

MANDAN REMEDIATION TRUST (MRT)
November 6, 2012

Meeting: 229th Official Meeting
Date: November 6, 2012
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. Scott Radig and Marilyn Mertz, North Dakota Department of Health were present.

Minutes. October 2, 2012 minutes were reviewed. Revisions were made.

Motion: Schwindt moved to approve October 2, 2012 minutes; second by Glatt. All ayes. Motion carried.

Bank Statement. The statement for the period ending September 30, 2012 is showing a balance of \$7,728,355.07. There were no disbursements. Interest of \$635.16 was earned.

Pay Request. City of Mandan's request for the third quarter utility bills for the Remediation Trust is \$13,463.96. Radig indicated it looks fine.

Motion. Glatt moved to approve city of Mandan's payment of \$13,463.96; second by Schwindt. All ayes. Motion carried.

Pay Request. Received city of Mandan's wastewater charges for \$1,915.42. Aug. 2012 through Sept. 2012 charges are \$1,609 and June 2012 through July 2012 charges are \$335.75. This includes a \$29.65 credit for finance charges.

Motion. Glatt moved to approve payment of \$1,915.42 to the city of Mandan for wastewater charges; second by Schwindt. All ayes. Motion carried.

Pay Request. Received the LBG monthly billing for \$19,850.32, Invoice No. 201210193. Radig indicated that the outstanding invoice that was listed was dated August 14, 2012 for \$14,520.98. He went back and reviewed that invoice. It is confusing because \$14,520.98 is only a subtotal from that invoice. It is not the total for that invoice. The total for that invoice was \$17,423.69. However, he does not think that invoice was paid. It was skipped because of changes in meeting schedules that we had. He noted he believed he missed one of those meetings and must not have forwarded it for payment. It did get skipped, but it is not for \$14,520.98 as listed. It is actually \$17,423.69. He will contact Brad Peschong to get that straightened out. It is split out into different projects. That is only the last project of the total.

Neubauer: The most recent invoice we have from LBG is the \$19,850.32.

Radig: That I would approve. That \$19,850 does not include any additions from that outstanding invoice.

Schwindt: They have the outstanding invoices listed for each of the tasks. I think if we take the \$14,520.98 on p. 3 where it says total this project and then we add in \$428.37 plus \$2,474.34 that is only \$17,423.69.

Radig: There is the other outstanding amount for Phase 11, but that is only \$305.89.

Schwindt: So if we take their sub tasks: page 3 we have the \$14,520.98 and then you add in from Phase 11 under Project Management \$428.37. That's the new billing. Then on Task 36 you take the \$2,474.34 which says total this project. You take those 2 numbers and you add that to the \$14,520.98 you get the \$17,423.69. And I think if you follow that same example in the October invoice where you have \$18,462 for total of this project and you add in the \$139 and the \$1,236 which would be roughly \$1,400 you get \$19,850.

Radig agreed that was right.

Schwindt: So I think that is how they put their bills together. They summarize each phase for this project. They have it together for this invoice.

Motion. Schwindt moved approval of LBG's October 19, 2012 invoice of \$19,850.32; second by Glatt. All ayes. Motion carried.

Pending LBG Invoice. LBG's August 14, 2012 invoice for \$14,423.69.

Motion. Schwindt moved to approve payment of \$14,423.69 based on LBG's August 14, 2012 invoice, No. 201208052 subject to Radig's verification; second by Glatt. All ayes. Motion carried.

Radig will call Peschong to verify the August 2012 invoice amount.

Brady Martz Update. Neubauer indicated Brady Martz has sent out a draft of the audit for the 2011 report. He has looked at it.

Glatt: They say basically we are small and because of that we don't do everything a big firm would do because of our small nature and don't have resources to hire additional people appropriate for our size.

Schwindt: Did you get a call from Lance of Brady Martz whether there was any fraud going on?

Neubauer: I think that is part of their audit procedures.

Audit. Trustees will review and sign the audit document and Neubauer will scan it to Brady Martz.

Product Thickness Map. There is no updated map. They provide one about every quarter.

Master. Schwindt indicated Master has not fixed the sidewalk. He called them after the system had been checked and the guys told me that there weren't any more leaks that they could detect around that particular well so he called and told them they could go ahead and cover things over. That was 6 weeks ago or right after they fixed it. Neubauer asked for a contact. Dion Crane is his name, but he did not have a phone number. He has a card and will email info to Neubauer. They put a form up there.

Radig had a call for information on the old Farmers Elevator site. He asked, is somebody looking at that property?

Neubauer thinks Leading Edge Technology bought it. We got it from BN, tore the elevator down and sold it to Leading Edge Technology. Leading Edge turns it over to Investment Real Estate Trust (IRET) in Minot and Fargo. Don't think they did Phase I and Phase II stuff when they bought the property. I don't know if they are looking at selling it again. The folks I have contacted are in Fargo.

Iverson Building. When Neubauer last talked to Loren Galpin they were getting back to the contractor.

Former Ratz Location at Collins and Main. That property is out for public bids again. Bids should be in by Friday. There was one interested party that was willing to pay full price for the land, but the building hasn't been constructed with...standards for that area, mainly Starion (a bank branch). The building is too close to the sidewalk so I am not sure what will happen with that one. We met with them and tried to convince them to build a two-story building. They weren't too excited about that.

Radig: The theater has a new renter. Does Scott McFall still own it?

Neubauer: Yes. I will see them tonight and make sure that they understand that the remediation wells are not a part of their water system.

Schwindt: Going back to the product thickness map, should we start looking at further abandonment of the system north of First or as long as we are operating the rest of the system do we just keep plugging away at doing some soil venting there and let it continue to operate?

Glatt: At least until next spring. If we are not seeing a bounce of anything, we may want to explore paring down. I don't know if we would abandon them as such, maybe just shutting them down to see if that does anything.

Schwindt: I think the only thing that is operating there right now is they cycle it through the SVE so you get a little soil venting.

Glatt: I would like to see one last recharge cycle to see if there is anything on top.

Schwindt: That's why I was wondering about the product thickness map. The cycle that we went through, if it changed anything, whether anything showed up. From the data I remember, I don't remember seeing very much.

Radig: There really isn't very much from the last map. We'll see if the next one shows it. The water level is going down too.

Next Meeting. December 4, 2012 at 10 a.m.

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