

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF THE FARGO PARK DISTRICT OF DECEMBER 12, 2023**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, December 12, 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, Jerry Rostad and Vicki Dawson. Also present were: Dave Bietz, Susan Faus (virtually), Carolyn Boutain, Broc Lietz, and Jeffrey Gunkelman.

**Approval of Agenda**

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

**Approval of Consent Agenda**

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

- (a) The minutes from November 14, 2023 meeting;
- (b) The November 2023 bills;
- (c) Reject Bid from ServiceMaster Moline for Courts Plus Community Fitness Janitorial Services;
- (d) Request from Fargo South High School for placement of a storage shed at the Tharaldson Little League Complex;
- (e) Award bid for Connect Interiors for a total of \$1,095,628.33 (\$1,020,550.47 base bid + \$75,077.67 Approve Alternatives);
- (g) Request to Solicit Bids for the 2024 Concrete Projects; and
- (f) Request to Solicit request for 2024 Playground Replacement Projects.

Upon call of the roll, the motion passed unanimously.

**Public Comments**

Members of the public were afforded the opportunity to discuss issues with the Board.

**Director's Report**

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

**Presentation from Downtown Community Partnership**

Rocky Schneider, executive director of Downtown Community Partnership presented to the Board on the activities and purposes of the Downtown Community Partnership.

### **Approval of New Lease for Rose Creek Restaurant**

Carolyn Boutain presented this matter. Brad Erpelding, Cody Townsend and Jordan Erpelding, representing Up North Hospitality d/b/a CJs Tavern also presented to the Board. It was noted that the tenant would be required to be open for specific hours during the golf season but that the tenant intends to be open year round. It was noted that rent is proposed at 12% of the gross sales for the first three years. It was noted that the tenant intends to provide gaming, bingo, raffles, to attract customers. It was noted that the tenant intends to open in January. It was noted that lease is contingent upon the tenant receiving a liquor license from the City of Fargo.

Commissioner Vicki Dawson moved and Commissioner Dawn Morgan seconded the motion to approve the lease for the restaurant at Rose Creek Public Golf Course as presented. Upon call of the roll, the motion passed 4-0 with Commissioner Hill abstaining from the vote.

### **Approval of Request for 2024 Budget Adjustment**

Broc Lietz presented this matter. It was noted that the 2024 budget adjustment is required due a procedural error when the Park District presented the proposed budget to Cass County. It was noted that the 2023 preliminary budget was emailed to Cass County on error instead of the 2024 preliminary budget. It was noted that the mistaken attachment was not noticed by the Park District or Cass County until November. As a result, the Park District is only able to collect revenues based on the fiscal 2023 budget. The financial impact of this error will result in the Park District collecting approximately \$2.2 million less in tax revenue than approved by the commissioners, and a mill reduction of 4.01 mills rather than 1.35 mill reduction intended. It was noted that the Park District can make up the \$2.2 million shortfall without reducing the budget through the sale of the RDJ Building, short term investments from the issuance of the bonds for the Sports Complex, and through internal transfers. It was noted that the Park District is implementing new procedures and processes to ensure that this does not happen in the future.

Commissioner Rostad noted that there is an opportunity cost in future and this has the potential to slow progress on long term capital plans. Commissioner Morgan noted that this is the best outcome from the difficult situation. Commissioner Hill noted that he is glad to hear that protocols will be put into place to eliminate the chance this happens in the future. Commissioner Dawson noted that thankfully the Park District is in a solid financial position to recover without needing to cut programming or jobs.

Commissioner Aaron Hill moved and Commissioner Dawn Morgan seconded the motion to amend the 2024 annual budget as presented. Upon call of the roll, the motion passed unanimously.

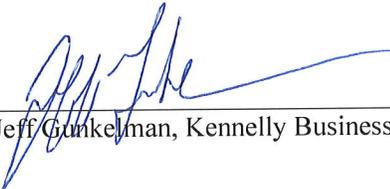
### **Discussion on Next Steps for Executive Director Position**

Commissioner Rostad led the presentation on this matter. Commissioner Rostad noted that he believes there are three possible paths forward: (1) permanently appoint Susan Faus as executive director; (2) conduct an internal search; or (3) conduct an external search. Commissioner Hill commented that he wanted to see the Park District move forward with an application process. Commissioner Hill outlined a timeline where the Park District could have a permanent executive director hired by April. Commissioner Hill noted that this was not about the person but about the process and he believes that an application and interview process is the most appropriate path forward. Commissioner Morgan noted that her preference would be to appoint Susan Faus on a permanent basis. Commissioner Morgan noted that she has been pleased with the change in staff and communication since Susan Faus was appointed on interim basis.

Commissioner Morgan noted that Susan Faus was previously thoroughly vetted at the last hiring round and that Susan Faus rose to the top during that process. Commissioner Dawson noted that Susan Faus was a finalist 3.5 years ago and that she was at the top of the searches when the Park District was hiring deputy directors. Commissioner Dawson noted that Susan Faus collaborates with others, interacts with the community and works with the board. Commissioner Dawson noted that the Park District is rolling along and that it would be a loss of time doing an external search. Commissioner Rostad noted that Susan Faus rose to the top on multiple occasions, including a nationwide search. Commissioner Rostad noted that she Susan Faus displays accountability and transparency. Commissioner Rostad noted that Park District staff is looking for the long term answer. Commissioner Deutsch noted that he agrees with all positive statements made by the other commissioners about Susan Faus's performance. Commissioner Deutsch noted that he also agrees with Commissioner Hill regarding the importance going through the process. Commissioner Deutsch noted that ultimately he believes that Susan Faus will get the job.

Commissioner Jerry Rostad moved and Commissioner Vicki Dawson seconded the motion to make Susan Faus the permanent executive director of the Fargo Park District and to direct the Board president and legal counsel to negotiate the terms of her employment and to present an employment agreement at the January 9, 2024 Board Meeting. Upon call of the roll, the motion passed 4-1 with Commissioners Morgan, Dawson, Rostad and Deutsch voting in favor of the motion and Commissioner Hill voting against the motion.

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 6:40 p.m.



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Jeff Gunkelman, Kennelly Business Law, Clerk