

Moorhead - Clay County Joint Powers Authority (MCCJPA)

Thursday, October 28, 2021, 1:00 p.m.

Clay County Courthouse, Third Floor Meeting Rooms

In Person Meeting with Microsoft Teams Option Available

MINUTES

1) CALL TO ORDER

The meeting was called to order by Chair Campbell at 1:00 p.m.

2) ROLL CALL

City of Moorhead: Council Member Chuck Hendrickson

Council Member Larry Seljevold

Clay County: Commissioner Kevin Campbell, Chair

Commissioner Jenny Mongeau

BRRWD: Member VanAmburg (online from his house at 4518 5 St S, Moorhead)

Others Present:

Attorney John Shockley and Attorney Chris McShane, Ohnstad Twichell Law

Eric Dodds, Jessica Warren, Dean Vetter, and Sabrina Tusa, AE2S

Bob Zimmerman, Moorhead City Engineer

Ken Helde and Lisa Kilde, HMG SRF

Scott Stenger and Dale Ahlsten, Prosource

John Albrecht, Project Review Appraiser

Stephen Larson, County Administrator, and Colleen Eck, Clay County staff

Amy Norstedt

Attorney Shockley reviewed the current law for call ins for public meetings.

3) APPROVAL OF AGENDA

Council Member Hendrickson moved, and Commissioner Mongeau seconded, to approve the agenda. Motion carried.

4) APPROVAL OF MINUTES

Commissioner Mongeau moved, and Council Member Seljevold seconded, to approve the minutes from September 23, 2021. Motion carried.

5) APPROVAL OF MINUTES

Member VanAmburg moved, and Council Member Hendrickson seconded, to approve the minutes from October 19, 2021. Motion carried.

6) CITIZENS TO BE HEARD

There were no citizens to be heard.

7) PROJECT UPDATES

A. Property Acquisition Status Report

Mr. Dodds noted that the flowage easement study should be done by the end of the year and will be brought to his board. Eminent domains in Cass County are near 100 but they are working with several of them on settlements. Collectively 700 parcels have been acquired for the project. The \$1000 sign-on incentive on both sides of the river should help to finalize more Environmental Monitoring Easements. They continue to work with property owners on those agreements. Attorney Shockley stated the cost for the new incentive will be built into the budget for the upcoming year.

B. Red River Control Structure Negotiations Update

Mr. Dodds stated there were four properties needed for the Red River Control Structure project. The third closing is scheduled for tomorrow. The Clay County Board approved the deposit of funds for the fourth property, owned by Blilie (OIN 249) earlier this week. Attorney McShane had a court hearing yesterday for the property. The Blilies are not challenging the taking but are challenging the value. The project will also need a flowage easement and road right-of-way from Blilies, but details for those may be six months out and are for the southern embankment. A check for \$85,350 was submitted to Court Administration prior to the meeting and the judge is expected to sign the court order today.

8) REPLACEMENT HOUSING DIFFERENTIAL PAYMENT (RHDP) REVIEWS

A. OIN 8528 Leech RHDP

Mr. Dodds stated the Leech property (OIN 8528) is on the river just south of the County line. It is close to other properties that have been acquired. This request is for approval of the Replacement Housing Differential Payment (RHDP). They start with the appraisal and then find comparables and use a carve-out procedure when necessary. Commissioner Mongeau commented that it important to use comparables of other rural properties when it is possible. A RHDP payment of up to \$75,000 was established based on the adjusted offer price is \$240,00 for the present house and the \$315,000 comparable dwelling price.

Commissioner Mongeau moved, and Council Member Seljevold seconded, to approve the Replacement Housing Differential Payment up to \$75,000 for Leech (OIN 8528). Motion carried.

B. OIN 1252 Kragerud RHDP

The Kragerud property (OIN 1252) is just north of the Leech property. The comparable they identified for this property is listed as \$418,600. The Kragerud adjusted property value is \$308,000. The maximum RHDP, which is a reimbursement, would be \$110,600.

Member VanAmburg moved, and Council Member Hendrickson seconded, to approve the Replacement Housing Differential Payment of \$110,600 for Kragerud (OIN 1252). Motion carried.

9) Contracting Actions

A. ProSource Task Order 1 Amendment 2

Mr. Vetter stated this request is for an amendment to ProSource's Task Order. Up to this point they have been using a budgetary amount. Currently, ProSource has 72 parcels for right-of-way services and 10 parcels for relocation services. There may be some additional flowage easements in the Georgetown area. That amounts to 40 percent of the MN properties. MCCJPA is acting as the acquiring agency. Task Order 1 for ProSource had a starter budget of \$200,000. The amendment would be for an additional \$650,000 for all the properties that have been assigned. The amendment has been reviewed and approved by the project management council and legal team, and then gets reported to the finance committee. All invoices also get reviewed by the team as part of the process.

Council Member Hendrickson moved, Commissioner Mongeau seconded, to approve ProSource Task Order 1 Amendment 2 to include an additional budget of \$650,000. Motion carried.

10) LAND AGENT REPORTS

Mr. Stenger noted one closing is scheduled for tomorrow. The Spanier property has been approved and that closing will be scheduled for next month.

Ms. Kilde noted that relocations are discussed with the landowners. They realize that most of the rural folks will remain in rural locations. The comparables are to get the numbers so they can start negotiating toward a goal.

11) NEXT MEETING NOVEMBER 18, 2021

The next meeting will be held one week earlier, on November 18, due to the holiday.

12) ADJOURN

The meeting adjourned at 1:36 p.m.

Stephen Larson, MCCJPA Secretary