

Minutes of Meeting  
Of the Board of Managers  
Of the Lower Heart River WRD  
April 25, 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 (phone), Manager and Carol Beechie, Secretary/Treasurer.

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

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

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

Vouchers approved for payment:

HDR Engineering, Inc.	General Engineering Services – Task Order 3 February 26, 2023 to April 1, 2023	\$4,035.00
HDR Engineering, Inc.	Flood Risk Design Phase 2 - Task Order 5 February 26, 2023 to April 1, 2023	\$30,023.25
HUB International	Insurance of Tractor Rental	\$50.00
City of Mandan	Gas	\$19.66
ND Tax Commissioner	State Payroll Tax Payment	\$40.00

**Operations and Maintenance:**

Interior Drainage – Spring Runoff: Mitch Bitz stated that no pumping was needed during the spring runoff this year. A lot of debris has landed on the banks and will need to be cleaned up this spring. The debris cleanup will be tracked. Cody Mattson stated they have good drone footage. Cody also mentioned a special flood follow-up meeting would be held on Thursday, April 28<sup>th</sup> at 9 a.m. and he would send an invite to the Board members with the possibility of a virtual attendance option also.

Sunny Unit Drainage-Dead Heart Report: Chairman Robinson stated that the North side of 3<sup>rd</sup> street filled with water, which Mitch Bitz stated was normal interior drainage.

Operations: No direct hire yet. Mitch Bitz stated that Ternes has been contacted about spraying again this year and Gary Benz will do the in-town spraying. Quotes for tree removal from the mobile home park will be requested. A diesel tank from MVP went into the river during the flood and the tank was recovered along the bank of the Missouri River still intact.

**Update on SWIF Plan:** Karli Frohling, HDR Engineering, provided a written update for the board. HDR has received all the survey data information and has assembled the submittal package. A USACE contact for the survey data has been determined. A request has been made for the approval to upload the files. Once that is provided by the contact, the package will be submitted.

The utility companies were provided with the updated utility requirements list in April 2023.

**DCN Fiber Optic Damage:** DCN has submitted the first “Permit for Encumbrance of Levee Right-of-Way” agreement and fee. This agreement requests the permittee to install underground fiber optic below the river and outside the levee embankments. The previous fiber optics were installed in 1997 and need to be replaced ASAP. After discussion, the Board requested that Brian Kumm, HDR Engineering, review the agreement and provide his guidelines or restrictions. Once HDR’s information has been provided, a follow-up meeting will be held to formalize the request.

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

HDR received official acknowledgement from FEMA on CLOMR submittal on April 24, 2023 starting 90-day time window for review, barring additional information requests.

Amendment of cost-share agreement with the NDSWC was approved at their April 13, 2023, meeting. Amendment amount is \$250,000 (\$150,000 shared by NDSWC), bringing agreement total to \$2,250,000 (\$1,350,000 shared by NDSWC). Alan Kemmit made a motion to authorize Chairman Robinson to approve the project cost increase amendment with HDR and the State Water Commission, seconded by Mitch Bitz. Motion passed unanimously.

Senate Bill 2020 is progressing supporting the NDDWR biennium budget to 2025. The Senate Bill still carries a line item for the Lower Heart project at \$12.3M of state funds.

Land value analysis was prepared by HDR and shared with the Lower Heart River WRD board as a basis for potential offer consideration. The board discussed the analysis and options moving forward. The board requested to have Dan VanderVorst, HDR Engineering, review the information and provide feedback.

**Other Business:**

**Riverbank Erosion:** Chairman Robinson discussed riverbank erosion areas. Discussion continued regarding the riverbank erosion. Cody Mattson will check with the Morton County Sheriff’s office if they could possibly fly their drones over this area up to the gauge to view the erosion. Cody will also share a link with Board members on what was gathered this year by the Department of Water Resources.

The Board adjourned at 3:30 p.m. Next meeting is Tuesday, May 23 at 2 p.m.

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Chairman

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Secretary/Treasurer