

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE
FARGO PARK DISTRICT OF SEPTEMBER 13TH, 2011.**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, September 13th, 2011, at 5:30 p.m. at the Fargo Park District office at 701 Main Avenue, Fargo, North Dakota. Present at the meeting were Commissioners, Joel Vettel, Joe Deutsch, Mary Johnson, Barb Johnson and Ron Sorvaag. Also present was Roger Gress, Jim Larson, and Attorney Greg Selbo.

Approval of August Minutes

Commissioner Mary Johnson moved and Commissioner Joe Deutsch seconded for approval of the minutes of the August 9, 2011, meeting. Upon call of the roll, the motion passed unanimously.

Approval of August Bills

Commissioner Ron Sorvaag moved and Commissioner Joe Deutsch seconded a motion to approve the bills for August, 2011, as presented. Upon call of the roll, the motion passed unanimously.

Approve Order of Agenda

Commissioner Mary Johnson moved and Commissioner Ron Sorvaag seconded a motion to approve the order of agenda. Upon call of the roll, the motion passed unanimously.

Presentation of Approval of Placement of Peace Pole in Great Northern Park

Carolyn Boutain and Howard Barlow presented to the Board regarding the proposed placement of a Peace Pole in Great Northern Park. The Board reviewed pictures of Peace Poles similarly constructed in other areas. It was noted that Park District will not participate in the cost of construction or maintenance pursuant to the Memorandum of Understanding drafted by Greg Selbo.

Commissioner Joel Vettel moved and Commissioner Joe Deutsch seconded a motion to approve the proposed placement of Peace Pole as presented. Upon call of the roll, the motion passed unanimously.

Board to Consider Approval of Permanent Easement for Flood Protection Levee

Dave Leker and Jeremy Gordon presented to the Board regarding the proposed easement for construction of a levee for flood protection in North Oaks Parks along the river. It was noted that a portion of the levee was already constructed.

Commissioner Mary Johnson moved and Commissioner Joe Deutsch seconded the motion to approve the proposed permanent easement. Upon call of the roll, the motion passed unanimously.

Board to Consider Removal of Recreational Trail Access from Rose Coulee Trail

Roger Gress presented to the Board regarding this matter. It was proposed that the Board approve a central access point to the recreational trail along the Rose Coulee due to construction of a permanent flood protection levee being constructed in the neighborhood.

The Board reviewed the results of a survey that was sent to the homes located within the special assessment district for the access point.

Commissioner Ron Sorvaag noted that, according to the survey, several homeowners in close proximity to the access point had voted to leave the access point, and he noted that the Board would set a bad precedent to remove access points, as the goal is to obtain more access points, not less.

Rod Ballinger, a homeowner living in close proximity to the access point, informed the Board that the access point was used very little, and that the users of the access point had to travel over the levee to access the recreational trail. He requested that the Board approve the removal of the access point. Michelle Anderson, who occupies the home immediately adjacent to the access point, informed the Board that the levee located on or near the access point created privacy concerns, as the users of the access point, when on top of the levy, could view the inside of the second story of her home. She also stated that the dyke was not providing any flood protection as constructed, and asked that the Board approve the removal of the access point.

Commissioner Mary Johnson moved and Commissioner Joe Deutsch seconded the motion to remove the recreational trail access point from Rose Coulee Trail. Commissioner Joel Vettel noted that the decision ultimately lied with the City of Fargo, and a discussion regarding costs ensued. Commissioner Ron Sorvaag asked that his objections be preserved in the record. Upon call of the roll, the motion passed with the approval of all Commissioners save Commissioner Ron Sorvaag.

Board to Consider Approval of Lease with Fargo Youth Hockey

Clay Whittlesey and Julie Volk presented to the Board regarding a proposed lease agreement between the Fargo Park District and Fargo Hockey Association which would allow the Fargo Hockey Association to use a space for dryland stick-handling training area at the Southwest Youth Ice Arena. Julie Volk thanked the Board for its continued support of the Fargo Hockey Association.

The Board reviewed the proposed lease. It was noted that the lease payment would equal \$5 per square foot, and that the space would be supervised.

Commissioner Joe Deutsch moved and Commissioner Mary Johnson seconded a motion to approve the proposed lease upon final completion. Upon call of the roll, the motion passed unanimously.

2012 Budget Hearing Called To Order

At 6:00 p.m., President Barb Johnson called 2012 Budget Meeting to order. There were no comments from the public and no discussion was had. The hearing was then closed.

Board to Consider Approval of Bids for Island Park Gazebo Restoration Project

Rich Wiemken and Mark Sundet presented to the Board regarding the bids received on the Island Park Gazebo Renovation Project. The bid included restoring the Gazebo to its original condition.

It was noted that Waters Construction's bid of \$78,175.00 was the lowest and best bid.

Commissioner Joel Vettel moved and Commissioner Joe Deutsch seconded a motion to accept the bid for Island Park Gazebo Renovation work from Waters Construction for a total bid amount of \$78,175.00. Upon call of the roll, the motion passed unanimously.

Board to Consider Request to Relocate Ingstad residence near Lemke Park

Roger Gress and Craig Helenske presented to the Board regarding the Ingstad residence, which has been identified as a potential buyout due to its proximity to the river and the likelihood that the residence will not be protected by the flood protection plan.

Craig Helenske informed the Board that the residence could be moved to the west approximately 100' from its current location, but the relocation would cause an encroachment on the existing roadway. A discussion ensued regarding the impact of the encroachment. It was noted that the removal would in large part negate the necessity for the roadway.

Commissioner Ron Sorvaag moved and Commissioner Joel Vettel seconded a motion that the Park District acknowledges the possibility of an encroachment on the Harwood Park roadway in the event the Ingstad Family and the City of Fargo reach an agreement on relocating the Ingstad Home and the permanent levee. The Park District will work with the Ingstad Family and the City of Fargo in the event the relocation is approved and the Ingstads elect to relocate their home. Upon call of the roll, the motion passed unanimously.

Board to Review and Consider Approval of Developer's Agreement for Davies 2nd Addition

Jim Larson presented to the Board regarding a proposed 2 acre park, to be located in a development known as Davies 2nd Addition, located directly north of the new Davies High School. It was noted that the park would be a tot type park and would be accessible by a recreational trails to be connected with other recreational trails within the area. The park would be financed by an assessment over the development.

The Board reviewed the Park Developer's Agreement.

Commissioner Mary Johnson moved and Commissioner Joe Deutsch seconded the motion to approve the park and the Park Developer's Agreement as presented. Upon call of the roll, the motion passed unanimously.

Board to Consider Modification to 457 Plan Retirement Documents

Jim Larson presented to the Board regarding the current 457 Deferred Compensation Plan, and proposed amending the Plan. The current plan allows employees to enroll in the plan every 6 months, but at times employees are not eligible to participate in the plan for 11 months.

Under the amended plan, employees become eligible to participate in the 457 Deferred Compensation Plan at the time they start employment and participate in the match that is currently provided in the plan.

The Board reviewed a Resolution of Board of Directors to effect such an amendment.

Commissioner Ron Sorvaag moved and Commissioner Mary Johnson seconded the motion to approve the park and the Resolution of Board of Directors. Upon call of the roll, the motion passed unanimously.

Board to consider Approval of 2012 Budget for the Park District of the City of Fargo

Roger Gress presented the balanced 2012 annual budget for the Park District of the City of Fargo. Total mill levy is \$10,424,690 with an estimated mills of 31.35.

Commissioner Mary Johnson moved and Commissioner Joe Deutsch seconded the motion to approve the 2012 budget as presented. Upon call of the roll, the motion passed unanimously.

At the conclusion of the above agenda items, the meeting adjourned.

Chris Kennelly