**October 10th, 2024 10:00am**

**Cass County Courthouse, 211 9 St S, Fargo, ND Commission Room 105W**

**Board Members Present:** **Others Present:**

Clay Commissioner Dave Ebinger – Chair Amanda Glasoe – RRRDC Director

Clay Commissioner Kevin Campbell Brandy Madrigga – Cass Finance Director

West Fargo Mayor Bernie Dardis Jim Prochniak – Cass Emergency Manager

Cass Commissioner Mary Scherling Chad Bormann - SEH

Fargo Commissioner Denise Kolpack (virtual) Erik Johnson – RRRDC Attorney

Fargo Mayor Tim Mahoney (virtual) Paige Fabre – Widmer Roel

Moorhead Mayor Shelly Carlson (virtual) Craig Hashbarger – Widmer Roel

Todd Keel – Fargo IS

Ron Gronneberg

Robert Wilson – Cass County Administrator

Brian Zastoupil – RRRDC Radio Coordinator

Chelaine Anderson-RRRDC Supervisor (minutes)

Taw North (virtual)

Scott Sutter (virtual)

1. Call to order – 1004hrs Ebinger
   1. Short of a quorum, will need to go back to organizations to make sure this meeting is attended as there are lots of action items in the middle of a build.
   2. Will pass over action items until quorum is met.
2. Approval of agenda
   1. **Motion made by Dardis, second by Scherling.**
3. Approval of August 8th, 2024 Authority Board meeting minutes
   1. **Motion made by Scherling, second by Campbell. All in favor, motion passed.**
4. Committee Reports
   1. **Budget and Finance Committee -** Cass Finance Director Madrigga – met October 9th – Widmer Roel to present draft audit (1009 hrs.)
      1. 2023 audit was presented. Slight increase in balance, significant risk comes from same firm preparing the finical documents and also auditing them. Eventually Cass Co can prepare financial documents but will continue to be risk for year or two. No interest in 2022, in 2023 there was a stipend as funds were moved to and interest-bearing account. City of Fargo, when fiscal agent, retained all interest earned on cash deposits as their kind of accounting fee. Cass Co not retaining interest but instead the money is in a bank account under the name of RRRDC and earning interest. Accounting system is also now owned by RRRDC. Finance Committee recommended for approval.
      2. Presented with up to date financials, were as expected.
         1. Dardis asked how will we safeguard some items that were above budget. Madrigga and Glasoe are working together to appropriately work on the next budget. A lot of the numbers were due to unbudgeted staff which was expected. Madrigga said that more than offsets any of the overage. Glasoe mentioned backgrounding expenses are quite high which was unexpected. Technology was high but due to 5-year refresh. Banking fees are accounted for in 2025 that weren’t in 2024. Dardis asked if we were aware that we had no interest accumulating but that the City of Fargo was collecting it? Was it written somewhere? Madrigga advised that occurred before her time but one of the first things she noticed when talking about moving funds. It is not known if it was agreed upon but assumed it was. Ebinger said it was news to him, too.
      3. Questions on Audit: Campbell said questions were asked in finance meeting the day prior and all were answered adequately. Shouldn’t have further questions of auditors.
      4. **Motion made by Campbell, second by Scherling. All in favor, passed.**
   2. Executive Committee –met August 28th, 2024
      1. **Jim Prochniak** – committee reports received. Personnel committee action taken being forwarded on today in regards to the draft Operations Manager description and amended Assistant Director job descriptions.

**Questions**: Campbell asked if this position was approved for 2025 budget? Glasoe -Yes. Campbell asked the hiring timeline? Glasoe -Quickly. If approved, position posting today due to accommodating RRRDC Shift bidding starting in late October. Start in first payroll of 2025. Scherling asked if this was a position that was required to advertised for outside applicants? Glasoe/Ebinger - No, only position for outside would-be entry-level positions and Director. Assistant Director has always been internal. Erik Johnson stated he was not aware of any legal requirement in North Dakota for an outside hiring process. Glasoe confirmed there was no internal policy requiring outside looking.  
**Motion by Ebinger to move forward with job descriptions for Operations Manager and Assistant Director as indicated in redlined document, Second by Mahoney. No further discussion. All in favor, passed.**

1. RRRDC Facility
   1. Project Update (1005hrs) – Director Glasoe
      1. 1st on site meeting on 10/1. Taracon Precast had a large fire at their facility, the are doing the construction of the building walls. They anticipate a 2-week delay. Walls now tentatively available the week of 11/4 (originally 10/21). Parking lot work will begin soon. Still hopeful to move in Fall 2025. Working with Fargo IS to work on fiber needs, Bolton & Menk working on engineering documents. Working with Russ Basset on tech needs for dispatch consoles, IS also involved with those discussions. Initial furniture meeting. Working with Lumen on call handling system, sent Erik Johnson a master service agreement to review for call processing. Brian working w/ Motorola on radio needs for new facility. No questions.
   2. PR Pricing Summary – SEH
      1. Chad Bormann: weather has been very helpful for progress. Next week starts underground conduits, plumbing etc. Things are going good, contractors doing well. Lots of busywork behind the scenes so once precast are up things can continue through the winter. Recap budget wise and proposed/enacted changes. Most are not pressing changes. Seven proposal requests made to date, most were known at BID opening. Discussion on conduits, decided to make change now as it’d be easier to do at this point in the build. City grading standards for storm water retention and ponding. Three items that weren’t known during Bidding: Two small areas on site with uncontrolled fill therefore it was corrected and a testing company confirmed it was adequate. Revision to manhole on the street. Lastly, northside sidewalk of site was put in place and wasn’t supposed to be. City had indicated they would wait to put in and then didn’t. Had to remove some to get utilities in place. Working with City to see if they’ll cover some or all of those costs. To date, total of PR Pricing is at $199,000. RRRDC covers $149,000 and $50,000 to City of Fargo (RRRDCs portion still falls well below the $175,000 budgeted and before we touch contingency of $700,000). Under what was thought at this point in the project.
      2. Questions? Campbell asked if the $175,000 of known scope adjustments was known? Bormann -Yes, was put in right before bidding process. Normally changes come from contingency but since this was known it was put in its own line item. All things talked about today were anticipated to be in this? Yes, at least 90% or more of those were known. Dardis asked how no one was aware of the sidewalks going in. Ebinger said at a meeting in July the contractors were there and saw it, at that time it was noted that they shouldn’t have been there but this was before crews were actually on site. SEH confirmed that not all of the sidewalk will have to be replaced, only a few panels. There was discussion with the city in February and were told at that time and have in writing from city it wouldn’t be there so city will likely have to cover the cost of removal and replacement.
      3. **Motion by Campbell to expend the $149,000 toward the above-mentioned expenses, second by Scherling. Rollcall completed: Dardis opposed, all others in favor. Motion passed.**
   3. Fiber Project Agreement with COF – Erik Johnson
      1. Need for extension of the cities fiber optic network to bring in along the property for the dispatch center. Also needs to tie into the building itself. Under JPA, if the Board needs work done it can ask a member entity to complete the task. In this case it would be the City of Fargo. Cost would be reimbursed by the dispatch center. County and City engineers with Robert Wilson, Director Glasoe and Johnson. Cost estimate near $100,000. Would occur in 2025 so estimate will be done closer to that timeline. Will affect cost overage for cities of Fargo and West Fargo.
      2. Scherling said this agreement looks like a blank check, would like some more information and definition. Is there more than one way to do it (i.e. varying costs)? Needs more vetting. Johnson advised this can come back once design is more developed. Campbell asked if Fargo would work with RRRDC to pay this back? Is it through the operations budget or capital? Johnson advised if the project was large enough it would warrant exploring a special assessment process. Loose estimate of $100,000 could be absorbed in the budget. Understanding would be from the known expenses previously discussed in the meeting. Ron Gronneberg said this has to do with outside of the parcel stuff. Previously voted on items were on parcel. This gives redundant fiber connections to facility. Hasn’t been voted on. Estimates were given by Bolt & Menken but not known right now. Dardis agreed that if we don’t have an official dollar amount it doesn’t feel it should be voted on. Ebinger agrees documents needs to have numbers in before agreed on. Scherling appreciates having the documents so it can be mulled over. Wilson mentioned conversations to date have determined what serves the city and their best practices well and what will directly benefit and serve the needs of RRRDC. Campbell views this as it assures there’s always fiber access to the building. It’s important to get done but also why was it caught late in the process? This should be a capital expenditure and not operational. Needs to be clear numbers and from where the money is coming from before an agreement is signed. Would not approving cause a delay elsewhere? Mahoney asked if this was defined in contract agreement? Johnson said that under the JPA there was a defined term where the board determines if this is cost of construction or not. Mahoney wants to know cost but doesn’t want to delay the process but Johnson advised there is still time. A request will still be made but will continue to develop cost. Dardis expressed concerns that this was a tragic mistake that it wasn’t in the original contract and budget. Gronneberg said Bolt & Menken is working on design now. Review scheduled for next week, guessing in next month the estimates will be in. Could have this on the next agenda. We want to approve and get advertised in Q4 to get the best pricing for next years projects. Better prices with early in year bidding. Not involved in Better Fargo project but will check with engineering. Dardis voiced major concern with the fact that this fix hasn’t even been designed yet. Communication and redundancy are the most critical infrastructure the Center therefore this is a major letdown. Scherling asked that if further surprises come up that things are reviewed immediately instead of down the road. Ebinger said this needs to be dealt with sooner than later and asked Gronneberg and Glasoe to have this prepared for the next meeting.
      3. **Motion to table action item listed on handout to November meeting, made by Campbell, second by Scherling. No vote necessary.**
2. Other Business
   1. Campbell: Add roll call item to beginning of agenda, at least of board members. Scherling had some confusion on Augusts roll call as it mentions people present who are commissioners but not on the board. One is labeled incorrectly and one was listed as being on the committee and isn’t. Agreed with Campbell that if you take roll call ahead the concerns will be eliminated. Glasoe clarified that Commissioner Kapitan who was originally not thought to be on the board sat in as an alternate for the last meeting. Campbell also confirmed quorum was met for August.
3. Adjournment at 1106hrs by Ebinger.