

**FLOOD DIVERSION BOARD OF AUTHORITY
AUGUST 11, 2011—3:30 PM**

1. MEETING TO ORDER

A meeting of the Flood Diversion Board of Authority was held at 3:30 PM on August 11, 2011, at 3:30 PM in the Fargo City Commission Room with the following members present: Cass County Commissioner Darrell Vanyo; Cass County Commissioner Scott Wagner; West Fargo City Commissioner Mike Thorstad; Cass County Joint Water Resource District Manager Rodger Olson; Fargo Mayor Dennis Walaker; Fargo City Commissioner Tim Mahoney; Fargo City Commissioner Brad Wimmer; Clay County Commissioner Kevin Campbell; and Moorhead City Council Member Nancy Otto.

Board of Authority alternate and ex-officio members present: Moorhead City Council Member Brenda Elmer, alternate member; Clay County Commissioner Grant Weyland, alternate member; and Gerald Van Amburg, Buffalo-Red River Watershed District, ex-officio member.

Staff members and others present: Cass County Administrator Keith Berndt; Fargo City Administrator Pat Zavoral; Fargo City Engineer Mark Bittner; Fargo City Senior Engineer April Walker; Moorhead City Manager Mike Redlinger; Moorhead City Engineer Bob Zimmerman; U.S. Army Corps of Engineers Project Manager Aaron Snyder; and U.S. Army Corps of Engineer Terry Williams.

2. ELECT CHAIR AND VICE CHAIR

MOTION, passed

Mr. Olson moved and Mr. Wagner seconded to nominate Darrell Vanyo as Chair of the Flood Diversion Board of Authority. Motion carried.

MOTION, passed

Ms. Otto moved and Mr. Wagner seconded to nominate Tim Mahoney as Vice Chair of the Flood Diversion Board of Authority. Motion carried.

3. BOARD OF AUTHORITY BY-LAWS, To be drafted by attorneys

The committee discussed the development of the by-laws for the Board of Authority. Mr. Snyder said this will allow a clear path for decision making by the project manager.

MOTION, passed

Mr. Campbell moved and Ms. Otto seconded to have the team of attorneys draft by-laws for consideration by the Board of Authority. Motion carried.

Mr. Mahoney suggested if staff have any items to be included in the by-laws, to let the attorneys know.

4. JOB DESCRIPTION FOR PROJECT MANAGER

Mr. Zavoral distributed a draft job description as a guideline to use for the project manager position. A suggestion was made to form a subcommittee to draft a job description and a notice for the job vacancy.

Mr. Vanyo suggested city and county administrators serve on the subcommittee. He also suggested the job description be reviewed by a consultant to determine the pay grade for the position.

Mr. Campbell suggested Mr. Bittner and Mr. Zimmerman also serve on the subcommittee. Ms. Otto asked if the job description could require the position to be familiar with the Army Corps of Engineers policies and procedures. Mr. Olson agreed it would be helpful to have someone who can relate to the process used by the Corps. Ms. Elmer said it would be beneficial for the person to be familiar with the Red River Basin and surrounding communities.

Mr. Wagner said an external review of the salary range is needed. Mr. Vanyo suggested the subcommittee be established today. He asked Mr. Berndt to contact Fox Lawson & Associates, the consulting firm Cass County uses to determine salary ranges, regarding the cost and time frame in which the review may be completed.

MOTION, passed

Mr. Campbell moved and Mr. Wagner seconded to authorize the chair to select members to serve on a subcommittee to draft a job description for the project manager position. Motion carried.

Mr. Vanyo asked that the subcommittee members include Pat Zavoral, Mike Redlinger, Keith Berndt, Brian Berg, Mark Bittner and Bob Zimmerman.

5. CORPS OF ENGINEERS STATUS UPDATE

Ms. Williams said the project is entering into the design phase, and she anticipates the design agreement will be executed by the end of August. She said 190 tasks are outlined in the agreement and a substantial effort will be needed to complete all the tasks.

Mr. Snyder said hydrology is still being reviewed, and he believes the 100-year flood event numbers will change. The Corps will need to consider how the new numbers will affect the project. He said the tasks outlined in the design agreement will need to be completed within one year.

Mr. Zavoral discussed the outsourcing of tasks outlined in the design agreement. The board discussed forming a subcommittee to review the tasks.

MOTION, passed

Mr. Campbell moved and Mr. Mahoney seconded to establish a subcommittee consisting of Mr. Campbell, Mr. Mahoney, Ms. Otto, Mr. Vanyo, Mr. Olson, Mr. Van Amburg, and the technical committee to discuss the tasks requiring local sponsor representation. Motion carried.

6. PUBLIC OUTREACH

Mr. Zavoral said no organized public outreach has been done on the project. He asked for a proposal from a local engineering firm to help develop some ideas. He introduced Daron Selvig from Advanced Engineering. Mr. Selvig provided a presentation on a strategic communications plan.

Mr. Wagner suggested this proposal be reviewed by the legal team. Ms. Otto said public education is important and suggested meetings be televised on the local cable channel, which is a free service to local governments.

Mr. Bittner discussed how questions are being answered regarding the project and about the involvement of the Corps of Engineers with the process. Mr. Snyder said sharing of accurate information to the public in a timely manner is needed and sometimes when questions are asked of the Corps of Engineers, it may take some time to answer them.

Mr. Campbell feels public outreach should fall under the job duties of the project manager. He stressed the need for this board to follow the guidelines outlined in the limited joint powers agreement and questioned whether hiring a firm for public outreach is within the scope of the agreement. He is fully supportive of the idea, but wants to make sure the process is followed correctly.

Mr. Walaker said public outreach is important and does not believe the board should wait until a project manager is hired. Mr. Olson asked if an interim project manager be considered rather than hiring a firm to handle public outreach.

Mr. Vanyo said he has not seen a contract or the cost to hire a firm. He suggested the proposal from Advanced Engineering be forwarded to board members and to the legal team for review.

7. LOBBYING EFFORT

The City of Fargo recently hired Podesta Group to help with lobbying efforts. David Morgenstern and Jessica Lawrence from Podesta Group were present. Mr. Morgenstern provided a presentation on the goals and timeline involved with the project.

8. OTHER BUSINESS

Mr. Olson has been contacted by a group in opposition of the diversion which includes residents living south of the proposed project. He asked if someone from the Corps of Engineers could meet with the group to provide answers to some questions they have regarding the impacts of the project. He said there appears to be a lot of misinformation being circulated, and he believes a meeting would be helpful.

Mr. Bittner said he has asked about the possibility of a permanent staff member from the Corps of Engineers be located in Fargo. Mr. Snyder said he is looking into the request.

9. NEXT MEETING DATE

The next meeting will be held after the subcommittee has completed a job description for the project manager position.

10. ADJOURNMENT

MOTION, passed

On motion by Mr. Wimmer, seconded by Mr. Wagner, and all voting in favor, the meeting was adjourned at 5:10 PM.