

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF THE FARGO PARK DISTRICT OF JULY 11, 2023**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, July 11, 2023, at 5:30 p.m. at the Fargo Park District office at 701 Main Avenue, Fargo, North Dakota and via Restream. Present at the meeting were Commissioners Dawn Morgan, Aaron Hill, Joe Deutsch and Vicki Dawson. Commissioner Jerry Rostad appeared via Restream. Also present were: Dave Bietz, Susan Faus, Carolyn Boutain, Broc Lietz, and Jeffrey Gunkelman.

Approval of Amended Agenda

Commissioner Aaron Hill moved and Commissioner Vicki Dawson seconded a motion to approve the agenda as amended. Upon call of the roll, the motion passed unanimously.

Approval of Representative from Kennelly Business Law as Clerk

Commissioner Vicki Dawson moved and Commissioner Aaron Hill seconded a motion to approve Kennelly Business Law to serve as Clerk of the Park District. Upon call of the roll, the motion passed unanimously.

Election of Officers

Commissioner Vicki Dawson moved and Commissioner Jerry Rostad seconded a motion to nominate Commissioner Joe Deutsch as President of the Board of Commissioners. Upon call of the roll, the motion passed 4-0 with Commissioner Joe Deutsch abstaining from the vote.

Commissioner Joe Deutsch moved and Commissioner Jerry Rostad seconded a motion to nominate Commissioner Aaron Hill as Vice-President of the Board of Commissioners. Upon call of the roll, the motion passed 4-0 with Commissioner Aaron Hill abstaining from the vote.

Approval of Consent Agenda as Amended

Commissioner Vicki Dawson moved and Commissioner Aaron Hill seconded a motion to approve the following actions on the consent agenda as Amended:

- (a) The minutes from June 13, 2023 meeting;
- (b) The June 2023 bills;
- (c) Approval of Special Limited Alcoholic Beverage Sales Permit for the Foundation's VIP event on August 16, 2023.
- (d) Approval and award of bid to McKay's Doge for the 2023 Cargo Van 250/2500 8600 GVWR in the amount of \$48,700.00 as presented.
- (e) Approval and award of bid to Mazda of Fargo for Two 2023 Small SUV 4x4 vehicles in the amount of \$57,858 as presented.
- (f) Approval of Supplement No. 3 to Ground Lease for Southside Library with City of Fargo and Park District as presented.

Upon call of the roll, the motion passed unanimously.

Director's Report

Dave Bietz and Susan Faus presented on this matter and provided an informational update to the Board on the respective departments. No action was taken on this matter.

Presentation regarding City of Fargo Right of Way Acquisition for 44th Street

Dave Bietz and Blake Nybakken of EPIC Companies presented on this matter. It was noted that the city is seeking to obtain a right of way to establish a road that would cut through the Park District property. It was noted that City of Fargo is willing to pay the Park District \$248,188.80 for the right of way. It was noted that EPIC Companies is willing to pay the Park District \$37,000.00 for additional right of way rights and an additional \$100,000.00 for costs to the Park District for needing to move certain Park District features. It was noted that the Park District would need to pay the City of Fargo \$1,070,000.00 to construct the road and an additional approximately \$550,000.00 to move and relocate a maintenance building and site irrigation. It was noted that the total cost to the Park District would net to \$1,070,000.00 that could be assessed to the Park District over 20 years.

Blake Nybakken presented on behalf of EPIC Companies. Blake noted that the right of way could be shut down to be used for events and activities. Blake noted that a nearby parking ramp that is to be constructed by EPIC Companies would be free to the public and useful for Cornerstone Arena and the Zoo. Blake noted that when the development is fully built out there will be \$180,000,000 in new taxable development on the property which would approximately total \$300,000.00 in new tax revenue to the Park District on an annual basis. It was noted that the right of way would create approximately 57 new parking spaces.

Commissioner Dawson noted that she cannot support the Park District incurring the assessed expenses to support this project. Commissioner Hill noted that he is a proponent of economic development but that he cannot support this proposed expense to the Park District. Commissioner Deutsch noted that he is concerned that the City of Fargo closed the TIF on the project and that the burden is being placed on the Park District. Commissioner Morgan noted that the Park District has a responsibility to the entire community and shouldn't put all of its eggs into the Sports Complex basket. Commissioner Rostad noted that the Park District first learned of this issue 13 days prior to the hearing and that he cannot make a decision in such a short time span.

No action was taken on this matter.

Approval of Updated Procurement Policy No. 390

Luke Evenson presented on this matter. It was noted that the procurement policy sets the rules and guidelines for how the Park District makes purchases. It was noted that the changes are to the internal approval process and the largest changes are: (1) all purchases need an approver; (2) director approval is needed for purchases over \$2,500.00 and (3) all purchases over \$10,000.00 require approval from director and finance director.

Commissioner Aaron Hill moved and Commissioner Dawn Morgan seconded the motion to approve the updates to Procurement Policy No. 390 as presented. Upon call of the roll, the motion passed unanimously.

Approval of Bank Resolution

Broc Lietz presented on this matter. It was noted that updating the bank resolution is a standard procedure when there is a change of officers. It was further noted that the current practice is to have three signatures when executing checks out of the primary account: board president, treasurer and clerk. It was noted that staff is recommending removing the clerk requirement since the Park District is utilizing an external entity as the clerk.

Commissioner Aaron Hill moved and Commissioner Dawn Morgan seconded the motion to approve the banking resolution as presented. Upon call of the roll, the motion passed unanimously.

Approval of Strategic Planning Timeline and Funding

Susan Faus presented on this matter. It was noted that the strategic plan is going to establish a clear and concise plan for the Park District moving forward with clear and measurable goals and objectives. It was noted that the process could take between 6 and 8 months. It was noted that funds for the plan would be reallocated from the budgeted funds for the Metro Wide Indoor and Outdoor Amenities Study. It was noted that staff is requesting to be able to solicit requests for proposals for the planning services.

Commissioner Aaron Hill moved and Commissioner Vicki Dawson seconded the motion to approve the Strategic Plan timeline and funding, and to solicit requests for proposals for the Strategic Plan as presented. Upon call of the roll, the motion passed unanimously.

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 7:00 p.m.

Jeff Gunkelman, Kennelly Business Law, Clerk