

2011 HOUSE POLITICAL SUBDIVISIONS

HB 1337

2011 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

HB 1337
February 3, 2011
Job # 13976

Conference Committee

Committee Clerk Signature 

Explanation or reason for introduction of bill/resolution:

Act to authorize the department of human services to convey certain land in Walsh County, North Dakota.

Minutes:

Testimony #1, 2 & 3

Chairman Johnson: Opened the hearing on HB 1337.

Rep. Kingsbury: This bill makes possible a land transfer from the state of North Dakota through the Department of Human Services to the Grafton Park Board for price determined by the Department of Human Services. (Handed out map #1). This parcel is located across the street from the developmental center and adjacent to the Grafton Park area. It is about 77.5 acres. In the 2009 session a similar transfer took place at \$100/acre. This land is no longer used by the developmental center; it is maintained by the center and the Grafton Parks and Recreation are eager to expand it for their use. I will let the Parks and Recreation director explain their plan. I would urge you to consider this and give it a do pass.

Rep. Zaiser: How is this different from the bill in 2009?

Rep. Kingsbury: It is the same parcel; they just bought part of it two years ago and are now extending.

Alex C. Schweitzer, Superintendent of the ND State Hospital and the Developmental Center: (See testimony #2). We approached the city of Grafton and the park board some time ago about the purchase of this property. We have been moving property at the developmental center for several reasons. We are transitioning people from the center on an ongoing basis. Our population has dropped from 143 individuals in 2005 to 103 today. By July 1, 2011 there will be 95 individuals living at the facility. The goal at the end of next biennium is to have 67 individuals at that facility. Because of this transition initiative the facility is reducing its workforce by 40.5 FTE's for this particular biennium coming up. One of these FTE's is a grounds and maintenance worker that is retiring. He works primarily in snow removal and grass maintenance. This particular property is not in our long range plan and it is not being utilized for anything. It best fits for the park board. It is adjacent to

their current property we sold during the last legislative session. We are very pleased that the Grafton Park Board has stepped up to purchase this property.

Rep. Koppelman: What is the transition initiative that you are talking about?

Alex Schweitzer: Because of the 2005 legislative mandate that the developmental center place individuals that are appropriate into the community settings so we have been moving them since that time.

Rep. Koppelman: Are you saying this land has no need?

Alex Schweitzer: That is correct. It will never be used by us. Right now we have too much land; and too many unused buildings and we are trying to find ways to utilize them so they have some use and value.

Rep. Klemin: What is the price?

Alex Schweitzer: \$100/per acre and there is 77.5 acres of property; which 8.2 of that is tillable. We do rent the tillable land right now at \$60.98/acre.

Rep. Koppelman: Is there anything in state law that might not follow? Do we have to open this up for bids?

Alex Schweitzer: We have sold land to political subdivisions at both the hospital and Grafton as long as I have been there since 1995. We have run this by our legal counsel and department and they have never said there is a problem.

Bill Dahl, Director of Grafton Parks and Recreation: (See testimony #3). Went over the handout.

Rep. Zaiser: Have you done an appraisal of the land so somebody doesn't come back and complain to you or to the state that you got it for less than market value?

Bill Dahl: Most of the property is located in the flood plain. Most of the property is under water and the tillable acreage in many seasons isn't planted because of water problems.

Rep. Koppelman: Do you know if there would be any private interest in this land?

Bill Dahl: I don't know.

Rep. Koppelman: Do you know if the park district would use it all in the description you have given or would the tillable land still be rented out for \$66/year. Seems like a pretty good investment.

Bill Dahl: I don't believe we would continue to rent out the land after the contract is up. I think it expires in 2012.

Chairman Johnson: I am looking at the darker map. Is it the dark black line that goes around is that what we are talking about?

Bill Dahl: it is both sections; the entire section with the property that is in question that is the 78.5 acres.

Kerry Demars, Park Board President: The biggest issue we have as far as that property is concerned is a great majority of that land is in the flood plain. Until something gets done with the city of Grafton basically the only section that would be feasible to do anything with is the land right north of that street that runs through that, which is 5th Street. The land we had acquired from the developmental center in the past is everything that is at the bottom level of the flood plain with the land description there. If it was a fit for us and the state we could utilize most of the stuff to the south of the tree plans that you people see on the map just because of the fact that with the dog park and the ball field would still all be considered in the flood plain we can't put permanent structure on any of those properties and with the trees and everything that outline the river it would hold most of the debris out so we wouldn't have a month's worth of work to do if we did get the fencing up to utilize that stuff for the kids for the Grafton area.

Rep. Koppelman: I remember the last time that discussion was here. Would you have any objection to having it open to the public and if nobody wants it the same result could occur but you would still be opening it up to somebody else wanted to put a bit in or something like that?

Kerry Demars: When this came up about two years ago the interest from the park board and the city they did not show much interest in it. Us as the park district started to dig into it a little more. Back to the flooding issue; we have the bath house and everything that is in the existing campground right now gets approximately 6-8 feet of water in it about every year. When we discussed this with the city; them knowing what our intentions were; they backed down and didn't have a lot to say after we told them about what we were going to do with it.

Rep. Koppelman: Is it good public policy for us as a state to say only you can buy it. If it were made available on bids or something like that it might end up in private hands and go onto the tax rolls and it might be a positive thing.

Kerry Demars: That is a possibility.

Rep. Kilichowski: You are talking about 8. Some acres of land for rent. We are lucky we have anyone to come in there and work the piece. We can't turn around with the equipment now. I think the farmer is doing it for a favor. I don't think he really wants to be back in there. Most of it is not worth \$100/acre.

Rep. Shirley Meyer: Where does the money go?

Kerry Demars: Yes in the general fund. In the community this is pretty well known that it is available. The previous property they bought they knew was available. It is difficult to even get the landowner that is renting it has been asking in the past about buying it; no interest.

We did not advertise it, but certainly the community was aware it was for sale. The Park Board was the only group that came forward.

Opposition: None

Hearing closed.

Rep. Mock: If we are going to go a do pass would it be an interest to put an emergency clause on it and allow this to happen especially if they are talking about projects? Motion made to amend the bill to add a Section 2 to include an emergency clause. Seconded by Rep. Kilichowski.

Discussion:

Rep.Devlin: If the land is where I think it is an emergency clause probably won't do much good because it will probably be under water until about a month before that.

Voice vote carried.

Do Pass As Amended by Rep. Zaiser: Seconded by Rep. Heilman:

Vote: 14 Yes 0 No 0 Absent Carrier: Rep. Maragos:

Hearing closed.

Rep. Mock:

FISCAL NOTE
 Requested by Legislative Council
 02/08/2011

Amendment to: HB 1337

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$7,705					
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

House Bill 1337 authorizes the Department of Human Services to convey specific land in Walsh County, North Dakota to the Grafton Park Board.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The only impact of the amended Bill is the revenue generated from the sale of the land as contained in Section 1 of the amended Bill. The amendment adds an emergency clause and it is anticipated that the sale will take place before June 30, 2011.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The general fund revenue estimate is based on the 77.05 acres of land being sold for \$100 per acre.

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Brenda M. Weisz	Agency:	DHS
Phone Number:	328-2397	Date Prepared:	02/08/2011

FISCAL NOTE

Requested by Legislative Council
01/18/2011

Bill/Resolution No.: HB 1337

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$7,705			
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

House Bill 1337 authorizes the Department of Human Services to convey specific land in Walsh County, North Dakota to the Grafton Park Board.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The only impact of the Bill is the revenue generated from the sale of the land as contained in Section 1 of the Bill.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The general fund revenue estimate is based on the 77.05 acres of land being sold for \$100 per acre.

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Brenda M. Weisz	Agency:	DHS
Phone Number:	328-2397	Date Prepared:	01/21/2011

February 03, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1337

Page 1, after line 11, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency
measure."

Renumber accordingly

Date: 2-3-11
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1337

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Adopt
Amendment

Rerefer to Appropriations Reconsider _____

Motion Made By Rep. Mock Seconded By Rep. Kilichowski

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson			Rep. Kilichowski		
Vice Chairman Hatelstad			Rep. Shirley Meyer		
Rep. Beadle			Rep. Mock		
Rep. Devlin			Rep. Zaiser		
Rep. Heilman					
Rep. Klemin					
Rep. Koppelman					
Rep. Kretschmar					
Rep. Maragos					
Rep. Pietsch					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Sec 2: EM Clause

Vote carried

February 3, 2011

VR
2/3/11

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1337

Page 1, line 2, after "Dakota" insert "; and to declare an emergency"

Page 1, after line 11, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency
measure."

Renumber accordingly

Date: 2-3-11
Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1337

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Adopt
Amendment

Rerefer to Appropriations Reconsider

Motion Made By Rep. Zaiser Seconded By Rep. Heiland

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Kilichowski	✓	
Vice Chairman Hatelstad	✓		Rep. Shirley Meyer	✓	
Rep. Beadle	✓		Rep. Mock	✓	
Rep. Devlin	✓		Rep. Zaiser	✓	
Rep. Heilman	✓				
Rep. Klemin	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Pietsch	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Maragos

If the vote is on an amendment, briefly indicate intent.

REPORT OF STANDING COMMITTEE

HB 1337: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1337 was placed on the Sixth order on the calendar.

Page 1, line 2, after "Dakota" insert "; and to declare an emergency"

Page 1, after line 11, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

2011 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1337

2011 SENATE STANDING COMMITTEE MINUTES

Senate Industry, Business and Labor Committee
Roosevelt Park Room, State Capitol

HB 1337

March 9, 2011

Job Number 15153

Conference Committee

Committee Clerk Signature

Eva Lebelt

Explanation or reason for introduction of bill/resolution:

An act to authorize the department of human services to convey certain land in Walsh County.

Minutes:

Attachment: #1, #2, #3

Representative Joyce Kingsbury: Representing Walsh and Pembina County District 16 for HB 1337. (Attachment #1)

Alex Schweitzer: Superintendent of ND Developmental Center of ND State Hospital of the Department of Human Services. (Attachment #2)

Senator Klein: We are transferring unneeded acreage to what would be a good cause to the park board?

Alex Schweitzer: Yes, it is the adjacent property to this particular property. It works out for us in terms of managing it.

Senator Laffen: How many building and acres we currently have at the state school?

Alex Schweitzer: We have several building occupied by other parties. We occupy 3 care buildings. We have individuals living in those building, a main administrative building, a clinic area, a general maintenance building, and a laundry. Total of 12-15 buildings...we have about 4 buildings that are empty and are working with several groups for renting purposes or potentially buying. The acreage (We have sold most of the property that we used to farm, sold to the Grafton city or park board. It is not part of our plan to use of this acreage.

Senator Klein: So you are down to a couple of blocks for your campus?

Alex Schweitzer: We are down to a 3 – 4 square block campus.

Senator Klein: Anyone else to support HB 1337?

Bill Dahl, Director of Grafton Parks and Recreation: (Attachment #3) I want to explain our some of our plans with this property. We have received a \$30,000 grant from the Land,

Water, and Soil Conservation District and will be building a dog park on this property. This property is in/borders the flood plain. A lot of this property goes under water, it is about 36-38 acres of this property is wooded along the river. We are proposing to develop trails for cross country skiing, hiking, and putting in rest areas. There are some existing trails in this area, deer trails, and snowmobiles trails. We want to be developing these trails which would be a good benefit for our community. This property is adjacent to our camp ground (map Attachment #3) and would allow future expansion which is a very good fit for Grafton Parks and Recreation. We will be putting 9 hole disk golf within this area. We have 9 hole golf, tennis court, swimming pool, volley ball court, playground all border this property. We have the ability to do the maintenance on the property. We support HB 1337.

Senator Klein: Close hearing

Senator Nodland: I move a Do Pass

Senator Laffen: Second motion

Senator Klein: Discussion? The Clerk will take the roll call vote for Do Pass on Engrossed HB 1337.

Clerk: 6-0-1

Senator Larsen to carry the bill

REPORT OF STANDING COMMITTEE

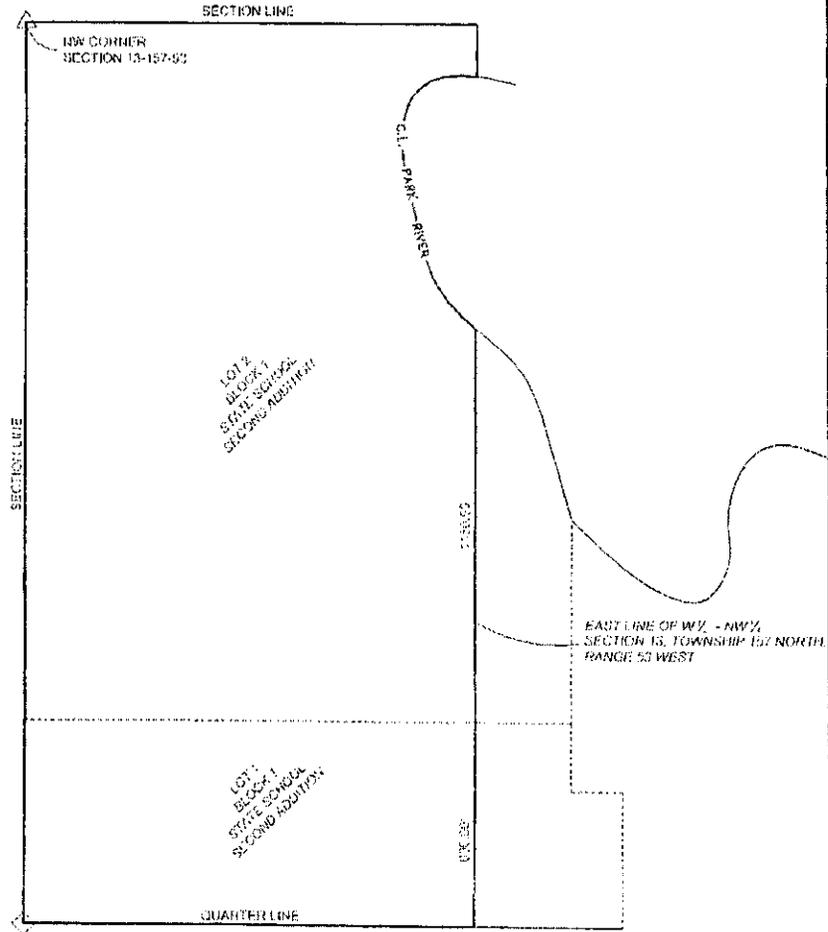
HB 1337, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1337 was placed on the Fourteenth order on the calendar.

2011 TESTIMONY

HB 1337

1

**LOT #1 & LOT #2
BLOCK 1 STATE SCHOOL 2ND ADDITION
CITY OF GRAFTON, NORTH DAKOTA.**



SCALE: ONE INCH = 400 FEET
BASIS OF BEARING: ASSUMED



- SECTION CORNER
- QUARTER CORNER
- IRON PIN

DESCRIBED AS FOLLOWS:

Legal Description

State of North Dakota to Grafton Park District

All that part of Lot 1 & Lot 2, Block One, State School Second Addition to the City of Grafton, N.D., lying West of the Centerline of the Park River, and West of the East line of the West 1/2 of the Northwest 1/4 of Section 13, Twp. 157 N., Rge 53 W., 5th P.M.

Said tract of land contains 77.05 acres, more or less.

SURVEYOR'S CERTIFICATION

I hereby certify that this Legal Description was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of North Dakota.

Date 12-7-2010

Registration Number 1194



Kauffman
Law &
Jackson
Surveyors
P.C.

**Testimony
House Bill 1337 – Department of Human Services
House Political Subdivisions Committee
Representative Johnson, Chairman
February 3rd, 2011**

Chairman Johnson and members of the House Political Subdivisions Committee, I am Alex C. Schweitzer, Superintendent of the North Dakota Developmental Center and the North Dakota State Hospital of the Department of Human Services. I am here today to speak in support of House Bill 1337.

The administration of the North Dakota Developmental Center (NDDC) contacted the Grafton Park Board and the City of Grafton prior to the preparation of the 2011 - 2013 Executive Budget recommendation to ascertain their interest in purchasing the land listed in this bill.

The North Dakota Developmental Center's transition initiative is preparing the facility for less population and one of the elements of this initiative is the renting or selling of underutilized or unused buildings and land.

The NDDC population has dropped from 143 individuals in 2005 to 103 individuals as of the date of this testimony. The facility expects to have 95 individuals at the facility by the end of the current biennium. The next goal would be to reduce the population to 67 individuals at the facility.

Because of the transition initiative the facility is reducing its workforce by 40.53 FTEs for the 2011 – 2013 biennium. One of these FTEs is a grounds and maintenance worker that primarily works in the area of snow removal and grass maintenance. The purchase of this property by the Grafton Park Board allows us to move property that no longer fits in the long range plan of the NDDC.

The NDDC is pleased the Grafton Park Board is interested in purchasing the land to meet their long term park and recreational needs.

Thank you. I would be happy to answer any questions.

February 3, 2011

HB 1337

Introduced by:

Representatives Kingsbury, Kilchowski
Senator Miller

Grafton Parks and Recreation:
Park Board President: Kerry Demars
Director: Bill Dahl

*Our mission is promote recreational and leisure opportunities for all individuals to enrich their quality of life.

Our facilities include:

- Leistikow Park: (largest park in the City of Grafton). Amenities include Playground, Campground, Disk Golf, Public Swimming Pool, Shelters (4), Basketball & Tennis Courts, Canoeing, Boy and Girl Scout Cabins, plus many flower beds. City bike path runs in front of the park.
- Schumacher Park: includes Playground, Outdoor Ice Rink, Warming House
- Pumpkin Park: includes Playground, Tennis & Basketball Court
- Westview: Includes Tennis Courts
- Chase Skate Park: Outdoor Skate and Bike Park
- Chandler Field: Includes Pee Wee Ball Diamond and Babe Ruth Ball Diamond
- South Complex: (2) Softball Fields, Concessions and Restroom
- 8th Street Diamond: Rookie Field
- Elmwood Historical House
- Centennial Center and Winter Sports Arena: (2) Indoor Ice Facilities managed by Parks and Rec. under a Joint Powers Agreement with the City of Grafton
- Grafton Armory: Managed by Parks and Rec. under a Joint Powers Agreement with the City of Grafton

Purpose for Land:

The sale of this land to Grafton Parks and Recreation would benefit the community of Grafton in many ways. It would provide some great opportunities for growth and development of new programs currently not offered in our community. Some of our proposed projects for this property include:

- The development of Cross Country Ski and Hiking Trails in the approximately 38 acres of wooded area along the Park River (see attached maps)

- Rest areas developed along trails
- Warming House/Ski Rental developed in one of the buildings
- Primitive Campsites developed along the river
- The construction of a City Dog Park located in the green space north west of the Campground
- Relocate North Ball Field to this site (8th St. Diamond) due to parking problems and no space to grow
- Expand Disk Golf (currently 9 holes) add additional 9 holes along this property
- Working with the Grafton Chamber to develop Fall Festival (Corn Maze in the tillable acreage)
- Allows for future expansion of our Campground Facility
- Property adjacent to City's largest Park

Summary:

We currently have two of these projects in the works... Grafton Parks and Recreation has received a \$ 30,000.00 matching grant from LWCF (Land Water Conservation Fund) and \$ 1000.00 from MDU Resources Foundation for the construction of a City Dog Park. We are working together with the LEAD and FBLA groups to find ways to help fund the local share of the project.

Location of a City Dog Park has been our biggest hurdle. In all the surveys...everyone favors a Dog Park...but, "not in their neighborhood." The land northwest of the campground is the best fit. This property doesn't border any neighborhoods, allows for ample parking, and access to water and power.

Second... We have purchased a Cross Country Ski trail groomer. Our plan is to start grooming trails throughout Leistikow Park and through some of the existing trails in the wooded area along the river. By acquiring this property allows us to pursue grants available through ND Parks and Recreation Department, Recreational Trail Program (RTP). We cannot apply for grants to be use for property we do not own.

As rural communities continue to struggle, we need to be proactive in offering new programs and amenities to help attract new people to our City.

San Antonio Parks & Recreation
Cross Country Ski Trails 2011

Yellow 1.1 mi

Pink 3 mi

White Proposed 2012

1320FT +/-

NW Corner NW 1/4
T19 N R53W

SR +
Hiking
Trails

Center of Park River
1203 FT +/-

Lot 2 ~ Block One
State School Second Addition
58.83 +/- Ac.

2640 FT +/-

Fall
Fest
Camp
Maze

1150 FT +/-

Now
Ball Diamond
(Rocks &
Field)

600
FT +/-

Campground

1320 FT +/-

Lot 1 ~ Block One
State School Second Addition
18.22 +/- Ac.

600 FT +/-

600 FT +/-

SW Corner NW 1/4
Sec 13 T157N R53W

1320 FT +/-

The "BARK PARK"- Dog Park in Grafton ND

What has been accomplished as of now?

1. Grant has been received from LWCF (Land Water Conservation Fund) for \$30,000- but this is matching.... Meaning that IF we can raise \$30,000, they will give us \$30,000.... But if we can only raise \$20,000- they will only give us \$20,000
2. Parks and Rec will give \$5,000-\$10,000 project--- and IF City gives \$5,000--- we would need between \$5,000-\$10,000 to complete the project.
3. \$30,000 will cover the entire cost of the fencing and installation of the fencing, but we **need assistance with all the "extras"** that go into a dog park.
 - a. Lighting, Trash Cans, water fountains, cement slabs to place benches on, benches (covered canopy would be nice), landscaping, signage, advertising, toys for dogs (bridges,etc)
4. Project Completion Date: End of Summer 2011

What role does LEAD play in this? How can you help support this project?

1. Attend a City Council meeting with Parks and Rec / FBLA group to ask the City of Grafton to donate \$5,000 (or more) to the project. (Meeting would be 1st Monday in March- March 7th)
2. Find more ways to fund the project.
 - a. Approaching businesses/clubs within the area asking for a donation (Tanna from Parks and Rec could come with to answer questions)
 - i. Monetary donations would be great.... But they could also "sponsor" a drinking fountain, bench, trash can, etc..... and a plaque would be placed on that items showing it was donated by them.
 - b. Fundraisers?

1. Describe proposed project:

a. Proposed Project:

- i. To construct a DOG PARK next to Leistikow Park, which will serve people throughout a 60 mile radius, plus the 50 site campground. With over 55% of the households having a dog, this Dog Park will allow all dogs to be brought to the park where they can be off of a leash and be free to socialize with other dogs. Many other cities have a dog park, so the popularity is there. We also have strong community support from the public (Humane Society, Law Enforcement, City Officials, General Public, Veterinarians and also the Grafton High School FBLA Group.) We feel that once this Dog Park is constructed, the cost to maintain would be very minimal, but yet the benefits would continue for years to come.
- ii. Due to the Leash Law, it states that animals need to be on a leash, so we need a place where the dogs can be off of a leash, so they can exercise and socialize with other animals. The location would be right off of our main park, within 100 yards of the bike path and campground and there are no homeowners close by- so it's the perfect place. By reviewing all the statements from different businesses and community members, you will see that the NEED and WANT is a high priority in Grafton, ND

b. Location:

- i. Leistikow Park / 415 W 5th Street / Grafton ND 58237 (just west of the park/campground)

c. Scope of Project:

i. Our request is simple

1. Construct a DOG PARK in Leistikow Park! (See the sample fencing layout)

- a. Large Dog area
- b. Small Dog area
- c. "Bull Pen"- to gather dog into while removing leash and allowing them into their (big/small) area.
- d. Add benches, water stations, trash containers, toys and signage to make it a welcoming place.

ii. Statistics:

1. 40% of people have 1 dog/ 25% have 2 dogs and 14% have 3 dogs per household
2. 68% of pet owners travel with their pets
3. Health benefits of owning a pet: low stress, low depression and low blood pressure are just a few
4. 10 million people celebrate a dogs bday/ 33% of dogs sleep in their owners beds
5. 1 million dogs in the US have been name primary beneficiary in their owner's will!
6. Spend \$15 billion on food / \$3 billion on board / \$12 billion on veterinary care and medication
7. Pets are as important as children in the families

iii. **Work Plan** (professional services, park employees' labor and volunteer labor will be used)

1. Site Work:
 - a. Installation of the fencing (done by outside sources)
2. Water Sources
3. Lighting
4. Benches/ Concrete
5. Trash Services
6. Signage

2. **Describe proposed project site:**

- a. **Property name:**
 - i. Dog Park (The Bark Park)- located in Leistikow Park
- b. **Acreage:** 28 acres (we will only build the dog park in an area within this total acreage)
- c. **Physical address:**
 - i. Leistikow Park / 415 W 5th Street / Grafton ND 58237
- d. **County:**
 - i. Walsh
- e. **Site's current use:**
 - i. Green space
- f. **Surrounding environment:**
 - i. Located within the park
 - ii. Approximately 100 yards from the Park Restrooms
 - iii. Approximately 50 yards from the river
 - iv. Approximately 200 yards from the public swimming pool
 - v. Approximately 100 yards from the campground
 - vi. Other things in close proximity: disc golf, bike path, playground, tennis/basketball, shelters, canoeing and trails.

3. **Describe any unique or important significance of the proposed project?**

- a. It's very important, considering that it was mentioned as one of the top 5 project for our region in the State Comprehensive Outdoor Plan
- b. Dog Parks are becoming very popular throughout the United States and even North Dakota. A few cities in ND are building a 2nd and 3rd dog park within their community due to the popularity of them (Grand Forks and Fargo).
- c. **Why do we want/ need a DOG PARK?**
 - i. Multi-generational park activity for all ages. (playground is used by younger kids / baseball fields are used by teenagers, etc...)
 - ii. Low Construction Costs/ Low Maintenance Costs (more recreation opportunities per dollar spent on construction and maintenance than any other park activity)
 - iii. High return on investment
 - iv. Outdoor exercise for people and dogs
 - v. Enhances bond between owner and pet
 - vi. Promotes public health and safety- well exercised dogs are better neighbors and bark less
 - vii. Socialize dogs—which creates/makes for NON-aggressive dogs (also great socialization for people!)
 - viii. Brings out everybody- to either participate with their animal or stop and watch others.
 - ix. This would be another "plus" that Grafton has to offer when people are looking to relocate here
 - x. We've seen the success that Fargo and Grand Forks, ND have had with their dog parks- and they are expanding!
 - xi. **See the attached statements from local Pet Boarding Centers, Veterinarians, Law Enforcement, General Public and the Humane Society- this will show that there is a NEED and a WANT for a DOG PARK in our community.**

4. **Explain any benefits or negative impacts of the project.**

- a. **Benefits: ONLY POSITIVE OUTCOMES**
 - i. Increase people's experience to nature
 - ii. Increasing opportunities for more outdoor activities
 - iii. Health benefits to all ages are endless
- b. **Offer more programs-** will be offered at the Dog Park?
 - i. Obedience Training—please see the attached letter/comments from the Obedience Trainer.
 - ii. Dog Shows- during our annual summerfest weekend (June)
 - iii. Contests: Fetching/ running/ etc...
 - iv. Police Dept will use area to train their dogs

- v. Senior Citizens and dogs—we would have a senior citizen day where people could bring their animals to socialize with the seniors
 - vi. Handicapped and the Developmentally Disabled would be able to come and watch dogs and we'd even allow some to come into the park during specific times.
 - c. The impact of a successful Parks and Recreation Department on a community cannot be overstated. Parks and Recreation play a major role in the vitality of this community. When looking to relocate, a majority of the people will ask, "What does this community have to offer". We at Parks and Recreation feel that we have encompassed the entire community in our offering... but improvements are always needed!
 - d. The community looks to Parks and Recreation to provide safe facilities for all ages (including the disabled). We give everybody the opportunity to enjoy the outdoors, and take advantage of facilities/programs by either participating or as a spectator. Parks and Recreation is looked by the community to continually improve the activities of the community and also the facilities.
5. **Would partial funding affect completion of the grant? Please explain.**
 **If we fall short of our funding goals- the project will be completed in two sections...
- a. **Get the Dog Park Open:** We will make is accessible / useable (Approx \$42,000)
 - i. Install all fencing
 - ii. Water Fountains
 - iii. Trash containers
 - iv. Signage
 - v. Advertising
 - b. **Add the Extras:** We will add the extra touches to personalize the Dog Park
 - i. Benches for people
 - ii. Canopies
 - iii. Landscaping
 - iv. Toys

<u>Item</u>	<u>Amount</u>	<u>%FT/PT</u>
Fencing- 950 feet of 6'ft high chain link fence including 1-4'ft gate and 507 feet of 4'ft high chain link fence including 2-4'ft gates (materials & labor)	\$29,000	
Lighting (with assistance from City of Grafton)	\$ 5,000	
Plumbing of water for drinking fountain (Kutz and O'Brien Plumbing)	\$ 3,000	
Drinking Fountain for people and dogs —Pedestal Drinking Fountains (combination people, dogs and handicap accessible) Quantity: 2 @ \$3600 each	\$ 7,200	
Water Installation (assistance from City of Grafton)	\$ 750	
Concrete Slabs for benches- (6 slabs size 4ft x 4ft) @ \$200 each (materials and labor) Quantity: 6	\$ 1,200	
Benches – 6 @ \$550 each	\$ 3,300	
Signage- Signs needed for rules and Dog Park Entrance	\$ 1,500	

Dog Trash Cans @ \$150 Quantity: 6		\$ 900	
Canopy over benches @2295 each Quantity: 2		\$ 4,590	
Dogs Toys – hydrants/ bridges to run across/ big boulders for climbing		\$ 1,500	
Park Employees Labor		\$ 3,000	
Total Expense		\$60,940.00	
Difference (Income less Expense)			

MDU RESOURCES FOUNDATION

1200 West Century Avenue

Mailing Address:

P.O. Box 5650

Marck, ND 58506-5650

Cynthia Norland
President and Director

January 26, 2011

Ms. Tana Aasand
City of Grafton Parks & Recreation
PO Box 122
Grafton, ND 58237

Dear Ms. Aasand,

Thank you for submitting a grant application to the MDU Resources Foundation seeking financial support for your organization.

On behalf of the MDU Resources Foundation and our member companies, MDU Utilities Group, Knife River Corporation, WBI Holdings, Inc. and MDU Construction Services Group, I am pleased to inform you of the approval of a \$1000 grant to your organization payable in May.

At the appropriate time, please send a written request for payment to Barry Gage, MDU, PO Box 777, Devils Lake, ND 58301-0777. The Foundation will not release funds unless a request for payment is received.

Also, going forward the Foundation will consider funding only those organizations that submit a grant application by October 1st of each year. For further information, please go to www.mdu.com/corporateresponsibility/foundation.

Best wishes for continued success.

Sincerely,



Rita O'Neill

Foundation Manager

c: Pat Darras

Barry Gage

HB 1337

Mr. Chairman, Members of the Senate Industry, Business, & Labor Committee

Rep. Joyce Kingsbury, District 16

HB 1337 makes possible a land transfer from the state of North Dakota through The Dept. of Human Services to the Grafton Park Board, for the price and terms determined by the Dept. of Human Services.

This parcel is 77.05 acres, and is adjacent to the Grafton Park and campground. In the 2009 session, a similar transfer took place at \$100 per acre.

This land is no longer used by the Developmental Center, but requires their upkeep. The Grafton Park system is eager to expand it for their use. I'll let the Park Director Explain their plan, and Dr. Schweitzer is here to explain their position.

Thank you.

Rep. Kingsbury

Testimony
Engrossed House Bill 1337 – Department of Human Services
Industry, Business and Labor Committee
Senator Klein, Chairman
March 9, 2011

Chairman Klein and members of the Senate Industry, Business and Labor Committee, I am Alex C. Schweitzer, Superintendent of the North Dakota Developmental Center and the North Dakota State Hospital of the Department of Human Services. I am here today to speak in support of Engrossed House Bill 1337.

The administration of the North Dakota Developmental Center (NDDC) contacted the Grafton Park Board and the City of Grafton prior to the preparation of the 2011 – 2013 Executive Budget recommendation to ascertain their interest in purchasing the land listed in this bill.

The North Dakota Developmental Center's transition initiative is preparing the facility for less population and one of the elements of this initiative is the renting or selling of underutilized or unused buildings and land.

The NDDC population has dropped from 143 individuals in 2005 to 103 individuals as of the date of this testimony. The facility expects to have 95 individuals at the facility by the end of the current biennium. The next goal would be to reduce the population to 67 individuals at the facility by July of 2013.

Because of the transition initiative the facility is reducing its workforce by 40.53 FTEs for the 2011 – 2013 biennium. One of these FTEs is a grounds and maintenance worker that primarily works in the area of snow removal and grass maintenance.

Within the 77.05 acres offered for sale at \$100.00 per acre, is 8.2 acres of tillable land. The NDDC currently rents this land to a local farmer for \$61.00 per acre. The majority of the property is either in the flood plain or near the flood plain.

The purchase of this property by the Grafton Park Board allows us to move property that no longer fits in the long range plan of the NDDC. The NDDC is pleased the Grafton Park Board is interested in purchasing the land to meet their long term park and recreational needs.

Thank you. I would be happy to answer any questions.

February 3, 2011

HB 1337

Introduced by:

Representatives Kingsbury, Kilchowski
Senator Miller

Grafton Parks and Recreation:
Park Board President: Kerry Demars
Director: Bill Dahl

*Our mission is promote recreational and leisure opportunities for all individuals to enrich their quality of life.

Our facilities include:

- Leistikow Park: (largest park in the City of Grafton). Amenities include Playground, Campground, Disk Golf, Public Swimming Pool, Shelters (4), Basketball & Tennis Courts, Canoeing, Boy and Girl Scout Cabins, plus many flower beds. City bike path runs in front of the park.
- Schumacher Park: includes Playground, Outdoor Ice Rink, Warming House
- Pumpkin Park: includes Playground, Tennis & Basketball Court
- Westview: Includes Tennis Courts
- Chase Skate Park: Outdoor Skate and Bike Park
- Chandler Field: Includes Pee Wee Ball Diamond and Babe Ruth Ball Diamond
- South Complex: (2) Softball Fields, Concessions and Restroom
- 8th Street Diamond: Rookie Field
- Elmwood Historical House
- Centennial Center and Winter Sports Arena: (2) Indoor Ice Facilities managed by Parks and Rec. under a Joint Powers Agreement with the City of Grafton
- Grafton Armory: Managed by Parks and Rec. under a Joint Powers Agreement with the City of Grafton

Purpose for Land:

The sale of this land to Grafton Parks and Recreation would benefit the community of Grafton in many ways. It would provide some great opportunities for growth and development of new programs currently not offered in our community. Some of our proposed projects for this property include:

- The development of Cross Country Ski and Hiking Trails in the approximately 38 acres of wooded area along the Park River (see attached maps)

- Rest areas developed along trails
- Warming House/Ski Rental developed in one of the buildings
- Primitive Campsites developed along the river
- The construction of a City Dog Park located in the green space north west of the Campground
- Relocate North Ball Field to this site (8th St. Diamond) due to parking problems and no space to grow
- Expand Disk Golf (currently 9 holes) add additional 9 holes along this property
- Working with the Grafton Chamber to develop Fall Festival (Corn Maze in the tillable acreage)
- Allows for future expansion of our Campground Facility
- Property adjacent to City's largest Park

Summary:

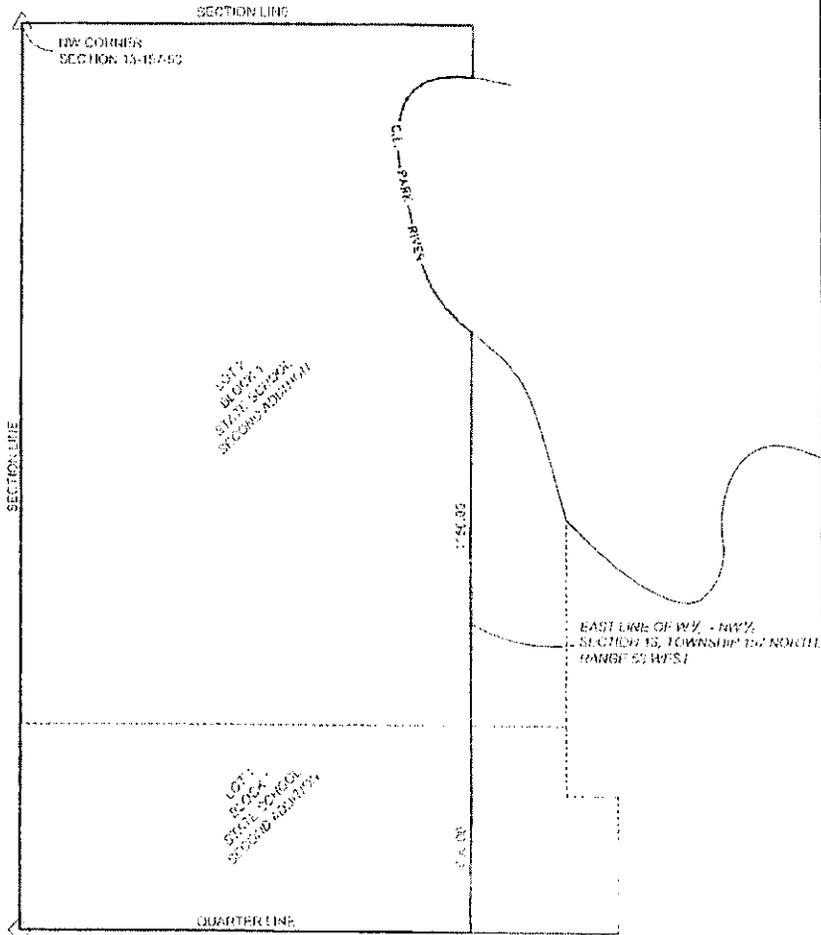
We currently have two of these projects in the works... Grafton Parks and Recreation has received a \$ 30,000.00 matching grant from LWCF (Land Water Conservation Fund) and \$ 1000.00 from MDU Resources Foundation for the construction of a City Dog Park. We are working together with the LEAD and FBLA groups to find ways to help fund the local share of the project.

Location of a City Dog Park has been our biggest hurdle. In all the surveys...everyone favors a Dog Park...but, "not in their neighborhood." The land northwest of the campground is the best fit. This property doesn't border any neighborhoods, allows for ample parking, and access to water and power.

Second... We have purchased a Cross Country Ski trail groomer. Our plan is to start grooming trails throughout Leistikow Park and through some of the existing trails in the wooded area along the river. By acquiring this property allows us to pursue grants available through ND Parks and Recreation Department, Recreational Trail Program (RTP). We cannot apply for grants to be use for property we do not own.

As rural communities continue to struggle, we need to be proactive in offering new programs and amenities to help attract new people to our City.

**LOT #1 & LOT #2
BLOCK 1 STATE SCHOOL 2ND ADDITION
CITY OF GRAFTON, NORTH DAKOTA.**



SCALE: ONE INCH = 400 FEET
BASIS OF BEARING: ASSUMED



-  SECTION CORNER
-  QUARTER CORNER
-  IRON PIN

DESCRIBED AS FOLLOWS:

Legal Description

State of North Dakota to Grafton Park District

All that part of Lot 1 & Lot 2, Block One, State School Second Addition to the City of Grafton, N.D., lying West of the Centerline of the Park River, and West of the East line of the West 1/2 of the Northwest 1/4 of Section 13, Twp. 157 N., Rge 53 W., 5th P.M.

Said tract of land contains 77.05 acres, more or less

SURVEYOR'S CERTIFICATION

I hereby certify that this Legal Description was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of North Dakota.


Date: 12-7-2010

Registration Number: 1194



Kadrmas
Lee &
Jackson
Surveyors