

STARK COUNTY PARK DISTRICT

PARK COMMISSION MEETING AGENDA

Tuesday, October 5, 2021 @ 5:30 P.M.

Exploration Gateway at Sippo Lake Park – Rooms A&B

1. CALL TO ORDER

- A. Roll Call of Members: D. Freeland, W. Bryan, R. Dublikar, P. Quick, D. Regula
- B. Adoption of Agenda

2. PUBLIC COMMENT

3. STAFF PRESENTATION – Justin Laps, Chief of Public Safety

4. APPROVAL OF MINUTES September 7, 2021

5. FINANCIAL REPORTS: August 2021 S

- A. Summary Financial Report
- B. Budget
- C. Grant Status

6. PAYROLLS & BILLS: August 2021

7. OLD BUSINESS

- A. Informational: Upcoming Events

8. NEW BUSINESS

- A. Resolution: #21-10-064: 2021 Tax Levy Rate and Amount
- B. Resolution: #21-10-065: Grant Acceptance: Body Armor Vests
- C. Resolution: #21-10-066: Clean Ohio Greenspace Conservation Fund: Natural Resource Advisory Council (NRAC) Grant Applications for Petros Lake Park and the Tavares Property
- D. Resolution: #21-10-067: Wildlife Conservation Center Note Sale Transfer
- E. Resolution: #21-10-068: License Agreement: Muskellunge Brewing Company/Stark Parks (EXHIBIT A)
- F. Resolution: #21-10-069: 2021 Department Project Revision-Restoration Project

9. DIRECTOR'S REPORT

- A. 2021 Project List & Budget
- B. Director's Report

10. EXECUTIVE SESSION:

Roll Call of Members: D. Freeland, W. Bryan, R. Dublikar, P. Quick, D. Regula

____to consider the appointment, employment, dismissal, discipline, promotion, demotion, and/or compensation of a public employee or official, and/or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing pursuant to division (G) (1) of this section of the Ohio Revised Code (ORC).

 X to consider the purchase of property for public purposes, and/or for the sale of property at competitive bidding pursuant to division (G) (2) of this section of the ORC.

____to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action pursuant to division (G)(3) of this section of the ORC.

____to prepare for, conduct, and/or review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment pursuant to division (G)(4) of this section of the ORC.

_____to discuss matters required to be kept confidential by federal law or rules and/or state statutes pursuant to division (G) (5) of this section of the ORC.

_____to discuss specialized details of security arrangements pursuant to division (G) (6) of this section of the ORC.

11. RECONVENE FROM EXECUTIVE SESSION

12. ADJOURNMENT

NOTE:

**NEXT REGULAR SCHEDULED MEETING: *Wednesday, November 3, 2021*
*at 2:00 PM at the Exploration Gateway at Sippo Lake Park***

STARK COUNTY PARK DISTRICT

Summary and Recommendations of Agenda Items

CATEGORY: OLD BUSINESS

SUBJECT: Informational: Upcoming Events

EVENT	DATE	TIME	LOCATION	BOARD MEMBER
Park of the Living Dead	October 8, 2021	6:30p	Tam O'Shanter Park	
Haunted Hike	October 9, 2021	7p	Tam O'Shanter Park	
Manor House Tours	October 10, 2021	1p, 2:30p	Quail Hollow Park Manor House	
Friends of Stark Parks Meeting	October 13, 2021	4p	ZOOM	David Regula
Volunteer Appreciation Lunch or Dinner	October 14, 2021	11a or 5p	Tam O'Shanter Park	
Zoom – Spooky Species: Owls	October 14, 2021	6p	ZOOM	
Stark Parks Kids: Cider and Spiders	October 14, 2021	6p	Exploration Gateway	
Crusin' Through the Parks	October 19, 2021	9a	Iron Horse trail – First Christian Church Trailhead	
Full Moon Hike – Towpath	October 20, 2021	7p	Congressman Ralph Regula Towpath Trail – Lock 4 Trailhead	
Park Board Meeting	Wednesday, November 3, 2021	2p	Exploration Gateway at Sippo Lake Park	
VeteRUN	November 6, 2021	7a	Quail Hollow Park	
Friends of Stark Parks Meeting	November 10, 2021	4p	ZOOM	Bill Bryan

STARK COUNTY PARK DISTRICT

Summary and Recommendations of Agenda Items

CATEGORY: NEW BUSINESS
SUBJECT: 2022 Tax Levy Rate and Amount
RESOLUTION: #21-10-064

WHEREAS, the Stark County Park District Board of Commissioners in accordance with the provisions of law has previously adopted a Tax budget for the next succeeding fiscal year commencing January 1, 2022; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners, Stark County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be the same are here by accepted; and

NOW, THEREFORE, BE IT RESOLVED, that there be and is hereby levied on the tax duplicate of said Park District the rate of each tax necessary to be levied within and without the ten mill limitation as follows; and

NOW, THEREFORE, BE IT FUTHER RESOLVED, by the Stark County Park District Board of Park Commissioners to accept the tax rate of 1.00 mil and the amount of Seven Million Four Hundred Twenty Eight Thousand Five Dollars (\$7,428,005.00) as determined by the Budget Commission.

_____ MOVED to adopt this resolution, which was SECONDED by _____.

DISCUSSION:

MOTION CARRIED on a roll call vote as follows:

Voting Aye:

Voting Nay:

STARK COUNTY PARK DISTRICT

Summary and Recommendations of Agenda Items

CATEGORY: NEW BUSINESS
SUBJECT: Grant Acceptance: Body Armor Vests
RESOLUTION: #21-10-065

WHEREAS, the Stark County Park District (SCPD) applied for a grant through the Ohio Attorney General’s Ohio Law Enforcement Body Armor Program for five (5) new vests; and

WHEREAS, SCPD was awarded project reimbursement in the amount of Seventy Five Percent (75%) of the total project costs and the project total is Five Thousand Eight Hundred and Fifty Dollars (\$5,850.00).

WHEREAS, the SCPD Board of Park Commissioners accepts the grant award in the amount of Four Thousand Three Hundred Eighty Seven Dollars and Fifty Cents (\$4,387.50); and

WHEREAS, the SCPD share is One Thousand Sixty Two Dollars and Fifty Cents (\$1,462.50); and

WHEREAS, the grant award acceptance and requests for reimbursement are due by September 30, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Stark County Park District Board of Park Commissioners accepts the grant award and will obligate the funds required to satisfactorily complete the project including a Twenty Five Percent (25%) match.

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize the Park Director to accept the grant through the Ohio Attorney General’s Law Enforcement Body Armor Program for five (5) new vests.

_____ MOVED to adopt this resolution, which was SECONDED by _____.

DISCUSSION:

MOTION CARRIED on a roll call vote as follows:

Voting Aye:

Voting Nay:

STARK COUNTY PARK DISTRICT

Summary and Recommendations of Agenda Items

CATEGORY: NEW BUSINESS

SUBJECT: Clean Ohio Greenspace Conservation Fund: Natural Resource Advisory Council (NRAC)
Grant Applications for Petros Lake Park and the Tavares Property

RESOLUTION: #21-10-066

WHEREAS, grant funding is available from the Clean Ohio Conservation Fund program for the acquisition of open space and site improvements in Stark County with a goal of protecting habitat, preserving water quality, linking open spaces and enhancing economic development for recreation and ecotourism, and enhancing educational opportunities for the community; and

WHEREAS, the Stark County Park District (SCPD) desires financial assistance through the Ohio Public Works Commission (OPWC) with applications being due no later than October 8th, 2021; and

WHEREAS, the grant funds available in this round of Natural Resource Advisory Council (NRAC) funding are approximately One Million Five Hundred Sixty Two Thousand Four Hundred Sixty Five Dollars (\$1,562,465.00); and

WHEREAS, SCPD is recommending two projects for the grant program funding; and

WHEREAS, the request for Petros Lake Park totals Two Hundred Twenty One Thousand Eight Hundred Twenty Five Dollars (\$221,825.00) for prairie restoration, a parking lot, signage and trails; and

WHEREAS, the request for property acquisition known as the Tavares Property, Stark County Auditor Permanent Parcel numbers 10002561 and 1302634 totals Thirty Thousand Dollars (\$30,000.00) for the acquisition of floodplain property totaling 17.49 acres; and

WHEREAS, the total project cost for both projects is Three Hundred Thirty Five Thousand Seven Hundred Sixty Six Dollars and Sixty Seven Cents (\$335,766.67); and

WHEREAS, the total funding request for both projects is Two Hundred Fifty One Thousand Eight Hundred Twenty Five Dollars (\$251,825.00); and

WHEREAS, NRAC requires a Twenty-Five Percent (25%) match for each project which equates to Eighty Three Thousand Nine Hundred Forty One Dollars and Sixty Seven Cents (\$83,941.67) which SCPD intends to cover with the value of labor and in the form of cash; and

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize the Park Director to submit an application for a grant to OPWC for site improvements at Petros Lake Park and the Tavares Property acquisition totaling a grant request of Two Hundred Fifty One Thousand Eight Hundred Twenty Five Dollars (\$251,825.00) with a match of Eighty Three Thousand Nine Hundred Forty One Dollars and Sixty Seven Cents (\$83,941.67).

BE IT FURTHER RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize the Park Director and to sign any documents necessary to submit the grant application.

_____ MOVED to adopt this resolution, which was SECONDED by _____.

DISCUSSION:

MOTION CARRIED on a roll call vote as follows:

Voting Aye:

Voting Nay:

STARK COUNTY PARK DISTRICT

Summary and Recommendations of Agenda Items

CATEGORY: NEW BUSINESS
SUBJECT: Wildlife Conservation Center Note Sale Transfer
RESOLUTION: #21-10-067

WHEREAS, the Stark County Park District Board of Park Commissioners previously approved the Wildlife Conservation Note with Resolution #20-11-071; and

WHEREAS, the Financial Manager recommends paying down an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) and issuing a new note in the amount of Five Hundred Thousand Dollars (\$500,000.00); and

WHEREAS, the interest rate on the note will be determined after the quotes are received; and

WHEREAS, a transfer is needed from the General Fund for an amount not to exceed Five Hundred Twenty Thousand Dollars (\$520,000.00) for principal, interest and legal fees; and

NOW, THEREFORE, BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to authorize a new note in the amount not to exceed Five Hundred Thousand Dollars (\$500,000.00).

BE IT FURTHER RESOLVED, by the Stark County Park District Board of Park Commissioners to transfer an amount not to exceed Five Hundred Twenty Thousand Dollars (\$520,000.00) from 072.28.0000.82100 (Transfers Out) to 529.28.0000.72100 (Transfers In) for principal, interest and legal fees.

_____ MOVED to adopt this resolution, which was SECONDED by _____.

DISCUSSION:

MOTION CARRIED on a roll call vote as follows:

Voting Aye:

Voting Nay:

STARK COUNTY PARK DISTRICT

Summary and Recommendations of Agenda Items

CATEGORY: NEW BUSINESS

SUBJECT: License Agreement: Muskellunge Brewing Company/Stark Parks

RESOLUTION: #21-10-068

WHEREAS, the Stark County Park District and Muskellunge Brewing Company desire to enter into a License Agreement (attached as Exhibit A); and

WHEREAS, the License Agreement will be mutually beneficial for both agencies; and

WHEREAS, the licensing relationship established by this Agreement will support Stark Parks' development of sustainable trails, encourage and stimulate the use of Stark Parks' trails and other offerings by the public, and generally promote Stark Parks' facilities, programs and services.

NOW, THEREFORE BE IT RESOLVED, by the Stark County Park District Board of Park Commissioners to approve the License Agreement and authorize the Park Director, Robert A. Fonte, to sign/execute the License Agreement with Muskellunge Brewing Company (attached as Exhibit A) as approved for legal form and sufficiency by Attorney William Morris.

_____ MOVED to adopt this resolution, which was SECONDED by _____.

DISCUSSION:

MOTION CARRIED on a roll call vote as follows:

Voting Aye:

Voting Nay:

EXHIBIT A

LICENSE AGREEMENT

This License Agreement (the "Agreement") is entered into and made effective on the last date signed below ("Effective Date") by and between Muskellunge Brewing Company ("Licensee") and The Board of Park Commissioners of the Stark County Park District ("Stark Parks").

WHEREAS, Licensee desires to use Stark Parks' name and other material as specified below in connection with the sale of a craft beer brewed, marketed and sold by Licensee, which is known as "Tam O'Shanter Dortmund" (referred to herein as the "Product"); and

WHEREAS, the licensing relationship established by this Agreement will support Stark Parks' development of sustainable trails, encourage and stimulate the use of Stark Parks' trails and other offerings by the public, and generally promote Stark Parks' facilities, programs and services;

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, Stark Parks and Licensee agree as follows:

1. The above recitals are incorporated herein and considered part of this Agreement.

2. Grant. During the Term, and on the terms and subject to the conditions set forth herein, Stark Parks hereby grants to Licensee a nonexclusive, nontransferable right and license to (A) publish and disseminate the following statement on advertising (including on the Ohio Craft Beer Brewers Association Blog Site), menus or other materials relating to the promotion and sale of the Product: "A portion of the proceeds from the sale of this product support Stark Parks' development of Sustainable Trails," (B) publish and disseminate an image of the Stark Parks trail map to be provided to Licensee by Stark Parks on advertising, menus or other materials relating to the promotion and sale of the Product. Absent the prior written consent of Stark Parks, Licensee may not assign, sublicense or otherwise transfer any rights granted herein to any other person or entity for any reason or use the licensed material for any purpose not specified herein.

3. Terms: (A) Licensee shall be exclusively responsible for the marketing and promotion of the Product and shall bear all costs associated with the sale of the Product. (B) Licensee shall pay to Stark Parks a royalty based upon the sales of the Product from any retail or wholesale location of Licensee as follows:

\$10.00 per 5-gallon keg sold at a Muskellunge Brewing Company LLC location.

\$5.00 per 5-gallon keg sold to third party retailers.

(C) Licensee shall account for and accrue the foregoing royalties beginning on the Effective Date and continuing until termination of this Agreement. Licensee shall make its initial payment of the royalties to Stark Parks on or before December 31, 2021. Thereafter, Licensee shall pay all accrued royalties to Stark Parks on a semi-annual basis (i.e., by June 30 and December 31 of each calendar year). If this Agreement is to be terminated before the date that a royalty payment is due, Licensee shall pay all accrued royalties to Stark Parks on or before the date that is seven (7) days after the date of termination.

4. Term and Termination. Except as otherwise provided herein, this Agreement shall remain in full force and effect for an initial term commencing on the Effective Date, and continuing through December 31, 2021. On January 1, 2022, this Agreement shall automatically renew for a period of six months, and for each subsequent six month period thereafter, unless either party gives notice of termination to the other party on or before the date that is thirty (30) days prior to the termination date. Notwithstanding the foregoing, either party may terminate this Agreement without cause and at its sole discretion upon thirty (30) days' notice by giving written notice of termination to the other party.

5. Ownership. Licensee acknowledges that Stark Parks has exclusive right, title and interest in and to the licensed material and will not at any time do or cause any act or thing contesting or in any way impairing or tending to impair any part of such right, title and interest, and Licensee acknowledges that the use of the licensed material shall not create any right, title or interest in the Licensee. Upon expiration and or termination of this Agreement, Licensee will cease from all future uses of the licensed material.

6. Indemnification. Licensee hereby agrees to indemnify and hold harmless Stark Parks and its agents, commissioners, officers, employees and representatives, from and against any and all actions, claims, suits, proceedings, losses, damages, costs, liabilities, including reasonable attorney's fees, and other expenses that may be suffered, incurred or paid by reason of, or arising out of an act or omission of Licensee, including without limitation Licensee's use of the licensed material or sale of distribution of the Product.

7. Miscellaneous. This Agreement is the entire agreement between the parties with respect to the subject matter referenced herein and supersedes any previous understandings or agreements, whether written or oral, with respect to such subject matter. This Agreement shall be governed by the laws of the State of Ohio, without regard to conflict of law principles. Any and all disputes concerning the enforcement, breach or performance of this Agreement shall be resolved by a court of competent jurisdiction within the State of Ohio. Each party hereby consents to venue in the jurisdiction of any state or federal court in Stark County, Ohio.

IN WITNESS WHEREOF, each party has executed this Agreement in a manner appropriate to each, and the person signing on behalf of each party warrants and represents that he or she has full authority to act on its behalf.

Date: _____

Stark County Park District

By: _____
Robert A. Fonte
Park Director

Date: _____

Muskellunge Brewing Company, LLC

By: _____
Frank Estremera, MS
Owner & Master Brewer

This agreement prepared by:
Stark County Park District

Approved as to legal form and sufficiency:

By: _____
William F. Morris, Esq.
Legal Counsel for Stark County Park District

STARK COUNTY PARK DISTRICT

Summary and Recommendations of Agenda Items

CATEGORY: NEW BUSINESS

SUBJECT: 2021 Department Project Revision-Restoration Project

RESOLUTION: #21-10-069

WHEREAS, the 2021 Project List & Budget was approved by the Stark County Park District Board of Commissioners by resolution #21-02-015 on February 2, 2021; and

WHEREAS, the 2021 Natural Resources Department Project Budget included Restoration as a project for the Donzelli property and forest restoration to address Ash die off; and

WHEREAS, Natural Resources Manager, Talula Wiater, has recommended including prairie restoration in this project instead of only forest restoration in this project due to the need to stabilize the soil and protect it from run off prior to reforestation.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Stark County Park District Board of Park Commissioners to update the project description for the Reforestation from the original project submitted to add prairie restoration.

_____ MOVED to adopt this resolution, which was SECONDED by _____.

DISCUSSION:

MOTION CARRIED on a roll call vote as follows:

Voting Aye:

Voting Nay:

Stark County Park District
DIRECTOR'S REPORT
 August 30- September 29, 2021

08/30/2021	<ul style="list-style-type: none"> - Attended Stark County Area Transportation Study (SCATS) Meeting in Person at Regional Planning Commission
	<ul style="list-style-type: none"> - Attended National Association of County Park and Recreation Officials (NACPRO) Meeting via Zoom
08/31/2021	<ul style="list-style-type: none"> - Conducted One-on-One Meeting with Projects and Administration Manager in Person at Sippo Lake Park Administration Office

	<ul style="list-style-type: none"> – Conducted One-on-One Meeting with Executive Assistant in Person at Sippo Lake Park Administration Office
09/01/2021	<ul style="list-style-type: none"> – Attended Education Department Staff Meeting in Person at Exploration Gateway at Sippo Lake Park
	<ul style="list-style-type: none"> – Met with Volunteer Coordinator in Person at Exploration Gateway at Sippo Lake Park
09/02/2021	<ul style="list-style-type: none"> – Conducted Meeting with Arts-in-Stark Representatives to Discuss Donation of Sculptures and Other Collaboration Ideas in Person at Exploration Gateway at Sippo Lake Park
	<ul style="list-style-type: none"> – Attended Regional Planning Commission Personnel Committee Interview for Subdivision Engineer in Person at Regional Planning Commission
	<ul style="list-style-type: none"> – Conducted Canton Regional Society of Professional Engineers (CRSPE) Meeting via Zoom
09/03/2021	<ul style="list-style-type: none"> – Vacation Day
09/06/2021	<ul style="list-style-type: none"> – Labor Day Holiday – Offices Closed
09/07/2021	<ul style="list-style-type: none"> – Attended Park Board of Commissioners Meeting in Person at Exploration Gateway at Sippo Lake Park
	<ul style="list-style-type: none"> – Attended Regional Planning Commission Meeting in Person at Regional Planning Commission
09/08/2021	<ul style="list-style-type: none"> – Conducted Monthly Managers/Supervisors Meeting via Zoom
09/09/2021	<ul style="list-style-type: none"> – Attended Meeting Regarding Tam O'Shanter Park with Environmental Design Group and Staff via Zoom
09/10/2021	<ul style="list-style-type: none"> – Vacation Day – Attended Ohio Parks and Recreation (OPRA) Golf Outing in Columbus
09/13/2021	<ul style="list-style-type: none"> – Attended Site Visit to Pleasant Hill Lake Park with Muskingum Watershed Conservancy District and Stark Parks Staff in Person in Perrysville, Ohio
	<ul style="list-style-type: none"> – Attended Education and Marketing Meeting via Zoom
09/14/2021	<ul style="list-style-type: none"> – Conducted One-on-One with Operations Manager in Person at Sippo Lake Park Administration Office
	<ul style="list-style-type: none"> – Attended Brainstorming Meeting with Staff and Arts-in-Stark at Arts-in-Stark in Canton
	<ul style="list-style-type: none"> – Conducted One-on-One Meeting with Executive Assistant via Phone
09/16/2021	<ul style="list-style-type: none"> – Attended Technical Advisory Council (TAC) Meeting in Person at Regional Planning Commission
	<ul style="list-style-type: none"> – Conducted Final Interview for Full Time Facilities Employee in Person at Sippo Lake Park Administration Office
09/17/2021	<ul style="list-style-type: none"> – Vacation Day
09/20/2021	<ul style="list-style-type: none"> – Conducted One-on-One Meeting with Executive Assistant in Person at Sippo Lake Park Administration office
09/21/2021	<ul style="list-style-type: none"> – Attended Project Update Meeting with Staff via Zoom
	<ul style="list-style-type: none"> – Conducted One-on-One Meeting with Financial Manager in Person at Sippo Lake Park Administration Office
	<ul style="list-style-type: none"> – Conducted Final Interview for Full Time Project Assistant in Person at Sippo Lake Park Administration Office
09/23/2021	<ul style="list-style-type: none"> – Attended Friends of Stark Parks Fundraiser Wild Night for Wildlife in Person at Sippo Lake Park Exploration Gateway

09/24/2021	<ul style="list-style-type: none"> - Attended Ohio Parks and Recreation Association (OPRA) Region 2 networking Event in Person at Valley View Area of Cascade Valley Metro Park Himelright Lodge in Akron
09/27/2021	<ul style="list-style-type: none"> - Attended Visit Canton Executive Committee Meeting via Zoom
	<ul style="list-style-type: none"> - Attended Visit Canton Board of Directors Meeting via Zoom
	<ul style="list-style-type: none"> - Attended Stark County Area Transportation Study (SCATS) Meeting in Person at Regional Planning Commission
09/28/2021	<ul style="list-style-type: none"> - Conducted One-on-One Meeting with Natural Resources Manager in Person at Sippo Lake Park Administration Office
	<ul style="list-style-type: none"> - Conducted Final Interview for Natural Resources Technician
09/29/2021	<ul style="list-style-type: none"> - Conducted Education Department Staff Meeting via Zoom