

GEAUGA PARK DISTRICT
MINUTES
SEPTEMBER 14, 2004

The regular meeting of the Geauga Park District Board was held on September 14, 2004, at the Park District office, Chardon, Ohio. The meeting was called to order at 3:30 p.m. President Robert McCullough was in the chair. Board members Betty Cope and Mark Rzeszotarski were present. Employees present were: Tom Curtin, Keith McClintock, Leslie Bendar, Nate Eppink, Mike Fabian, Paige Hosier, Michele Pennell, John Oros, Robin Pilarczyk, and Eileen Smith. Geauga Park District Foundation representatives were Mike Fath and Betsy Rader.

ADOPTION OF THE AGENDA

Miss Cope moved to accept the agenda as revised for the meeting.

Dr. Rzeszotarski seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

ADOPTION OF THE MINUTES OF AUGUST 10, 2004

Miss Cope moved that the minutes of August 10, 2004, be approved as amended.

Dr. Rzeszotarski seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

FINANCIAL STATEMENT
FOR THE MONTH ENDING
AUGUST 31, 2004

(INSERT)

VOUCHER RESOLUTION NO. 21-04

Dr. Rzeszotarski moved the adoption of the voucher resolution, a copy of which is on file in the Park District office, so marked Resolution No. 21-04.

Miss Cope seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

COMMUNICATIONS TO THE BOARD

Tom Curtin shared communications and phone messages expressing opinions of the public regarding Ranger Denise Weisbarth's suspension. Mr. Curtin indicated that each communication and phone call was returned. Staff will follow up with these individuals as to the disposition of the case.

Dr. Rzeszotarski expressed how pleased he was with the attendance at our fair building at The Great Geauga County Fair. Paige Hosier, Marketing Director, added that the total attendance at our building was 19,054. Miss Cope stated that it was a beautiful weekend. The building looked

so inviting and the garden was colorful. Dr. Rzeszotarski stated that he did not see copies of the *Treeline Telegraph*. Ms. Hosier responded that there was a shortage of copies of the newsletter. Dr. Rzeszotarski stated that the whole natural resource area, especially with the addition of the maple sugaring building, drew the people.

GEAUGA PARK DISTRICT FOUNDATION CONSERVATION COMMITTEE

Betsy Rader and Mike Fath, Geauga Park District Foundation members, were present to discuss the direction of the Conservation Committee. Mike Fath has been on this Committee for the last five years. He will be leaving the Foundation this year and Mrs. Rader has taken an interest in taking over the Committee. Mr. Fath briefly went over the history and mission of the Committee since its formation in the 1990s. In 1999 when Mr. Fath came on the Committee, property owners in the county with 50 or more acres were targeted and sent letters explaining conservation easements. They received a 5% return on these letters, with landowners more interested in a purchased easement rather than a donated easement. Miss Cope commented that the last effective committee was the Land Acquisition Committee. They had good members and ideas. It did, however, disband. Miss Cope added that the day of donation is over. There is some monetary amount in almost every transaction. Mr. Curtin questioned why the Conservation Committee did not continue with contacting and following up with individuals. Keith McClintock, Deputy Director, added that he sends holiday greetings to keep Geauga Park District in mind. Dr. Rzeszotarski stated that we have come to fruition. Mr. Curtin stated that there is no reason why Geauga Park District would not purchase a conservation easement if it makes sense to our mission. Mrs. Rader has agreed to continue with the Conservation Committee. She is looking for guidelines. Keith McClintock suggested the direction of an educational effort for a series of programs would be beneficial.

WILDLIFE MANAGEMENT PROPOSAL

John Oros, Natural Resources Manager, submitted a proposal in August regarding "Managing Wildlife Populations on Geauga Park District Lands." Mr. Oros fielded questions concerning this proposal as well as received recommendations from the Board. Dr. Rzeszotarski asked about taking down the deer exclosures. Mr. Oros indicated that we are currently not monitoring the exclosures. However, it is a good educational tool. We do have qualified volunteers who could help with the monitoring. Other possible suggestions for wildlife management were to hold a lottery for hunting on selective park properties, possibly have the Amish community drive the deer to hunters, or have a controlled hunt. Dr. Rzeszotarski questioned safety and liability with a controlled hunt. He would like to see if there is any interest in the county for a controlled hunt and what it would take. We do allow trappers on Park property when they have obtained a permit to remove beaver for a specific purpose. Dr. Rzeszotarski added that we could have a list of approved trappers the Park could use with a specific purpose who have attended an educational seminar. Dr. Rzeszotarski suggested conducting a test on part of proposed management plan to look at any ramifications.

PASTURES TO PRAIRIES PROPOSAL

John Oros presented "A Proposal for Managing Grassland Habitats as Prairies on Geauga Park District Lands." Mr. Oros stated that currently Geauga Park District manages 240 acres of grassland habitat at ten Park properties. Our primary means of managing these habitats is accomplished by an annual mowing. With the Park District acquiring more property, Mr. Oros was looking into alternatives to our current management plan. Mr. Oros would be interested in pursuing the application of prairie habitats in many of our meadows that are currently dominated by non-native species. The establishment of prairies would contribute to habitat diversity, which may result in new species composition.

Mr. Oros would like to perform more controlled burns to keep the woody plants out. These prescribed burns would be done in the spring during dormancy. Mr. Oros suggested Frohing Meadows as a demonstration site.

**TEMPORARY BUDGET
RESOLUTION NO. 22-04**

Mr. McCullough moved the adoption of the following Resolution:

WHEREAS, This Board of Park Commissioners in accordance with the provision of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2005; and

WHEREAS, The Budget Commission of Geauga County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore be it

RESOLVED, By the Board of Park Commissioners of Geauga County, Ohio, that the amounts and rates, as determined by the Budget Commission in its Certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

Amount to be derived from levies outside 10 M limitation:

General Fund \$6,864,900.00

	<u>Maximum Rate Authorized To Be Levied</u>	<u>County Auditor's Estimate of Yield of Levy</u>
Current expense levy authorized by voters on May 6, 1986	.70	\$ 892,100.00
Current expense levy authorized by voters on November 3, 1992	1.00	\$1,652,300.00
Current expense levy authorized by voters on November 7, 1995	1.00	\$1,920,800.00
Current expense levy authorized by voters on November 7, 2000	1.00	\$2,399,700.00

and be it further

RESOLVED, That the Secretary of this Board be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Miss Cope seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

**SILVER CREEK RESTORATION
BIOHABITATS INCORPORATED CHANGE ORDER (PHASE II)**

Keith McClintock presented a revised proposal from Biohabitats Incorporated for the construction of Phase II of the Silver Creek Restoration Project in the amount of Two Hundred Sixty-Eight Thousand Twenty-Seven Dollars (\$268,027.00), which includes construction and oversight services. This is a "not to exceed" contract. An additional change order will have to be done for the footbridge on Ben Sustin's property. This project is scheduled to commence with a stakeout

survey during the week of October 11, 2004, and construction activities starting October 18, 2004, and finishing up on or before December 31, 2004. Biohabitats Incorporated will be back in March and April to do the planting (weather dependent).

Dr. Rzeszotarski moved to approve Biohabitats Incorporated Change Order in the amount of Two Hundred Sixty-Eight Thousand Twenty-Seven Dollars (\$268,027.00) for reasons stated above.

Miss Cope seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

SURPLUS PROPERTY

Mr. Curtin requested the addition of the 1997 Ford Taurus, 4-door sedan, to the inventory list of items to be declared surplus property.

Mr. McCullough moved to approve the addition of the 1997 Ford Taurus to the inventory list of items to be declared surplus property.

Miss Cope seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

GEAUGA PARK DISTRICT ENDOWMENT FUND

In mid-August, Tom Curtin forwarded to the Geauga Park District Foundation the language for the Endowment Fund, the Instrument of Conveyance, and the Bylaws for their review and comment. Jonathan Green, Geauga Park District Foundation President, responded that he agreed with the establishment of an endowment fund. He did, however, question why the Park District was going to The Cleveland Foundation. Mr. Curtin responded that by going through The Cleveland Foundation, we would have a neutral third party when it comes to state audits, as well as The Cleveland Foundation could help draw donations to the Park. Dr. Rzeszotarski suggested that the documents read "three" members of the Park Board of Commissions would serve as representatives for the Endowment Fund. This would allow for any change in the number of Board Commissioners in the future.

PARK UPDATES

Mr. Curtin updated the Board on the following:

Affelder – CEI is in the process of handling the request to have the subsurface utility lines in. This would include gas, sewer, and phone lines coming in off of Surrey Downs.

Hyde – New pricing has been received on restoring the impoundments. The new estimate is \$54,161.70, of which \$7,500.00 is engineering. We will be looking at the 2005 budget, should we decide to do the repair of the dam in 2005. We are also having a survey performed on splitting out the house and three acres, which is currently rented to a staff member. We could then file tax exemption on the balance of the property.

The Maple Highlands Trail – Central Section – We are working with legal counsel toward a final resolution on the remaining appropriations. The general contractor is still willing to hold the pricing on his bid.

The Maple Highlands Trail – North – The repairs are moving along. Weather dependent, paving is anticipated on the portion from Hosford Road to Chardon shortly with a completion date of September 16th.

The Maple Highlands Trail -- Big Creek Spur – Burton Scot is working on completing a few punch list items. These items are scheduled to be corrected this week.

The Maple Highlands Trail – Central Parking Area – The project engineers are working on the revised concept drawings for the parking area layout.

The West Woods Nature Center – We are waiting for a plan regarding new vents to eliminate the ice build up problem.

Burton Wetlands – The osprey panels, including sound boxes, will be installed next week.

PROPOSED PARKING TICKETS/VALUE DETERMINATION

Due to the parking lots that Geauga Park District has built and will be building for The Maple Highlands Trail, Mr. Curtin addressed the need for the Ranger Department to have the ability to write parking tickets. Mike Fabian, Acting Chief, added that the parking tickets would be handled by Geauga Park District, saving patrons a trip to court. Dr. Rzeszotarski reminded Mr. Fabian that he does not want the rangers to function as a police state, adding that ranger services should be performed in a spirit of protection. Dr. Rzeszotarski inquired whether we have proper signage and whether these signs are in compliance. Mr. Fabian responded that we are in compliance. Miss Cope questioned if patrons refused to pay the tickets. Mr. Fabian responded that we would give patrons a benefit of doubt; either take care of the ticket or we will forward the ticket to the court. Procedures will be in place prior to implementation. Mr. Fabian recommended that the cost for these tickets be \$10.00, \$15.00 handicapped parking. Mr. McClintock added that at the Park's discretion, tickets could be rescinded. Dr. Rzeszotarski stated that we have trails that cross the entrance road in The West Woods. He stressed the need for crosswalks.

VOLUNTARY ADVISORY COMMITTEE

Tom Curtin reported on a proposal for a fundraiser sponsored by the Volunteer Advisory Board (VAC). The VAC would like to set up a donation box during the Ice Age Exhibit to raise funds for the next exhibit in 2006. The VAC would like to sponsor this fundraiser to become more involved in the raising of funds for special events and projects that the Park undertakes. Betty Cope suggested rather than a sign stating "for support the next exhibit," using verbiage indicating "to be used to support special exhibits." Dr. Rzeszotarski agreed indicating the verbiage should read "support special exhibits like this." Dr. Rzeszotarski suggested that this donation box be kept up after the Ice Age Exhibit and placed at the entrance to the Exhibit Hall.

GONZOIL CORPORATION'S PROPOSAL

Mr. Curtin reported that Gonzoil Corporation of Canton, Ohio, has requested permission to drill directional wells from private property to beneath The West Woods to tap the oil reserves located there. The corporation is suggesting as many as four directional wells with anticipated royalties of \$120,000.00 per well. The Park District would receive the royalties from the wells. The landowners would receive a special fee. The oil tanks would be located on private property, approximately 50-75 feet off of Park property. This corporation has been in contact with several residents. However, no agreements have been made. A representative from Gonzoil Corporation will be at the Park District on Friday, September 17th, to meet with Mr. Curtin. Dr. Rzeszotarski questioned how consistent would this project be in relation to our mission statement. Miss Cope questioned if there was another way to do this drilling. Dr. Rzeszotarski added that it has a philosophical problem of not protecting the natural features of the land. Dr. Rzeszotarski also asked if Russell Township had been approached. Mr. Curtin will follow up on these concerns and report back.

The Board took a break from 5:00 p.m. to 5:10 p.m.

EXECUTIVE SESSION

Mr. McCullough moved to go into Executive Session at 5:10 p.m. for the purpose of discussing land acquisition and personnel matters, including the Executive Director's contract.

Dr. Rzeszotarski seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

The Board returned from Executive Session at 6:25 p.m. The following was discussed for resolution:

LAND ACQUISITION

RAILROAD RIGHT-OF-WAY

Hatch

Mr. McCullough moved to authorize the Executor Director to proceed with the Purchase and Sale Agreement for real property from Frederick E. and Sherill Hatch, located along the railroad right-of-way in Claridon Township, containing approximately .9112 acres for Sixteen Thousand Six Hundred Dollars (\$16,600.00).

Dr. Rzeszotarski seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

Koth

Mr. McCullough moved to authorize the Executive Director to proceed with the Purchase and Sale Agreement for real property from Frederick and Kathleen Koth, located along the railroad right-of-way in Claridon Township, containing approximately 1.05 acres for Thirty-Two Thousand Dollars (\$32,000.00).

Dr. Rzeszotarski seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

Richmond, Baker, and Boatwright

Mr. Curtin reported that according to the attorney representing Richmond, Baker, and Boatwright, the purchase agreements have been signed. However, these agreements did not arrive prior to the Board meeting.

Dr. Rzeszotarski moved to authorized that Mr. McCullough sign purchase agreements for real property, located along the railroad right-of-way in Claridon Township, from Clifford E. and Gwendolyn H. Baker, containing approximately ____ acres for Thirty Thousand Five Hundred Dollars (\$30,500.00), from Edgar B. and Loretta C. Boatwright, containing approximately ____ acres for Twenty-Six Thousand Dollars (\$26,000.00), and from Robert N. and Sally F. Richmond, containing approximately ____ acres for Twenty-Six Thousand Dollars (\$26,000.00).

Miss Cope seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

PENTAIR WATER TREATMENT

Miss Cope moved to authorize the Director to proceed with the Purchase and Sale Agreement for real property located along the railroad right-of-way in the City of Chardon, from Pentair Water Treatment, containing approximately 3.6252 acres, for Thirty-Six Thousand Two Hundred Fifty-Two Dollars (\$36,252.00).

Dr. Rzeszotarski seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

PERSONNEL

EXECUTIVE DIRECTOR'S CONTRACT

Dr. Rzeszotarski moved to approve the renewal of the Director's contract, awarding Mr. Curtin a salary of Seventy-Eight Thousand Dollars (\$78,000.00) per year. This contract also reflects professional memberships in various organizations up to One Thousand Dollars (\$1,000.00), as well as a Two Hundred Dollar (\$200.00) allowance to be used for the purchase of job-related books, journals, periodicals, or other reference materials for his own personal use. A copy of the Executive Director's contract is on file in the Park District office.

Mr. McCullough seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Mr. McCullough	Yes
Dr. Rzeszotarski	Yes
Miss Cope	Yes

DEPARTMENTAL REPORTS

Departmental reports from the Supervisors were submitted for the month of August to the Executive Director and a summary sheet was forwarded to the Board in their packets prior to the Board meeting.

The meeting adjourned at 6:35 p.m.

SUNSHINE LAW COMPLIANCE

The rules of the Park Board were complied with by sending notice pursuant to the rules adopted by the Board.

Respectfully submitted,

Thomas G. Curtin, Executive Director

Robert McCullough, President