



**Diversion Authority Land Management
Committee Meeting Minutes
3:00 P.M. - Wednesday, September 30, 2020
City Hall Chambers
Fargo, North Dakota**

Permanent, Reliable Flood Protection

The Diversion Authority Land Management Committee met in-person and virtually on September 30, 2020. The following committee members were present: Mary Scherling, Cass County Commissioner; Bruce Grubb, Fargo City Administrator; Nathan Boerboom, Fargo Division Engineer; Rodger Olson, Cass County Joint Water Resource District Manager; Duane Breitling, Cass County Commissioner; Jenny Mongeau, Clay County Commissioner; Arlette Preston, Fargo City Commissioner; Bob Zimmerman, Moorhead City Engineer and Kory Peterson, Horace City Mayor.

The following committee members were absent: Johnathan Judd, Moorhead City Mayor; Kevin Campbell, Clay County Commissioner and Chuck Hendrickson, Moorhead City Council Member.

Mrs. Scherling called the meeting to order at 3:04 pm.

Agenda Approval

Mr. Breitling moved to approve the agenda as presented and Mr. Grubb seconded the motion. Motion carried.

Approval of Minutes

Mr. Grubb moved to approve the minutes from August 26, 2020, and Mr. Boerboom seconded the motion. Motion carried.

Property Acquisition Status Report

Progress continues to be made in acquisitions and negotiations with property owners. 406 properties have been acquired as of September 19. At the time the report was produced, there had been six condemnation filings. There have been more than 200 environmental monitoring easements this year and rights of entry have been secured on 166 parcels. The rights of entry have allowed the field crews to do the monitoring work.

CLOMR Outreach to Upstream Property Owners

Mr. Dodds reviewed the packet of information that will be mailed to property owners who are being impacted.

Rural Impact Mitigation Program – Forgivable Loan update

Mr. Dodds indicated that the draft mortgage and promissory note in the committee packet outlines the Rural Impact Mitigation Program.

Mr. Boerboom asked when the farmsteads in the Upstream Mitigation Area would be contacted. Mr. Dodds said the plan was to reach out to property owners in the fall.

Mr. Dodds noted that Phase 1B of the Crown Appraisals report has been finished and they will now be working on Phase 2.

Red River Control Structure Real Estate

Mr. Dodds noted the most recent letter and map from the USACE is in the packet. This letter is a key step in the process as it outlines the properties needed for the structure in North Dakota and Minnesota. The process has not started in Minnesota but the MCCJPA will be reviewing a request to begin appraisals in Minnesota tomorrow.

Crop Insurance Study Update

Mr. Dodds discussed an insurance product that would be offered to property owners to supplement federal crop insurance programs. Watts is providing a cost estimate for this product that includes summer floods and prevent plant programs. The DA has committed to providing a summer flood program but has not yet committed to a prevent plant product. Watts & Associates has been asked to present at the October Lands Management Committee Meeting. Mr. Olson has been in meetings with Watts & Associates and has been satisfied with their work.

Committee Update for DA Board

- Appraisals – No new appraisals approved since June meeting (8/18/2020 – 9/23/2020)
- Acquisitions – 11 parcels acquired since August meeting (8/18/2020 – 9/23/2020)
- Formal Negotiations Process Status Update

Official Letter	Formal Offer	Invite to CCJWRD	Notice of Intent	Invite to Cass County	Approved Use of LRED
# Sent to Date	1	9	25	46	28

- Cass County Commission has held three public meetings with property owners and authorized CCJWRD to utilize last resort eminent domain
- Bio/Geo Monitoring Program
 - Access Agreements/ROEs – Secured 371 of 375 to date, beginning appraisal process for remaining easements
 - USACE surveyors are in the field in August & September
- Flowage Easement Valuations – Scoping Phase 2 study with Crown Appraisals, Inc.
- Crop “Insurance” Development – Received preliminary Phase 2 from Watts & Associates
- Post-CLOMR Outreach packets will be mailed to all upstream impacted properties (700+ parcels)

CCJWRD Update

Mr. Olson said he was unable to attend the meeting last week. Mr. Gust did attend but there was nothing in particular to note. Mrs. Scherling noted a few properties have been brought to the Cass County Commission. She said the process has been informative for the Commission members and property owners. She thanked the staff working on this and expressed her appreciation to landowners who are being impacted.

MCCJPA Update

Mr. Dodds noted the MCCJPA meets on October 1, and the board will be asked to approve the start of appraisals in Minnesota. The Project is seeking an easement from the city of Georgetown for environmental monitoring.

MetroCOG Update

Mr. Paulsen spoke with MetroCog and they will be presenting at the meeting next month.

Other Business

There was no other business to discuss.

Adjournment

Mr. Breitling made a motion to adjourn and it was seconded by Mr. Grubb. Motion carried.

The meeting adjourned at 3:37 p.m.