

MOORHEAD - CLAY COUNTY JOINT POWERS AUTHORITY

1:00 PM, THURSDAY, JULY 23, 2026

Meeting Rooms A/B - Third Floor - Courthouse

MINUTES

CALL TO ORDER

Chair Campbell called the meeting to order at 1:01 p.m.

ROLL CALL

City of Moorhead Council Member Chuck Hendrickson (via Interactive Technology), Clay County Commissioners Kevin Campbell & Jenny Mongeau, and Buffalo-Red River Watershed District Member Gerald Van Amburg.

Others Present or on Microsoft Teams: Diversion Authority - Madeline Daudt, Justin Fisher, & Jason Benson; Ohnstad Twitchell Law - Chris McShane, Lukas Andrud, Kathryn McNamara, & John Shockley; AE2S - Eric Dodds; SRF Consulting - Katie Laidley & Ken Helvey; Clay County Staff - Sarah Hellem; and City of Moorhead - Bob Zimmerman.

APPROVAL OF AGENDA

Commissioner Mongeau moved, and Member Van Amburg seconded, to approve the agenda. Motion Carried.

APPROVAL OF MINUTES

Member Van Amburg moved, and Commissioner Mongeau seconded, to approve the minutes from June 25, 2026. Motion Carried

CITIZENS TO BE HEARD

There were no citizens to be heard.

PROJECT UPDATES

Property Acquisition Status Report

Justin Fisher, Diversion Authority, stated in the last month, we've successfully closed on 1 parcels/1 owners in the UMA. The key activities are to continue negotiating settlement agreements for existing Eminent Domain actions: to date we've completed three Eminent Domain trials in Cass County. No new trials in the last month. Completed site inspections and initial discovery hearing for the actions in Minnesota, scheduled Commissioner Hearings for Minnesota actions, negotiated many settlements since completing the first trial, and there are 11 pending settlement offers with property owners. Closings are pending for 3 parcels/2 owners in Minnesota, and 28 parcels/13 owners in North Dakota. 21,691 acres of flowage easements have been acquired, and 5,399 acres are outstanding. There has been continued development of the MFDA's post-operation clean-up and restoration programs and crop loss programs.

Mr. Fisher referred to the packet and discussed the map pertaining to the MCCJPA Acquisition Status and stated property rights have been attained on 184 parcels; 55 parcels are pending value; 2 parcels have a railroad agreement pending; and 8 parcels

are in negotiation. The property acquisition progress was discussed with the construction footprint being 98.4% complete, with no change from the previous month. The upstream mitigation area (UMA) footprint is at 68.6% complete, with a 0.1% increase from last month. The Property Acquisition Progress by Location includes the Southern Embankment being 95.3% complete, with no change from last month, UMA being 68.6% complete, with a 0.1% increase from last month, and the Environmental Monitoring Easements being 79.8% complete, with no change from last month. The Drayton Dam, In-Town Levees, Stormwater Diversion Channel, and Oxbow Hickson-Bakke are 100% complete. The Property Acquisition Progress by MCCJPA is 75.9% complete, with a 1.1% increase from last month. The Southern Embankment & Associated Infrastructure is 80% complete, with no change from last month, the Upstream Mitigation Area is 71.9% complete, with no change from last month, the UMA – Wolverton is 35.7% complete with no change from last month, and the Environmental Monitoring Easements is 86.3% complete, with no change from last month. The Landowner Overview shows owner groups and parcels broken down for the construction and UMA footprint, with 98% of the owner groups complete for the Construction Footprint, and 70.9% complete for the UMA Footprint.

The Land Agent Reports for the Minnesota side of the project include providing relocation advisory and claim preparation services to people that are moving, providing final walk-through assistance as needed, processing RIMP reimbursement requests, assisting with mediations and settlement negotiations, and conducting negotiations for the Wolverton flowage easements.

Commissioner Campbell asked how many RIMP requests still remain. Eric Dodds, AE2S, stated we don't anticipate any new RIMP loans, but there are about half a dozen that are still existing where landowners are still drawing on their loans.

Commissioner Campbell asked if there were any updates on the Wolverton flowage easement. Mr. Dodds stated we continue to coordinate with the Buffalo-Red River Watershed District (BRRWD) group, and we have a call with them right after this meeting to continue the conversation. The last written offers from the City of Moorhead were sent last month. The BRRWD group is still trying to negotiate the land rates for the levee. No new successes to declare today but we're still inching forward.

Excess Lands Update

Mr. Fisher highlighted all of the excess lands listed in the tables below.

The following excess land parcels are actively being routed through the Projects disposal policy.

OIN	State	Project Area	Policy Step
1665, 1792, 1793, & 1802	MN	UMA	Public Sale
1834	MN	UMA	Public Sale
9576, 9577, 9578, & 9579	ND	Oxbow	Public Sale
7234A	ND	Horace Elevator	Public Sale
7249	ND	Horace Elevator	Public Sale
1890	ND	UMA	Adjacent Owners

The following excess land parcels have interested buyers and are awaiting closing.

OIN	State	Project Area
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831	ND	UMA
7234BCD	ND	Horace Railroad

In addition to the parcels noted in the two tables above, the project has completed the sale of 42 parcels, making up roughly 750 acres of excess land across the Diversion Channel, Southern Embankment, Red River Control Structure, Drain 27 Wetland Project, Horace Railroad, and the Upstream Mitigation Area. With these sales the Project has seen a return of roughly 4.6 million dollars in investments from acquisitions over the years.

Commissioner Campbell asked if there was a uniformed price per acre in which the land is sold at. Mr. Dodds stated the property that Commissioner Campbell is referring to is the rail corridor that's in Horace, and most of that is being sold on a per square foot basis, roughly \$0.50 per square foot. That price has been established through previous appraisal work. There are a few sections of that corridor that were deemed to have a higher value with some potential commercial value as well, but all of the residential properties are being sold at that uniform price. Commissioner Campbell asked if they follow the property lines. Mr. Dodds stated we're extending people's backyards, and in some locations their back lot lines match up nicely but there's some fluidity to that.

Commissioner Mongeau stated she was reached out to by a landowner regarding OIN 1665, 1792, 1793, and 1802, and she wanted it to be known that if there were to be a requested action, it would need to go to the Lands Committee over the MCCJPA Board.

MN Litigation Action Update

John Shockley, Ohnstad Twichell, stated there isn't a big update this month. We're waiting for the last written offers to expire before we take any action. There has been some back and forth in trying to set up some Commissioner Hearings and onsite inspections.

OTHER BUSINESS

Administrative Platting and Affidavits for Parcel Split

Mr. Dodds, stated the MFDA intends to plat all lands that will be permanently required for the FM Area Diversion Project. Clay County utilizes an administrative platting process that aids in creating simplified legal descriptions for parcels that have been affected by the construction footprint of the Project. Prior to Clay County processing the administrative plats, the County requires signed affidavits from the landowners of parcels being split and parcels being combined. The MCCJPA is the owner of several parcels that need to be split and combined in advance of filing the administrative plats. This plat pertains to the parcels in Section 17 of Holy Cross Township. The plat approval is subject to MFDA technical and legal review.

Commissioner Mongeau moved, and Council Member Hendrickson seconded, to approve the Administrative Plat and authorize signing the Affidavits for Parcel Split in Section 17 of Holy Cross Township, pending all necessary legal and technical reviews. Motion Carried

ADJOURN

The meeting was adjourned at 1:20.

Stephen Larson, MCCJPA Secretary