

METROPARKS OF BUTLER COUNTY
BOARD OF PARK COMMISSIONERS
REGULAR MEETING MINUTES
June 18, 2020

The MetroParks of Butler County Board of Park Commissioners met in regular session on Thursday, June 18, 2020, in the Ronald Reagan Lodge at Voice of America MetroPark, 7850 VOA Park Drive, West Chester Township, OH 45069-2938.

I. - Call to Order

The meeting was called to order at 8:10 a.m. by President Gregory T. Amend.

II. - Roll Call and Agenda

Members present for purposes of roll call were Park Commissioners Gregory T. Amend and Daryl Nelson. Cynamon T. Trokhan joined the meeting at 8:20 a.m.

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** - May 21, 2020, Regular Meeting
- V. Consent Agenda ****
 - a. Financial Reports
 - (1) Donations Report
 - (2) Summary of Transfers and Budget Modifications
 - b. Schedule of Payables
 - c. Employment Activity Report
 - d. Special Event Contracts and VOA Athletic Complex Licenses - NONE
 - (1) Special Event Contracts and/or Associated Sales or Commercial or Other Permits Pending Board Action - NONE
 - (2) Approved Special Event Contracts – Information Only - NONE
 - (3) Approved VOA Athletic Complex License Contracts - Information Only - NONE
 - (4) Approved Practice Field Contracts-Information ONLY - NONE
 - e. Revised 2019 Schedule of Gifts, Grants and Donations
- 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. Ratification of Amendment to State COTF - 221 Grant Agreement
- f. Administrative Leave Policy
- g. Other – Miscellaneous from Board or Administration

VII. New Business

- a. 2021 Tax Budget Hearing and Adoption
- b. Invoice for Payment of Indirect Costs from Butler County Finance Department
- c. Request for Adjustment of 2020 Sponsorship Fee Payment from U.C. Health - West Chester Hospital
- d. 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. Actions Relative to Executive Session

X. Adjournment

III. - Public Comment Regarding Agenda Items

None.

IV. - Approval of Minutes

May 21, 2020, Regular Meeting

MOTION: To approve the minutes of the May 21, 2020, Regular Meeting as presented by staff to the Board. Mr. Nelson moved, seconded by Ms. Trokhan. *Motion No. 43.20*
(see documents in Proceedings Book)

Vote: Mr. Amend - Aye
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 June 18, 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.e.** (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. *Motion No. 44.20*

Mr. Nelson moved, seconded by Ms. Trokhan. (see documents in Proceedings Book)

Vote: Mr. Amend - Aye
Mr. Nelson - Aye
Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

Discussion During the Meeting: Executive Director Jonathan R. Granville reported that the USA Triathlon had cancelled their reservation at Voice of American MetroPark for their scheduled June 2020 event because of difficulties related to the on-going pandemic.

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

V.a. - (2) Summary of Transfers & 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 Contracts & VOA Athletic Complex Licenses Approved by Administration & Provided for the Official Record - Approved - Due to the pandemic and State orders related to it, no new Special Event Contracts or VOA Athletic Complex Licenses for events were allowed or were presented to the Board.

V.e. - Revised 2019 Schedule of Gifts, Grants and Donations

MOTION: To **declare the previous version** of the 2019 Schedule of Gifts, Grants and Donations, which the Board approved pending Probate Court approval earlier in 2020 as **null and void** and to **submit to the Probate Court for approval an updated, corrected, and revised Schedule** dated June 11, 2020, as presented by MetroParks Administration to the Board for approval. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in these matters.

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 earlier version recorded the award of two grants which totaled \$1,288,237, the use of which were tied to the purchase of the Happy Hill Farm (AKA the Carl Hesselbrock Preserve) property. But since the deal did not close, the grants were not actually received. To correct the record, the adoption of a revised Schedule is necessary. He added that since the Board adopted the earlier version of the Schedule, Board action to replace it is required. A revised 2019 Schedule of Gifts, Grants and Donations had been provided to the Board in the pre-meeting Board packet.

VI. - Old Business

VI. a. - Monthly Public Safety Activity Summary Report

Discussion During the Meeting: Chief Ranger David VanArsdale had provided a monthly Division of Public Safety Report which had been included in the Board's pre-meeting packet for this meeting. He commented that in regard to visitor safety, generally everything was okay and that the number of people visiting the more remote park locations had increased significantly due to the pandemic. (see document in Proceedings Book)

VI.b. - Monthly Community and Enterprise Initiatives Summary Report

Discussion During the Meeting: Division of Community and Enterprise Initiatives Supervisor Kelly Barkley had submitted the monthly Division Report which had been included in the Board's pre-meeting packet. (see document in Proceedings Book)

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

Discussion During the Meeting: In addition to providing the monthly Operational Services, Visitor Services Report, and the Park Connections Summary Report which had been included in the Board's pre-meeting packet, Deputy Director Chad Smith said that the Operations staff was extremely busy because of the higher number of people coming to the parks. He said that camping at Gov. Bebb MetroPark had been re-instituted and that the park system's playgrounds had been re-opened. Both facilities, he noted, were being operated under special state pandemic regulations. Mr. Granville said that a volunteer campground host program was being established at Gov. Bebb MetroPark and that the Timberhill Area of Rentschler Forest was being studied for future general public camping. He added that the Master Plan for Timberhill would need to be revised to accommodate public camping and because, after studying a zip line

possibility at Timberhill, that concept had been taken off the table because the study had shown that there was already enough of that type of activity offered in this area.

Regarding the Division of Park Connections, Mr. Smith said that in-person programming had been cancelled for May and June, but some on-line programming had been initiated. He noted that the ten-person limit for public gatherings may be enlarged in July which would facilitate in-person programming. A Board member said that encouraging people to be outdoors during the pandemic is helpful. A Board member asked why RV Camping wasn't available at Elk Creek? Mr. Granville responded that due to deed restrictions tied to the funding used for acquisition, camping could not be done on the Meadow Ridge portion of Elk Creek MetroPark, but that camping could be done in the future on the Sebald portion. (see documents in Proceedings Book)

VI.d. - Monthly Workplace Talent Management Summary Report

Discussion During the Meeting: Supervisor of Workplace Talent Management Jaime Kimbrough had submitted the monthly Division Report for the Workplace Talent Management Division which had been included in the Board's pre-meeting packet. She commented that Mr. Granville has sent out an all-staff memorandum that was an internal document to keep staff up-to-date of what was going on in the park system during this time of pandemic and why some staff was laid off, but some grant-driven capital improvement projects were still going to occur this year.

(see document in Proceedings Book)

VI.e. - Ratification of Amendment to State COTF - 221 Grant Agreement

MOTION: To ratify and approve for the record the actions of the Executive Director to request and execute **an extension of time to the Clean Ohio Trails Grant for the Timberhill Extension of the Great Miami River Trail Project (# COTF-221)**, thereby extending the grant deadline use date to July 31, 2021. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in these matters.

Ms. Trokhan moved, seconded by Mr. Nelson. (see documents in Proceedings Book) *Motion No. 45.20*

Vote: Mr. Amend - Aye
Mr. Nelson - Aye
Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

Discussion During the Meeting: Mr. Granville said that this action was basically to allow an extension of time in which to use the State funds that had been obtained for this project which otherwise expire soon.

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 award of additional and matching Federal funds by ODOT for the project has increased the time required to complete planning and engineering on the project (but has also increased the total of outside dollars available to complete the project.) Thus, he noted, an extension of time to use the State (ODNR) COTF grant was necessary. An amendment to Project Agreement had been provided to the Board in the pre-meeting Board packet.

Mr. Granville added that best practices for record keeping purposes require Board action to ratify and approve the previous actions of the Executive Director to amend this, a Board-approved grant contract.

VI. f. - Administrative Leave Policy

MOTION: To approve and adopt immediately **the Administrative Leave Policy dated May 12, 2020**, as presented by Administrative Staff and thereafter to insert it as Section 8.3. into the MetroParks Employee Handbook. Further, that the Executive Director is instructed to take such actions as are necessary to implement the intent of the Board in these matters.

Ms. Trokhan moved, seconded by Mr. Nelson. (see documents in Proceedings Book) *Motion No. 46.20*

Vote: Mr. Amend - Aye
Mr. Nelson - Aye
Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

Discussion During the Meeting: Ms. Jaime Kimbrough, Supervisor of Workplace Talent Management, said that this policy would give administration clear authority and flexibility to keep employees from being paid while accusations against them were being investigated or if they were found guilty of breaking the law or MetroParks policies, but also, if allegations were determined to be groundless, to pay the employee for their time on administrative leave.

A Board member inquired as to what Butler County does in these situations. Ms. Kimbrough replied that employees were removed from their position, investigated, a decision made as to whether they are guilty or not, and then a decision made as to whether or not to pay them. A Board member asked if the policy being presented to the Board had borrowed the language of the County. Ms. Kimbrough replied that she had consulted with Lee Geiger, MetroParks Human Resources counsel, regarding the language of the policy.

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 this item was discussed briefly at the May 21, 2020, Board meeting; however, no Board action was taken on it in order to allow members of the Board additional time to consider it. He noted that

MetroParks has not adopted an Administrative Leave Policy which clearly defines authority to place an employee on Administrative Leave should the need arise to do so, adding that such policies are standard at other units of local government. A memo and Leave Policy dated 5/12/2020 had been provided to the Board in the pre-meeting Board packet.

Mr. Granville had added that a lack of an official Administrative Leave Policy could lead to an inability to deal effectively and quickly with accusations of employee impropriety. However, delegation of authority to deal with employment and employee matters resides solely in the Board and only it can decide if it is appropriate to assign certain powers to its Administrators.

VI.g. - Other – Miscellaneous from Board or Administration

Discussion During the Meeting: Mr. Granville commented that it was originally thought that MetroParks was going to have some problems getting some of the grant money previously awarded for projects due to the pandemic's negative impact on the State's budget, but the Legislature had worked through the situation and that, consequently, MetroParks would not be losing any State grant money for trail construction projects.

VII. New Business

VII.a. - 2021 Tax Budget Hearing and Adoption

MOTION: To move to adopt and file the Tax Budget for 2021 as most recently drafted and presented to the Board of Park Commissioners by MetroParks 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. Ms. Trokhan moved, seconded by Mr. Nelson. *Motion No. 47.20*
(see documents in Proceedings Book)

Vote: Mr. Amend - Aye
Mr. Nelson - Aye
Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

Discussion During the Meeting: Ms. Yamini Patel, Supervisor of Financial Services, briefly discussed the 2021 budget information she had distributed to the Board (see documents in Proceedings Book). Mr. Granville said that this budget was a worst-case projection and that MetroParks would likely finish 2020 with more money than was currently shown in the distributed 2021 draft tax budget presented to the Board. The Board would be receiving an updated and more accurate Revised 2020 Budget in August of 2020.

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 Ohio Revised Code requires all local political subdivisions (i.e., the MetroParks) to adopt by July 15th and file with their County Budget Commission (by July 20th) a Tax Budget for the upcoming fiscal year (in our case the fiscal year is the same as the calendar year). He noted that although the Tax Budget is only an estimate, failure to adopt and file it for the coming year by the deadlines established in the Code carries with it the potential for severe financial consequences.

Mr. Granville said that Yamini Patel, Manager of Financial Services, will be present at the meeting to explain how the Draft Tax Budget was created and to answer questions regarding it posed by members of the Board and she would also bring to the meeting an updated draft Tax Budget for Board consideration which contains the most recent information available. Since the Board of Park Commissioners is not scheduled to meet again before the July 15th adoption deadline, he added, this was the best opportunity to provide the Board with the most updated information available to us by waiting until the morning of the June 18th Board meeting to provide the most accurate numbers possible. A draft Tax Budget for 2021 (presented in the State-mandated format) had been provided to the Board in the pre-meeting Board packet.

VII.b. - Invoice for Payment of Indirect Costs from Butler County Finance Department

No action was taken on this agenda item.

Discussion During the Meeting: After a brief discussion of this agenda item, a Board member commented that Mr. Granville should just continue to say "no" until and if the County presses for more of a response.

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 Butler County Finance Director has issued an invoice for \$139,887 which is what she believes is the MetroParks' share of indirect costs to operate the Butler County Commissioner's departments and Administration in 2018. Mr. Granville said he recommended the Board take no action on this matter and let the Executive Director's reply be the MetroParks' response to the County's request for funding its indirect costs for 2018 and later for 2019 and 2020 should a similar request be made for those years.

**VII.c. - Request for Adjustment of 2020 Sponsorship Fee Payment from
U.C. Health - West Chester Hospital**

MOTION: Ms. Trokhan moved, seconded by Mr. Nelson, to **draft a document agreeing to the reduction in 2020 that the hospital has proposed**, namely that \$12,500 would be payable in July and \$12,500 payable in December, for a total of \$25,000 for the year 2020.
(see documents in Proceedings Book) Motion No. 48.20

Vote: Mr. Amend - Aye
Mr. Nelson - Aye
Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

Discussion During the Meeting: Ms. Kelly Barkley, Supervisor of Community and Enterprise Initiatives, said she had received information that UC Health System was suffering great operating losses during this pandemic, so much so that they had laid off staff and were going to all the organizations they had agreed to sponsor to request a reduction of the costs of their commitments in 2020. Mr. Granville added that UC Health has been a good partner with MetroParks and that in previous years they had even paid extra for their logo to be installed at the VOA Athletic Complex.

Ms. Barkley said that because the games and tournaments haven't taken place because of the pandemic, UC Health is not getting the marketing exposure at VOA that they were supposed to get with the sponsorship agreement. Mr. Granville said in addition to no exposure at the Athletic Complex, that they were supposed to get positive PR out of the Hump-Day Concert Series, the Cardboard Regatta event, and other programs aren't going to happen this year because of the pandemic.

A Board member commented the proposed reduction in sponsorship from UC Health was acceptable, adding that MetroParks' hands are tied with regard to looking for other sponsors in the health-related field and that in the long-term MetroParks might need to seek other sponsors.

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 due to massive losses related to the Covid-19 outbreak and the temporary closure of the VOA Athletic Complex, the UC Hospital system has requested the MetroParks agree to permanently forgiving the \$50,000 in sponsorship payments which would otherwise be due to MetroParks on July 31, 2020, as part of the existing 12-year sponsorship contract between MetroParks and UC Health. They (UC Health) propose instead a July 1st and a December 1, 2020, payment of \$12,500 each. Kelly Barkley will attend the Board meeting and will provide additional details in response to Board questions. A memo regarding this agenda item had been provided to the Board in the pre-meeting Board packet.

Mr. Granville wrote further that since the contract between MetroParks and UC Health was Board approved, it must be the Board that modifies it if it is to be modified. If after discussion at the Board meeting, the Board is agreeable to UC Health's request, I will instruct our legal counsel to prepare an amendment to the contract between the two organizations for adoption at the July meeting of the Board. If the Board is not agreeable, it need do nothing and once the Athletic Complex re-opens for tournament use, UC Health will be obligated to catch up on any payments that have been allowed to be delayed under terms of the contract immediately thereafter. In this case, the total financial commitment to MetroParks would be paid although the timing of each would be different.

Mr. Granville said he did not recommend this "no-action approach" because MetroParks has not been able to perform the concert programs and the Cardboard Regatta which are its obligations under the sponsorship contract. Those programs were designed to give the hospital system exposure in its local market area.

VII.d. - Other – Miscellaneous from Board or Administration

There were no items/topics discussed or acted upon by the Board in this section of the meeting agenda.

VIII. - Executive Session

MOTION: To enter into Executive Session at 9:56 a.m., Mr. Nelson moved, seconded by Ms. Trokhan, for the purpose of discussions involving:

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

and to call for a roll call vote in order to do so.

Motion No. 49.20

Vote: Mr. Amend - Aye
Mr. Nelson - Aye
Ms. Trokhan - Aye

The presiding officer declared the motion carried unanimously.

The Board returned from Executive Session at 10:26 a.m. EDT.

IX. - Actions Relative to Executive Session

There were no items/topics discussed or acted upon by the Board in this section of the meeting agenda.

X. - Adjournment

MOTION: To adjourn the meeting at 10:27 a.m., EDT. Mr. Nelson moved, seconded by Ms. Trokhan. *Motion No. - 50.20*

Vote: Mr. Amend - Aye
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 Date _____
Executive Director/Secretary Date

Title

Unless rescheduled or relocated, the next regular business meeting of the Board of Park Commissioners is scheduled for 8:30 a.m. on Thursday, July 16, 2020, in the Trophy Room - Ronald Reagan Lodge-Voice of America MetroPark, 7850 VOA Park Drive, West Chester Township, OH 45069-2938.