

PARK BOARD MEETING
February 22, 2019

Pursuant to due call and order, the Board of Park Commissioners, Dickinson Park District, met for a Regular Meeting at 8:15 am, Friday, February 22, 2019 at the West River Community Center.

ROLL CALL: Present were Commissioners Scott Kovash, Scott Karsky, Brad Fong and KC Homiston. Also present were Executive Director James Kramer, Director of Recreation/Facilities Matt Mack, Director of Buildings/Grounds Craig Pearson, Attorney Randall Sickler and Clerk Leah Hoenke. Commissioner Tim Daniel was absent.

New Employee Introductions – Director of Recreation/Facilities Matt Mack introduced Mike Rademaker, our new PGA certified head professional at the golf course. He said Mike will be starting office hours on Monday at the pro shop and said we are excited to have him. Director of Buildings/Grounds Craig Pearson introduced Scott Rabbitt, our new facility maintenance supervisor who comes very well qualified in all areas of parks/facility maintenance. He said we are very fortunate to have these two people join our operation. President Scott Kovash welcomed both new employees.

Patterson Lake Land Update – Executive Director James Kramer reviewed Senator Hoeven’s staff who recently visited. He said they need the bill that is currently going through the State Legislature to pass in order to move forward. One thing that is up in the air is some services on our end that are to be over the amount of our lawful bid limit, will have to publicly bid services such as appraisal, surveyor, engineer, etc. Director Kramer said he will keep updating the Board on progress. He explained the process involved and said we will need to bring to the City Planning/Zoning Board to get the land transferred from public to PUD. He said we will continue to charge cabin leases until process is complete and that a big step will be to re-write the permit for the ones that don’t buy their lots. Commissioner Scott Karsky asked about the road that goes into the area and who maintains it. Director Kramer said that will be and currently is maintained by the county and that will not change. Commissioner KC Homiston asked about the article in the paper saying that owners need to get together with neighbors to determine property boundary. Director Kramer said there is a map that shows the lot sizes but no pins to show boundary lines. He said he has had conversations with land owners about boundaries, but may not be an easy process. Commissioner Brad Fong says if they can agree, that may be a good place to start with having them decide where the boundary lines are. He also asked if every square foot will be priced the same. Director Kramer said each lot will have a different value but the cost per square foot will be the same. Commissioner Fong asked if we will be able to tax them on property value. Director Kramer said it is out of City limits, so we will not get any portion of their property taxes. Discussion followed.

Legal Updates – Executive Director James Kramer said that he and Attorney Randy Sickler have been working on ordinances. Attorney Sickler said we have an individual who has questions on the gun policy at Patterson Lake and has put in an open records request. He said currently it is a mish mash with federal law that says you can possess firearms as long as it complies with state law. Then after new state law was enacted stating a local municipality cannot enact laws to override state laws. The Bureau of Reclamation has given us their stance and we will take a look at a policy once we review the law. Attorney Sickler said between federal, local and state it is really kind of a battle and he is looking at what rights we have as a Park Board. Director Kramer said we removed all of the signage, because the signage was referring to an ordinance that we couldn’t produce and now the Bureau of Reclamation is working on some new signage. He said initially when this gentlemen called he referred to the ordinance and now it has led us to start looking at all of the past ordinances. He said we can’t find an actual book of ordinances so he went through all the minutes from 1947 when Park District was established to find them. He provided an ordinance history from April 1947. He said we really do not follow the Park District ordinances but instead use facility rules and City ordinances. He said City and County ordinances dictate what people can do within those boundaries. He provided a draft of Park District ordinances that will go through the public process and readings for approval. President Scott Kovash asked who will enforce this. Director James Kramer said the new ordinances are ones that the City doesn’t already provide. He said these ordinances are meant to be self-policing by our users but are all completely enforceable by City police. Commissioner KC Homiston asked about trespass issues. Director Kramer said that is a specific facility policy.

Attorney Randy Sickler then talked about land sale issues. He's looking at a process where we convey land that has been deeded to the Park District and looking at procedure to what limitations we have to transfer land and land that is dedicated to the City. He said the laws are less than clear with dedicated land. He explained that there are some implications in the law that in order to sell or abandon that park you have to have all the surrounding land owners on board. He said it is probably best to get an attorney general's opinion on how to move forward. He also said they will look at deeded, platted land, deed with restrictions, and will take each parcel one by one to make sure we are in compliance with ownership rights and obligations. Director Kramer said he thinks after this process is complete we will finally be able to put to rest all of the questions we've had over the years.

Foundation process – Executive Director Kramer said we are using Bismarck, Grand Forks and Fargo as examples to how others are forming foundations in an effort to form our own. Attorney Randy Sickler said it is a 501c3 corporation, general process is you file with Secretary of State and a certificate is issued and we adopt bylaws. He said you come up with a foundation plan for what you want to use the foundation for. He said we will look at other Park District's and try to mold our own. Director Kramer said it is an opportunity for the public to be involved in how we use our fundraising dollars and a way to get the public involved in helping raise dollars to better the community.

New/Old Business – No other business and action was taken.

Adjournment – MOTIONED BY: Scott Karsky; SECONDED BY: Brad Fong to adjourn the meeting at 8:45 am. Upon vote, all aye. Motion carried.

PREPARED BY:

APPROVED BY:

Clerk

President