

MINUTES OF THE MEETING OF THE BOARD OF PARK COMMISSIONERS OF MILL CREEK  
METROPARKS HELD MONDAY, APRIL 10, 2023

A Regular Meeting of the Board of Park Commissioners of Mill Creek MetroParks was held on Monday, April 10, 2023.

The meeting opened at 6:00 p.m., with recitation of The Pledge of Allegiance.

Lee Frey, Board President welcomed staff and guests. Lee asked to provide those at the podium with the respect that they deserve.

Roll Call was as follows:

Germaine Bennett;	Present
Lee Frey;	Present
Tom Frost,	Present
Jeff Harvey;	Absent
Paul Olivier;	Absent

The Board was presented with the Minutes of the Regular Meeting of March 13, 2023. Lee Frey accepted the minutes into the record as written.

Kevin Smith, Finance Director/Treasurer presented the Department Report for Finance and requested that disbursements #89274 - #89513 for a total of \$1,551,535.05 be approved. Lee Frey moved, at the request of the Finance Director, the funds having been certified as on hand and duly appropriated, that disbursements #89274 - #89513 for a total of \$1,551,535.05. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye:	Bennett, Frey, Frost,
Voting Nay:	None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-3303-5097 Annual Road Capital Improvements by \$68,233.00. This is money saved from previous work on the Old Orchard Bridge rehabilitation and would be used for similar drive improvements. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-3303-5097 Annual Road Capital Improvements by \$68,233.00. The motion was seconded by Germaine Bennett after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye:	Bennett, Frey, Frost,
Voting Nay:	None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-3722-5011 Farm Operations Capital Equipment by \$14,132.50. This is money generated from the sale of farming equipment. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-3722-5011 Farm Operations Capital Equipment by \$14,132.50. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye:	Bennett, Frey, Frost,
Voting Nay:	None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-3720-5007 Farm Operations Contract Jobs by \$29,947.08. This is money received from the Mill Creek MetroParks Foundation for farm education. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-3720-5007 Farm Operations Contract Jobs by \$29,947.08. The motion was seconded by Germaine Bennett after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-3300-5007 Drives-Repairs & Maintenance Contract Jobs by \$14,780.22. This is money received from the Mill Creek MetroParks Foundation for log lot cleanup. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-3300-5007 Drives-Repairs & Maintenance Contract Jobs by \$14,780.22. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-6002-5011 Police Capital Equipment by \$4,656.35. This is money received from the Mill Creek MetroParks Foundation for equipment. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-6002-5011 Police Capital Equipment by \$4,656.35. The motion was seconded by Germaine Bennett after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-3330-5007 Scholl Pavilion Contract Jobs by \$941.10. This is money received from the Mill Creek MetroParks Foundation for tennis improvements. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-3330-5007 Scholl Pavilion Contract Jobs by \$941.10. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-0520-5040 Land Management Materials by \$2,105.72. This is money received from the Mill Creek MetroParks Foundation for the Lily Pond. Lee Frey moved, at the request of the Finance Director to increase appropriations to account 100-0520-5040 Land Management Materials by \$2,105.72. The motion was seconded by Germaine Bennett after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-4420-5073 Gardens Supplies by \$1,499.97. This is money received from the Mill Creek MetroParks Foundation for the library. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-4420-5073 Gardens Supplies by \$1,499.97. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Nick Morchak, Staff Accountant presented the Quarterly Credit Card Report for the first quarter of 2023. No action was needed by the Board.

Aaron Young, Executive Director shared with the Board that they are currently working with their insurance carrier to process several claims due to damage from the recent storms. Recent storms caused damage to facilities at Bears Den Operations, Gardens Operations and Newport Restrooms. More information will be provided once available.

Aaron Young, Executive Director presented Resolution R-23-03 Acknowledgement of Grants, Donations & Trusts for the period of January 1 to March 31, 2023 for approval. Lee Frey moved, at the request of the Executive Director, to approve R-23-03 Acknowledgement of Grants, Donations & Trusts for the period of January 1 to March 31, 2023. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

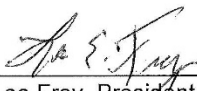
Voting Aye: Bennett, Frey, Frost  
Voting Nay: None

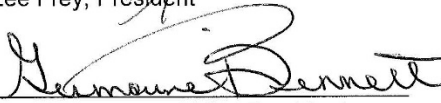
Resolution R-23-03

ACKNOWLEDGEMENT OF GRANTS, DONATIONS, OR TRUSTS

BE IT RESOLVED by the Board of Park Commissioners of Mill Creek Metropolitan Park District that we deem it necessary and in the best public interest to acknowledge the grants, donations or trusts submitted to the Park District for the period of January 1, 2023, through March 31, 2023 as detailed on the summary marked Exhibit A, and authorize legal counsel to make application to the Probate Court pursuant to Ohio Revised Code 1545.11 for approval and to secure Journal Entry of the Probate Court.

IN WITNESS THEREOF, We, the Board of Park Commissioners hereunto set our hand this 10<sup>th</sup> day of APRIL, 2023.

  
\_\_\_\_\_  
Lee Frey, President

  
\_\_\_\_\_  
Germaine Bennett, Vice President

  
\_\_\_\_\_  
Tom Frost, Commissioner

\_\_\_\_\_  
Jeff Harvey, Commissioner

\_\_\_\_\_  
Paul Olivier, Commissioner

Prepared by: Chris Litton

1st Qrt. 23 Donation Log.

Date	Donor	Amount	Fund
1/1/2023	Dr. Thomas Shipka	\$50.00	General Endowment
2/1/2023	Dr. Thomas Shipka	\$50.00	General Endowment
1/9/2023	Christopher & Anna Newman	\$25.00	Trail Endowment
1/6/2023	John & Martha Dorrance	\$50.00	Trail Endowment
1/11/2023	Sharon Harpster	\$50.00	Trail Endowment
1/9/2023	JRDP / SHDP	\$54.00	Trail Endowment
1/9/2023	Russ & Diane Miklos	\$75.00	Trail Endowment
1/6/2023	James "Ted" Roberts	\$250.00	Trail Endowment
1/6/2023	Mary Jane Walker	\$50.00	Trail Endowment
1/15/2023	Clifford & Danielle Unterreiner	\$180.00	Trail Endowment
1/18/2023	Robert Tunno	\$5,000.00	Trail Endowment
1/19/2023	Therese Kasnic	\$100.00	Trail Endowment
1/10/2023	Delmar & Mary Ann Stanley	\$100.00	Trail Endowment
1/9/2023	Richard & Kathleen Amendolea	\$100.00	Trail Endowment
1/8/2023	Charles & Nancy Madonio	\$100.00	Trail Endowment
1/4/2023	William McNally	\$50.00	Trail Endowment
1/6/2023	Nancy & Jerry Demetra	\$50.00	Trail Endowment
1/6/2023	William & Annette Kay	\$25.00	Trail Endowment
1/22/2023	Dominic & Carol Vechiarelli	\$30.00	Trail Endowment
1/4/2023	Frank & Michelle Bova	\$200.00	Trail Endowment
1/3/2023	L. Calvin Jones	\$100.00	Trail Endowment
12/22/2022	Justine & Christopher Dawson	\$50.00	General Endowment
1/3/2023	Paul & Sandra Basista	\$25.00	Children's Garden
1/9/2023	Carolyn Stoneburner	\$100.00	Children's Garden
1/7/2023	Susan Marrie	\$25.00	Children's Garden
1/2/2023	Judi A. Hanna	\$25.00	Children's Garden
12/29/2023	Kaaran L. Cabraja	\$100.00	Children's Garden
12/30/2023	City of Youngstown	\$250.00	Children's Garden
12/31/2023	Kate Kaiser	\$50.00	Children's Garden
1/2/2023	Randy & Susan Rubesa	\$25.00	Children's Garden
1/4/2023	David & Paula Carlson	\$25.00	Children's Garden
1/4/2023	Colleen & Michael Robek	\$100.00	Children's Garden
12/31/2023	Youngstown Clothing Co.	\$3,018.74	Children's Garden
1/10/2023	James & Diana Houston	\$100.00	Children's Garden
12/28/2022	S.J. & D.L. Hewitt	\$25.00	Children's Garden
1/6/2023	Rosser J. Pettit, Esq.	\$126.00	Children's Garden
12/12/2022	Fidelity Charitable	\$100.00	Children's Garden
12/20/2022	Hutington National Bank	\$60,000.00	Ford Nature Center Campaign
1/5/2023	Anthony & Marge Napoli	\$50.00	Trail Endowment
2/14/2023	John & Linda Cifalde	\$50.00	Fellows Riverside Gardens Endw
2/19/2023	Frank & Joyce Restaino	\$50.00	Fellows Riverside Gardens Endw
2/1/2023	Brenda Nagel	\$50.00	Trail Endowment
1/5/2023	James Scarneccia	\$40.00	Trail Endowment
1/5/2023	Edward DeAngelo	\$50.00	Trail Endowment

1/6/2023	William and Joann Scott	\$25.00	Trail Endowment
2/24/2023	Neal & Melissa McNally	\$50.00	Fellows Riverside Gardens Endw
2/20/2023	Margaret Necastro	\$75.00	Fellows Riverside Gardens Endw
2/25/2023	Charles & Karen Sawyer	\$50.00	Tree Fund
2/6/2023	Thomas Danko	\$500.00	Golf Endowment
2/13/2023	The Youngstown FDN	\$5,000.00	Vickers Preserve Short Term
1/26/2023	PNC	\$28.17	General Endowment
2/7/2023	AEY Electric	\$500.00	Golf Endowment
2/9/2023	Mayo Realtors	\$500.00	Golf Endowment
2/10/2023	Farmers National Bank	\$200.00	Golf Endowment
2/8/2023	Community FDN. M.V.	\$4,000.00	MetroParks Bikeway End.
2/24/2023	ZID Realty & Associates	\$500.00	Golf Endowment
2/21/2023	Dorothy & Richard Bodnar	\$40.00	Children's Garden
1/25/2023	Marlene Koenig	\$25.00	Children's Garden
1/15/2023	Diane Kalb	\$100.00	Children's Garden
2/10/2023	T.L. Dailey	\$25.00	Children's Garden
2/10/2023	T.L. Dailey	\$50.00	Children's Garden
3/4/2023	Pasada & Cherie Khumprakob	\$500.00	Trail Endowment
3/20/2023	Anthony & Susan Kovach	\$500.00	Trail Endowment
3/19/2023	Theodore & Lisa Schmidt	\$250.00	Children's Garden
3/17/2023	Terri Cole	\$500.00	Trail Endowment
3/26/2023	M.V. Hospital Foundation	\$4,800.00	Golf Endowment
3/10/2023	Barbara McCrudden	\$25.00	Children's Garden
3/4/2023	John Hancock Life (David Watson estate)	\$3,245.36	Children's Garden
3/8/2023	Schwab Charitable	\$1,000.00	Trail Short Term Fund
3/16/2023	The Youngstown FDN	\$5,000.00	Children's Garden
3/16/2023	Southern Park Golf	\$500.00	Golf Endowment
3/20/2023	Rhiel Supply Co.	\$500.00	Golf Endowment
3/29/2023	Friends of Fellows R. G.	\$56,934.37	Children's Garden
2/26/2023	Nicholas Necastro	\$50.00	Fellows Riverside Gardens Endw
3/1/2023	Dr. Thomas Shipka	\$50.00	General Endowment
2/21/2023	PNC	\$1,000.00	Children's Garden
2/24/2023	Walter & Laura Avidey	\$100.00	Fellows Riverside Gardens Endw
	<b>Total</b>	<b>\$157,746.64</b>	

Justin Rogers, Planning & Operations Director presented Resolution R-23-04 ODOT OPRA Biennium Fund Participation for approval. Lee Frey moved, at the request of the Planning & Operations Director, to approve Resolution R-23-04 ODOT OPRA Biennium Fund Participation. The motion was seconded by Germaine Bennett after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost  
Voting Nay: None

## Mill Creek Metropolitan Park District

R-23-04

**RE: Request of Funds from the Ohio Department of Transportation (ODOT) and Designation of Projects for Ohio Parks Districts Roadwork Fund FY 2024-2025 through the Ohio Parks & Recreation Association (OPRA).**

**WHEREAS**, the Board of Park Commissioners (the Board) for the Mill Creek Metropolitan Park District has need for improvement of public park roadways owned and maintained by the Park District in Mahoning County; and

**WHEREAS**, the Park District was created according to Ohio Revised Code 1545, owns or holds at a minimum a 15-year lease of eligible parkland for roadwork funding, and has adequate, available resources for the construction and maintenance of requested park road improvements; and

**WHEREAS**, the Ohio Park Districts Roadwork Fund is provided by the Ohio Department of Transportation (ODOT) for such purposes as authorized by Ohio Revised Code 5511.06, is subject to the Park District Guidance To ODOT's Metropark Program as prescribed by ODOT, and is coordinated by the Ohio Parks & Recreation Association (OPRA); and

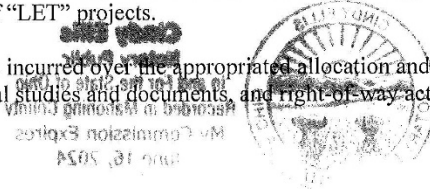
**WHEREAS**, the Board is cognizant of the requirements for receiving such funds, and agrees to comply with the OPRA Policy, as clarified at the Meeting on December 7, 2010, that the park districts are prohibited from accumulating more than 3 Bienniums (six years) of UNUSED funds.

**WHEREAS**, Section II, paragraph 1A, of the Annual Agreement between ODOT and OPRA requires a two-year list of priority projects for the Metroparks Program to be submitted to ODOT for Department-wide posting and distribution. In order to comply with this provision, each Metropark is required to submit their two-year list of priority projects to OPRA; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Park Commissioners of the Mill Creek Metropolitan Park District requests the designated allocation from the Ohio Parks Districts Roadwork Fund along with any remaining balance of funds in accordance with the following stipulations:

1. Funds can be used for materials and labor necessary for construction or reconstruction of park drives, park roads, new or replacement bridges, park access roads and parking lots. The funds also may be used for the purchase and hauling of materials for the improvement, repair and maintenance of park drives, park roads, park access roads, and parking lots, and rental of labor and equipment. Force account labor costs (charges by park district employees or associates) are ineligible. Ineligible costs include bikeways and items such as shelter houses, wells, pumps, restrooms facilities, park buildings, etc. All projects must be associated with public vehicular access to be eligible for funding. Funds may be used for eligible construction costs, including construction engineering (i.e., testing and inspection) of "LET" projects.

2. The Park District will pay all costs incurred over the appropriated allocation and, also, for all costs associated with design, environmental studies and documents, and right-of-way activities. Any



deviation from the guidelines regarding environmental studies or roadway design requires the written approval of ODOT.

3. Mill Creek Metropolitan Park District has designated the Executive Director as the contact person for the local arrangements and to sign all documentation on behalf of the Board of Park Commissioners.

IN WITNESS THEREOF, We, the Board of Park Commissioners hereunto set our hand this 10<sup>th</sup> day of April, 2023.

Lee Frey  
Lee Frey, President

Germaine Bennett  
Germaine Bennett, Vice-President

Thomas M. Frost  
Tom Frost, Commissioner

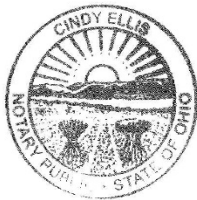
Paul Olivier, Commissioner

Jeff Harvey, Commissioner

Sworn and Subscribed before me this 10<sup>th</sup> day of April, 2023.

Cindy Ellis  
Notary Public

My Commission Expires on June 16, 2024



**Cindy Ellis**  
Notary Public  
In and For the State of Ohio  
Recorded in Mahoning County  
My Commission Expires  
June 16, 2024

Kevin Smith, Finance Director/Treasurer presented Resolution R-23-05 Authorizing Participation in the ODOT Road Salt Contracts Awarded in 2023 for approval. Lee Frey moved, at the request of the Finance Director/Treasurer, to approve Resolution R-23-05 Authorizing Participation in the ODOT Road Salt Contracts Awarded in 2023. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost  
Voting Nay: None

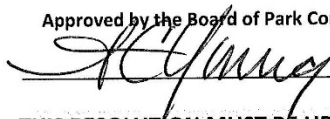
**RESOLUTION R-23-05 AUTHORIZING PARTICIPATION  
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023**

**WHEREAS**, Mill Creek MetroParks, Mahoning County (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1<sup>st</sup>, by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE**, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

Approved by the Board of Park Commissioners on April 10, 2023. On behalf of the Board of Park Commissioners



Aaron Young, Executive Director



Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN  
MONDAY, MAY 1, 2023.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

Justin Rogers, Planning & Operations Director presented the bid award recommendation for the 2023 Drive Resurfacing (Chestnut Hill Drive). It is recommended that Geauga Highway Co. be awarded the contract for the project named 2023 Drive Resurfacing (Chestnut Hill Drive) at the grand total bid amount of \$189,588.70. Lee Frey moved, at the request of the Planning & Operations Director, to award the contract for the project 2023 Drive Resurfacing (Chestnut Hill Drive) to Geauga Highway Co. at the grand total bid amount of \$189,588.70. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye:	Bennet, Frey, Frost,
Voting Nay:	None



Justin Rogers, Planning & Operations Director presented the bid award recommendation for the 2023 Drive Resurfacing (West Park Drive: Phase 2). It is recommended that Geauga Highway Co. be awarded the contract for the project named 2023 Drive Resurfacing (West Park Drive: Phase 2) at the grand total bid amount of \$103,720.60. Lee Frey moved, at the request of the Planning & Operations Director, to award the contract for the project 2023 Drive Resurfacing (West Park Drive: Phase 2) to Geauga Highway Co. at the grand total bid amount of \$103,720.60. The motion was seconded by Germaine Bennett after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennet, Frey, Frost,  
Voting Nay: None

Justin Rogers, Planning & Operations Director presented the bid award recommendation for the 2023 MetroParks Bikeway Improvements. No bids were received at the time of bid opening. Since zero bids were received, the project named 2023 MetroParks Bikeway Improvements cannot be awarded. Lee Frey moved, at the request of the Planning & Operations Director, that no bids be awarded for the 2023 MetroParks Bikeway Improvements. The motion was seconded by Tom Frost after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennet, Frey, Frost,  
Voting Nay: None

Justin Rogers, Planning & Operations Director presented and requested that the Executive Director be authorized to enter into a design services agreement with Technical Choice LLC with C-Tech Solutions, Inc. in the amount of \$79,095 for the MetroParks Golf Course Irrigation Design. Lee Frey moved, at the request of the Planning & Operations Director, to authorize the Executive Director to enter into a design services agreement with Technical Choice LLC, with C-Tech Solutions, Inc. in the amount of \$79,095 for the MetroParks Golf Course Irrigation Design. The motion was seconded by Germaine Bennett after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennet, Frey, Frost,  
Voting Nay: None

Aaron Young, Executive Director presented and requested approval of the following special events/requests to raise funds;

1. Run Y-Town Road Race on 04-23-23 in Mill Creek Park

Lee Frey moved, at the request of the Executive Director, that the special events be approved. The motion was seconded by Germaine Bennett after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Lee stated that he would be altering the agenda to allow Chris Litton, Development Director to present his monthly report prior to Agenda Items 9. White-tailed Deer Management Plan.

Chris Litton, Development Director presented the MetroParks Foundation deposit report for the period of March 1-31, 2023, at a total of \$73,954.73. Lee Frey moved at the request of the Director of Development to accept the deposit report for the period of March 1-31, 2023, at a total of \$73,954.73. The motion was seconded by Tom Frost, after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Nick Derico, Natural Resource Manager presented and requested approval of the White-tailed Deer Management Plan. Lee Frey moved, at the request of the Natural Resource Manager to approve the

White-tailed Deer Management Plan as presented. The motion was seconded by Tom Frost, after lengthy discussion that included the following:

Germaine asked Nick if he made any changes to the plan after the last presentation and Nick indicated that no changes had been made. She indicated that we are not eradicating all of the deer.

Tom asked Nick to clarify how many public meetings we have had.. Nick confirmed that we have had four public meetings on the topic, including the Citizens Advisory Meetings. Tom went on further to identify that there were many false statements made on the issue. Tom shared that most of the deer will not be seen just by walking the Parks.

Lee read the following letter from Commissioner Jeff Harvey:

As the Mill Creek Park Board of Commissioners considers a motion to accept the staff recommendation to manage the white-tailed deer on Mill Creek Metroparks properties, a long-standing commitment has kept me from attending this important meeting. But I wanted to make my position clear.

In 1891, when Volney Rogers' dream of establishing an urban park in Youngstown became a reality, a white-tailed deer sighting would have been a rare occurrence. In 1904, white-tailed deer were extirpated from the state. The state then began a restocking program in the 1920s and 1930s and their population grew. The program was successful, but with no natural predators, the population grew beyond expectations. The current state population is estimated at 700,000 to 750,000 individuals.

The number of deer in Mill Creek Metroparks has reached a critical level, where they are impacting the environment. The park staff began to explore ways to quantify the number of deer on park properties and hired an independent company, Above All Specialty and Aerial Photography, to count the deer population. Their numbers were astounding and show that there are 19 times more deer than the areas can sustain without significant biological damage. Beyond the actual numbers, though, on-the-ground observations of the deer impact are obvious and troubling. The understory is missing and a significant browse line is clearly visible. The data and on-the-ground observations are indisputable. Deer are having a negative impact on Mill Creek Metroparks properties.

The overpopulation of deer has led to a loss of biodiversity across Metroparks properties. Our woodlots are experiencing a lack of regeneration. Sapling Oaks are hard to locate. Our wildflower diversity and quantity has declined. Trillium are found in only small isolated areas on Metroparks property. Wood Thrush, a once-common Mill Creek Park bird that was known to have nested here, no longer has nesting habitat available. These birds continue to use the park as a spring and fall migration stopover site but no longer raise their young here.

The scientific literature is clear and the state of our parks corroborate it: An overpopulation of deer has an adverse effect on woodland inhabitants, whether they are plants, animals or birds.

We're not alone in looking at the need to address the overpopulation of deer. MetroParks, cities, and property owners throughout Ohio, including Cuyahoga Valley National Park, all have determined that deer are negatively affecting their properties. The parks have instituted deer management plans.

The plan that our park staff has developed is thorough and cautious in its approach. It will not eliminate the deer from park properties but will help to bring their population numbers in line with established ecological carrying capacity over a long period of time.

Although I cannot vote on this motion, I want the Board of Commissioners to know that I support the passage of the motion to accept the staff plan to manage the Metroparks' deer population.

Lee read the following statement on his own behalf:

Mill Creek Park is a park system designed to allow people to visit a well-maintained natural environment. Our forest habitat is being threatened. Small tree sprouts are being eaten or severely damaged. Ground nesting songbirds are no longer being seen in our park. Ohio's natural vegetation is being threatened to extinction. According to the Nature Conservancy of Ohio when talking about deer, "In our opinion, no other threat to the forested habitat is greater at this point of time – not lack of fire, not habitat conversion, not climate change. Only invasive exotic insects and disease have been comparable in magnitude.

Meander Forest Management Plan states that, "Without a doubt, the greatest hinderance to this forest's future is the deer impact. I cannot stress enough that the future of this entire forest is in jeopardy because of these animals.

#### Cuyahoga Valley National Park

The high population of white-tailed deer has ties to its natural history. The White-Tailed Deer is a prey animal. Like other prey animals it reproduces at a high rate. Most does at 1 ½ years of age have their first fawn. In each successful year of their average five-year life span, does typically have twins or triplets. A study done at Mississippi State University isolated 2 bucks and 8 does. The population grew to 212 deer in six years. In ten years it would have been 900 deer. A healthy forest in our region has trees ranging from the smallest seedling to towering giants. The forest floor is covered with many different kinds of wildflowers, including large expanses of white trillium. The different layers of forest support a variety of birds, insects, and other wildlife. When walking in our woodlands today, observe how many woodlands differ from a well-balanced ecosystem. You see few young tree seedlings, and the larger trees have been browsed below 3 feet, leaving lower forest layers bare. You will likely find few if any trillium and other wildflowers. In their place is an abundance of garlic mustard and other invasive exotic plants. Scientists consider trillium an indicator species for white tailed deer impact since it is a preferred food of the deer.

#### Cleveland Metro Parks

Cleveland Metro Parks is charged with the conservation of natural resources as its fundamental mission. Deer impacts are most notable in the plant life at ground and mid understory level and other wildlife species that depend on these disappearing resources. Browse lines develop in areas of too many deer spring plants. The typically abundant forest wildflowers are especially hit hard as they are the first new growth after the long winter. As these plants are repeatedly browsed, they are unable to reproduce and often die out because their nutrient-energy reserve is depleted without the ability to go through normal seasonal growth. Plants that are not preferred including exotic species will take over. It is the goal of the Cleveland Metro Parks to ensure successful native forest regeneration and native plant species growth by reducing deer population density to the level where forest health indicates a successful balance has been achieved. The deer population maintained at The Cleveland Metro Parks since 1998, has averaged approximately 1.7 fawns per yearling.

#### Ohio Department of Natural Resources

The goal of the Ohio deer program is to provide a deer population that maximizes recreational opportunities including viewing, photographing, and hunting while minimizing conflicts with agriculture, motor travel, and other areas of human endeavors.

PARK CLOSED SEPT - FEB. RESTRUCTION  
SAFETY - 300 PLUS CAR ACCIDENTS SO YOU CAN ENJOY YOUR DEER

## Public safety – For Sharpshooting

Specific reservations are closed to the public during the deer management activities. Police will be stationed at the entrances of each reservation at the time of management activities being conducted to assure the safety of Park visitors. It is especially done when deer are most active which is from dusk to dawn. All shots are taken from elevated platforms so the shooting goes down toward the ground. The elevated platforms are either mounted on a truck or a tree stand. Before a shot is taken the area is scanned with thermal to ensure no people or other non-targets have entered the operating zone.

On the controlled hunting side, each property will be evaluated individually and “no hunting zones” will be established where park boundaries border residential areas to ensure safety and minimize conflict with neighbors. The more people the bigger the no hunting zone. This would be archery only. The Ohio Department of Natural Resources prides itself it is safety measures and will have agents monitoring activities. These agents have the ability to arrest, fine and imprison non-compliant hunters. As far as I can find there have been no fatalities or injuries to the populace in the hundreds of hunts conducted by the Ohio Department of Natural Resources. *WSOH WILDLIFE SERVICES - FREY*

The company that was used for the infrared scan has been in business since 1993. They are also located in St. Louis and Indianapolis. It is one of the few companies that do all the work in house since they have level 2 certified staff. The certification is based on testing done by the American Society for Nondestructive Testing located in Columbus, Ohio. The thermal signatures recorded as deer, were evaluated in video format from multiple angles. Based on the size, shape, location, habit, and thermal characteristics were found consistent with deer. The survey is taken at night so as to eliminate many animals and taken nocturnal animals such as deer. Racoons are much smaller than deer so would have a different image. Turkeys traditionally roost in trees at night. Geese typically roost at night on the water. Coyote and deer don't mix and there are no packs of coyotes in the park. Same with foxes. Infrared surveys are considered the best for deer.

Tree Cutting – first let me say that apparently the park gets no credit for the planting of the 3,000 trees at Collier Preserve nor is it given any credit for purchases green space in different parts of the County. Tree cutting if done so either to facilitate an upcoming project or done for safety such as line of site along roadways of hazards around areas of high activity. It is not taken lightly and wherever possible, the opportunity is taken to plant additional trees or preserve new wooden parcels. We have lost more trees from storms in the last two weeks than the park has cut down in years.

Legitimate government poaching – Does the targeted removal program allow the United States Department of Agriculture to go above and beyond traditional hunting practices. Yes, it does. It is a management tool and therefore not poaching.

White Deer – In 2015 in the case of Risner v. ODNR it was ruled by the Ohio Supreme Court that ODNR was in its rights to fine Risner over \$20,000 and take his hunting license for one year for killing a white deer.

## *HUNTER HARASSMENT IS A CRIME*

*NO PERSON SHALL PURPOSELY PREVENT OR ATTEMPT TO PREVENT ANY PERSON FROM HUNTING, TRAPPING OR FISHING FOR A WILD ANIMAL. A PERSON WHO IS AFFECTED CAN SEEK AN INJUNCTION. NO PERSON SHALL PURPOSELY PREVENT HUNTING BY CREATING NOISE OR LOWA SOUNDS THROUGH THE USE OF IMPLEMENTS THAT ARE INTENDED TO AFFECT THE BEHAVIOR OF THE WILD ANIMALS BEING HUNTED*

the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost,  
Voting Nay: None

Public Comments to the Board: (see sign-in sheet)(Some attendees who signed in declined to speak.)

- Bo Marchionte: shared an example of a trail shoe and explained the difference between shoes. Bo asked if it is right that he can run on the trails without getting his shoes dirty. Bo shared that the deer numbers seem inflated.
- Jeff Barone from Boardman spoke about training in the MetroParks and thanked the Parks for the trail improvements. The trails are open to so many more people as a result of the improvements. Jeff summarized his support for the MetroParks leadership. Jeff's son protects our freedom today and outlines why this process is important for public meetings. Jeff thanked the Board for making the difficult decision.
- Lisa Bond asked about the use of firearms in the MetroParks and guarantee the safety of herself and friends and family. She also questioned the use of crossbows in the MetroParks? Why does this have to take 5-10 years?
- Anita Romeo stated that deer are not nocturnal.
- Betty-Anne Nagy shared that she attended both meetings and agrees that deer management is needed. She identified that she viewed comments on Save the Deer Facebook and disagrees with them. Deer management is necessary for the bio-diversity of the MetroParks.
- Pearl Sinestro shared that she loves the deer in the MetroParks. She stated that she was here to address Mr. Young about the new parking lot near Pinewood Drive. She believed it is unacceptable to connect our parking lot to their drive. She believes it is unsafe and will increase traffic. She stated that the new lot will increase the flooding due to runoff. Placement of a larger bathroom is inappropriate.
- Mary Alice O'Malley stated that it is unclear to her that the study is incorrect and how many deer will be unable to return due to removal. She also referenced the new parking lot on Pinewood Drive and potential challenges with turning left onto SR 224. If the Township will need to address the road will the MetroParks not be involved? Stated that she has never seen an accident in that location and believes that the project is not needed.
- Margaret Cucun (illegible spelling) stated that she lives in the Old Furnace Neighborhood and has not seen the amount of deer noted on the Infrared Aerial Survey. She questioned why the deer were not photographed during the day. She questioned her safety during a targeted removal program.
- Robert Craciun Sr. questioned the number that was noted in the survey and does not believe those numbers of deer exist. He stated that the forest is a mess and the MetroParks needs to manage the forest. He believes that the Park is unsafe due to the condition of the forest and that the forest needs to be managed. He also requested wheelchair accessible swings to the play areas. Deer will take care of themselves.
- Richard Oestheimer read the following prepared statement:

Honorable Board Members,

I attended the March Board Meeting and the presentation made by Park Wildlife Manager Mr. Nick Derico who possesses a BS in Wildlife and Fish Sciences, has previously worked for the ODNR & gave a thorough, fact-based presentation. I was surprised after having my 3 minutes address to the Board to find that so many others in attendance were also experts in the field of Wildlife Management, even more so than Mr. Derico, based solely on their length of residency near the park and taxes paid.

I HAVE LIVED IN THE CITY next to MCP FOR 18 YEARS. I PAY TAXES. This does not make me a wildlife expert. Living next to the Park for decades does not make any of us experts in wildlife biology either. Wildlife DOES NOT BELONG to us, no matter how attached you become to them. They are WILD animals belonging to God and the state of Ohio. They're not your pets.

The Board & Mr. Derico were accused of conspiring to slaughter every deer in the Park, which was NOT what was proposed. Then again, this conspiracy theory came from people who take night walks through the Park looking for Bigfoot.

We love animals, otherwise we would not be here. I love animals also. My heart breaks when I see as much as a raccoon, squirrel, or even a possum dead on the road. The poor creatures don't understand the danger posed by our fast-moving vehicles. I started feeding the songbirds (& consequently many a squirrel) the day I moved in so I can understand how culling some of the does would cause some emotional distress. I get upset when my neighbor's feral cats hunt the birds & squirrels I feed.

I'm not surprised that the expedition of 13 people didn't see any deer. Unless you bathed in baking soda, wore no deodorants, perfumes, colognes, etc, and were as stealthy as a Marine sniper, the deer heard and smelled you long before you got to them and left.

Nature is NOT some benevolent, merciful, kind entity. Nature is survival of the fittest, condemning wildlife to a slow, agonizing death by starvation and disease, and I don't want to see that happen to any animals. A cull hunt would remove only a select number of does, EXCLUDING any albino or other unusually colored deer. The herd is increasing exponentially & will continue to do so as there are no large predators in the park to balance the herd. The deer & other animals will starve to death or, heaven forbid, over-stressed deer are susceptible to EHD or CWD; then there will be NO deer. I urge the Board to vote in favor of allowing strictly controlled hunting to balance the deer herd.

*Please do the RIGHT thing and not let the people over*

- Carol Wilson stated that she really likes birds. She moved back to the Old Furnace neighborhood and sees lot of deer and turkey. She commented that several of her favorite birds are not here due to a lack of nesting habitat. She noted that people may be overpopulated.
- Edward Norman stated that he attended the March 13, 2023 meeting and referenced the presentation by Nick Derico. He referenced that many live near the Park and it does not make him a wildlife expert. Wildlife does not belong to people. He supports the management of the deer population within the MetroParks.
- Linda King stated that she has lived here for over 20 years and routinely sees lots of deer. Nature takes care of itself and does not cause any problem. She disagrees that we should cull the deer. She hears kids in the woods at night and fears for their safety if a deer hunt is conducted.
- Terry King asked the Board to review their mission statement.
- Kelly Burcsak asked about the deer survey timeline and referenced that since the Norfolk Southern Train trail derailment may have solved the solution of deer population for us.
- Lana Van Auken shared that she walks the Park everyday and the Parks removal of trees is what is taking the habitat away from the deer. She would like the deer to be relocated to her property. She referenced that the humane society has more options that what was presented. She noted

that the habitat destruction is the reason for the deer habitat problem. People have no right to kill the deer. She noted the MetroParks killed too many geese.

- Terry Esarco was appalled by the topic of deer management and is supportive of the group.
- Catherine Bosley questioned the number of deer outlined in the MetroParks. She questioned the financial investment associated with the remedy. She stated that there needs to be an option that is non-lethal. She asked if they could be permitted to do another survey? She asked for more time to do their own survey prior to the beginning of the management plan. She asked if the MetroParks received the letter from their attorney.
- Holly Stevens attended an ODN White-tailed deer seminar that it doesn't help resulting in more fertile female. She expressed concern about kids being in the park at night during the proposed cull. She stated that 1 in 4 deer that are shot are not recovered. She expressed concerns that safety is an issue. She thanked the Board for their service but would like further discussion on the issue.
- Mickey Drabison stated what the definition of a white deer and asked that the MetroParks keep from stating that the white deer are sick and are infecting the other deer. He asked to see the photographs of all of the deer. He also asked where all of the eagles are. He claims that a member in the audience state that he would poach a deer.
- Mark Kirby identified that the MetroParks could gain better credibility if they organized a group to go see all of the deer. He requested that the MetroParks table the issue until more refutable evidence is provided.
- Fred Merco asked how the MetroParks arrived at the deer number? What is going to be done with the deer that are harvested? What ever happened to nature taking care of itself? Are the attendees aware of the number of fracking wells in the Parks? Habitats have been ruined so there is no natural predator. Mankind needs to steer away from fracking and stop negatively affecting wildlife. Stated that he has not heard a reasonable response to his questions.
- Kathy Main referenced the mission of the MetroParks and not a reference to wildlife. She thanked Mickey for speaking and asked God to bless all in attendance. She requested that the Board listen to the people as they will remember what was done at levy time. She believes that the management of the deer is wrong.
- Peggy Lucyk has lived on West Side adjacent to Mill Creek Park. She only saw one deer in her yard the whole time she has lived there. She believed the coyotes will take over if the deer are gone and pose a risk to small dogs. She believes the plan is ridiculous. She stated she did see an eagle. She asked that all the downed trees be removed.
- Candace LaRocca stated that in June of 2014 the MetroParks allowed 238 geese to be gassed and that is the reason that she does not believe the MetroParks. She referenced prior commitments by former Executive Director Miller and associated Board Members. She no longer talks with Jeff Harvey because he could not answer her questions. Deer are not nocturnal. Deer are also migratory and they take care of themselves.
- Melinda Rulli. States that she saw an abuse of power at this meeting. She stated they have civil rights. She referenced that Boardman Township is in on this in order for this to be done in the MetroParks. Humans have a right to love the deer. She asked how the insurance would be done to pay for an accident. She stated that the MetroParks has too much money to throw around. She recommended to boycott the Park if they do not get what they want. She urged attendees to stand up and use their civil rights.
- Bill Neff lives on Zander Drive in Boardman Township and saw a herd of 12 deer cross the street. He asked how many square miles are in the MetroParks. He is not opposed to a canned hunt if it is needed. He believes there are other ways to count deer. He believes that deer are nocturnal. He believes the deer that crossed the road do not live in Mill Creek Park. He wished people in attendance would have been more respectful to those who came to speak.
- Yvonne Laret asked for an opportunity for a second deer count. Her mother loved the deer and she would lose the connection to her mother. They would like another count. The deer were here before us and are creatures of God.
- Eve Christoph lives in Canfield, Ohio and is amazed and ashamed how irresponsible the Board has been in paying for one deer count survey. A woman here hired an attorney and she would like to be involved. She wants to enjoy retirement and have responsible people in the Board

positions and show concern for potential accidents associated with the deer hunts. She would like to YSU get involved.

Commissioners Comments:

- Tom Frost began the comments section attempting to answer questions by those that were asked by people during public comment. Nick attempted to answer questions posed by Tom regarding albinism as well as the deer per square mile number. Why do we not have pictures of the deer and why did we do infrared aerial photography? Nick shared that it was the most accurate method of counting deer using video format. Downed trees in the forests are left for what reason? Forest succession happens in nature just like that and we should be seeing more succession than we are.
- Germaine asked Nick about the safety associated with the hunting and targeted removals proposed within the MetroParks. Nick further outlined the planning behind what properties will be controlled hunting and what properties will have targeted removals. Nick stated that the company we will be working with has a flawless safety record. No hunting zones were established around property borders. Nick also shared that all deer harvested will be provided to local food banks. What is the responsibility of the hunter? The hunter will need to solicit a property owner to go on their property. Controlled hunting areas do include no hunting zones.
- Lee identified that none of the Board Members or Executive Director were here when the goose kill was conducted. Current efforts of both ODNR & Ohio Audubon both count the geese. Lee shared that the MetroParks will not be closed for 5 months. Archery permits will be one week in length from a time September to February. Properties will not be closed in archery season. Properties will be closed during firearms hunting at remote facilities. USDA sharp shooters will be used within Mill Creek Park. Nick talked briefly about how many deer can be harvested during this program.

The next meeting is scheduled for Monday, May 8, 2023, at 6:00 p.m., in McMahon Hall at the MetroParks Farm.

There being no further business, the meeting adjourned at approximately 8:27 p.m.

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Presiding Officer

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Secretary