

**MANDAN REMEDIATION TRUST (MRT)**  
**March 3, 2009 Minutes**

**Meeting:** 186th Official Meeting  
**Date:** March 3, 2009  
**Location:** Mandan City Hall, 205 2nd Ave. NW  
**Time:** 10:20 A.M.

The MRT meeting was called to order by Jim Neubauer. Fritz Schwindt and Dave Glatt were present. Also, present were Scott Radig and Marilyn Mertz, State Department of Health; Ellen Huber, city of Mandan.

**Minutes.** Discussed February 10, 2009 minutes from the Morton County Commission meeting at the Morton County Courthouse. A copy of the minutes for consideration was provided by Paul Trauger.

**Motion.** Schwindt moved and Glatt seconded approval of the February 10, 2009 minutes of a meeting with the Mandan City Commission, Morton County Commission, and the Mandan Remediation Trust. All ayes. Motion carried.

**Minutes.** The December 29, 2008 and December 31, 2008 minutes were reviewed.

**Motion.** Glatt moved and Schwindt seconded to approve the Mandan Remediation Trust and Supplemental Environmental Project Trust minutes for December 29, 2008 and December 31, 2008. All ayes. Motion carried.

**Minutes.** Discussed February 3, 2009 minutes. Revisions were provided.

**Motion.** Glatt moved and Schwindt seconded a motion to approve MRT February 3, 2009 amended minutes. All ayes. Motion carried.

**MRT Bank Statement.** The bank statement was received through January 31, 2009 from the Bank of North Dakota. The balance as of January 31, 2009 showed \$9,277,304.44. That is an increase of \$1.3 million after the funds were received from the Supplemental Environmental Project's Trust and also, there should be a \$49,000 check that should be coming from the city of Mandan that was approved early in February. Again, work on the south side of Main Street enhancements and also, the bulb out and intersection work done on First Street. Schwindt questioned: Isn't the payment from the city for First Avenue? He talked with Greg Welch after the last meeting, it seemed like it was more than that. Neubauer asked if it was \$149,000 or \$49,000. Schwindt noted it was different from what he (Welch) thought. After Welch reviewed the numbers, it should have been a higher number. Neubauer will check with him.

**Motion.** Schwindt moved and Glatt seconded to acknowledge the MRT bank statement from the Bank of North Dakota. All ayes. Motion carried.

**Interstate Drilling.** Neubauer noted that the MRT has received a notice from Farmers Union Mutual Insurance Company that Interstate Drilling Services is insured.

**City of Mandan Pay Request.** Pay Request 167 to the city of Mandan for wastewater treatment charges for \$921.28, which Radig has reviewed and approved.

**Motion.** Schwindt moved and Glatt seconded to approve payment of \$921.28 to the city of Mandan for wastewater charges for December 2008 and January 2009. All ayes. Motion carried.

**LBG Pay Request.** Pay Request No. 168 to LBG dated February 12, 2009 in the amount of \$28,949.88. Radig indicated all the project costs are within or under an approved amount. The miscellaneous charges were for the evaluation of the Main Street drilling project. His recommendation was to approve the February 12, 2009-invoice for \$28,949.88.

**Motion.** Glatt moved and Schwindt seconded to approve a pay request from LBG in the amount of \$28,949.88 dated February 12, 2009. All ayes. Motion carried.

**Today's Meeting.** Normally the meeting is at 10 o'clock on the first Tuesday of the month, but to accommodate LBG Neubauer posted the meeting for 1:30 p.m. The Health Department posted it for 10:00 a.m.

Neubauer indicated LBG is in town today as part of their quarterly update. They will talk about the Main Street issue drilling either through Main Street or at a slant on the south side of Main Street drilling in a northerly direction or whatever would be feasible.

**Braun Intertec Meeting.** Schwindt is meeting with Braun Intertec at 1:00 o'clock today.

**Pre Bid Meeting.** LBG will meet with potential bidders March 4, 2009 at 9:00 o'clock.

**Main Street Wells.** Schwindt noted there are utilities on the south side of Main. After talking with Dave Auch, of the city, he suggested meeting on site so we could explain what we are trying to do and to have the utilities located. This would be for bidding purposes and to give the potential bidders information where the utilities are located. There is a pre bid meeting with potential bidders tomorrow morning with LBG at 9:00. Ken Kytta has been talking to three different types of drillers:

Braun Intertec - They visited the site with us earlier.

Boart Longyear - They have been talking roto-sonic, which is like a geo probe.

Haliburton - They would propose to drill with drilling mud.

He has been talking to all three of those as different approaches to installing the wells. He doesn't know how many are going to bid. Braun is certainly interested in it, but he doesn't know about the other two.

Schwindt had several questions he sent back to Ken Kytta, but never got a response. The plane will be here about 10:30 so Kytta thought he could be here by 11 o'clock so we can discuss those issues.

You can verify this with Dave Bechtel with the city engineering shop. This is my assessment where the storm, sanitary and gas are. The electrical is not on here because he didn't have good plans where that was at. He provided a map of the site for review. Kytta was trying to maintain five feet of clearance from utilities. I am not sure that can be done. This is west of Second Avenue where the storm and sanitary are out under Main Street. The old sanitary is underneath the sidewalk, but my interpretation is you can maintain a couple of feet of clearance from the sanitary sewer. I don't know how you maintain five feet. East of Second Avenue where the storm and sanitary are under the curb or under the sidewalk, it appears to me that you would have to go over the top of the storm in that area. That is my interpretation. Schwindt will find out from Bechtel again how thick and how far the crushed concrete extends and whether it just goes to the curb line or under the sidewalk, as well.

Glatt indicated you will want to get as close to the middle of the street as possible. Schwindt didn't think it was really critical. He was trying to determine the angle for reaching the middle of the street. Then you have similar distances to the wells from the north side from the south side. Because it is at an angle, as the water table goes up and down, your point of removal of the free product is going to shift further south the higher the groundwater goes. Ideally, if you could get it to the north side at 25 feet. The groundwater depth is at 22 feet. Schwindt indicated that one will be sensitive because it is PVC pipe, which isn't going to take much abuse at all before something goes. The old sanitary may be concrete. The storm sewer is concrete. Those can take more abuse, but they still can't take a lot of abuse before you start having trouble. To me, it looks like it is possible to do. The only feedback from Braun before was they thought they could get their equipment through there.

Neubauer asked. Is there a value when we hit the target point where it is 22 feet or 25 feet below the surface of not knowing what is in the zone above that target? Or are you thinking you will be able to tell how deep the smear zone is if there is a smear zone between 22 feet and on the way up the length of the well pipe versus just going vertical and not knowing what contamination is there.

Glatt indicated going in we know that this isn't going to be as accurate as a vertical monitoring well. We are going to be getting some contamination data from the drilling of the slant well coupled out with the monitoring data we have from the north and south side. We will get a lot clearer picture of what is going on. That's how I would approach it. It's not ideal for the monitoring aspect, but it will give us another remediation point. As far as your question is, it is going to tell us what is going on right here.

Schwindt agrees that it is not going to show you as well as a vertical well. To me, the idea of these wells under Main is more for free-product removal rather than to assess what might be in that smear zone. One of LBG's concerns is that you can't measure it as accurately and because you are going to be recovering from these wells you aren't going to get as accurate numbers as if you had separate monitoring wells. However, to me it doesn't make any difference how accurate the numbers are in the interim, it is when we get to the end of the remediation. These would no longer be actively used anyway so they will have a chance to equilibrate with the surrounding soil profile. If we are going to be monitoring for a couple of years because after we are done remediating, it really doesn't matter whether the results they show you in the interim are different or not.

We are making that concession, Glatt indicated. One of the primary reasons is safety and we know this will provide us an additional benefit that we don't have. It won't necessarily provide us as much benefit as a vertical well would, but we would have safety concerns regarding the vertical well having access. I think the safety issue outweighs the monitoring component. I still feel it will give us enough information out of there so we can make a decision.

Schwindt agreed. I would assume that there is a smear zone from the current water table – maybe even lower than that if the water table was at sometime lower than that in the past up to wherever the water table was in 1995.

Glatt indicated he thinks you can correlate that with the monitoring points north and south of Main. He doesn't think the smear zone would be any different under Main Street than it would be under north and south of Main.

Neubauer referred to the map. In trying to hit this spot over here we are trying to hit the water and product will gather. Then we will pull it out versus coming down here where you may know we will hit the water table and product. Are we shooting at a really small target here? Glatt said, no. Neubauer asked. Or am I creating a void right here? And I know stuff is going to drain from the top probably and the stuff will come up from the bottom. Schwindt indicated the idea is going to the middle. Again, we have a well over here and we have a well over here that is – if Main is 60 feet wide – we are probably 10 feet off from the north side and 10 feet off from the south side of Main, as

well. We've got about 80 feet between our wells so if we are going to the middle of the street now we are 40 feet from each of the wells. LBG has been telling us when they designed the system it was on a 35-foot radius of influence for each well. So, in essence, the target here is 40 feet from the wells on the north and the south so if it is off five feet this way, or five feet this way, to me it doesn't make that much difference. Glatt explained you have two big circles on the other side and just trying to put another circle in the middle for remediation. They should be working together. Their concern is we do have a stagnation point in the middle, which is not doing much of anything. By putting that other well in the middle, it will fill that gap.

Schwindt indicated if it varies a little bit, it shouldn't make a lot of difference.

Glatt noted if the water table is here [22 feet], they will have to drill farther down. Discussed the flexibility of the water table moving up and down.

Neubauer asked. When you graph it out, do we have a really tiny target here. What if we should have been aiming at 20 feet instead of 25 feet or 28 feet. Is that critical? Is that something we lose stability by going at a slant rather than going vertical? I would much rather do a vertical well but the slant well simply keeps us from staying out of Main Street and all the issues that creates. I just want to be sure we don't have to come back and redo the slant wells because they are really not working.

One of the questions we should ask LBG, Glatt indicated: Will the slant well remediate? Can they operate it to remediate it? If they say yes, I am comfortable with it. If they say no, you can't. That becomes a problem. I haven't heard from them yet. I think they have some challenges to accurately define where the fluid level is.

Schwindt indicated most of the other vertical wells are generally about 26 feet or 27 feet deep below the surface. The groundwater level now is about 22 feet below the surface. Their drilling proposal calls for a total depth of 30 feet. In actuality, you would end up way over here at the end of the hole. The 22 feet on this map is the current water elevation.

Discussed further. Radig indicated it would depend on where they placed the drop tube down inside the wells. Glatt added they would operate it the same way as they do the other wells now. They are going to try to slurp out this product and vapor extraction. There will be a little more water because you have more wells on there but I don't think they will be pulling out more water per se.

Neubauer asked. If we hit the target at 25 feet or whatever it is today and for whatever reason the water table drops and all we are doing up here is sucking air. The free product is now below the level of the bottom of. . . .

Glatt explained if the water level is here, you want your well to go down below the water table so if the water table goes down, you still have screening down here to deal with it. It is no different from a vertical well. You would go below the water table.

Schwindt drew it to 22 feet here and didn't show the rest of it, but the well would continue on over here to a total depth of 26 feet to what he thinks they are proposing -- 30 feet total depth. They would end up over here at the end of the well. You would just adjust your drop tube just like you do if it is vertical.

Glatt indicated the reason for 30 feet is because you would want an angle. Another thing you do gain is you have that well going across with well screens there you are going to be pulling a vacuum on that well screen so you will also be doing remediation more to the middle. Don't know if you could put a packer on that, if that would help to pull vapor. I think they do plan to hook both up so they can do MVE and SVE, Schwindt indicated. So they will still be pulling vapor, Glatt added.

Kytta has a schematic in that big proposal where it is going to 30 feet. The water table going up concerns Glatt because it will just drag out the remediation. The target depth may affect the utilities and how they can set the machine up and drill from where they need to set it up on the south side, Schwindt explained.

**Quarterly Meetings.** Schwindt asked. Do we want LBG to attend our quarterly meetings? Do we want LBG to attend the June 2, 2009 meeting? It would be dependent on what we do on Main Street, if we are going to do drilling and if we encounter issues or problems, Neubauer responded.

Glatt suggested using a video conference. You are more than welcome to use our facilities at the Health Department and we can provide that. Or a conference call, Schwindt added. The bid package calls for the work to start after April 27, 2009. I assume they would have people here during that activity so you would have someone here the end of April or early part of May while this work is going on. Schwindt suggested telling LBG do not make plans to attend the June 2, 2009 quarterly meeting. If we have specific issues, we can do a conference call. Glatt agrees with that.

Schwindt asked Neubauer if he felt it was necessary to have someone here for the city commission meeting. I think after we know what the final plan is going to be for Main Street, Neubauer indicated we can make that call. From a Remediation Trust standpoint, we could always do the video conference. It would be fine with me. From a commission standpoint, I would be hesitant to say, it is unnecessary to have someone here, I think. Let's see what will happen on Main Street first. It might be something other than a quarterly meeting, if Ken [Kytta] or Tim [Kenyon] or Brad [Peschong] is up here in April and there is activity going on and we have a commission meeting scheduled that night. If they are here, they can come in and give a progress report. He asked for Huber's thoughts.

In December, Kenyon and Kytta came in and gave their year-end update. If we are just simply monitoring the system and the system's working, it doesn't pay to spend \$5,000 to \$10,000 to have them come up for meetings. Right now the message to LBG would be things are going OK and we really don't need your attendance to provide recovery numbers.

**Bidders' Meeting.** Kytta and Brad Peschong are flying in today because there is a bidder's meeting tomorrow morning regarding Main Street.

Huber asked. Will they be coming ultimately to seek permission to install those wells? The bidders' meeting is tomorrow. Neubauer didn't know. He thinks that within the next couple of weeks, they will have the numbers.

**Commission Meeting.** Neubauer added Kytta and Peschong to the commission's agenda for tonight.

**Well Installation.** Huber asked. Is there a map generated where these wells would go and how much it is going to disrupt public parking spaces and what the time frame would be?

Schwindt indicated the bid proposal has a picture showing which wells they would be constructing.

Schwindt responded. The footprint of the drill rig and how big an area they need to operate will vary depending on the technology used. If they are using a wet method, which would be the rotary drilling that Haliburton was talking about, it would require more area because you have a tank for the drilling mud to circulate in and out of – that would take a little bit bigger footprint than the hollow stem auger that Braun is talking about and I'm not sure how much area the roto-sonic will use.

Glatt doesn't think the interruption will be anywhere near what the construction was south of Main Street. It will be a smaller footprint.

Huber asked. Won't there need to be reconstruction again?

Comments: That would depend on who is selected and what they use and what angle they can put the wells in. It could be a 4' x 4' panel or 4' x 4' grass put in afterwards. It would be a somewhat larger area to just connect the new well to the existing piping. But you are talking an area about the size of this room to do the work. The drill rig is going to be a truck-mounted rig so it would be a matter of backing that up and drilling wherever you need to drill. That's not going to take very long – one hole per day.

Huber asked. You are looking at this to take place basically in the month of May?

Schwindt indicated the end of April or first part of May. The bid package calls for work to be in after April 27, 2009. Radig agreed the drilling would be one per day. The set up and tear down will take as long. And the connecting to the pipes, Dave added. Neubauer explained that the connecting of the pipes to the rest of the remediation system would happen after the Fourth of July.

Glatt asked how much disruption will they have. Hook them up right away and put some cement on their right away. They may have some orange screens up.

Schwindt indicated there are three or four wells west of the Movie Gallery and then two or three wells on the east side of the Movie Gallery. So it will contain a block or a block and a half.

**Certificates of Deposit.** Neubauer has not contacted the Bank of North Dakota to invest in CDs at this time.

**Furniture First Site.** Glatt indicated we are still in a remediation mode until we hear from the developer. What will happen? When they are ready to sit down to discuss, we will be available. At this point in time, we will just remediate. The issue would be location of wells. Can wells be abandoned and relocated?

Neubauer indicated our conversations with the developer, Dakota Commercial, was as soon as they would be able to move into that site would be May 2009. They have looked at where the well locations are and looked where the pipe goes next to the theater on Main Street. They have indicated so far they haven't seen any issues. Glatt would like to know where the footings will go. It would be nice for the MRT to take a look at it or LBG to make sure. They may not see any issues but the people operating might.

**MRT Meetings.** Huber asked if the MRT will meet every two weeks or monthly. The meetings will be held monthly. April 7, 2009 will be the next scheduled meeting. If the need is to meet sooner, the MRT can do that.

**Plans.** Schwindt would like to receive the construction plan for the footings, etc. Huber didn't know if they had that. Glatt noted 30 days isn't a lot of time. Schwindt thinks they will proceed by shutting that area down where they will be digging and go ahead and do it as part of their excavation rather than us trying to go in and do stuff. Huber asked. Would it be appropriate to tell them by April 7, 2009, we need to have plans?

The same contractor working on Library Square II will be over on this project. They may not be using the same underground folks, but the same foreman on the job will likely be the same foreman over here, too. Schwindt indicated if they do use Do-Mor, Inc. whom they have used for several other projects, they are certainly familiar with our systems after dealing with Library Square.

**Department.** Radig presented a signature sheet for the 2009 tasks, Operation and Maintenance for monitoring. He will make copies.

Schwindt called Kytta to find out if they had arrived.

**Recess.**

**Reconvened at 11:17 a.m.** LBG representatives' Brad Peschong and Ken Kytta have joined us.

**LBG Update.** Kytta provided site maps showing the latest product contoured out. You have to look at this with a little bit of uncertainty. A lot of the data goes back to October and November from the last quarter because you go back when we did a cost estimate. We reduced the number of wells this winter. If you basically focus on operation, you will see there are not a lot of changes from the last quarter because some of the data reflects last quarter.

The water levels are down again. We are pleased with what is happening. Thickness is not necessarily increasing. It is staying about the same. It is still getting good fluid recovery numbers.

One of the things we have done over time is focus on certain areas and we still are going to do that. One of the areas we want to put some focus on now is this area. This is becoming our last big area that we still have left – the remote manifold, 3-2 area. We are going to be concentrating our efforts there. The system is operating like we planned. The water treatment issue that we have overcome has still been good. Our sludge production – we have been removing loads every two to three months now versus every three to four weeks so we are very pleased with that.

**Recovery Numbers.** These numbers are on LBG's server. Kytta will e-mail them. The recovery for the month of February was equivalent to 4,500 gallons. Peschong indicated this month they did get rid of the free phase stuff so we have those numbers included. It is about 3,000 gallons.

Schwindt asked to continue getting those monthly numbers. LBG will provide them.

The free phase it really depends on when they come and get the sludge and when Chief Construction comes and gets the loads, Kytta explained. That's why it will go from zero one month to a big number the next month.

**Directional Wells.** Going back to December when we met we were told to take a look at what our options were for Main Street. At that time we came up with a mini feasibility study looking at the vertical wells, at surfactant, at directional wells, and we looked at some horizontal wells, so adding some additional wells. We essentially cast those two options out: the horizontal well and just adding more wells. And came up with the three that we saw the vertical wells, the directional wells and the surfactant injection. Based off the direction that we got, we really wanted to take a better look at the directional wells. That is what we have been working on the last couple of months. We are going to have a pre bid meeting tomorrow.

We have been working with Schwindt with utilities here. We have got three methods that are taking a look at drilling this. They each have their advantages and disadvantages. The three methods are:

1. Braun Intertec is proposing a hollow stem auger.
2. Boart Longyear is proposing roto-sonic.
3. Baroid, a subsidiary of Haliburton, is proposing directional drilling.

With a hollow stem auger the advantage of that is you can probably get your best well construction because it would be like a normal well construction. The issue is, I've had conversations with Ken Haag, once you get on such a flat angle, I just have a hard time envisioning how they are going to pull those augers back out but he says they have done it before. We will listen to them and see what they propose.

Then with roto-sonic the disadvantage is the bore hole is just over the casing that they are driving, which is over four inches, but you are not going to get the filter pack that you would with a hollow stem auger. Advantage wise it is a pretty slick in and out process. They are limited to 62 degrees off of vertical, which is about the angle we are looking at.

The directional drilling has the advantage of being able to know where their drilling bit is better than the other two methods and they can go flatter, steeper or go any direction you want. The issue there is that because of the method you will have to use drilling mud. Well development is going to be a big issue with that. From my perspective, if we can avoid drilling mud I would like to. Those are the directional's advantages and disadvantages.

When we look at the utilities, we created a cross section each of these seven locations and it is something we can take a look at tomorrow when we are out there. Of the seven locations, there are at least two of them that no matter what you do as far as

changing angles and moving forward and back, you can't avoid the utilities. You've got a storm sewer, a sanitary sewer, a gas line, and an electric line. We are trying to go around. We have these cross sections, which will be helpful for looking at tomorrow when we go out and meet with the drillers and see what they propose and go from there. I think this is going to be kind of an interactive process to see what they propose and looking at the pros and cons and we will come back with a recommendation. That's kind of where we are at.

**Liability Protection.** Schwindt had asked last time about liability protection. And we are still going to be looking for that. That will also depend on the method, locations, and how many we do. We don't have any more information on that right now.

**LBG's Proposal.** Schwindt asked questions on Kytta's proposal sent by e-mail. One is the specs as you have them prepared, does that preclude the pre manufactured filter pack. Kytta indicated it doesn't. The issue with the filter pack is we are not probably going to get a four-inch casing, which would preclude us from a two-inch drop tube. The smaller you make your drop tube, the less efficient you are on product recovery. Again, that is what we have to work on are the trade offs. What's better? Going with a better filter pack and smaller diameter or no filter pack or less filter pack and a larger diameter. If you do that, then you just have to be aware, like we had with the issue of the wells in the basement of the buildings, we ended up pulling in some silt because . . . Schwindt thought they did make a four-inch pre manufactured filter pack. Kytta responded, they do but it is spendy. It depends on your drilling method. The hollow stem auger – you are talking about going with a bigger auger. With roto-sonic you would have to go with a smaller diameter.

Then we talked about the possibility around Second Avenue, Kytta continued. We have just conceptually looked at coming from the north side here. We will have some issues here. I don't know what kind of reception we will get wanting to tear up a spot on the north side of Main Street at this point. The location would be in front of Hair Professionals both sides of the street. Basically, you would have to do it on Second Avenue because when you are going in at an angle you wouldn't have enough room to do it between the buildings in the street. Peschong looked at that today, he doesn't know how far back we can go after he adjusts the angle. You could take up about three parking spots and go without tearing up the sidewalk. For the drilling it would be a day, Kytta explained, but then you have to connect to the existing piping and then you have to restore it so all total it is going to be a minimum of a week. And whether it is asphalt or concrete. The same issues we have been dealing with for a couple of years. This includes the two westerly wells.

Kytta indicated we may have to have discussions on North Dakota law as far as separation distances from utilities. Minnesota has certain distances, e.g., say five feet. Schwindt has not heard of any law. Radig doesn't think there are any distances in the monitoring well rules. Kytta indicated it is going to come down to the level of the drillers

and what is their level of comfort with their technique and how close do they feel they can come.

Peschong indicated we have found in South Dakota regarding utilities, it looks like a nice place on the map, but when you get out there we have done some vacuum pot holing to try and find these things if we are drilling too close. We have been lucky because they haven't been where they say they are. That's the tricky part. These would be hard to pot hole. We found a couple of them on our job site a couple of weeks ago. If we had drilled where they said we were OK, we would have hit two of them.

Schwindt recalls we dropped the electrical on the east side of the Movie Gallery and brought it along the east side of the building. And everything on the west side should be in the back of the angle. It may be on the front of the lot east of the main lot. There are street lights that run on the west side of the Movie Gallery.

David Bechtel indicated two feet is minimum except on water and sewer. The storm sewer is concrete pipes. They may want to be farther away from that than PVC's. We could be within 18 inches of that. We wouldn't have anything set as far as how close they couldn't be. There is no rule of thumb when you start dealing with that.

Kytta asked about the electrical line that is running underneath the sidewalk on the south side of Main. Do you know if that is basically for street lights? It's probably either street light on the south, we've got a wire that is in conduit where the traffic signals go, Bechtel explained. They questioned if the fiber [optic] was running down Main Street. Peschong recalled it as being down the alley. He can't say for sure. Bechtel indicated this could be the street light or the electrical itself or it could be that communication wire that runs in conduit. West of the Movie Gallery, the electrical is in the back, Schwindt said. But there are street lights that would run along there.

Questions: Do you know the extent of that crushed concrete? Does it go to just the curb line? Does it go to the end of the sidewalk? The sidewalks were put in after the street. Curb and gutter was put down and the street was put in so they may not have used that sub base underneath the sidewalk. He will do some checking on that. It will be helpful for LBG and the drillers. Is there any record of how thick it is? Bechtel will look at their state plans. He suspects that it is a minimum of four inches and not a lot more than that. That's the minimum for the sidewalk. Down the street that could be five feet or six feet. Bechtel doesn't think it is that deep. He could see maybe 24 inches. He will do some checking on that.

If it is just two feet, we would most likely be under it, Kytta indicated. We are primarily interested in this area just west of Second Avenue to just west of First Schwindt noted. They should soon find out more information on utilities and what the contractors' propose.

**Bids.** The bids are due a week and a half after March 16, 2009. Kytta indicated it will give us some time to have some discussions with the drillers and come up with a recommendation before April 27. It calls for work after April 27, 2009. That would give time to consider it and approve it.

Schwindt asked. Are you looking at a hole per day? The Boart people have indicated a well per day, Kytta noted. Ken Haag indicated it may take a little bit more for him than one every day. Baroid hasn't given us that information. Peschong noted we have heard from Braun Intertec and Baroid. He expects to hear something in the next two days. He expects to get bids from all three of them. Bid date is mid March. Start date is the week of April 27, 2009 or first of May. Work to be completed prior to Buggies 'n' Blues, which is June 6-7, 2009.

**Restoration.** Neubauer asked about restoration. He would like to have the workers out of there and that restoration is done. How big a footprint are you looking at as far as the driller taking up? Kytta noted, that from a well construction standpoint that is really not an issue. Right now the direction we've been given is to put the wells in and then we can monitor them for how much product we have and then afterwards connect to our system. We can wait until after the Fourth of July to do the connecting. So from a restoration standpoint, in cases where they are tearing up grass, we can sod that. That's not a problem but like where there is concrete. If we will be coming back and tearing that up again. Looking for your direction; I'm guessing you just want to do that with some class V or crushed rock. The area size will depend on the method that is used. Peschong thinks it will be five feet by five feet to get a boring in the ground. The roto-sonic is going to be the smallest of the footprints.

Neubauer suggested if you are looking at five feet by five feet area and you are taking out a panel of concrete, throw back a panel of concrete, tear it up in three months, rather than putting in class V gravel where people might slip, or trip, etc. Schwindt suggested having the city sidewalk contractor do that. If they can do that, Neubauer indicated to have it done. LBG is OK with that. The city does not have a sidewalk contract signed yet. Kytta verified, it sounds like the preference is to put concrete back in.

Glatt asked LBG. What are the challenges going to be for you once the directional wells are in and you are operating them? The challenges will be to monitor it. It is not like a normal well, where you just drop the probe down, Kytta indicated. We have done this on similar systems. It is just like a fish tape where you can push the probe down. We have been told by the probe manufacturers that it shouldn't be an issue with the probe on an angle. It depends on the angle. The drop tube adjustments will be a little more tricky because you are working on an angle. We have to centralize that drop tube. We have some ideas on how to do that. There are some things to overcome. It can be done.

**LEC Update.** LBG is moving forward with the work over at the LEC for the county. Peschong indicated they may start working the week of March 23, 2009. We have not been over there to pick the locations yet. I think everyone is “not busy” right now. Glatt asked. Are you looking at doing any hydrocarbon testing on the soils? It wasn’t part of the scope, says Peschong. Glatt indicated the Department had collected some a while back. What Al Fitterer was thinking was that they probably didn’t do much over excavating at all, Schwindt said. That’s what I am wondering, is that going to give you enough information if you just go [six feet] that far down and you are into native soil? Kytta agreed we will get an absolute of the native, but also a lot of boring logs from around the building to give us an idea of what the native soil is too.

Are you looking at doing a grain size analysis just to be able to size the recovery system? Peschong indicated they haven’t looked at that at all. It will be pretty much the same as the other stuff. So if we happen to get what we think is native here at a minimum of three feet or four feet. Schwindt asked. Would you be willing to share some of that split if the Health Department wanted to do some analysis on it? If the county doesn’t have a problem with it, Peschong responded.

Glatt explained, we did some samples in the past. He thought it was at four feet. Peschong asked. Do you have locations where you did them? I don’t think we want to duplicate them. Glatt suggested contacting Kris Roberts of the Department. He will check with Roberts. Schwindt noted one was in the weight room. The hole is still there. One is in the evidence room. There may be one in the patrol room too but Schwindt does not know the depth of it. Roberts was trying to look for the bentonite layer as well. He had a difficult time trying to find it. You may want to talk to him directly. He collected the samples. The samples were taken in the late 90s.

**Development Updates.** Kytta asked about development updates.

Huber reported on the Furniture First lot. They are still looking at physically going in May. They have the same contractor that is doing Library Square II. I don’t really have any different plans from the last time we met. Kytta has not had any communication with the architect.

As far as Collins and Main, they would get an extension through the end of June. Nothing happening until 2010 because they have to have 50 percent of their commercial space leased and 50 percent of their condos sold before they are able to get financing. They are far from that at this point.

**Parking Garage.** Huber indicated they are still working on the plans. They will be given another extension if they make enough progress.

**Paving.** The developer will want to pave the former Engelter/Berger property next to the Century 21 building. They are going to want to create parking.

They will want to pave the former Hedahl's property as staging for their parking garage center.

Schwindt discussed whatever surface elevation they have might affect where we have the tops of those wells. If they match those, it should be OK.

**City Commission.** LBG will give them a status update about 6:30 p.m. - 7:00 p.m. LBG will talk about the remediation, give the recovery numbers and that they are working with the city engineer on the wells south of Main. He will display their color-coded map. Bids will be back by mid March and installing between April 27 and May. Work will be wrapped up with site restoration prior to Buggies 'n' Blues.

**Ratz Lot.** Schwindt noted we have a detect for the first time in the free product in the middle of the lot. It's only eight-hundredth, but it is free-product. That's the first time we have ever had a detect in the interior of that lot. Last time there was a detect in 2002 at the north end. Kytta reiterated as the water table fluctuates, as you have seen the product map over the years, it moves around.

**LEC.** The original footprint going north of the LEC the waning edge of the plume is disappearing.

**Vicky's.** In front of Vicky's there is 4.5 feet of free product.

**Conoco.** There is three feet of free-product behind the old Conoco location.

Kytta indicated we are seeing very good thicknesses yet, but the footprint seems to be coming down.

**Iverson Building.** There is only a tenth of the free-product at the Iverson area.

**Railroad Well Data.** Radig indicated they do annual monitoring, which was done in 2008. He would have to go back and look.

**East Fueling Area.** They will be doing an investigation at the east fueling area, but that was postponed due to the weather. They will wait till spring.

**Motion.** Schwindt moved and Glatt seconded to adjourn the 10 o'clock and 1:30 p.m. meeting today at 12:05 p.m. All ayes. Motion carried.

**[Check.** Neubauer received a check for \$120.00 from Chief Construction for 300 gallons of recovered diesel fuel. It was mailed to the Bank of North Dakota on February 19, 2009.]