

**Canfield, Ohio**  
**October 15, 2013**

The Board of Park Commissioners of Mill Creek MetroParks met in Regular Session on Tuesday, October 15, 2013, at 6:10 p.m. with members Bob Durick, Jay Macejko, and Louis Schiavoni present. Valencia Marrow, and John Ragan were excused due to prior commitments.

Mr. Schiavoni presented the Minutes of the Meeting of September 9, 2013, and asked that they be approved. Dr. Durick motioned they be approved. The motion was seconded by Mr. Schiavoni and passed, and the vote taken resulted as follows:

Voting Aye: Durick, Schiavoni  
Voting Nay: None  
Abstain: Macejko (was not present at September 9 meeting)

Kevin Smith, Treasurer presented the Treasurer's Report. Mr. Macejko moved, the funds having been certified as on hand and duly appropriated, that disbursements #62199 through #62554 be approved. The motion was seconded by Dr. Durick the roll being called upon its adoption, the vote resulted as follows:

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

Kevin Smith requested the following Appropriation Increases:

- Request for an appropriation Increase of \$8,929.65, to account # 801-8610-5097, East Cohasset Drive Improvements
- Reimbursement from the MCP Foundation to the MetroParks to increase the following accounts:
  - \$7,000, #701-4363-5097 Lakes & Ponds Glacier (reimburse the MetroParks for Calvary Run Bridge)
  - \$13,000, #100-3523-5097 Mill Creek Wildlife Sanctuary (reimburse the MetroParks for the elevated observation deck)
  - \$9,900, #100-3523-5097 Mill Creek Wildlife Sanctuary (reimburse the MetroParks to remove nuisance willow)
  - \$2,800, #100-0460-5097 Park Promo (reimburse the MetroParks for a hydroponic growing system)
  - \$4,995, #100-0460-5097 Park Promo (reimburse the MetroParks for Janice Small Consulting Service)

Dr. Durick moved that the requests be approved. Mr. Macejko seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

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

Kevin Smith presented the updated Purchasing Procedures.

## **PURCHASING PROCEDURES**

We are audited every two years by the Auditor of the State of Ohio. Your compliance with these purchasing procedures will be examined.

The following procedures should be followed when making purchases:

1. Purchases under \$1,000, price quotations required.
2. Purchases totaling \$1,000, but less than \$25,000, obtain a minimum of two written price quotations.
3. Purchases totaling \$25,000, but less than \$50,000, obtain a minimum of three written price quotations. Price quotations should be solicited through a formal request for proposal from the MetroParks.
4. Purchases totaling \$50,000 and over require that formal, legal bid procedures be carried out in accordance with the Ohio Revised Code.

Ensure that written price quotations are saved in a quotation file for review and auditing.

*Updated October 2013*

After discussion, Mr. Macejko moved to accept the updated Purchasing Procedures. Dr. Durick the motion and the vote taken resulted as follows:

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

Kevin Smith presented the updated Cellular Phone Policy.

### **Mill Creek MetroParks Cellular Services Policy**

Cellular telephones are a valuable resource for staff in the performance of their job by providing immediate accessibility, and the implementation of a Cellular Services Policy provides employees flexibility and freedom to select a cell phone, plan, and features that meet their personal and professional needs. This policy is established as a guide for employees who, by the nature of their work, routinely use mobile communication devices in the performance of their job. Based on job responsibilities, eligible employees may qualify for the use of a Park-provided cell phone. The employee's department director, with approval of the Executive Director, is responsible for determining the eligibility of an employee to receive a MetroParks-provided cell phone, based on job responsibilities. Additional phones can be assigned with approval of the Executive Director.

Mill Creek MetroParks will provide smart phones with data plan to department heads and their assistants to use for MetroParks business (see list below). Beyond this, additional regular, non-data phones can be issued to each department for the director to use at their discretion. If the employee chooses to use their

personal cell phones for business purposes, rather than carry two phones with them each day, that is the employee's choice, no reimbursement will be made, however, the employee will be required to be available for business calls outside of normal working hours as indicated in their job description. *"The xxxxxxxx is required to be available as the situation warrants. Events may require working evenings, weekends, holidays or other times outside of a normal schedule. The normal workweek will exceed 40 hours on a regular basis."*

- Executive Director
- Administrative Services Director/Treasurer
- Community Engagement Director
- Director of Development & Marketing
- Recreation and Education Manager
- Operations Director
- Maintenance Manager
- Chief of Police
- Police Lieutenant
- Horticulture Director
- Assistant Horticulture Director
- Golf Course General Manager
- Golf Course Superintendent
- Planning & Natural Resources Director
- Planning Manager

#### **Use and Policy of MetroParks-provided phones:**

- Employees must keep their cell phones turned on. The employee needs to be immediately accessible to receive and/or make frequent business calls outside of working hours. Employee must be readily accessible due to the specific nature of their duties and must be available for emergency responses or time sensitive consultation after normal office hours.
- The employee is required to account for personal calls on the monthly bill.
- The employee must timely reimburse the MetroParks for the cost of the personal calls, to include a pro rata share of the monthly charge.
- MetroParks-owned cellular phones must be returned to the Administration Office upon termination of employment or duties requiring the use of a cellular phone, or otherwise upon the direction of the Executive Director.
- While at work, employees are expected to exercise the same discretion in using cellular phones as is expected for the use of MetroParks office phones. Personal calls during the work hours can interfere with employee productivity and be distracting to others.
- Employees are not permitted to use MetroParks-provided cell phones or any other feature on their cell phone while operating vehicles, machinery, or equipment.

### **Mill Creek MetroParks Use of Mobile Telephones and Related Devices**

Mill Creek MetroParks is aware that many employees use mobile telephones and wireless communication devices in carrying out their daily duties and responsibilities. Mill Creek MetroParks is also aware of the potential distractions that may arise when mobile phones are used by employees while operating a moving vehicle such as an automobile, van, truck or other moving vehicle. In keeping with its obligations under federal and state occupational health and safety laws, to maintain a safe and healthful workplace, to minimize the safety risk for our employees, customers, and passengers in such moving vehicles, and the public at large, Mill Creek MetroParks has adopted the following policy with respect to the use by employees of mobile phones while operating a moving vehicle. This policy applies regardless of whether the employee is operating a company-owned vehicle or the employee's own vehicle in the course of employment.

**Definitions:**

- For purpose of this policy, “use” of a mobile phone includes talking or listening on a mobile phone.
- “Hands-free” devices, include any attachment, add-on or addition to a mobile phone whether or not permanently installed in the vehicle, that when used allow the operator of the vehicle to maintain both hands on the applicable steering device of the vehicle.

**Policy:**

- Employees are required to familiarize themselves and comply at all times with the laws of the state/locality in which they work with respect to the use of mobile phones. For example, where a local law prohibits the use of a mobile phone by anyone operating a moving vehicle, employees are also prohibited by this policy from using a mobile phone.
- No employee is to engage in the use of a mobile phone while operating a motor vehicle that is in motion, unless such mobile phone is equipped and used with a hands-free device. (The only exception to this policy is where a phone call is made in a bona fide emergency, such as to call “911” or similar emergency number—e.g., to call an ambulance or the fire department.)
- Even with a hands-free device, mobile phone use should be kept to a minimum; conversations should be as brief as possible and, again, even with a hands-free device, mobile phone calls should be made when the vehicle an employee is operating is not in motion.
- Employees using mobile phones should always remember not to discuss confidential issues with others present who do not have a “need to know” such information, and that mobile phone “courtesy” should be practiced at all times (i.e. when others are present, do not talk loud or in a manner that could be offensive to others).
- Reading or sending text messages or email is strictly prohibited at any time while operating a motor vehicle or when operating other powered equipment.

Mill Creek MetroParks is also aware that many employees operate other vehicles in the course of their employment, including golf carts, tractors and the like. While this policy does not expressly prohibit the use of mobile phones while operating such equipment, Mill Creek MetroParks discourages such use, except where essential for the employee to perform his/her job duties.

*/cellular services policy October 2013*

After discussion, Dr. Durick moved to accept the updated Cellular Phone Policy. Mr. Macejko seconded the motion and the vote taken resulted as follows:

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

Kirsten Peetz, Natural Resources Manager, gave a summary of the Observation Deck project at the Wildlife Sanctuary, and gave an overview of the Sanctuary itself.

The Board thanked the Audubon Society/Mahoning Valley, Wild Birds Unlimited, Nancy Brundage, and the Mill Creek Park Foundation for their generous support to help build the observation deck at the Wildlife Sanctuary.

The Board received the following public comments:

- Nancy Brundage – showed photos of the “Big Sit” recent bird count event at the Sanctuary.
- Linda Kostka, Development & Marketing Director, gave an update on the Masquerade at the Mill Event.
- Jeff Harvey, Wild Birds Unlimited, commented on the observation deck at the Sanctuary, the “Big Sit” event, and Cornell Labs Ornithology involvement.

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

Mr. Schiavoni announced that the next Regular Board Meeting has been changed from Tuesday, November 12, to Monday, November 4, at 6:00 p.m. at the MetroParks Farm.

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

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

The meeting adjourned at 6:32 p.m.