

**SUMMARY OF MINUTES
BOARD OF DIRECTORS
MUSKINGUM WATERSHED CONSERVANCY DISTRICT
Held at Kent State Tuscarawas
January 15, 2010, 9:00 a.m.**

A meeting of the Board of Directors of the Muskingum Watershed Conservancy District was held at Kent State Tuscarawas, Science and Advanced Technology Center, New Philadelphia, Ohio, on Friday, January 15, 2010, at 9:00 a.m., pursuant to notice duly given all Directors, and the general public in accordance with law.

1. ROLL CALL

Directors present were: Mr. Boyle, Mr. Horstman, Mr. Kokovich, Mr. Parham, and Mr. Pryce.

Present from MWCD staff were Scott Barnhart, James Cugliari, John Hoopingarner, Kelli Karns, Darrin Lautenschleger, Karen Miller, John Olivier, and Boris Slogar.

Mr. Horstman, President of the Board of Directors, presided. Mr. Horstman opened the meeting with formal introductions of the Board members.

2. INTRODUCTION OF VISITORS AND PUBLIC COMMENT

Also in attendance for all or portions of this meeting were: Neil Praznik and David Pickens (*Prospera Management*); Dirck TenBroeck (*MWCD Development Advisory Committee member*); Amy Rutledge (*Carroll County Convention and Visitors Bureau*); Janet Smith, Bill Wohlwend, Marilyn King, and Chris Jones (*Carroll County Chamber of Commerce*); Wayne Chumat (*Carroll County Chamber of Commerce and Economic Development*); Chris Kiehl (*Carroll County Sanitarian*); Melanie Campbell (*Carroll County Health Commissioner*); Jeffrey Lohler (*President, Carroll County Chamber of Commerce*); Dee Grossman (*Tuscarawas County Convention and Visitors Bureau*); Tom Wheaton (*Carroll County Commissioner*); Gil Snyder (*Charles G. Snyder Appraisers*); Carol McIntire (*Free Press Standard*); Trish McCullough and Glenn Enslin (*Congressman Zack Space office*); Dave Lipstrew (*newly-appointed director of the South Licking Watershed Conservancy District*); Kimberly Lewis (*Minerva Leader*); Eric Reip (*New Philadelphia resident*).

3. APPROVAL OF MINUTES

On motion by Mr. Kokovich, seconded by Mr. Boyle, the minutes of the December 18, 2009, meeting of the Board of Directors were approved.

4. FINANCIAL

Mr. Cugliari presented the financial report for the period ending December 31, 2009. This was a preliminary report due to the fact that all of the end-of-year adjustments were not made prior to the information being provided to the Board in advance of this meeting.

On motion by Mr. Parham, seconded by Mr. Kokovich, the financial report was accepted as presented.

5. PAYMENT OF BILLS

On motion by Mr. Pryce, seconded by Mr. Parham, a report of the payment of bills for the period ending December 31, 2009, was approved as presented.

6. BUSINESS

6.01 LEASE TRANSACTIONS

On motion by Mr. Boyle, seconded by Mr. Kokovich, the assignments, cancellations, new leases, farm leases, mortgage consent and agreement cancellations, and mortgage consent and agreements were approved and execution by the proper officers of the MWCD authorized.

6.02a 2010 BUDGET

On motion by Mr. Pryce, seconded by Mr. Parham, the action steps, as outlined in the above-referenced memo, were adopted with a revision to item No. 4 stating a closing date of Atwood Lake Resort and Conference Center of October 1, 2010.

6.02b OEPA SURFACE WATER IMPROVEMENT FUND GRANT

On motion by Mr. Parham, seconded by Mr. Pryce, a proposed resolution of authorization to apply for a grant through the OEPA Surface Water Improvement Fund for assistance with a shoreline stabilization project at Pleasant Hill Lake, as recommended and set forth in the above memorandum, was adopted.

6.03a HUMAN RESOURCES SUMMARY

On motion by Mr. Boyle, seconded by Mr. Kokovich, human resources activities, as recommended and set forth in the above memorandum, were approved.

6.03b TAX-DEFERRED PURCHASE OF OPERS SERVICE CREDIT

On motion by Mr. Kokovich, seconded by Mr. Boyle, a proposed resolution allowing the tax deferral of deductions made from payroll for redeposit of OPERS contributions previously withdrawn and/or the purchase of additional forms of OPERS service credit, as recommended and set forth in the above memorandum, was adopted to be effective January 1, 2010.

6.04 ATWOOD LAKE RESORT AND CONFERENCE CENTER

The following individuals addressed the Board:

- Ms. Rutledge stated that in these difficult times, closing of the Resort would be detrimental to Carroll County and would devastate her job as director of the Carroll County CVB. The Resort pays 75% of the bed tax received by the county and makes up 60% of her budget. The Resort operation is a major portion of the tourism product for Carroll County. Though she “can’t offer a solution” to the situation, closing of the Resort will produce a large economic impact.
- Mr. Chumat expressed his appreciation to the MWCD Board and staff for the intense dialogue with county officials over the past several months. MWCD has been an active part of the Carroll County community with the operation of the Resort for the past 30+ years. He reiterated the financial impact closing of the Resort would have on Tuscarawas and Stark counties as well as Carroll County. He strongly urged that the Board consider continuing the dialogue.
- Commissioner Wheaton began by mentioning that he dreads seeing a newspaper headline that reports that “the Lodge is closing.” He mentioned the efforts of the past several months to seek funding to keep the Resort open. He has been monitoring the MWCD budget and said he is knowledgeable of the current financial situation as it relates to Atwood Resort. He also stressed

- the negative impact that closing the Resort would have on Carroll and Tuscarawas counties. Although it is very important for the Resort to stay open there needs to be an understanding that it needs to be a different operation than exists today. Mr. Wheaton observed that the MWCD is in a “very political” situation and if MWCD comes out looking good on this issue, we will all look good – there will be strong advocates in the county. He urged that the Board would not vote to close the Resort. He said he is of the opinion that two good RFP responses were received by MWCD and thinks that terms for those could be negotiated. He closed with a statement to the Board, urging “please take all these things into consideration when you make your decision.”
- Ms. McCullough stated that (Congressman Space’s office) has been working on the issue of operation of the Atwood Resort for several months and that it continues to look at options. She suggested more aggressive marketing and urged the Board to reconsider any decision to close the Resort.
 - Mr. Enslin stated that if MWCD were a for-profit corporation a decision would be simple – close. However, the MWCD shareholders are the members of the public. He urged that the Board consider all the negative impacts on the shareholders. Mr. Enslin stated his opinion that MWCD staff and community work toward not closing the Lodge and make it “at least” a break-even venture.

Following public comment, the Board moved to executive session.

Upon return to open session, Mr. Hoopingarner reviewed the two proposals received by the MWCD in response to the recent request for proposals. One proposal was from Bruce Cassidy of Harrison County, the other from David Hall, President, LifeCenter Plus, Inc., of Hudson and Delaware North Companies Park & Resorts. Both proposals stated a \$1.00 purchase price of the Resort, including all the grounds. Mr. Parham expressed his disappointment in the quality and content of both proposals received.

On motion by Mr. Parham, seconded by Mr. Boyle, the two proposals received by the MWCD in response to the request for proposals were rejected, as recommended and set forth in the above memorandum; Mr. Parham further stressed that no further negotiations should take place between the MWCD and either of the two aforementioned parties regarding the Resort.

On motion by Mr. Parham, seconded by Mr. Boyle, the Board authorized that: effective February 1, 2010, the Atwood Lake Resort and Conference Center will be operated on a weekend only basis (Friday through Sunday), commencing May 1, 2010, through October 1, 2010, there will be full operation of the Resort; and a final closing date of the facility be set for October 1, 2010.

Mr. Horstman affirmed the decision of the Board by stating that its decision will address any question of due diligence related to the operation of the Atwood facility.

Mr. Parham added that there have been financial sacrifices for many years to keep the Resort going. He lives within sight of the facility and although it would be a sad day to see it close since it has been a treasure for the community for so many years, that it does not make financial sense to continue its operation. It is very important to the MWCD to find a solution that will allow it to be answerable to the public it serves and answer the question of “what is fair?” It simply is not fair to the other 17 counties that MWCD serves to continue the deficit situation at Atwood Resort, he said.

6.05 TAPPAN LAUNCH RAMP IMPROVEMENT PROJECT

Bids were received for the Tappan Lake Launch Ramp Improvement Project. The project includes a new concrete ramp with floating docks, expansion of the parking lot to create additional trailer parking spaces

and new courtesy docks. Alternative bids included a car-only parking area and a new restroom facility located closer to the ramp. This project was competitively bid and proposals were received December 22, 2009.

The following bids were submitted for consideration:

Bidder	Lump Sum Bid	Alternate A (Deduct)	Alternate B (Deduct)
Stanley Miller Construction	\$413,343.00	(\$9,070.00)	(\$51,400.00)
Gor-Con Construction, Inc.	\$438,490.00	(\$15,000.00)	(\$47,850.00)
Brookside Construction	\$441,410.00	(\$11,800.00)	(\$50,000.00)
BUDS, Inc.	\$443,000.00	(\$9,000.00)	(\$51,000.00)
Tab Construction Company, Inc.	\$458,513.46	(\$12,500.00)	(\$58,500.00)
Lexco Site Services	\$464,151.00	(\$7,500.00)	(\$70,000.00)
Neff Paving	\$534,710.81	(\$18,150.45)	(\$65,905.00)

The bids have been reviewed and, based on the lowest and best bid, the contractor recommended for the work is Stanley Miller Construction Company, Inc., less alternates A and B for a total bid amount of \$352,873.00. Alternate bids include a car-only parking area and a pre-engineered restroom facility. The engineer's estimate for this project was \$403,100.00.

At the November 2009 meeting, the Board authorized award of a contract for this project in an amount not to exceed \$400,000. The project is being funded by an Ohio Department of Natural Resources Division of Watercraft Cooperative Boating Facility Grant in the amount of \$400,000.00. This is provided for informational purposes only and no Board action is required.

6.06 OTHER BUSINESS

No other business at this time.

7. REPORTS

7.01 SUMMARY OF MARINA OPERATIONS

Members of the Board received a Summary of Marina Operations report for the period through November 30, 2009.

7.02 ATWOOD REGIONAL WATER AND SEWER DISTRICT UPDATE

Mr. Parham indicated that the Atwood Regional Water and Sewer District Board of Trustees has not met since the last MWCD Board meeting.

7.03 IMMINENT OR PENDING LITIGATION

No report at this time.

7.04 2010 GOALS

Mr. Horstman directed staff to revise the 2010 goals to include the financial stabilization goal as outlined in the Board memo Item 6.02a, "2010 Budget," and to bring 2010 goals back for Board review and

consideration in February.

8. LEGISLATIVE REVIEW

8.01 CURRENT LEGISLATIVE ACTIVITIES

No business at this time.

9. SUBDISTRICTS

No business at this time.

EXECUTIVE SESSION

On motion by Mr. Pryce, seconded by Mr. Boyle, the Board of Directors entered into executive session at 9:45 a.m. to discuss matters related to ORC §121.22 (G) (2) sale of property. On roll call: Mr. Boyle-yes; Mr. Horstman-yes; Mr. Kokovich-yes; Mr. Parham-yes; and Mr. Pryce-yes. On motion by Mr. Parham, seconded by Mr. Kokovich, the Board returned to open session. The executive session ended at 10:40 a.m.

10. ADJOURN

There being no further business, on motion by Mr. Parham, seconded by Mr. Boyle, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, February 19, 2010, at 9:00 a.m. at New Philadelphia City Council Chambers.

01/15/2010

Approved 2/19/2010