three finalists are all professional engineers.

MOTION, passed

Mrs. Scherling moved and Ms. Williams seconded to approve the slate of finalist candidates for the FM Diversion Authority Executive Director and authorize CPS HR Consulting and the Co-Executive Directors to take actions to support the interview process. On roll call vote, the motion carried unanimously.

7. PUBLIC OUTREACH UPDATECommittee report

The Public Outreach Committee met on June 21st. Rocky Schneider from AE2S distributed the monthly progress report and newsletter/website analytics. The website saw a significant increase in traffic due to the special assessment district hearing held earlier this month, and has been helpful in providing information to the public. He briefly discussed outreach meetings being held with local entities.

There was discussion about the contract with Fredrikson & Byron, P.A., which expires on June 30th. Ms. Williams and Mr. Campbell stressed the importance of the services provided in order to keep Minnesota legislators and officials informed regarding the project. Ms. Williams recommends the board continue with their services in the same capacity. Mr. Campbell suggested the contract renewal be forwarded to the Finance Committee for consideration at the next meeting.

Business Leaders Task Force

Mark Nisbet from the Chamber of Commerce Business Leaders Task Force said members continue to be involved with outreach to keep the project in the forefront, stress its importance, and reiterate the message that it is a top priority of community business leaders.

8. LAND MANAGEMENT

The Land Management Committee met on June 21st. Mrs. Scherling said the committee discussed progress on key properties acquired for the project and the NDSU study update to help determine the worth of flowage easements.

Property Acquisition Status Report

Mrs. Scherling referred to the map showing the status of property acquisitions. Mr. Brodshaug said negotiations and purchase agreements are progressing on Phase 1 properties.

9. FINANCE UPDATECommittee report

The Finance Committee met on June 21st. Michael Montplaisir, Cass County Auditor, said the Diversion Authority has \$75 million in cash, the ability to borrow another \$50 million through Wells Fargo, and the availability of \$146 million in state appropriations.

NDSU Study Update

Mr. Montplaisir discussed a proposal from North Dakota State University (NDSU) to update the Agricultural Impacts Study, which was approved by the Land Management Committee and Finance Committee. He said the cost is \$96,483 and would be completed by October 30, 2017.

MOTION, passed

Mr. Peterson moved and Mr. Campbell seconded to approve the appropriation of funds for the outlined proposal from NDSU. Discussion: Mr. Mahoney thought the study was already completed. Mr. Montplaisir said NDSU conducted studies in 2015 and 2016. This is to update the data to ensure it is as accurate as possible. Mr. Campbell said the CLOMR and technical data will be used to update the study. On roll call vote, the motion carried unanimously.

Voucher approval

The bills for the month are with Cass County Joint Water Resource District (CCJWRD) for costs associated with the Metro Flood Diversion, in-town levees, Diversion Project Assessment District, OHB levee, and Oxbow Country Club golf course construction; Dorsey & Whitney LLP for legal services; Springsted, Inc. for financial feasibility analysis; Ohnstad Twichell, P.C. for legal services; and Western Area Power Administration for preliminary third-party agreement to relocate transmission lines.

MOTION, passed

Mr. Vanyo moved and Mr. Piepkorn seconded to approve the vouchers received through June 16, 2017, in the amount of \$2,017,842.18. On roll call vote, the motion carried unanimously.

10. OTHER BUSINESS***MOTION, passed***

Mr. Campbell moved and Ms. Williams seconded to forward the contract renewal with Fredrikson & Byron, P.A. to the Finance Committee for review at the July 13th meeting. On roll call vote, the motion carried unanimously.

11. NEXT MEETING

A special meeting will be held on Thursday, July 13, 2017, and the next regularly scheduled meeting will be held on Thursday, July 27, 2017.

12. ADJOURNMENT***MOTION, passed***

On motion by Mr. Peterson, seconded by Mr. Piepkorn, and all voting in favor, the meeting was adjourned at 4:20 PM.