

Outdoor Heritage Fund Building Projects Discussion

One of the topics that has been discussed at the Outdoor Heritage Fund Advisory Board meetings and also at the Technical Committee meetings is whether there should be funding for Buildings. After discussion at the most recent Technical Committee it was suggested to put it on the agenda for the December 15, 2014 meeting. It would be helpful to get some clarity on this issue for staff to be able to advise potential applicants. Part of this discussion should be what all is included when we refer to a "building." Does it include a picnic shelter, a restroom, a bathhouse, pergola, comfort station, etc.?

In Grant Round 1 the OHF/Commission received the following 8 applications totaling \$322,211 that involved buildings (used the broad definition of buildings):

001-00C	Wildlife Education & Recreation Center (Minot Indoor Rodeo)	\$75,000
001-00K	Carrington CrossRoads Golf Course Shelter / Restroom	13,000
001-01I	The Marcus Friskop Nature Center (included classroom & greenhouse)	110,000
001-0MM	Mt. Carmel Dam Recreation Area Bathhouse	50,000
001-LLL	Schatz Point South Side Boat Ramp (included a picnic shelter at this cost)	7,961
001-00O	Bismarck Rotary Arboretum Accessibility, Conservation and Interpretive Improvements (included a shelter at this cost)	20,000
001-00T	Trailhead / Neighborhood Park (included a shelter at this total cost)	25,000
001-0BB	Hankinson City Park Restroom Replacement & Playground Addition (included a restroom at this total cost)	21,250

The Advisory Board did recommend funding for the Marcus Friskop Nature Center but limited the funding to only outdoor activities--it did not fund the building components of the application. On the Trailhead Park the Advisory Board recommended funding of \$105,000 and stated that the funding could not be used for any paving/parking lot projects. The other projects were not funded at any level.

In Grant Round 2 the OHF/Commission received the following 5 applications totaling \$555,201 that involved buildings (used the broad definition of buildings):

GR2-006	Equip the Menoken 4-H Picnic Park Mutual Aid Corporation with accessible bathrooms and update the electrical infrastructure	\$23,674
GR2-008	Norsemen Outdoor Education Center	220,781
GR2-018	Hankinson Park District Restroom Replacement Project	19,250
GR2-019	TMBCI Sky Chief Park Educational Stewardship Lodge	60,000
GR2-024	Sleepy Hollow Preservation and Renewal	231,496

There was no funding provided to any of these projects in Grant Round 2.

In Grant Round 3 the OHF/Commission received the following 4 applications totaling \$237,250 that involved buildings (used the broad definition of buildings):

GR3-004	ADA Accessible Restroom & Shower Facility for Park Recreation (the amount requested from the OHF was \$100,000 - total cost is \$400,000)	\$100,000
GR3-009	Hankinson Park District Restroom Replacement Project	19,250
GR3-012	Drayton Campground (the amount requested from OHF for bathhouse)	73,000
GR3-013	Park River Parks & Recreation - Phase 1 Campground and Three-Plex Ball Field (total cost of comfort station is \$60,000)	45,000

In Grant Round 3 the Advisory Board recommended funding for the Park River Parks and Recreation project and funded the campground part of the application at a cost of \$240,000 which included a comfort station. There was a stipulation that funds could be spent only on the campground and no engineering costs. Funding was also awarded to the Drayton project but was limited to \$125,000 with the stipulation that the funds be used only for site development, water and sewer.

In Grant Round 4 the OHF/Commission received the following 2 applications totaling \$230,489 that involved buildings:

GR4-004	Sargent County Silver Lake Park "Playplaces and Gathering Spaces" Renovations Project	\$13,708
GR4-007	Norsemen Outdoor Education Center	216,781

Attached is a document that includes excerpts from various Advisory Board meetings on this topic.

Here are some points for discussion--there may be many more:

- Should we separate the issue of funding restrooms from the funding of other buildings? What if the restrooms are built on campgrounds and also have laundry facilities attached to them or perhaps a small office?
- If the OHF provides funding for restrooms are there some restrictions?
 - Only new restrooms on new trails or in new parks?
 - Renovation of restrooms in parks or along trails to make them handicapped accessible?
 - Replacing restrooms in parks or along trails that are dated and are in disrepair?
- Should the OHF provide funding for a building that is used primarily for educational purposes - those educational purposes could be for promoting outdoor activities, hunting programs, conservation programs, etc.?
- Should the OHF provide funding for a building that will be used by a wildlife group for their meetings (not necessarily educational meetings)?
- Should the OHF provide funding for buildings that will be used in the winter for activities related to outdoor activities such as hunting? If so, should this only be done if there is no private sector entity already providing these types of services?
- Should we leave the door open and let each application be considered on its own merits?

Excerpts from Outdoor Heritage Fund Advisory Board meeting minutes on the topic of buildings.

The following are excerpts from the January 13-14, 2014 OHF Advisory Board meeting minutes:

Representative Todd Porter joined the meeting at this time for a discussion on legislative intent regarding the Outdoor Heritage Fund legislation. He indicated that he is watching the work of the Board and has reviewed all the applications that were submitted. He stated that in the legislative discussions they had anticipated "boots on the ground" types of projects rather than research and development projects. He also stated that they had hoped there would be shovel ready projects with the applicant bringing a cost share from the sponsoring organization.

Project 001-II - The Marcus Friskop Nature Center - Submitted by Hankinson Public School - In discussing this application the following points were made:

- The applicant should be commended for what they have accomplished. Like the collaboration and partnerships that have taken place.
- **The Outdoor Heritage Fund dollars should only be used for outdoor projects.** Namely, outdoor amphitheater, access to Lake Elsie, picnic area, outdoor classroom, high tunnel, primitive campground and establishment of the wildlife enhancements. (Total costs of those projects are \$67,850 -- 50% would be \$33,925.)
- The purpose of the Outdoor Heritage Fund is not to fund school facilities. If we open this door we will be funding facilities at every school in the state.
- The key question should be if the facilities, whether they are located at a school or elsewhere, allow public have access to them.
- The question of partially funding an application was raised. Is that the correct way to handle this request?

001-O - Bismarck Rotary Arboretum Accessibility, Conservation and Interpretive Improvements - Submitted by Bismarck Rotary Club - **It was noted that this includes a shelter. Is this considered a building? Ms. Godfread indicated that if there was a question about the shelter for \$20,000 that could be eliminated and focus on the improved path which involves exercise.** She pointed out that this is a good jogging path; school children do use this area; they come and look at the trees which are marked; some of it is native grasslands and some of it is invasive and needs conversion to truly native grasslands. Just for the exercise part it is really nice but the shelter could be removed from consideration. A point for consideration was raised as to whether this Fund should be used to renovate things that are in the middle of a city. Not sure if it fits the purpose of the Outdoor Heritage Fund. A brand new park somewhere else maybe fits the purpose but the applicant should seek funding elsewhere.

Project 001-MM - Mt. Carmel Dam Recreation Area Bathhouse - Submitted by Cavalier County Water Resource District - **The question was posed that this is the Outdoor Heritage Fund and are we interested in building buildings of any sort or is there an exception? One comment was made by a Board member that they had not seen one yet.** Mr. Zimmerman stated that this type of project would qualify for consideration under the Land and Conservation federal funds that are administered by the ND Parks and Recreation Department on a matching grant basis. Also with 150 seasonal sites the campers are paying fees for the season to have their campers there and there are overnight and weekend campers, perhaps they could be asked to help fund some of this if they want a new shower house. If the applicant doesn't do well in the competition for the Land and Water Conservation funds they could come back.

It was moved by Mr. Wogsland and seconded by Mr. Hutchens that the Trailhead/Neighborhood Park application submitted by the Bismarck Parks & Recreation District be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$105,000.

There was considerable discussion about whether the Board wanted to direct where the funding is to be used. They reviewed the application and the dollar amounts for the different aspects of the application. It was suggested that the playground equipment, paving and shelter be excluded from the funding. The point was made that the Board is considering only half of the funding that was recommended and that the applicant would have the expertise to determine how best to use the funding. There was discussion on whether the Board was being consistent in funding this project when it had already voted down a number of projects that included paving, playground equipment, and buildings. In response to a question, Mr. Bina indicated that they would have to revise their plan with the lower amount of funding or perhaps do the park in phases.

It was moved by Mr. Hoffman and seconded by Mr. Aasmundstad that the motion be amended to restrict the funding from being used for paving. On a roll call vote on the amendment, Aasmundstad, Bina, C. Godfread, J. Godfread, Hoffman, Hutchens, Kuylen voted aye and Melchior, Reiersen, Stockdill, Wogsland, and Moser voted no. The motion carried.

The following are excerpts from the **January 22, 2014** OHF Advisory Board meeting minutes:

Buildings - The Board discussed the need for some flexibility on this point. Perhaps in the right park situation it is appropriate to do a building structure. But this Fund isn't to be used for wellness centers that are heated and operated year round, ice arenas, etc. However, outdoor shelters, restrooms to support the trail usage, etc. could at least be considered. If there is a project that fits under the directives then the Board should at least look at it and see if there is a case for that particular facility.

The following are excerpts from the DRAFT **May, 13, 2014** OHF Advisory Board meeting minutes:

GR2-018 - Hankinson Park District Restroom Replacement Project - Hankinson Park District - \$19,250 - Directive D - Presentation made by Ms. Lindsey Stein. (Slides are available in the Commission files.) In response to a question, Ms. Stein stated that the restroom facility serves all the areas of the park itself, two softball diamonds that are south of the restrooms. In total approximately an eight square block area.

GR2-019 - TMBCI Sky Chief Park Educational Stewardship Lodge - Turtle Mountain Band of Chippewa Indians - \$60,000 - Directive D - Presentation made by Mr. Les Thomas, Lyle Poitra and Kane Ferris. (Slides are available in the Commission files.) In response to a question it was indicated that the interior design includes the bathroom facilities with a shower, a large room for meetings and gatherings and a kitchenette. This facility will be located right next to the picnic shelter and picnic tables, grills, etc.

GR2-08 - Norsemen Outdoor Education Center - Norsemen Archers, Inc. - \$220,781 - Directive D - Presentation made by Mr. Tyler McPherson and Mr. Ross Thykeson. (Slides are available in the Commission files.) ...In response to a question, Mr. Thykeson stated that they had not

dedicated anyone to be responsible for the coordinating, clean-up and maintenance on the facility if it is used for meetings, weddings, dances, etc. That needs to be discussed if they are awarded the funding.

GR2-08 - Norsemen Outdoor Education Center - Norsemen Archers, Inc. - \$220,781. Support was expressed for archery programs but it was suggested that there are other funding sources that should be approached first. There was discussion on whether the dollars in the Outdoor Heritage Fund should be used for multi-purpose buildings. There was support expressed for funding this building as well as the prior application because they would provide a location for educating North Dakotans both young and old about the outdoors, conservation, recreation opportunities, etc. The teaching about our great outdoors and how to experience it is also important. Mr. Steinwand noted that the Game and Fish Department would not have funding available for a building as this was proposed. It was noted that in the first round the Board would only fund things that were outside and not a building. Mr. Moser stated that this topic may need more discussion so there is a consensus on what we tell potential applicants about the Board's position on the funding of buildings.

Ms. Godfread asked about the two projects with buildings and if we are going to amend the Outdoor Heritage Fund application to state we will not fund buildings – the building applications did not get the needed votes either this time or last time. She wondered if we were misleading applicants by suggesting they submit an application for a building if we are not going to fund buildings. In response Mr. Moser said he didn't know if two rounds had set enough of a precedent to tell people we won't fund buildings or is there a project out there that would merit funding – he didn't know.

Mr. Hoffman said he didn't support funding for the two applications this round but if something comes up such as a trap club that needed to have something, he would be for that because that involves being outdoors. The archery project was close. There may be projects with buildings that he would support. Mr. Reiersen said he is against hard lines because there is always a great exception but could we say something like generally buildings will not be approved unless there are exceptional circumstances and it would be the applicant's decision to submit an application. Mr. Moser said we have had a little discussion on that before and the applicant has said what do you mean – what is an exceptional circumstance? If we say no – people will not apply.

Mr. Godfread said he would be comfortable saying something along the line of we are not funding bathrooms because that is something consistent. In regards to the archery club--he understands the point about the education application--there is room for some of these projects and he still advocates for the archery center as a way to get kids out into the outdoors and encourage that kind of activity.

Mr. Moser took up Application GR2-19-- TMBCI Sky Chief Park Educational Stewardship Lodge submitted by the Turtle Mountain Band of Chippewa Indians

Mr. Wogsland said in both of these projects involving buildings the arguments are the same. He thinks the case was made by both groups as to the need and necessity as well as the use of the facilities and it is a good thing and he thinks it falls in line with what we are doing today.

Mr. Godfread said it is important to point out that one of the entities that the Legislature indicated was eligible for funding is a tribal entity and they came forward with a good project.

Dr. Hutchens said he is in agreement with what has been stated and he wanted to make it clear that we are now talking about funding education in a building – we would be establishing that precedent.

Mr. Hoffman said if these building would have been for just outdoor activities but they are also going to be community buildings and there was no funding from the communities for these buildings. He would have had an easier time voting for them if there had been more community funding.

Ms. Godfread said in essence they have community funding because they are doing the construction – they are not hiring someone to do that, they have a lot of skin in the game on this one. Sixty percent of their community is under the age of 18 and there is not much for them to do in the winter.

Mr. Kuylen said one thing they wanted to teach to the young people is their heritage. If anyone in this state has heritage it is our Native Americans. They want to teach that heritage to their young people and this project will give them a facility where they can do that. They are planning to have these young people help put up the building--there is a lot for the community support. They are putting in sweat equity – he thinks it is a good project.

Mr. Reieron said this is an Outdoor Heritage Fund and we are building indoors – he did not know which Directive it fits under; D is probably the closest. He can't support a building project like this. If we are going to be funding education projects and buildings he didn't think there would be enough funding for trails, conservation and the projects that this Fund was created to fund. He did not think this is what the Legislature had intended and cannot support funding for buildings.

It was moved by Mr. Wogsland and seconded by Mr. Godfread that the TMBCI Sky Chief Park Educational Stewardship Lodge application submitted by the Turtle Mountain Band of Chippewa Indians be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$60,000 (Application GR2-019). On a roll call vote C. Godfread, J. Godfread, Hutchens, Kuylen, and Wogsland voted aye and Bina, Hoffman, Melchior, Moser, Reieron and Stockdill voted nay with Mr. Aasmundstad absent and not voting. The motion failed on a vote of 5 to 6.

Mr. Moser took up Application GR2-08 - Norsemen Outdoor Education Center submitted by the Norsemen Archers, Inc.

Mr. Godfread said there is one difference between this application and the previous application – this is for archery. Mr. Hoffman made the comment about clay pigeon shooters; to him archery is clearly an outdoor activity. If you don't want to set the precedent of funding buildings for educational purposes this application is clearly tied to outdoor activities. It is hunting and teaching the proper use of those things used outdoors so there is a little distinction between this one and the previous one.

Mr. Kuylen said he did not support full funding for this application wholly because he thought if they partially funded it the community would put more skin in the game. He thought if the community really needed this building they would come together with the rest of the funds. He is in favor of it because archers do this all winter long to keep themselves sharp for when they go into the field..

Mr. Reiersen said he is an archer and he agrees they stay in practice but we build our own buildings – we did it in conjunction with the Game and Fish Department, in conjunction with the Upper Missouri Valley Fair so when we built our building it was in conjunction with others. If we go down this path we will be paying for archery buildings, pistol ranges, etc.

It was moved by Mr. Wogsland and seconded by Mr. Godfreed that the Norsemen Outdoor Education Center application submitted by the Norsemen Archers, Inc. be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$220,781 (Application GR2-08). On a roll call vote J. Godfreed, Hutchens, Kuylen, and Wogsland voted aye and Bina, C. Godfreed, Hoffman, Melchior, Moser, Reiersen and Stockdill voted nay with Mr. Aasmundstad absent and not voting. The motion failed on a vote of 4 to 7.

The following are excerpts from the rough DRAFT **September 5, 2014** OHF Advisory Board meeting minutes:

GR3-012 - Drayton Campground

Mr. Reiersen said he had concerns about the **building**, Wi-Fi, road work - we should take those out.

Mr. Zimmerman said in 5 years he's seen a dramatic increase in camping and wanting to be outdoors with families. If you have parks and don't have a **bathroom** where people can go, but how do you enjoy it without it?

Mr. Bina said he likes this project, should be contingent upon land being purchased and owned by park board. He likes funding a complete plan so that when it's done we can be proud of it. If they can't raise funds for a **bathroom**, it won't be successful.

GR3-004 - ADA Accessible Restroom & Shower Facility for Park Recreation - New Rockford

Mr. Reiersen said every town needs an ADA accessible **bathroom** - unless there's a true outdoor heritage, it doesn't fit. He said urban playgrounds, **bathrooms**, swimming pools so not fit in our mission. They are great projects, they are needed, people need them but he didn't think that's the type of project we were tasked to look at and he has problems supporting those.

Ms. Stockdill said **bathrooms** are important. She'd rather have communities already meet that need and we pay for ancillary things.

GR3-009 - Hankinson Park District Restroom Replacement Project

Ms. Godfreed said another **bathroom**, but people don't come unless they can get to a bathroom.

GR3-012 - Drayton Campground

It was moved by Mr. Godfreed to fund the application GR3-012 in an amount not to exceed \$125,000.

In response to a question regarding the rationale for \$125,000, Mr. Godfreed said the site work, electric and sewer. The site work and hook ups basically and that would be part of his motion.

It was moved by Mr. Godfreed and seconded by Mr. Wogsland to fund the application GR3-012 in an amount not to exceed \$125,000 contingent upon using the funds for site development, water and sewer.

GR3-013 - Park River Campground

Mr. Reiersen said he has a problem spending \$800,000 on a softball field. The campground and other things he can agree with. He is making a motion to amend that to \$260,000 which is the cost of the campground not including the ball fields.

An amendment was moved by Mr. Reiersen for an amount not to exceed \$260,000 contingent for funds to be spent on the campground.

Mr. Kuylen said before on the project the entire engineering was \$92,000 so there is \$8,700 on the campground for engineering and we don't pay for engineering as a rule.

It was moved by Mr. Kuylen and seconded by Mr. Godfreed to fund the application GR3-013 in an amount not to exceed \$240,000 contingent for funds to be spent on the campground and no engineering costs.