

Minutes of Meeting
Of the Board of Managers
Of the Lower Heart River WRD
August 22, 2023
2:00 p.m. – Veteran’s Room
Mandan City Hall

Attendees: Bill Robinson, Chairman; Alan Kemmet, Manager (phone); Ryan Jockers, Manager (phone); Mitch Bitz, Manager (phone); Luci Snowden, Manager.

Also in attendance: Dennis Reep, HDR Engineering; Ryan Anderson, HDR Engineering; Vicki Twerdochib, HDR Engineering (phone); and Andy Zachmeier, Morton County Commissioner.

The minutes of the July 25, 2023, Board Meeting were presented. Luci Snowden made a motion to approve the minutes, seconded by Mitch Bitz. Motion passed unanimously.

The financial report for July 2023 were reviewed. Mitch Bitz made a motion to approve the financial report and the monthly bills as presented, seconded by Luci Snowden. Motion passed unanimously.

Two monthly bills for August were presented and reviewed via email on August 23, 2023; both payable to HDR Engineering, Inc. for services performed. Motion to approve payment by Alan Kemmet, second by Mitch Bitz. Motion passed unanimously.

Ryan Jockers presented the 2024 Lower Heart budget to the Morton County Commissioners on July 13th. Lower Heart River WRD should hear back on a finalized budget in September. Morton County Commissioner Andy Zachmeier reported the preliminary budget has been review with final approval occurring in September. Lower Heart River WRD’s request for 4 mills is in the preliminary budget.

Vouchers approved for payment:

HDR Engineering, Inc.	Levee System Section 408 Permit	\$977.50
HDR Engineering, Inc.	Flood Risk Design Phase 2 Task Order 3	\$15,508.70

Operations and Maintenance:

Spring Flood Debris Cleanup: The reimbursement for a percentage of costs related to spring cleanup of tree debris has been denied. Reason for denial is the lack of trucking out the remnants of the wood chipping process. Brief discussion provided by Mitch Bitz explained the cost benefit of trucking and landfill costs is prohibitive in relation to the reimbursement amount obtainable.

City Equipment Storage Request: The City of Mandan has requested if they could use the Lower Heart Shop (40’ x 80’) for storage of some of their equipment over the winter months. Insurance coverage for this arrangement was investigated and adequate policy coverage is in place for both entities. Both City and LHRWRD use the same carrier. Discussion began with Robinson commenting in the positive for a

short-term 23/24 winter season use; however, reluctant for long-term use for multiple seasons. Alan Kemmet made comment with the same long-term concerns. Motion by Luci Snowden to approve City use for storage over the 23/24 winter, second by Alan Kemmet. Motion passed unanimously.

Burlington Northern - Emergency Response Plan Refresh: Burlington Northern is updating their Emergency Response Plan and reached out as to whether they could operate the flood gates if a diesel spill happened in the middle of the night. HDR reported they need to perform further research in how this affects the O&M procedure. Discussion occurred with Robinson and commissioners getting a visual detail of the site in question of the diesel location and its path to the Heart River. HDR provided the details. Mitch Bitz stated he will reach out to BNSF/Pinnacle Engineering for some additional information and HDR will continue to review LHRWRD impacts.

Update on SWIF Plan: Ryan Anderson, HDR Engineering, provided an update for the board. The \$500 fee for the Levee System Submittal Information (both within the levee right-of-way and within the levee critical area and outside the levee right of way) was discussed. Robinson opened discussion with the level of the fee possibly being a deterrent to the contractors following through with the steps the board is seeking. The knowledge of the contractor activity in the levee reach is as important as the work itself for O&M Manual compliance. Luci Snowden discussed reducing the initial application fee to something below \$100. Mitch Bitz inquired for further explanation of the levee reach area and impact levels. After some further discussion, board consensus has HDR coming back with some minor change recommendations for the board to review for codification.

Update on Mandan Flood Risk Reduction Plan: Dennis Reep, HDR Engineering, provided a written update for the board. As of August 12, five of eleven technical reviews are complete. BNSF is still reviewing the utilities in the impacted area for relocation. HDR is coordination with existing utility companies to update their levee crossing needs at the BNSF intersection. Dennis Reep reported that the BRIC Grant application results should arrive by the next meeting. Dennis Reep and Mitch Bitz provided some updates on the Memorial Hwy improvement project and how that may impact Lower Heart's planned lift station. At this time, there are three storm water plans for Memorial Hwy and the impact of any of the choices should be minimal to any changes to the planned lift station. An increase in capacity may occur but it should not increase the footprint needed for the lift station. Update provided by Dennis Reep on the Lower Unit landowners with discussions still ongoing. HDR has received review comments from FEMA on the CLOMR submitted on June 23. Follow-up meetings with FEMA contractor on June 28 and July 12. In response, Dennis Reep, reported that HDR intends to provide follow-up changes and responses around month-end August to FEMA with a final due date of September 21, 2023.

The Board adjourned at 3:10 p.m. Next meeting is Tuesday, September 25 at 2 p.m.

Chairman

Secretary/Treasurer