

METROPARKS OF BUTLER COUNTY
BOARD OF PARK COMMISSIONERS
REGULAR MEETING MINUTES
December 17, 2020

The MetroParks of Butler County Board of Park Commissioners met in regular session on Thursday, December 17, 2020, and, because of the Coronavirus Public Health Emergency and the social distancing orders in effect, the meeting was held as a *Zoom Virtual Meeting* pursuant to recent amendments to Chapter 121 of the Ohio Revised Code temporarily allowing remote participation at a public meeting of the Board.

I. - Call to Order

In the absence of President Greg Amend, the meeting was called to order at **8:33pm** by **Vice President Daryl Nelson**.

II. - Roll Call and Agenda

Members present for purposes for roll call were **Mr. Daryl Nelson and Ms. Cynamon Trokhan**. Mr. Greg Amend was absent for this meeting.

MOTION: The Presiding Officer of the Board for the duration of this December 17, 2020 Board Meeting only shall be Ms. Cynamon Trokhan due to Mr. Nelson's need to travel while participating remotely in the meeting.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 92.20

Vote:

Mr. Amend – Absent

Mr. Nelson – Aye

Ms. Trokhan - Aye

The presiding officer Ms. Trokhan declared the motion carried unanimously.

The Board worked from the following agenda:

AGENDA

- I. Call to Order –8:30 a.m.**
- II. Roll Call**
- III. Public Comment Regarding Agenda Items ***
- IV. Approval of Minutes – November 24, 2020, Regular Meeting**
- V. Consent Agenda ****
 - a. Financial Reports

- (1) Donations
- (2) Summary of Transfers and Budget Modifications
- b. Schedule of Payables
- c. Employment Activity Report
- d. Special Event Contracts and Athletic Field Use Licenses
- e. Change Order #2 Re: VOA North Fields Project- Contract #2020-002
- f. Extend Use of VOA Cricket Field Through 2021-Agreement with Cincinnati Cricket Club
- g. 2021 Dates, Rates and Vending (Sales) Arrangements for Major MetroParks Programs and Special Events
- h. Notice of the Closure of Stander Preserve-Rescinded

VI. Old Business

- a. Monthly Public Safety Activity Summary Report
- b. Monthly Community and Enterprise Initiatives Summary Report
- c. Monthly Operational Services *with* Status Chart, Park Connections and Visitor Services Summary Reports
- d. Monthly Workplace Talent Management Summary Report
- e. Use and Tracking of Proceeds from Sale of Dunwoody Road Real Estate
- f. Other – Miscellaneous from Board or Administration

VII. New Business

- a. 2021 Annual All Funds Budget and Appropriations
- b. Authorization to Purchase and/or Contract for Selected Items
- c. Award IT Service Contract
- d. Award 2021-2023 Hueston Farm Farmland Lease
- e. Regular Schedule for 2021 Board Meeting Dates
- f. Resolution Authorizing Grant Application for the M2M Connection at Gilmore MetroPark, etc.
- g. Purchase and Sale Agreements and Grant Resolution for Angst Property
- h. Resolution Authorizing Grant Application, etc. for Bypass 4 Wetlands
- i. Revised Employee Recognition Program
- j. Other-Miscellaneous from Board or Administration

VIII. Executive Session

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

IX. Miscellaneous Relative to Executive Session

X. Adjournment

III. - Public Comment Regarding Agenda Items

The presiding officer then elected to move directly to the Public comment section of the meeting to accommodate those who had indicated a desire to address the Board. Mr. Andy Dillhoff of Reily Township was recognized and addressed the Board. Mr. Dillhoff questioned the Board regarding the sale of property located at 5750 Dunwoody Rd. Reily Township, Butler County, Ohio (“the Property” aka “The Carl and Nell Stander Preserve”). Mr. Dillhoff inquired why notification letters were not sent out to members of the local effected community in September 2019 when the question of sale of the Property was discussed by the Board in the September 2019 Board Meeting. A Board Member responded that because MetroParks is a political subdivision of the state, the organization is bound by certain restrictions and

requirements in the Ohio Revised Code regarding the sale and disposition of real property. The legal requirements for sale of property were followed, including advertisement of the sale of property when the Property was brought to sale the member stated.

Mr. Dillhoff stated that between the sign posted at the Property and the advertisement of sale of the Property in the newspaper, it was not clear that a preserve was being sold. A Board Member responded that MetroParks can acquire property through a number of ways. She stated that MetroParks can acquire property with public funds, and MetroParks can also acquire property if land is donated to MetroParks. She stated that the previous owners of the property, Carl and Nell Stander did not donate the property to MetroParks. The property was purchased at fair market value at the time of sale from the Stander's. The Board Member also stated that the decision was made by the Board to sell the property in order to fund projects at the MetroParks properties located in the west side of Butler County.

Mr. Dillhoff then inquired what the definition of a preserve was, and if he was incorrect in stating that a preserve was going to be developed by its new owner. A Board Member stated that she was not yet part of the Board when the Property was purchased by MetroParks. She also stated that because there was not a conservation easement on the property, MetroParks was able to sell the property.

Mr. Dillhoff stated that he believed that the deed of sale for the Property to MetroParks was confusing, and that the deed did not lay out clearly what he believed the Stander's intentions for the Property had been. A Board Member responded that when she has been involved with land acquisitions in the past, the contracts she has put together are very specific and encumber all restrictions and requests the seller intends for the land, including easements and/or the use of grant funds. This Board Member then clarified her statement by saying that she is not the attorney for MetroParks of Butler County, but that her role with MetroParks is as a member of the Board.

Mr. Dillhoff asked to clarify if there were no bids or no acceptable bids submitted to MetroParks when MetroParks announced it was accepting bids for a farming lease on the Property in 2019. The Executive Director, Mr. Jonathan Granville responded that he recalled that one bid was returned in response to the farming lease proposal, but that the bid had failed to meet all of the bid requirements as required as part of the RFP process. Mr. Granville also stated that MetroParks consulted with its legal counsel regarding the acceptability of Mr. Bowling's bid to purchase the Dunwoody Road Property in October 2020. MetroParks legal counsel referenced current case law, which allowed for the acceptance of Mr. Bowling's bid. Mr. Granville stated that the Ohio Revised Code does not outline options for accepting bids with errors for the lease of farmland and that different sections of the Revised Code apply to different activities.

Mr. Dillhoff inquired about any plans MetroParks might have to remove the historic barn on the Property. A Board member responded that the decision was made to leave the barn on the property, as the cost to move the barn to a different location was prohibitive.

Mr. Jerrod Bley from New York State was recognized next and he addressed the Board. Mr. Bley stated that Board meeting minutes from September 2019 indicated that a motion was

carried unanimously by the Board to sell the Property. Mr. Bley inquired as to the rationale behind purchasing the Property originally when it was sold to MetroParks. Mr. Granville responded no current MetroParks staff members were employed by MetroParks at the time of sale of the Property. Mr. Granville also stated that apart from Mr. Greg Amend, no current Board members were members of the Board at the time of the purchase of the Property, and thus could not speak to the rationale behind the purchase of the Property at the time of its purchase.

Ms. Heidi McKee from 2507 Oxford Riley Road was recognized and she addressed the Board. Ms. McKee inquired about the current state of Governor Bebb and Indian Creek MetroParks, and the process for public input on those parks and their development. Deputy Director Mr. Chad Smith responded that when vision (master) plans are proposed to existing MetroParks, that those plans are always made available to the public for public comment. Park Planner/Project Manager Mr. Matt Latham responded that the second draft of the Governor Bebb Master Plan was posted to the MetroParks website and was available for public comment.

Mr. Bley was again recognized and he addressed the Board. Mr. Bley stated that it appeared the decision to sell the Property was already made prior to the September 2019 Board meeting. Mr. Bley questioned the timeline of the sale in September 2019. Mr. Bley stated that the minutes of the Board reflect that Mr. Granville had stated that the sale of the Property might take 3-4 months. Mr. Bley stated that the sale of the Property appeared to happen quickly. A Board member responded that the process to put the Property up for sale took upwards of a year, so the sale was not expedited.

Mr. Dillhoff was again recognized and he addressed the Board. Mr. Dillhoff asked why the local affected community was not notified about the sale prior to the sale of the Property. Mr. Smith responded that as a clarification to Ms. McKee's previous comment and to Mr. Dillhoff's current question, that MetroParks seeks input from the public on the Master Planning process for existing parks, not for the sale of property that MetroParks owns since the two are separate issues and one sale is directed by the Revised Code. Mr. Smith reiterated that all proper legal procedures were followed regarding notification of the sale of property.

Mr. Dean Mason, address unknown, was recognized next and he addressed the Board. Mr. Mason inquired what the major deciding factor was in September 2019 that prompted MetroParks to start the process to sell the Property. Mr. Smith responded that MetroParks analyzes all of the costs associated with a property when making a decision to sell, including but not limited to, potential access to the property, ongoing maintenance of the property and security costs.

Ms. Pam Berkwist of Reily Township was recognized next and she addressed the Board. Ms. Berkwist stated that she was a neighbor of Mr. Tom Stander, and related to the Board that Mr. Stander had told Ms. Berkwist that he believed MetroParks would remove his house and barn from the Property after he passed. Ms. Berkwist also stated that the local affected community had not been notified that MetroParks intended to sell the property. Ms. Berkwist stated that when Forest Run MetroPark was being developed, the local affected community on Timberman Road were contacted and offered the opportunity to provide input.

A Board Member responded that as previously mentioned, there are different process in place with seeking public input for the development of park properties than there are with the sale of property.

Mr. Bley was recognized next and he addressed the Board. Mr. Bley stated that he interpreted that the sale of the Property would impact current plans for the development of Governor Bebb MetroPark, and that in his opinion many people do not agree with the proposed changes to Governor Bebb MetroPark. Mr. Bley inquired if public comments on the Governor Bebb Master Plan could be made by phone or over email instead of using a Google Form available on the MetroParks website. A Board Member responded that all public comments on the Governor Bebb Master Plan were encouraged and did not have to come to MetroParks through the Google Form. Mr. Granville stated that community members usually have the opportunity to comment on Master Planning via a series of Public Meetings, which have not been able to be held as usual due to the on-going COVID-19 Public Health Emergency.

Mr. Dillhoff was again recognized and addressed the Board. He inquired about the status of Indian Creek MetroPark, and if the proceeds from the sale of the Property would benefit Indian Creek MetroPark. Mr. Dillhoff also stated that he would like to see a footbridge built at Indian Creek MetroPark that would be named after the Stander Family. Mr. Dillhoff also stated that he hoped to see the return of some more public programming at Governor Bebb MetroPark. Mr. Granville responded that MetroParks Staff are working on Master Planning for all MetroParks properties. Mr. Granville mentioned that a suspension bridge existed at Indian Creek MetroPark at one time, and MetroParks would investigate the possibility of constructing a bridge at Indian Creek MetroPark as part of its pending Master Plan for that park. A Board Member stated that MetroParks will not use any funds acquired from the sale of the Property on parks outside of the west side of Butler County. The development of a Stander Legacy Fund to account for the use of the dollars was put in place by the Board in order to restrict funds use to parks on the west side of Butler County.

A Board Member stated that MetroParks is obligated to balance the desires of the public with the responsibility of keeping the parks safe and accessible. Further, this Board Member mentioned that with limited access to funding, MetroParks goal is to make its parks and amenities available to as many Park Customer-Owners in Butler County as possible. The sale of the Property, along with the acquisition of grant funding will help MetroParks continue operate, maintain and develop parks on the west side of Butler County.

With the public comment section of the meeting having concluded the Board moved back to its regular order of business.

IV. - Approval of Minutes **November 24, 2020 Meeting**

MOTION: To approve the minutes of the November 24, 2020 Meeting as presented by staff to the Board.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 93.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

V. - Consent Agenda

MOTION: Following discussion, to enact the blanket approval, acceptance, acknowledgment of receipt, and/or ratification of all items listed in the Consent section of the meeting agenda for the December 17, 2020, Board meeting which have not previously or more specifically been approved or accepted, acknowledged, and or ratified otherwise by the Board; including, but not limited to, motions listed and any modifications to those motions made during this meeting; including any actions on budget modifications (account transfers within a Fund) and/or changes to employee status or compensation previously taken by the Executive Director and the Executive Director's previous actions related to payments and/or contracts all as recorded in the minutes adopted by the Board or on documents referred to in these minutes hereinafter, including Agenda Items **V.a. through V.h.** (a.k.a. the Consent Agenda); and finally, instructing the Executive Director to take such actions as are necessary to implement the intent of the Board in any and all of these matters. See documents in Proceedings Book of the Board.

Discussion During the Meeting: None

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 94.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

V.a. - (1) Donations Report - Approved - no separate action.

V.a. - (2) Summary of Transfers and Budget Modifications - Approved - no separate action.

V.b. - Schedule of Payables - Approved - no separate action.

V.c. - Employment Activity Report - Approved - no separate action.

V.d.- Special Event and Contract, Athletic Field Use Licenses and Practice Field Use Licenses- Approved - no separate action on items in the V.d. section below.

To ratify and place on file:

- (1) Special Event Contracts and/or Associated Sales or Commercial or Other Permits
Pending Board Action-NONE
- (2) Approved Special Event Contracts- NONE
- (3) Approved VOA Athletic Complex License Contracts- Information ONLY
 - a. Kings Hammer Gateway Showcase-Friday, November 13-Sunday, November 15, 2020 and Friday, November 20-Sunday, November 22, 2020-VOA (Repeat)

- (4) Approved Practice Field License Contracts-Information ONLY
a. Exact Sports-Sunday, November 8, 2020-VOA (New)

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Executive Director, Mr. Granville wrote that Board approval, ratification and/or acknowledgment of receipt is required for most items included on the Consent Agenda section of the meeting agenda if only so that the official record reflects Board intent and/or compliance with internal and external rules or policies. However, any Consent agenda item may be removed from group approval at the request of any Board Member and considered separately.

V.e. – Change Order #2 Re: VOA North Fields Project-Contract #2020-002

Approved as part of the blanket Motion: To ratify and approve for the record Change Order #2 on the North Fields Project (Contract 2020-002) with DER Development Company, LLC increasing the total cost of the Contract by \$2,206.00 for the purpose of implementing modifications/improvements to the project irrigation system. Further, to instruct the Executive Director to take such actions as he deems necessary to implement the intent of the Board in this matter.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that prior to the instillation of the automated irrigation system, Park staff became aware of several features that were inadvertently omitted in the original project design specifications. Utilizing standing Board delegated authority, the Executive Director approved the changes recommended by MetroParks' consultant and Park Planner/Project Manager Matt Latham.

V.f. – Extend Use of VOA Cricket Field Through 2021-Agreement with Cincinnati Cricket Club

Approved as part of the blanket Motion: To approve the agreement as presented by Administrative Staff, thereby allowing the Cincinnati Cricket Club use of an area VOA MetroPark during 2021 in return for certain services. And further, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that in 2016, the annual automatic renewal provisions of this long-standing relationship were removed to facilitate the future potential movement of the existing cricket field at VOA MetroPark to a new location within the park. Since 2016, the Board must take action annually to authorize the continuation of this relationship. Mr. Granville also wrote that he recommended that

the Board renew this agreement, and that the proposed 2021 contract is identical to the 2020 contract except for the dates contained within it.

V.g. – 2021 Dates, Rates and Vending (Sales) Arrangements for Major MetroParks Programs

Approved as part of the blanket Motion: To approve the arrangements and activities listed on the 2021 Dates, Rates and Vending Arrangements for Major MetroParks Programs and/or Special Events as presented by Administration and, thereby, authorize the solicitation of donations, sales (commercial activities) and other arrangements listed. And further, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville that Park Connections Staff have planned special events and programming with various community partners in 2021 which largely build on the successful programs of the past several years. In order to comply with established Board policies and/or MetroParks Rules and Regulations, and to solidify arrangements with the other parties involved, early action to approve the aspects of planned events which require Board action are presented for approval at this time. Deputy Director Chad Smith will be present at the meeting and will provide more details if requested. Mr. Granville also wrote that he recommended Board approval of the 2021 Dates, Rates, and Vending Arrangements for Major MetroParks Programs (attached).

V.h. – Notice of the Closure of Stander Preserve-Rescinded

Approved as part of the blanket Motion: To acknowledge receipt of a Rescind Notice of the Closure of the Stander Preserve due to the sale of the property.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that MetroParks Rules and Regulations require that the Executive Director notify the Board whenever he/she has ordered a closure of a park area or the reopening of an area which he/she has ordered closed. Board acknowledgement serves to provide an official record that notice was provided pursuant to the policy and help ensure that such orders are enforceable if enforcement is ever necessary.

VI. - Old Business

VI.a. Monthly Public Safety Activity Summary Report

Discussion During the Meeting: Chief Ranger, David VanArsdale provided a monthly Division

of Public Safety Report which had been included in the Board's meeting packet prior to this meeting.

A Board Member asked Chief VanArsdale if cold weather posed any additional challenges for the Division of Public Safety. Chief VanArsdale responded that cold weather does not usually cause the Division of Public Safety any issues. See Chief VanArsdale's monthly report in the Proceedings Book of the Board.

VI.b. Monthly Community and Enterprise Initiatives Summary Report

Discussion During the Meeting: Division of Community and Enterprise Initiatives Supervisor, Kelly Barkley, submitted the monthly Division Report which had been included in the Board's meeting packet for the meeting. Ms. Barkley reminded the Board and the general public in attendance that she is available to answer any questions or concerns that people may have about MetroParks.

A Board Member inquired about the status of the Brilliant Bebb event. Ms. Barkley responded that due to Governor Bebb's limited available hard-surface parking, the event is no longer being held. Ms. Barkley explained that large events are complicated to manage when most of the available parking is on grassy areas, due to cars often getting stuck in muddy fields which currently must be used for event parking. See Ms. Barkley's report in the Proceedings Book of the Board.

VI.c. Monthly Operational Services *with* Status Chart, Park Connections and Visitor Services Summary Reports

Discussion During the Meeting: Deputy Director Chad Smith submitted the monthly Operational Services, Park Connections and Visitor Services Summary Report which had been included in the Board's meeting packet for the meeting and offered no additional comments. See Mr. Smith's report in the Proceedings Book of the Board.

VI.d. Monthly Workplace Talent Management Summary Report

Discussion During the Meeting: Supervisor of Workplace Talent Management Jaime Kimbrough had submitted the monthly Report for the Workplace Talent Management Division which had been included in the Board's pre-meeting packet for this meeting. Ms. Kimbrough stated that there will be a new Manager of Visitor Services starting January 4, 2021 replacing Katie Ely who has moved to the Executive Assistant and Assistant Board Secretary position in the Executive Director's office. See Ms. Kimbrough's report in the Proceedings Book of the Board.

VI.e. Use and Tracking of Proceeds from Sale of Dunwoody Road Real Estate

MOTION: Following discussion, to make clear the intent of the Board in regard to the use and tracking (accounting of) the funds generated from the sale of the real property located at 5750 Dunwoody Road, Reily Township, Butler County, Ohio the Board of Park Commissioners directs that 1: All funds shall be used in compliance with the Butler County Probate Court Entry (order) dated November 16, 2020 for case No. P120-11-0216 and also that; 2. The Executive Director of the MetroParks of Butler County and those MetroParks employees under his/her supervision shall create and maintain such revenue and expenditure accounts and reports as the Board shall direct as are necessary to provide the Board with a thorough month to month and year to year accounting of where and how such funds have been received and spent until such time as the proceeds from the sale have been totally expended; and further that the Executive Director shall take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in Proceedings Book of the Board.

Discussion During the Meeting: Yamini Patel, Supervisor of Financial Services said that there will be reporting in place to account for the funds generated from the sale of the 5750 Dunwoody Rd. property, and that the Board would receive those reports in order for it to track use of those funds. A Board Member inquired if a motion needed to be made regarding the accounting of funds from the sale of the property, and another Board Member stated that a motion should be made regarding this agenda item to make clear the Board's intent for use of the dollars generated from the sale.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 95.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that General Fund accounts for tracking sale income and expenditures are recommended since creation and use of accounts in a Special Fund was determined not to be permitted under Auditor of State requirements for the creation or use of Special Funds which have not been specifically established by inclusion in the Ohio Revised Code. As a political subdivision of the State of Ohio, MetroParks is subject to Auditor of State controls on the formation of its accounting system. Mr. Granville also wrote that to ensure the dollar amounts generated by the sale of the former Stander Preserve are used as intended, that Mr. Granville recommended that the Board approve the draft motion provided.

VII. – New Business

VII.a. 2021 Annual All Funds Budget and Appropriations

MOTION: After discussion, **to adopt the final complete Budget and Appropriations for all funds for Fiscal Year 2021 as presented to the Board by Administrative Staff, effective January 1, 2021** and as indicated in a draft resolution presented by MetroParks Administrative Staff which is hereby approved and adopted. Further, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in the Proceedings Book of the Board.

Discussion During the Meeting: Supervisor of Financial Services Yamini Patel offered some comments on the 2021 Budget. Ms. Patel noted that a few new positions have been encumbered in the 2021 Budget, including a Supervisor of Visitor Services and additional Facility and Grounds Attendants. Ms. Patel added that due to multiple vacant staff positions which are projected to be filled in 2021 and the currently known type of coverage each new employee might select, health insurance costs in the 2021 Budget were budgeted at a higher amount than in 2020. Ms. Patel also stated that the Draft 2021 Budget includes \$1.5 million in funded Capital Projects, including some projects that were put on hold in 2020 and that many of which are driven by grant dollars.

Mr. Granville mentioned that by mid-2021, MetroParks anticipated an increase in MetroParks programming and events as the park system works past the pandemic. He noted that additional in-person programming and events may necessitate the return of some furloughed staff, whose salaries are budgeted for after the first quarter of 2021 in this budget.

A Board member questioned whether approval of the 2021 Budget should be made at this meeting or at the March 2021 Board Meeting as has occasionally been done in the past. Mr. Granville responded that his recommendation was that the Board approve the Budget as proposed at this meeting, and if necessary, the Board has the opportunity to amend the 2021 Budget at future meetings.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 96.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan – Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that having received the Draft 2021 Budget and Appropriations and having requested certain changes in it, he recommends that the Board adopt the draft Final Budget for 2021 which has been provided to the Board. Although the Board may alter the drafts presented to it before adoption or make

adjustments at anytime thereafter, Mr. Granville recommended approval of the Budget and Roll-Up Appropriations as proposed by staff. A review of the Memo and comments included in the Budget narrative will provide information regarding which expenses were proposed to be funded and which may not have been in the final version presented to the Board before the meeting. Supervisor of Financial Services Yamini Patel and Deputy Director Chad Smith worked diligently as the MetroParks 2021 Budget Committee and being present at the Board meeting can answer questions from the Board regarding the draft.

Mr. Granville also wrote that according to the Revised Code, only the policy board of a political subdivision (in this case, the Board of Park Commissioners) is empowered to adopt an annual Budget and establish associated appropriations. Provisions in the Revised Code require that the Board either adopt interim appropriations to cover expenses for the first quarter of the New Year or adopt annual appropriations for the entire New Year. No dollars may legally be spent in 2021 without one or another having been officially approved by the Board prior to any expense being committed in 2021. If the members of the Board want to have more input into developing the Budget for 2021, a special meeting to do so later in December might be arranged or the Board could adopt the Budget and Appropriations as proposed in the December 17th Board Meeting and take up the matter of revisiting them in the New Year as it may deem necessary.

VII.b. Authorization to Purchase and/or Contract for Selected Items

MOTION: After discussion, **to authorize the Executive Director during 2021 to exceed the general contracting and spending limits established by the Board and to contract for/in an amount not to be exceeded as listed**, and to render payment for when payment is appropriately due for those specific items and services contained on a list provided by Administrative Staff which were provided for the Board at the December 17, 2020 Board Meeting in a 2021 Budget previously approved by the Board and approving the Resolution presented by Administrative staff in which the list previously mentioned is contained. Further, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in the Proceedings Book of the Board.

Discussion During the Meeting: Mr. Granville offered a brief comment and explained that all selected items are part of the 2021 Budget, and in order to get the best possible price on the selected items, it is prudent to purchase them as quickly as possible.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 97.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet Mr. Granville wrote that since many items or services must be ordered months early to obtain best prices it has been customary for the Board to authorize a list of items to be contracted for, purchase or ordered in the first weeks of each New Year as the first Board meeting of each year is usually held later than the 3rd week of the New Year. Records detailing all payments made for such items will be reported to the Board as is the case for all MetroParks expenditures and ratification of all large service contracts entered into by the Executive Director under the special authority provided by the above motion shall be presented to the Board promptly.

VII.c. Award IT Services Contract

MOTION: After discussion, **to award a contract to NextStep Networking under a contract for a 3 year period** that complies with the terms and conditions of the MetroParks' RFP thereby continuing a contractual relationship with NextStep Networking at annual cost of \$28,683.96 (plus additional charges for optional services). Further, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in the Proceedings Book of the Board.

Discussion During the Meeting: A Board Member inquired about the length of the contract schedule for I.T. Managed Services. Mr. Granville stated that MetroParks recently finished a one-year contract with NextStep, because MetroParks' previous provider for I.T. Managed Services left the I.T. business totally. Mr. Granville stated that normally I.T. Managed Services are on a three-year contract cycle. A Board Member suggested that when the I.T. Managed Services contract is up in three years, that MetroParks staff should reach out to other local park districts to inquire about who they use for I.T. Managed Services.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 98.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that I.T. services are essential to provide secure and efficient internal and external communications and financial operations. Since the current service contract with NextStep expires on December 31st, and the amount likely to be paid on the next service contract exceeds informal bidding maximums, MetroParks staff developed an RFP, advertised it and received two responses. Deputy Director Chad Smith has overseen the RFP process and will answer any questions put to him on this topic at the Board Meeting.

VII.d. Award 2021-2023 Hueston Farm Farmland Lease

MOTION: After discussion, **to award a farming lease for the Hueston Farm property to Bear Creek Farms, Inc. of Dayton, Ohio** securing an annual payment of \$42,640.00 per year for 3 years (2021-2023) under the terms and conditions of a standard farming lease provided by MetroParks. Further, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in the Proceedings Book of the Board.

Discussion During the Meeting: Mr. Granville stated that this farmland lease is also on a three-year bid cycle. He also said that there are deed restrictions on this property, and that due to the restrictions the property can only be used for farming or for park use.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 99.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that unless the Board anticipates finding the financial resources to open the property for a public park or conservation purposes in the near term, farming the land is the best option and the public competitive process just undertaken is the most fair and equitable means to find a tenant farmer.

VII.e. Regular Schedule for 2021 Board Meeting Dates

MOTION: Following discussion, **to adopt the 2021 Schedule of Board Meetings as presented by Administrative Staff** thereby setting the usual meeting dates in 2021 to be monthly at 8:30am on the 3rd Thursday of each month unless otherwise indicated and/or announced; and further to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in the Proceedings Book of the Board.

Discussion During the Meeting: A Board Member said that she would be unable to attend some of the proposed 2021 Board Meeting dates and that as a consequence the meetings would either function with a minimum quorum of 2 or be moved to other dates.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 100.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that adoption of a general annual schedule of monthly Board Meetings at this time is prudent to allow interested members of the public, Board Members and staff the opportunity to plan for the up-coming New Year. Other dates and times can be explored as better or alternative options.

VII.f. Resolution Authorizing Grant Application for the M2M Connection at Gilmore MetroPark, etc.

MOTION: Following discussion, **to approve and adopt the Resolution as presented by MetroParks Administrative staff thereby authorizing the submission of a grant application as necessary to secure funding for the Miami2Miami Trail project at and/or near Gilmore MetroPark, etc.** and further to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in the Proceedings Book of the Board.

Discussion During the Meeting: Park Planner/Project Manager Mr. Matt Latham stated that MetroParks' goal is to have 100% of the Miami2Miami trail project at and/or near Gilmore MetroPark covered by grant funds, so that MetroParks can utilize levy funds elsewhere.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 101.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that the grant program guidelines for the applicable funding needed require policy board action in the form of a Resolution to approve the grant application before an application can be submitted.

VII.g. Purchase and Sale Agreements and Grant Resolution for Angst Property

MOTION: Following discussion, **to approve the Purchase and Sale Agreements (PSAs) as presented to the Board by MetroParks Administrative Staff and the grant Resolution also as presented to the Board by Administrative Staff or other PSAs and/or another resolution which the MetroParks Executive Director deems to be substantially similar,** authorizing and instructing the Executive Director to attach to each PSA the legal description which are not yet available from the licenses surveyor employed to create them thereby enabling the application of grant funds necessary to purchase a total of approximately 84

acres of land and also thereby agreeing to purchase said acres under certain conditions. Further, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in the Proceedings Book of the Board.

Discussion During the Meeting: Mr. Granville said that he will be continuing to work with Three Valley Conservation Trust on the PSAs for this property and will execute them as soon as they are ready.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 102.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that under a previously approved three party agreement, MetroParks agreed to purchase and Three Valley Conservation Trust agreed to sell at a discounted price and Three Valley Conservation Trust also committed to create a Maintenance Fund to provide for the up-keep and/or improvement of certain acreage in Wayne Township, Butler County, Ohio currently referred to as the Angst Property. Mr. Granville wrote that he recommended that the Board adopt the above motion to enable the project to proceed in a timely fashion.

Mr. Granville also wrote that the Clean Ohio Green Space Conservation program requires that the policy body of the organization applying for funds first pass an enabling resolution prior to the submission of an application and the PSAs which were written by MetroParks legal counsel contain the details necessary to acquire grant funding and the terms and conditions contained therein are generally agreeable to the sellers and the buyers Administrative staffs.

VII.h. Resolution Authorizing Grant Application, etc. for Bypass 4 Wetlands

MOTION: Following discussion, **to adopt and approve a Resolution as presented to the Board by MetroParks Administrative Staff allowing and directing the submission of a Clean Ohio grant application** which if funded would provide 75% of the appraised value of the Bypass 4 Wetlands property of approximately 60 acres at Gilmore MetroPark that is currently leased to Metroparks and for which under a previous understanding with the owners, will be acquired by the MetroParks for the purchase price of 75% of the appraised value, etc. Further, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in the matter. See documents in the Proceedings Book of the Board.

Discussion During the Meeting: Mr. Granville stated that the 60 acres of the Bypass 4 Wetlands MetroParks leases from the City of Hamilton have been marginally managed by MetroParks for

a number of years, and that MetroParks is unable to make most improvements to the property because it is not owned by MetroParks. Mr. Granville noted that the City of Hamilton is open to MetroParks purchasing the property. A Board Member inquired why the Purchase and Sale Agreement (PSA) with the City of Hamilton has taken so long if the City of Hamilton is open to the sale. Mr. Granville stated that the City of Hamilton City Council has been busy with year end and other projects, and had not yet had a chance to approve a final PSA. Mr. Granville also noted that MetroParks will miss the February 2021 application deadline for grant funding to purchase the Bypass 4 Wetlands, but noted that it would be prudent to pass a resolution authorizing a grant application now to be prepared for the next application cycle which will likely be held in the fall of 2021.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 103.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that although the application for grant funds will not be submitted until 2021 after a final PSA is developed and executed by MetroParks and the City of Hamilton; that he recommends that the Board take action to approve the grant resolution at this time so that this required step is accomplished and will not delay submission at the time when the grant application is otherwise complete. Since the Governor's staff has recently announced that the Clean Ohio program will be funded again in 2021, it will not be necessary to create and submit a complete application for this project by the pending deadline of February 5, 2021, which had been previously announced.

VII.i. Revised Employee Recognition Program

MOTION: Following discussion, **to approve for implementation in 2020 and/or in January 2021 only, the recommendations for Employee Recognition** from Jaime Kimbrough, Supervisor of Workplace Talent Management contained in a memo to the Executive Director dated December 9, 2020 which has been provided to the Board, thereby allocating not more than \$1,500.00 for the purposes of recognizing employee excellence and service in a manner different than previously approved and to replace on this occasion only the standing resolution(s) of the Board which may conflict with the new recommendations and further, leaving previously approved Resolutions on this topic in effect for future non-pandemic years. Finally, to instruct the Executive Director to take such action(s) as he deems necessary to implement the intent of the Board in this matter. See documents in Proceedings Book of the Board.

Discussion During the Meeting: Mr. Granville stated Ms. Kimbrough had met with some members of the Senior Leadership team to discuss various options for staff recognition, and that group had proposed the Revised Employee Recognition Program.

Mr. Nelson moved, seconded by Ms. Trokhan.

Motion No. 104.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

In written information about this agenda item that had been prepared and provided to the Board in the current pre-meeting information packet, Mr. Granville wrote that 2020 has been a difficult year for our staff and yet they have accommodated record numbers of park visitors. Since the pandemic has made it unsafe for the Board and MetroParks employees to gather for the traditional annual end of year training and recognition event, he recommend the alternative suggestions made by Jaime Kimbrough, Supervisor of Workplace Talent Management be approved by the Board employing the motion provided above or a similar motion. Note that MetroParks currently has about 70 employees. Jaime Kimbrough will be present at the Board Meeting to answer any questions which may be posed to her regarding this topic. Mr. Granville also wrote that Attorney General opinions indicate that the policy body of each political subdivision of the State should proactively approve these kinds of expenses.

VII.j. Other-Miscellaneous from Board or Administration

None.

VIII. - Executive Session

MOTION: To enter into Executive Session at 10:39 a.m.

Mr. Nelson, called for a roll call vote, seconded by Ms. Trokhan, for the purpose of discussions involving:

- a. Pending Litigation

Motion No. 105.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan – Aye

The presiding officer declared the motion carried unanimously.

The Board returned to regular session at 11:01 a.m.

IX. - Actions Relative to Executive Session

No Board action was taken in this section of the agenda other than adjournment which follows.

X. - Adjournment

MOTION: To adjourn the meeting at 11:02 a.m.

Ms. Trokhan moved, seconded by Mr. Nelson.

Motion No. 106.20

Vote:

Mr. Amend - Absent

Mr. Nelson - Aye

Ms. Trokhan – Aye

The presiding officer 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:

Presiding Officer of the Board

Executive Director/Secretary

Date

Title

Unless rescheduled or relocated, the next regular business meeting of the Board of Park Commissioners is scheduled for February 25, 2021, at 8:30 a.m. via Zoom.