

Minutes of Meeting
Of the Board of Managers
Of the Lower Heart River WRD
September 24, 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 (virtual); Karli Frohling, HDR Engineering; Patrick Martin, Morton County Emergency Manager; Cole Higlin, Mandan Park District Executive Director; Craig Sjoberg, Mandan City Commissioner; Shane O’Keefe, City of Mandan Public Works; and Jim Froelich, Mayor City of Mandan.

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

The financial report for August 2024 was reviewed. Chairman Robinson stated that the annual loan payment for the Kist property will be paid this month and a check to the City of Mandan was written for the Biver plat fees. 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:

City of Mandan	Biver Property Plat Fees	9008	900.00
HDR Engineering, Inc.	Flood Risk Design Phase 2 – Task Order 5		
	July 28, 2024 to August 24, 2024	9009	46,818.75
Bravera Bank	Loan Payment – Kist Property	9010	15,453.14
City of Mandan	Dike Maintenance – Auto Fuel	9011	225.76
William Robinson	3 rd Quarter Salary	9012	738.80
Ryan Jockers	3 rd Quarter Salary	9013	277.05
Mitch Bitz	3 rd Quarter Salary	9014	461.75
Luci Snowden	3 rd Quarter Salary	9015	369.40
Alan Kemmet	3 rd Quarter Salary	9016	277.05
Carol Beechie	3 rd Quarter Salary	9017	1,092.31

Operations and Maintenance:

Mitch Bitz stated that Lower Heart and the County need to be more proactive in finding a replacement for Gary Benz, our current maintenance person. Mitch also 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. Flood gates will be exercised before winter by Lower Heart’s maintenance person.

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

Coordination: A presentation was given at the September 9, 2024 Mandan Park Board meeting to share information on seepage berm project and specifically, the golf course reach (Area 6). A working group was identified. A meeting was held on September 23 with the City of Mandan and Mandan Parks to discuss funding scenarios and the golf course options. LiDAR data was provided to the golf course designer. A meeting was held on September 11 with NDDOT and USACE on Memorial Highway closure structure.

Design: HDR prepared a memo for board consideration at the August 20, 2024, special meeting. Field survey of Area 6 is largely completed.

Funding: Cycle of responses with FEMA on their RFIs has led to imminent award of Phase 1 in the amount of approximately \$4.7M. Phase 1 includes pre-construction costs of design, permitting, administration and other activities. Phase 2 will include construction and will be in the amount of the remainder of the total grant of approximately \$9.1M. Most recent dialog is that a contract from FEMA for the award will be coming soon to the City of Mandan.

Right of Way: Acceptance by the board of the 2nd counter offer from Mr. Johnson was communicated to him. He has asked about slight realignment of his road at the southern end. Updated roadway alignment exhibit is in process of being completed. Biwer plat application was approved at the September 23 Mandan Planning and Zoning Commission.

Environmental/Permitting: Meeting with FEMA environmental group was held on August 15 to update them on the project and discuss environmental documentation strategy. HDR is coordinating with Metcalf on cultural needs for Reach 6, including tribal coordination as recommended by FEMA. HDR is planning to complete a wetland delineation for Reach 6 is planned in upcoming weeks.

Levee Raise along Mandan Municipal Golf Course: Cole Higlin, Mandan Park District Executive Director, stated that the Park Board would not prefer the seepage berm option with an approximate cost of \$3.4 million because of the disruption to the golf course for a number of years. The pressure relief wells at an approximate cost of \$12.1 million is their preferred option even though the costs are higher but less impactful to the golf course. The golf course would need to relocate their water intake, the golf course's watering system will need to be replaced and the golf course will need to be landscaped, reseeded and irrigated before the course can open again. Dennis Reep stated the pressure relief wells would need to be placed at 100 foot intervals along the levee and are expensive to maintain as they need to be tested periodically. The Mandan Park District discussed having Lower Heart purchase the land along hole number 4 and do the work necessary on the levee. Lower Heart would need to maintain the levee and the mowing in that area moving forward. Dan Vander Vorste, HDR Engineering, is currently reviewing permits and easements in this area. A Joint Powers Agreement would need to be developed between Lower Heart and the Park District. How to bid this project was discussed since there are two entities; Lower Heart and the Park District. State will assist with 60% of the non-federal costs which would include the golf course remediation and 40% of the non-federal costs becomes a local cost or city-wide assessment. HDR has recommended that 90,000 yards of fill would need to be borrowed for this project. Also being reviewed is if the 90,000 yards of fill could come from the golf course itself or if the fill would need to come from another source. The Park Board meets on October 14th and would like to provide an update to their board on this project. Chairman Robinson stated he would like the Lower

Heart Board to meet before the Park Board meeting on October 14 to discuss in more detail the range that Lower Heart is comfortable with moving forward.

Update on O&M and SWIF Plan:

Karli Frohling, HDR Engineering, provided a written update for the board. The Flood Manual has been updated with the latest risk communication plan information. The Morton County Floodplain will be revised pending project approval and will be added to the Flood Manual once complete. The December 2024 date noted in the report needs to be postponed.

Permanent Encroachments: Karli stated that no easements exist along this reach and will be added to O&M manual that Lower Heart recognizes these permanent encroachments.

Update on riverbank dweller/tent site: On August 27 the Lower Heart Water Resource District was notified of a large manmade excavation located in the bank of the Heart River. Lower Heart directed HDR to perform a site visit and offer recommendations for any remediation that should be considered. The excavation is not directly excavated into the levee and is located on the riverward side of the North Unit. If no remediation occurs, it is possible the excavation could erode landward over time, possibly threatening the levee prism. It is also possible that the area could self-heal to an extent. Lower Heart could also consider filling the excavation and armor it with riprap to decrease the potential for erosion. Lower Heart decided to let this site sit until next year and reevaluate.

Other Business:

Trolley Bridge Activity: Chairman Robinson stated that individuals have been building a home in the trolley bridge area off 3rd Street by the farthest south trolley bridge. Chairman Robinson has posted No Trespassing signs in this area and stated that this area should be cleaned up before freeze up. Mitch Bitch and Shane O’Keefe will enter this area and determine what type of equipment is needed to remove the debris in this area and report back to Chairman Robinson.

The Board adjourned at 3:40 p.m. Next regular meeting is October 22, 2024, at 2 p.m.

Chairman

Secretary/Treasurer