

# Moorhead - Clay County Joint Powers Authority (MCCJPA)

Thursday, June 25, 2020, 1:00 p.m.  
*Virtual Meeting held through Conference Call*

## MINUTES

### 1) **CALL TO ORDER**

The meeting was called to order by Mayor Judd at 1:02 p.m.

### 2) **ROLL CALL**

City of Moorhead: Mayor Jonathan Judd  
Council Member Chuck Hendrickson  
Council Member Shelly Carlson  
Clay County: Commissioner Kevin Campbell  
Commissioner Grant Weyland  
BRRWD Board: Member Mark Anderson

Others Present:

Attorney John T. Shockley and Attorney Chris McShane from Ohnstad Twichell Law Firm; Eric Dodds and Jessica Warren, AE2S; Stephen Larson, County Administrator; Lori Johnson, County Auditor – Treasurer; Bob Zimmerman, Moorhead City Engineer; Scott Stenger, Prosource; Lisa Kilde, HMG SRF; and Colleen Eck, Clay County staff.

### 3) **APPROVAL OF AGENDA**

**Commissioner Weyland moved and Council Member Hendrickson seconded to approve the agenda. Motion carried.**

### 4) **APPROVAL OF MINUTES**

**Commissioner Campbell moved and Council Member Hendrickson seconded to approve the minutes from the May 28, 2020 meeting as presented. Motion carried.**

Member Anderson stated he is not voting at this time. He will have confirmation before the next meeting after their attorney from Vogel Law Firm completes his research and advises him on voting. Commissioner Campbell advised that this Board is mainly involved in property acquisitions with individual property owners. Unless Mr. Anderson is related to a property owner that this Board is dealing with, he does not know if there would be any other conflicts of interest. Member Anderson was asked to be sure their attorney knew the purposes of this Board. Attorney McShane noted that he can be reached anytime if there are more questions.

### 5) **PROJECT UPDATES**

**a. Property Acquisition Status Report**

Mr. Dodds referred to page eight for an overall map showing the property acquisitions which are mainly on the ND side. Some progress has also been made on the MN side. The processes and statutory requirements were touched upon. A couple of property owners who have not come to an agreement on acquisitions will have meetings in August. Page 10 of the handouts shows several parcels where rights of entry have not yet been secured for environmental monitoring. The first court date for these properties was postponed and has been rescheduled for July 20. Attorney McShane stated the hearings are typically less than an hour and the orders are generally issued the same day from the bench. Several dozen such hearings have been completed on the ND side.

**6) RIGHTS OF ENTRY**

**a. Status Update**

**7) PROPERTY ACQUISITION**

**a. Final Acquisition Summaries**

Mr. Dodds went over the final highpoints of the acquisitions in Clay County. One acquisition involves a hunting and fishing lease. The U.S. Army Corps of Engineers will start auditing these acquisition summaries. The closing on the Binger property was last week. The Board has approved the acquisition of the Handlos property, and they are working toward scheduling the closing date. A couple new updates were provided on the Nichols/Crowell property and that closing should be in the next couple weeks. Mr. Dodds stated that Dr. Zimmerman has provided a couple suggestions for clarity and his feedback was appreciated.

**8) RELOCATION BENEFITS**

**a. OIN 9169 and 9170 Reimbursement Claim**

These two parcels are under Kevin and Kendra Binger. Mr. Stenger from Prosource Technologies stated that because of the timing, he does not have the final numbers. The dollar amount and eligibility are listed and the last thing to be added is the reimbursement claim.

**Commissioner Campbell moved and Council Member Carlson seconded to approve the closing cost claim for Kevin and Kendra Binger's reimbursement as presented. Motion carried.**

Commissioner Campbell referred to the hunting and fishing lease on the Binger property and asked about posting that land because the rights are exclusive. Attorney Shockley was not involved in drafting the agreement. Mr. Dodds stated the

Bingers are responsible for posting the property and are well aware of it. They also need to install a fence with a locked gate on the access road.

**9) LAND AGENT REPORTS**

Mr. Stenger and Ms. Kilde both stated they had no reports at this time.

**10) PROPERTY MANAGEMENT**

**a. Acquired Property Insurance Update**

Attorney Shockley commented that he is still working on finding property insurance. He is waiting for a quote from Minnesota Insurance Trust and will also reach out to a private insurance provider. He should have at least one quote by the next meeting.

**b. Unoccupied Property Inspections**

Mr. Dodds informed the Board that a routine inspection was done a couple months ago on one of the unoccupied residential properties in northern Wilkin County. Upon inspection, they found that the electricity was left on and the heat was kept at a low setting. They also found that the sump pump had failed and there was water in the foundation of the residence. The residence was expected to be a demo but did not make it on the demo list in the last bid packet. The demo company, Industrial Builders, Inc. (IBI), has another property on their current demo list within a mile or two of this property. Mr. Dodds will check into a change order to add this property to the current demo list. He does not believe there was any liability insurance on the structure.

**11) OTHER BUSINESS**

Mr. Larson asked about inquiries from interested buyers for structures that need to be moved off properties and was told they need to contact the demo contractor. The demo contract for the latest demo package is Industrial Builders, Inc.

Mr. Larson posed developing a responsibility check list for closings that would include signatures, transporting documents, transferring funds, etc. for a more efficient process. Attorney McShane offered to work on a check list for the documents that are needed.

**Council Member Carlson moved and Commissioner Campbell seconded to adjourn the meeting at 1:37 p.m.**

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Stephen Larson, MCCJPA Secretary