

Canfield, Ohio
September 8, 2016

The Regular Meeting of the Board of Park Commissioners of Mill Creek MetroParks was held on Thursday, September 8, 2016, at the MetroParks Farm. President John Ragan welcomed guests and staff.

The meeting opened at 6 p.m. with recitation of The Pledge of Allegiance. Roll Call was as follows: Germaine Bennett, present, Bob Durick, present; Lee Frey, present; John Ragan, present; and Tom Shipka, present.

Lee Frey moved the Board meet in Executive Session to discuss collective bargaining matters, and pending court action. Bob Durick seconded the motion, and the roll being called upon its adoption, the vote resulted as follows:

Germaine Bennett -Aye
Bob Durick – Aye
Lee Frey – Aye
John Ragan - Aye
Tom Shipka - Aye

The motion was passed, and the Board met in Executive Session at 6:02 p.m.

Lee Frey motioned to return to Regular Session. Tom Shipka seconded the motion and the Board returned from Executive Session at 7:30 p.m. The vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Steve Avery, Planning and Operations Director, and the Board, acknowledged Boy Scout Luke Bowser who installed five new wood duck boxes at the Wildlife Sanctuary as part of his Eagle Scout Award.

John Ragan presented a correction for the June 13, 2016, minutes as follows. Lee Frey's term as commissioner ends 12/31/18, and Tom Shipka's term ends 12/31/17. Tom Shipka motioned that the correction be approved. The motion was seconded by Germaine Bennett and passed, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

John Ragan presented the Minutes of the Meeting of August 15, 2016, and asked that they be approved. Germaine Bennett motioned they be approved. The motion was seconded by Bob Durick and passed, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Kevin Smith, Finance Director, presented his report. Lee Frey moved, the funds having been certified as on hand and duly appropriated, that disbursements #71126 - #71451, for a total of \$401,953.12 be approved. The motion was seconded by Germaine Bennett and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Kevin also presented the cash balances as shown below:

INFORMATION ITEMS:

CASH BALANCES
August 2, 2016

<i>Cashier Change</i>	\$7,400.00
<i>Cash-Active Account</i>	\$1,891,384.36
<i>Cash-Payroll Account</i>	\$5,000.00
<i>*Star Plus Investment Acct.</i>	\$1,822,752.84
<i>TOTAL CASH</i>	<i>\$3,726,537.20</i>

**Star Plus has a current net yield of 0.40%.*

Kevin Smith presented Resolution R-16-04 Accepting Amounts and Rates as determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

R-16-04

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR

Revised Code Sections 5705.34-5705.35

The Board of Park Commissioners of Mill Creek Metropolitan Park District, Mahoning County, Ohio, met in Regular Session on the 8th day of September, 2016, at the office of the Executive Director with the following members present:

John Ragan

Lee Frey

Bob Durick

Germaine Bennett

Tom Shipka

Mr. Lee Frey moved the adoption of the following Resolution:

RESOLVED, By the Board of Park Commissioners of Mill Creek Metropolitan Park District, Mahoning County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget or has been granted the authority by the Mahoning County Budget Commission to waive this requirement for the next succeeding fiscal year commencing January 1, 2017; and

WHEREAS, The Budget Commission of Mahoning County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation; therefore, be it

RESOLVED, By the Board of Park Commissioners of Mill Creek Metropolitan Park District, Mahoning County, Ohio, that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

Fund	Amount Approved by Budget Commission Inside 10 Mill Limitation	Amount To Be Derived from Levies Outside 10 Mill Limitation	County Auditor's Estimate of Tax to be Levied Inside 10 Mill Limit	County Auditor's Estimate of Tax to be Levied Outside 10 Mill Limit
General Fund		7,768,594	2.00	
Total	\$ -	\$ 7,768,594	2.00	0.00

And be it further

RESOLVED, That the Secretary of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Tom Shipka seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr. John Ragan - Aye
- Mr. Lee Frey - Aye
- Mr. Bob Durick - Aye
- Mrs. Germaine Bennett - Aye
- Mr. Tom Shipka - Aye

Kevin presented recommendations to the Board regarding the Designation of Depositories required by Ohio Revised Code Section 135. After discussion, Lee Frey moved the following:

The period of our designated depositories expires October 31, 2016. As per Section 135 of the Ohio Revised Code, financial institutions must be designated for a five year period beginning November 1, 2016 and ending October 31, 2021.

Applications from financial institutions were sought to enable them to be named a designated depository.

The Treasurer conducted a review of each prospective depository's credit characteristics and financial histories.

Recommended Board Action:

1. Designate as depositories all banks submitting applications and authorize the Treasurer to sign the appropriate agreements.

2. Declare up to \$3,500,000 as active funds. Direct the Treasurer to deposit these funds with Farmers' National Bank, which provides the required banking services at the least cost to the Park District.
3. All funds exceeding the necessary active funds requirement be declared interim funds and be deposited in the depository offering the highest interest rate at the time of the deposit being consistent with the Park District Investment Policy.

StarOhio and Star Plus are operated by the Treasurer of the State of Ohio and are not required to have the five-year depository designation.

The financial institutions that have submitted agreements and are to be named as depositories are as follows:

- Farmers' National Bank
- Home Savings

The motion was seconded by Bob Durick and passed, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

John Ragan gave an update on the Board Retreat. After discussion Tom Shipka moved to allow the expenditure for the Board Retreat, as listed in the proposal of Janus Small Associates, be approved. The motion was seconded by Bob Durick and passed, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Aaron Young, Executive Director, spoke regarding the Golf Cart Lease Agreement that was amended at the August 15, 2016, meeting and asked that it be rescinded. Lee Frey motioned that the Amendment be rescinded. Bob Durick seconded the motion, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Aaron presented a new Amended Golf Cart Lease Agreement, for the balance of the existing lease for which we will receive new carts in 2016 and 2017, for approval. Lee Frey motioned that the Amendment be approved. Bob Durick seconded the motion, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Aaron and Steve spoke about a partnership between Mahoning County Land Reutilization, and MOU #1074 for two small parcels of property on Glenwood Avenue in Youngstown. Germaine Bennett motioned to enter into the MOU. Lee Frey seconded the motion, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan
Absent for Vote: Shipka
Voting Nay: None

Aaron presented a proposed Garden Café Lease for approval. After discussion, Tom Shipka motioned that a lease be entered into with Kravitz Delicatessen. Germaine Bennett seconded the motion, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Germaine Bennett motioned to remove the previous motion regarding tabling discussion on the job description of the Executive Director, until after the legal issue is resolved. Lee Frey seconded the motion, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Tom Shipka made a motioned that proposals by the Executive Director with a significant impact on the Mill Creek MetroParks, such as reorganization, require approval by the Board of Commissioners in a public session of a Board meeting, and that legal counsel evaluate the legality of this motion and issue a report to the Board at the next meeting. Germaine Bennett seconded the motion, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Aaron presented the Executive Director Report:

1. Received communication from Mahoning County Commissioner David Ditzler that Don Crane and the Millwrights Local Union #1090 proposed donation of labor for Lanterman's Mill Wheel Replacement Project.
2. Matt O'Mansky archaeologist and Chair of the Department of Sociology, Anthropology and Gerontology at YSU and a group of students are working with us to schedule a cleanup of the Mill Creek Furnace. The late Dr. John White (O'Mansky's predecessor) originally excavated the Mill Creek Furnace in 2003.
3. ODNR is updating the 2013 Ohio Statewide Comprehensive Outdoor Recreation Plan (SCORP). SCORP satisfies the requirements of the federal Land and Water Conservation Fund (LWCF) Act of 1965. SCORP is revised every five years and MCMP has been asked to participate as part of the Advisory Committee.
4. We are preparing a presentation for the October 11, 2016, Board Meeting that will outline Administration's recommendations to the Board on future capital improvement projects, primarily focusing on the next five years 2017-2021.

Aaron spoke regarding the 3-year labor agreement contract with FOP, and asked for approval of the contract. Bob Durick motioned that the nomination be approved. The motion was seconded by Lee Frey and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

Public Comments:

Judy Peyko – thanked the Board for addressing the preservation of the furnace site. She spoke regarding Ford Center repairs needed. She questioned why hiring continues, especially when the most recent two, Marketing Manager, and Park Planner, in her opinion were unqualified for the positions. Aaron requested that she refrain from personal attacks on staff members, and to allow the opportunity for him to respond. She denied the request. Judy asked that Aaron resign or be terminated.

Deby Clark – Spoke that she felt the gardens did a great turnaround from how it looked in June. She is concerned about not having security at Fellows Riverside Gardens, picnics, blankets on the lawn, trash, and asked that we consider security walking in the Gardens.

Chance Metz – Spoke regarding weeds at Lily Pond, and danger of a screw loose and a crooked board. He noticed that a trash can's bottom fell out at the Newport Wetlands, and weeds growing through boardwalk; all signs of neglect. Feels that all Aaron looks at is the money. John Ragan asked Chance if he had reported his dangerous findings to MetroParks staff, and suggested he do so in the future.

Lucia Yurco – Questioned the change in eligibility status to return to seasonal employment to only 20% of applicants being permitted to return, and how long after they worked a seasonal position they would be eligible to reapply. She questioned the drop in hourly rate to minimum wage for seasonal employees. Aaron replied that seasonal employees were receiving raises every year, when other staff had not gotten a raise in over 7 years; legal council recommended going back to minimum wage for seasonal employees. He stated that the line between seasonal employees and part time employees was beginning to be blurred, and that it was recommended by legal counsel that we attempt to maintain a seasonal return rate of approximately 20%.

Liz Ramsey – (she gave a handout to the Board) She questioned dues payments the MetroParks made for two employees to the PGA. These payments were dues, life insurance, and liability insurance. Asked why we were paying these two insurances when we already provide those insurances to all employees. She also asked for Tom Shipka to reread his motion of today, and if it was discussed in Executive Session. John and Germaine both said that there was no vote or discussion in Executive Session. They asked the lawyer if making this motion would jeopardize anything in relation to the pending lawsuit; it would not, so Tom submitted his motion.

Jeff Barone – Thanked the Board for serving the community. He said he supports Aaron and his plan to address the needs of the entire community. He spoke about the highly qualified Pros Consulting who did the Strategic Plan a few years ago. He referred to the plan regarding the culture of the staff, needing to put the MetroParks 1st, and the need for a strong Executive Director dedicated to the future of the park system, to carry out the plan, and that we finally do have one in Aaron. He indicated that we should follow a plan that cost nearly \$85,000. He will continue to support him.

Kathleen Berry – Questioned the decision to let Keith Kaiser go; felt this points to an extreme lack of executive competence, and is happy the Board will monitor decisions. Questioned what we will be using the parcels approved today will be used for. Steve answered that one will be open space, the other will continue to be used for parking adjacent to the Police Department. She questioned the bid process in regards to the Garden Café lease. Aaron explained that the ORC specifies that projects, leases, etc., with an estimated value of more than \$50,000 be put out to bid. The café income will be well below that threshold. Kravitz will be the exclusive caterer for new reservations in the rental rooms, however, we will uphold any contracts already made with other caterers for rental facilities at the Davis Center. Kravitz has operated as a preferred caterer in the past, and held 2 successful brunches this year.

The Board thanked the public for their comments.

Commissioners Comments

There was discussion on the board advisory committees, department head input and comments, and putting together a board workshop to discuss. Question for legal counsel – discussion of assigning individuals to the committees should be done in executive session?

Lee Frey – Commented that the two main things the commissioners do are set policy, and oversight, to improve the efficiency, economy and effectiveness of government operations. Lee presented a resolution regarding the role of the Treasurer, with the Treasurer reporting directly to the Board, and moved that it be accepted. Tom Shipka seconded the motion. Discussion. The roll being called, the vote resulted as follows:

Germaine Bennett -No
Bob Durick – No
Lee Frey – Aye

John Ragan - No
Tom Shipka - Aye

The motion did not pass.

Germaine Bennett – spoke about the Board Retreat, to take place in February; she will be working with Janus Small Associates. Lee will be on the lead team with Germaine.

Tom Shipka asked that the audience consider applying for the board advisory committees; applications are on-hand. He said he felt we are making forward steps, and progress is being made.

John Ragan announced that the next Regular Board Meeting will be held on Tuesday, October 11, 2016, at 6 p.m. at the MetroParks Farm.

There being no further business, Tom Shipka moved to adjourn the meeting. Bob Durick seconded the motion, and the vote taken resulted as follows:

Voting Aye: Bennett, Durick, Frey, Ragan, Shipka
Voting Nay: None

The meeting adjourned at 8:52 p.m.