

METROPARKS OF BUTLER COUNTY
BOARD OF PARK COMMISSIONERS – REGULAR MEETING MINUTES
JANUARY 24, 2012

The MetroParks of Butler County Board of Park Commissioners met in regular session on Tuesday, January 24, 2012, in the Trophy Room at Voice of America Park.

Call to Order

The meeting was called to order at 3:10 p.m. by President Cynamon T. Trokhan.

Roll Call and Agenda

Members present for purposes of roll calls were Gregory T. Amend and Cynamon T. Trokhan. Edward L. Dwyer was absent.

The Board worked from the following agenda:

AGENDA

- 1. Call to Order – 3:00 p.m.**
- 2. Roll Call**
- 3. Public Comment Regarding Agenda Items**
- 4. Approval of Minutes – December 20, 2011, Regular Meeting**
- 5. Consent Agenda ***
 - a. Financial Reports for December 2011
 - (1) General Fund Reports
 - i. Revenue Report
 - ii. Appropriation & Expenditure Report
 - iii. Cash Balance Statement/Approval of Transfers
 - iv. Motor Vehicle Permit Sales Report – December 2011
 - (2) General Fund Variance Report
 - (3) General Fund Cash Budget Forecast
 - (4) Financial Reports by Park
 - (5) Quarterly Trust Fund Reports
 - i. Revenue Report
 - ii. Appropriation & Expenditure Report
 - iii. Cash Balance Statement/Approval of Transfers
 - (6) Beginning Cash Balance Report, All Funds, January 2012
 - b. Schedule of Payables - December 2011
 - c. Special Event Contracts and/or Associated Sales or Commercial or Other Permits
 - (1) Edge Teen Center – Leadership 21 Run for the Edge – VOA – April 21
 - (2) Special Permit – Solicitation of Donations – Timber Hill Restoration Coalition
 - (3) Lungs on the Run to Benefit Cincinnati Cancer Consortium – Lungs on the Run 5K – Voice of America Park – Saturday, June 16, 2012
 - d. Standard Resolution for Payment of Expenses, Transfers & Employment Actions Between Meetings of the Board in 2012
 - e. Attendance at 2012 OPRA Conference
 - f. Dates and Rates for Backpacking Program Series
 - g. Engagement of Special Counsel
- 6. Old Business**
 - a. Determination of Scope of and Funding for VOA Athletic Field Complex – Phase 1

- b. February Board Meeting Date
- c. Other – Miscellaneous from Board or Administration

7. New Business

- a. Election of 2012 Board Officers
- b. Other – Miscellaneous from Board or Administration

8. Executive Session

- a. Land Acquisition/Purchase and/or Sale of Property
- b. Personnel Matters – Employment and Compensation

9. Adjournment

Public Comment Regarding Agenda Items

None.

Approval of Minutes – December 20, 2011, Regular Meeting:

Mr. Amend moved, seconded by Ms. Trokhan, **to approve** the minutes of the December 20, 2011, Regular Meeting as presented. (see documents in Proceedings Book)

Motion No. 1.12

Roll Call: Aye: Mr. Amend, Ms. Trokhan
Nay: None
Absent: Mr. Dwyer

The president declared the motion carried unanimously.

Consent Agenda

The following motion(s) were presented for the Consent Agenda:

Mr. Amend moved, seconded by Ms. Trokhan, **the approval, acceptance, and/or ratification of all consent agenda items listed** on the January 24, 2012, Board meeting agenda as requested by the Executive Director, including motions on cover sheets and any modifications to those motions made during this meeting, thereby instructing him to take such actions as are necessary to implement the intent of the Board in these matters. (see documents in Proceedings Book)

Motion No. 2.12

General Fund Reports: **To approve and place on file** the General Fund Reports (including listed transfers and donations) as prepared by Supervisor of Financial Services Kimberly Geisler, as an accurate accounting of the revenues and expenditures through December, 2011.

General Fund Variance Report - December, 2011: **To approve and place on file** the General Fund Variance Reports as prepared by Supervisor of Financial Services Kimberly Geisler, as an accurate accounting of the financial status of the MetroParks for December, 2011.

General Fund Cash Budget Forecast: **To approve and place on file** the Cash Balance Statement for December 2011, as prepared by Supervisor of Financial Services Kimberly Geisler, as a forecast of the Cash Balance amounts as of December 31, 2011.

Financial Reports by Park: **To approve and place on file** the Financial Reports for individual parks as prepared by Supervisor of Financial Services Kimberly Geisler, as an accurate accounting of the financial status of the individual parks' revenue and expenses to date.

Quarterly Trust Fund Reports: **To approve and place on file** the Trust Fund Reports composed by Supervisor of Financial Services Kimberly Geisler as an accurate accounting of the revenues and expenses year-to-date in the MetroParks Trust Fund.

Beginning Cash Balance Report, All Funds, January 2012: **To adopt and place on file** in the records of the Board the 2012 Beginning Cash Balance Report for All Funds as prepared and presented to the Board of Park Commissioners by accounting staff. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in this matter.

Schedule of Payables – December 2011: **To adopt** the Schedule of Payables for December 2011 as prepared by staff and that it be submitted to the County Auditor, thereby approving listed payments, and that the Executive Director's actions regarding any obligations also listed which have been already paid as was necessary to meet payment-due dates and contract obligations are hereby ratified.

Special Events Contracts and/or Associated Sales or Commercial Use Permits: **To approve** the special event contract(s) and/or any associated sales permits as presented by staff and authorize the Executive Director to execute the contracts and/or permits on behalf of the Board. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in these matters.

- (1) Edge Teen Center – Leadership 21 Run for the Edge – VOA – April 21 (NEW EVENT)
- (2) Special Permit – Solicitation of Donations – Timber Hill Coalition
- (3) Lungs on the Run to Benefit Cincinnati Cancer Consortium – Lungs on the Run 5K – Voice of America Park – Sat., June 16, 2012 (REPEAT EVENT)

Standard Resolution for Payment of Expenses, Transfers & Employment Actions Between Meetings of the Board in 2012: That the Executive Director of the MetroParks or in his/her absence, the President of the Board of Park Commissioners, be, on behalf of the Board, **authorized to execute and to submit to the Butler County Auditor** and/or other governmental offices all

necessary documentation required to encumber funds, to order expenses paid as necessary to meet the contractual obligations of the Board and/or take actions as allowable pursuant to the By-laws of the Board, and to authorize and order account transfers and budget adjustments within each Fund of the MetroParks between meetings of the Board. Further, that the authority extended by this action of the Board shall include authorization to order and/or adjust employee compensation and benefits paid or provided and to complete and file Payroll Adjustments Report forms and to add or remove employees from payroll. And additionally, that this resolution of the Board shall be effective during a period from February 1, 2012, through January 31, 2013, unless otherwise amended or superseded by an action of the Board. Also, further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in this matter.

Attendance at 2012 OPRA Conference: **To approve the attendance** of the Executive Director at the 2012 OPRA Annual Conference and related expenses pursuant to the travel policies of the MetroParks. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in this matter.

Dates and Rates for Backpacking Program Series: **To approve the dates and rates** for the Backpacking Program series as presented by staff. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in this matter.

Engagement of Special Counsel: **To ratify (approve) the engagement** of Cors & Bassett (Sara Straight Wolf) to serve as special counsel on behalf of the Board of Park Commissioners on such matters as the Executive Director deems as appropriate. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in this matter.

Roll Call: Aye: Mr. Amend, Ms. Trokhan
Nay: None
Absent: Mr. Dwyer

The president declared the motion carried unanimously.

Old Business

Determination of Scope of and Funding for VOA Athletic Field Complex – Phase 1

Executive Director Jonathan Granville explained that in order to enable the planting and growth of grass fields this spring/early summer (the next seasonal planting window), the MetroParks must first determine the basic scope of the project and put specifications out to bid in February (the earlier, the better). Before determining the scope (and, therefore, estimated cost) of the project, he noted that the Board needed to determine at this meeting (January 24) just what it wants and can afford to construct as Phase 1.

Four options and the funding scenarios had been studied and the information presented to the Board.

Mr. Granville recommended that the Board select and rank its preferences for the scope of the project from the four options provided and that the Executive Director be authorized to pursue the necessary contractual agreements required and arrange the funding for the selected, preferred scenario. Special meetings of the Board might be required in order to authorize execution of documents in a timely manner regardless of the scope option selected, he further commented.

He further stated that if the Board is committed to construction of Phase 1 in spring and/or summer of 2012, there is no time to delay in determining the scope and moving forward as discussed above.

The partners specified in the financial information provided to the Board were discussed and the Executive Director explained that the costs included lights on the synthetic turf fields and the drainage installation for eventually making an easy conversion of the grass fields to synthetic fields. The Board discussed the financial situation and discussed costs for various project options.

Mr. Granville introduced Mr. Roger Gates as representing the County Prosecutor's Office which is under contract with the MetroParks to serve as legal counsel. He discussed possibly getting the Port Authority involved and the new Ohio Revised Code section that could allow a cost savings on construction expenses. Mr. Gates explained that Mr. Granville had contacted him about obtaining an Ohio Attorney General Opinion concerning 2011 legislation which indicates that Port Authority contracts would not be subject to state prevailing wage requirements. Mr. Gates said he had reviewed the matter and there is no reason not to take the meaning of the new law at face value.

In his opinion, the General Assembly's intention was to put the Port Authority in a position to not have to pay prevailing wage on projects run through it. Because the meaning of the law is clear, he continued, an Attorney General's Opinion is not required.

Mr. Gates suggested the possibility of having a contingency plan in case prevailing wages had to be paid. He said that certain types of other projects, such as for school improvements, don't have to have prevailing wages paid. He said this now applies to any public improvement project constructed by a Port Authority. He further commented that there was need to say in contract specifications to bidders whether or not prevailing wage will be paid. This information must also be a part of any construction contract.

There was brief discussion as to whether or not working through the Port authority was the best way to go after which both attending Board members expressed being in favor of having the Port Authority involved in the VOA Athletic Field Project due to the cost savings possible.

Mr. Amend moved, seconded by Ms. Trokhan, that options 2 (9 fields, of which 2 would be synthetic turf) and 4 (20 fields, 2 of which would be synthetic turf) that had been presented to the Board of Park Commissioners be put out for bid, for the scope of the

VOA Athletic Field Complex Phase 1 Project to be constructed at the earliest opportunity, and authorized the Executive Director, acting with advice of counsel, to negotiate the contractual agreements necessary to pursue construction scenarios as determined by the Board. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in this matter.

(see documents in Proceedings Book)

Motion No. 3.12

Roll Call: Aye: Mr. Amend, Ms. Trokhan
Nay: None
Absent: Mr. Dwyer

The president declared the motion carried unanimously.

February Board Meeting Date

Mr. Granville explained that two out of three Park Commissioners will be unavailable on February 21 (the regularly scheduled next meeting date) and for reasons related to the VOA Athletic Field Project, an earlier meeting date in February may be advantageous and suggested a meeting date the week of February 12th might be considered. The Board, by consensus, set the regular February meeting for Tuesday, February 14, 2012, at 3:00 p.m. in the Trophy Room at Voice of America MetroPark.

Other – Miscellaneous from Board or Administration

Jason Boerger, Chief of Operations and Public Safety, presented a report on the re-construction of the Ranger Department. He explained that there was a need for ranger vehicles as there were currently only 2 vehicles. Mr. Granville explained that MetroParks ranger vehicles would not look like police cars and that good gas mileage was an increasing concern.

Mr. Amend moved, seconded by Ms. Trokhan, to authorize the purchase of 3 ranger vehicles that Mr. Boerger recommended, which had been included in the MetroParks temporary budget for 2012.

Motion No. 4.12

Roll Call: Aye: Mr. Amend, Ms. Trokhan
Nay: None
Absent: Mr. Dwyer

The president declared the motion carried unanimously.

Mr. Boerger further reported that the Takeuchi was being used at VOA to remove invasive shrubs. A Board member asked to be alerted in advance of the work when the Forest Run fence would be cleared. Mr. Boerger further explained that the one dump truck had to be driven back and forth from Rentschler to VOA. A Board member expressed that a dump truck doesn't get used often and wouldn't be worth the money to purchase new. He said that renting a dump truck the few times it was needed would be less costly. The Board member suggested re-thinking purchase of this vehicle. This matter will be re-considered when the final 2012 budget is brought to the Board for approval.

New Business

Election of 2012 Board Officers

Ms. Trokhan moved, Mr. Amend seconded, to nominate a slate of officers consisting of Mr. Amend as President and Mr. Dwyer as Senior Vice President to serve through 2012 or until his or her successor is elected, whichever is longer, to close nominations and to cast a unanimous ballot for the slate of officers as proposed. *Motion No. 5.12*

Roll Call: Aye: Mr. Amend, Ms. Trokhan
Nay: None
Absent: Mr. Dwyer

The president declared the motion carried unanimously.

Other – Miscellaneous from Board or Administration

None.

Executive Session

There was no Executive Session found to be necessary and no motion to enter it was offered.

Adjournment

There being no further business, Ms. Trokhan moved, seconded by Mr. Amend, **to adjourn** the regular meeting at 4:30 p.m. *Motion No. 6.12*

Roll Call: Aye: Mr. Amend, Ms. Trokhan
Nay: None
Absent: Mr. Dwyer

The president declared the motion carried unanimously.

Adoption: The above minutes are a true and accurate record of the meeting as adopted by the Board of Park Commissioners, MetroParks of Butler County.

Approved:

Attest:

President/Presiding Officer

Executive Director/Secretary

The next regular business meeting of the Board of Park Commissioners is scheduled for Tuesday, February 14, 2012, at 3:00 a.m., at Voice of America Park Lodge.
Date was later changed to February 15, 2012.