

MANDAN REMEDIATION TRUST (MRT)

June 2, 2020

Meeting: 321th Official Meeting
Date: June 2, 2020
Location: Mandan City Hall, 205 2nd Ave. NW
Time: 10:00 a.m.

The MRT meeting was called to order with Jim Neubauer, Dave Glatt and Francis Schwindt present as Trustees via telephone conference and GoToMeeting.

Minutes. MRT minutes from the May 5, 2020 meeting were reviewed, and amendments were proposed by Schwindt.

Motion. Glatt moved to approve minutes of the May 5, 2020 meeting as amended and seconded by Schwindt. All ayes. Motion carried.

Bank of North Dakota statement. Neubauer – Bank statements from March and April were reviewed. They show pay requests that have gone through. The ending balance as of May 3 was \$5,850,337.59, including some CDs that were renewed. Schwindt made an observation that it was unfortunate that the funds couldn't have been earning interest throughout the life of the whole project rather than just in the last year or two. He didn't understand why the Bank of North Dakota said the funds had to be left in the account it was left in; we could have had quite a bit more money in the account if we had been able to earn some interest on it rather than letting \$28 million dollars sit there for years. Jim said that when this first started, we were doing T-Bill or CD rollovers and is thinking that in total interest, we have earned roughly about \$2.1 million dollars in interest. Jim recalled that over the last five or six years, it's always been a struggle with the Bank of North Dakota to up the CD, and the rates have never been real doable until we were able to push and shove. For instance, on the Starion Sports Complex, there are debt issues; and some of those overages were earning an interest rate of 2% or something like that. And it wasn't until then that they finally started giving us a rate that made it worthwhile to do that.

Billing from WSP. Invoice dated May 26, 2020 for \$192.12 for charges for period April 9, 2020 through April 10, 2020.

Motion. Motion by Schwindt, second by Glatt to approve paying WSP \$192.12 for the invoice dated May 26, 2020 (Pay Request #495). All ayes. Motion carried.

Neubauer mentioned there was a staff change to WSP; Leon will want to confirm we have the right contact.

The MRT received a letter from NDDEQ on May 27 regarding one more monitoring event. The one question Neubauer had is that several wells show an increase in free product between 2018 and 2019 and he wonders what that means - does it mean 5, is it 10, is it 40? Glatt said it was a couple and the Department wants to make sure that it's static and not indicative of anything problematic. If there is no increase in more wells, it should be good to go. So there will be one more monitoring event of all wells, and then Leon Vetter can identify the wells that DEQ would like to keep. Vetter would like to keep some throughout the entire downtown area; Glatt feels differently. Glatt feels once we're done with the downtown area, we're done. If it's been stabilized and the vast majority of the contamination has been removed,

the only outstanding concern is the property line between Mandan and BN; and there should be a few monitoring wells there. Then that opens a discussion about how much is Burlington Northern going to be monitoring and how much do we want the State and Mandan to monitor. Glatt said he thought we should be able to minimize the number of wells. Neubauer questioned whether Vetter could have a map showing which wells he wants on the BN side and which ones on the City's side so we have a complete picture on what should be kept.

Neubauer and Schwindt agreed that as long as the downtown area has been remediated, the only concern would be that BN holds up its responsibility to be sure nothing creeps back into the City. Glatt agreed and reiterated that the remediation system was installed, buildings that were considered to be a problem or potential problem were purchased and demolished and then built at grade, and then the institutional controls were put in place. When there was 100% of the area contaminated, those couple of buildings, the LEC, that's all been taken care of. And so now that the vast majority of the contamination has been removed, there shouldn't be an issue with the other buildings. There might be a little bit of fuel there, but Glatt guesses that 95% of the contamination has been removed.

Neubauer questioned whether DEQ or the City would need to be monitoring them; Glatt will give it some thought. With the State doing budget cuts, it may fall to MRT. He said he would also be open to having a discussion with BN about what they intend to be doing to be sure the contamination doesn't come across. MRT may want to communicate to BN something like that. Neubauer said he felt DEQ could say to BN, here's a line, there are some wells on your property some on our property, and they need to be monitored and reported on. He assumes that BN monitoring wells have to be reported to DEQ? Glatt said he expects BN would not want anyone on their property and that's fine; but if they can commit to doing some monitoring, even annually, on those wells at their cost, that would be beneficial. Schwindt agreed that that monitoring responsibility belongs to BN, not MRT. Glatt concurred stating that if BN is monitoring annually and MRT is as well, there would be two monitoring events annually.

Glatt said he would have Vetter communicate with WSP that we would want them to do fluid levels, product thickness if any, and where the water level is if there is no product; we'd want to get a groundwater flow direction out of that as well. Schwindt stated he spoke with Rusty recently to see if he was still going to be available to do the monitoring and was told they would be.

Neubauer reported that he, Schwindt, and staff from Fire, Police and Public Works did a walk-through of the remediated buildings and marked things that they don't want destroyed or removed when the decommission is done.

Schwindt stated he got a call from the Bob Spence, the electrician. He was asking about timelines, and Schwindt said it was probably going to be later on this summer before we get around to doing something.

No Further Business.

Next Meeting. July 7, 2020 at 10:00 a.m.

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