

**METRO FLOOD DIVERSION AUTHORITY  
AUGUST 23, 2018—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Metro Flood Diversion Authority was held Thursday, August 23, 2018, at 3:30 PM in the Fargo City Commission Room with the following members present: Moorhead City Mayor Del Rae Williams; Moorhead City Council Member Chuck Hendrickson; Moorhead City Council Member Joel Paulsen; Clay County Commissioner Kevin Campbell; Clay County Commissioner Grant Weyland via conference call; Fargo City Mayor Tim Mahoney; Fargo City Commissioner Dave Piepkorn; Fargo City Commissioner Tony Grindberg; Cass County Commissioner Mary Scherling; Cass County Commissioner Chad Peterson; Cass County Commissioner Rick Steen; Cass County Joint Water Resource District Manager Rodger Olson via conference call; and West Fargo City Commissioner Mike Thorstad. Tom Dawson, Chair of the Chamber Business Leaders Task Force, was also present.

**2. MINUTES APPROVED**

*MOTION, passed*

**Mr. Hendrickson moved and Mr. Paulsen seconded to approve the minutes from the meetings held July 28, 2018, and August 8, 2018, as presented. Motion carried.**

**3. AGENDA ORDER**

*MOTION, passed*

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

**4. MANAGEMENT UPDATE**

Martin Nicholson from CH2M provided an update on activities over the last month, which include continued support to the Corps of Engineers and MDNR to advance the Supplemental Environmental Assessment (SEA) and Supplemental Environmental Impact Statement (SEIS); continued work with the MDNR and other parties to advance the permit application review; and bid document preparation for the 2<sup>nd</sup> Street South closure and pump station project.

Priorities for next month include to support the publication of the draft SEA and draft SEIS and prepare for public meetings on drafts; support and development of federal legislation related to the Water Infrastructure Finance and Innovation Act (WIFIA); and conduct follow-up workshops to review Plan B cost estimates.

Mr. Nicholson said the project cost-to-date is \$442 million. He said \$27.2 million has been spent out of the FY2018 cash budget.

**5. PUBLIC OUTREACH UPDATE**

Committee report

The Public Outreach Committee met on August 22<sup>nd</sup>. Rocky Schneider from AE2S said the committee discussed different ways to educate the public on Plan B after the environmental reviews are completed. He said the Twitter feed is the best option to receive the most up-to-date project information. The website also includes maps and numerous documents and presentations along with two new videos on how Plan B was developed and what a 100-year flood means.

The committee continues to discuss ways to provide information about farming impacts in the staging area and possible farmstead relocations to individuals who may be affected. The intent is to schedule public meetings with property owners as soon as possible after the draft environmental documents are released.

Business Leaders Task Force

Mr. Dawson said a meeting of the task force will be scheduled for the middle of September.

**6. LAND MANAGEMENT**

Mrs. Scherling said the Land Management Committee did not meet this month. Work continues on the mitigation plan and flowage easement study.

Committee Membership – Cass County Recommendation

Cass County has three members on the Land Management Committee. The current members are Mrs. Scherling, Mr. Peterson and Oxbow Mayor Jim Nyhof. Mrs. Scherling said with the work in Oxbow almost complete, Mr. Nyhof has agreed to step down from the committee so the City of Horace has an opportunity to participate. The Cass County Commission forwarded a recommendation to the Diversion Board to appoint Horace Mayor Kory Peterson to the committee.

**MOTION, passed**

**Mrs. Scherling moved and Mr. Campbell seconded to appoint Kory Peterson to serve on the Land Management Committee. Motion carried.**

**7. FINANCE UPDATE**Committee report

The Finance Committee met on August 22<sup>nd</sup>. Mr. Grindberg provided a brief financial update on the overall program status. The statement of net position is \$73.2 million. He said a special Finance Committee meeting will be held on September 11<sup>th</sup> to discuss updated cost estimates.

Voucher approval

The bills for the month are with Cass County Joint Water Resource District (CCJWRD) for costs associated with the Metro Flood Diversion, OHB levee, and in-town levees; Dorsey & Whitney for legal services; Ohnstad Twichell, P.C. for legal services; Cass County Government for dust control on County Highway 17; and Buildings and Grounds Management for lawn service on diversion-owned lots.

**MOTION, passed**

**Mr. Mahoney moved and Mr. Grindberg seconded to approve the vouchers received through August 17, 2018, in the amount of \$155,404.93. On roll call vote, the motion carried unanimously.**

Fredrickson & Byron, P.A. contract extension

Mr. Grindberg said the committee approved a six-month contract extension with Fredrickson & Byron, P.A. for government relations services with the State of Minnesota. The contract extension will end on December 31, 2018. The fee remains unchanged at \$3,500 per month.

Mr. Schneider said the firm has been active in legislative activities in Minnesota as it relates to the diversion project.

**MOTION, passed**

**Mr. Grindberg moved and Mr. Paulsen seconded to approve a contract extension with Fredrickson & Byron, P.A. for government relations services. On roll call vote, the motion carried unanimously.**

Policy on Task Orders signed by Co-Executive Directors

Attorney John Shockley said there was discussion at the last board meeting about task orders and change orders signed by the Co-Executive Directors that are within a certain cost range. The board approved a resolution in 2016 regarding the procedure to approve contracts, change orders and amendments. Two years ago, the project was moving forward and a lot has changed since that time. He prepared an amended resolution with updates to reflect changes in state law on bid threshold amounts. The resolution also changes the thresholds for change orders

and task orders that may be approved by the Co-Executive Directors to up to \$50,000 for change orders and up to \$150,000 for task orders. Those task orders above \$150,000 will be forwarded to the Finance Committee and then the Diversion Board for consideration. He said the board has the authority to change the resolution on the procedures at any time.

***MOTION, passed***

**Mr. Steen moved and Mr. Grindberg seconded to adopt a Resolution Amending the Procedure for Approval of Construction Contracts; Contracts for Engineering, Architectural, and Other Professional Services; and Change Orders and Amendments. On roll call vote, the motion carried unanimously.**

*Integrated Program Cost Estimate Timeline*

The Finance Committee has approved the timeline for the integrated program cost estimate, which includes Subtasks A through E. At the committee meeting last month, components under Subtask A were approved to conduct cost estimate workshops and finalize a cost estimate basis. Mr. Grindberg said yesterday the committee approved to move forward with Subtasks B and C at a cost of \$107,000.

Mr. Nicholson said Subtask B will review and update the program risk register to determine the appropriate level of risk. He said a risk workshop will be held September 12-13. He said Subtask C will conduct a “Monte Carlo Analysis” to statistically look at risks to help determine the minimum and maximum costs of project impacts. Work within both of these subtasks will be completed in September.

***MOTION, passed***

**Mr. Grindberg moved and Mr. Steen seconded to approve work outlined under Subtask B and Subtask C from the Integrated Program Cost Estimate to be completed at a cost of \$107,000. On roll call vote, the motion carried unanimously.**

**8. NEXT MEETING DATE**

The next meeting will be held on Thursday, September 27, 2018.

**9. ADJOURNMENT**

***MOTION, passed***

**On motion by Mr. Steen, seconded by Mrs. Scherling, and all voting in favor, the meeting was adjourned at 4:01 PM.**