

Mandan Park District
Board Meeting Minutes
June 12, 2023

The Board of Park Commissioners duly met on Monday, June 12, 2023, at City Hall, 205 2nd Ave NW in the Bosch Froelich room.

Attendees:

Park Commissioners: President Wade Meschke, VP Miles Mehlhoff, Stan Scott, and Layn Mudder.

Park District Staff present: Cole Higlin, Dustin Fleck, and Dave Frueh.

Legal Council: Arlen Ruff

President Meschke called the meeting to order at approximately 5:30pm, CDT.

Public Communication: Jan Fasching appeared to ask if he can speak on item 5 since there is no public hearing on the matter. President Meschke stated that yes, we look forward to hearing from both impacted parties.

Minutes: Motion by Commissioner Mudder and seconded by Commissioner Mehlhoff to approve the May 8, 2023, regular meeting minutes. Motion passes 4-0.

Item #1 Director Higlin introduced Josette Dupree from Big Stick Cigars requesting approval to change our current policy relating to tobacco sales on park district property. The tobacco free policy states the following: Mandan Park District prohibits tobacco products to be used within 20 feet of all MPD shelters, concession areas, buildings, grandstands/bleachers, playgrounds, and controlled areas for events. Tobacco free parks policy aligns with Mandan Park District's mission. The purpose of this policy is to offer a healthy environment that promotes the health, well-being, and safety of the community, employees, and visitors. Sale and/or distribution of tobacco products on park district property is strictly prohibited.

Mrs. Dupree states that she gets requests from time to time to offer her products at golf tournaments, she has sold her products at Hawktree, Heart River GC, and in Minot for a special event. President Meschke stated how we allow vendors at tournaments to give free items to golfers during tournament play, how do we separate between the two. Director Higlin summarized the contract with the Golf Professional which allows him to control the sale of goods within the pro shop. Director Higlin stated that we do not have a policy that states what tournament coordinators can and cannot do at our golf courses.

Director Higlin stated that he does not support changing our policy to sell tobacco products, but it willing to work with Mrs. Dupree by allowing her to sell tobacco products at two golf tournaments at either course allowing Brent Weber, Golf Professional to report back on how things went at a future meeting. Discussion was held among commissioners that if we chose to allow tobacco products to be sold in the future, they should have to follow the same standards as food trucks who are required to purchase a \$100 permit from the park district. Motion by Commissioner Mudder and seconded by Commissioner Scott to allow Big Sticks Cigars to sell tobacco products at (2) golf events at either course at no charge. Motion passes 4-0.

Item # 2: Michael Svetz, Pros Consulting, presented the final draft of the Operations Maintenance Staff study. The study presented the data collections Facilities, and Parks/Grounds, and a District tour on May 9. The Mandan Park District currently has 122 acres of developed parks, 139 acres of special use facilities 47 acres of open space, 17 miles of paved trails, 161,100 of indoor sq ft, 27 holes of golf, an archery range, a waterpark, 30 camp sites and various shelters. 161,000 sq ft of indoor facilities have been reorganized and placed in categories for level of maintenance. The key recommendations are addressing Facility Maintenance Management, standardized park maintenance requirements, enhance capital repair and replacement plan for indoor facilities since most of them are new. For adding new full-time employees, the immediate need to Facility Maintenance Manager, All Seasons Arena- Facility Maintenance and a shared position between Sports Complex and Park Operations. Director Higlin stated that we have these two positions included in the 2024 budget. In 2025 and 2026 increase seasonal staff for facilities and parks with each with a half time equivalent position.

In consultation with PROS Consulting, the Mandan Park and Recreation District is proposing the following functional organization changes to reduce the number of new employees hired to meet the recommended staffing needs.

1. The current Recreation and Facilities Manager will assume all responsibility for the maintenance of recreation facilities as well as the day-to-day oversight of contracted facility use and operational agreements.
2. The Parks and Grounds Manager will assume all responsibility for the maintenance of parks, trails, grounds, and open space.
3. Two Full-time Maintenance Staff will be shared employees between the Parks and Grounds Division and the Facility Management Division based on season.
4. The current Marketing and Foundation Manager will retain current responsibilities but also assume responsibility for recreation programs directly administrated by the district.
5. No functional organizational changes will be made to the Golf and Accounting Divisions. Accounting is adding back a full-time position that was reduced to seasonal during covid.

Pros Consulting also recommends:

Maintenance Management Guiding Principles

In the process of completing over 1,000 projects throughout the United States and abroad, the Consulting Team has developed a set of maintenance management guiding principles for park and recreation agencies. These six recommended guiding principles are provided below for consideration by the district.

1. Park and facility maintenance personnel in best management systems maintain a ratio of acres/square footage per person of managed park and recreation facility space, dependent upon the park/facility classification. This can be a combination of public employees and contract employees. a. PLEASE NOTE: Best practice agencies outsource their maintenance operations at no less than 20% of their total labor with the remaining resources dedicated to continuity in case a contract is discontinued the agency can step in and continue operations with limited impact on the users.
2. Best practice agencies have an equipment replacement program established and funded to keep equipment tied to employee productivity and supporting the efficiency goals of the agency.
3. Best management agencies update their maintenance management plans every three to five years in place to keep control of maintenance costs and efficiency.
4. Best practice agencies have established design standards for parks and recreation facilities based on the outcomes that they want to achieve and based on the dollars to develop and the return on investment from users to support operational costs if any. These standards typically apply to all developed parks and art and culture/recreational facilities an agency has under its management and control.
5. Best practice agencies seek out bond funds to support capital costs every five to ten years to keep the bond issue low with the high value of return to taxpayers based on the time-value of money. As parks and recreation facilities are developed and succeed, the community will support these bond issues if presented correctly and the improvements have wide-age segment appeal.
6. Best practice agencies have multiple funding sources including earned revenues that they use to support operational and capital costs to keep the agency as sustainable as possible.

Implement a GIS-based asset management Work Order System

A work order system should be used to track lifecycle maintenance requirements that are tied to weekly and monthly work orders. This will help the staff to stay ahead of preventative maintenance and limit breakdowns. Further, utilizing the system will provide staff with the necessary "actual cost" data for work being performed. The typical components of a work order management system are as follows:

Schedule Work Activities ○ Detailed framework for asset management by incorporating GIS into the asset repository. Allows for grouping of assets by location, type, age, or other key parameters. These groupings can then be used to create maintenance activities such as preventive work, reactive work, tests, or inspections.

- Mapping Tools

- ArcGIS maps are an integral part of the work management process. This allows for the creation of map visualizations of database queries including open work orders, service requests, or work orders of a specific type and assignment. These tools empower both management and staff to interact with asset data.

- Data Mobility

- A variety of tools to help maintenance staff access and update valuable information while in the field.

- Asset Management

- Track work performed on any asset at any given time throughout its lifecycle. Users can easily search for active work orders and view them dynamically on the GIS map. Track overdue work orders and monitor work associated with a specific task, contractor, or project.

- Track Unproductive Time

- A key component of creating an efficient parks maintenance operation is to minimize unproductive time, such as travel time between parks. Travel time on average should not exceed the maximum threshold of 2.2 hours for every 8-hour day.

Cost of Service/Systematic Approach to Contracting Services

Through the development of management processes, the Maintenance Division must begin to track the cost of service at a unit activity level through the implementation of a work order management system. This, in turn, would internally analyze the unit cost to perform work internally against the unit cost to perform work by a third-party vendor, in particular right-of-way, median and public facility grounds landscape maintenance.

Cost Avoidance

Maintenance operations are typically spent in divisions that do not have direct revenue sources that can offset expenditures. There are opportunities, however, to reduce expenditure through the following strategies.

Adopt-a-Trail Programs: These programs are like the popular “adopt-a-mile” highway programs most states utilize. Adopt-a-trail programs can also take the form of cash contributions in the range of \$12,000 to \$16,000 per mile to cover operational costs.

Adopt-a-Park Programs: These are small-grant programs that fund new construction and provide maintenance support. Adopt-A-Park programs can also take the form of cash contributions in the range of \$1,000 to \$5,000 per acre to cover operational costs.

Item 3: Director Higlin requested approval to apply for the Park Systems Grant Program. The Park District would be applying to replace our 40+ year old light poles and fixtures at Memorial Ballpark. There are (6) foul territory poles and replace 8 fixtures to LED. The cost estimate is \$650,000 and the Mandan Baseball Club would provide the local match of 50%. Motion by Commissioner Scott and seconded by Commissioner Mehlhoff to approve applying for the Park System Grant for the Memorial Ballpark lighting and pole replacement project with the Mandan Baseball Club providing the local 50% match. Motion passes 4-0.

Item 4: Recreation & Facilities Manager Frueh presented the Faris Field bids in the amount of \$590,591 which includes alternates A & B for backstops and fencing. Motion by Commissioner Scott and seconded by Commissioner Mehlhoff to approve the Sand Creek for \$398,054.81, Electrical \$73,044, Alternate A (backstops) \$44,940, and Alternate B (fencing) \$74,552.19 for total of \$590,591; motion passes 4-0.

Director Higlin recommended for approval amending the 2023 general fund in the amount of \$100,000 for the Faris Field project and redirecting \$80,000 from the already approved \$280,000 fencing upgrades for the youth complex towards Faris Field. Motion by Commissioner Mehlhoff a seconded by Commissioner Mudder to approve amending the 2023 budget in the amount of \$100,000 from the general fund for Faris Field and redirecting \$80,000 from youth baseball complex fencing to Faris Field. Motion passes 4-0.

Item 5: Director Higlin updated the board on the Park Operations Building stating that footings are poured and that foundation walls will start within the next couple of weeks. During construction an unmarked sanitary sewer line that services Jan Fasching and John Gartner Jr properties was hit during construction. The sanitary sewer line does not have an easement, and we can't find any documentation as to how it was installed and by who. Director Higlin stated that he was in contact with Attorney Ruff about our options and with Justin Froseth, City Engineer. Since the line was not recorded or within an easement the city stated that the issue is between the Park District and Mr. Fasching and Mr. Gartner. Commissioner Mudder and I met with Mr. Fasching and Mr. Gartner to discuss our options as the sanitary sewer line is 6' away from the footing of the new \$3.1 million building. The area around the building will have concrete and if any issues happen in the future, the building or concrete will have to be removed to repair it in the future. Director Higlin recommends that the line be relocated within the current easement to the west and the Park District would provide adequate space for the sanitary line at no cost for the easement. The concern is the cost of the relocation of the line ranges from \$10,000 to \$20,000 and cleanouts need to be added to the line every 100' which is a cost that we do not know at this time. Currently there are no clean outs on the existing line that is approximately 500 + or-.

Mr. Fasching stated that the line has been there since the 70's and the property previously was owned by Morton County and the city has no record of it. Mr. Fasching stated that the line was hit during the southside improvement district. Mr. Fasching informed Dustin Fleck about the sewer line and feels there should be no cost to him. Commissioner Mehlhoff asked where his houses and Emil house connect to the sanitary line in the street and goes west. The bait shop is the building in question that ties into the line that impacts park property. Mr. Fasching asked if a variance was provided and that takes time to find out. Mr. Gartner stated that currently his sanitary is only used for a floor drain and recommends leaving it and does not want to spend money on it. Mr. Gartner spoke with his lawyer and asked about an implied easement with a handshake deal and been there over 20 years and not hurting your project. Mr. Gartner feels he had an easement of the abandoned clay tile, and it has been abandoned. President Meschke clarified what agreement did the Park District agreed to since there is no paperwork and no easement for the sanitary line. Mr. Gartner stated that it's an implied agreement since no one has protested under adverse possession as a prescribed easement. President Meschke asked Mr. Gartner if he is willing to sign an agreement for damages from the line to our parking lot or building. Mr. Gartner stated that the architect should be responsible since it's 6' away from the footing. Mr. Gartner is unwilling to sign an agreement for any damages and feels it is functional and not hurting anything. Commissioner Mehlhoff confirmed that he only has one building on the lot. Commissioner Mudder asked if he needs to add an 8" line to meet code. Director Higlin stated that a 4" line is sufficient to install since it's only servicing two buildings.

Attorney Ruff stated that he respectfully disagrees with his attorney as it does not rise to adverse possession since missing elements are that Mr. Gartner is not paying taxes on the park property, secondly it needs to have notice or visible on the park property and if no objective to a trail or tree row then yes we have adverse possession, the Park District purchased the property in good faith had no notice of this sanitary line and therefor constitutes a trespass. The Park District is within their rights to cut and cap this line at this point. President Meschke asked if that is your recommendation, Attorney Ruff stated that is his recommendation. Mr. Fasching asked if cutting the line impacts his bait shop operation, he won't be able to continue his business and impact a hardship on them. The city knew the line was hit in the road and didn't do anything about it.

Director Higlin clarified a statement that was made onsite about not needing the sanitary sewer line as he could use the well to drain the bait shop. Mr. Fasching asked for additional time to determine legally if he can do that with the state. Mr. Fasching stated that all sewer lines need to be 10' away from the water lines. Director Higlin stated to avoid concerns with contractor workmanship, we need to stay out of that and let the two landowners work directly with the contractor and the city for permitting reasons to protect our investment. The hole is open with an exposed line that we can go in and cut it today and not impact our construction project. This allows Mr. Fasching and Mr. Gartner to determine how and when they want to replace the line. Director Higlin stated that we will be backfilling the site within the next 2-3 weeks and if we do not cap the line, we will have to dig the area up at our expense.

The Park District is willing to give an easement on the west or east side of the easement. Commissioner Mudder stated that this is a city responsibility and Mr. Fasching and Mr. Gartner need to coordinate among themselves and meet the codes of the city. Mr. Fasching wants to determine if a variance was granted so the Park District isn't violating anything.

President Meschke asked when we will start backfilling, Director Higlin stated within the next 2-3 weeks we should start backfilling the site. Commissioner Scott stated two things stand out to him, one is that the Park District does not benefit and paying for it doesn't make sense. We also do not want to set precedent on paying for future infrastructure on park property.

Attorney Ruff stated that the Park District is willing to widen the current easement and direct the landowners to work with the city on street right of ways and recording the line with the easement. Commissioner Mehlhoff shared his concerns if the properties in question are sold or transferred in the future how does that sale occur without proper easement for the property? Attorney Ruff stated that it will be an issue and we do not have to grant access to our property for future repairs. That is why we need to relocate the line. Mr. Fasching stated that he told Dustin Fleck about the line and concerns about where the new Park Operations Building was going to be located. Park Operations Manager Fleck stated that we met on site in the street to determine where potentially goes. President Meschke asked Mr. Fasching if you had the line scoped to determine where it went, did you research it further to determine if you had an easement. Mr. Fasching stated no, as he assumed it was recorded and did not follow up on it.

Motion by Commissioner Mudder and seconded by Commissioner Mehlhoff to approve cutting and capping the sanitary line allowing Mr. Fasching and Mr. Gartner enough time to research further information and provide documentation with a deadline of June 30, 2023. Motion passes 4-0.

Commissioner/Staff reports: Director Higlin stated that Commissioner's Scott and Froehlich showed interest in attending the NRPA conference. However, the costs to attend have drastically increased and the recommendation is to attend in 2024. Director Higlin will attend virtually to keep his CEU's.

Motion by Commissioner Mudder and seconded by Commissioner Scott to approve monthly bills as presented. Motion passes 4-0.

*Check Summary Register

44920	ADVANCED CLEANING &	6/13/2023	\$120.00	Extract water and sand out of pipe
44921	ADVANCED ENGINEERING AND	6/13/2023	\$1,390.25	Boat Ramp Design Fees thru May 12, 2023
44922	ASSOCIATED POOL BUILDERS	6/13/2023	\$59,396.25	Pay app #6 - RR Exterior Improvements
44923	BENDER, MITCH	6/13/2023	\$93.06	Reimburse for construction supplies for Rodeo
44924	BERGSTROM ELECTRIC INC	6/13/2023	\$5,776.20	Electrical pay app #6 - RR Interior Renovations
44925	BISMARCK LUMBER	6/13/2023	\$362.16	Rake and Corner Rodeo Arena
44926	BISMARCK PARKS AND	6/13/2023	\$1,231.44	Marking Chalk for field use - Parks
44927	BOBCAT OF MANDAN	6/13/2023	\$97.50	Rodeo Arena Rental
44928	BSN SPORTS	6/13/2023	\$4,316.40	Baseball Pants
44929	BURIAN & ASSOCIATES LLC	6/13/2023	\$648.75	SB/Baseball Corp Permit Application services
44930	CAPITAL CITY CONSTRUCTION	6/13/2023	\$91,336.00	Construction pay app #2 - Park Maintenance
44931	CCR SUPPLY	6/13/2023	\$4,267.41	New Griddle, Freezer & Cooler Shelving
44932	CENTRAL MECHANICAL INC	6/13/2023	\$112.50	MTC Air Conditioner Repairs
44933	CITY OF MANDAN	6/13/2023	\$56,431.10	Half the Cost of Change Order to install Sewer
44934	CLASSY CAKES	6/13/2023	\$1,008.00	Cookie Dough - RR
44935	DAKOTA AWARDS	6/13/2023	\$15.00	Leaf Plaque for Living Tree Memorial
44936	DAKOTA DUSTEX INC	6/13/2023	\$1,297.50	Paper Products - Shop
44937	DAKOTA FIRE STATION INC	6/13/2023	\$703.60	Annual Inspection at Centennial Park
44938	DIRK PLUMBING & HEATING INC	6/13/2023	\$12,291.00	Install LP Water Heater at Dakota Speedway
44939	EAPC ARCHITECTS ENGINEERS	6/13/2023	\$8,506.40	Architectural services thru 4-29-23 - RR Interior
44940	EAST SIDE JERSEY DAIRY INC.	6/13/2023	\$271.68	Milk - SMAC
44941	EASY PICKER GOLF PRODUCTS	6/13/2023	\$756.47	Range Tokens PW
44942	FARSTAD OIL INC	6/13/2023	\$122.86	Propane SSC
44943	FRUEH, DAVE	6/13/2023	\$0.00	Miay Mileage Reimbursement - Rec
44944	HAGA KOMMER CPAS	6/13/2023	\$5,600.00	Progress Bill for 2022 Financial Audit
44945	HAWKINS INC	6/13/2023	\$7,668.33	Pool Chemicals RR
44946	HR COLABORATIVE	6/13/2023	\$50.00	Human Resources Training Admin
44947	HUNTINGTON NATIONAL BANK	6/13/2023	\$59,310.00	PW Cart Fleet Package Lease pymt
44948	INNOVATIVE OFFICE	6/13/2023	\$47.13	Pens -Admin
44949	IRONSIDES CONSTRUCTION	6/13/2023	\$3,900.00	Construction pay app #7 - RR Interior
44950	J&J EQUIPMENT	6/13/2023	\$24,465.00	McClelland Property Demolition
44951	JOHS, CASEY	6/13/2023	\$299.56	Mileage Reimbursement - April - Rec
44952	LPT IMAGES	6/13/2023	\$280.00	Grand Opening Rodeo Arena Photos
44953	MANN SIGNS INC	6/13/2023	\$7,190.00	Tyra Name Plate Update - Marketing

44954	MTI DISTRIBUTING INC	6/13/2023	\$9,178.26	Watervision System at PW
44955	NORTH DAKOTA GOLF	6/13/2023	\$125.00	GHIN/NDGA Membership MM
44956	NORTHERN TROPHY &	6/13/2023	\$2,019.10	Summer MAC T-Shirts
44957	NORTHWEST CONTRACTING	6/13/2023	\$127,525.10	Contractor pay app #6 - Tennis Center
44958	NRG TECHNOLOGY SERVICES	6/13/2023	\$71.80	Singlemode Duplex LC to LC Fiber Optic SSC
44959	PLAISTED COMPANIES INC	6/13/2023	\$7,417.55	Topdressing Sand PW
44960	PRIEFERT	6/13/2023	\$767.09	Rodeo Arena Panel Extension
44961	PRO AG SOLUTIONS	6/13/2023	\$250.00	Herbicide - Parks
44962	R & R SPECIALITIES INC	6/13/2023	\$650.00	Ice Logos SSC
44963	RECSUPPLY	6/13/2023	\$1,557.00	Umbrellas RR
44964	RIVARDS TURF AND FORAGE	6/13/2023	\$3,425.00	Grass Seed - Rodeo Arena
44965	NICOLE SCHERR	6/13/2023	\$190.04	May Cell Phone Reimbursement - MAC
44966	SP&E	6/13/2023	\$1,725.00	Baseball Track Repairs ASA
44967	SPIFFY BIFFS	6/13/2023	\$249.00	Portable Restroom PW
44968	STEINS INC	6/13/2023	\$1,336.42	Chemicals SSC
44969	BISMARCK TRIBUNE	6/13/2023	\$578.00	Faris Field Advertising for Construction Bids
44970	THE PRINTERS	6/13/2023	\$125.00	Corporate Pass Cards PW
44971	THOMAS, KELLY	6/13/2023	\$50.00	May Cell Phone Reimbursement - Admin
44972	TRICORNE AUDIO INC	6/13/2023	\$1,425.00	Rodeo Arena Soundssystem
44973	TUBE PRO INC	6/13/2023	\$11,436.50	Inflatable Tubes RR
44974	US FOOD SERVICES INC	6/13/2023	\$17,293.06	Food Supplies - RR
44975	VERMONT SYSTEMS INC	6/13/2023	\$175.00	SMS Texting Training - Marketing
44976	VODEL, JODI	6/13/2023	\$650.00	May Admin Office Cleaning
44977	WARRENS LOCKS AND KEYS	6/13/2023	\$355.00	Padlocks for Rodeo Arena
44978	WESTERENG, JOHN	6/13/2023	\$40.00	Cell Phone Reimbursement - May
44979	YEADON FABRIC DOMES LLC	6/13/2023	\$21,735.75	MTC Dome Pay app #6
44980	FRUEH, DAVE	6/13/2023	\$133.62	May Mileage Reimbursement - Rec
	Total Checks		\$569,844.84	
	Starion Bank P-cards		\$32,542.89	
	US Bank P-cards		\$ 5,773.89	
	6-9-23 Payroll		\$137,398.10	
	6-23-23 Payroll		\$182,189.18	

The motion to adjourn the meeting was at approximately 7:23pm. Motion made by Commissioner Mudder and seconded by Commissioner Scott; Motion passes 4-0.

Cole Higlin

Cole Higlin
Clerk, Mandan Park District



Wade Meschke












June 12 2023 minutes_

Final Audit Report

2023-07-18

Created:	2023-07-11
By:	Kelly Churchill (kchurchill@mandanparks.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJUzPLeDKR8RKZSWU3SIQwekZBagcxyNY

"June 12 2023 minutes_" History

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