

Canfield, Ohio
July 12, 2010

The Board of Park Commissioners of Mill Creek MetroParks met in Regular Session on Monday, July 12, 2010, 6:00 p.m., with members Jay Macejko, John Ragan, Bob Durick, M. Virginia Dailey, and Dan DeSalvo, present.

Mr. Macejko welcomed Tony Fire, President of Council for the City of Struthers to the meeting.

Dr. Durick moved the Minutes of the Meeting of June 7, 2010, be approved. The motion was seconded by Mr. Ragan and passed.

Voting Aye: Macejko, Ragan, Durick, Dailey, DeSalvo
Voting Nay: None

Mr. Ragan moved the Minutes of the Meeting of June 29, 2010, be approved. The motion was seconded by Ms. Dailey and passed.

Voting Aye: Macejko, Ragan, Durick, Dailey, DeSalvo
Voting Nay: None

Dave Christy presented the Treasurer's Report. Ms. Dailey moved, the funds having been certified as on hand and duly appropriated, that disbursements # 50630 through # 51040 be approved.

The motion was seconded by Dr. Durick and the vote taken resulted as follows:

Voting Aye: Macejko, Ragan, Durick, Dailey, DeSalvo
Voting Nay: None

Mr. Macejko discussed forming a Records Retention Committee & this item was pulled from the agenda, as Dave Christy has given the Board members a packet of information to review. This will go onto the August agenda for discussion.

Steve Avery, Planning & Operations Director presented the attached bids for Construction of Cart Paths & Mill Creek Park Golf Course, having been received in response to legal advertisement.

TABULATION OF BIDS

PROJECT NAME: CONSTRUCTION OF CART PATHS &
MILL CREEK PARK GOLF COURSE
BID OPENING: July 2, 2010 CONTRACT TERM: 35 Calendar Days
ESTIMATE: \$124,554.00 10% BID CAP: \$137,009.40

Name of Bidder
Total Amount
of Bid as Read
at Bid Opening

Total Amount
of Bid After
Tabulation

Barbicas Construction Company, Inc. (Akron, OH)
\$128,625.00

\$128,625.00

Butch & McCree Paving, Inc. (Hillsville, PA)
\$123,239.00

\$123,239.00

Less Contracting, Inc. (Salem, OH)
\$138,062.00

\$138,062.00

Trumbull Contracting Corp. (Cortland, OH)
\$131,291.00

\$131,291.00

NOTES:

1. Four (4) bids were received, checked and tabulated. No mathematical errors were found in any of the four bids.
2. The total amount for one (1) bid, Less Contracting, Inc. exceeded the 10% bid cap.
3. The apparent low bidder at bid opening and after tabulation is Butch & McCree Paving, Inc.
4. The bid bond submitted by Butch & McCree Paving with their bid slightly exceeded 10% of their total amount bid, rather than 100% of the amount bid as per the contract documents. Butch & McCree Paving, Inc. was notified of this issue and a bid bond in the amount of 100% of their total amount bid was submitted.
5. Butch & McCree Paving's bid included all of the required documentation specified in the contract documents.
6. Butch & McCree Paving is experienced in the type of work required on the project and will complete the majority of the work specified in the plans (one subcontractor listed). Although not specifically required on this project, Butch & McCree Paving is prequalified with ODOT in 13 separate work types. Butch & McCree Paving has successfully completed numerous MetroParks improvement projects over the years, including several cart path construction projects.

RECOMMENDATION:

1. It is recommended that Butch & McCree Paving, Inc. be awarded the contract for the project named "CONSTRUCTION OF CART PATHS @ MILL CREEK PARK GOLF COURSE."

After discussion, Mr. Ragan moved the bid of Butch & McCree Paving, Inc. be accepted. The motion was seconded by Mr. Macejko and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Macejko, Ragan, Durick, Dailey, DeSalvo
Voting Nay: None

Steve Avery presented the attached bids for Resurfacing of West Golf Drive @ Mill Creek Park, having been received in response to legal advertisement.

TABULATION OF BIDS

PROJECT NAME: RESURFACING OF WEST GOLF DRIVE @ MILL CREEK PARK
BID OPENING: July 2, 2010 CONTRACT TERM: 21 Calendar Days
ESTIMATE: \$137,597.00 10% BID CAP: \$151,356.70

Name of Bidder
Total Amount
of Bid as Read
at Bid Opening

Total Amount
of Bid After
Tabulation

Barbicas Construction Company, Inc. (Akron, OH)
\$153,262.25

\$153,262.25

Butch & McCree Paving, Inc. (Hillsville, PA)
\$149,583.15

\$149,583.15

Diorio Paving, Inc. (Girard, OH)
\$140,180.87

\$140,180.87

NOTES:

- 7. Three (3) bids were received, checked and tabulated. No mathematical errors were found in any of the three bids.
- 8. The total amount for one (1) bid, Barbicas Construction Company, Inc., exceeded the 10% bid cap.
- 9. The apparent low bidder at bid opening and after tabulation is Diorio Paving, Inc.
- 10. Diorio Paving's bid did not include documentation of current enrollment in a Drug-Free Workplace Program, as specified in the contract documents. Diorio Paving was notified of this issue and proper documentation was promptly submitted. Diorio Paving's bid included all of the other required documentation specified in the contract documents.
- 11. Diorio Paving is experienced in the type of work required on the project and will complete the majority of the work specified in the plans (one subcontractor listed). ODOT prequalification is required on this project, and Diorio Paving is prequalified with ODOT in 15 separate work types. Diorio Paving has successfully completed numerous MetroParks improvement projects over the years, including resurfacing of Calvary Run Drive in 2009 and resurfacing of West Glacier Drive in 2007.

RECOMMENDATION:

- 2. It is recommended that the non-submittal of the Drug-Free Workplace Program documentation with Diorio's initial bid be waived as a technicality as per Section 2, item 11 of the contract documents and that Diorio Paving, Inc. be awarded the contract for the project named "RESURFACING OF WEST GOLF DRIVE @ MILL CREEK PARK."

After discussion, Ms. Dailey moved the bid of Diorio Paving, Inc. be accepted. The motion was seconded by Mr. DeSalvo and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Macejko, Ragan, Durick, Dailey, DeSalvo
 Voting Nay: None

Steve Avery presented the following resolution for Old Furnace Road Street Dedication/Replat for approval. After discussion, Mr. Ragan motioned that the resolution be approved.

R-10-06
OLD FURNACE ROAD -- STREET DEDICATION/REPLAT

WHEREAS, the entire length of Old Furnace Road is operated and maintained by the City of Youngstown as a city street, and

WHEREAS, the segment of Old Furnace Road which runs through Mill Creek Park, from the intersection of West Drive to the intersection of Robinson Hill Drive, was never officially platted as a city street, and

WHEREAS, Mill Creek MetroParks owns the land abutting the existing roadway for this segment of Old Furnace Road, and

WHEREAS, the City of Youngstown will be widening, reconstructing and improving a portion of Old Furnace

Road, specifically from the intersection of West Drive to the Old Furnace Road bridge over Mill Creek, and

WHEREAS, the City of Youngstown has requested that the Mill Creek MetroParks, the City of Youngstown and the Mahoning County Commissioners be a party in signing a new right-of-way dedication plat for the segment of Old Furnace Road that was never officially platted, and

WHEREAS, the City of Youngstown will incur all costs for the improvement project and the right-of-way street dedication plat.

THEREFORE BE IT RESOLVED, the Board of Park Commissioners of the Mill Creek Metropolitan Park District agree as follows:

1. The land on and directly adjacent to the existing roadway of Old Furnace Road will be made available to the City of Youngstown for a new dedication plat for street right-of-way purposes, and
2. The Executive Director is hereby directed to cooperate with the City of Youngstown's improvement project and the new right-of-way dedication plat for a portion of Old Furnace Road, and
3. The Executive Director of the MCMPD is hereby authorized and directed to sign and execute the new right-of-way dedication plat for Old Furnace Road with the City of Youngstown.

The motion was seconded by Dr. Durick and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Ragan, Durick, Dailey, DeSalvo
 Voting Nay: None
 Abstain: Macejko

Dennis Miller, Golf Director, presented the updated Golf Course Policies to include the consumption of alcoholic beverages. After discussion Dr. Durick moved the Policies be accepted.

MILL CREEK METROPOLITAN PARK DISTRICT
GOLF COURSE POLICIES

1. COUPON BOOKS
2. DAILY OPERATIONS
3. DRESS CODE
4. GROUP RESERVATIONS, OUTINGS, TOURNAMENTS
5. HIGH SCHOOL GOLF
6. JUNIOR/SENIOR REGULATIONS
7. LEAGUES
8. PUBLIC RELATIONS
9. RAIN CHECKS
10. RECIPROCAL PRIVILEGES
11. REGULATIONS

12. RESERVATIONS
13. SEASONAL AND DAILY LOCKER RENTAL
14. TRESPASSING
15. GOLF CAR RENTAL POLICY
16. MARKETING AND PROMOTION
17. ALCOHOLIC BEVERAGES

The policies enumerated here supersede any and all policies of a similar nature previously adopted.

Adopted 12-30-92
Revised 7-13-94
Revised 4-17-96
Revised 8-10-98
Revised 2/8/99
Revised 2/14/00
Revised 7/8/10

1. COUPON BOOKS

Coupon books will be offered for sale that contain ten, nine hole tickets for the price of nine at the rate then in effect. These books will be sold until August 31 of each year and can be redeemed only during the year they are designated for. The coupons are subject to the same rules, regulations and restrictions as normal greens fees.

2. DAILY OPERATIONS

Weekends, Holidays - all available nines used for unrestricted open play.

Weekdays (Except for Holidays) during league season:

Mornings - one nine for leagues, one nine Jr./Sr. tickets (except on Thursdays), two nines for unrestricted open play.

Afternoons - two nines for leagues, two nines for unrestricted open play (except on Tuesdays when three nines are for league play).

Exceptions to the above schedule will occur during the season due to weather related problems, traffic and required maintenance as determined by the Golf Course Superintendent and Pro-Manager.

3. DRESS CODE

All golfers, caddies and guests must wear suitable shirts/blouses, pants, shorts, skirts and shoes at all times.

4. GROUP RESERVATIONS, OUTINGS, TOURNAMENTS

Any group wanting to use the Golf Course for a golf related special event, group reservation, outing or

tournament on a non-regular basis must make a request to the Pro Manager or the Golf Director within a reasonable time period in advance. Because of the volume of play, requests involving weekends or holidays on or before Labor Day will be discouraged.

Upon approval by the Golf Director or Pro-Manager, the Golf Department staff then will proceed with necessary preparations for the event. Depending upon the nature of the event, payment in advance may be required. Tournament prizes are required to be purchased from the Mill Creek Golf Course Pro Shop.

5. HIGH SCHOOL GOLF

BOARDMAN, CARDINAL MOONEY AND CANFIELD HIGH SCHOOLS ARE PERMITTED TO USE MILL CREEK PARK GOLF COURSE FOR THEIR HIGH SCHOOL GOLF PROGRAM. BOARDMAN BOYS AND GIRLS TEAM WILL USE THE FIRST NINE AS THEIR HOME COURSE, CARDINAL MOONEY BOYS AND GIRLS TEAM WILL USE THE THIRD NINE AS THEIR HOME COURSE, CANFIELD BOYS TEAM WILL USE THE SECOND NINE AS THEIR HOME COURSE.

Junior Fees will be charged for all scheduled practice rounds. Fees are not charged for scheduled matches.

High School golf coaches are to contact the Pro-Manager in writing yearly to request use of our courses with attached match schedules. The Park District Special Events form is to be completed by the Pro-Manager and forwarded to the Park District office for filing.

6. JUNIOR/SENIOR REGULATIONS

Junior preferential rates are extended to junior golfers from age 7 thru 18 years of age. Ages 7 through 11 must be accompanied by an adult. Senior preferential rates are available to anyone who is 60 years of age or older. Golden Buckeye cards or other suitable proof of age is used for verification.

The following restrictions are placed on the use of Junior/Senior rates:

1. On weekdays, the rates are available until 1:00 p.m. After Labor Day the rate is available until 4:00 p.m.
2. The rates are not available on Saturday, Sunday or Holidays until after 4:00 p.m. or, after Labor Day, 2:00 p.m.
3. The Junior/Senior rates are available only on the nine designated. When possible however, with the Pro-Manager's permission, the Junior/Senior rates may be permitted on the nine designated for leagues after the leagues clear the tee or traffic allows.
4. Junior/Senior play is not restricted to any certain nine until all four nines are open in the spring. Restrictions to a certain nine end when a nine is closed for the season in the fall.

7. LEAGUES

Leagues are scheduled through the Pro-Manager. Once the Pro-Manager schedules a league, he is to complete a Special Events/Activity Request Form for the league and forward it to the Park District for

filing.

Once leagues are established, they have the right of first refusal to retain the day and time of play initially granted to them. Leagues may retain their position on the league schedule by notifying the Pro-Manager of their intention to return by March of the year of the golf season.

Requests for new leagues are received and dated and kept in a file by the Pro-Manager. Requests are handled on a first-come, first-serve basis as space becomes available.

League play will normally begin around May 1 and most leagues will complete play by mid-September.

8. PUBLIC RELATIONS

The Park District purchases a limited amount of coupon books for public relations purposes. These are distributed to Sports Directors of radio stations, television stations and print media in the area. Coupons are also distributed to others dependent upon the needs and interests of the Park District.

9. RAIN CHECKS

Rain checks will be issued if a golfer gets "rained out". Rain checks are issued only if a player has not completed five holes on a nine-hole ticket. Eighteen-hole tickets are adjusted accordingly.

10. RECIPROCAL PRIVILEGES

Members of the Professional Golfers Association of America and the Golf Course Superintendents Association of America will be given complimentary greens fees upon presentation of a valid, current membership card on a non-regular reciprocal basis.

11. REGULATIONS

1. Play on the Golf Course is permitted only after the purchase of a greens fee ticket. Tickets are issued in accordance with the current schedule of fees, as established by the Board of Park Commissioners.

2. The U.S.G.A. rules of golf will govern all play, except as modified by local rules.

3. All players will start at the No. 1 Tees unless instructed otherwise by the Starter.

4. All holes are to be played in consecutive order.

5. When removed from cup, flagpoles must be carefully placed on the turf. Flagpoles are never to be thrown, dropped or stuck in the green.

6. Players will leave the green immediately after holing out.

7. No player will play his ball until those ahead are out of range.
8. A ball coming to rest on the green, other than the one being played, is to be lifted and moved off the green. Placement of the ball cannot be made closer to the green being played.
9. Players looking for a lost ball or playing slowly will allow others to play through.
10. All divots are to be replaced immediately.
11. All ball marks on greens are to be repaired immediately.
12. After playing out of a trap, sand is to be repaired with the rake provided.
13. Only foursomes are permitted on Saturdays, Sundays and holidays, or at any other time when the course is crowded.
14. No more than four players are permitted to play together at any time.
15. Each player must have their own bag and clubs.
16. Dress Regulations are to be observed at all times.
17. The possession or consumption of alcoholic beverages is prohibited.
18. Pets or private vehicles of any type are not permitted on the Course.
19. Players using riding golf cars are subject to the regulations governing their use.
20. Children under 7 years of age are not permitted on the Course. Ages 7 through 11 must be accompanied by an adult.
21. Arrangements for leagues or tournaments are to be made with the Pro-Manager.
22. All players are also subject to the General Rules and Regulations of the Mill Creek Metropolitan Park District.
23. No patrons, other than paid golf course patrons, their caddies and guests with permission, Park personnel, or cross country skiers, when snow conditions permit this activity, are permitted to be on the golf course grounds at any time, for any reason. Anyone in violation will be considered a trespasser and prosecuted as such.

The Pro-Manager is authorized to make supplementary rules or change existing rules when deemed necessary, at any time. Such rules will take precedence over any of the rules listed above but may not contravene policies adopted by the Board or the General Rules and Regulations of the Park District.

These regulations are made to provide the best possible playing conditions for all. Deliberate violations of any of these regulations shall be deemed sufficient cause for the removal of the offender from the Course.

12. RESERVATIONS

Reservations for starting times are taken only for Saturdays, Sundays and Holidays. Reservations are taken by phone or in person beginning on the Wednesday prior to the weekend or holiday. Reservations must be made for a foursome for either nine or eighteen holes. One person can reserve a maximum of three tee times.

13. SEASONAL AND DAILY LOCKER RENTAL

Lockers in both the men's and ladies locker rooms are available for either seasonal or daily rental. Keys for locker security locks are not permitted to leave the Field House. The customer must provide his/her supplementary lock. All lockers must be cleaned out by November 1. The Park District has the right to remove any customer locks after November 1 or at any other time deemed necessary.

14. TRESPASSING

Effective November 26, 1982, no person or persons, other than paid golf course patrons, their caddies or guests with permission, Park District personnel or cross-country skiers when snow conditions permit this activity, are permitted to be on the golf course grounds at any time for any reason. Anyone in violations will be considered a trespasser and prosecuted as such.

15. GOLF CAR RENTAL POLICY

- 1. Golf Cars will be rented to individuals 18 years and older.
- 2. Proof of age or other proof of identification may be requested.
- 3. Only two bags are permitted on the car.
- 4. Rental fees are based on 9 holes or 18 holes only.
- 5. Use the Procedure for Golf Car Rental Agreement when an ADA accommodation is needed.
- 6. Cars are not permitted on greens or tees.
- 7. General Operation Guidelines:

— Always use the vehicle in a responsible manner and maintain the vehicle in safe operating condition.

— Always read and observe all warnings and operation instruction labels affixed to the vehicle.

— Always follow all safety rules established in the area where the vehicle is being operated.

— Always reduce speed to compensate for poor terrain or conditions.

— Always apply service brake to control speed on steep grades.

— Always maintain adequate distance between vehicles.

— Always reduce speed in wet areas.

— Always use extreme caution when approaching sharp or blind turns.

— Always use extreme caution when driving over loose terrain.

— Always use extreme caution in areas where pedestrians are present.

Adopted by Board-April 17, 1996

16. PROMOTION AND MARKETING

The Executive Director, in order to promote greater use of the Mill Creek Golf Course and its facilities, is

authorized to modify golf course policies as the situation dictates. Such modification may not contravene the General Rules and Regulations of the Park District.

17. ALCOHOLIC BEVERAGES

Ohio law prohibits carry-on alcoholic beverages on the golf course. Alcohol consumed must be purchased from the licensed concessionaire.

Coolers and insulated beverage holders are not permitted, with the exception of coolers for medical reasons. The cooler must be inspected in these cases.

Alcohol sales are limited to a safe and reasonable amount. Concessionaires have the right and responsibility to refuse sales of alcohol to anyone at any time.

BOARD OF PARK COMMISSIONERS--MILL CREEK METROPOLITAN PARK DISTRICT

REV. 7/8/10
golf/main/policies

The motion was seconded by Ms. Dailey and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Macejko, Durick, Dailey, DeSalvo
Voting Nay: None
Abstain: Ragan

Tom Bresko, Recreation Director, and Interim Executive Director made the following request:

1. March of Dimes and National Alliance for Mental Illness to hold a Bicycle Ride fundraiser on Saturday, August 22, 2010 on the MetroParks Bikeway

Ms. Dailey motioned that the request be approved. Mr. Ragan seconded the motion and the vote taken resulted as follows:

Voting Aye: Macejko, Ragan, Durick, Dailey, DeSalvo
Voting Nay: None

Mr. Macejko discussed the Alternative Energy plan and would like to for a subcommittee. An energy audit will be done at the Canfield buildings.

The Board received the following public comments:

¥ Nancy Brundage made a statement about the qualifications for the Executive Director candidates; she also had a question regarding the Old Furnace Road project.

¥ Rick Shale had a question regarding the West Golf Drive project, and the Old Furnace Road project.

¥ Ruth Nilsson, Lanterman's Mill Tour Guide, presented a donation of a flag and pole to the MetroParks in memory of her husband, also a MetroParks employee, who passed away recently.

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

Mr. Macejko announced that the next Regular Board Meeting has been scheduled for Monday, August 9,

2010, 6:00 p.m. at the Ford Nature Center on Old Furnace Road, in Youngstown.

Mr. Ragan moved the Board meet in Executive Session for the purpose of discussing personnel matters, Executive Director candidates, and real estate matters. The motion was seconded by Dr. Durick and the vote taken resulted as follows:

Voting Aye: Macejko, Ragan, Durick, Dailey, DeSalvo
Voting Nay: None

The motion was passed, and the Board met in Executive Session at 6:53 p.m.

The Board returned from the Executive Session at 8:21 p.m. Upon completion of the Executive Session, the Board adjourned its meeting.