

MANDAN REMEDIATION TRUST (MRT)
September 7, 2010

Meeting: 205th Official Meeting
Date: September 7, 2010
Location: Mandan City Hall, 205 2nd Ave. NW
Time: 10:00 A.M.

The MRT meeting was called to order by Jim Neubauer. Fritz Schwindt and Dave Glatt were present. Marilyn Mertz, Department of Health, was present; Scott Radig was absent.

Minutes. August 3, 2010 minutes have been reviewed and revisions have been made.

Motion. Schwindt moved to approve the amended August 3, 2010 minutes. Second by Glatt. All ayes. Motion carried.

Certificate of Liability Insurance. Neubauer provided a copy of the insurance from RJ Ahmann Company for the official file.

Bank of North Dakota. The BND statement covered activity through July 31, 2010 showing a balance of \$8,710,814.93. The bank statement through the end of August was not available yet.

LBG. Invoice number 21008278 in the amount of \$21,940.75 from LBG dated August 17, 2010. No comments were received from Scott Radig.

Motion. Schwindt moved to approve invoice dated August 17, 2010 to LBG in the amount of \$21,940.75. Second by Glatt. All ayes. Motion carried.

The Medicine Shoppe. Neubauer has not received a response from Kevin Ritterman on the exterior work to The Medicine Shoppe at this point in time. He has not heard anything from Paul Trauger on the work at the Law Enforcement Center.

For the Medicine Shoppe work the condition was that the MRT would pay what was approved, which was \$12,100. Initially, Schwindt indicated the work was to be done by May 1, 2010. Then he proposed coming back with a revised bid. Neubauer indicated Ritterman had sent a note on June 24, 2010 with revised bid; July 6 a response was sent back to him indicating that the MRT had already paid \$6,600. The attached estimate was for \$6,875. The balance the MRT would have left over to pay would be \$5,500.

Also, indicated in that e-mail the MRT had spent roughly \$7,700 reconfiguring the system because of one of the pipes that was hit. Neubauer has not received any response from the new property owner.

Neubauer will send a reminder to him asking him what the status is.

Schwindt will stop at the LEC after today's meeting. He has not been there for a month.

City of Mandan. Statement dated July 31, 2010 from the city of Mandan for industrial wastewater charges for \$1,326.35.

Motion. Schwindt moved to approve payment to the city of Mandan in the amount of \$1,326.35 for wastewater charges for June – July 31, 2010. Second by Glatt. All ayes. Motion carried.

Insurance. Glatt received an e-mail from Maggie Olson, Assistant Attorney General, about talking to us about an insurance plan. He did not have any objection. It may be early in the game. If she wants to pursue it and set it up we can do it. Schwindt agreed. He suggested having a sales rep come to the meeting sometime this fall. We can layout our meeting schedule and see what is convenient for them.

Braun. Schwindt received a call from Braun about the claim we had made to Community Contractors. There were two pipes that were hit and we had some leaks so we had to reconfigure the system. Their position is basically that they just drilled the hole; someone put an "x" on the ground and they said drill here. So they drilled there. Locating private utilities is not their responsibility. Schwindt did not know what contractual arrangements between Community Contractors and Braun were. That's who we have contacted. Schwindt indicated he and Kory had visited before the last meeting and he said he did not have any kind of information at all. Schwindt said we sent them stuff. Kory indicated they were waiting for a response back from Braun. Schwindt noted they had an electrician doing some rewiring just before the last meeting and that is not reflected in the invoice. He doesn't know if all the charges have been compiled or not. Ken Kytta billed a half-hour for this go around. Any additional charges or electrician would include LBG time as well, Glatt indicated. Schwindt noted they have been accumulating that in 125. He has not talked to Rusty Krikava but assume that everything is operating fine. There has been no word otherwise.

Also, indicated in that e-mail the MRT had spent roughly \$7,700 reconfiguring the system because of one of the pipes that was hit. Neubauer has not received any response from the new property owner.

Glatt asked. Is the city OK with everything so far?

Neubauer suggested scheduling a walk-through of the buildings with new commissioners Dot Frank and Dennis Rohr this fall. It can be done on an individual basis. Schwindt agreed to do that.

Year-end Report. Neubauer asked. Do we want another year-end report? Do we want LBG to come up? This is what we need to do to wrap things up. Is there anymore work at the LEC? There shouldn't be anymore Schwindt indicated. Glatt would like a year-end report from LBG similar to last year to review. Just give us the status where we are at today. They don't need to come up to present it. Schwindt indicated that would work for him. If there is anything, we can call or have LBG come up. Schwindt indicated if the commission wanted a report, one of us could give it too.

Other. Anything more on the Ratz lot when that is going to happen. Are they still looking at next summer to begin? Neubauer indicated the group has six or nine more months to try to get something there. There are other interested parties.

Apartments. Are the apartments being rented or sold? Neubauer indicated they are being rented. The downstairs is still waiting for a commercial tenant before they finish that.

Motion to Adjourn. Glatt moved to adjourn the meeting; second by Schwindt. All ayes. Motion carried.