

MINUTES OF MEETING
DIVERSION AUTHORITY PUBLIC OUTREACH COMMITTEE
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
FEBRUARY 4, 2015

The Diversion Authority Public Outreach Committee met on February 4, 2015, at 2:00 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

The following Committee members were present: Rodger Olson, Cass County Joint Water Resource District; Gerald Van Amburg, Buffalo-Red River Watershed District; Kevin Campbell, Clay County Commission; Mike Thorstad, West Fargo City Commissioner; and Brenda Elmer, Moorhead City Commissioner. Absent were Melissa Sobolik, Fargo City Commissioner; Ken Pawluk, Cass County Commissioner; Jessica Lee, Fargo-Moorhead West Fargo Chamber of Commerce; and Jacob Gust, ad hoc Committee Member.

Also present were Brett Coleman, Terry Williams and Aaron Snyder, Corps of Engineers; Rocky Schneider and Daron Selvig, Advanced Engineering and Environmental Services, Inc.; Lyndon Pease, Moore Engineering, Inc.; Keith Berndt, Cass County Administrator; Ray Wolfer, Rush River Water Resource District; Kevin Fisher, Fargo-Moorhead Area Association of Realtors; Bryce Johnson, Home Builders Association; Diane Ista, Red River Retention Committee; Don Nelson, Clay County resident; Carol Harbeke Lewis and Michelle Anderson, Cass County Joint Water Resource District staff.

Minutes

It was moved by Mike Thorstad, seconded by Brenda Elmer and unanimously carried to approve the minutes of the January 7, 2015, meeting.

Right of Entry Committee report

Lyndon Pease gave a Right of Entry update to the Committee. Geotechnical borings will continue through February along the southern alignment. Metes and bounds surveys are anticipated to begin within two months along the northern end of the project to determine legal descriptions of the property needed for the project. Access will be needed to approximately 70–80 parcels. A public meeting will be held to discuss the matter with property owners. Additional survey work will be needed for the design phase along the western alignment between the Maple River and Sheyenne River near West Fargo. Land owners will be notified this spring and early summer.

Cultural surveys are needed to determine if cemeteries are eligible for listing on the National Register of Historic Places. There are six cemeteries in North Dakota, and 5 in Minnesota. Three Right of Entry forms have been returned. Discussion was held on the

Right of Entry process and progress for the Minnesota cemeteries. Gerald Van Amburg stated Buffalo Red River Watershed District talked about waiting until May.

Some residents of Hickson and the Bakke Subdivision have requested drainage improvements to the ditch along Cass County Highway 25. The land owners will soon be notified of surveys to begin.

North Dakota legislative update

Rocky Schneider summarized and gave a brief explanation of the current Senate and House bills affecting the Metro Flood Diversion Project and the water resource districts in North Dakota.

Senate Bill 2020 was enacted to provide an appropriation for defraying the expenses of the State Water Commission and to provide an exemption. This bill outlines the amount appropriated for the Metro Flood Diversion Project over the next four sessions. The agreement will be honored from last session. Concern was expressed due to the reduction of oil prices and the effect that would have on the Resources Trust Fund.

House Bill 1415 was enacted to provide an appropriation to the State Water Commission; to provide legislative intent; to provide an exemption; and to declare an emergency. This bill appropriated an additional amount of money for the flood protection projects within Fargo city limits.

Senate Bill 2311 is a bill for an act to amend and reenact section 23-06-27 of the North Dakota Century Code, which relates to protection of human burial sites and provides a penalty. This bill expands the definition of "disturb" to include "submerge" and "flood," and also provides for a penalty of a class C felony. This bill has not been through committee. Mr. Schneider pointed out that the cemeteries currently flood.

House Bill 1332 was enacted to amend and reenact section 35-15-01 of the North Dakota Century Code relating to exercise of eminent domain authority on behalf of unelected boards, which would include water resource districts. A hearing will be held on this issue Friday, February 6, 2015.

House Bill 2076 was enacted to provide for a study on the impact of the Metro Flood Diversion Project. The State would contract with North Dakota State University to expand the scope of the university's existing study to determine the impact of the project. The study would specifically focus on the impact of the area outside the area recognized by the Corps of Engineers, for which mitigation is required. The study would be conducted during the 2015-16 interim and the State Water Commission would be required to present a report to the legislative management's Water Topics Overview Committee.

Brief discussion was held on the amount of studies already completed. The Home Builders Association and Chamber of Commerce have been very active providing input to the legislature. A legislative-forum will be held on Saturday at West Fargo City Hall.

Business Leaders Flood Taskforce update

Rocky Schneider said Mayor Mahoney and Diversion Chairman Vanyo presented information regarding the Metro Flood Diversion Project at the Business Leaders Flood Taskforce meeting. The business leaders were given an update and filled in on the Minnesota legislative progress.

At the next Business After Hours event on February 5, 2015, at the Marriott in Moorhead, Minnesota, booths will be set up to provide information and answer questions on the Metro Flood Diversion Project. The Committee was invited to stop by and help answer questions and give information.

Red River Basin Commission Conference

Aaron Snyder gave the Committee a brief summary of the 32nd Annual Red River Basin Commission Conference, which was held on January 20-22, 2015, in Winnipeg, Manitoba. It was reported \$32 billion dollars in damage has been saved in Winnipeg because of the flood diversion project there. Winnipeg and area farmers understand the project and feel they have received many benefits. Discussion was held on a bus tour to view the project there in the spring.

General's visit February 6, 2015

Brett Coleman invited the Committee to attend a meeting with Major General Michael C. Wehr, Commander of the Mississippi Valley Division of the U.S. Army Corps of Engineers, at Fargo City Hall on Friday, February 6, 2015, at 3:10 p.m. A brief presentation will be made and discussion will be held with the Diversion Authority Board. There may also be time to answer questions from the media. Members of the congressional delegation will also be in attendance.

Finance District update

The assessment district is moving forward. Approximately 50,000 ballots will be sent out to property owners and various jurisdictions. They will have 30 days to return ballots after the public hearing on March 31, 2015. Informational meetings will be held March 10, 17 and 24. Information will also be available on the website.

E-Newsletter topics

Topics for the next E-Newsletter include a summary of events and discussions surrounding Major General Wehr's meeting with the Metro Flood Diversion Project sponsors in Fargo on Friday, February 6. They will remind the readership that the Corps' study of the project has already been independently reviewed. A construction update will also be provided. Brief discussion was held on the importance of safety during the construction phase.

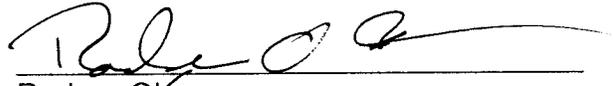
FMDiversion.com analytics

Daron Selvig reported on FMDiversion.com analytics. The January 15, 2015, E-newsletter had an approximate open rate of 30%. Articles of interest were the In-Town Pump Station and Ring Levees, North Dakota's Governor Reinforces Commitment to Diversion Project Funding, and Private Financing Plan to be Studied by Ernst & Young.

Adjournment

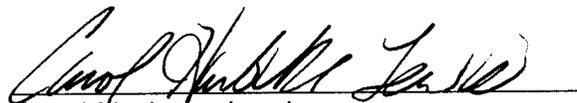
There being no further business to be considered, the meeting adjourned without objection.

APPROVED:



Rodger Olson
Chairman

ATTEST:



Carol Harbeke Lewis
Cass County Joint Water Resource District
Secretary-Treasurer