

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF THE FARGO PARK DISTRICT OF NOVEMBER 15, 2022**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, November 15, 2022, at 5:30 p.m. at the Fargo Park District office at 701 Main Avenue, Fargo, North Dakota and via Microsoft Teams. Present at the meeting in person were Commissioners Dawn Morgan, Joe Deutsch, Jerry Rostad, Vicki Dawson and Aaron Hill. Also present were: Dave Leker, Broc Lietz, Carolyn Boutain, Brian Arett, Dave Bietz, Craig Bjur, Paul Grindeland and attorney Jeff Gunkelman.

**Approval of Amended Consent Agenda**

Commissioner Joe Deutsch moved and Commissioner Jerry Rostad seconded a motion to approve the following actions on the consent agenda:

- (a) The minutes from the October 4, 2022 meeting;
- (b) The October 2022 bills;
- (c) Order of the Amended Agenda;
- (d) Gift Agreement from Dan Thompson;
- (e) Gift Agreement from Urban Plains Land Company;
- (f) Request to solicit bids for 2023 Parks Department Equipment.

Upon call of the roll, the motion passed unanimously.

**Director's Report**

Each Director presented on this matter and provided an informational update to the Board on their respective department. No action was taken on this matter.

**Tri-City United Soccer Club Presentation**

Lee Schwartz, executive director for Tri-City Unity Soccer Club, presented to the Board on the state of affairs of the organization.

**Personnel Policies**

Broc T. Lietz presented to the Board on this matter. It was noted that the Human Resources Department worked with the Director Team to review several personnel policies. The following policies were either presented as new or revised:

- **Policy 105** – Transgender Staff Policy: A new policy to create awareness and an inclusive culture.
- **Policy 210** – Outside Employment: Language changes to provide clarity and consistency.
- **Policy 230** – Vacation: Language changes to provide flexibility in recruitment and clarity for carry over cutoff and expectations of hours to submit.
- **Policy 260** – Leave of Absence: Language changes to clarify duration, eligibility, and benefit continuation options.
- **Policy 300** – Holidays: Language changes to establish when and how holiday hours are paid, changing the vacation credit practice, and differentiation between exempt/non-exempt employees.
- **Policy 510** – Social Networking: Language changes clarifying acceptable behavior and use of social media and representation of the Park District.

After discussion with the Board, it was decided that no action would be taken on proposed Policy 105 and the changes to Policy 260. The Board requested that the Human Resources Department alter some of the language in each proposed policy.

Commissioner Joe Duetsch moved and Commissioner Aaron Hill seconded a motion to approve Policy 210 – Outside Employment, Policy 230 – Vacation, Policy 300 – Holidays, and Policy 510 – Social Networking as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Approval and Award Construction Management at Risk Services for Phase II of the Fargo Parks Sports Complex**

Dave Leker presented to the Board on this matter. It was noted that the Park District received only one bidder for the Construction Management at Risk Services for Phase II of the Fargo Sports Complex. It was noted that the proposal from McGough Construction was reviewed by the selection committee, consisting of Dave Leker, Mark Honzay (JLG Architects), Tony Eukel (MBN Engineers) and Cody Baker (Dakota Fence). It was noted that the selection committee interviewed McGough Construction. IT was noted that McGough Construction proposed the following fee for its services: \$98,000.00 for pre-construction services fee; and 1.95% of total construction cost for CMAR construction fees.

Commissioner Aaron Hill moved and Commissioner Jerry Rostad seconded a motion to approve and award CMAR Services for Phase II of Fargo Sports Complex project to McGough Construction as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Approval of Purchase of Assets at Rose Creek Restaurant from Big Erv’s Bar & Grill, LLC**

Carolyn Boutain presented to the Board on this matter. It was noted that with the closing of the Rose Creek restaurant, the Park District was approached by Kelly Visto, owner of Big Erv’s Bar & Grill, LLC to consider purchasing all the assets of the restaurant, including the kitchen equipment. It was noted that the prospective tenants touring the restaurant have inquired about the availability of the equipment and that it is a general consensus that the restaurant would be more attractive if the assets were in place. It was noted that it is the goal of the Park District to have a new tenant operating the restaurant no later than April 1, 2023.

Commissioner Jerry Rostad moved and Commissioner Joe Deutsch seconded a motion to approve the purchase of the Rose Creek Golf Course Restaurant equipment for \$100,000.00 from Big Erv’s Bar & Grill, LLC, continent upon legal counsel drafting the appropriate paperwork. Upon call of the roll, the motion passed 4-0 with Commissioner Aaron Hill abstaining from the vote.

At the conclusion of the above agenda items, a motion to adjourn was made and seconded, and upon unanimous consent the meeting adjourned at approximately 7:15 p.m.

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Dave Leker, Clerk