

**MINUTES OF REGULAR MEETING
BOARD OF PARK COMMISSIONERS
FIVE RIVERS METROPARKS**

January 20, 2011

A meeting of the Board of Park Commissioners (BOPC) was held at Five Rivers MetroParks' Law Enforcement Headquarters 2151 Embury Park Drive, Dayton, OH, on January 20, 2011, and convened at 3:06 p.m. on roll call vote by the Board of Park Commissioners.

Present: Five Rivers MetroParks Commission President Alan F. Pippenger, Commission Vice President Karen L. Davis; Commissioner Irvin G. Bieser Jr., Executive Director Charles Shoemaker, Deputy Director Carrie Scarff, Director of Finance and Business Robert Johnson, Director of Conservation Dave Nolin, Director of Human Resources Debra Jackson, Chief Ranger Larry Jones, Director of Marketing Beth Miller, Director of Outdoor Recreation Greg Brumitt, Business Manager Jennifer Grusenmeyer, Superintendent of Parks Mark Davis, Conservation Biologist Mike Enright, Ranger Lieutenant Adrian Sargent, Outdoor Recreation Coordinator Amy Dingle, public visitor Paul Lamberger and MetroParks legal counsel representative Robert Curry.

Visitor Recognition: Executive Director Shoemaker recognized public visitor Paul Lamberger.

Minutes: On motion by Commissioner Bieser and second by Commissioner Davis the BOPC Regular Meeting minutes of December 9, 2010, were approved as received and read. On motion by Commissioner Davis and second by Commissioner Bieser the BOPC Special Meeting minutes of December 14, 2010 were approved as received and read. On motion by Commissioner Davis and second by Commissioner Bieser the BOPC Special Meeting minutes of January 4, 2011 were approved as received and read.

Financial Reports: The BOPC was presented with MetroParks' December 2010 financial reports, including the list of Approved Bills from December 1, 2010 to December 31, 2010. Director of Finance and Business Robert Johnson highlighted revenues received, expenses and the year-end cash balance verses projections. Mr. Curry asked what MetroParks should expect from the Local Government Fund in the future. Mr. Johnson indicated that he anticipated changes that included a reduction in the amount MetroParks would receive with the possibility of total elimination. Mr. Shoemaker noted that because of late posting of income there may be a revised December Financials. Following a brief discussion and on motion by Commissioner Bieser and second by Commissioner Davis the BOPC accepted MetroParks' December 2010 financial reports as presented. On motion by Commissioner Davis and second by Commissioner Bieser the BOPC accepted the Approved Bills from December 1 through December 31, 2010.

Mad River Bikeway Easements: Project Manager Joe Zimmerman requested authorization to purchase the following permanent easements for the Mad River Bikeway extension project:

- From Consolidated Rail Corp – 0.131 acres; four permanent at \$1,620 and six

temporary easements would be granted at no charge.

- From Quality Team Management – 0.029 acres; one permanent at up to \$8,849 and one temporary easement granted at no charge.

Mr. Zimmerman also requested authorization to accept donations of permanent and temporary easements from the following entities for the Mad River Bikeway:

- City of Dayton – 3.318 acres; two permanent and three temporary easements
- City of Riverside – 0.65 acres; seven permanent and 12 temporary easements
- United State of America – 2.212 acres; one permanent and three temporary easements
- The Miami Conservancy District – 0.889 acres; two permanent and two temporary easements

Following a discussion and on motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved the purchase and donation acceptance of easements as presented.

Memorandum of Understanding (MOU) with City of Riverside: Project Manager Joe Zimmerman presented for approval an MOU outlining the manner in which MetroParks and the City of Riverside will cooperate to relocate portions of the Mad River Bikeway extension in the event the City of Riverside owned lands are required for a future economic development. Any potential relocation would be entirely at the expense of the City of Riverside. The BOPC wanted assurance that such relocation would not unnecessarily inconvenience the public or result in increased maintenance costs. Legal Counsel Representative Bob Curry indicated that MetroParks would need to approve any relocation route thus giving MetroParks the ability to assure neither of these issues occurs. Following a brief discussion and on motion by Commissioner Davis and second by Commissioner Bieser the BOPC approved of the Memorandum of Understanding with the City of Riverside as presented.

Stanley Avenue Property Easement: Legal Counsel Representative Bob Curry presented a request to accept a non-construct easement on MetroParks owned 1336 Stanley Avenue property that houses Central and RiverScape Park Services where it abuts the newly acquired 242 Leo Street property. This easement is required by the City of Dayton to allow MetroParks to add a garage opening at the Leo Street property. Following a brief discussion and on motion by Commissioner Bieser and second by Commissioner Davis the BOPC granted the easement as presented.

Staff Reports: The BOPC were presented with the Law Enforcement Activity report for December 2010.

2011 Board Election of Officers: Commissioner Bieser motioned to re-elect Alan Pippenger as Commission President, Commissioner Davis seconded the motion. Commissioner Bieser motioned to re-elect Karen Davis as Commission Vice-President, Commissioner Pippenger seconded the motion.

Personnel: Director of Human Resources Debra Jackson informed the BOPC of the following personnel related matters:

- Resignation of Kristen Lauer as Conservation Technician effective December 31, 2010.
- Retirement of John Boggs as Park Manager for Germantown/Twin Creek/Sugarcreek MetroParks effective February 28, 2011.
- Hiring of Paul Day as Help Desk Analyst I for the IT Department effective January 10, 2011.
- Status change of James Carter as Concession Supervisor for Urban Program from part-time to full-time effective January 1, 2011.

Commissioner Pippenger announced that there were going to be public receptions held to meet the Executive Director candidate finalists. The first would be a community stakeholder reception to be held at Cox Arboretum on January 27 at 4:30 p.m. Then public receptions on January 28, one at Cox Arboretum running from 9:00 a.m. to 10:30 a.m. and Wegerzyn Gardens MetroPark running from 10:30 a.m. to 12:00 p.m. All receptions will constitute Special Meetings of the BOPC.

Local Government Coalition: Executive Director Shoemaker explained the member makeup and reasoning behind the creation of the Local Government Coalition (LGC). Mr. Shoemaker indicated the LGC is seeking contributions from the members for the development of a public marketing plan to aid in communicating the value and need to protect the Local Government Fund as an important revenue source for local governments. Mr. Shoemaker requested authorization to contribute to this effort through Ohio Parks and Recreation Association as the coalition member representing park district interests. The BOPC agreed to commit up to \$1,000 on motion by Commissioner Davis and second by Commissioner Bieser.

Professional Service Contract: Executive Director Shoemaker requested authorization to solicit proposals for conservation area management services at an estimated cost not to exceed \$25,000. The 2010 request was \$25,000, but \$18,495 was actually spent. Commissioner Bieser asked if MetroParks had checked to see if MetroParks' staff could perform the same services for less. It was indicated that there wasn't enough staff available to perform these services. On motion by Commissioner Davis and second by Commissioner Bieser the BOPC approved the request as presented.

Executive Director Shoemaker requested authorization to encumber \$60,000 with Crown Personnel Services in 2011 for temporary workers at Ride-the-River Rentals and Skate the 'Scape operations at RiverScape MetroPark. The 2010 approved amount was \$55,000. Following a brief discussion and on motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved the request as presented.

Executive Director Shoemaker requested authorization to work with a Commissioner to award the contract for the 2011 horticultural growing services for baskets at RiverScape, Deeds Point and Island MetroParks. Mr. Shoemaker indicated that staff were still reviewing the bids received. Following a brief discussion and on motion by Commissioner Davis and second by Commissioner Bieser the BOPC approved the request to work with a Commissioner to award the 2011 horticultural growing contract.

Capital Improvement Requests: Executive Director Shoemaker requested authorization to rebid the Restroom Facility Project for three restrooms; one flush and two vault restrooms for Taylorsville, Possum Creek and Carriage Hill MetroParks. These are replacement facilities. The revised project estimate is \$312,600 down from the previous estimate of \$438,657. This project is being rebid because all bids received were well over the original estimate. Following a brief discussion and on motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved the request as presented.

Executive Director Shoemaker presented for approval and adoption Resolution No. 11-006 authorizing submission of a Nature Works grant application through the Ohio Department of Natural Resources (ODNR) for the construction of a vault restroom at MetroParks Mountain Bike Area (MoMBA). The requested grant amount would be \$33,700.30. MetroParks' share would be \$17,750. Following a brief discussion and on motion by Commissioner Davis and second by Commissioner Bieser the BOPC adopted Resolution No. 11-006.

Executive Director Shoemaker presented for approval and adoption Resolution No. 11-007 authorizing submission of a Recreational Trails Program grant through ODNR to develop site enhancements at MoMBA. The requested grant amount would be \$126,923 with a local match from MetroParks of \$43,450; \$17,250 out-of-pocket and \$26,200 in-kind. Outdoor Recreation Coordinator Amy Dingle briefly explained the in-kind amount included the use of volunteers much in the same way volunteers were used to construct the mountain bike trails. The elements included in the improvements would be 1.5 miles of a beginner trail, a skills area, parking lot and a re-alignment of the entrance. Following a brief discussion and on motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved and adopted Resolution No. 11-007 as presented.

Executive Director Shoemaker requested authorization to solicit formal bids for the planting of 24,000 trees and shrubs at Medlar Conservation Area at an estimated cost of \$269,000 with 75% of this amount covered by a Clean Ohio grant already awarded. The remaining amount of \$67,250 would be MetroParks' share. Following a brief discussion and on motion by Commissioner Davis and second by Commissioner Bieser the BOPC approved the request as presented.

Executive Director Shoemaker requested authorization to solicit formal bids for the Phase I of the Wetland Mitigation Bank project for the construction of 20 acres of wetlands and 1,400 feet of stream bank restoration over a 100 acre area. The construction estimate is \$585,000. Conservation Biologist Mike Enright explained that he expected to have the signed permit soon and would only need to obtain a performance bond. Mr. Enright also updated the BOPC on the credit sale prospects. Following a brief discussion and on motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved the request as presented.

Executive Director Shoemaker requested authorization to solicit formal bids for the construction of a retaining wall and structural repairs of the tower along Patterson Road at Hills and Dales MetroPark at an estimated cost of \$97,186. Following a brief

discussion an on motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved the request as presented.

Operational Supplies: Executive Director Shoemaker requested authorization to encumber a not to exceed amount of \$30,000 with HP Products for the 2011 district-wide janitorial supplies order under the Montgomery County contract. On motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved the request as presented.

2011 Property Lease – Requarth Lumber: Executive Director Shoemaker requested authorization to pay the 2010 lease amount for storage space at Requarth Lumber in the amount of \$9,750. This is a conflict of interest vendor because of Commissioner Pippenger is the President of Requarth Lumber. On motion by Commissioner Davis and second by Commissioner Bieser the BOPC approved the request as presented. A 2011 lease would be on a month to month basis in anticipation of MetroParks vacating this space this spring. Commissioner Pippenger abstained from voting.

2010 Mandatory Drug Fine Report: Executive Director Shoemaker noted the 2010 Mandatory Drug Fine report included in the Board packets for information only. This report is required by the Ohio Attorney General's office.

GovDeals.com Auction Site: Executive Director Shoemaker presented for approval and adoption Resolution No. 11-001 allowing MetroParks to use the GovDeals.com online auction site as MetroParks primary location for disposing of surplus property. Following a brief discussion and on motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved and adopted Resolution No. 11-001 as presented.

Transfer and Capital Project Fund Resolutions: Business Manager Jennifer Grusenmeyer requested adoption and approval of the following resolutions:

Resolution No. 11-002 to transfer funds between object level two and object level three codes. On motion by Commissioner Bieser and second by Commissioner Davis the BOPC adopted Resolution No. 11-002 as presented.

Resolution No. 11-003 to transfer funds between subfunds. On motion by Commissioner Bieser and second by Commissioner Davis the BOPC adopted Resolution No. 11-003 as presented.

Resolution No. 11-004 revising Resolution No. 10-061 for the appropriation and adjustments of itemized funds in the Capital Projects Fund. On motion by Commissioner Davis and second by Commissioner Bieser the BOPC adopted Resolution No. 11-004 as presented.

Change Fund Resolution: Business Manager Jennifer Grusenmeyer requested approval and adoption of Resolution No. 11-005 requesting change funds totaling \$1,100 for 2011 programs. On motion by Commissioner Bieser and second by Commissioner Davis the BOPC adopted Resolution No. 11-005 as presented.

Other Business: Executive Director Shoemaker distributed the nominations for the Siebenthaler Bridge to the Community Spirit Award for the Commissioners' review.

Deputy Director Carrie Scarff noted that two public input meetings are going to be held on January 25 & 31 at the Dayton Public Library to present the downtown low dam removal project.

Director of Human Resources Debra Jackson invited the BOPC to the employee recognition event to be held February 23 from 9:00 a.m. to 1:00 p.m. at Wegerzyn Gardens MetroPark.

Visitor Comments: Visitor Paul Lamberger asked the status of the design for the low dam removal project. Deputy Director Scarff indicated that the project was still in a conceptual design phase.

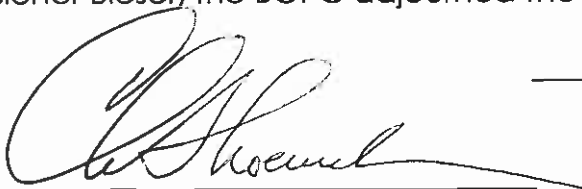
Next Board Meeting: The BOPC also agreed to hold a special meeting on January 27, 2011, commencing at 4:30 p.m. at Cox Arboretum MetroPark, 6733 Springboro Pike, Dayton, Ohio. The BOPC also agreed to hold a special meeting on January 28, 2011, commencing at 9:00 a.m. at Cox Arboretum MetroPark, 6733 Springboro Pike, Dayton, Ohio and at 10:30 a.m. at Wegerzyn Gardens MetroPark, 1301 E. Siebenthaler Avenue, Dayton, Ohio. The BOPC agreed to hold the next regularly scheduled meeting on February 11, 2011, commencing at 7:00 a.m. at Cox Arboretum MetroPark, 6733 Springboro Pike, Dayton, Ohio. The BOPC directed the Secretary of the Board to give notice of these meetings and all subsequent meetings pursuant to the rule adopted by the BOPC.

Executive Session: In accordance with the open meetings law Section 121.22 of the Ohio Revised Code, by roll call vote following motion by Commissioner Davis and second by Commissioner Bieser, the BOPC elected to temporarily adjourn and hold an Executive Session commencing at 4:33 p.m. for the specific purpose of discussing one land acquisition issue and one personnel matter. On motion by Commissioner Davis and second by Commissioner Bieser the open session reconvened at 5:57 p.m.

Land Acquisition: Director of Conservation David Nolin requested authorization to purchase 42.2 acres from the Tom Miller Estate adjacent to Englewood MetroPark at total amount of \$67,700 including an option payment of \$5,000 and contingent upon a satisfactory environmental review of the property. On motion by Commissioner Bieser and second by Commissioner Davis the BOPC approved the request as presented.

Adjournment: By roll call vote, following motion by Commissioner Davis and second by Commissioner Bieser, the BOPC adjourned the meeting at 5:59 p.m.

Attest: _____



Karen Davis

President Alan F. Pippenger,
Vice President KAREN DAVIS