

Canfield, Ohio
March 11, 2013

The Board of Park Commissioners of Mill Creek MetroParks met in Regular Session on Monday, March 11, 2013, at 6:00 p.m. with members Bob Durick, Jay Macejko, John Ragan, and Louis Schiavoni present. Ms. Marrow was excused due to a prior commitment.

Rikki Brammer, Community Events, presented the following requests:

â€¢ YMCA Memorial 6 Mile Race Fundraiser, on Saturday, May 25, 2013, on roads around the Lake Glacier Area.

â€¢ Fitness Together & Mill Creek MetroParks 5k Run/Walk Fundraiser, on Saturday, May 4, 2013, in the Wick Recreation Area.

Mr. Macejko motioned that the request from the YMCA be approved. The motion was seconded by Mr. Ragan and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

Dr. Durick motioned that the request from the Fitness Together be approved. The motion was seconded by Mr. Macejko and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

Dennis Miller gave a presentation regarding the new Action Plan Summary.

Dennis also gave a preview of a website being put together for us by the News Outlet at YSU.

Dennis Miller, Executive Director, introduced the new Community Engagement Director, Samantha Villella, and she gave some background information on herself.

Mr. Schiavoni presented the Minutes of the Meeting of February 11, 2013, and asked that they be approved. Mr. Macejko motioned they be approved. The motion was seconded by Mr. Ragan and passed, and the vote taken resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

Kevin Smith, Administrative Services Director/Treasurer presented the Treasurer's Report. Dr. Durick moved, the funds having been certified as on hand and duly appropriated, that disbursements #60185 through #60353 be approved. The motion was seconded by Mr. Ragan and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

Kevin request approval to open a Star Plus Fund account because we can get better interest rates on our investments. Mr. Macejko moved that the request be approved. The motion was seconded by Dr. Durick and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

Kevin Smith spoke regarding the 3-year labor agreement contract with AFSCME, and asked for approval of the contract. Mr. Ragan motioned to accept the agreement Mr. Macejko seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni

Voting Nay: None

Steve Avery, Planning & Natural Resources Director, presented the following resolution for approval.

R-13-03

ODOT-PARK DISTRICT ROAD IMPROVEMENT FUND, 2014-2015 BIENNIUM

WHEREAS, the Director of the Ohio Department of Transportation (ODOT), in accordance with ORC 5511.06, has approved a discretionary funding allocation for the ODOT-Park District Road Improvement Fund for the 2014-2015 biennium, and

WHEREAS, under specific agreement with ODOT, the Ohio Parks and Recreation Association (OPRA) is serving as the management liaison for the ODOT-Park District Road Improvement Fund, and

WHEREAS, the Mill Creek Metropolitan Park District (MCMPD) is eligible to receive the funds based on the following criteria: MCMPD was created according to Ohio Revised Code Section 1545; MCMPD owns (or holds a minimum 15-year lease) and manages property in Mahoning County; and MCMPD has adequate, available resources for the construction and maintenance of the requested improvement project, and

WHEREAS, a funding distribution formula approved by the Director of ODOT, which is based upon motor vehicle registrations within each county on a State biennium basis, will determine the actual amount allocated to the MCMPD for the 2014-2015 biennium, and

WHEREAS, MCMPD understands the requirements for receiving such funds and agrees to comply with the OPRA policy dated April 13, 2007, and as amended on November 7, 2008, and

WHEREAS, MCMPD has various park drives, roads, bridges and parking lots that need to be improved.

THEREFORE BE IT RESOLVED, by the Board of Park Commissioners of the Mill Creek Metropolitan Park District that:

1. MCMPD hereby requests approval from OPRA to receive the amount allocated by ODOT plus any carry over amounts from the previous biennium, and
2. MCMPD agrees to pay all project costs in excess of the amount allocated by ODOT, and
3. MCMPD agrees to pay for all costs associated with design, engineering, environmental documentation and right-of-way activities, and
4. The allocated funds will be used for construction, reconstruction, improvement, repair and maintenance of park district drives, roads, bridges or parking lots in accordance with ORC 5511.06, and
5. The proposed project will be initiated during the 2014-2015 biennium period.

After discussion, Mr. Macejko motioned that the resolution be approved. The motion was seconded by Mr. Ragan and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

Kevin Smith presented the 2013 Employee Handbook for approval, with the following updates and/or changes:

2013 Employee Handbook Update:

Summary of the changes:

â€¢ Revised date of March 2013. Last revision was 4 years ago.

â€¢ Updated three Commissioners to five, and added the correct names.

â€¢ Updated Executive Director name.

â€¢ Added new MetroParks properties, description.

â€¢ Added note about Par 3 renovations.

â€¢ Updated Organizational Chart inserted.

â€¢ Part-time Employees are designated so at time of hire. They are scheduled for less than a forty twenty-nine-hour normal work week on an annual basis and are employed as "at will" employees.

â€¢ Salaried Employees - Exempt salaried employees are not paid for overtime work and do not accumulate compensatory time. However, they are permitted time off with pay with the approval of their Supervisor by submitting a written request to their department director and final approval by the Executive Director if they have worked an excessive amount over their normal work requirements as determined by departmental requirements. Note â€” this was approved at a recent Board meeting.

â€¢ Updated this paragraph to be more flexible, non-specific, and to refer to the OPERS website for the latest information:

o Each pay, 9.5% a percentage of your gross earnings is contributed to the retirement fund, with a contribution made by Mill Creek MetroParks also. (10.1% for full-time Police Officers). In addition, the MetroParks contributes an amount equal to 13.85% of your earnings (17.17% for full-time Police Officers). These contributions, plus interest from investments, provide a fund from which employees receive monthly checks after retirement. An employee may retire at age 60 if he/she has at least five (5) years of credit with the system, or on a reduced basis with 25 years at age 55. With thirty (30) years of service credit, a person may retire at any age without any reduction in benefits. Employees working as full-time Police Officers are covered by a different O.P.E.R.S. plan which allows for retirement at age 48 with 25 years of service. Please refer to the O.P.E.R.S. website for more information at www.opers.org.

â€¢ These two sections were updated to allow all employees to join the Credit Union, the Mill Creek Park Employeeâ€™s Association, and to get direct deposit of their paychecks. In the past these items were only available to full or part-time staff.

o All full-time regular employees are eligible to join the Youngstown Ohio City Employees Federal Credit Union. The credit union offers many services to our employees, such as savings and checking accounts, signature loans, auto loans, I.R.A.'s, and more. All payments or savings can be arranged to be made through payroll deduction.

o All those employees wishing to join the M.C.P.E.A. can elect to have their dues paid through a payroll deduction. (Full-time regular employees).

o All full-time regular and part-time regular employees are eligible to participate in voluntary direct payroll deposits. You may have up to two deposits to two different financial institutions. These may be either to checking or savings accounts and can be set as specific amount or as percentages of your net pay. You do not need to deposit your entire check amount. For further information, contact the Administrative Office.

â€¢ This section was updated to reflect the reality of who is getting uniforms.

o Employees are expected to present a neat appearance while at work. Uniforms are issued to Fellows Riverside Gardens Rangers, Interpretive Services, and employees of the Police Department. Other departments are issued specialized clothing as needed.

â€¢ Solicitations for the MetroParksâ€™ traditional involvement in the United Way, holiday donations to the Rescue Mission or other approved charities and collections for employee retirements are exempt from this rule.

â€¢ The only changes that needed reviewed by legal counsel were on the FLSA Status pages below. Their change required that we exclude any seasonal wording. The rest of

the changes on this section are shuffling staff around to their correct departments and titles.

MILL CREEK METROPARKS
FAIR LABOR STANDARDS ACT POLICY AND CLASSIFICATIONS

Effective April 15, 1986, all state and local government employees became covered by the Fair Labor Standards Act. This Act sets minimum wage and overtime pay requirements for employees covered by the Act and who are not exempt from specific provisions.

All full-time hourly employees are completely covered by the Act, as well as certain full-time salaried employees and certain seasonal and part-time employees. In addition, police officers are granted a partial overtime exemption under Section 207(k) of the Act. All Executive, Administrative and Professional employees, along with certain seasonal recreational employees are exempted from the overtime and minimum wage requirements of the Act.

The following employee classifications are considered exempt from the FLSA requirements regarding minimum wages and overtime payments with either an Executive, Professional, Administrative or Seasonal Exemption.

EXECUTIVE	EXEMPT CLASS
Executive Director	Executive
Special Projects Director	Executive
Community Engagement Director	Executive
Development & Marketing Director	Administrative
Treasurer	Executive
Special Projects Director	Administrative

POLICE	
Chief of Park Police	Executive
Assistant Chief of Park Police	Executive
Police Lieutenant	Executive

ADMINISTRATION	
Administrative Services Director	Executive
Assistant Administrative Services Director	Executive
Administrative Coordinator	Executive
Office Manager	Administrative
Graphics Manager	Professional
Staff Accountant	Administrative

PLANNING & OPERATIONS NATURAL RESOURCES	
Planning & Operations Natural Resources Director	Professional
Engineer	Professional
Planning Manager	Professional
Natural Resources Manager	Professional
Project Manager	Professional
Maintenance Manager	Administrative
Crew Supervisor	Administrative
Administrative Assistant for Maintenance	Administrative
Shop Supervisor	Administrative

OPERATIONS DEPARTMENT	
Maintenance Manager	Administrative
Crew Supervisor	Administrative
Administrative Assistant for Maintenance	Administrative
Shop Supervisor	Administrative
Regional Facilities Manager	Administrative
Facilities Manager	Administrative
Forestry Supervisor	Administrative
Wick Area Manager	Administrative
Assistant Wick Area Manager	Administrative
Park Manager I	Administrative

GOLF

Golf General Manager Director Executive
 Golf Course Superintendent Executive
 Assistant Golf Course Superintendent Administrative
 Golf Course Maintenance Coordinator Administrative
 Pro/Manager Professional
 Wick Area Manager Administrative
 Assistant Wick Area Manager Administrative
 Pro Shop Manager Administrative

RECREATION & EDUCATION COMMUNITY ENGAGEMENT

Marketing & Development Director Executive
 Recreation and Education Manager Executive
 Marketing Assistant Executive
 Graphics Manager Professional
 Recreation & Programs Director Executive
 Special Events & Programs Manager Executive
 Outdoor Education Manager Executive
 Program Coordinator Administrative
 Community Events Administrative
 Recreation Facilities Manager Administrative
 Agriculture Facilities Education Manager Administrative
 Farm Supervisor Administrative
 Park Manager I Administrative
 Agricultural Educator Administrative
 Nature Educator Administrative

HORTICULTURE

Horticulture Director Executive
 Assistant Horticulture Director Executive
 Horticulture Educator Manager Professional
 Horticulture Educator Professional
 Visitor Services Manager Executive
 Crew Supervisors Administrative
 Graphics & Development Specialist Professional
 Volunteer Coordinator Administrative
 Gift Shop Manager Administrative
 Exhibits & Special Events Administrative

PART-TIME

Engineer Professional
 Pro/Manager Professional

SEASONAL EMPLOYEES

Wick Recreation Area Seasonal
 Lanterman's Mill Seasonal
 Lake Glacier Boating Seasonal
 Lake Newport Boating Seasonal
 Lesson Programs Seasonal
 Open Pavilions Seasonal
 Farm Operations Seasonal

All police personnel, except for the Chief, Assistant Chief, Captain and Lieutenant retain a partial exemption under Section 207(k) of the Act. Overtime pay is not required until more than 86 hours are worked in the designated 14-day work period unless a different requirement is contained in a collective bargaining agreement. Police supervisors, other than the Chief, Assistant Chief, Captain and Lieutenant will receive compensatory time-off at the rate of one and one-half times for each hour they work over 86 hours in the designated 14 day work period. Such compensatory time-off may not accumulate to more than 60 hours at any one time and may not be accumulated from calendar year to calendar year; that is, compensatory time accumulated in one calendar year may not be carried over into the following calendar year. Unused compensatory time shall be liquidated in cash on the last payday in the calendar year at the pay-rate in effect at time of liquidation. Compensatory time off shall be

scheduled in the same manner as vacation time off.

After 60 hours of compensatory time are accrued, overtime will be paid at the rate of time and one-half a calculated hourly rate. Overtime pay for part-time police officers will be paid at the rate of one and one-half times their regular hourly rate for hours worked over eight (8) in one day or forty (40) in one week.

Police Sergeants will be paid eight (8) hours at time and one-half a calculated hourly rate for each MetroParks paid holiday that falls on their scheduled day off provided they have worked five full days in the work week in which the holiday occurs. If they do not work five other days in that work-week, then they will be paid for the holiday at their regular rate of pay. If required to work on the holiday, they will receive eight (8) hours at their regular rate of pay for the holiday plus time and one-half a calculated hourly rate for each hour they work on the holiday.

There are several salaried employees who are not exempt from the Act. These include:

Office Clerk/Receptionist
Secretary I
Secretary II
Bookkeeper
Payroll Officer
Police Office Coordinator
Police Dispatch Training Supervisor

These employees will receive overtime compensation for all hours worked over eight (8) hours in one day or forty (40) hours in one week in the same manner as police supervisors.

All other hourly employees not listed above; full-time regular, part-time, seasonal or interns are not exempt from the Act and will be paid as per the labor agreement in effect if they are in the bargaining unit or at the rate of one and one-half times their regular hourly rate for all hours worked over eight (8) in one day or over forty (40) in one week.

All exempt employees, other than seasonal, may be given time off at the discretion of their supervisor to compensate for excess time worked.

WORK PERIOD FOR LAW ENFORCEMENT PERSONNEL

Pursuant to Section 207(k) of the Fair Labor Standards Act and 29 C.F.R., Part 553, work periods for all police officers will be 14 days in length coinciding with the MetroParks's present pay period and starting at 6AM on Monday, July 7, 1986.

After discussion, Dr. Durick motioned that the Handbook be approved. The motion was seconded by Mr. Ragan and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

The Board received the following public comments

â€¢ Nancy Brundage â€” the News Outlet interviewed her for bird walks
â€¢ Lou Schiavoni â€” mentioned that over the weekend he saw a lot of people in the Park
â€¢ Jeff Harvey â€” eagles again spotted at the Wildlife Sanctuary; St. Patrick's Day parade

At the end of the public comment session, the Board thanked the public for their comments.

Mr. Schiavoni announced that there is a Special Board Meeting Work Session scheduled for Saturday, March 16, at 9:00 a.m. at Pioneer Pavilion to discuss the 2013

Budget.

Mr. Schiavoni announced that the next Regular Board Meeting has been scheduled for Monday, April 8, at 6:00 p.m. at the MetroParks Farm.

Mr. Ragan moved the Board meet in Executive Session to discuss personnel issues. The motion was seconded by Mr. Macejko and the vote taken resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

The motion was passed, and the Board met in Executive Session at 6:37 p.m.

The Board returned from the Executive Session at 7:52 p.m.

There being no further business, Dr. Durick moved to adjourn the meeting. Mr. Macejko seconded the motion, and the vote taken resulted as follows:

Voting Aye: Durick, Macejko, Ragan, Schiavoni
Voting Nay: None

The meeting adjourned at 7:53 p.m.