

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE FARGO PARK DISTRICT OF DECEMBER 10, 2024

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, December 10, 2024, at 5:30 p.m. at the Fargo Park District office at 6100 38th Street South, Fargo, North Dakota and via Restream. Present at the meeting were Commissioners Aaron Hill, Jerry Rostad, Joe Deutsch, Zoé Absey and Vicki Dawson. Also present were: Susan Faus, Dave Bietz and attorney Jeffrey Gunkelman.

Approval of Agenda

Commissioner Joe Deutsch moved and Commissioner Jerry Rostad seconded a motion to approve the agenda. Upon call of the roll, the motion passed unanimously.

Approval of Consent Agenda

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

- (a) The minutes from November 12, 2024 meeting;
- (b) The November 2024 bills; and
- (c) Permission to publicly bid the 2025 Park District Capital Projects as presented

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

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

Approval of Payment In Lieu Agreement

Broc Lietz presented to the Board on this matter. It was noted that the Park District sold the Anderson Park land to EPIC Companies in 2021. It was noted that as part of the sale the Park District received a guarantee from EPIC Companies that a 4-acre parcel located on within the land would be reserved as green space open to the public or a park. It was noted that construction has stalled on the development of the land and EPIC Companies has entered into a purchase agreement to sell the land to J&O Real Estate, LLC. It was noted that J&O Real Estate is requesting that the Park District release the land from the 4-acre public green space requirement and is offering to pay the Park District \$256,500.00 for such a release. It was noted that Park District staff worked to compute the market value of the 4-acre restricted use by considering several factors, including: (1) the reduced sales price that the Park District received for the sale of the land with the restriction; (2) property valuation increases since the sale; (3) cost per square foot; and (4) reviewing related sales.

Commissioner Vicki Dawson moved and Commissioner Jerry Rostad seconded a motion to approve the Payment In Lieu Agreement between the Park District and J&O Real Estate, LLC, as presented to the Board. Upon call of the roll, the motion passed unanimously.

Approval of Metro Sports Foundation, Inc., Bond Renewal and Leasehold Mortgage

Broc Lietz presented to the Board on this matter. It was noted that as part of the Urban Plains Development, the Fargo Park District entered into a Lease Agreement with Metro Sports Foundation, Inc. for the operation of Scheels Arena. It was noted that the Park District owns the land upon which Scheels Arena resides and Metro Sports Foundation operates the facility and is responsible for maintenance. It was noted that Metro Sports Foundation has a 25 year Bank Qualified Tax-Exempt Bond which matures every 5 years, secured by the lease agreement between the parties. It was noted that Metro Sports Foundation is seeking the approval of renewing their Bond which would result in a modified leasehold mortgage being placed on the property as security.

Commissioner Joe Deutsch moved and Commissioner Zoé Absey seconded a motion to approve the Metro Sports Foundation, Inc. bond renewal and Third Addendum to Leasehold Mortgage, Security Agreement, and Fixture Financing Statement, as presented to the Board. Upon call of the roll, the motion passed unanimously.

Planning Committee Update

Commissioner Vicki Dawson presented to the Board and provided an update on the Planning Committee from its November meeting. No action was taken on this matter.

Governance Committee Update

Commissioner Aaron Hill presented to the Board and provided an update on the Governance Committee from its November meeting. No action was taken on this matter.

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 6:00 p.m.

Jeff Gunkelman, Kennelly Business Law, Clerk