MINUTES OF THE

BOARD OF COMMISSIONERS

OF

MEDINA COUNTY PARK DISTRICT

July 19, 2023

I. CALL TO ORDER

A. Vice-chairwoman Davis called the meeting to order at 8:30 a.m. at Medina County Park District Headquarters, 6364 Deerview Lane, Medina, Ohio.

B. Roll Call

1. Roll call showed Vice-chairwoman Davis and Commissioner Neate present. Also in attendance were Director Eppink; Planning & Operations Manager Smith; Business Manager Chaney; Legal Counsel Holland; and Guilford Township residents Randy Pollock, Jansen Wehrley, and James Carpenter; Guilford Township Trustee Bob Rohrer; and Gloria Glens resident Jeff Burlingame.

II. APPROVAL OF MINUTES

A. June 21, 2023

1. Commissioner Davis offered a motion approving the minutes of the June 21, 2023 meeting as presented. Commissioner Neate seconded; the motion unanimously carried.

III. PUBLIC PARTICIPATION

A. James Carpenter

1. Mr. Carpenter resides at 4655 Blake Road in Guilford Township and is attending the meeting to oppose a trade of 4 acres of park land on Blake Road to Muskingum Watershed Conservancy District (MWCD) in exchange for 13 acres of MWCD land adjacent to existing park property in Montville Township. Mr. Carpenter opposes the land trade as the size and exact placement of MWCD's proposed new office building on the four-acre parcel are unknown. He currently enjoys a nice view of the woods from across the street and doesn't want the view impeded by a building.
    a. Mr. Carpenter requested building plans for the proposed structure. Director Eppink doesn't have a set of plans but will pass the request on to MWCD.

B. Randy Pollock

1. Mr. Pollock resides at 4595 Blake Road in Guilford Township. Mr. Pollock is opposed to the proposed land swap with MWCD as he bought his property because of the existing view across the street and doesn't want to see a building constructed.

C. Jansen Wehrley

1. Mr. Wehrley resides at 4669 Blake Road in Guilford Township. Mr. Wehrley thanked the board for all it does and Director Eppink and Planning & Operations Manager Smith for the existing working relationship he has with them as director of Medina City Parks and Recreation Department.

a. Mr. Wehrley stated that MWCD sent a letter to Blake Road residents living near the four-acre parcel where it would like to construct office space stating that surveyors would be present on the four-acre lot by the end of the month; however, MWCD incorrectly listed Mr. Wehrley's parcel as being involved in the proposed trade.
b. Mr. Wehrley stated that he had requested, and immediately received, related information from Director Eppink but had yet to receive a response from his public records request to MWCD for building plans, etc. Mr. Wehrley stated that he is upset about the proposed land trade and will not "go away quietly."
    1. Development Coordinator Peacock joined the meeting at this time.
c. Mr. Wehrley stated that he has spoken with the Guilford Township Zoning Department, and he is confident that it will agree with his opposition to the trade and construction of an office building.
d. Mr. Wehrley proposed questions to the park district.
    1. The park district land designated for trade was acquired in 1989 for $55,000. Was grant funding used to acquire this property, and, if so, are there deed restrictions as to its use?
    2. How many other fields are "managed" by farmers across the district?
    3. Has the park district ever traded land with other government agencies? He questioned if this practice is legal as it is, technically, a land "sale."
    4. Has the park district or MWCD contacted Guilford Township about the proposed land trade?
e. Director Eppink answered several of these questions but said he will reply to Mr. Wehrley's questions via email after the meeting.

D. Bob Rohrer, Guilford Township Trustee
    1. Mr. Rohrer stated that each of the Guilford Township Trustees opposes the land trade with MWCD. He suggests that additional research be conducted as there is a lot of commercial property available–the building doesn't need to be on the Blake Road parcel. Mr. Rohrer stated that the Guilford Township Trustees will attempt to prevent the land trade.
    2. Mr. Rohrer complained of thistles on park land spreading to neighboring farm fields in Guilford Township. He said that when he called the park office about the thistle, he was told that the un-mowed areas of the park are habitat areas.
        a. Director Eppink shared that he and the natural resource manager had discussed management of invasive species at River Styx Park, and spot-treating of invasive plants is occurring on a regular basis. Director Eppink indicated that additional treatment can be done. Further, Director Eppink said he responded to previous questions from Mr. Roher and even sent him records of treatment a few years ago.

E. Jeff Burlingame, Gloria Glens Resident
    1. Mr. Burlingame is seeking to reinstate expired lake rights to receive a permit for overnight docking on Chippewa Lake. He had called the office and was told that the lake rights to his property had expired in 1988 due to lack of payment to Continental Business Enterprises and that the park district has not been accepting reinstatement payments of lake rights for some time.

a. Director Eppink explained that the docking program is not easy to manage. He explained that those with current lake rights when the park district purchased the lake in 2007 were able to apply for docking permits. For the next few years after that, the park district permitted those with expired lake rights to pay to bring the lake rights current. However, the reactivation practice was only permitted for a few years after the 2007 acquisition.
b. Due to the difficulty and staff time involved in managing the docking program, the park district is reevaluating the program and docking on the lake in general. The director does not feel it is right to continue to accept money from residents to reactivate lake rights for docking during this evaluation period. It is prudent to make sure the park district is administering the program correctly rather than to change the program and need to refund the money.
    1. Administrative Secretary Schrader joined the meeting and explained lake rights vs. docking privileges. She confirmed that the lake rights to Mr. Burlingame's residence had expired in 1988 due to failure to pay the annual fee to Continental Business Enterprises.
c. Mr. Burlingame asked how and when the residents were informed that the reactivation of lake rights was being discontinued.
    1. Ms. Schrader shared that the former director had met with and asked village representatives to post in their newsletters that the ability to reactivate lake rights would not be a permanent option and would, eventually, be discontinued.
d. Mr. Burlingame stated that the "island" in Gloria Glens where his dock is located is choked out by weeds. He asked if the park district has plans to clear the weeds to permit access to the dock. Director Eppink stated that resident Greg O'Connell has been working on sections of shoreline to reinforce the bank with permission from the park district.
e. Director Eppink noted that there is a lot of passion in the villages around Chippewa Lake but, at the same time, Chippewa Lake is just 1 of 21 areas the park district manages across the county. He stressed that the park district is careful in making decisions to always be consistent in providing answers and to do the right thing.

F. Mr. Rohrer spoke, again, stating that he intends to check with Guilford Township Zoning to see if the park district has made contact to see if the proposed land trade is permitted or if MCPD is "sneaking" it through.
    1. Director Eppink stated that as many of the benefits of the land trade are in favor of MWCD, the burden of the research/survey and approvals for the proposed trade were to be handled by MWCD. The park district is not investing staff time and money in this.

G. Mr. Wehrley requested MWCD's board meeting schedule from Director Eppink. As the park district and MWCD are two separate entities, Director Eppink isn't familiar with MWCD's meeting schedule. He will, however, ask MWCD to share the information with Mr. Wehrley.
    1. Mr. Wehrley asked as to an available appeal process for the proposed land trade. Park District Legal Counsel Holland stated that land trades must be presented to the Medina County Probate Court for approval to proceed. As this is a public process, Attorney Holland said he is sure that Judge Dunn would want to hear from the opposition.

H. Vice-chairwoman Davis thanked all for attending and shared that the board appreciates the feedback. She noted that management of Chippewa Lake has been a challenge for the park district, and we are trying to find a way to work together for everyone's benefit.
   1. Administrative Secretary Schrader and guests Mr. Pollock, Mr. Burlingame, Mr. Wehrley, Mr. Rohrer, and Mr. Carpenter left the meeting at this time.

IV. FINANCIAL REPORTS

A. Cash Balance Statement
   1. The June 2023 cash balance statement was presented for the board's perusal.

B. Cash Flow Statement
   1. The June 2023 cash flow statement was presented for the board's review.

C. Quarterly Expense Report #2
   1. January - June 2023
      a. Quarterly Expense Report #2, representing expenditures January - June 2023 was presented to the board.

D. Quarterly Credit Card Report #2
   1. April, May, June 2023
      a. Quarterly Credit Card Report #2, listing the types of credit cards issued on behalf of the park district, the employee positions holding those cards, and the card limits was presented to the board.

E. Approval of Vouchers
   1. Resolution #23-012, June 2023 Vouchers
      a. Vice-chairwoman Davis offered a motion approving Resolution #23-012, payment of the June 2023 vouchers, as presented. Commissioner Neate seconded; the motion unanimously carried.

F. Appropriation Transfer
   1. Fund 3403 – July
      a. Vice-chairwoman Davis offered a motion ratifying the July 6 appropriation transfer within Fund 3403, as presented. Commissioner Neate seconded; the motion unanimously carried.

G. 2024 Tax Budget
   1. Commissioner Neate approved the 2024 Tax Budget as presented. Vice-chairwoman Davis seconded; the motion unanimously carried.

V. DIRECTOR/STAFF REPORTS

A. Director's Updates
   1. Plum Creek Greenway Phase 1
      a. Director Eppink reported that he is leading a walk of Phase 1 of the Plum Creek Greenway for the Northern Medina County Chamber Alliance.
   2. Executive Coach and Trainer
      a. Director Eppink reported that he has engaged an executive coach and trainer, Cathy Posner, to lead small-group sessions with the park district's leadership team this summer and fall. Topics will include consensus-building, successful workplace relationships, managing conflict, and more.

3. Chippewa Lake H2Ohio Projects
   a. Director Eppink reported that ODNR has granted the park district a six-month extension, to June 30, 2024, to complete the Chippewa Lake H2Ohio projects.
      1. Marks Construction is mobilizing to begin work on two of the three sites: Vaughn (the linear wetland along the inlet) and Kennard (the enhanced wetland and kayak launch near the outlet). Biohabitats is in the engineering phase of the amusement park site.
4. FY20/21 Audit Update
   a. Business Manager Chaney shared that the FY20/21 audit is nearing completion. Per the state auditor, a few items will be noted.
      1. Funds paid on behalf of the park district in late December 2021 were disclosed in January of 2022 as a correction to Fund 3409. When the Period 13 data report for December didn't balance with park district records, a summary of "paid on behalf" with correct end-of-year Fund 3409 totals was emailed to the county in February 2022. The county's data in Munis was not updated to match park district Fund 3409 totals. Therefore, the park district's Fund 3409 total as stated on the 2022 financial report does not match the county's data report.
      2. Upon printing 2022 end-of-year county data in January 2023, it was discovered that an anomaly would occasionally occur when data was exported to an Excel spreadsheet in which a cell that should contain data was blank. This anomaly was reported to the county and the state auditor with printed samples depicting missing data. Though corrected when discovered, there will, again, be times when the park district's financial report does not match the county's data.
      3. A typo occurred when reworking one of the financial reports that resulted in a variance considered "material" in the audit report. Though the state auditor was able to clearly identify the number as a typographical error, the resulting variance will be reported to the park board in a letter.
5. Granger Wetlands Covered Bridge
   a. Planning & Operations Manager Smith reported that the park district is acquiring the materials for the metal roof and will be installing them in-house at a cost just over $600.
6. Shotwell Gardens
   a. Development Coordinator Peacock reported that she will be meeting with Becky Shotwell in September to begin a cost analysis of Phase 1 materials for Shotwell Gardens.

B. Monthly Report
   1. Director Eppink presented the June Monthly Report for the board's review.
C. Departmental Activities
   1. Director Eppink provided the June departmental activity report for the board's review.

VI. OLD BUSINESS

A. Transfer of Wilted Farms Property
   1. Commissioner Neate offered a motion authorizing the director to execute the documents necessary to transfer the Wilted Farms property from Friends of Medina County Parks, Inc. to Medina County Park District and to execute the conservation easement. The transfer is subject to legal counsel review of the conservation easement and Medina County Probate Court approval prior to closing. Vice-chairwoman Davis seconded; the motion unanimously carried.

B. Medina Fiber Easement
   1. Director Eppink will encourage Medina Fiber to explore avenues other than park property to lay fiberoptic cable and reach homes in the villages of Chippewa Lake and Gloria Glens due to the park district's forthcoming H2Ohio-funded cleanup and wetland enhancement of the former amusement park property. Consideration may be given for Medina Fiber's access through the Chippewa Yacht Club property.

C. Purchase from West Creek Conservancy
   1. Vice-chairwoman Davis offered a motion authorizing the director to execute West Creek Conservancy documents, following legal counsel review, for the purchase of 77 acres and West Creek's conservation easement in the village of Lodi between the park district's Bluebell Valley and East Fork areas in Black River Nature Preserve at a cost of $75,000. Commissioner Neate seconded; the motion unanimously carried.

VII. NEW BUSINESS

A. Update to Employee Handbook
   1. Vehicle-related Policies
      a. Commissioner Neate offered a motion approving the comprehensive vehicle policy as presented and the director's elimination of vehicle-related text that appears elsewhere in the Employee Handbook. Vice-chairwoman Davis seconded; the motion unanimously carried.

B. Board Procedure for Contracting for Professional, Technical, Consulting, and Other Special Services
   1. Vice-chairwoman Davis offered a motion adopting the following procedure.

Medina County Park District Procedure for Contracting for Professional, Technical, Consulting, and Other Special Services

All purchase opportunities $50,000 and above shall be conducted in accordance with the Ohio Revised Code and will be advertised twice in a newspaper of general distribution and on the Medina County Park District's website at least two weeks prior to the due date or bid opening.

This includes construction bids and qualifications-based selections per Ohio Revised Code. Bids are solicited through either an Invitation to Bid (ITB) or a Request for Proposal (RFP).

   2. Commissioner Neate seconded; the motion unanimously carried.

C. Allardale Playscape Project and Design-Build RFQ
   1. Commissioner Neate offered a motion approving the Allardale playscape design-build project as presented and authorizing the solicitation of statements of qualifications (SOQs) from design-builders for the project. Vice-chairwoman Davis seconded; the motion unanimously carried.

D. Changes to Budget in 2024
   1. Vice-chairwoman Davis offered a motion authorizing the director to make changes to funds as part of the 2024 budget as proposed by first transferring funds to the general fund, 3400, and then to major park development, 3402.
      a. Transfer funds from 3405, Outdoor Education, to 3402, Major Park Development, and make 3405 dormant (the supply line will be included in the 3400 general operating fund line 50100 for the purchase of supplies).
      b. Transfer funds from 3407, Project Playscape, to 3402, Major Park Development, and make 3407 dormant
      c. Transfer funds from 3410, Granger Wetlands, to 3402, Major Park Development, and make 3410 dormant (FOTP to accept anticipated stewardship fee from Stream & Wetlands and maintain in a restricted fund)
      d. Rename 3411, Salary Reserve to Salary Payout
      e. Transfer funds from 3413, Chippewa Lake, to 3402, Major Park Development and make 3413 dormant
   2. Commissioner Neate seconded; the motion unanimously carried.

E. Mud Lake Mitigation Project
   1. Vice-chairwoman Davis offered a motion authorizing the director to execute all required documents, contingent on legal counsel review, necessary to facilitate the proposed Mud Lake Mitigation project in which EnviroScience, Inc. will restore approximately 29 acres of park district-owned land at no cost to the park district with West Creek Conservancy holding a conservation easement on the property to ensure its protection. Commissioner Neate seconded; the motion unanimously carried.

VIII. EXECUTIVE SESSION

A. Vice-chairwoman Davis offered a motion that the board move into executive session for the discussion of land acquisition. Commissioner Neate seconded; the motion unanimously carried.

B. Vice-chairwoman Davis offered a motion that the board move into regular session. Commissioner Neate seconded; the motion unanimously carried.

C. The following motions were made as result of executive session discussion.
   1. Commissioner Neate offered a motion authorizing the director to purchase approximately 10 acres in Westfield Township for only $50,000 from Fund 3403-7800-50790. Closing costs are to be split between the two parties. Vice-chairwoman Davis seconded; the motion unanimously carried.
   2. Commissioner Neate offered a motion authorizing the director to purchase approximate 7.5 acres in Medina Township for $175,000 from Fund 3403-7800-50790. The seller will pay all closing costs for the sale, which is to be contingent upon favorable results from an environmental survey for which the park district will pay. Vice-chairwoman Davis seconded; the motion unanimously carried.

3. Vice-chairwoman Davis offered a motion authorizing the director to offer a permanent easement to Medina County Commissioners on Permanent Parcel Number 030-11A-09-001 for the purpose of building a road. The easement is contingent upon Montville Township, the Medina County Engineer, and Medina County Planning Commission approval of the proposed subdivision on the adjacent parcel and the understanding that the park district will receive a donation of land in exchange for the easement. The easement offer is valid through March 31, 2024 and is contingent upon Medina County Probate Court approval. Commissioner Neate seconded; the motion unanimously carried.

IX. COMMISSIONERS' COMMENTS

A. Vice-chairwoman Davis shared that, while on vacation, she encountered a device that enabled the use of a smart phone to connect interactively with a particular site. She thought about how this could work at Litchfield Wetlands. Planning & Operations Manager Smith said that he is aware of such technology as ODNR has installed an interactive device marketed by a company called "Chronolog" at the Chippewa Inlet Trail as part of the Chippewa Lake Vaughn H2Ohio restoration project. He can also plan for an installation at Litchfield Wetlands. Commissioner Davis will forward the information she has on the vendor and device to Planning & Operations Manager Smith.

B. Director Eppink recognized Commissioner Andrew de Luna's 11-years of service on the park board. Commissioner de Luna passed away last month and will be missed by all.

X. ADJOURNMENT

A. There being no further business for discussion, Vice-chairwoman Davis declared the meeting adjourned at 10:37 a.m.

We, the undersigned, as Board of Commissioners of Medina County Park District, Medina, Ohio, do certify the above minutes are true and correct as recorded in the board of commissioners' journal, Volume 52.

BOARD OF COMMISSIONERS
MEDINA COUNTY PARK DISTRICT

NATHAN D. EPPINK
DIRECTOR

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