

City of Oxbow Minutes
March 22, 2012

Members Present: Mayor Jim Nyhof; **Council Members:** Greg Anderson, Arden Breimeier, Dan Zink;
Oxbow Residents

Items to check on:

Prior to this meeting, a diversion update was emailed out to all residents. Mayor Nyhof reviewed the update with the residents in attendance.

Hardship policy - Diversion Authority is working on policy development. Position they are going to take is that you need to be in an extreme hardship situation to be able to get any support. What is the definition of extreme hardship? There are a number of residents who need access to relief through such a policy. Mayor Nyhof says that development of this policy is a priority for him in his position on the Lands Committee.

Wilkin and Richland County have formed a Joint Powers Agreement so that they can work jointly in opposition to the negative impacts the diversion project imposes. Their position: no new water on their land. Mayor Nyhof asked residents at the meeting if the City of Oxbow should join the JPA to support their cause. There is a \$100 fee to join. The majority of the residents in attendance raised their hand in favor of the City joining the JPA. A motion was made by Councilmember Zink for the City Council of Oxbow to join the JPA. Councilmember Breimeier seconded the motion. Motion carried with Mayor Nyhof casting the third affirmative vote.

Diversion Alignment – These studies are to be done end of summer, at which time we'll be able to evaluate the outcome. The project is studying a move of the diversion north of Hwy 16 (VE #13) but is not considering moving the diversion line farther South.

The power line going in just north of Oxbow is scheduled to be completed by 2015. No one has spoken to Oxbow for their opinion or permission for this project. The City of Oxbow's attorney is looking into what we can do to stop this, checking into the distance of our extra-territorial area. When we have that information, we can then take a position as a city. The residents at the meeting were asked by a show of hands who opposes this power line – almost everyone raised their hand

There is a meeting on March 27th being hosted by CH2M Hill, AE2S and Diversion Authority. They are going to talk about the acquisition process. They will start with a 15-20 minute presentation and then will introduce the stations the residents can go to. The stations will be on different topics – design, acquisition – etc.

The core seems to be controlling the project at this point. Mayor Nyhof went to a meeting where they talked about a time line, about dividing the project into phases. When one phase is funded and completed, funding then moves to the next phase.

Save Oxbow – what does that mean? Does it mean saving Oxbow as it is now or a trashed and/or rebuilt version of it? If a levee solution is eventually proposed, we want the same protection as Fargo. It is unclear how a levee solution would affect property values and eventual marketability. Also, it is unclear how FEMA would view such a solution and how it would treat flood insurance.

Question raised by a resident: what happens if we don't pay property taxes? Mayor Nyhof responded that the tax issue is something that we need to keep pushing. Residents are concerned about the value of their homes.

Good news – The Oxbow flood project is almost wrapped up. There has been \$611,000 spent on the project and we are still working on reimbursements from county and the state.

We will look into speed bumps for the streets.

Jessie with Straightline wants to meet with the Council to review the street sealants. Alex will schedule date.

Meeting adjourned.