

**METRO FLOOD DIVERSION AUTHORITY
JANUARY 3, 2019—4:00 PM**

1. MEETING TO ORDER

A meeting of the Metro Flood Diversion Authority was held Thursday, January 3, 2019, at 4:00 PM in the River Room at Fargo City Hall with the following members present: Moorhead City Council Member Chuck Hendrickson; Clay County Commissioner Kevin Campbell; Clay County Commissioner Grant Weyland; Fargo City Mayor Tim Mahoney; Cass County Joint Water Resource District Vice Chairman Rodger Olson; West Fargo City Commissioner Mike Thorstad; and Moorhead City Council Member Joel Paulsen. Fargo City Commissioner Dave Piepkorn; Cass County Commissioner Mary Scherling; Cass County Commissioner Rick Steen; Cass County Commissioner Chad Peterson; and Moorhead City Mayor Del Rae Williams were present via teleconference. Fargo City Commissioner Tony Grindberg was absent.

2. EXECUTIVE SESSION

North Dakota state law allows the Board to meet in private session to consult with legal counsel to discuss ongoing litigation.

MOTION, passed

Mr. Weyland moved and Mr. Hendrickson seconded that the Metro Flood Diversion Authority meet in executive session, as authorized by North Dakota Century Code, 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. Motion carried.

Diversion Authority Board members and key administrative staff remained in the River Room for the executive session beginning at 4:04 PM.

The executive session ended and the meeting was re-opened to the public at 4:32 PM.

3. EXECUTIVE SESSION REPORT

MOTION, passed

Dr. Mahoney moved and Mr. Paulsen seconded to authorize litigation counsel to resolve the current litigation and work with MNDNR. On roll call vote, the motion carried unanimously.

4. ADJOURNMENT

MOTION, passed

On motion by Mr. Olson, seconded by Mr. Hendrickson, and all voting in favor, the meeting was adjourned at 4:34 PM.