

Stark County Park District Park Board – Regular Meeting Minutes
Sippo Lake Clubhouse
December 4, 2019
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(AGENDA ITEM: 4)

- 1. CALL TO ORDER** – The regular meeting of the Stark County Park Commission was called to order by Andy Hayden at 2:00 p.m.

A. Roll Call of Members:

MEMBERS PRESENT:

Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

STAFF PRESENT:

Robert Fonte, Director
Barbara Wells, Financial Manager
Corianne Kocarek, Clerk to the Board
Dani McGuinness, Human Resources Manager
Dan George, Chief of Public Safety
Justin Laps, Captain
Mike Duplay, IT Administrator

GUESTS PRESENT:

Larry and Tela Laps
Dean and Bobbi Pugh
Laura and Dyllon E. Laps
Ember Laps
John E. Schuette
Lee and Carolyn Gabric
Eric Pugh
Randall Pero, Osnaburg Township Trustee
Sid Burns
Jeff Gray
Terry Klick
Tom Seifert
Mark Walker
Josh Staley, Citizen
Greg Rinard
Steve Lacher

B. Adoption of Agenda

B. Bryan MOVED to adopt the agenda as amended, which was SECONDED by D. Freeland

DISCUSSION:

None

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

C. Promotion to Chief, Justin Laps

- Notice of Peace Officer Appointment

DISCUSSION:

A. Hayden thanked Chief, Dan George for his 20 years of service at the Stark County Park District
R. Fonte introduced Captain, Justin Laps and shared his background with the Park Board:

- **Reference 115**

J. Laps started his career with the Park District in 2001 as a college intern at the (Sanders) Wildlife Center. He had a passion for the outdoors and a desire for a career in law enforcement. In 2002, he joined the Stark County Park District Public Safety Department as a Ranger. He rose through the ranks of Sergeant, Lieutenant and Captain. In 2010, he graduated from Kent State University with a bachelor's degree in flight technology. While working for the Park, he also served time as an adjunct professor for Kent State University's Aeronautics Program. He has also served for the past 6 years on the US Marshal's Service Northern Ohio Violent Fugitive Task Force. He is supported today by his wife Laura, step-son Dyllon, daughter Ember and Parents Larry and Tela Laps. He is well prepared to take on the responsibility as Chief on December 12, 2019

J. Laps thanked D. George for his guidance and leadership for the past 18 years. He appreciates everything that D. George has taught him

A. Hayden stated that Park Rangers in general do not get the recognition they deserve. There was a time when Park Ranger positions were considered easy professions or a place where retired law enforcement worked. That has changed and he has worked with a number of Rangers, the elements they deal with are the same as law enforcement on the streets. He commended J. Laps for staying at the Park District and appreciates his dedication

D. George stated that J. Laps has been with him for 18 years, and 15 years ago he knew this day would come

2. PUBLIC COMMENT

Public comment was given by Louisville resident D. Pugh regarding his concern with the sustainability of the Park System

Public comment was given by Alliance residents L. and C. Gabric regarding the Park Districts use of the power of eminent domain

Public comment was given by Osnauburg Township resident E. Pugh regarding the levy failing, the power of eminent domain, trespassers concerns, and Nickel Plate Trail route

Public comment was given by Osnauburg Township Trustee R. Pero regarding the Nickel Plate Trail route from Swallen Ave. to Stucky Street

R. Fonte responded that the Master Plan has been in place since 1998 and the Park District looks at it as a guide to develop connectivity throughout the county. Unfortunately some landowners have taken the plan as a threat. Throughout the years the Park District has adopted changes to the plan. Working with the roadway and land owners on the individual trail sections. We want to propose a review of the Trail and Greenway Master Plan to clarify it is a plan and not a threat and note that connections are being made only through friendly sale.

R. Fonte stated that the only case where eminent domain was used was at Sippo Lake approximately 25 years ago. The seller (a developer) agreed to go to court because he was an Ohio Department of Transportation (ODOT) employee and was confident he would get more money for the property that way. The Park District has never taken a farm or a trail by eminent domain

R. Fonte further clarified his testimony on House Bill 288, was to respond to false statements on the record that the Stark County Park District was using eminent domain and to state the importance of the Park having the same power as other agencies and utilities to be able to protect existing parks. A recent example was with the Nexus pipeline, they wanted to come through a conservation easement that the Park District held and we were able to challenge them and the route was moved. It has never been our intention to threaten the use of eminent domain for purchase from private citizens

Public comment was given by J. Gray regarding their support of the Park District, but had concerns of the cost of maintenance and sustainability

Public comment was given by J. Staley regarding the trail route for the Nickel Plate trail

R. Fonte stated earlier in the meeting he proposed updating the Trail and Greenway Master Plan. The thought is to identify routes that the District does not have current easements on or owns and clarify that future connections would be determined by friendly sales

The Board stated that these are long term plans that involve friendly sales. The Park Board is not in favor of using eminent domain to implement the Trail and Greenway Master Plan

3. APPROVAL OF MINUTES:

WHEREAS, minutes from the November 6, 2019 Regular Park Board meeting have been submitted for review.

- **Reference 116**

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to approve the minutes from the November 6, 2019 Regular Park Board meeting as submitted.

P. Quick MOVED to adopt this resolution, which was SECONDED by R. Dublikar

DISCUSSION:

None

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

4. FINANCIAL REPORTS

WHEREAS, the monthly Financial Report and Summary Financial Reports for the period ending October 31, 2019 have been submitted to the Board for review.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to approve and accept for audit the Financial Reports and Summary Financial Reports for the period ending October 31, 2019 as submitted.

B. Bryan MOVED to adopt this resolution, which was SECONDED by D. Freeland

DISCUSSION:

None

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

5. APPROVAL OF PAYROLLS AND BILLS

WHEREAS, copies of payrolls and bills for the period ending October 31, 2019 were submitted for the Board's review in accordance with Resolution #98-133.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to approve and accept for audit the payrolls and bills for October 31, 2019 as submitted.

P. Quick MOVED to adopt this resolution, which was SECONDED by D. Freeland

DISCUSSION:

None

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

6. OLD BUSINESS

A. Informational: Upcoming Events

DISCUSSION:

R. Fonte stated that January's meeting is on the 8th due to the 1st being a holiday

Gray noted a typo on the agenda stating the next meeting is on the 6th

R. Fonte clarified and apologized for the typo and confirmed the meeting is on January 8, 2020

7. NEW BUSINESS

A. RESOLUTION: #19-12-095: Exploration Gateway Capital Replacement Fund

WHEREAS, as part of the agreement for the Exploration Gateway Building (EG) between the Stark County Park District (Park) and the Stark County District Library (Library) there is a Capital Replacement Fund (Fund) in place; and

WHEREAS, the 2019 budgeted amount to be transferred to the Fund is Twenty Eight Thousand Five Hundred Fifteen Dollars (\$28,515.00).

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to transfer Twenty Eight Thousand Five Hundred Fifteen Dollars (\$28,515.00) for the Exploration Gateway Capital Replacement Fund from 072.28.0000.82100 (Transfers Out) to 529.28.0000.72100 (Transfers In).

D. Freeland MOVED to adopt this resolution, which was SECONDED by P. Quick

DISCUSSION:

R. Fonte stated as a reminder to the Park Board, this is a partnership with the Stark County District Library to establish a capital fund for repairs to the Exploration Gateway. It increases by 3% each year

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

B. RESOLUTION: #19-12-096: Stark County Park District Levy: 1 mill renewal

WHEREAS, pursuant to the provisions of Chapter 1545, Ohio Revised Code, the Stark County Park District was created in February 1967 for the purpose of acquiring and developing a park system for Stark County, Ohio; and

WHEREAS, there is annually being levied a one (1) mill tax for each one dollar of valuation in Stark County for Stark County Park District purposes, and said tax levy will continue to be collected for tax year 2019 when it will expire; and

WHEREAS, the funds available from said tax levy are insufficient to meet the needs of the Stark County Park District, both now and in the foreseeable future; and

WHEREAS, the Board of Commissioners of the Stark County Park District has, after careful investigation, determined that there is an immediate need for funding for the continued acquisition, planning, development, operation, maintenance, and protection of a park system.

WHEREAS, the Stark County Park District Board by Resolution #19-11-086 attached as Exhibit A requested the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by one (1.00) mill;

WHEREAS, the Stark County Auditor via Certificate of Estimated Property Tax Revenue dated November 7, 2019 certified \$8,332,960,910.00 as the estimated property tax valuation which will result in an estimated property tax revenue of \$7,004,485.00 and which is attached as Exhibit B;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Park Commissioners of the Stark County Park District, pursuant to the provisions of the Ohio Revised Code Section 5705.03(B): The Stark County Park District declares it a necessity to levy a tax outside the 10-mill limitation and submit the question of a renewal of a tax for the benefit of the Stark County Park District for the above-stated purposes in the amount of one (1) mill for each one dollar in valuation, which amounts to the \$0.10 for each one hundred dollars in valuation, for eight (8) years, commencing in 2020, first due in calendar year 2021, as authorized by Ohio Revised Code Section 1545.21; and

BE IT FURTHER RESOLVED, that the question of the levy of such taxes shall be submitted to the electors of the district (Stark County) at the Primary Election to be held on March 17, 2020.

BE IT FURTHER RESOLVED, that the submission of said proposal, the notice of election, the form of ballot, and the certificate of the levy as voted outside the ten (10) mill limitation shall be in accordance with the provision of Section 1545.21, Ohio Revised Code, and other related statutes in such cases made and provided.

BE IT FURTHER RESOLVED, that the form of the ballot cast at such election, shall be:

PROPOSED TAX LEVY – (RENEWAL LEVY)

STARK COUNTY PARK DISTRICT

A Majority Affirmative Vote is Necessary for Passage:

A renewal levy for the benefit of the Stark County Park District for the purpose of continued acquisition, planning, development, operation, maintenance, and protection of a park system at a rate not exceeding one (1) mill for each one dollar of valuation, which amounts to ten cents (\$.10) for each one hundred dollars of valuation, for eight (8) years, commencing in 2020, first due in calendar year 2021.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

BE IT FURTHER RESOLVED, that the Board of Park Commissioners be, and they hereby are, directed and authorized to proceed forthwith the certification of this resolution to the Board of Elections of Stark County, Ohio (see Section 1545.21, Ohio Revised Code) and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution.

D. Freeland MOVED to adopt this resolution, which was SECONDED by B. Bryan

DISCUSSION:

R. Fonte stated that the day after the last meeting the Park District asked the Auditor to certify the 7 options R. Fonte, as the Director recommends the Park Board considers the 1 mill renewal to continue for 8 years, this is the exact same amount as 2012, thus would include no new taxes. In the fall the Park District asked for the 1 mill replacement, plus .2 mill additional. The Park District wants to continue to maintain the parks and trails we currently manage. You [the Park Board] have a spreadsheet in front of you that shows the projections over the next 8 years, this does include some negative numbers. We hope to partner with businesses like we have with Ernie’s Bicycle Shop or Gervasi Vineyards who build businesses on their property and donated the right-of-way to put a trail through. This is the most conservative route we can go
A. Hayden stated that there were no questions from the Park Board

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

C. RESOLUTION: #19-12:097: Updated Language: 509.05 Model Rockets and Remote Controlled Devices (Exhibit C)

WHEREAS, the Stark County Park District does not allow model rockets or rocket-type devices, radio controlled toys, airplanes, boats, cars, sirens or other remote controlled devices shall not be operated, except in designated areas; and

WHEREAS, the Stark County Park District desires to update the language for the 509.05 Model Rockets and Remote Controlled Devices to allow silent, non-motorized, remote controlled boats at Devonshire Park pond, 4679 South Blvd. NW, Canton 44718; and

WHEREAS, it was determined by the Park Director and the Public Safety Department that the ordinance language be updated; and

WHEREAS, the Updated 509.05 Model Rockets and Remote Controlled Devices ordinance was presented to the Park Board at the November Board meeting held on November 6, 2019; and

WHEREAS, the policy is attached as Exhibit C.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to adopt the Updated Ordinance 509.05 Model Rockets and Remote Controlled Devices as attached in Exhibit C.

B. Bryan MOVED to adopt this resolution, which was SECONDED by P. Quick

• **Reference 119**

DISCUSSION:

- R. Fonte explained that this updated language came about from a park patron who has a non-motorized sail boat and wanted permission to operate it at Stark Parks
- R. Fonte stated there were no additional changes to the language you reviewed last month
- D. Freeland confirmed that the park patron was okay with using Devonshire Pond
- R. Fonte stated yes and if it works we can revisit adding additional locations

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

D. RESOLUTION: #19-12-098: Electric-Bicycle Regulations (Exhibit D and E)

WHEREAS, the Stark County Park District Park Board of Commissioners approved a trial basis policy with Resolution #18-11-052; and

WHEREAS, the Park Director and Chief Ranger hereby recommend the Park Board approve the policy from a trial to a permanent policy with an effective date of January 1, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to approve the Definitions and Bicycles and Motorcycles Ordinance Updates as presented in Exhibits D and E attached and directs the Chief Ranger to incorporate the policy in the Public Safety Department Policy and Procedures effective January 1, 2020.

P. Quick MOVED to adopt this resolution, which was SECONDED by D. Freeland

DISCUSSION:

R. Fonte stated that December 31, 2019 is the end of the trail period for Electric-Bicycles (E-bikes). There are currently three types of E-bikes, class 1, class 2, and class 3. The Stark County Park District Rangers have been monitoring the ordinances in the Cuyahoga Valley Nation Park (CVNP) and they recently adopted allowing class 1 and class 2, but anyone operating a class 2 is not permitted to use the accelerator. The Park District Rangers feel this will be very difficult to enforce, so have decided to recommend allowing class 1 only since class 2 are already allowed for accommodations for disability. The class 3 E-bikes go speeds of up to 28 miles per hour which are considered too fast for our trail system. The updated ordinance will go into effect on January 1, 2020

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

E. RESOLUTION: #19-12-099: Nimisila Creek Preserve Phase II (Donzelli)

WHEREAS, the Stark County Park District Board of Park Commissioners approved the 2019 Project List & Budget with Resolution #19-02-018; and

WHEREAS, Nimisila Creek Nature Preserve Phase II (Donzelli) project is included in the 2019 Project List and Budget; and

WHEREAS, funds in the amount of Seven Hundred Forty Three Thousand Seven Hundred Dollars (\$743,700.00) were paid from The Conservation Fund (Federal) for this project; and

WHEREAS, funds in the amount of One Million Four Hundred Fifty Three Thousand Two Hundred Fifteen Dollars and Seventy-Nine Cents (\$1,453,215.79) were paid from the Water Resource Restoration Sponsor Program (WRRSP) for this project; and

WHEREAS, it is necessary to certify, appropriate and book the revenue and expenditures in the total amount of Two Million One Hundred Ninety Six Thousand Nine Hundred Fifteen Dollars and Seventy Nine Cents (\$2,196,915.79).

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to certify an amount not to exceed Two Million One Hundred Ninety Six Thousand Nine Hundred Fifteen Dollars and Seventy Nine Cents (\$2,196,915.79) for the Nimisila Creek Nature Preserve Phase II (Donzelli) project in the 2019 Budget.

BE IT FURTHER RESOLVED, to book revenues in an amount not to exceed Seven Hundred Forty Three Thousand Seven Hundred Dollars (\$743,700.00) to account 529.28.0000.55101 (Intergovernmental-Grants-Federal Indirect) and an amount not to exceed One Million Four Hundred Fifty Three Thousand Two Hundred Fifteen Dollars and Seventy-Nine Cents (\$1,453,215.79) to account 529.28.0000.55103 (Intergovernmental-Grants-State Operating) and to appropriate and expend an amount not to exceed Two Million One Hundred Ninety Six Thousand Nine Hundred Fifteen Dollars and Seventy Nine Cents (\$2,196,915.79) from account 529.28.0000.65100 (Capital Outlay-Land) for the Nimisila Creek Nature Preserve Phase II (Donzelli) project in the 2019 Budget.

B. Bryan MOVED to adopt this resolution, which was SECONDED by D. Freeland

DISCUSSION:

R. Fonte stated this is to book the grant for accounting purposes

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

F. RESOLUTION: #19-12-100: Natural Resources Advisory Council (NRAC) Grants-Tam O'Shanter Park Phase IV

WHEREAS, the Stark County Park District Board of Park Commissioners approved the revised Tam O'Shanter Phase IV Project Budget with Resolution #19-11-093; and

WHEREAS, the Stark County Park District is receiving funding through the Natural Resource Advisory Council (NRAC) Grants for land purchase; and

WHEREAS, funds in an amount not to exceed Two Million Six Hundred Thirty-Eight Thousand Nine Hundred Forty Eight Dollars and Twenty Cents (\$2,638,948.20) are anticipated to be expended in 2019 for the Tam O'Shanter Park Land purchase; and

WHEREAS, it is necessary to appropriate, and book the anticipated revenue and expenditures in the amount not to exceed Two Million Six Hundred Thirty-Eight Thousand Nine Hundred Forty Eight Dollars and Twenty Cents (\$2,638,948.20) in the 2019 Budget for the Tam O'Shanter Park Land Purchase.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to certify an amount not to exceed Two Million Six Hundred Thirty-Eight Thousand Nine Hundred Forty Eight Dollars and Twenty Cents (\$2,638,948.20) from NRAC for the purchase of Tam O'Shanter Park Land in the 2019 Budget.

BE IT FURTHER RESOLVED, to receipt and amount not to exceed Two Million Six Hundred Thirty-Eight Thousand Nine Hundred Forty Eight Dollars and Twenty Cents (\$2,638,948.20) to account 529.28.0000.55104- (Intergovernmental-Grants-State Capital) and to appropriate an amount not to exceed Two Million Six Hundred Thirty-Eight Thousand Nine Hundred Forty Eight Dollars and Twenty Cents (\$2,638,948.20) from account 529.28.0000.65100 (Capital Outlay-Land) from NRAC for the purchase of Tam O'Shanter Park Land in the 2019 Budget.

D. Freeland MOVED to adopt this resolution, which was SECONDED by R. Dublikar

DISCUSSION:

B. Wells stated this resolution is doing the same as the previous, but is in anticipation of closing

R. Fonte stated the Park District is closing on this phase on December 27, 2019, ABC is closing today and Jackson Township is closing on December 24, 2019

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

G. RESOLUTION: #19-12-101: 2020 Proposed Budget (Exhibit F)

WHEREAS, the Stark County Park District Park Board submitted to the Budget Commission a 2019 Budget on August 21, 2019; and

WHEREAS, revisions are routinely made to the Legislative Budget previously submitted to the Budget Commission; and

WHEREAS, several Public Safety Department staff were incorrectly classified as Public Safety not Law Enforcement within the Ohio Public Employees Retirement System (OPERS); and

WHEREAS, the incorrect classification resulted in a deficiency of funds contributed for the purpose of calculating years of service; and

WHEREAS, the 2020 Proposed Budget dated November 27, 2019 is attached as Exhibit F.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to accept the revisions, adopt and authorize the certification and appropriation of the 2020 Budget dated November 27, 2019 is attached as Exhibit F.

BE IT FURTHER RESOLVED, to authorize the payment to OPERS for the deficiency of funds contributed for the purpose of calculating years of service for the Public Safety Department staff.

BE IT FURTHER RESOLVED, to authorize the Park Director to place for Public Bid or Request for Qualifications (RFQ's) those items exceeding Fifty Thousand Dollars (\$50,000.00) to complete the 2020 Budget unless the items are purchased in accordance with park policies or from the state bid list.

BE IT FURTHER RESOLVED, to authorize the Park Director to award the contracts to the lowest and/or best bids or highest ranked qualifications submitted, provided the total cost does not exceed the original budget.

BE IT FURTHER RESOLVED, to authorize the Park Director to sign/execute any contracts necessary to complete the 2020 Budget.

BE IT FURTHER RESOLVED, to authorize the certification and appropriation of funds for Fund 529 (Permanent Improvement Fund).

BE IT FURTHER RESOLVED, to authorize the certification and appropriation of funds for Fund 696 (Hazard Mitigation Grant Program) from the Project Fund Account 696.28.0000.65000 for the completion of the Hazard Mitigation Grant Programs.

B. Bryan MOVED to adopt this resolution, which was SECONDED by R. Dublikar

B. Bryan MOVED to table this resolution for discussion in executive session, which was SECONDED by R. Dublikar

DISCUSSION:

MOTION TO TABLE CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

H. RESOLUTION: #19-12-102: Second Amendment to the Amended and Restated Contract for the Sale and Purchase of Real Estate (Exhibits G & H)

WHEREAS, the Stark County Park District Park Board of Commissioners approved the purchase of the Tam O'Shanter Property and entered into an Amended and Restated Contract for the Sale and Purchase of Real Estate dated November 21, 2018 with the Park Board Resolution #18-02-013; and

- **Reference 122**

WHEREAS, the Stark County Park District approved a Second Amendment to the Amended and Restated Contract for the Sale and Purchase of Real Estate with Tam O'Shanter Company with the Park Board Resolution #19-11-094 attached as Exhibit G; and

WHEREAS, the Stark County Park District desires to enter in to an amended Second Amendment to the Amended and Restated Contract for the Sale and Purchase of Real Estate with Tam O'Shanter Company attached as Exhibit H.

NOW, THEREFORE, BE IT RESOLVED by the Stark County Park District Board of Park Commissioners to authorize the Park Director to enter into a contract attached as Exhibit H, and approved to legal form and sufficiency by Attorney William Morris, with Tam O'Shanter Company.

P. Quick MOVED to adopt this resolution, which was SECONDED by D. Freeland

DISCUSSION:

R. Fonte stated that the Park Board approved this last month, but changes were made by the lawyers. This is the final version

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

8. DIRECTOR'S REPORT

A. 2019 Project List and Budget

DISCUSSION:

None

B. Director's Report

DISCUSSION:

I. RESOLUTION: #19-12-103: Extend Union Contract

WHEREAS, the Stark County Park District Board of Park Commissioners previously approved Resolution #17-03-032 for the agreement between the Stark County Park District and AFSCME Ohio Council 8 Local 2183; and

WHEREAS, the agreement was effective is effective January 1, 2017 through December 31, 2019; and

WHEREAS, the Union Negotiating Team will be meeting with the Park Negotiating Team with the intention of negotiating a new three year contract; and

WHEREAS, the Union Negotiating Team has requested that the current contract be extended until a new contract is completed; and

WHEREAS, the extension shall be until March 31, 2020, and will continue to automatically extend every two (2) weeks unless either party chooses not to do so; and

WHEREAS, the parties agree to retroactivity of wages to January 1, 2020 in the event an agreement is not reached prior to that date.

NOW, THEREFORE, BE IT RESOLVED by the Stark County Park District Board of Park Commissioners to:

- approve extending the current contract until March 31, 2020, and continue to automatically extend every two (2) weeks unless either party chooses not to do so
- Furthermore delays determining whether the new contract will be retroactive until all of the terms and conditions have been agreed to so as to know the cost of said retroactive agreement prior to approving same

NOW, THEREFORE, BE IT RESOLVED, to authorize the Park District Labor Attorney to review and sign the Union Contract Extension Agreement attached as Exhibit I.

B. Bryan MOVED to adopt this resolution, which was SECONDED by D. Freeland

DISCUSSION:

None

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

J. RESOLUTION: #19-12-104: Authorize Staff to Update the Trail and Greenway Master Plan

WHEREAS, the Stark County Park District Board of Park Commissioners adopted the original Stark County Trail and Greenway Master Plan with Resolution#: 99-011 and approved an update to the Trail and Greenway Master Plan with Resolution #13-09-072 after significant Park and Trail projects had been completed; and

WHEREAS, the Park District views the Trail and Greenway Master Plan as a guide; and

WHEREAS, the farming community views the Trail and Greenway Master Plan as a threat; and

WHEREAS, the Park District proposes to clarify The Trail and Greenway Master Plan so it is clearly a plan that would move forward through friendly land sales.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to allow the Park District to begin the public meeting process to update the Trail and Greenway Master Plan.

D. Freeland MOVED to adopt this resolution, which was SECONDED by P. Quick

DISCUSSION:

R. Fonte stated that the Park District views the Trail and Greenway Master Plan as a guide, but the farming community views it as a threat. The public process is necessary so the Park Board can officially update the plan which is part of the 2040 Transportation Plan

A. Hayden asked what the timeframe for the update would be

R. Fonte stated that the Park District can begin the public meetings the first few months of 2020

B. Bryan asked if the Park Board would have a chance to review the Plan in draft form before approving

R. Fonte answered, yes, the Park Board would see the Plan as Information and the next month could approve

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

K. RESOLUTION: #19-12-105: Clean Ohio Trail Fund Grant Application – Iron Horse Phase IV – Cancellation

WHEREAS, the Stark County Park District Board of Park Commissioners approved the filing of a Clean Ohio Trail Fund (COTF) grant application for the Iron Horse Trail Phase IV with Resolution #19-01-015 and obligated funds with Resolution #19-11-081;

WHEREAS, the goal of the grant program included the building of approximately a 1.14 mile segment of the Iron Horse Trail located south of the City of Alliance, in Washington Township. The proposed trail spans from the south side of Cenfield Street NE, along the former Iron Horse rail bed to approximately a mile north of State Route 153, Louisville Street NE; and

WHEREAS, the Park District is not in the position to encumber additional monies to expand trails; and

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize the Park Director, Robert A. Fonte to cancel the Clean Ohio Trail Fund Grant Application for Iron Horse Trail Phase IV.

B. Bryan MOVED to adopt this resolution, which was SECONDED by R. Dublikar

• **Reference 124**

DISCUSSION:

A. Hayden stated that with this, we would not encumber additional funds

R. Fonte stated that the Park District would not be penalized by the grantor for pulling the application

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

L. RESOLUTION: #19-12-106: Natural Resource Advisory Council (NRAC) Grant Application for Hoover Farm – Cancellation

WHEREAS, the Stark County Park District Board of Park Commissioners approved the filing of Clean Ohio Conservation Fund program grant application for Hoover Farm with Resolution #19-08-063;

WHEREAS, the goals of the grant program include supporting comprehensive open space planning, protecting habitat, preservation of water quality, linkages to open spaces, enhancement of economic development that rely on recreation and ecotourism, and enhancement of educational opportunities to the community; and

WHEREAS, the Park District cannot commit the Twenty-Five Percent (25%) match required for the grant in the form of cash, labor and/or in-kind contributions.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize the Park Director, Robert A. Fonte to cancel the Natural Resource Advisory Council (NRAC) Grant Application for Hoover Farm.

P. Quick MOVED to adopt this resolution, which was SECONDED by B. Bryan

DISCUSSION:

R. Fonte stated this was the purchase agreement referred to earlier in the meeting

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

Director's Report Continued

R. Fonte addressed the Park Board on the following Updates:

- The Mindfulness Walk project is in first place in its category and is being considered for the Governor's Award

M. RESOLUTION: #19-12-107: Purchase Badge by One (1) Retired Law Enforcement

WHEREAS, Justin Laps, Captain asked permission to purchase Chief of Public Safety Dan George's badge (as a retirement gift); and

WHEREAS, it is the recommendation of Robert A. Fonte, Park Director to purchase the Chief of Public Safety Dan George's badge (as a retirement gift) for the actual purchased price of Seventy Eight Dollars and Ninety-Nine Cents (\$78.99); and

The specifications of the badge are:

- One (1) Chief's Badge with Unit #861 purchased in 2014 from Red Diamond Uniform & Police Supply, Inc.

WHEREAS, O.R.C. 307.12 (B) (1) permits the Stark County Board of Park Commissioners to dispose of the property (i.e. personal property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired) by private sale, without advertisement or public notification.

NOW THEREFORE, BE IT RESOLVED that the Stark County Board of Park Commissioners hereby authorizes Justin Laps, Captain permission to purchase Chief Dan George's badge (as a retirement gift) for the actual purchased price of Seventy Eight Dollars and Ninety-Nine Cents (\$78.99) from private funds donated by staff.

- **Reference 125**

B. Bryan MOVED to adopt this resolution, which was SECONDED by D. Freeland

DISCUSSION:

None

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

9. EXECUTIVE SESSION

BE IT RESOLVED, to adjourn into Executive Session at 3:56 p.m. to consider the purchase of property for public purposes and to consider the compensation of a public employee.

P. Quick moved to adopt this motion, which was SECONDED by D. Freeland

MOTION CARRIED on a roll call vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

10. RECONVENE FROM EXECUTIVE SESSION

BE IT RESOLVED to reconvene to Regular Session at 4:26 p.m.

D. Freeland MOVED to adopt this resolution, which was SECONDED by P. Quick

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

RESOLUTION: #19-12-101: 2020 Proposed Budget (Exhibit F)

WHEREAS, this resolution was tabled in regular session; and

WHEREAS, it is necessary to make a motion to un-table this resolution.

NOW THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to make a motion to untable this Resolution.

B. Bryan moved to untable the resolution, which was seconded by R. Dublikar

Motion to untable the resolution carried on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Charlie Ringer, Bill Bryan and Pat Quick

MOTION TO APPROVE RESOLUTION #19-12-101 CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Charlie Ringer, Bill Bryan and Pat Quick

11. ADJOURNMENT

BE IT RESOLVED to adjourn at 4:30 p.m. Next scheduled meeting: January 8, 2020 at 2:00 p.m. at the Sippo Lake Clubhouse.

D. Freeland MOVED to adjourn the meeting, which was SECONDED by P. Quick

MOTION CARRIED on a vote as follows:

Voting Aye: Andy Hayden, Denise Freeland, Bill Bryan, Ralph Dublikar, Pat Quick

APPROVAL DATE: January 8, 2020

ATTEST:

Andy Hayden, Chairperson
Stark County Park Commission

Robert A. Fonte, Director/Secretary to the Board
Stark County Park District

Corianne Kocarek/Clerk to the Board
Stark County Park District

• **Reference 126**