

Minutes of Special Meeting
Of the Board of Managers
Of the Lower Heart River WRD
May 3, 2023

Meeting was called to order at 4:17 PM.

Roll call: Present are Mitch Bitz, Ryan Jockers, Alan Kemmet, Bill Robinson, absent Luci Snowden. All are call in.

Also in attendance are Karli Frohling, Dennis Reep, Dan Vander Vorste, Vicki Twerdochlib. All are call in.

DCN Fiber Optic Install Application – Robinson opened the topic of the DCN application to repair/install a replacement to their fiber optic line that passes through the levee and beneath the Heart River in the South Unit. This fiber optic line was damaged in the 2023 spring run-off within the Heart River. Karli Frohling presented an update on the application process with DCN indicating they completed the initial app process. HDR has provided DCN with underground boring information that informs them of USACE standards for this type of work. The application is presently designed to complete USACE and board engineer approval prior to commencing work. Master Construction is the contractor performing the boring process to meet these standards. Vicki Twerdochlib provided additional insight and standard concerns for LHRWRD to consider in approving this application.

Mitch Bitz expressed his concerns and suggested DCN provide HDR/LHRWRD with stamped as-built design specs prior to actively performing the work. Alan Kemmet commented in support of this recommendation as well as Jockers.

Discussion continued with HDR to assist in providing a supporting agreement to the application requiring sign-off by DCN and LHRWRD acknowledging agreement to providing a stamped plan to LHRWRD that confirms their understanding of their requirements to follow USACE construction standards of this nature. HDR stated they can prepare a supporting document.

Motion by Kemmet, seconded by Jockers to grant emergency approval with the contingency that DCN provides LHRWRD an engineer stamped “as-built” plans after implementation with the caveat they would have to abandon and re-do the crossing if they are unable to provide such as-built plan. Approving: Bitz, Jockers, Kemmet, Robinson, Snowden absent.

3rd Street Interior Drainage Maintenance – Bitz began discussion on the interior drainage area along 3rd Steet in the Parkview Estates area. LHRWRD has worked with the park owner and property owners that inadvertently occupied the easement for several years. The owners have performed their vacating of the area and LHRWRD is looking to remove the tree growth that has occurred over the last 20 years within this space.

Bitz presented the two bids to perform the tree removal: Bullinger Tree Service is \$22,925; TreeMax LLC is \$13,900. Bitz provided positive supporting comments on the work both contractors have performed within the City of Mandan in the past. He recommended accepting the TreeMax bid.

Motion by Bitz, second by Kemmet to accept the TreeMax LLC bid to perform the tree removal work within the LHRWRD storm water easement along 3rd Street/Parkview Estates area. Approved: Jockers, Kemmet, Bitz, Robinson. Snowden absent.

Discussion on Lower Unit Land – Robinson opened discussion with an update on the Biber and Johnson space that is needed for stability berm construction for the Flood Risk Reduction Project. He informed the board of his visit the ROW Project Manager for HDR, Dan Vander Vorste. That discussion directed Dan Vander Vorste to prepare an offer to purchase for both property owners for the necessary space to complete the Project requirements for FEMA purposes. He stated that his instructions were to prepare this for board consideration utilizing the Biber land appraisal to form the offer amount on both properties. Vander Vorste updated the board on his work on this and stated that an appraisal on the Johnson land has not been performed due to the owners reluctance to allow contractors to gather the necessary information on-site to complete that work for his specific property.

Robinson spoke to moving forward with the best information we have in hand or available to LHRWRD and rely on the Biber appraisal numbers.

Dan Vander Vorste presented a draft of what the offer document may look like in dollars and format. Robinson stated that the board will take this offer discussion to possibly form a motion at the next available meeting.

The Board adjourned at 5:17 p.m.

Chairman

Secretary/Treasurer