

MANDAN REMEDIATION TRUST (MRT)
December 31, 2013

Meeting: 243rd Official Meeting
Date: December 31, 2013
Location: Mandan City Hall, 205 2nd Ave. NW
Time: 1:00 P.M.

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

Minutes. December 3, 2013 minutes, as amended.

Motion. Schwindt moved to approve the December 3, 2013 minutes, as amended; second by Neubauer. All ayes. Motion carried.

BND Statement. Acknowledged the November 30, 2013 bank statement which showed a balance of \$7,307,819.07. All approved disbursements (2) have gone through. There is \$300 of interest.

Pay Request. City of Mandan wastewater charges for statement dated November 30, 2013 covering the October billing cycle is \$1,590.54. No comments.

Motion. Schwindt moved approval to pay the city of Mandan for industrial wastewater charges of \$1,590.54 for October 1 through the 31st; second by Neubauer. All ayes. Motion carried.

Pay Request. Statement from the city of Mandan dated December 31, 2013 for the billing of utilities for the Remediation buildings downtown. The total for fourth quarter is \$11,003.75.

Comments: Radig indicated there was about a \$2,900 credit from the prior month that's why the total is a little lower.

Motion. Schwindt moved approval to pay the city of Mandan \$11,003.75 for the fourth quarter utility bills for the Remediation buildings; second by Neubauer. All ayes. Motion carried.

Pay Request. Statement from LBG, which is for the period ending December 20, 2013 for a total of \$23,757.51.

Comments: They must have taken a load of sludge up for \$4,000. No other issues.

Motion. Schwindt moved approval of payment to LBG in the amount of

\$23,757.51 for their December 20, 2013 invoice; second by Neubauer. All ayes.
Motion carried.

Site Closure Well Abandonment Memo. LBG's memo for site closure well abandonment was received December 30, 2013. Radig and Schwindt have not reviewed.

Schwindt – It looks like they are proposing to eliminate a bunch of the wells in the three blocks right north of Main and a bunch along the south side as well. I have not studied the data at all. There are quite a few that they are suggesting that we drop.

Neubauer – It looks like everything north of First Street and then a few wells for the vacuum source from those nearby should be retained, but other than that it looks like a majority.

Schwindt -- We would be basically operating two manifolds north of First; one by the courthouse and one by the LEC. That is in accordance with what we talked about in our previous meetings.

Radig – That part hasn't changed.

Schwindt – It looks like they are proposing to do away with all that stuff on the west side of Second? Those are mostly in the bank and in those retail stores along Main, west of Second. Even some of those on south Main it looks like they are proposing to do away with a whole bunch of those.

Neubauer – When we reconvene on the first Tuesday of February we can have an opportunity to look at this a little closer and see if there is anything that stands out.

Schwindt – I guess what is interesting to me is when you look at their product map, it is pretty limited. It is looking good.

Neubauer – Four sites out of a bunch.

Schwindt – We have had these little spots along Second here and then over around by the Fire Station we have had some.

Neubauer – Nothing unusual in here?

Radig and Schwindt – No.

Other. Was there any further follow-up that we need to do on the building on the south side of Main? They had contacted the city about their door not working.

Neubauer -- I think our guys went and ground down part of the sidewalk in there so they could get the door open on the back of Papa Murphy's, which is rented to the

Gluten-Free shop. The sidewalk heaved a little bit and I guess that's what has happened underneath the building. They noticed some heaving on the inside of the beam going across, too. The owner of that building would like us to sell that property to them--the Gluten-Free store. Are there any issues that you can see there?

Schwindt – There shouldn't be.

Neubauer – We want to maintain access.

Radig – There is nothing actually under the building because there is no basement in that building.

Schwindt – We didn't go under at all.

Neubauer – We would probably have connecting lines from the manifold(s) on the west side of the building and on the east running behind the building.

Radig – How much property would he be buying? The parking lot on the west side as well?

Neubauer – The lease would be starting on the west side of the building going to where the light pole is on the west side. You can't see on this map, but it is basically a row of parking right adjacent to the building in a couple of spots to the west of that.

Schwindt – This is the building right here and so this is where our lines run.

Neubauer -- The main line is running across the back so if we decide to sell that property, we would have to make sure we have the proper access rights in there to do decommissioning of those wells and any other maintenance activities we need to do.

Schwindt – How far on the east side would they propose to buy--very far?

Neubauer – No, just probably right along the edge of the building is what they have right now.

Schwindt – Does the city want to do that being it is city-owned property? It is a private building. Then it becomes private property and a bunch of public property here and public property over here.

Neubauer – I can argue this one either way. I really hate to give up property that is right in the middle of public parking. If it has to go, and they terminate the lease and go buy the building. We'll see. But from a remediation standpoint, I don't see anything stopping us from accessing the property.

Schwindt – I would agree with that assessment.

No further business.

Next Meeting. February 4, 2014 at 10:00 a.m.

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