

**METRO FLOOD DIVERSION AUTHORITY  
NOVEMBER 2, 2017—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Metro Flood Diversion Authority was held Thursday, November 2, 2017 at 3:30 PM in the Fargo City Commission Room with the following members present: Fargo City Mayor Tim Mahoney; Fargo City Commissioner Dave Piepkorn; Fargo City Commissioner Tony Grindberg; Cass County Commissioner Mary Scherling (via conference call); Cass County Commissioner Chad M. Peterson; Moorhead City Mayor Del Rae Williams; Moorhead City Council Member Chuck Hendrickson; Moorhead City Council Member Joel Paulsen; Clay County Commissioner Kevin Campbell; Cass County Joint Water Resource District Manager Rodger Olson; and West Fargo City Commissioner Mike Thorstad.

Cass County Representative Darrell Vanyo and Clay County Commissioner Grant Weyland were absent.

**2. Mr. Mahoney stated that he would like to amend the order of agenda to include a short presentation by Fargo City Division Engineer Nathan Boerboom.**

Mr. Boerboom said a few things happened yesterday at the Governor's Task Force meeting, one being that the charter was approved with the key item being the 100-year accreditation by FEMA will be part of the charter so at a bare minimum a project will be accreditable for FEMA certification. Otherwise, he said, the hydrology was discussed at great length by FEMA, local sponsors, as well as DNR staff. Ultimately, he said, it was decided to move forward with a period of record which is the 33,000 cfs.

Mr. Boerboom displayed a graph that showed the maximum daily flow rate at the Fargo gauge in cubic feet per second dating from the 1900's to 2009.

Moorhead City Engineer Bob Zimmerman said part of the discussion was about the minimum goal being 100-year certifiable protection with the ability to flood fight to a 500-year flood. He said this will play a critical role when alternatives are considered by the group.

**3. EXECUTIVE SESSION**

North Dakota state law allows the Board to meet in private session to consult legal counsel to discuss ongoing litigation and contract negotiations.

***MOTION, passed***

**Mr. Piepkorn moved and Mr. Campbell seconded that the Metro Flood Diversion Authority meet in Executive Session pursuant to N.D.C.C. § 44-04-19.1, subsections 2 and 9, to consult with its Attorneys regarding the ongoing litigation in the matters of Richland/Wilkin JPA and MNDNR v. the United States Army Corps of Engineers and Fargo Moorhead Flood Diversion Authority as Intervenor, Civil File No. 0:13-cv-02262-JRT-LIB and the contested case hearing before the Minnesota Office of Administrative Hearings regarding the MNDNR permit for Metro Flood Diversion Authority. All voting in favor, the motion carried unanimously.**

Diversion Authority Board members, key administrative staff, Attorney Robert Cattanach (via conference call), and Attorney John Shockley moved to the River Room at 3:35 PM.

The Executive Session ended at 4:20 PM and the meeting was re-opened to the public.

**4. ADJOURNMENT**

***MOTION, passed***

**On motion by Mr. Campbell, seconded by Mr. Hendrickson and all voting in favor, the meeting was adjourned at 4:28 PM.**

Minutes prepared by Kember Anderson, Executive Assistant, City of Fargo