MINUTES OF THE

BOARD OF COMMISSIONERS

OF

MEDINA COUNTY PARK DISTRICT

June 21, 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 guests Dean and Sue Bernhofer of Chippewa Lake, Marlin Snow of Gloria Glens, Bob Frechette of Chippewa Lake, Ed Stevens of Chippewa Lake, Kelby Crum of Montville Township, and Steve Shurance of Sharon Township.

II. APPROVAL OF MINUTES

A. May 16, 2023

1. Vice-chairwoman Davis offered a motion approving the minutes of the May 16, 2023 meeting as presented. Commissioner Neate seconded; the motion unanimously carried.
   a. Administrative Secretary Schrader arrived at 8:32 a.m., and Development Coordinator Peacock arrived at 8:33 a.m.

III. PUBLIC PARTICIPATION

A. Guest Ed Stevens of Chippewa Lake

1. Mr. Stevens commented that he feels the park district's Chippewa Lake plan is moving in a good direction; however, he asked what local residents should do regarding "visitors who don't belong" in village areas and the beach. He feels the park district should be responsive to the residents' safety and rights and should protect their assets. Director Eppink replied that the park district's anticipated development of public access to the former amusement park property should help reduce the number of people visiting the village areas of Chippewa Lake and Gloria Glens. The director clarified that the park district has no jurisdiction in the villages, so if visitors become disruptive, residents should call the police.
2. Mr. Stevens asked if the park district is planning to apply another Blue/Green algae treatment to Chippewa Lake any time this year. Director Eppink replied that it has been three years since the first application. The park district continues to monitor and test the water. There have been a few early indications of algal blooms but not to any level that indicates concern. After such early indications have been detected, a rain or other natural event has occurred that dissipates the start of the bloom.
   a. Planning and Operations Manager Smith cautioned that the treatment should only be applied when necessary as continual application would negatively impact the ecosystem and good algae in the lake.

B. Bob Frechette of Chippewa Lake
   1. Mr. Frechette stated that he is late installing his replacement dock in the water this year and wanted to be sure the park district has no concerns over such late installation. He also asked if all docks, including replacements, need to be floating docks. Director Eppink replied that there are no concerns over late dock installations and that all new or replacement docks must float.

C. Dean and Sue Bernhofer of Gloria Glens
   1. Mr. Bernhofer explained that he and Sue had recently purchased a home in Gloria Glens and a boat based on the realtor's promise of "lake rights" on the property. The previous owner had let the lake rights expire many years ago. The Bernhofers were not aware that the park district had, at least temporarily, discontinued the reinstatement of/payment of expired lake rights due to many unknowns such as the future of the docking program, the time consuming and difficult management of the docking program, docking fees, etc.
      a. Park district Administrative Secretary Schrader provided a brief history of the acquisition of the lake rights records from Chippewa Lake Properties and the requirements for obtaining docking permits. She explained that former (park) Director Tom James had notified the villages that the opportunity to reinstall lake rights would only be available for a short period of time after the lake was acquired in 2007. Administrative Secretary Schrader further explained the difference between one-time dock tags to be placed on registered docks and annual boat stickers that permit watercraft registered with the park district docking privileges on the lake.
      b. Director Eppink explained that village attorney Allan Michaelson had determined that historic "lake rights" provide the right to go on the water while the docking program is a permitted privilege extended to those who paid Chippewa Lake Properties to keep their lake rights current. The park district needs to better define "lake rights" versus "docking privileges."
      c. Commissioner Neate said the board is aware of continued confusion over lake rights and docking privileges and that there is a lot of misinformation being distributed throughout the communities. The park district must find a better way of communicating.
   2. The Bernhofers are requesting that they be permitted to reinstate their lake rights. Director Eppink pointed out that it is a difficult situation as many others have previously requested reinstatement but have been denied per the current protocol. He said that the park board will continue to research and discuss how to best handle this matter and the future of the docking program. In the meantime, the Bernhofers will launch their boat and temporarily dock during the day but will remove their craft each night.

D. Kelby Crum of Montville Township
   1. Mr. Crum had previously met with Director Eppink to discuss approximately 2.88 acres of land needed by a developer to connect to a new development in the area of the State Route 3 roundabout.

a. Director Eppink said the board is open to extending an easement for access but may also wish to conserve some of the land. He informed Mr. Crum that he and the board will circle back to the issue by the July meeting and will be in touch after that.

E. Vice-chairwoman Davis thanked everyone for attending the meeting.
   1. Mr. and Mrs. Bernhofer, Mr. Snow, and Administrative Secretary Schrader left the meeting at 9:16 a.m.

IV. NEW BUSINESS

A. Amendment to Plum Creek Greenway Lease Agreement
   1. Vice-chairwoman Davis offered a motion authorizing the director to, following legal counsel review, execute the first amendment to the Plum Creek Greenway lease agreement with the city of Brunswick providing clarification as to the park district's responsibility to perform "other" services such as management of the multipurpose trail parking lot located on city-owned land. Commissioner Neate seconded; the motion unanimously carried.

B. Transfer of Wilted Farms Property
   1. This business item was tabled to next month's meeting to enable legal counsels for both the park district and Western Reserve Land Conservancy sufficient time to review and discuss the conservation easement and proposed transfer of the property from Friends of Medina County Parks, Inc. to Medina County Park District.

C. H2Ohio Chippewa Lake Wetland Restoration–Vaughn Bid Award
   1. Vice-chairwoman Davis offered a motion authorizing the director to enter into a construction contract with the lowest and best bidder, Marks Construction, Inc., for construction of the H2Ohio Chippewa Lake Wetland Restoration–Vaughn project at a base bid of $604,268.30 and the authority to approve any change orders necessary to successfully complete the project in an amount not to exceed ten-percent of the engineer's estimate, for a total project amount of $748,249.93. Commissioner Neate seconded; the motion unanimously carried.
   2. Guest Ed Stevens requested that a map of the proposed work site and trail closure be added to the park district's website.
      a. Mr. Stevens and Mr. Frechette left the meeting at this time.

D. Lester Rail Trail Parking Lot Paving
   1. Commissioner Neate offered a motion authorizing the director to enter into a contract with the lowest and best bidder, Perrin Asphalt, for paving and striping of the parking lot at Lester Rail Trail in an amount, including contingency, not to exceed $49,900. Vice-chairwoman Davis seconded; the motion unanimously carried.

V. 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.
   1. Mr. Crum and Mr. Shurance left the meeting at this time.

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

VI. FINANCIAL REPORTS

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

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

C. Approval of Vouchers
   1. Resolution #23-011, May 2023 Vouchers
      a. Vice-chairman Davis offered a motion approving Resolution #23-011, payment of the May 2023 vouchers, as presented. Commissioner Neate seconded; the motion unanimously carried.

VII. DIRECTOR/STAFF REPORTS

A. Director's Updates
   1. Litchfield Wetlands Nature Preserve
      a. Director Eppink reported that the June 6 ribbon-cutting for Litchfield Wetlands was well attended, and ODNR and H2Ohio were pleased. He thanked the commissioners for attending.
      b. Director Eppink reported that the park district received proclamations from Congressman Max Miller and Ohio Senate President Matt Huffman and Senator Mark Romanchuk for the opening of Litchfield Wetlands Nature Preserve.

B. Monthly Report
   1. Director Eppink presented the May Monthly Report for the board's review.
      a. Planning and Operations Manager Smith added that the park district has received the permits it needs to begin earthwork at the H2Ohio Kennard Road project site; the CLMP playground surface repair project is underway, and the playground should reopen by the end of the week; he contacted Don Ruhlin regarding the Granger Wetlands bridge roof project but has not received a response.
      b. Development Coordinator Peacock added that she has been receiving good feedback from the May 7 "friendraiser" at Rivendell and that she and Director Eppink continue to make connections; she anticipates a decision from Medina Sunrise Rotary on July 1 regarding the $45,000 grant application filed to assist with the Granger Wetlands bridge roof and other incidentals at the site; Friends of the Parks will be creating its own website and will include a donation/opportunities page through the new eTapestry donor software; and the Friends Trustees entertained a presentation regarding partnership with the Cleveland Foundation for management of more complex donations.

C. Departmental Activities
   1. Director Eppink provided the May departmental activity report for the board's review.

VIII. OLD BUSINESS

A. No Old Business was presented for discussion.

IX. COMMISSIONERS' COMMENTS

A. Commissioner Neate commented that the board needs to continue discussions regarding the Chippewa Lake docking program. Director Eppink will reach out to Mr. Stevens and Mr. Frechette for copies of deeds they believe offer docking privileges. Legal Counsel Holland noted that the privileges must be specific to Chippewa Lake. Director Eppink and Legal Counsel Holland will continue to investigate the park district's options.

X. ADJOURNMENT

A. There being no further business for discussion, Vice-chairwoman Davis declared the meeting adjourned at 10:33 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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