

Moorhead - Clay County Joint Powers Authority (MCCJPA)

Thursday, July 27, 2023, 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 1:01 p.m.

2) ROLL CALL

City of Moorhead: Council Member Chuck Hendrickson

Council Member Larry Seljevold

Clay County: Commissioner Kevin Campbell

Commissioner Jenny Mongeau arrived at 1:02 p.m.

Others Present or on Microsoft Teams:

Jodi Smith, Lands & Compliance Director, and Jessica Warren, Compliance Specialist, and Madeline Gorghuber, Land Specialist, Diversion Authority

Attorneys John Shockley and Kathryn McNamara, Ohnstad Twichell Law

Eric Dodds and Dean Vetter, AE2S

Scott Stenger and Dale Ahlsten, ProSource

Katie Laidley and Ken Helvey, SRF Consulting

John Albrecht, Jacobs

Stephen Larson and Jacqueline Finck, Clay County staff

Bob Zimmerman, Moorhead Engineer

3) APPROVAL OF AGENDA

Council Member Hendrickson moved, and Council Member Seljevold seconded, to approve the agenda with the additional appraisal reviews added. Motion carried.

4) APPROVAL OF MINUTES

Council Member Seljevold moved, and Council Member Hendrickson seconded, to approve the minutes from June 27, 2023. Motion carried.

5) CITIZENS TO BE HEARD

There were no citizens to be heard.

6) PROJECT UPDATES

a. Property Acquisition Status Report

Eric Dodds, AE2S, referred to the Property Acquisition Status Report and maps showing acquired properties. The construction footprint is 92.5% complete and the upstream mitigation area (UMA) footprint is 40.6% complete. Mr. Dodds referenced the pie charts and percentage completion for property acquisition progress by location. The Property Acquisition Progress by MCCJPA is at 37.4% complete with a slight increase in the UMA. Mr. Dodds referenced the Landowner Overview slide which breaks information down into owner groups

and parcels for the Construction Footprint and UMA Footprint.

The key activities are to continue negotiating settlement agreements for existing eminent domain actions. In the last month, successfully closed three parcels owned by two different landowners and agreements signed for four parcels owned by three different landowners. The CCJWRD approved sending batch #9 for next steps letters and eminent domain filling authorization for 11 property owners. The 11 property owners will get a last offer letter early next week and will get a month to respond for settlement. The focus has been coordinating completion of appraisals for remaining property needs in the UMA and Southern Embankment. There are 13 appraisal reviews on today's agenda which will be addressed shortly.

7) **Appraisal Reports**

John Albrecht, Jacobs, referred to the packet and the list of the 13 appraisal reviews. The appraisal reviews are part of the SE-4. The appraised amount is the estimate for the just compensation for the taking. The minimum compensation per MN Statute 117.187 states that if someone has to relocate, the appraiser has to look at that and see if there are properties in the marketplace that would replace what they have that they could go to. For these appraisal reviews, there are only two properties, OINs 1795 and 8528, that required the use of that calculation. Mr. Albrecht stated that he's happy to see consistency with these appraisals. The land values were fairly consistent and ranged typically from \$7,500 per acre to \$8,500 per acre with one value being \$9,000 per acre. Mr. Albrecht stated that each of the appraisal reviews have the appraisal certificate with the details and a picture of the property.

OIN	Property Owner	Project	Opinion of Just Compensation	Minimum Compensation per MN Statute 117.187
247	Vickie Josal	SE-4	\$167,000	NR
255 1850	Neva & Richard Paulson	SE-4	\$489,000	NR
1250	Paul & James Quinnild	SE-4	\$90,000	NR
1257	Daniel & Jayne Olsgaard	SE-4	\$108,000	NR
1270 9152	Mark & Barbara Askegaard	SE-4	\$207,000	NR
1650	Todd & Jane Blilie	SE-4	\$417,000	NR
1678 1842 1876	Teresa Nelson/Sandra Anderson "Brandt Family"	SE-4	\$1,546,000	NR
1833	James Ness	SE-4	\$118,000	NR
1845	Mark & Barbara Askegaard	SE-4	\$430,000	NR
1794	Richard Willem & Kathleen Marx	UMA	\$438,285	NR
1795	Richard & Judith Willem	UMA	\$444,600	\$460,000
1689 1868	Rhoda Ueland	UMA	\$492,720	NR
8528	Andrew & Lisa Leech	UMA	\$269,381	\$355,000

Commissioner Mongeau moved, and Council Member Hendrickson seconded, to approve Appraisal Reports as presented in the packet (OIN 247, OIN 255 1850, OIN 1250, OIN 1257, OIN 1270 9152, OIN 1650, OIN 1678 1842 1876, OIN 1833, OIN 1845, OIN 1794, OIN 1795, OIN 1689 1868, and OIN 8528). Motion carried.

Mr. Dodds stated that there is a Special Meeting scheduled in early August for an additional 10 appraisal reviews and appreciates everyone's flexibility to get that meeting scheduled.

8) Acquisition Review

a. OIN 1289 Negotiation Summary

Ken Helvey, SRF Consulting, stated that this is an acquisition summary for Michael and Peggy Mastin. Mr. Helvey referenced the map in the packet showing what land needs to be acquired from their property consisting of new land for the road, take some temporary easement, convert some existing highway easement, and existing prescriptive area fee for road improvements. The appraised value is \$1,684. After reviewing the property in-person there are seven trees that will be impacted which would be an additional \$5,250 (\$750 per tree), with the total recommended amount being \$6,934.

Council Member Seljevold moved, and Council Member Hendrickson seconded, to approve OIN 1289 Negotiation Summary in the amount of \$6,934.

9) Land Agent Updates

Mr. Helvey stated since they approved the appraisal reviews, they will be working on getting offers out. Otherwise continuing to negotiate and continue to work on flowage easements for SE-5. The Buth/Dobis properties will be closing tomorrow or Monday, so that will be a big step.

Scott Stenger, ProSource, also stated he was happy to see the appraisal reviews in today's agenda get approved. Several of the appraisal reviews were landowners that have been talked to multiple times and will get the offers out right away. Continue to work with landowners. Some landowners have asked about the access road, what it means and what it entails. Some of the properties that they're working on have mitigation and small changes and have been working with the project team and the US Army Corps of Engineers to resolves those issues.

Dale Ahlsten, ProSource, didn't have anything to add beyond Mr. Stenger's update.

10) Adjourn

Commissioner Campbell reminded that there will be a Special Meeting for additional appraisals on August 11, 2023 at 10:00 a.m.

The meeting adjourned at 1:16 p.m.

Stephen Larson, MCCJPA Secretary