

Minutes of Meeting
Of the Board of Managers
Of the Lower Heart River WRD
August 27, 2024
2:00 p.m. – Veteran’s Room
Mandan City Hall

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

Also in attendance: Dennis Reep, HDR Engineering; Ryan Anderson, HDR Engineering; Vicki Twerdochlib, HDR Engineering (phone); Bryan Kumm, HDR Engineering (phone); Patrick Martin, Morton County Emergency Manager; Cole Higlin, Mandan Park District Executive Director and Jim Froelich, Mayor City of Mandan.

The minutes of the July 23, 2024, Board Meeting were presented. Ryan Jockers made a motion to approve the minutes, seconded by Luci Snowden. Motion passed unanimously.

The minutes of the August 20, 2024, Special Board Meeting were presented. Mitch Bitz made a motion to approve the minutes, seconded by Luci Snowden. Motion passed unanimously.

The financial report for July 2024 was reviewed. Chairman Robinson stated that the 2025 budget has been presented to Morton County Commission requesting the max of 4 mills that a water resource district may apply for. Ryan Jockers 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 June 30, 2024 to July 27, 2024	9003	2,760.00
HDR Engineering, Inc.	Flood Risk Design Phase 2 – Task Order 5 June 30, 2024 to July 27, 2024	9004	36,163.60
HUB Intl Great Plains LLC	Premium – 2012 Kubota Mower	9005	19.00
Bismarck/Mandan Tire Centers	Dike Maintenance – Tire Mount Dismount	9006	364.90
City of Mandan	Dike Maintenance – Auto Fuel	9007	101.91

Operations and Maintenance:

Mitch Bitz stated that another unsheltered person dug a hole in the city side of the riverbank (not in the levee) south of the ball diamonds. The City and County are having trouble getting tractor prices for 2025 and prices are increasing dramatically. The City and County may need to cost share this equipment. Mitch also stated that Lower Heart and the County need to be more proactive in finding a replacement for Gary Benz, our current maintenance person.

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

Coordination: A meeting was held on August 26 with Mandan Parks to present preferred option of seepage berm for the reach adjacent to Mandan Municipal golf course (hole #4). A meeting is tentatively planned with USACE for the last week of August or first week of September on Memorial Highway closure structure.

Design: HDR prepared a memo for board consideration at the August 20, 2024, special meeting. Recommendation and board consensus is seepage/stability berm option due to lower capital costs and other pros relative to the cutoff wall and relief well options. Final direction after collaboration with Mandan Parks Department.

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.

Right of Way: Acceptance by the board of the 2nd counter offer from Mr. Johnson is being communicated to him. Biver parcel property exchange is advancing forward.

Environmental/Permitting: Meeting with FEMA environmental group was held on August 15 to update them on the project and discuss environmental documentation strategy.

Levee Raise along Mandan Municipal Golf Course: Cole Higlin, Mandan Park District Executive Director, stated that they held a meeting on Monday, August 26 to discuss the levee raise along hole #4 with Garrett Schultz, Golf Operations Manager and Stan Scott, Board member. The levee raise information will be discussed at the monthly Park Board meeting on September 9th. Cole requested HDR and a Board member be present to review the information with the Park Board. Dennis Reep, HDR Engineering, and Bill Robinson, Lower Heart Chairman, will be present at the Park Board Meeting. Discussion continued regarding easements today and in the future, survey of the area and implications to parties involved along with the community. The 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. Cole Higlin and Garret Schultz have contacted a golf course consultant on the possibility of using fill within the golf course and the possibility of redoing the golf course at the same time as this project and are working on setting up a meeting with him. Dennis Reep, HDR Engineering, will attend this call to provide information. A Joint Power Agreement between the City/Lower Heart and the Park District may need to be developed and agreed upon.

Update on O&M and SWIF Plan:

Ryan Anderson, HDR Engineering, provided a written update for the board.

Meadowlands Park LLC development: It is the intent of Meadowlands Development to develop a 9.8 acre area to construct homes for a 55+ community in Mandan. The LHRWRD board does not object to Meadowlands Development submitting documentation to the USACE for review, contingent upon Meadowlands Development performing a seepage analysis on the existing stormwater pond. The USACE has recognized this stormwater pond as a deficiency to the levee system and requested a

seepage analysis to determine the impact it has on the levee system. Since this deficiency puts the levee system status in the PL 84-99 program at risk if left unresolved, the LHRWRD requests that Meadowlands Development perform a seepage analysis in order to determine any mitigation activities to eliminate the deficiency caused by the original development, prior to endorsing the next phase of the development. Lower Heart is waiting to hear back from the developer on the seepage analysis.

Shores of Lakewood: A visual staff gauge has been installed in the Shores of Lakewood pond. Lakewood Phase 2 has begun. The Lower Heart board reviewed the agreement that is currently in place with Shores of Lakewood developer and that this same agreement applies to Lakewood Phase 2 project. Lower Heart will request the developer to provide an update in person at the September meeting.

Other Business:

Trolley Bridge Activity: Chairman Robinson stated that individuals have been building a home in the trolley bridge area and provided pictures. The Morton County Sheriff has been contacted regarding the building on private property. Chairman Robinson will be posting signs in and around this area.

The Board adjourned at 3:50 p.m. Next regular meeting is September 24, 2024, at 2 p.m.

Chairman

Secretary/Treasurer