

**METRO FLOOD DIVERSION AUTHORITY
SEPTEMBER 14, 2017—3:30 PM**

1. MEETING TO ORDER

A special meeting of the Metro Flood Diversion Authority was held Thursday, September 14, 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; Cass County Commissioner Chad M. Peterson via conference call; Cass County Commission representative Darrell Vanyo; Moorhead City Mayor Del Rae Williams; Moorhead City Council Member Chuck Hendrickson; Cass County Joint Water Resource District Manager Rodger Olson via conference call; and West Fargo City Commissioner Mike Thorstad. Clay County Commissioner Kevin Campbell and Clay County Commissioner Grant Weyland were absent.

Mr. Mahoney said Mr. Campbell and Mr. Weyland told him they were not able to attend today's meeting due to another meeting commitment.

2. EXECUTIVE SESSION

Attorney John Shockley said North Dakota state law allows the board to meet in private session to consult with legal counsel to discuss ongoing litigation and contract negotiations.

MOTION, passed

Mr. Vanyo moved and Ms. Williams 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 and to provide an update to the Board regarding the negotiations for an employment contract with the finalist (Jay Neider) selected for the position of Executive Director. On roll call vote, the motion carried unanimously.

Diversion Authority board members, key administrative staff, and Attorney John Shockley moved to the River Room at 3:31 PM.

Moorhead City Council Member Joel Paulsen arrived at 3:35 PM and joined the executive session.

The executive session ended at 5:09 PM, and the meeting was re-opened to the public.

3. PMC CONTRACT/STAFF/PROJECT WORKFLOWS FOLLOWING INJUNCTION ISSUANCE

Michael Redlinger, Co-Executive Director, said the Diversion Authority intends to fully comply with the recent injunction order issued last week. He said a meeting will be held with Program Management Consultants CH2M to determine what activities will be suspended. He anticipates there will be a reduction in duties as well as construction services. The goal is to maintain good public relations during this time as part of the process to be compliant with the injunction order. He said more information will be provided at the board meeting in two weeks.

Mr. Redlinger discussed a change to the organizational model which would create a policy leadership team made up of an elected representative from each of the entities. Mr. Grindberg and Mr. Paulsen both expressed concerns about the full board not being involved in decisions.

Mr. Piepkorn believes it is important for the board to meet more often to discuss the path moving forward. Mrs. Scherling said things may also change if an Executive Director is hired.

There was a consensus by the board to meet every two weeks until the end of the year. If there is no business to handle, the meeting would be cancelled.

4. NEXT MEETING

The next meeting will be held on Thursday, September 28, 2017.

5. ADJOURNMENT

MOTION, passed

On motion by Mr. Piepkorn, seconded by Mr. Vanyo, and all voting in favor, the meeting was adjourned at 5:25 PM.