

Minutes of Meeting
Of the Board of Managers
Of the Lower Heart River WRD
November 26, 2024
2:00 p.m. – Veteran’s Room
Mandan City Hall

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

Also in attendance: Dennis Reep, HDR Engineering; Karli Frohling, HDR Engineering; Bryan Kumm, HDR Engineering (virtual); Vicki Twerdochlib, HDR Engineering (virtual); Dan Vander Vorste, HDR Engineering (virtual); Cole Higlin, Mandan Park District Executive Director; Craig Sjoberg, Mandan City Commissioner; and Jim Froelich, Mayor City of Mandan.

The minutes of the October 22, 2024, Board Meeting were presented. Ryan Jockers made a motion to approve the minutes, seconded by Mitch Bitz. Motion passed unanimously.

The financial report for October 2024 was reviewed. Chairman Robinson reviewed the invoices to be approved and paid this month, which includes the 2024 tractor lease rental payment. Chairman Robinson stated that the October HDR invoice has been submitted to the Department of Water Resources for reimbursement. Assessment letters have been received for Tier 1 and Tier 2 properties along the Memorial Highway project. Alan Kemmet 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 September 29, 2024 to November 2, 2024	9025	2,416.25
HDR Engineering, Inc.	Flood Risk Design Phase 2 – Task Order 5 September 29, 2024 to November 2, 2024	9026	127,627.86
Northern Plains Equipment	Dike Maintenance – 2024 Tractor Rental	9027	5,995.00
Bobcat of Mandan	Dike Maintenance – Equipment Rental	9028	525.00
City of Mandan	Dike Maintenance – Auto Fuel	9029	290.39

Operations and Maintenance:

Manager Mitch Bitz stated that the pricing for leasing a tractor in 2025 has risen from \$4,000 to \$8,000 based on 240 hours of use and obtaining a tractor during a flood event cannot be guaranteed. Mitch stated that between Lower Heart and the City of Mandan 12 tractors would be needed for pumping in event of a flood event. Patrick Martin with Morton County Emergency Management is checking with his county resources regarding tractor rental options. Mitch Bitz stated he has visited with a possible maintenance person to replace Gary Benz, our current maintenance person. Mitch Bitz also stated that mowing areas, spraying areas, gates, valves have been input into a GIS system with the City and will be reviewed with Gary Benz for accuracy. Mayor Jim Froelich asked if formal trespassing signs have been posted in no trespassing areas. Chairman Robinson stated signs have been electronically posted on the Game & Fish site and manually posted along entrances to these areas.

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

Coordination: The East half of Memorial Highway project is scheduled to open bids on December 20, 2024. HDR is setting up an early December meeting between USACE and FEMA on environmental lead options and coordination.

Design: Updates to areas 1-5 are ongoing, including drainage structure erosion protection design, real estate coordination for temporary and permanent easements, identification of utility conflicts, and levee scour analysis and mitigation.

Funding: City of Mandan (Subgrantee) signed agreement with NDDDES (Grantee on behalf of FEMA) on November 21, 2024, for Phase 1 of the FMA grant in the amount of \$2.7M (federal dollars). Phase 1 includes pre-construction costs of design, permitting, administration and other activities. Chairman Robinson will visit with Mandan City staff and the State Auditors on the quarterly reporting requirements and how to get reimbursed through this process.

Right of Way: Dan Vander Vorste stated that Mr. Johnson has approved and accepted the counter offer presented by Lower Heart River WRD and the offer should be signed this week. The Biber parcel process is progressing with anticipated completion date ASAP. Biber COS plat has been updated and provided to the City for final review. County review came back with minor comments which Todd/AE2S and Andrew/City are addressing. Biber has rejected parcel being annexed into City limits and Andrew/City is addressing with City Admin. Biber vested ownership parties are being verified.

Levee Raise along Mandan Municipal Golf Course: Bryan Kumm, HDR Engineering, shared information on the toe trench option which is being considered as viable option. The toe trench option would be a less intrusive option to the golf course. The toe trench option is going through internal control testing at HDR. The board continued to discuss possible construction easement and maintenance of the toe trench option. The O&M schedule for this type of system was also discussed. Probable cost for this type of option is \$2,250,000 with a 50% contingency built in. Discussion continued around the Women's Treatment Center and the sanitary sewer system that runs through the golf course and the possibility of moving the sewer system further south under the asphalt road. Lower Heart is going to ask the City of Mandan to have the State verify that the sewer pipe system has adequate capacity.

The board unanimously stated their desire to pursue the toe trench option. The toe trench option is the least invasive to the golf course and less cost compared to the other options.

Mandan Parks should be receiving some conceptual designs this week and will share with Mitch Bitz, City of Mandan, and Chairman Robinson, Lower Heart. A meeting was scheduled for Friday, December 6th at 7:30 a.m.

Update on O&M and SWIF Plan:

Karli Frohling, HDR Engineering, provided a written update for the board. The Updated O&M Manual was submitted to USACE for review and approval in May 2019. The most recent update (June 5, 2024) from the USACE stated 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.

Other Business:

Heart River Women’s Treatment Center: Karli Frohlich, HDR Engineering, recommended that the Women’s Treatment Center submit a lower tier utility application to Lower Heart and Karli will reach out to them regarding this application submittal.

Memorial Highway Temporary Construction Easement: Dan VanderVorst, HDR Engineering, presented temporary easement information from the ND Department of Transportation in the area of the emergency berm on Memorial Highway (Parcel 2-5). The board is okay with the easement offer. Dan will prepare the necessary documents and get with Chairman Robinson for signatures.

The Board adjourned at 3:50 p.m. Next regular meeting is December 27 ,2024, at 2 p.m.

Chairman

Secretary/Treasurer

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