Attachment B
November 30, 2015

Minutes of a Meeting of the Outdoor Heritage Fund Advisory Board
Held on June 3, 2015 at 8:00 a.m.
DMR Conference Room, 1000 E Calgary
Bismarck, ND

DRAFT

Present: Wade Moser, OHF Advisory Board Chairman
Eric Aasmundstad, OHF Advisory Board
Randy Bina, OHF Advisory Board
Carolyn Godfread, OHF Advisory Board
Tom Hutchens, OHF Advisory Board
Bob Kuylen, OHF Advisory Board
Jim Melchior, OHF Advisory Board
Kent Reierson, OHF Advisory Board
Patricia Stockdill, OHF Advisory Board
Dan Wogsland, OHF Advisory Board
Blaine Hoffman, OHF Advisory Board
Larry Kotchman, OHF Advisory Board
Terry Steinwand, OHF Advisory Board
Rhonda Vetsch, OHF Advisory Board
Mark Zimmerman, OHF Advisory Board

Also Present: A complete list of attendees is available in the Commission files

Chairman Moser called the meeting of the Outdoor Heritage Fund Advisory Board ("Board") to order with a quorum being present. There were no additions or deletions to the June 3, 2015 agenda.

The September 5, 2014 meeting minutes were presented. (Copies are available in the Commission/OHF files.) It was noted that the December 15, 2014 meeting minutes were not completed.

It was moved by Ms. Godfread and seconded by Mr. Aasmundstad to approve the September 5, 2014 minutes as presented. Mr. Jon Godfread was not present or voting. The motion carried.

The January 30 and March 13, 2015 meeting minutes were presented. Mr. Moser stated that because there was a quorum of Board members present at legislative hearings minutes had to be prepared. These minutes reflect the presence at Board members at the hearings. The Board members were asked to review these draft minutes to make sure the attendance of the Board members is correctly reflected in the minutes. (Copies are available in the Commission/OHF files.)

It was moved by Mr. Melchior and seconded by Mr. Bina to approve the January 30 and March 13, 2015 minutes. Mr. Godfread was not present or voting. The motion carried.

Ms. Fine, Industrial Commission Executive Director, presented the financial report as follows: (A complete copy is available in the Commission files.)

Outdoor Heritage Fund (294)
Financial Statement
2013-2015 Biennium
June 3, 2015 Outdoor Heritage Fund Advisory Board Meeting

	Cash Balance
July 1, 2013 Balance	$ 0.00
Interest Revenue through April 30, 2015	$ 6,370.80
Revenues through April 30, 2015	$16,964,576.32
Grant Expenditures through April 30, 2015	$(1,952,609.26)
Administrative Expenditures through April 30, 2015	$ (86,592.87)
	$14,931,744.99
Outstanding Project Commitments as of April 30, 2015	$(17,148,332.74)
Balance	**$(2,216,587.75)**

Outdoor Heritage Fund
Continuing Appropriation Authority
2013-2015 Biennium

Uncommitted Balance July 1, 2013	$ 000.00
Interest Revenue	$ 20,000.00
Revenues Fiscal Year 2014	$ 15,000,000.00
Revenues Fiscal Year 2015	$ 15,000,000.00
	$ 30,020,000.00
Administration Expenditures	$ (300,000.00)
Project Commitments 2013-2015 (less withdrawn projects)	$(19,100,942.00)
Available Funding Authority	**$ 10,619,058.00**

54-17.8-02 North Dakota Outdoor Heritage Fund – Continuing appropriation
There is created a North Dakota Outdoor Heritage Fund that is governed by the Commission. Any money deposited in the Fund is appropriated on a continuing basis to the Commission for the purposes of this chapter. Interest earned by the Fund must be credited to the Fund. The Commission shall keep accurate records of all financial transactions performed under this chapter.

57-51-15(d). Outdoor Heritage Fund - Deposits.
First the tax revenue collected under this chapter equal to one percent of the gross value at the well of the oil and one-fifth of the tax on gas must be deposited with the State Treasurer who shall: …

(d) Credit four percent of the amount available under this subsection to the North Dakota Outdoor Heritage Fund, but not in an amount exceeding fifteen million dollars in a state fiscal year and not in an amount exceeding thirty million dollars per biennium;…

There was a brief discussion on how the commitments made during the 2013-2015 biennium will impact the amount of money available for funding awards during the 2015-2017 biennium.

Mr. Moser reported on 2015 legislative actions and the following document which outlines the proposed implementation of those legislative actions:

2015 Legislation

During the 2015 Legislative Session there were several bills that mentioned the Outdoor Heritage Fund. There were a couple of bills that contained references to the funding level for the Outdoor Heritage Fund and House Bill 1409 which dealt with policy issues. By the end of session, House Bill 1409 became the vehicle for the policy changes as well as the funding level for the Outdoor Heritage Fund. Attached is a copy of House Bill 1409. This bill is effective July 1, 2015 with subsection 2 of 54-17.8-05 effective on April 23, 2015 when the Governor signed the bill.

The following is a summary of the policy changes in House Bill 1409 with some comments on the implementation of these provisions.

2015 Legislative Changes
Proposed Implementation
(The Advisory Board/Commission may choose to make effective for Grant Round 5 Applications)

New Law:
The commission or a grantee may not use grant funds, except after a finding of exceptional circumstances by the commission, to finance:

a. A completed project or project commenced before the grant application;
b. A feasibility or research study;
c. Maintenance costs;

d. A paving project for a road or parking lot;
e. A swimming pool or aquatic park;
f. Personal property that is not affixed to the land;
g. Playground equipment, except that grant funds may be provided for up to twenty-five percent of the cost of the equipment not exceeding ten thousand dollars per project and all playground equipment grants may not exceed five percent of the total grants per year.
h. A building except for building that is included as part of a comprehensive conservation plan for a new or expanded recreational project; or
i. A project in which the applicant is not directly involved in execution and completion of the project.

Implementation -

d. *A paving project for a road or parking lot.*

GR5-17 application includes a paved parking lot to meet ADA requirements. This would not be eligible for OHF funding.

f. *Personal property that is not affixed to the land.*

Could impact 319 projects: Will no longer be able to include portable windbreaks. Potential impact on the GR5-11, GR5-14

g. *Playground equipment* - This topic was discussed by the Technical Committee. One position that the Advisory Board/Commission could take is that the only costs that be considered are the actual costs of the playground equipment - for purposes of this calculation cannot include freight or installation or ground materials, removal of old equipment, etc. Just the costs of the actual playground equipment (a bid or invoice showing the amount of the equipment costs must be provided). This would impact the following applications: GR5-05; GR5-10; GR5-13; GR5-17; GR5-20. See attached spread sheet.

h. *No buildings will be financed with OHF funding except for a building that is included as part of a <u>comprehensive conservation plan for a new or expanded recreational project</u>.* After discussion with the Technical Committee there are some issues for the Advisory Board to consider. See attached spread sheet.

- <u>What is the definition of building?</u> Two definitions were discussed -- a building is a structure with four walls or a building is any constructed structure with a foundation. Within this Grant Round 5 there are three applications that have structures with four walls -- GR5-16 GR5-18; GR5-27 and two applications that had structures with no walls but with a roof (picnic shelters) -- GR5-07; GR5-19
- <u>What is the Advisory Board's concept of a comprehensive conservation plan?</u> This would impact the following applications depending on how you definite building: GR5-07; GR5-16; GR5-18; GR5-19; GR5-27.Here are some options for the Advisory Board to consider:
    - A detailed plan that has been formally adopted by the governing board which includes goals and objectives, must show how it is conserving natural areas, an indication that multiple parties provided input into the plan, timelines for accomplishing the goals and objectives, who will have ongoing responsibility for maintaining the recreational project; could include maps showing the development plans for the conservation area; etc.
    - A detailed plan for the protection or preservation of wildlife and fish habitat or natural areas.
- How does the applicant show that?
    - The applicant must provide a written document that a comprehensive conservation plan has been formally adopted by the governing board of the applicant;

and that it must be for a new and expanded recreational project

- Technical Committee discussion leaned towards it cannot be a replacement building. It may be a new building but it also must be a new recreational project (or an expanded project.) However, expansion could mean additional land or expansion of an existing building. A recommendation to the Industrial Commission is being requested.

Under 54-17.8-05 the following language (in italics) was added to the law and was effective on April 23, 2015:

2. *Place conditions on an offer or a grant including a limit on the duration of an offer*

Recommendation: The Advisory Board/Commission can set a limit on duration of an offer on each application or if there isn't a specific date indicated in the application for implementation of the project, then the applicant has until the next Outdoor Heritage Fund Advisory Board meeting to sign the contract and get the project underway or the commitment for funding will be terminated and the applicant may resubmit.

A "requirement" of matching funds.

Recommendation: Previously the OHF Advisory Board had recommended a 25% match. The Industrial Commission had changed that to 25% match <u>encouraged</u>. Now that the Legislature has included language about a match, is the Advisory Board's recommendation 25%?

Limit the source of the matching funds, and the commission shall exclude any money appropriated from the state general fund from use as matching funds unless the legislative assembly authorizes the use of state general fund money as matching funds.

Recommendation: No General Fund matching dollars unless legislatively appropriated. Are there any other limits on sources of matching funds that the Advisory Board would recommend?

3. *Approve expenditures for staffing or an outside consultant to design and implement an approved project based on the documented need of the applicant* The applicants will be asking what we want to see regarding "documented need of the applicant". The Technical Committee had some discussion on this point.

Recommendation: The applicant should include in their application a statement why there is a need for funding to pay for staffing or to retain an outside consultant. We could include on our budget form the following statement: If you are requesting OHF funding for staffing or for an outside consultant please provide information on the need for OHF funding to cover these costs. For example, if you are an entity that has engineering staff you may want to explain why you don't have sufficient staff to do the work or if specific expertise is needed or whatever the reason is for your entity to retain an outside consultant. If it is a reimbursement for staff time then some explanation of why OHF dollars are needed to pay for the costs of that staff member's time. The budget form should reflect the specific dollar amount being requested for staffing and/or the hiring of an outside consultant.

and the expenditures may not exceed five percent of the grant to a grantee if the grant exceeds $250,000 and expenditures may not exceed 10% of the grant to a grantee if the grant is $250,000 or less;

Recommendation: Technical Committee discussion suggested that this calculation should not include the costs for the consultant or staff. For example on the GR5-28 application they have requested $660,000 of OHF funding with $60,000 being for staffing. Under the suggestion made by the Technical Committee the calculation would be made on the amount of $600,000 which would result in OHF funding of $30,000. If the application was approved the amount of the award would be $630,000. If the Advisory Board determines that the expenditures should be based on the full request then in this example they would receive $633,000

Mr. Moser said this law does not come into effect until July 1, 2015. We asked for legislative direction and we have got it so we need to go through this and decide whether we want to act on these applications today based on the new law. Much of the new law reflects policy that is in place. However parameters have been set regarding playgrounds and buildings. Under implementation you will see a listing of the applications that would be impacted by the new law.

Ms. Godfread said when the proposals were written and submitted, they did not know about the limitation on money for playground equipment or for the buildings so the people submitting proposals are assuming we would act under current law.

Mr. Moser said Ms. Godfread is correct. When you are making an application you are making it based on the rules in front of you at that time. However, we are always subject to legislative action. We can ignore these at this point or we can adopt them. There are dangers in both ways of doing this.

Mr. Reierson said when the Legislature looked at this and we asked for some direction, we did so because the original legislation didn't give direction, it was not clear – it didn't say playgrounds are allowed or buildings are allowed instead it left it up in the air and now we have the Legislature looking at that and saying this was our intent when we did it and we've had discussion about what that intent was in the original bill and the Legislature has now given us direction on what their intent was originally and we should probably be looking at using that in guiding our decisions. He didn't think it had to be hard and fast and, in fact, they have the exceptional circumstantial language that we discuss so if there are exceptional circumstances we can still look at that situation for each grant but he thought we should be following that intent. One area where it is not so hard and fast is where they encourage the 25 percent – he thought that would be an exceptional circumstances type of thing if that arose – they are encouraging but are not saying it has to be 25 percent. To him, the new legislation gave us guidance on the very questions where we had issues on and we should probably be following it.

Mr. Melchior said he agrees with Mr. Reierson. That coupled with the fact that based on our forecast we are going to be spending money that's been appropriated out of the same legislative action unless the forecasts are way off. He thought the two coupled legislative intent plus the appropriated money that we are going to be spending is a result of that legislation so we should follow the legislative laws they passed.

Mr. Moser noted that whatever the Board accepts or adopts in this document will be a recommendation to the Industrial Commission and will be presented on June 10 to the Commission.

Mr. Bina said he agrees with Mr. Melchior and Mr. Reierson. He did note that the items regarding the definition of a building or the concept of what a comprehensive plan is, is not in the law anywhere. Those are suggestions made by the technical committee.

Mr. Moser stated that was correct. Those items were discussed at the technical committee to get some discussion started and to get more clarification, you don't write all of this in law so you need more clarification; we needed a place to start.

Mr. Moser said the Technical Committee also discussed staffing and how you actually calculate that. If you have a $100,000 project and you add staff, do you calculate it on the project plus the staff and take a percentage or just on the project? You see two choices as to how that dollar amount should be calculated. The other decision is playground equipment as to what we actually calculate that 25 percent figure on. At the Technical Committee meeting we discussed various ways of making that calculation and determined the easiest way to administer that is the equipment bid price that is in the application. We would calculate the 25 percent on the actual cost of the equipment – all of the other costs--installation, shipping, tax is not included.

Mr. Melchior said that committee discussion and recommendation came from what is actually in the law. The law states 25% of the cost of the equipment. That is how we arrived at just leaving it at the equipment.

Ms. Fine said on the building there are some options – is a building a structure with four walls or is a building a structure with a foundation and a roof. Mr. Melchior said a building is a roof attached to the ground; if it is not attached to the ground it would fall under equipment. How many walls – is a pole barn on a ranch a building that is open on one or two sides – is that a building. He thought that a building that provides shelter with a roof and is attached to the ground is a building.

Ms. Fine pointed out that when you define a structure as a building then there are additional requirements that need to be followed. You have to have a comprehensive conservation plan for a new or expanded recreational project. So it is not just the definition of a building but whatever definition you decide on, that will trigger these other requirements.

Mr. Bina said an option for building definition – 33% enclosed.

Mr. Steinwand asked what's meant by a conservation plan? Mr. Moser said it includes goals and objectives and must show how it is conserving natural areas and include multiple parties input. Mr. Steinwand said he tends to agree with that. However, it wasn't clear how a building is conserving natural areas -- one option might be are there educational activities occurring within the building that impact the conservation of natural areas? Mr. Melchior said he struggles with that; it is like the building definition. The Legislature added in law that the Commission is to place higher priority on enhancing conservation practices in the state. If playgrounds and buildings are part of a greater conservation plan it can be considered. Conservation needs to be main goal. Mr. Steinwand agreed. A higher priority on conservation that meets conservation needs. Could that mean a building on the Maah Daah Hey Trail or a shooting range – those can all be considered adding to a conservation need which is an education component for providing that outdoor recreational opportunity. Mr. Wogsland said a conservation plan is contained in the application where you have to justify why you are doing what you are doing – so the application could be considered the conservation plan.

Mr. Aasmundstad said he agrees with Mr. Melchior regarding the building – something that is attached to the ground to the roof - that is an insurance definition. If a new project includes a building with nothing existing there today, don't you have to buy land to put that building on – you have to have owned property to put a building on unless you have a long term lease. The intent of the law prohibits the purchase of land. Mr. Zimmerman said the Bureau of Reclamation has examples where first it's a shelter, then you add screens, then you add a window, then you're weatherizing it.

It was moved by Mr. Aasmundstad and seconded by Mr. Melchior that a building is defined as a structure with a foundation and a roof.

Mr. Reierson asked if a foundation was a soft foundation, a pole in the ground or a flat slab.

It was moved by Mr. Reierson and seconded by Ms. Stockdill to amend the motion to include wall or walls. On a roll call vote, Bina, C. Godfread, Hutchens, Reierson, Stockdill and Wogsland voted yes and Aasmundstad, Hoffman, Kuylen, Melchior, Moser, voted nay with Mr. Godfread absent and not voting. The motion carried.

The Board then voted on the amended motion -- a building is defined as a structure with a foundation and a roof with a wall or walls. On a roll call vote, Bina, C. Godfread, Hutchens and Reierson voted yes and Aasmundstad, Hoffman, Kuylen, Melchior, Moser, Stockdill and Wogsland voted nay with Mr. Godfread absent and not voting. The motion failed.

It was moved by Mr. Melchior and seconded by Mr. Hoffman that a building be defined as a structure with a roof and foundation with or without walls attached to the ground in a permanent nature.

Mr. Aasmundstad said maybe Mr. Melchior would consider this in his motion – there are industry standards whether it be engineering or insurance industry that define buildings – would it best for this Board to adopt either one of those. That is probably where we should go – use industry standard definitions.

On a roll call vote, Aasmundstad, Hoffman, Hutchens, Kuylen, Melchior, Moser, Stockdill and Wogsland voted yes and Bina, C. Godfread, Reierson, voted nay with Mr. Godfread absent and not voting. The motion carried.

Mr. Moser discussed the calculation of the staffing and how it is figured. We either make it on the grant application amount with or without the staffing included in their application grant. The example was total grant at $660,000 but $60,000 was for staffing. If you calculate the five percent it is either on the $600,000 for the project cost or the project cost plus staffing. Mr. Moser said it makes sense to him to just do the project costs and the staff falls in line.

It was moved by Mr. Kuylen and seconded by Ms. Godfread that the calculation be made without including the cost of the staffing. On a roll call vote Bina, C. Godfread, Reierson, Hoffman, Hutchens, Kuylen, Melchior, Moser, Stockdill and Wogsland voted yes and Aasmundstad voted nay with Mr. Godfread absent and not voting. The motion carried.

Mr. Moser called on the first applicant to make their presentation.

<u>GR5-16 - Nishu Bowmen Programs Expansion - Nishu Bowmen - $856,000- Directive D</u> - Project Summary - To fund a building expansion in order to provide needed classroom, an additional archery range and storage to expand youth and adult archery opportunities. Mr. Bob Shannon and Curt Pearson representing the Nishu Bowmen, reviewed the purpose of the project, how the dollars would be expended, and why there is a need for Phase I of the project. Goal is to capture the enthusiasm of the youth. Youth archery has tripled in three years from 23 to 73 with 41% of the youth being girls and our membership has doubled since 2008 when the original building was put in. In response to questions they noted:

- Phase I is an addition to the building including ADA accessibility.
- Phase I match funds of 25% has been raised.
- Phase II needs some match funds to be raised.
- Ownership- Bismarck Parks and Rec owns the land, Nishu Bowmen raised the money for the building and donated it to Bismarck Parks and Rec and then leased it back from them.
- The club operates the building and pays the bills.
- All outdoor ranges are open to the public. Building is open on certain days.
- Parks & Rec has been asked for permission to proceed but no funds have been requested from Bismarck Parks & Rec.

<u>GR5-03 - Doyle Memorial Park Swimming Area Project - Wishek Park Board - $25,634 - Directive D</u> - Project Summary: Build a swimming area with a sandy beach. No presentation was made. Mr. Moser said in their application they stated that State Parks had turned Doyle Memorial Park over to the Wishek Park Board and they have a lease agreement. Mr. Zimmerman said that is correct – the program is that if all continues well North Dakota Parks and Recreation will transfer the property to the Wishek Park District.

GR5-24 - Egeland RV Park & Campground - City of Egeland - $6,588 Directive D - Project Summary: Updated 6 of the 12 campsites from 30 amp electricity hook-ups to 50 amp hook-ups. No presentation was made.

GR5-25 - Bottineau Winter Park Infrastructure and Program Improvements - Bottineau Winter Park Inc. - $134,893 - Directive D - Project Summary: Drilling of a new well; purchase of a magic carpet lift; improvement and expansion of nature trail system including rest areas, restrooms, signage and leveling and contouring of steeper sections; installation of dock; tree transplanting; renovation of an unused building as a nature/learning center; stocking of a holding pond. (A handout is available in the Commission files.) Mr. Brady Knudson and Mr. Michael Cerkowniak presented the application. They reviewed the purpose of the project; discussed the purpose for Annie's House; need for the funding; how the usage of the Park has increased; inability to access rural water; stocking of fish and the need for a dock to provide access to the lake.

GR5-22 - Tolna Bay Boat Ramp and Recreation Area - City of Tolna - $12,488 - Directive D – Project Summary: Rebuild an existing boat ramp and replace existing fish cleaning station. (A handout is available in the Commission files.) Mr. Bret Poehls reviewed the purpose for the project and why these improvements are needed and why fishing is so important to their community. He discussed the funding for this project.

GR5-09 - Cattail Bay Boat Ramp Project - Voices for Lake Oahe - $33,750 - Directive A - Project Summary - Widening of the existing cement boat ramp to accommodate two lanes. (A PowerPoint presentation is available in the Commission files.) Mr. Doug Vannurden said they have 142 members and established in 2003. It is a long ramp. $10 per square foot is standard for a ramp and were encouraged by Game and Fish to do the pour vs. planking so it's more permanent. Mr. Vannurden responded to questions stating it is a distance from Beaver Bay campsite. The Corps does not have funds available for special projects; they have other priorities above this. He said they are a private nonprofit organization and have filed with the Secretary of State.

GR5-17 - Devils Lake Access Improvements for Handicapped, Elderly and Mobility Impaired - City of Devils Lake - $458,074 - Directive A - Project summary - Installation of access ramps and stairs to fishing piers; enhancements to existing facilities and creation of new access points; adjusting of manmade landscapes to allow accessibility. Project includes parking lot development, vehicle access improvements, handicap accessible bathroom and playground equipment, repair of bank erosion, tree planting and installation of fishing piers. (A PowerPoint presentation is available in the Commission files.) Ms. Susie Kenner, Mike Grafsgaard and Terry Wallace presented information regarding the need for this project, and explained how the various parts of the project would be done -- modular system for access points because of fluctuating lake levels; type of playground equipment and costs; engineering costs and how they were calculated; commitment of the City to provide 25% of the costs; and who would be responsible for maintenance -- Lake Access Committee.

GR5-01 - Big Coulee Dam Repair - Joint Big Coulee Dam Operation and Maintenance Committee - $667,048 - Directive A - Project Summary - Repair of principal spillway structure and an upgrade to the emergency spillway on the Big Coulee Dam. (A PowerPoint presentation is available in the Commission files.) Mr. Randy Benson, Kelly Bursinger and Dennis Reep provided a history of the dam, other funding sources that have committed to this project including the State Water Commission, options that had been considered regarding the deteriorating spillway structure, indicated that they are now requesting $585,000 rather than the $667,048 requested in the application; and reviewed the revised budget breakdown (a copy is in the Commission files).

GR5-04 - Barnes Lake Preservation Project - Woodworth Wildlife Club - $69,320 - Directive C - Project Summary - restoration of 250 yards of Barnes Lake shoreline. (A handout is available in the Commission files.) Mr. Chris Wingire reviewed the purpose of the request and gave a history of Barnes Lake and Big

Mallard Marsh; usage of the Lake for fishermen and other outdoor enthusiasts; the Game and Fish Department's assistance in maintaining the fish and providing a boat ramp; and how the dollars will be used. In response to questions he discussed the organizations and individuals that have committed to working on this project.

GR5-29 - The Fargo Project: World Garden Commons - City of Fargo - $350,000 - Directive C - Project Summary - Transformation of an 18-acre storm water detention basin into a public commons that will restore wildlife habitat as well as provide new opportunities for outdoor recreation. The removal of an existing concrete channel and the establishment of vegetation and earthwork to set the natural backdrop. (A PowerPoint presentation and a handout is available in the Commission files.) Ms. Nicole Crutchfield outlined the project – ways to design and recreate storm water ponds to transform them into dynamic and culturally significant places that are multifaceted. She noted that the lead designer named in the application had unexpectedly passed away so another individual - Eric Dodds would now be assisting with the project. This request is for assistance for what they call establishing the background, the prairie restoration and helping with the removal and restoration of the concrete low flow channel to a more stream like setting. She noted that although they would be removing the channel there would still be a bond so it can be used wet or dry. She reviewed the multiple phases of this project and explained how the Outdoor Heritage Fund dollars would be utilized -- for the earthwork and grading, seeding and planting. Prairie Restoration would be the entity helping and developing the planting plan.

GR5-08 - Teton Marsh - Williston State College Foundation - $1,717,797 Directive C - Project Summary - Creation of a recreational/education park to be named Teton Marsh through the preservation of two wetlands. (A PowerPoint presentation and a handout is available in the Commission files.) Mr. Raymond Nadolny said the grant itself speaks directly to conservation and recreation aspects and they will have a building called the Outdoor Heritage Training Center. Workforce training – 2 new programs for fall of 2015 - best practices of land reclamation and an Ag/energy lab for students. We have contracts with 350 energy businesses that come onsite for training. Wastewater management – converting into farmland and soil impact of wells on farms. The Outdoor Heritage Training Center will become a living demonstration site on the preservation of wetlands, there are two in this project, the mitigation of vital water resources related to both City water and the Little Muddy so the City has water that drains down to here and the Little Muddy when it floods actually comes back up to the same site. Area farmers, ranchers and energy producers on effective land and water reclamation in a site for community and industry visitors to visit and learn how two such different industries – agriculture and energy – not only work together but can build on each other. The foundation is donating 8 acres of land. The engineer reviewed different changes that were contemplated for the project.

Mr. Nadolny responded to questions stating that the Foundation has 8 acres of land that they will deed over to or gift to the College and the College will do maintenance along with parks. If the project is approved it is on the June Board meeting to deed the property. If it's not approved it will be pulled and the Foundation will not match with the land. It is actually a project between the College, City Parks, Foundation and the City because the City has its main water coming through on the Foundation's land. There's $875,000 on application as a match and the letters show it as $825,000 – he said in-town property is valued at about $100,000 per acre; the second piece is we have brought more to the table since the creation of this also adds instructional components to the project. He noted that this project is a partnership between the Foundation, the College and the City. Concerns were expressed about the vegetation and plantings outlined in the application. It was pointed out that if you take out the maintenance and the land donation the Outdoor Heritage Fund is being asked to fund 100% of the project.

GR5-06 - Grassland Restoration and Retention Program - Ransom County Soil Conservation District - $1,250,000 - Directive C - Project Summary - Restore or retain 2,000 grassland acres (and associated wetlands). Approximately 20 producers would be involved in the project. (A PowerPoint presentation is available in the Commission files.) Ms. Jennifer Klostrich, Richland Soil Conservation 319 Watershed Coordinator, said this is a three Soil Conservation District proposal – Ransom, Wild Rice and Richland

County Soil Conservation Districts. The main objective is to restore and retain 2,000 acres of grassland. The duration is a 5 year contract. The objective can be met by providing rental payments and cost share assistance for supporting practices needed to implement this project. The producer would sign a ten year agreement for $100.00 per acre for five years and they would be allowed to either hay or graze but would only be allowed to hay one third of the property per year and that would be rotated across the entire acreage. Grazing must be implemented on a rotational grazing system. Only expiring CRP acres or cropland that would be seeded back into grassland would be eligible. The result would be 2,000 acres of wildlife habitat and improving the water quality in the Sheyenne and Wild Rice Watersheds. The watershed coordinators in the counties would manage the project and the oversight would be by local soil conservation district boards. The contracts with the time tables would be established with the producer to ensure that the practices are implemented in a timely manner, the producer would be required to sign the agreement that would require them to remain in the grasslands for ten years and all conservation practices would meet the NRCS and 319 guidelines. A yearly status review would be conducted on all the acres enrolled in this program and the conservation practices implemented would be monitored for their lifespans. The watershed coordinators would continue to monitor water quality.

Mr. Chris Nannenga responded to questions saying it would not be open to public hunting under this program, but we could give them the option to go to Game and Fish for the PLOTS program but we are not going to require it. He said about 25,000 acres are coming out of CRP in the next 5 years.

In response to a question that if they had an incentive for current CRP (coming out in the next five years) where you provided funding for installation of wells and cross fencing, would that be enough of an incentive and not have to pay to keep it in grass, Mr. Nannenga said for some producers, that would be enough, but not as much as if there was a 5 year payment. Current prices for CRP contracts - $127 is an average of all 3 counties. So here they're getting paid to graze but over 10 years it only works out to $50 per acre. The benefits to wildlife - 2/3 of it are untouched. Rotational grazing has been documented to have a definite value for wildlife. The seeds would be native.

In response to a question that haying wouldn't be allowed until after July 15 to give nesting birds a chance, Mr. Nannenga said no restrictions on haying on the 1/3 they can hay but 2/3 would be rested.

<u>GR5-02 - North Central Grass Planting Project - North McHenry County Soil Conservation District & South McHenry & Pierce County & Rolette County Soil Conservation Districts - $387,000 - Directive B</u> - Project Summary - Provide financial incentives (Differential Income Payments to producers) to encourage grassland restoration on historically unproductive cropland acres (prevent plant acres, highly erodible soils and saline soils) although cropland acres will be eligible. (A PowerPoint presentation is available in the Commission files.) Mr. Yabo Gjellstad explained how the program would work and the acreage that would be targeted such as prevent plant acres, highly erodible soils and saline soils that could be developed for haying and grazing and also provide nesting and shelter for wildlife. In response to questions he noted that whether the acres would be available for public hunting would be up to the landowner; practices that are being tried on saline soils;

<u>GR5-12 - Grant County Area: Cover Crops for Prevented Plant Ground Utilized as Grazing - Grant County SCD - $274,395 - Directive B</u> - Project Summary - Initiate sustainable planting of cover crops on prevented plant acreage through stipends to producers. No presentation was made. Mr. Moser said the application is very similar to the application submitted last grant round.

<u>GR5-15 - North Dakota Statewide Windbreak Renovation Initiative - North Dakota Forest Service - $1,800,000 - Directive B</u> - Project Summary - Reduce the number of windbreaks destroyed by offering incentives to replace dead/deteriorating windbreaks, incorporate species diversity and select species most suitable, administer a simple, effective, statewide cost-share program that leverages landowner's match with a source of grant funds for a variety of windbreak renovation practices. - (A PowerPoint presentation is available in the Commission files.) Ms. Liz Smith reviewed the need for this type of

project; how the project would work in providing both technical and financial assistance to landowners who wish to renovate their windbreaks and would provide a cost-share; noting that the ND Forest Service would administer the project; and who would be eligible -- for private landowners not government entities.

GR5-21 - Beginning Farmer Enhancement - ND Natural Resources Trust - $132,884 - Directive B - Project Summary - implement projects identified by landowners participating in the Natural Resources Trust Beginning Farmer Assistance Program which include installation of fencing, installation of wind break panels, installing water quality management practices, drilling of new water wells, installing solar pumps, water tanks and pipelines, planting of cover crop. (A PowerPoint presentation is available in the Commission files.) Mr. Terry Albee along with three cooperating landowners - Jim Hornbacher and Jeff Hornbacher (Burleigh and Emmons Counties) and Roy Rasch from Hazen reviewed how the project would work; how the project would be administered and coordinated; the best management practices that would be implemented; and reviewed the proposed budget. In response to a question Mr. Albee said two of the cooperating landowners are involved in the PLOTS program. Mr. Moser noted that some of the best management practices -- windbreak panels, water well solar pumps, etc. may not be eligible practices because they involve portable equipment. It was noted that any lease payments would be coming from the applicant and no Outdoor Heritage Fund dollars would be used for lease payments.

GR5-28 - Emmons County Grassland & Cropland Conservation Effort - Emmons County Soil Conservation District - $660,000 - Directive B - Project Summary - To provide funding for landowners and operators to implement conservation practices which address grassland and cropland resource needs. Payments to applicants will not exceed 60% of the actual cost. (A PowerPoint presentation is available in the Commission files.) Mr. Jim Vander Vorst, James Silvernagel, Robert Hydrick and Jeff Humann gave the presentation and reviewed how the project would work as a cost share for implementing best management practices; how the project would be managed; reviewed the proposed budget and why this project is needed.

GR5-11 - Sheyenne River Sedimentation Reduction Project Phase II - Barnes County Soil Conservation District - $200,000 - Directive B - Project Summary - Promote the use of best management practices to restore the aquatic life uses and to maintain the recreational uses of the Sheyenne River and its tributaries. OHF used to reduce landowner costs of implementing best management practices by 60%. (A PowerPoint presentation is available in the Commission files.) Ms. Lori Frank reviewed how the project would work; types of projects that would be funded; management of the dollars by the District; and in response to a question noted that she has had only four requests for projects on the main stem of the Sheyenne River.

GR5-14 - Homme Dam Watershed 319 Project - Walsh County Three River Soil Conservation District - $65,000 - Directive B - Project Summary - Restore water quality and beneficial uses of recreation and aquatic life to the Homme Dam Reservoir in Walsh County through implementation of best management practices such as riparian vegetation cover, prescribed grazing systems, riparian forest buffers, streambanks/shoreline stabilization. (A PowerPoint presentation and handouts are available in the Commission files.) Ms. Sarah Johnston reviewed the project and how it would be managed and what the cost share would be with the OHF funds. In response to a question she discussed the role this project would have in conjunction with other funds that are provided by the NRCS. She noted that NRCS is not refusing to help but there is a lack of funding available and other management practices are ranked higher than the practices related to water quality which are frequently smaller projects.

GR5-07 - Homme Dam Beach Shelter - Walsh County Park Board - $35,000- Directive D - Project Summary - Construction of two shelters on the Homme Dam Recreation Area. (A PowerPoint presentation and handouts are available in the Commission files.) Ms. Sharon Lipsh reviewed what would be funded, the need for the project and how the project would be managed.

GR5-19 - Marcus Friskop Learning Center - Hankinson Public School - $78,452 - Directive B - Project Summary - Access to South Lake Elsie (Phase 2), primitive campsites, entrance and sponsor recognition signs, handicapped picnic shelter, picnic shelter concrete base, wildlife enhancement - (A PowerPoint presentation is available in the Commission files.) Ms. Anne Biewer reviewed the various projects that would be funded; commented on how these projects relate to the projects previously funded; costs for rip rapping came in higher than anticipated under Phase I and dollars are needed to complete that project; and in response to a question reviewed the costs of the picnic shelter.

GR5-18 - Hankinson Park District Restroom Replacement Project - Hankinson Park District - $19,250 - Directive D - Project Summary - Removal of existing city park restrooms and replacement with modern, handicap accessible restrooms. (A PowerPoint presentation is available in the Commission files.) Mr. Dwight Boucher gave the presentation and reviewed the need for the funding and noted that this application is the same as the prior applications they had submitted. In response to a question he stated that one bid had been received for a portion of the project.

GR5-10 - Almont Park and Playground Equipment Project - Almont Historical Society $30,227 - Directive D - Project Summary - Provide safe and durable playground and fitness equipment, add more plant life to attract birds and promote birdwatching. (A PowerPoint presentation is available in the Commission files.) Ms. Dawn Olson gave the presentation and stated the need for the project, the involvement of the community in the project and in response to a question noted that they are going to be encouraging birding, planting natural grasses and wildflowers and encouraging outdoor recreation for children.

In response to a question if they got any money for playgrounds, Mr. Zimmerman said yes, they got $500,000 for the Community Grant Program for the biennium. Playground equipment would qualify for this Program.

GR5-13 - City Park Playground Equipment Upgrade - Anamoose Park Board - $54,000 - Directive D - Project Summary - New playground equipment for City Park. (A PowerPoint presentation and handouts are available in the Commission files.) Ms. Karissa Erdman gave the presentation and described the need for the funding; community involvement and reviewed the budget. In response to a question, Ms. Erdman stated this meets the directive of conserving a natural area - when they put the playground in they will be planting trees to provide a shaded area. She noted that although they do not have a park district, the city will maintain the park.

GR5-05 - Play land Dream - Gackle Park Board - $25,500 - Directive D - Project – - Project Summary - Replacement of playground equipment. Ms. Samantha Remboldt discussed the application. They have very old playground equipment made from wood and has been there for thirty plus years. They have replaced as much as they could with the funding they have but it is an ongoing battle that happens every year. They want to replace it – so it would be torn down and replaced with newer equipment for all age levels. Their community is growing. In response to a question, she stated that it meets the directive of conservation as it encourage youth to go outside and play -- otherwise today's generation does everything with technology. This project would help get children outside.

GR5-20 - Park River Parks and Recreation - Continuation of Phase 1 Community Park Development - Park River Parks & Recreation - $1,253,194 - Directive D - Project Summary - Create a destination park with a variety of native trees, playground, walking path, pond and baseball fields. This would be adjacent to the campsite development. (A PowerPoint presentation is available in the Commission files.) Representatives from the Park River Parks & Recreation Board gave the presentation. They reviewed the purpose of the application and responded to questions about the types of trees being proposed for planting, budget, the sources for the matching funds, and how the project would proceed if only portions of the funding is available.

GR5-31 - Archie & Jessie Campbell Memorial Park Softball Complex Renovation - New Rockford Park District - $150,000 - Directive D - Project Summary - Funding will be used for scoreboards lights, bleachers, dugouts, sound systems, Crow's Nest, landscaping and utilities. (A PowerPoint presentation is available in the Commission files.) Ms. Sarah Smith Warren and John Johnson gave the presentation and pointed out the need for the project and reviewed the budget. In response to a question, Mr. Johnson indicated that they had applied to the Minnesota Twins Community Grant Program and received funding last year for the dugout. That source is a one-time funding program.

GR5-27 - TMBCI Historic Preservation Stewardship Lodge - Turtle Mountain Band of Chippewa Indians - $120,000 - Directive D - Construction of a Historic Preservation Stewardship Lodge to serve as the administrative headquarters for assessing and developing the Belcourt Lake and promoting educational stewardship activities. (A PowerPoint presentation and handout is available in the Commission files.) Mr. Les Thomas gave the presentation and reviewed the purpose of the Lodge -- to promote educational activities involving the natural areas around Belcourt Lake. He spoke of the need to have programs for their youth.

GR5-23 - North Dakota Youth Pollinator Habitat - Pheasants Forever, Inc. - $20,000 - Directive C - Project Summary - increase awareness about decreasing pollinator populations, educate the general public on the importance of habitat for pollinators and establish at least 10 quality pollinator habitat areas across the state. (A PowerPoint presentation is available in the Commission files.) Ms. Shawna Pantske gave the presentation outlining how the project would work and how it would engage youth in pollinator habitat areas; how the funding would be utilized; and what the goals are of the program.

In response to a question regarding once the dollars are expended, how is it maintained, Ms. Pantske said the youth go and revisit the site to make sure they have not forgotten those experiences and all the things they learned about the conservation and wildlife in that area. Maintenance - Pheasant Forever Chapters will help with that along with biologists. She did not know how long the projects would last. Pheasants Forever Chapters will continue to revisit the sites and will evaluate the sites as needed.

Upon completion of hearing all the presentations, Chairman Moser opened the meeting for public comment on any of the projects. No comments were made.

Following a ten minute break Chairman Moser reconvened the Outdoor Heritage Fund Advisory Board meeting.

There was general discussion by the OHF Advisory Board on the Grant Round 5 applications. Mr. Moser said there were a couple applications that did drop out.

GR5-16 - Nishu Bowmen Programs Expansion - Nishu Bowmen - $856,000

- Land is publicly owned. Club maintains the building 100%. Longstanding partnership, the group is phenomenal. Land will always be available to the public.
- Technically, every building on Dakota Zoo land is owned by Bismarck Park District. It hasn't been an issue for 50+ years. It's a common practice.
- They had a complete plan presented to membership. The group felt most comfortable to move forward with Phase 1 and raise money for Phase 2 when Phase 1 was finished.
- To comply with the building they have to show Comprehensive Conservation Plan for a new or expanded recreational project. Did they comply? At this point it is tough because it is after the fact – what they presented today was it adequate or not. In the future, that is going to have to be brought up right away.

GR5-03 - Doyle Memorial Park Swimming Area Project - Wishek Park Board - $25,634

- It's basically an outdoor swimming area. What is the cement slab for?
- Total cost is $25,634 and they are asking for all of it.

- They said they'd take whatever we gave them and they would find the rest.

GR5-24 - Egeland RV Park & Campground - City of Egeland - $6,588

- They were not present. They are doing a lot for a very little amount.

GR5-25 - Bottineau Winter Park Infrastructure and Program Improvements - Bottineau Winter Park Inc. - $134,893

- The Game and Fish can furnish fish but not for a small pond.
- How big is the lake – there are two lakes one is approximately 60 acres and the holding pond is about the size of this room.
- Why don't they use water from lake – they do, they pump from the main lake into this holding pond and if they don't filter that water, the snow they make smells like fish.
- Paying for a well may not be the perfect fit for this program, but some parts are worth consideration of funding.
- Concern about the lift and how it ties into conservation. Are they providing match for the well – $12,000 as a match from other partners, asking OHF for $21,442.
- Well fits with water projects but is concerned about the lift - other aspects or parts of the project fit.
- As far as the water well goes - we provide funds for water projects for cattle, why not for people? It's the same thing. They need it to make it function and it is an outdoor facility, it's the lift – it is for handicapped people to get up but there is probably funding elsewhere for handicapped facilities.

GR5-22 - Tolna Bay Boat Ramp and Recreation Area - City of Tolna - $12,488

- This group is great to work with. It's a shallow slope, so a permanent ramp hasn't been funded by Game and Fish because they are constantly chasing the water.

GR5-09 - Cattail Bay Boat Ramp Project - Voices for Lake Oahe - $33,750

- This group has difficulty with roads and they get hammered bad. This group took a lot of their money to build up the road.
- This group does a good job on a shoe string.
- The Corps of Engineers doesn't have funds for this project.
- It's a busy boat ramp that affects a lot of the public and there is a long way between other boat ramps. They are being very cost effective with the request as well.
- It's impressive for the last three or four years they had an actual car count. They did a good job on their application.

GR5-17 - Devils Lake Access Improvements for Handicapped, Elderly and Mobility Impaired - City of Devils Lake - $458,074

- This is a great project. $101,800 is for administration and engineering. Estimate of $40,000 for playground. This one had a concrete parking lot.
- The pavement is for handicap accessibility, which is hard to do on gravel.
- They struggle to find shore fishing. Channel A was intriguing. It's a popular fishing spot.
- Would even support the playground equipment because it's a whole conservation access thing. We are getting four accesses, it's a place recognized nationally, and it's an intensively used area. The whole program fits together very well but we need to look at reducing the playground to the law.
- If we're going to cut something back, it should be playground equipment. There's a lift to get handicapped people into a boat, and I think we should keep it in.

GR5-01 - Big Coulee Dam Repair - Joint Big Coulee Dam Operation and Maintenance Committee - $667,048

- This one actually had a different dollar amount - they're asking for $586,638 on the handout they gave us today versus the $667,048. Also included in that was engineering of $87,000 and a large market contingency or design contingency.
- The engineering is $159,490 and five percent of that would be $7,974. Keep in mind that the staffing and those costs aren't automatic; you need to prove the need. If they don't have the engineering on staff – there is still a burden of proof so keep it in mind.
- The contingent/ancillary costs of doing this. $48,000 for permitting?
- It seems that it's a danger to people down river and it should be taken care of by the State Water Commission or someone should have jurisdiction on this.
- That dam is a flood control dam. If it breaches it takes out every road, every state highway. I'm not saying we shouldn't fund it in part. But if we're sending a message to applicants, we should send a message to other state agencies to say "don't do this. It's in your jurisdiction."
- Water Commission is putting in $862,000. State Water Commission has a policy that if other state monies are provided Water Commission amount is reduced. Legislature passed a law that ensured State Water Commission keep the full $862,000 in.
- So State Water Commission is in it for full amount they can. Locals will have to raise money.
- Don't want to put those applicants in the middle of a fight - especially when their project fits within our OHF directives.

GR5-04 - Barnes Lake Preservation Project - Woodworth Wildlife Club - $69,320

- It seems like we're trying to keep 2 bodies of water apart- Barnes Lake and the Marsh. What happens if they become one lake -- you'll lose fish.
- Was Barnes Lake created by township road - it existed, but it was much shallower. It was raised as a result of this township road. They raised it so it could harbor fish.
- For a period of time, no one needed to move equipment but now they do.
- Both lakes are popular for fishing.
- Jackson Road keeps getting raised because it is inundated with water.

GR5-29 - The Fargo Project: World Garden Commons - City of Fargo - $350,000

- They only plan to hold water 4 or 5 days. It becomes a functional park with outdoor vegetation right in the middle of the community. They have a good plan for native vegetation.
- Wisest use of that land. If storm water areas are designed properly they can be used most of the time by the public.

GR5-08 - Teton Marsh - Williston State College Foundation - $1,717,797

- Who's actually putting the project up – the College or the Foundation? Cost is $250,000 per acre.
- It's a swamp. It's not worth much.
- Why would you plant American Elm? Landscape vegetation plan is very expensive.
- Donating land to themselves. They haven't had approval from the Board of Higher Education for this project.
- Wanted to fund something in Williston to make a difference in that area but cannot support his proposal--too many concerns about it.

GR5-06 - Grassland Restoration and Retention Program - Ransom County Soil Conservation District - $1,250,000

- We've had a few proposals that mirror CRP. Surprised that some group didn't come forward during the session for a study or a plan on a statewide program. State money going into rental rates is a CRP. No objection to funding BMPs, but land rental rates should be statewide, all industries, all stakeholder group discussion.

- Who's going to administer that - it's a huge undertaking. If we start to fund a statewide CRP program that could take the funds of this group just with administration which is not the OHF intent.
- $250,000 for supporting practices - encourage them to move forward with that.
- Don't view it as a state run CRP – they're using EQIP dollars, EPA 319 dollars. Some of this land should not have been broken up. Our philosophy is farm the best, leave the rest. It isn't a state run CRP. It's using federal dollars.
- New legislation did underscore large scale conservation projects. This is a county and they know their producers and their soils and economics. Maybe a statewide program isn't viable. But maybe on a county or SCD level where people understand their area maybe that's where it needs to grow. Why not try it as a pilot project? See what we can do and what is viable. Agree, but we do not need to pay a rental rate to get that done. If we give the producer the tools to make conscious decisions that benefit their ranch and the conservation initiatives, everyone wins.
- CRP from a sportsman perspective was awesome but not sustainable. Emmons County doesn't have any conservation requirements. It seems like a huge amount of money for those acres.
- Won't support anything until we see the weed management aspect. Can we say it is contingent upon addressing weed issues?
- Producer dollars are only 11 or 12%. They don't have a lot of skin in the game.

GR5-02 - North Central Grass Planting Project - North McHenry County Soil Conservation District & South McHenry & Pierce County & Rolette County Soil Conservation Districts - $387,000

- Without this kind of program how do they make saline soil more productive - through NRCS or a grant application? Don't worry about paying a differential rate.
- Why should we pay the producer $25 per year to solve his problem – if we gave him the grass seed and help him get it on the land that would be one thing but to pay him to improve his land - if you can't use the land it's not worth anything. This can be done out of the producer's own pocket.

GR5-12 - Grant County Area: Cover Crops for Prevented Plant Ground Utilized as Grazing - Grant County SCD - $274,395

- They were not here to present. It was very similar to the one they had last grant round.

GR5-15 - North Dakota Statewide Windbreak Renovation Initiative - North Dakota Forest Service - $1,800,000

- There is a need throughout the state and would be used by a number of people and we would see the benefits down the road.
- How long is this program - they expect this to catch on quickly and the money will be gone.

GR5-21 - Beginning Farmer Enhancement - ND Natural Resources Trust - $132,884

- Impressed with young farmers. Hits all directives.
- What about the windbreaks? That's considered equipment and we can't fund that. Would like to see the Trust pay for project costs and not land rentals. It would give us a consistent policy on rent – they are not our dollars – but it reflects a little better on the cost share we do for water development, fencing that there is going to be "X" dollars whether it is the producer or the Trust dollars. On their own, they could pick up those things we can't cover and complete their projects.

GR5-28 - Emmons County Grassland & Cropland Conservation Effort - Emmons County Soil Conservation District - $660,000

- This is an impressive application – 70 percent of the applicants had applied through NRCS were not accepted because of lack of funds or points.
- The 5% is $30,000 for staffing is the limit.

- They will need to hire more people.

GR5-11 - Sheyenne River Sedimentation Reduction Project Phase II - Barnes County Soil Conservation District - $200,000

- She made a valid case for this. Not only are we making progress with the first funds, there's more need.
- We have to lob off $6,500 for portable windbreaks. We just restrict the use in this case. There are some 319 projects that we may or may not be aware of and may or may not want to fund. In the last round we funded 3 septic systems for $16,000 - if it's my house, going into Sheyenne River, it's my problem. This project the last time had $6,000 going to Barnes County for erosion in a road ditch - they should've taken care of that on their own.

GR5-14 - Homme Dam Watershed 319 Project - Walsh County Three River Soil Conservation District - $65,000

- Comment made that NRCS isn't working with them. It's not that the EQIP program is directly not helping - there is a ranking process. Local conservation board members sit down and go through resource concerns that determine the ranking. Communication could help open channels - the intent is not to single people out.
- EQIP fixes one problem but they want to fix more. Some people don't want to do the other things EQIP says.
- The local community sets priorities.

GR5-07 - Homme Dam Beach Shelter - Walsh County Park Board - $35,000

- This is basically a shelter.

GR5-19 - Marcus Friskop Learning Center - Hankinson Public School - $78,452

- The cost of the shelter seems extravagant at $57,000. It was noted that a common shelter with concrete included is over $50,000.
- Are there other things in the proposal that fit? Signage probably isn't. It sounds like they're going to be $3,000 short on access for their last grant - we need to emphasize bids.

GR5-18 - Hankinson Park District Restroom Replacement Project - Hankinson Park District - $19,250

- Replacing buildings is a tough sell – tougher than a new one.

GR5-10 - Almont Park and Playground Equipment Project - Almont Historical Society $30,227

- New law, 25% with a maximum of $10,000. The maximum we can provide is $5,855 which is just on the equipment piece.
- The need for parks and recreation has been established every round. Parks and Rec has $500,000, we have $40 million with $27 million available to this organization and his $500,000 is virtually gone – it's gone now. You can't have a park if you don't have playground equipment. Playground equipment is expansive and $10,000 is not going to cut it.
- Most people coming to us have had their playgrounds condemned. It's not their choice. It's like a mandate - they have to shut it down and there is nothing to replace it. The Legislature should have given more money to Parks and Rec to take care of this problem but they didn't.
- If we're not funding them and the needs are still being unmet that message needs to be delivered that we are not the source.
- It is our outdoor heritage. We have restrictions on what we can fund for playgrounds. We have the funds a number of children will benefit immediately. Let's not make kids wait.
- These are good projects. But are we going to start funding golf courses and softball complexes?
- Mr. Zimmerman stated that when I stood up for my bill (SB 2019) on both sides the message was "Those projects should go to the OHF." They will continue asking for additional funding for his

budget but probably won't get it. He thinks playgrounds and parks are outdoor recreation – the conservation aspect – he looks at Bismarck and see it in our state parks across the state, there are a lot of kids and young families – their outdoor recreation, their conservation are in parks. They may not be the great outdoor types of the hunters but he hears it from families in Bismarck that their idea to get into the outdoors is to go to a city park, Fort Abraham Lincoln, Cross Ranch State Park – it is where they get exposed to the outdoors. I know we can't fund them all.

- There's a lot of recreation we're not directed to fund. There needs to be a conservation component.
- Kids do get their outdoor involvement through playgrounds. We have the ability to fund it a little. We should take it.
- We're outdoor conservation, not recreation.
- It's not fair to change the rules in the middle of the game. When they applied they thought we could fund it.
- We should fund them all fully – the reason – the law is not in place until July 1. When these grant applications were put in – when the rules were the way they were. The rules have changed and the law is the law, but the law is not the law right now.

GR5-13 - City Park Playground Equipment Upgrade - Anamoose Park Board - $54,000

- $10,000 is the maximum allowed dollar amount.

GR5-05 - Play land Dream - Gackle Park Board - $25,500

- $6,000 is the maximum allowed dollar amount.

GR5-20 - Park River Parks and Recreation - Continuation of Phase 1 Community Park Development - Park River Parks & Recreation - $1,253,194

- Component for playground is $8,419 maximum allowed dollar amount under the new law.
- The walking path total request is $73,500 the trees is $65,000 but their request was $55,000, ball diamond and pond complex was $1,043,375 and the playground equipment was $71,319.
- Trees should go; they have not thought this through.
- They mistakenly said native trees but meant hardy trees.
- Could we make an approved plan a contingency - it needs to be approved by Forest Service- so we don't put this project on hold – make it as a requirement.
- Trees and walking path are the extent of what would qualify. The baseball diamond etc. the concentration of this whole development is the baseball – not the trees and walking path.

GR5-31 - Archie & Jessie Campbell Memorial Park Softball Complex Renovation - New Rockford Park District - $150,000

GR5-27 - TMBCI Historic Preservation Stewardship Lodge - Turtle Mountain Band of Chippewa Indians - $120,000

- It says in the application the purpose for this is for their office – that makes it a tough sell.

GR5-23 - North Dakota Youth Pollinator Habitat - Pheasants Forever, Inc. - $20,000

- Has not been done or implemented at all in North Dakota. Question was on maintenance and management - depending on site location – if it's at a state park, they would work with the park to do the management. If it's on a Wildlife Management Area, it would be included. Funding request is strictly for what would be the habitat on the ground. Local chapters or grass roots involvement.
- The goal was 20 plots.

The Board completed and compiled the scoring sheets as they reviewed each of the applications.

Ms. Fine gave a summary report on projects reviewed from the website. She did an overview of some of the projects that are in progress or have already been completed. She stated three projects have been withdrawn.

In response to a question regarding projects withdrawn and returning the money – is there an instance where funds have been spent and they are not completing the project, Ms. Fine stated no. Generally, they only get money on a reimbursement basis but we do fund up to ten percent up front – Valley City did not sign the contract so they did not get any up-front money and the ones that went to Spirit Lake they returned the monies.

In response to a question regarding if staff checks with the Secretary of State to make sure they are a registered nonprofit, Ms. Fine said no, but she will do that in the future.

Ms. Fine presented the deadlines for the next grant rounds as follows:

RE: Outdoor Heritage Fund Schedule for 2015-2017 biennium

The following is a proposed schedule for the 2015-2017 biennium for grant submission deadlines and identification of some potential meeting dates for the Advisory Board members to consider. This is based on the vote at the December meeting that there be two application submission dates annually. I have indicated an option for the 2016 Fall submission date because of the legislative session in 2017. If the 2017 Spring submission date is later in the year I wasn't sure if you wanted such a big gap between the Fall and Spring dates. (Attached is a calendar for you to look at.)

Grant Deadlines:
October 1, 2015 - Advisory Board meeting last week of November, 2015

March 1, 2016 - Advisory Board meeting last week of April, 2016

October 1, 2016 - Advisory Board meeting last week of November, 2016
or
November 1, 2016 - Advisory Board meeting last week of December 2016/first week of January, 2017
May 1, 2017 - Advisory Board meeting last week of June, 2017 (this date could result in delays in planting or any construction during the spring/summer). Perhaps if everyone knows the dates they will submit their applications for spring/summer planting/construction in the fall.

Also, if it meets with your approval, I will alert you to any news media events that might be taking place regarding the OHF projects so you can attend if you wish to do so.

Ms. Fine said we struggled a little this year with the April 1 deadline because it was in the end of the legislative session at a time when a lot of things were happening which is why this meeting went out a little farther than what we typically would have from a deadline date. Maybe they could look at for 2016 having the fall round be November 1 and the next round May 1. It would work better for us staffing wise when we are in the middle of a session.

Mr. Moser said we will look at October 1, March 1, November 1 and May 1 as grant round deadlines. Which means about 30 to 45 days after that is when we will meet.

Ms. Fine said for the October 1 deadline we will be looking at an Advisory Board meeting the last week of November. After discussion November 30th was selected for the meeting date and the week of Nov. 9th for the technical committee.

Ms. Fine presented policy issues which would impact the Application Form/Budget Form in addition to those provisions that need to be added because of the new law:* as follows:

> Attachment H includes two documents. (Available in the Commission files.) First is a red-lined version of the application form that has been edited to reflect the legislative changes. At the end of the application is a short list of other items that may need to be added to either the application form or the budget form or to both forms. Will be asking the Board to vote on these changes to the application form and any other additions/deletions you would recommend to the Industrial Commission.
>
> The second document is Guidance regarding the 319 program projects that come to the Outdoor Heritage Fund Advisory Board for consideration.

Ms. Fine said there are some things we would like to add to the application based on the conversations and actions the Board has taken today, she will incorporate them in but does not have the exact wording yet – but she will include some information about, in the application or the budget form, where it says a 25 percent match funding is strongly encouraged will be changed to a 25 percent match is required if the Industrial Commission agrees with that. The discussion on a building we will include the definition into the document and clarification on how the playground equipment is to be calculated as well as the calculation of the consultants and what is needed for documentation. That goes to the point of they have to provide a line item separate for consultants, engineers and staffing and a statement of why it needs to be funded. They need to have some kind of statement in there why. They have to have some kind of a comprehensive conservation plan.

Mr. Moser said the comprehensive plan is described in application but we may need to clarify that it is a specific section that they have the comprehensive conservation plan and if they have a document or map it can be attached. We could have a section in the application that we can focus on that plan so they specifically answer that question.

Ms. Fine said she would try to incorporate it and see how it goes through the next round and if we need to tweak it we may have to revisit it one more time. We want to meet the needs of what the Board's expectations are because people will call and ask us what the Board wants in the comprehensive conservation plan.

Mr. Aasmundstad said they need to give us a view beyond horizon. What do you hope to accomplish with this and what it is going to do in the future. You don't just want a project to end and that's it – there has to be a tail on it, what is going to be going forward out of this project.

Mr. Moser said if you are in phase one and you have three or four phases – that plan is well thought out to the end.

Ms. Fine said the second part of this attachment is the guidance regarding types of conservation projects under the Section 319 program.

Mr. Moser suggested that the Board adopt some kind of a policy in order to give some instructions to the 319 coordinators. They all have a fairly good handle on what their needs are – maybe they need to come in focused more on certain areas instead of a smorgasbord we are going to meet this entire list. He said look through it and tell Ms. Fine any of these that give you heartburn about funding. We'll compile a list and do a conference call or email to narrow this down. Try to do it in the next 10 days by June 15.

Mr. Moser noted that the names of individuals participating need to be made available to the Industrial Commission so if someone asks it needs to be available. Signage or notification is required to be included

that these funds are Outdoor Heritage Fund dollars. Tree rows, not on every tree row but acknowledged in some manner.

It was moved by Ms. Stockdill and seconded by Mr. Bina that it be recommended to the Industrial Commission the proposed changes that are in the revised application which are a result of the change in the law and the requirement regarding disclosure and a requirement if it is appropriate for your project that you have some kind of signage. On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

Mr. Moser discussed the appointment of a task force to look at whether or not the OHF should consider funding for other statewide conservation programs or CRP including the tree issue and maybe other issues. We need to get the word out of what we are thinking Some of the points that were discussed include:

- This is a policy issue that the Legislature should deal with and nothing was presented during the last legislative session.
- The Board has an opportunity to identify some tools (best management practices) for producers/landowners and others that could be funded with Outdoor Heritage Fund dollars on a statewide basis that would benefit all parties interested in a more holistic approach to conservation.
- Land rental payments should not be funded from the Outdoor Heritage Fund; Best Management Practices could be funded;
- Maybe this type of effort should be done on a regional basis rather than administered on a statewide basis;
- Whatever is identified needs to benefit both the conservation of natural habitat (sportsmen) and the agriculture/ranching industries;
- Need to include weed management;
- Producer need to have some “skin in the game”;
- The CREP Program, which has already been funded for southwest North Dakota, is a type of pilot project that may be an example;
- Are there agriculture groups or conservation or wildlife groups that are interested in taking up this task and having the debate so something is ready for the next legislative session or should this Board be stepping up to have this discussion? It would have been ideal to have a study, this time in the legislature, to really look at the conservation needs which could be a forum for giving us further direction as to what should be priorities in funding areas to some degree.
- This Board has an opportunity to be more visionary and identify what role this Fund can play in conservation, agriculture an industry so there is a better understanding of all parties in this big picture of conservation.
- In regards to timelines, part of this Board’s responsibility is to at least give the applicants of this type of projects some kind of direction on what the Board is looking for and it isn’t clear at this time. It has to be done quicker than the next legislative session.

It was moved by Mr. Aasmundstad and seconded by Mr. Hutchens that the Board recommends to the Industrial Commission that a six-person subcommittee of the Outdoor Heritage Fund Advisory Board made up of equal parts from conservation and industry be appointed to develop a strategy to deal with statewide conservation needs in the future. On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Reierson, and Stockdill voted aye and Wogsland and Moser voted nay with J. Godfread absent and not voting. The motion carried.

In response to a question regarding how the zero vote works when a member is absent, Mr. Moser said the vote is based on the members present. With 11 members present, the application would need to get a minimum of six votes. Mr. Moser listed the nine projects that did not get six or more votes for

funding at some level. They are 16, 3, 8, 2, 12, 7, 18, 31 and 27. He asked if anyone wanted any of those projects voted on separately. No one asked for a separate vote.

It was moved by Mr. Aasmundstad and seconded by Mr. Hutchens that the following applications not be recommended to the Industrial Commission for Grant Round 5 funding:

1. **GR5-16 - Nishu Bowmen Programs Expansion - Nishu Bowmen**
2. **GR5-03 - Doyle Memorial Park Swimming Area Project - Wishek Park Board**
3. **GR5-08 - Teton Marsh - Williston State College Foundation**
4. **GR5-02 - North Central Grass Planting Project - North McHenry County Soil Conservation District & South McHenry & Pierce County & Rolette County Soil Conservation Districts**
5. **GR5-12 - Grant County Area: Cover Crops for Prevented Plant Ground Utilized as Grazing - Grant County SCD**
6. **GR5-07 - Homme Dam Beach Shelter - Walsh County Park Board**
7. **GR5-18 - Hankinson Park District Restroom Replacement Project - Hankinson Park District**
8. **GR5-31 - Archie & Jessie Campbell Memorial Park Softball Complex Renovation - New Rockford Park District, and**
9. **GR5-27 - TMBCI Historic Preservation Stewardship Lodge - Turtle Mountain Band of Chippewa Indians**

On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

The Board then voted on the remaining Funding Award Recommendations in the order they were presented.

It was moved by Mr. Wogsland and seconded by Mr. Bina that the Egeland RV Park & Campground application submitted by the City of Egeland be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $6,588 (Application GR5-24). On a roll call vote Bina, C. Godfread, Moser, Reierson, Stockdill and Wogsland voted aye and Aasmundstad, Hoffman, Hutchens, Kuylen and Melchior voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Kuylen and seconded by Ms. Godfread that the Bottineau Winter Park Infrastructure and Program Improvements application submitted by the Bottineau Winter Park Inc. be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $70,000 (Application GR5-25) contingent upon the lift not being funded. On a roll call vote Bina, C. Godfread, Hutchens, Kuylen, Moser, Reierson, and Wogsland voted aye and Aasmundstad, Hoffman, Melchior and Stockdill voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Bina and seconded by Mr. Aasmundstad that Tolna Bay Boat Ramp and Recreation Area application submitted by the City of Tolna be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $12,488 (Application GR5-22). On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Melchior and seconded by Mr. Hoffman that Cattail Bay Boat Ramp Project application submitted by the Voices for Lake Oahe be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $33,750 (Application GR5-09). On a roll call

vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Aasmundstad and seconded by Mr. Wogsland that the Devils Lake Access Improvements for Handicapped, Elderly and Mobility Impaired application submitted by the City of Devils Lake be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $458,074 (Application GR5-17).

Mr. Melchior asked for a breakdown of what that includes – does it include a portion of the engineering and playground. Ms. Fine said $10,000 is the maximum for the playground equipment. Mr. Melchior said he calculated if you allow the full $10,000 for the playground equipment and nothing for engineering it comes to $326,280 – that is no funding for any of the engineering costs, he did not hear or see any documentation why they needed it.

It was moved by Mr. Melchior and seconded by Mr. Reierson that the motion be further amended to fund an amount of $326,280 ($10,000 limit on playground equipment and no funding for engineering costs). On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

On a roll call vote on the original motion as amended Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Wogsland and seconded by Mr. Bina that the Big Coulee Dam Repair application submitted by the Joint Big Coulee Dam Operation and Maintenance Committee be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $585,638 (Application GR5-01).

Mr. Aasmundstad questioned the engineering costs and removing them. Mr. Moser said their request actually changed to $585,638 from the submitted application. The total dollars tied up in engineering, etc. was $158,490. If those costs were removed the funding amount would be $427,148.

It was moved by Mr. Aasmundstad and seconded by Mr. Hoffman that the motion be further amended to fund an amount of $427,148 (no funding for engineering costs). On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson and Stockdill voted aye and Wogsland voted nay with J. Godfread absent and not voting. The motion carried.

On a roll call vote on the original motion as amended Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Kuylen and seconded by Mr. Hutchens that the Barnes Lake Preservation Project application submitted by the Woodworth Wildlife Club be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $69,320 (Application GR5-04). On a roll call vote Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Reierson and Stockdill voted aye and Aasmundstad, Moser and Wogsland voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Ms. Godfread and seconded by Mr. Wogsland that the The Fargo Project: World Garden Commons application submitted by the City of Fargo be recommended to the Industrial

Commission for Outdoor Heritage Fund funding in the amount of $350,000 (Application GR5-29). On a roll call vote Aasmundstad, Bina, C. Godfread, Hutchens, Kuylen, Melchior, Moser, Stockdill and Wogsland voted aye and Hoffman and Reierson voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Aasmundstad and seconded by Mr. Stockdill that the Grassland Restoration and Retention Program application submitted by the Ransom County Soil Conservation District be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $250,000 with the funding utilized for implementing best management practices and no Outdoor Heritage Fund dollars used for rental payments (Application GR5-06).

Mr. Zimmerman question not funding the full amount and what the applicant would do in that situation. It was stated that if the applicant could not proceed with the project without full funding they have the option of not signing the contract.

On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson and Stockdill voted aye and Wogsland voted nay with J. Godfread absent and not voting. The motion carried.

Mr. Wogsland explained his vote saying it is not that he doesn't support the concept of or putting that program on the ground, it seems to him that if you are going to have a program it goes back to what Mr. Zimmerman was talking about – that is a comprehensive program. The reason he voted no was he would have liked to have had them come back in here with a comprehensive program that encompasses all the things they want to do.

It was moved by Mr. Hoffman and seconded by Mr. Kuylen that the North Dakota Statewide Windbreak Renovation Initiative application submitted by the North Dakota Forest Service be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $1,800,000 (Application GR5-15). On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Melchior and seconded by Mr. Hoffman that the Beginning Farmer Enhancement application submitted by the ND Natural Resources Trust be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $132,884 (Application GR5-21) contingent upon no funds being spent on portable wind breaks or any other equipment.

In response to a question Mr. Moser said the lease payments noted in the application were coming from the applicant's dollars.

On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson and Stockdill voted aye and Wogsland voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Aasmundstad and seconded by Mr. Kuylen that the Emmons County Grassland & Cropland Conservation Effort application submitted by the Emmons County Soil Conservation District be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $630,000 (Application GR5-28). On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Wogsland and seconded by Mr. Melchior that the Sheyenne River Sedimentation Reduction Project Phase II application submitted by the Barnes County Soil

Conservation District be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $200,000 (Application GR5-11).

Mr. Moser said this is one of the 319 – we made the decision of no portable panels, what about the septic systems. We have not approved that on the 319.

On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson, Stockdill and Wogsland voted aye and no one voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Kuylen and seconded by Mr. Bina that the Homme Dam Watershed 319 Project application submitted by the Walsh County Three River Soil Conservation District be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $65,000 (Application GR5-14). On a roll call vote Aasmundstad, Bina, C. Godfread, Hutchens, Kuylen, Melchior, Reierson, Stockdill and Wogsland voted aye and Hoffman and Moser voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Reierson and seconded by Mr. Stockdill that the Marcus Friskop Learning Center application submitted by the Hankinson Public School be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $7,000 (Application GR5-19) with the contingency it is for the primitive campground and the access to the lake. On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Moser, Reierson, Stockdill and Wogsland voted aye and Melchior voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Wogsland and seconded by Ms. Godfread that the Almont Park and Playground Equipment Project application submitted by the Almont Historical Society be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $30,227 (Application GR5-10).

Mr. Moser ruled the motion out of order because the law does not allow us to exceed $10,000. Ms. Godfread said there was still a month before the law became effective.

On a roll call vote C. Godfread and Wogsland voted aye and Aasmundstad, Bina, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson and Stockdill voted nay with J. Godfread absent and not voting. The motion failed.

Ms. Fine stated Mr. Melchior had noted a conflict of interest with GR5-10 but still needed to vote.

It was moved by Mr. Hoffman and seconded by Ms. Godfread that the - Almont Park and Playground Equipment Project application submitted by the Almont Historical Society be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $5,855 (Application GR5-10). On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens and Wogsland voted aye and Kuylen, Melchior, Moser, Reierson and Stockdill voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Bina and seconded by Mr. Hutchens that the City Park Playground Equipment Upgrade application submitted by the Anamoose Park Board be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $10,000 (Application GR5-13).

Mr. Moser stated the reason he is voting no on the playgrounds is because he does not think it conforms with the law. Mr. Reierson agreed.

On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, and Wogsland voted aye and Kuylen, Melchior, Moser, Reierson and Stockdill voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Hoffman and seconded by Mr. Wogsland that the Play land Dream application submitted by the Gackle Park Board be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $6,000 (Application GR5-05). On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, and Wogsland voted aye and Kuylen, Melchior, Moser, Reierson and Stockdill voted nay with J. Godfread absent and not voting. The motion carried.

It was moved by Mr. Reierson and seconded by Mr. Wogsland that the Park River Parks and Recreation - Continuation of Phase 1 Community Park Development application submitted by the Park River Parks & Recreation be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $73,500 (Application GR5-20).

Mr. Moser said it may be hard for them to come up with match. They didn't have any match for the walking path. Maybe we should let them come up with match and reapply.

On a roll call vote Bina, Moser and Wogsland voted aye and Aasmundstad, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Reierson, and Stockdill voted nay with J. Godfread absent and not voting. The motion failed.

It was moved by Mr. Melchior and seconded by Ms. Godfread that the North Dakota Youth Pollinator Habitat application submitted by the Pheasants Forever, Inc. be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of $20,000 (Application GR5-23). On a roll call vote Aasmundstad, Bina, C. Godfread, Hoffman, Hutchens, Kuylen, Melchior, Moser, Reierson and Stockdill voted aye and Wogsland voted nay with J. Godfread absent and not voting. The motion carried.

Ms. Fine discussed administrative issues:

1. Proposed OHF Brochure (A copy is available in the Commission files.) Ms. Fine said she emailed the Board and tried to come down to a short sentence of what the vision of the OHF is. The Board wanted something they could distribute to people who inquired about the program.

2. Listing of Other Grant Programs as follows:
   When this program was first started one of the tasks the Advisory Board and staff discussed was identifying for applicants some options they might pursue if the Outdoor Heritage Fund was not the appropriate source of funding for their project.

   Attached is a draft summary page (A copy is available in the Commission's files.) that Andrea has put together with links to some other funding sources. In addition, Advisory Board member Randy Bina has provided us with some excellent information he and Kevin Stankiewicz put together for a ND Recreation and Park Association State Conference.

   No action is required by the Advisory Board. We continue to work on this project and are open to any suggestions any of you might have. We still are discussing whether this would be a document on the website or a document that we would send out with the letter stating that their application was not recommended for funding.

3. Staff authority as follows:

The Outdoor Heritage Fund has been operating for nearly two years and we are about to complete five grant rounds. We thought it would be a good opportunity to discuss the Role of the Staff in the award process and subsequently in working with the projects.

The staff's current authority upon receipt of an application is to review the application; work with the applicant if the application is incomplete or there are errors that need to be corrected. Staff does not have the authority to reject an application unless we know that it violates the law and we would indicate that to the applicant and return the application. Questions have been asked:

- Are there any circumstances where the Advisory Board believes the staff should have authority to reject an application?
- Are there any circumstances where staff could be allowed to include a stipulation for the Industrial Commission's consideration if staff believes the stipulation was overlooked when the application was being discussed by the Board?

I also wanted to make you aware that under this program, similar to other Industrial Commission programs, I do have the authority to amend contracts -- generally it is for no cost extensions. For this program I have not asked for, nor do I intend to ask for, authority to increase the funding level for a project. However, there may be circumstances where I would approve a slight adjustment in purpose. A recent example is a project came in under bid for a few hundred dollars and the applicant asked if they could use those dollars to enhance the purchase to make it more workable for the project. The total dollar cost would not change and the additional purchase is within the scope of work of the application the Board/Commission approved. Are there any concerns about the staff having that authority?

Several points were made in regards to the memorandum on staff authority:

- If there is a proposal resubmitted – if they are rejected they are always rejected with good reason. If they are resubmitted with no change, why would we take the application through the process if it is going to have the same result?
- When we get a more well defined criteria – if someone is coming in with a building that is not part of a comprehensive plan – why review it, if that's our policy that's our policy.
- One option suggested was that you send it by the Technical Committee and they made the recommendation that it be denied, then give our Chairman the authority to take it off. Mr. Moser said staff could forward the Technical Committee a recommendation to take a look at the proposal – then more eyes would see it to notice if any changes were made – and they could decide.
- Projects that you know will be rejected shouldn't go through the process.
- Industrial Commission may have some suggestions on what they expect the Advisory Board to do and what staff should have authority to do.
- If the vote was close on an application previously, you may want to have it go through because a Board member may have changed their mind.
- Could we inform the applicants that they have to have some new information to be considered. It is putting it on them to provide additional or new information and if they don't then it could go to the Technical Committee for review.

Ms. Fine commented on the circumstance where a stipulation is forgotten, you talked about it, you voted on it and we all missed it – that before it goes to the Industrial Commission she can include that and indicate it clearly to the Industrial Commission that the Board did not vote on this stipulation but she thought it was an oversight and then the Commission can then act on it with that stipulation. Carrying out the wishes of the Board clearly based on the discussion but it just didn't get into a motion. Mr. Moser said a good example of that might be – a piece of equipment that was in the budget that at 6:00 p.m. we buzz

through things and we missed it and later on staff catch it and say what about this – we know what the intent is. He said we will go ahead and do that.

Ms. Fine wanted to clarify the last paragraph that she does have the authority from the Industrial Commission to do no cost extensions and she frequently does that for the projects. It doesn't change the dollar amount but she wanted to make the Board aware of the kind of things we do during the contract process and administering the program.

Mr. Wogsland said his term is up and he'd like to thank the Board for their work. The North Dakota Grain Growers has nominated Jay Elkin who would do a great job. He indicated that he had enjoyed serving on the Board -- we've debated issues but not people - that's a hallmark. Thank you to the staff.

Mr. Moser said the terms of Jon Godfread and Jim Melchior are also up and are eligible for reappointment.

The Advisory Board members expressed their thanks to Mr. Wogsland for his service.

Being no further business, Chairman Moser adjourned the meeting at 6:25 p.m.

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Wade Moser, Chairman

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Recording Secretary