

Minutes of Meeting
Of the Board of Managers
Of the Lower Heart River WRD
March 28, 2023
2:00 p.m. – Veteran’s Room
Mandan City Hall

Attendees: Bill Robinson, Chairman; Ryan Jockers, Manager (phone); Mitch Bitz, Manager (phone); Alan Kemmet, Manager; Luci Snowden, Manager and Carol Beechie, Secretary/Treasurer.

Also in attendance: Dennis Reep, HDR Engineering; Karli Frohling, HDR Engineering; Vicki Twerdochib, HDR Engineering (phone); Jordan Singer, City of Mandan; Andy Zachmeier, Morton County Commissioner and Cody Mattson, Morton County Emergency Manager (phone).

The minutes of the February 28, 2023, Board Meeting were presented. Alan Kemmet made a motion to approve the minutes, seconded by Luci Snowden. Motion passed unanimously.

Monthly bills for March and the financial report for February 2023 were reviewed. Luci Snowden made a motion to approve the invoices and financial report, seconded by Alan Kemmet. Motion passed unanimously.

Vouchers approved for payment:

HDR Engineering, Inc.	General Engineering Services – Task Order 3 January 29, 2023 to February 25, 2023	\$3,215.00
HDR Engineering, Inc.	Flood Risk Design Phase 2 - Task Order 5 January 29, 2023 to February 25, 2023	\$34,340.25
The Bismarck Tribune	Land Lease Advertisement	\$173.60
U.S. Postal Service	PO Box Annual Rental	\$226.00
City of Mandan	Gas	\$20.09
William Robinson	1 st Quarter Payroll	\$461.75
Ryan Jockers	1 st Quarter Payroll	\$369.40
Mitch Bitz	1 st Quarter Payroll	\$369.40
Luci Snowden	1 st Quarter Payroll	\$369.40
Alan Kemmet	1 st Quarter Payroll	\$369.40
Carol Beechie	1 st Quarter Payroll	\$1,092.31

Operations and Maintenance:

Interior Drainage – Gates: Chairman Robinson stated that we will need to keep on eye on things as the snow starts to melt. Manager Bitz has noticed more localized ponding recently.

Sunny Unit Drainage: Chairman Robinson stated that we will need to keep on eye on this area also as the snow starts to melt.

Operations: No direct hire yet. Chairman Robinson and Manager Bitz have been putting the word out, but have not found anyone yet. Manager Bitz will check with Northern Plains to ensure the tractor is available and ready for this spring thaw and summer work.

Riverwood Avenue Area Discussion:

The Board discussed the Riverwood Avenue area. The gate structure on 18th avenue is believed to be on existing city land. Discussion about moving the structure to the other side of the highway, eliminate the structure or go to clay dike in case of a flood. Structure could also be moved to the 6th Avenue SE location where other gate structures are located. Chairman Robinson will get back in touch with Barry Jennings as to his timing of development in this area.

Update on SWIF Plan: Karli Frohling, HDR Engineering, provided a written update for the board. No comments regarding the Utility document were received from the Board members regarding the minimum fee being noted at \$500 with the fee escalating if the costs exceed that amount. Manager Jockers asked if the City Planning & Zoning has been made aware of this document so they have it on file. Karli will share with that City committee. Jordan Singer, City of Mandan, asked when the utility documents come in, is there a representative from the Board or a technical representative that should be reviewing these documents. Non-Corps review should take only a matter of days and if Corp review is needed, it would take longer. Manager Kemmet made a motion to approve the Construction Levee Submittal Information (Utility document), seconded by Manager Snowden. Motion passed unanimously. Karli will get document distributed.

HDR has received all the survey data information and has assembled the submittal package. The USACE was contacted in January 2023 to inquire about the submittal but have not received a response yet. A follow-up inquiry was made with no response yet. Once the USACE provides a response and a link to upload the submittal, the files will be submitted.

A periodic inspection of the levee took place from May 4-9, 2021, and was performed by RJH Consultants. The inspection reports have not been received from the USACE yet but should be provided soon.

The USACE was unable to inspect the Lower Unit in September and they plan to return in the Spring of 2023 to finish that portion of the inspection.

Update on Mandan Flood Risk Reduction Plan: Dennis Reep, HDR Engineering, provided a written update for the board. Manager Jockers and City Administrator Neubauer testified on Senate Bill 2020 which carries a fiscal note of state funding for the project on March 9, 2023. Manager Jockers said a question came up regarding the potential women's correction facility and flooding.

A meeting was held on March 6, 2023, with FEMA to discuss high ground designation.

A meeting was also held with BNSF on March 24, 2023, relating to high ground designation, otherwise known as a Non-Levee Reach (FEMA), or Non-Project Segment (USACE).

Section 408 and the CLOMR submittal have been finalized and submitted. Vicki Twerdochib has standing monthly meetings where this item will be on the agenda.

Design amendment cost share request to NDSWC was submitted on February 22, 2023. Pre-commission held on March 16 resulted in no concerns and likely placement on the Consent portion of the Agenda for April 13, 2023. Total amount of amendment submittal was \$250,000 (\$150,000 shared by NDSWC), bringing the total to \$2,250,000 (\$1,350,000 shared by NDSWC).

Other Business:

Informational Meeting: Chairman Robinson discussed the possibility of holding an informational meeting for the Lower Unit landowners. The Board discussed establishing a pattern of communication, show picture of floodway and engage legal council. The Board discussed possible legal council options. Dennis Reep, HDR, will initiate conversation with David Bliss, Burleigh County. Chairman Robinson will visit with Alan Koppy, the Morton County State's Attorney and visit with Mr. Smith on the Planning & Zoning Commission for possible suggestions.

The Board adjourned at 3:50 p.m. Next meeting is Tuesday, April 25 at 2 p.m.

Chairman

Secretary/Treasurer