

Minutes of Meeting
Of the Board of Managers
Of the Lower Heart River WRD
March 26, 2024
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; Luci Snowden, Manager and Carol Beechie, Secretary/Treasurer.

Also in attendance: Dennis Reep, HDR Engineering; Karli Frohling, HDR Engineering; Dan Vander Vorst, HDR Engineering; and Tim Helbling, Mayor of Mandan (phone).

The minutes of the February 27, 2024, Board Meeting were presented. Luci Snowden made a motion to approve the minutes, seconded by Mitch Bitz. Motion passed unanimously.

The minutes of the March 7, 2024 Special Meeting were presented. Luci Snowden made a motion to approve the minutes, seconded by Mitch Bitz. Motion passed unanimously.

The financial report for February 2024 was reviewed. Mitch Bitz made a motion to approve the financial report and the monthly bills as presented, seconded by Luci Snowden. Motion passed unanimously.

Vouchers approved for payment:

HDR Engineering, Inc.	General Engineering Services – Task Order 3 January 28, 2024 to February 24, 2024	\$1,943.75
HDR Engineering, Inc.	Flood Risk Design Phase 2 – Task Order 5 January 28, 2024 to February 24, 2024	\$31,585.25
William Robinson	Bismarck Tribune Land Lease Ad	\$144.28
HUB International	Endorsement-2022 Skidsteer Brushcat Rental	\$168.00
U.S. Postal Service	Annual Box Service Fee	\$232.00
City of Mandan	Auto Fuel	\$25.02
Bobcat of Mandan, Inc.	Repairs to Skid Steer	\$3,499.92
William Robinson	1 st Quarter Salary	\$369.40
Ryan Jockers	1 st Quarter Salary	\$369.40
Mitch Bitz	1 st Quarter Salary	\$369.40
Luci Snowden	1 st Quarter Salary	\$277.05
Alan Kemmet	1 st Quarter Salary	\$369.40
Carol Beechie	1 st Quarter Salary	\$1,092.31

Operations and Maintenance:

Bill Robinson stated that one resume for our maintenance position has been received to date. Bill has been trying to get in contact with Wendy from Morton County HR regarding other means of advertisement for our maintenance position.

Update on O&M and SWIF Plan:

Karli Frohling, HDR Engineering, provided a written update for the board.

The 2023 SWIF plan was submitted to the USACE on December 21, 2023.

The LHRWRD received the 2020 Periodic Inspection (PI) Reports from the USACE on March 14, 2024. With the nature of the inspection, there were many deficiencies noted in the reports.

The overall levee system ratings according to the 2020 PI are:

Sunny Unit: Unacceptable

North Unit: Unacceptable

Lower Unit: Unacceptable

The most recent CEI occurred September 12-14, 2022. The USACE inspected the Sunny Unit and North Unit during that time and returned to inspect the Lower Unit in August 2023. During the CEI, the USACE communicated that they resolved numerous deficiencies noted in the 2020 PI.

The USACE also shared that the levee inspection program is transitioning the CEI into Annual Site Visits with the goal of the sponsor being more involved during the inspection.

The updated O&O Manual was submitted to the USACE for review and approval in May 2019. The most recent update (January 26, 2023) from the USACE state that the project was still in their backlog for review but there is no estimated timeframe for when the review will be complete. The O&M Manual should be updated on an as-needed basis to reflect any new information.

Karli will organize information from the inspections to use for maintenance projects this year.

Shore of Lakewood Phase 2: Currently going through plat approval with the City of Mandan. Discussion continued regarding the irrigation system and the pond elevation in this development.

2024 Spring Flood Outlook: Karli Frohling stated that according to the National Weather Service the flooding outlook is below normal for the year. Karli also plans to attend the Corps update on the Heart Butte Dam project.

Update on Mandan Flood Risk Reduction Plan: Dennis Reep, HDR Engineering, provided a written update for the board.

Coordination: Section 408 coordination call was held on February 7, 2024, with a new USACE Coordinator. Based on CLOMR status that will delay ultimate responses to existing Requests For Information (RIFs) and will likely result in some additional design work. The USACE is recommending Lower Heart withdraw the present Section 408 request and re-submit after CLOMR resolution and any re-design. The general understanding is the pre-existing submittal and pre-existing concurrence on the project features that will not change will be able to be considered cursory reviews on the re-submittal.

Design: The deadline to submit to the NDDWR for state cost share on additional work is April 29, 2024, with consideration at their June 13, 2024 meeting. Dennis will prepare the necessary documents and present at the Lower Heart Board meeting on April 23rd.

Funding: HDR participated in 2 meetings with FEMA personnel regarding draft RI requests (have since been finalized and shared with Board for reference). HDR will submit information into the FEMA website.

Freeboard deficiencies along the Mandan Municipal Golf Course were discussed. Bill Robinson will initiate conversations with the Park Board regarding the noted deficiency.

ND DWR 2025-2027 Planning: Dennis Reep, HDR Engineering, will initiate the submission of Lower Heart's project into the 25-27 plan. Updated numbers will be included along with the FMA grant dollars that are expected to be received. Information is due April 30, 2024. Dennis will present a draft at the April meeting.

Karli Frohling, HDR Engineering, mentioned she just received an email from Brandon Sailer regarding holding this year's inspection in May.

Other Business: Bill Robinson discussed the HUB insurance renewal and the possibility of adding officer's and director's liability insurance. The Board reviewed the item and Bill will reach out to the insurance agent to obtain further information and present to the board in April.

Luci Snowden made a motion that the Board conduct an executive session under NDCC 44-04-17.1, 44-04-19.1, and 44-04-19.2 to discuss ROW negotiations on various parcels, seconded by Mitch Bitz. Motion passed unanimously.

Executive Session began at 3:10 PM.

Executive Session ended at 3:40 PM. Lower Heart returned into open session and the public was invited to return.

Alan Kemmet presented a letter from the Lakewood Harbor Homeowners Association regarding a dredging project on the access channel into the Missouri River which will need to access Lower Heart property. The Board requested that they receive something in writing from the Homeowner's Association. Alan Kemmet will request this written document.

Dennis Reep, HDR Engineering, mentioned that HDR is getting rid of the WebEx format and will be utilizing Teams moving forward. Dennis will switch our monthly meetings to a Teams format.

The Board adjourned at 3:45 p.m. Next regular meeting is April 23, 2024, at 2 p.m.

Chairman

Secretary/Treasurer