

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' SPECIAL MEETING June 28, 2019

A special meeting of the Buffalo-Red River Watershed District (BRRWD) was held on Friday, June 28, 2019, at 1:00 PM in the Vogel Law Firm office, 218 NP Avenue, Fargo, ND. Present at the meeting were: Managers Jay A. Leitch, Mark T. Anderson, John E. Hanson, Catherine L. Affield, Peter V. Fjestad, and Gerald L. Van Amburg. Absent was Manager Troy E. Larson. Also present were Attorneys Brent Edison and Tami Norgard, Vogel Law Firm. BRRWD Administrator Bruce Albright joined the meeting at 2:00 PM.

The meeting started at 1:00 PM. After convening in open session, Anderson **moved** to go into Executive Session to discuss strategies for the Contested Case hearing and our response to the Diversion Authority's (DA) vote yesterday to sue the BRRWD over the denial of Permit No. 19-003. The Board went into Executive Session at 1:05 PM.

DA Attorney John Shockley entered the meeting at 1:15 PM and was advised that the Board was in Executive Session. He was invited to sit in the lobby until the Executive Session ended.

Anderson **moved** to adjourn the Executive Session at 2:37 PM. Affield **seconded**. The Board moved out of Executive Session.

Leitch reported that he will engage Robert Zimmerman, Engineer, City of Moorhead, to see if they can discuss:

- Minnesota Department of Natural Resources (DNR) approval of Condition No. 3.
- Whether or not the DA would create a fund for MN mitigation expenses.
- Segregate things that can be done before or after a BRRWD permit is issued.

Leitch will ask if he and a DA representative can meet with a few landowners near the county line who are particularly concerned about the project to provide information to those individuals.

The Board agreed that no decisions regarding these issues will happen at the July 8, 2019, meeting, but Leitch hopes we can accomplish the above referenced items by the 7/22/19 Board meeting. Leitch reinforced that it would be best if the parties found a way to work together.

Adjournment. **Motion** by Fjestad to adjourn. **Seconded** by Anderson. **Approved.** President Leitch adjourned the meeting at 2:43 PM.

Respectfully prepared and submitted,

John E. Hanson, BRRWD Secretary