



Diversion Authority Finance Committee
Committee Meeting Minutes
4:00 PM Wednesday, November 18, 2020
Virtual Meeting
Fargo, North Dakota

Permanent, Reliable Flood Protection

A virtual meeting of the Diversion Authority Finance Committee was held on November 18, 2020, at 4:00 pm. The following committee members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of Fargo; Chad Peterson, Cass County Commissioner; Chuck Hendrickson, Moorhead City Council Member; Lori Johnson, Clay County Auditor/Treasurer; Michael Montplaisir, Cass County Auditor; Michael Redlinger, City of Fargo Assistant Administrator; Rick Steen, Cass County Commissioner; Dan Jacobson, Chairman, Cass County Joint Water Resource District and Kent Costin, Fargo Finance Director.

Members absent: Tony Gehrig, Cass County Commissioner and Karla McCall, City of Moorhead Finance Director.

Others present: Joel Paulsen, Kris Bakkegard and Martin Nicholson, Diversion Authority; John Shockley, Ohnstad Twichell, P.C.; Eric Dodds, Tammy Jo Taft, Sadie Moen and Rocky Schneider, AE2S; Peggy Harter and Paul Barthel, Jacobs; Gregg Thielman, HMG; Matt Stamness and Robert Wilson, Cass County and Nathan Boerboom, City of Fargo.

1. MEETING TO ORDER

The meeting was called to order by Mayor Dardis at 4 pm. Roll call was taken and a quorum was present.

2. APPROVAL OF AGENDA

Mr. Paulsen recommended that the agenda be amended as follows:

Item 6 sub-item 4 be removed from the agenda since a formal contract amendment from Aconex/Oracle has not been received.

MOTION passed

Mr. Steen moved to approve the agenda as amended and Mr. Jacobson seconded the motion. On a roll call vote, the motion carried.

3. APPROVAL OF MINUTES

MOTION passed

Mr. Steen moved to approve the minutes from the October 2020 meeting as submitted and Mr. Hendrickson seconded the motion. Motion carried.

4. **APPROVAL OF BILLS**

Mr. Costin reviewed the bills for the month which included reimbursement to Cass County Joint Water Resource District (CCJWRD) for diversion-related bills; legal services from Ohnstad Twichell, P.C; diversion-related bills from Clay County and miscellaneous expenses for the Executive Director and staff to Cass County. The majority of the expenses were to CCJWRD for the purchase of 17 parcels.

On a roll call vote, it was recommended to forward the bills as presented by Mr. Costin to the Metro Flood Diversion Authority Board for final approval.

5. **FINANCIAL REPORT**

YTD expenditures are \$65,966,978 and cumulative total expenditures are \$600,644,499. The primary expenses are in land acquisitions. Total assets are \$73,600,634 and total liabilities are \$459,191 for a net position of \$73,141,443.

MOTION passed

Mr. Steen moved and Mr. Hendrickson seconded to receive and file the Financial Report for October as presented. On a roll call vote, the motion carried.

6. **EXECUTIVE DIRECTOR FINANCIAL REPORT**

Mr. Paulsen reported that the Project continues to trend under budget and the expenditures to date are \$600,000,064.

Mr. Paulsen reviewed the following contract actions for approval from the Committee. All recommended contract approvals are budget neutral.

- Beaver Creek Archaeology-Professional Services New MSA - \$0
- CH2M Hill/Jacobs Professional Services MSA Amendment 1 – Program Office Lease Timing and Key Employees - \$0
- AON -Task Order 4, Amendment 0 – Insurance & Risk Assessment Services - \$0

MOTION passed

Mr. Jacobson moved and Mr. Redlinger seconded to approve the recommended contract actions and to forward to the Board of Authority for final approval. On a roll call vote, the motion carried.

Mr. Paulsen reviewed the following Diversion Authority approved contract:

- HMG TO 26, Amendment 7 - SEAI hydraulic modeling \$88,920.00

Mr. Paulsen reviewed the following CCJWRD approved contract:

- Patchin Messner TO 2, Amendment 4 – appraisal services - \$113,500.00

Mr. Paulsen reviewed the following MCCJPA approved contract:

- Patchin Messner TO 1, Amendment 0 – appraisal services - \$21,500.00

7. OTHER BUSINESS

NuSTAR Amendment and Resolution

Mr. Paulsen reviewed the NuStar amendment and resolution indicating that there is an adjustment to the original agreement to relocate the pipeline resulting in additional costs of \$59,000. Mr. Paulsen recommended that the Committee approve the agreement as presented.

MOTION passed

Mr. Hendrickson made a motion to approve the additional funds needed for the pipeline relocation and Mr. Peterson seconded the motion. On a roll call vote, the motion carried.

State Water Commission Agreement for Cost-Share Reimbursement

Mr. Paulsen reviewed the State Water Commission Cost-Share agreement. Said agreement will provide cost-share funds to the FMDA not to exceed \$44,000,000. Mr. Paulsen recommended that the Committee approve the agreement as presented.

MOTION passed

Mr. Jacobson made a motion to approve the State Water Commission Agreement for Cost-Share Reimbursement. Dr. Mahoney seconded the motion and on a roll call vote, the motion carried.

Land Acquisition Directive for ND UMA Structures

Mr. Dodds reviewed the LAD to acquire the 49 properties. The property acquisition budget for the 49 OINs is \$34,681,000. Mr. Dodds recommended approval to forward to the CCJWRD for acquisition.

MOTION passed

Dr. Mahoney moved and Mr. Peterson seconded the motion to forward the LAD for the 49 ND properties to the Board of Authority for final approval. On a roll call vote, motion carried.

Land Acquisition Directive for MN UMA Structures

Mr. Dodds reviewed the LAD to acquire the 23 properties. The property acquisition budget for the 23 OINs is \$14,650,000. Mr. Dodds recommended approval to forward to the CCJWRD for acquisition.

MOTION passed

Dr. Mahoney moved and Mr. Hendrickson seconded the motion to forward the LAD for the 23 MN properties to the Board of Authority for final approval. On a roll call vote, the motion carried.

8. NEXT MEETING

The next meeting will be held virtually on December 16, 2020.

9. ADJOURNMENT

The meeting adjourned at 4:30 pm.