

Stark County Park District Park Board – Regular Meeting Minutes
YouTube Live – Virtual Meeting
April 1, 2020
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(AGENDA ITEM: 3)

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. Hayden introduced Board Members and Park District Staff who were on the video call and reminded public that while there was no “Public Speaks” portion of the meeting due to the limits of technology, they are always welcome to express comments through our webpage at www.starkparks.com under “About Us” then “Park Board of Commissioners”, by calling the office at 330-477-3552 or mailing your comments to 5300 Tyner St. NW, Canton, OH 44708.

A. Roll Call of Members:

MEMBERS PRESENT:

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

STAFF PRESENT:

Robert A. Fonte, Park Director/Secretary to the Board
Corianne Kocarek, Executive Assistant/Clerk to the Board
Barb Wells, Financial Manager
Sarah Buell, Projects and Administration Manager

B. Adoption of Agenda

P. Quick MOVED to adopt the agenda, which was SECONDED by B. Bryan

DISCUSSION:

None

MOTION CARRIED on a vote as follows:

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

2. **APPROVAL OF MINUTES:**

WHEREAS, minutes from the March 5, 2020 Regular Park Board meeting have been submitted for review.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to approve the minutes from the March 5, 2020 Regular Park Board meeting as submitted.

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

DISCUSSION:

None

MOTION CARRIED to approve the minutes on a vote as follows:

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

3. **FINANCIAL REPORTS**

WHEREAS, the monthly Financial Report and Summary Financial Report for the period ending February 29, 2020 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 Report and Summary Financial Report for the period ending February 29, 2020 as submitted.

B. Bryan 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, Ralph Dublikar, Pat Quick, Bill Bryan

4. APPROVAL OF PAYROLLS AND BILLS

WHEREAS, copies of payroll and bills for the month of February 2020 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 payroll and bills for February 29, 2020 as submitted.

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

DISCUSSION:

None

MOTION CARRIED on a vote as follows:

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

5. OLD BUSINESS

A. Informational: Upcoming Events (All events are subject to the Ohio Department of Health “Director’s Stay at Home Order”)

DISCUSSION:

R. Fonte stated the Friends of Stark Parks meeting on Wednesday, April 8 has been changed to a Zoom meeting and we will wait and see if the May 13 meeting is changed

6. NEW BUSINESS

A. RESOLUTION: #20-04-023: Village of Waynesburg Request for Assistance with Sandy Valley Trail Relocation

WHEREAS, the Stark County Park District partnered with the Village of Waynesburg in the construction of the Sandy Valley trail portion within the Village Park; and

WHEREAS, the Village of Waynesburg requires that the trail be rerouted as part of a ballfield expansion in their park; and

WHEREAS, the Stark County Park District is seeking an easement from the Village of Waynesburg for the trail connection from the existing Sandy Valley Trail, across Route 183 to the north as part of the reroute; and

WHEREAS, the Park District will provide the labor to reroute the trail; and

WHEREAS, the Village will pay for all materials needed to construct the rerouted trail.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize the Park Director to sign/execute the necessary paperwork to enter into an Easement Agreement with the Village of Waynesburg and complete the rerouted trail construction.

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

DISCUSSION:

R. Fonte stated the Park District assisted the Village in constructing the trail after they received a grant two years ago to develop the park. This year they received additional funding to construct ball fields and this easement is received in exchange for constructing the trail. The Village will supply the materials and Stark Parks will supply the labor

R. Dublikar asked who owns the property the easement is over

R. Fonte answered the Village owns the property

MOTION CARRIED on a vote as follows:

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

B. RESOLUTION: #20-04-024: Sandy Valley Trail Easement to Accommodate Barry R. Graudhaus' Request to Connect to a Landlocked Parcel Across Park Property for a Farm Driveway

WHEREAS, the Stark County Park District is the owner of a 4.27 acre parcel of land in Sandy Township also referred to as Stark County Auditor Permanent parcel number 6180198; and

WHEREAS, the Barry R. Grodhaus, trustee of the Barry R. Grodhaus Revocable Trust is seeking a permanent easement for ingress and egress, equivalent to a farm driveway suitable for farm equipment (including tractors and pickup trucks) across the lands of the Stark County Park District; and

WHEREAS, the Stark County Park District and Barry R. Grodhaus desire to establish a twenty-five (25) foot permanent easement across the Stark County Auditor's Permanent Parcel No. 6180198 as laid out in the attached as Exhibit A and to provide for its construction, operation and maintenance.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize Robert A. Fonte, Park Director, to sign/execute the necessary paperwork to enter into an Easement Agreement as attached in Exhibit A.

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

DISCUSSION:

R. Fonte stated that this parcel has been landlocked since the railroad went through. The buyer requested that the Park District provide an easement to connect to the rest of the property. This easement is stated as limited to a "farm driveway", if in the future something more than that (like a road right-of-way) is needed the Park District would need to revisit

A. Hayden asked if the request required any man power from the Park District

R. Fonte answered that the constructing of the farm driveway crossing is the responsibility of the buyer

R. Dublikar asked if this was the easement that was presented and asked to be finalized by the end of March

R. Fonte answered, yes and the deadline was extended

R. Dublikar cautioned that the Park District may want to call before making the trip to record the easement

R. Fonte stated that the seller and buyer will handle the recording

MOTION CARRIED on a vote as follows:

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

C. RESOLUTION: #20-04-025: Vehicle Use for Essential On-Call Exempt Staff During Ohio Department of Health "Director's Stay at Home Order"

WHEREAS, the Stark County Park District requires Park Board of Commissioner approval to take Stark County Park District vehicles to employees homes overnight for extended periods of time; and

WHEREAS, the Operations Manager, Parks and Trails Supervisor and Construction Supervisor are "on-call" during the Ohio Department of Health "Director's Stay at Home Order" in response to the COVID-19 Pandemic; and

WHEREAS, the Park Director recommends the Park Board of Commissioners allow the Operations Manager and Construction Supervisor to take Stark County Park District vehicles home with them to be responsive to emergencies during the "Director's Stay at Home Order".

• **Reference 28**

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize the Operations Manager, Richard Summers, Parks and Trails Supervisor, Jason Yost and Construction Supervisor, Rob Hoover to drive a Park District vehicle home to be responsive to emergencies during the Ohio Department of Health “Director’s Stay at Home Order” in response to the COVID-19 Pandemic.

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

DISCUSSION:

A. Hayden stated this is just through this trying time

R. Fonte stated that employees taking vehicles home requires Board action. This will only be until the “Director’s Stay at Home Order” is lifted

MOTION CARRIED on a vote as follows:

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

D. RESOLUTION: #20-04-026: Adoption of Severe Weather or Other Emergency Policy

WHEREAS, it was determined by the Stark County Park District Director that there is a need for a Severe Weather or Other Emergency Policy; and

WHEREAS, the recommended policy is attached as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to adopt the Severe Weather or Other Emergency Policy as attached as Exhibit B.

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

DISCUSSION:

R. Fonte stated that in the absence of a Park Board Policy, the Board follows the Stark County Commissioners Policies. In this circumstance our staff and legal counsel interpret the policy differently than the Commissioner’s Human Resources department. We read it as if you call-in individuals during an emergency they get paid to come to work and for staying home, essentially getting paid twice. The Park District recommends the Park Board adopt their own Severe Weather or Other Emergency Policy in order to remedy the confusion and from an audit standpoint. We will continue to react to staffing as directed by the State to keep up with our operations and office staff

A. Hayden stated this policy identifies who is essential to operations and who is not and how they are paid

MOTION CARRIED on a vote as follows:

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

E. RESOLUTION: #20-04-027: Emergency Appropriation for Responses to Park Needs During the Ohio Department of Health “Director’s Stay at Home Order”

WHEREAS, due to the COVID-19 public health crisis and Amy Acton, Director of Health, Ohio Department of Health signing of the “Director’s Stay at Home Order” Robert A. Fonte, Park Director, recommends an emergency appropriation for responses to park needs; and

WHEREAS, the Board of Park Commissioners have determined it is necessary to follow this order and provide for essential functions and activities to proceed as outlined by said order; and

WHEREAS, it is impossible to anticipate all needs at this time to protect the public, staff and facilities of the Park District and to meet all contractual obligations already in place; and

WHEREAS, the full 2020 Budget has yet to be adopted by the Park Board of Commissioners.

• **Reference 29**

NOW, THEREFORE, BE IT RESOLVED, to authorize Robert A. Fonte, Park Director along with approval of the Board Chairperson for said action and Park Legal Counsel for legal form and sufficiency to expend any funds already approved in the 2020 “Operating” Budget with Resolution #19-12-101 regardless of the category in which they were appropriated if said expenditure is determined necessary as an emergency to comply with the “Director’s Stay at Home Order” provided said expenditure does not exceed the total adopted 2020 “Operating” Budget; and

BE IT FURTHER RESOLVED, to authorize Robert A. Fonte, Park Director to sign/execute any contracts necessary to complete the Emergency Appropriation for Responses to Park Financial Needs during the Ohio Department of Health “Director’s Stay at Home Order”.

BE IT FURTHER RESOLVED, that any such expenditures be reported to the full Board at the next Board Meeting following said expenditure(s).

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

DISCUSSION:

R. Fonte stated that the Park Board has not completely adopted the budget for the year. The Park District cannot predict what will be needed during the next month. We are asking for approval to move money from account to account, conditioned on approval from the Board Chairperson and Park Legal Counsel given the budget does not go over the approved amount

MOTION CARRIED on a vote as follows:

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

9. DIRECTOR’S REPORT

A. Director’s Report

R. Fonte commended the Park District staff for efforts getting through this uncertain time. Most of the staff are working in separate areas or from home

R. Fonte stated he wanted to begin addressing the concerns from Mr. Pugh from Charlie Ringer.

The Board was asked to respond to the concerns by Stark County resident, Eric Pugh relative to his property located in Louisville. These concerns were presented by Charles Ringer on Mr. Pugh’s behalf at the March 5, 2020 Park Board Meeting. The concerns were regarding the Nickel Plate Trail that ends approximately 75 feet from Mr. Pugh’s property line. The concerns fall into these categories:

1. Request to Stark Parks to make corrections to maps and park descriptions printed and on social media that show or imply the Nickel Plate Trail connects to Swallen Avenue
 - Park staff has reviewed all printed materials and removed any that gave the impression that the trail connected to Swallen Avenue. Most maps correctly showed that the trail stopped before Swallen Avenue including the official transportation map for Stark County
 - Park staff also reviewed all social media maps and trail descriptions and revised any that implied that the trail connected to Swallen Avenue. It was noted that all directions for both printed and social media were for the public to access the trail from Metzger Park and none indicated a trailhead off of Swallen Avenue
2. Address missing or confusing signage at the easterly end of the Nickel Plate Trail and erect customized sign at the eastern end of the trail
 - Park staff has replaced incorrect signs and re-installed missing signs with Park standard signs
3. Address trespassing on to Mr. Pugh’s property by trail users
 - This was first brought to the Park’s attention at the December 4, 2019 Board Meeting and was already being addressed before the March 5, 2020 Board Meeting including:
 - a. Repairing the vandalized post and rail fence where the trail ends, 75 feet more or less west of Mr. Pugh’s property line
 - b. Increased maintenance inspections to ensure the fence and signage remain intact
 - c. Increased Ranger patrol to discourage trespassers (two written warnings have been issued and repeat offenders will be cited)

4. Address errors in the original grant application used to construct the Nickel Plate Trail
 - The grant application from 2001 was to purchase one parcel that included open space consisting of approximately 40 acres that also included the former Nickel Plate Railroad connecting the open space to Metzger Park. The trail constructed as part of this grant was constructed entirely on property purchased by the Stark County Park District and ended approximately 75 feet from the Pugh Property. It should have said “future connection”, this grant was a purchase of land and the purchase of Mr. Pugh’s property was never a part of this grant.
 - The grant application was reviewed and approved locally by the Natural Resource Advisory Council (NRAC) committee and Regional Planning Commission (RPC) staff. It was also reviewed by the Ohio Department of Natural Resources (ODNR) Ohio Public Works Commission (OPWC)
 - My certification of being a Professional Engineer (P.E.) was to certify the budget
5. Provide an Affidavit relating to the ownership of property adjacent to the Nickel Plate Trail
6. Reimburse Mr. Pugh for legal fees
 - These requests are under review by the Park’s legal counsel
 - A comprehensive report will be prepared after the Park’s legal counsel completes his work

10. EXECUTIVE SESSION

BE IT RESOLVED, to adjourn into Executive Session at 2:33 p.m. to consider the employment, and/or compensation of public employee(s) or official(s).

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

MOTION CARRIED on a roll call vote as follows:

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

11. RECONVENE FROM EXECUTIVE SESSION

BE IT RESOLVED to reconvene to Regular Session at 2:52 p.m.

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

MOTION CARRIED on a vote as follows:

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

12. ADJOURNMENT

BE IT RESOLVED to adjourn at 2:53 p.m. Next scheduled meeting: Wednesday, May 6, 2020 at 2:00 p.m. at the Sippo Lake Clubhouse, 5300 Tyner St. NW, Canton, OH 44708.

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, Ralph Dublikar, Pat Quick, Bill Bryan

APPROVAL DATE: May 6, 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 31**