

GEAUGA PARK DISTRICT
MINUTES
NOVEMBER 8, 2005

The regular meeting of the Geauga Park District Board was held on November 8, 2005, 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 member Betty Cope was present.

Employees present were:
Tom Curtin, Executive Director
Keith McClintock, Deputy Director
Sherry Bosworth, Business Affairs Director
Barb Emch, Executive Secretary
Paige Hosier, Marketing Director
Janet Moster, Secretary

Gauga Park District Foundation Representative: Jay Giles

ADOPTION OF THE AGENDA

Mr. McCullough moved to accept the agenda as revised for the meeting.
Miss Cope seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Dr. Rzeszotarski	Absent
Miss Cope	Yes
Mr. McCullough	Yes

ADOPTION OF THE MINUTES OF OCTOBER 11, 2005

Miss Cope moved that the minutes of October 11, 2005, be approved as amended.
Mr. McCullough seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Dr. Rzeszotarski	Absent
Miss Cope	Yes
Mr. McCullough	Yes

FINANCIAL STATEMENT
FOR THE MONTH ENDING
October 31, 2005

GENERAL FUND		
BALANCE OCTOBER 1, 2005		1,701,599.42
EXPENDITURES		265,610.33
Personnel	152,563.94	
Medicare	1,803.25	
Dental /Hospitalization	30,507.41	
PERS	20,986.05	
Vouchers	59,749.68	
RECEIPTS		647,744.95
General:		
State Reimburse Tax	912.42	
Personal Property Tax	628,915.34	
Fees:		
Out of County School Program Fees	141.00	
- Camping	10.00	

- Shelters	40.00	
- Facility Utilities	150.00	
- Rookery Heat	215.00	
- Workshops - General - public program	534.00	
- Programs - General - public program	502.00	
Rental Properties		
- Harry- Swine Creek house	400.00	
- Kolar - Burton Wetlands House	350.00	
- McKinnon - Hyde House	400.00	
Sales:		
Sales: Gift Cart - Meyer Center	141.58	
Sales: Tree Tops	1,277.13	
Sales - Credit Cards	690.38	
(\$124.75 - Meyer Center, \$565.63 Tree Tops)		
Sales: Water Vending Machine Sales - TWW	27.00	
Other:		
Citation Disbursement	466.00	
Recycling Proceeds	43.29	
Donations:	20.00	
- Szabo - In Memory of Valentine Matula		
Local Government Funds	6,940.27	
Interest earned	5,307.44	
Insurance Reimbursement	260.00	
- PEP Insurance adjustment		
Other Miscellaneous	2.10	
- Vendor machine proceeds		
BALANCE AS OF OCTOBER 31, 2005		2,083,734.04
* Beginning balance adjusted from September for voided check \$1,325		
CONSTRUCTION FUND		
BALANCE OCTOBER 1, 2005		2,160,331.25
EXPENDITURES		140,943.64
Vouchers	140,943.64	
RECEIPTS		7,771.94
Interest Earned	7,067.49	
Royalties: Oxford Oil Co	346.65	
Royalties: Cedar Valley Energy	304.75	
Royalties: Great Lakes Energy	53.05	
BALANCE AS OF OCTOBER 31, 2005		2,027,159.55
RETAINAGE FUND*		
BALANCE OCTOBER 1, 2005		188,448.07
RECEIPTS		542.71
Interest Earned	542.71	
BALANCE AS OF OCTOBER 31, 2005		188,990.78

INTRODUCTION OF GUESTS

Sherry Bosworth introduced Janet Moster, the new part-time secretary.

VOUCHER RESOLUTION NO. 31-05

Miss Cope moved the adoption of the voucher resolution, a copy of which is on file in the Park District office, so marked Resolution No.31-05.

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

Dr. Rzeszotarski	Absent
Miss Cope	Yes
Mr. McCullough	Yes

COMMUNICATIONS TO THE BOARD

Mr. Curtin distributed a copy of a flyer that was placed in newspaper boxes on Monday, November 7th expressing negative comments about the Park District levy. The flyers were distributed in boxes in Chardon and Chesterland.

Mr. Curtin received a note from Nancy Craun thanking the Park District for the new Affelder Trail which she has ridden several times on horseback.

Les Bednar, Development Officer, received a letter from Bruce C. Richards requesting bench memorials for his son Joshua Richards. In his letter he stated, "Please let the Park Board know that there are many of us out there who appreciate all the good work and tremendous effort by the Board and staff to make such beautiful places available to one and all."

Mr. McCullough stated that he received pictures taken within the Park District by a University of Toledo professor and were reproduced in the *Toledo Blade*. Mr. McCullough added that he passed those pictures along to Diane Valen, Naturalist Services Director. Paul Newman, local attorney and photographer, gave Mr. McCullough several pictures taken within Geauga Park District. Mr. McCullough suggested that those pictures, especially of The West Woods Nature Center, the Meyer Center, and the covered bridge, could be made into postcards and sold in our nature stores. This idea will be forwarded to Sherry Bosworth. Paige Hosier stated that she has a copy of the photographs on a CD.

Mr. Jay Giles told the Board that he has been hearing good things about the levy in the Bainbridge area and the western end of the county. He added that the Geauga Park District Foundation recently adopted a budget that will include funds to support future levies.

HEALTHCARE PLAN

Keith McClintock presented the 2006 Medical Mutual Healthcare rates and the employee contribution amounts as follows:

Plan	Type	Total Premium	Board Contribution	Employee Contribution	
				Monthly	Bi-Weekly
Enhanced	Single	\$366.44	\$345.04	\$21.40	\$10.70
	Family	\$919.12	\$865.32	\$53.80	\$26.90
Basic	Single	\$315.64	\$315.64	\$0.00	\$0.00
	Family	\$791.98	\$791.98	\$0.00	\$0.00

Mr. McClintock noted that the Board wanted a non-contributory option for employees. The 2006 Delta Dental rates and contribution amount is listed below:

Both Plans	Single	\$25.85	\$25.85	\$0.00	\$0.00
	Family	\$71.61	\$71.61	\$0.00	\$0.00

The 2006 Healthcare Insurance Waiver amounts were established by the Geauga County Board of County Commissioners as follows:

Waiver amount for all coverage	\$2,505.00 Family	\$990.00 Individual
Waiver amount for medical & prescription	\$2,289.00 Family	\$912.00 Individual

Mr. McCullough made a motion to approve the 2006 healthcare rates, employee contribution amounts, and the waiver amounts as stated above.

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

Dr. Rzeszotarski	Absent
Miss Cope	Yes
Mr. McCullough	Yes

LEGAL COUNSEL CONTRACT

Mr. Curtin called the Board’s attention to the matrix of responses to the Request for Proposal for legal counsel services for the Park District. He stated that he and Keith McClintock reviewed the proposals and found that there are three firms that are worth considering further: Thrasher Dinsmore & Dolan, Blaugrund, Herbert & Martin, and Ulmer & Berne LLP. He added that we have a track record with Thrasher Dinsmore & Dolan and have been given excellent service from Blaugrund, Herbert & Martin. The firm of Ulmer & Berne LLP has a higher hourly rate but the principle of the firm was the director of The Nature Conservancy and has had experience working with Lake Metroparks and Cleveland Metroparks. Mr. Curtin asked the Board if they were interested in inviting representatives from the firm for an interview at the next Board meeting. Mr. McCullough did not feel that was necessary as the Executive Director and Deputy Director are the ones who deal directly with the firms. Miss Cope stated that she would prefer that references be checked for the firms under consideration. Mr. Curtin stated that references would be checked for Ulmer & Berne LLP and while we have worked with Blaugrund, Herbert & Martin, we will check their references in the areas of real estate, construction, conservation easements and other issues in which the Park District may be involved. This information will be presented at the December meeting of the Board.

RANGER AND RANGER SERGEANT CONTRACTS

Mr. McClintock presented copies of the Ranger and Ranger Sergeant contracts for the Board’s approval. The contracts have been signed by the Ohio Patrolmen’s Benevolent Association. The three-year contract will take effect as of the date of the signing by the Board of Park Commissioners.

Mr. McCullough made a motion to approve the Ranger and Ranger Sergeant contracts for a three-year period beginning November 8, 2005.

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

Dr. Rzeszotarski	Absent
Miss Cope	Yes
Mr. McCullough	Yes

LAND MANAGEMENT POLICY REVIEW

Mr. Curtin asked the Board members for comments regarding the Land Management Policy. The Land Management Policy was last reviewed by the Board on October 10, 2000. Miss Cope questioned the statement requiring that at least 80% of all park areas be maintained in a natural, undeveloped state. Mr. Curtin replied that that percentage has traditionally been used in park planning and, in actuality; Geauga Park District leaves far more land undeveloped. In only a few cases, as with Mountain Run Station, we have a greater impact. The Mountain Run Station property was purchased specifically for a large parking lot and picnic area for The Maple Highlands Trail. Miss Cope stated that the Land Management Policy should have some flexibility with respect to the amount of developed land and could also include a statement about requiring

Board approval in those cases. Miss Cope commented on the extensive management plan that was developed for the Observatory Property and asked about the difference between a management plan and a work plan. Mr. Curtin replied that a management plan is a comprehensive field guide for the development of a park property while a work plan is specific to a project such as a parking lot or a bridge. Mr. McClintock suggested that Paul Pira, Park Biologist, show the Board his PowerPoint presentation on the Observatory Management Plan at the December Board meeting.

PARK UPDATES

Mr. Curtin updated the Board on the following:

Darocha License Agreement

Mr. Curtin presented the Temporary License Agreement requested by Mr. Stanley Darocha, a Claridon Township resident. Mr. Darocha is requesting a Temporary License Agreement to enable him to access his property for agricultural purposes which is separated by The Maple Highlands Trail. Mr. McCullough signed the license agreement which will be effective as of this date.

The Maple Highlands Trail-North

Mr. Curtin showed the Board an aerial photo showing the railroad right-of way as it passes the First Energy Corporation substation at the north end of Chardon and enters Fifth Avenue. He explained that a developer has entered into an agreement with St. Mary's Church to purchase five (5) acres of property to be included in a development that will be accessible from Fifth Avenue. We have been in discussion with this developer about putting in a bike trail along the road of the new development. The City of Chardon is insisting that the developer include sidewalks and the bike trail in their plans. Mr. Curtin and Tim Kallay, Planning Director, met with the engineer from the City of Chardon. Mr. McCullough and Miss Cope had questions about protecting the bike trail from the road for safety. Mr. Curtin stated that we do not have protection on the section of the bike path along State Route 44. Railing or fencing would be a maintenance issue. The homeowners' association of the development would be responsible for the maintenance of the road. Mr. Curtin said more details would be provided as the project progresses as the plans for this development must go before the Chardon City Council for approval.

Mr. McClintock stated that a representative from the Chardon Rubber Company has expressed interest in allowing one of their parking lots that is always vacant to be used for bike trail parking. Mr. Curtin added that we would need to enter into a use agreement with the Chardon Rubber Company if this moves forward. Mr. McCullough added that it would be worth exploring for those using the trail to the north of this parking lot as it is a distance of about twenty yards to the bike trail.

Staffing and Future Equipment Needs

Mr. Curtin reported that the staff was requested to think about what departments will need in the future in terms of staffing, equipment, and vehicles. The staff provided the typical equipment and vehicle replacement needs they expect with only a few increases in staff positions. The satellite operations centers will require that additional equipment be purchased to avoid the transfer of equipment and tools around the park district. Individual staff members are planning to retire in 2006, 2009, and three individuals are planning to retire in 2011.

Geauga County School Superintendents' Meeting

Mr. Curtin reported that he and Les Bednar visited the recent Geauga County School Superintendents' Meeting to discuss future educational programs and delivery systems for the observatory project. The superintendents reported that they prefer to have on-site programs in their schools. Only two of the schools in the county use distance learning on a regular basis. West Geauga Schools use a T-1 line and Newbury and Cardinal use the Internet. Mr. Curtin stated that schools have funding issues which preclude them from installing and maintaining

distance learning equipment. He cited the example of a school system in southern Ohio whose contract to maintain their distance learning equipment is over \$24,000 per year. He added that, with this in mind, we should consider distance learning options at the Observatory Park and make sure that our building is set up to provide it, but not invest a lot in this venture at this time. Mr. McClintock added that teachers have at best only two field trips per year and that those must clearly fit in with their curriculum.

Observatory Park

Mr. Curtin showed the Board the first renderings developed by Burt Hill, the site design firm for the Observatory Park. The Board viewed the drawings and offered comments.

Dr. Rzeszotarski arrived at 4:30 p.m.

Dr. Rzeszotarski suggested that the handicapped parking area be located close to the building. Mr. Curtin explained that the project team is reconsidering having a two-story public building. We could start with a picnic pavilion and a single story program building. We may not need to have the park open in the winter. He questioned whether an enclosed shelter would get much use. These are all options to consider. He commented that Phase I will start next year which will entail the entrance drive and parking lot at an expense of Four Hundred Seventy-Five Thousand Dollars (\$475,000.00). Dr. Rzeszotarski added that we should design for two picnic areas. Mr. McClintock commented that we should over-design the storm water basin for future uses such as a satellite operations facility.

Mr. McCullough asked about the progress with the Case Western Reserve University Observatory. Mr. Curtin reported that we have been told that the telescope would require Two Hundred Thousand Dollars (\$200,000.00) to refurbish. We have not heard from the University about the property and our calls go unanswered.

Mr. Curtin stated that we will likely be contracting with the Renaissance Group who works on alternative energy projects. They will do a wind and solar study for One Thousand Dollars (\$1,000.00). Dr. Rzeszotarski suggested that we use the results of the study as a program topic.

The contract with Burt Hill is being reviewed by their legal counsel.

Mr. McCullough suggested that we hold the groundbreaking ceremony for the Observatory Park at the spring equinox.

Frohring Meadows

Mr. Curtin reported that the seeding of the meadow has been postponed to the spring. The Canada thistle has not succumbed to the herbicide.

Infinitree Geauga Exhibition

Teresa Runion informed Mr. Curtin that the Infinitree Geauga Committee has over half of their expenses covered by sponsorships and donations for the opening event for the Infinitree Geauga Exhibition.

Great Lakes Construction, Inc.

Mr. Curtin informed the Board that our legal counsel, Thrasher Dinsmore and Dolan, has filed a complaint on the Park District's behalf to recover the expenses incurred as a result of necessary repairs to The Maple Highlands Trail North. The cost of repairs equals Three Hundred Thirty-Five Thousand Dollars (\$335,000.000) plus Two Hundred Nineteen Thousand Dollars (\$219,000.00) for materials for a total of Six Hundred Fifty-Five Thousand Two Hundred Fifteen Dollars (\$655,215.00).

Affelder House

Bids have been requested for improvements to the entrance drive to accommodate emergency vehicles. We are waiting to get the building permit for the electrical upgrade. The Geauga County building department has asked for changes to the plans in terms of handicapped accessibility. We have made those changes and forwarded them to the building department.

Mr. Curtin reported that he received a call from Jeanne Affelder who stated that she will make a Twenty Thousand Dollar (\$20,000.00) donation for improvements to the Affelder House. She suggested that the Park District may want to leverage this gift for other grants or donations.

Geauga Park District Foundation Trustees' Meeting

Mr. Curtin reported that the Geauga Park District Foundation Trustees met on October 26, 2005 and approved their budget for 2006. They have included dollars for the Park District levy campaign in 2011. The following new trustees were welcomed at their meeting: Loren Yeager, Pat Leech, John Steigerwald, Tom Basista and Pierre Hodgins. The Trustees approved a grant in the amount of Seven Hundred Twenty-One Dollars and Thirty-Six Cents (\$721.36) for the painting of the Union Chapel. The Foundation also expressed interest in working with the Naturalist Department on a special donor trip to the Smokey Mountains in the spring. John Steigerwald has suggested that a business plan be developed for the Foundation. A committee of the Foundation will be working on developing this business plan for presentation to the Geauga Park District Foundation Trustees at their January meeting. Jay Giles reported that the Foundation is developing a brochure for conservation easements.

Geauga County Planning Commission

Mr. Curtin informed the Board that he will be attending the Geauga County Planning Commission meeting this evening regarding a developer who desires to have a crossing over The Maple Highlands Trail in Hambden Township.

Beartown Lakes Reservation

Lower Bear Lake Dam Improvements

Mr. Curtin reported that the contractor is continuing with the engineering work on the overflow problem at the dam site. There is some heaving of the bridge between the lakes so the scope of work will be amended to put in a trapezoidal channel with a riprap foundation. Mr. McCullough commented that the cap on the stand pipe near the dam is askew. Mr. McClintock stated that he would ask the Operations Department to investigate.

The Maple Highlands Trail-Signs

Mr. Curtin showed the Board the latest mock-up of the signs that will be located at the trail heads.

The Maple Highlands Trail-Central

Mr. Curtin stated that there has not been much progress in the last six weeks. We gave Soda Construction, Inc. a six-month extension due to last winter's construction season. We have documented all the days that they could have been working but did not. We have said verbally and in writing that we will not pay them any more money for work that could have been accomplished in 2005. Mr. Curtin added that this situation is very frustrating. He added that we have heard that Soda Construction, Inc. has not been able to get their sub-contractors out on the job. Schloss Paving did not have a complete set of plans and Able Fence had not been out to install fencing at the bridges. The bridge project over Aquilla/Claridon Road is moving along. No schedule has been received but the bridge should be placed over the holiday break.

Mountain Run Station

The punch list items for Phase I have been completed. The estimates for Phase II are being developed for fall 2006 construction.

SODA CONSTRUCTION, INC.

CHANGE ORDER NO. 10

Mr. Curtin presented Change Order No. 10 for Soda Construction, Inc. which includes two items. The resurveying of the elevation required an additional Six Thousand Two Hundred Dollars (\$6,200.00). The second item involves the idle time for equipment and labor that occurred on 10/20/05 when the Schloss Paving Company equipment got stuck between Stillwell Road and State Route 322 at a cost of Three Thousand Dollars (\$3,000.00). Mr. Curtin stated that Change Order No. 10 showed a net increase total of Nine Thousand Eight Hundred Seventy-Six Dollars and Fifty-Nine Cents (\$9,876.59) but he wanted to verify the exact amount of the net increase with Tim Kallay.

Dr. Rzeszotarski made a motion to approve Soda Construction, Inc. Change Order No. 10 contingent upon verification of the net increase at an amount not to exceed Nine Thousand Eight Hundred Seventy-Six Dollars and Fifty-Nine Cents (\$9,876.59).

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

Dr. Rzeszotarski	Yes
Miss Cope	Yes
Mr. McCullough	Yes

MARK HAYNES CONSTRUCTION – CHANGE ORDER NO. 5

Mr. Curtin reported that Change Order No. 5 with Mark Haynes Construction deals with a change in the number of days on the contract. The original contract called for substantial completion by August 27, 2005. The new date for substantial completion was September 16, 2005 and final completion by October 31, 2005. Those dates have been met. Mr. Curtin asked for official approval of the contract extension.

Mr. McCullough made a motion to approve Change Order No. 5 with Mark Haynes Construction as stated above.

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

Dr. Rzeszotarski	Yes
Miss Cope	Yes
Mr. McCullough	Yes

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 involving a discussion of the current arbitration and litigation.

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

Dr. Rzeszotarski	Yes
Miss Cope	Yes
Mr. McCullough	Yes

The Board returned from Executive Session at 5:26 p.m. The following was discussed for resolution:

Baker and Boatwright Deeds

Mr. Curtin explained that the original deeds for the Baker and Boatwright right-of-way properties signed on August 12, 2004 contained the wrong legal description. The error was recently discovered. The remedy is to transfer the properties back to the Bakers and Boatwrights and they will then transfer the deeds back to the Park District with the correct legal description.

Dr. Rzeszotarski made a motion to approve the Limited Warranty Deeds for the Baker and Boatwright properties.

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

Dr. Rzeszotarski	Yes
Miss Cope	Yes
Mr. McCullough	Yes

LAND ACQUISITION

Burton Township

Mr. McCullough moved to authorize the Executive Director to enter into negotiations for real property in Burton Township.

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

Dr. Rzeszotarski	Yes
Miss Cope	Yes
Mr. McCullough	Yes

December Meeting Time Change

Due to a time conflict, the December 13, 2005 meeting of the Geauga Park District Board of Commissioners will begin at 4:00 p.m.

DEPARTMENTAL REPORTS

Departmental reports from the Supervisors were submitted for the month of October 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 5:42 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