

**SUMMARY OF MINUTES  
BOARD OF DIRECTORS  
MUSKINGUM WATERSHED CONSERVANCY DISTRICT  
Held at Kent State University Tuscarawas  
April 22, 2011, 9:00 a.m.**

A meeting of the Board of Directors of the Muskingum Watershed Conservancy District was held at the Science and Technology Center, Kent State University Tuscarawas, 330 University Drive NE, New Philadelphia, Ohio, on Friday, April 22, 2011, 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, John Bird, Mary Burley, James Cugliari, Erin Davis, John Hoopingarner, Kelli Karns, Darrin Lautenschleger, Karen Miller, John Olivier, Boris Slogar, and Mark Swiger.

Mr. Kokovich, President of the Board of Directors, presided.

**2. INTRODUCTION OF VISITORS AND PUBLIC COMMENT**

Also in attendance for all or portions of this meeting were: Jim Pringle (*MWCD Legal Counsel*); Joe Hoffman and Deborah Oberlin (*The Legends*); Kim Civiello (*Kent student*); Tom Wheaton (*Carroll County Commissioner*); and Eric Reip (*New Philadelphia resident*).

**3. APPROVAL OF MINUTES**

On motion by Mr. Boyle, seconded by Mr. Horstman, the minutes of the March 25, 2011, meeting of the Board of Directors were approved.

**4. FINANCIAL**

Mr. Cugliari presented the financial report for the periods ending March 31, 2011. The total revenue for operations excluding Atwood Resort is \$3,100,780.00 with expenses of \$1,614,793.00, resulting in an excess of revenues over expenses of \$1,485,987.00.

**General Fund**

- A reimbursement of \$64,399.00 was made by the Chippewa Subdistrict for expenses incurred for the period July 1, 2010 through December 31, 2010.
- Expenses are lower than last year at this point and in line with budget.

**Conservation Fund**

- Revenues are currently in line with 2010 numbers and in line with budget.
- Expenses are also in line with budget.

**Recreation Fund – Parks**

- Total revenues are 43.78% of budget and 5.7% ahead of last year at this time. This is mainly due to the timing of payments for seasonal camping.
- Park camping is 7% ahead of last year at this time and 53.45% of budget.
- Expenses are 14.96% of budget and in line with budget.

**Recreation Fund – Non Park**

- Total revenues are 18.46% of budget.
- Piedmont Marina operations are in line with budget and comparable to 2010 actual.

- Multiple docks are at 21.38% of budget and ahead of last year. This is due to the timing of when decal requests were mailed.
- Expenses are lower than 2010 at this point and in line with budget.

**Maintenance Assessment Fund**

- Revenues are at 32.43% of budget and ahead of 2010. This is due strictly to when settlements are done by the county.
- Expenses continue to keep pace with budget with the major area of expenditure being Shoreline Protection.

Overall cash flow has improved significantly. The total cash balance is \$15,132,099.59 of which a little over \$14 million is in the Maintenance Assessment Fund.

On motion by Mr, Horstman, seconded by Mr.Pryce , the financial report was accepted as presented.

**5. PAYMENT OF BILLS**

On motion by Mr. Parham, seconded by Mr. Boyle, a report of the payment of bills for the period ending March 31, 2011, was approved as presented.

**6. BUSINESS**

**6.01a LEASE TRANSACTIONS**

On motion by Mr. Horstman, seconded by Mr. Boyle, 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.

**6.01b CONSENT FOR RIGHT OF ENTRY FOR COAL REFUSE PROJECT**

On motion by Mr. Pryce, seconded by Mr. Horstman, a proposed right of entry to MWCD property at Wills Creek in order for ODNR DMRM to reclaim a coal refuse disposal site, as recommended and set forth in the above memorandum, was authorized.

**6.01c CM-2 (PENDLETON) OFF LOT DRIVEWAY REQUEST**

On motion by Mr. Parham, seconded by Mr. Horstman, an off-lot permit to facilitate access to lot CM-2 and elimination of lot CM-1 as an available lot, as recommended and set forth in the above memorandum, were authorized.

**6.01d AMENDMENT TO LEASE – S-94**

On motion by Mr. Pryce, seconded by Mr. Horstman, an amendment to lease for lot S-94 for a one-year extension to sell the house, as recommended and set forth in the above memorandum, was authorized.

**6.02a BUDGET REVISIONS**

On motion by Mr. Boyle, seconded by Mr. Parham, proposed budget revisions, as recommended and set forth in the above memorandum, were approved.

**6.02b BUDGET ADJUSTMENTS**

On motion by Mr. Horstman, seconded by Mr. Pryce, budget adjustments, as recommended and set forth in the above memorandum, were authorized.

**6.02c SECTION 319 GRANT – PLEASANT HILL LAKE SHORELINE STABILIZATION PROJECT**

On motion by Mr. Horstman, seconded by Mr. Boyle, a proposed resolution of authorization to apply for grant funding, as recommended and set forth in the above memorandum, was adopted.

**6.02d GENERAL LIABILITY INSURANCE RENEWAL**

On motion by Mr. Boyle, seconded by Mr. Pryce, renewal of the general liability insurance and membership in The Ohio Plan at an annual premium of \$168,644.00 for the period May 1, 2011 through May 1, 2012, as recommended and set forth in the above memorandum, was approved.

**6.03a HUMAN RESOURCES SUMMARY**

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

**6.03b VACATION CONVERSION PLAN UPDATE**

On motion by Mr. Pryce, seconded by Mr. Horstman, revisions to the Vacation Conversion Plan as required by OPERS, as recommended and set forth in the above memorandum, were approved.

**6.03c VOLUNTARY BENEFIT PLANS – DENTAL AND VISION**

On motion by Mr. Boyle, seconded by Mr. Pryce, a change in providers of voluntary dental and vision benefit plans for employees from Ameritas to Guardian, as recommended and set forth in the above memorandum, was approved.

**6.03d SERVICE AWARDS PROGRAM**

On motion by Mr. Horstman, seconded by Mr. Boyle, a proposal for a one-time service award check option to the current service award program, as recommended and set forth in the above memorandum, was approved.

**6.03e POST AND FILL – SURVEY TECHNICIAN**

This memo was withdrawn.

**6.03f GROUP HEALTH BENEFIT PLAN REVIEW**

On motion by Mr. Parham, seconded by Mr. Boyle, renewal of the group health benefit plan for MWCD staff with AultCare for a one-year period effective June 1, 2011, and an increase in the specific stop loss to \$55,000, as recommended and set forth in the above memorandum, were approved. Mr. Pryce-abstain.

**6.04a PURCHASE OF VEHICLE**

On motion by Mr. Pryce, seconded by Mr. Boyle, the lease/purchase of a vehicle to replace a 1999 Ford Crown Victoria at Charles Mill Lake Park at a total annual cost not to exceed \$8,000.00, as recommended and set forth in the above memorandum, was approved. This approval is contingent upon the approval of the Muskingum Watershed Conservancy Foundation for a grant request from the James R. Pitney Law Enforcement Fund in the amount of \$8,000.00.

**6.04b SHARE CROP MATERIALS**

On motion by Mr. Boyle, seconded by Mr. Horstman, purchase of share crop materials for the 2011 planting season, as recommended and set forth in the above memorandum, was approved.

**6.04c TAPPAN LAKE PARK SEAWALL LANDSCAPING**

On motion by Mr. Horstman, seconded by Mr. Boyle, contract augmentations with Beaver Excavating in the total amount of \$74,575.00 for landscaping and fascia board installation, as recommended and set forth in the above memorandum, were approved.

**6.05a ADDENDUM – PWM AGREEMENT WITH FLMR**

On motion by Mr. Parham, seconded by Mr. Boyle, an addendum to an existing PWM grant providing \$5,000.00 in additional funding to the Friends of the Lower Muskingum River, as recommended and set forth in the above memorandum, was approved.

**6.05b PWM GRANT PROGRAM – 2011 FUNDING RECOMMENDATIONS**

Mr. Slogar reported that he is very pleased to recommend funding for five projects from the Partners in Watershed Management (PWM) program. Approved by the Board of Directors in 2009, the PWM program is a component of the implementation of the Amendment to the Official Plan of the MWCD and provides for the use of maintenance funds to assist local groups, organizations and communities in establishing water quality projects, flood reduction and mitigation programs, and watershed education efforts in the Muskingum River Watershed.

Mr. Slogar reminded members of the Board of Directors that he provided them with information during the March 2011 Board meeting about all of the applications received for PWM funding. He then distributed information about the five projects that were being recommended for funding following the review and input of members of the independent Technical Review Advisory Group.

The recommended projects are as follows:

- 1) Muskingum Soil and Water Conservation District - Purchase and preparation of watershed/aquatic education trailer - Total project cost is \$89,981, the amount requested from MWCD is \$50,000 and the recommended MWCD funding is \$50,000.
- 2) Huff Run Watershed Restoration Project - Environmental education - Total project cost is \$23,355, the amount requested from MWCD is \$12,050 and the recommended MWCD funding is \$10,475.
- 3) Friends of Lower Muskingum River - Watershed management plan development - Total project cost is \$140,000, the amount requested from MWCD is \$28,000 and the recommended MWCD funding is \$28,000.
- 4) Muskingum Valley Park District - Stormwater best management practices demonstration - Total project cost is \$103,351, the amount requested from MWCD is \$95,963 and the recommended MWCD funding is \$93,013.

- 5) YMCA Stark County - Construction of wastewater treatment plant at Camp Tippecanoe at Clendening Reservoir - total project cost is \$249,000, the amount requested from MWCD is \$25,000 and the recommended MWCD funding is \$25,000.

Following questions from Board members about a portion of the Muskingum Valley Park District project for installation of pervious concrete, Mr. Slogar said he would agree to reduce the recommended MWCD funding from \$93,013 to an estimated \$47,000.

On motion by Mr. Pryce, seconded by Mr. Horstman, projects for the 2011 round of funding for the Partners in Watershed Management Program, as recommended and set forth in the above memorandum, were approved.

**6.05c COOPERATIVE WORK AGREEMENT – ODNR,  
DIVISION OF SOIL AND WATER RESOURCES**

On motion by Mr. Horstman, seconded by Mr. Boyle, release of \$33,791.16 for approved projects within the Muskingum basin as provided through the Cooperative Work Agreement with the Division of Soil and Water Resources, as recommended and set forth in the above memorandum, was authorized.

**6.06 ANNUAL REPORT OF OPERATIONS**

On motion by Mr. Boyle, seconded by Mr. Parham, the Annual Report of Operations for the year 2010, as recommended and set forth in the above memorandum, was approved for distribution to the members of the Conservancy Court in preparation for the session of the Court scheduled June 4, 2011.

**6.07 ATWOOD LAKE RESORT AND CONFERENCE CENTER**

This matter was discussed in executive session. In open session, no action was taken.

**6.08 STRATEGIC PLANNING**

Mr. Hoopingarner and Mr. Slogar reported on the progress of working with Active Strategy on the strategic planning project. The environmental assessment phase is currently underway. It will be necessary to schedule a session, separate from regular its regular meeting, for the Board to work with the representative from Active Strategy. In addition, the May meeting will include a session following the regular meeting to identify strengths, weaknesses, opportunities, and threats from the Board's perspective.

**6.09 OTHER BUSINESS**

There was no other business at this time.

**7. REPORTS**

**7.01 SUMMARY OF MARINA OPERATIONS**

Board members received a copy of the Summary of Marina Operations report through March 31, 2011. No action required.

**7.02 UPDATE ON 2011 GOALS**

Mr. Hoopingarner reported on the progress of work toward accomplishing the 2011 goals as adopted by the Board of Directors.

- 1) To develop and implement a strategic plan of management for the Muskingum Watershed Conservancy District.
- 2) To evaluate and recommend a course of action in light of current oil and gas development opportunities.
- 3) To reduce the negative financial liability of the Atwood Lake Resort and Conference Center so that it is no longer a material factor in the overall operations of MWCD.
- 4) To address recreation operations in light of current economic conditions and customer demands.
- 5) To identify and develop conservation programs under the Amendment to the Official Plan.
- 6) To submit for consideration of the Conservancy Court the Subsequent Appraisal Record as required by law.

**7.03 OIL AND GAS LEASING**

This matter was discussed in executive session. In open session, no action was taken.

**7.04 USACE PROJECTS STATUS REPORT**

Mr. Slogar reported that work is underway at Dover Dam with the contractor working on the right, downstream abutment for the purpose of establishing a staging area. A platform will also be placed on the face of the dam to create an area for large equipment (i.e. crane) to move back and forth during the project.

The Corps anticipates approval of federal funding in the amount of \$19.5 million for Phase 2 of the Dover Dam project. Phase 2 will include protective work on the crest of the dam – the MWCD share of Phase 2 is expected to be \$696,789.

The project partnership agreement for work at Bolivar is still under legal review. Once this agreement is approved, the MWCD obligation for this project will be \$740,000.

The Corps has held public meetings in the Zoar area to discuss plans there.

**7.05 ATWOOD REGIONAL WATER AND SEWER DISTRICT UPDATE**

Mr. Parham indicated that there were no significant items to report at this time.

**7.06 IMMINENT OR PENDING LITIGATION**

This matter was discussed in Executive Session. In open session, no action was taken.

**8. LEGISLATIVE REVIEW**

**8.01 CURRENT LEGISLATIVE ACTIVITIES**

Mr. Hoopingarner reported on current legislative activities.

## 9. SUBDISTRICTS

### 9.01 CHIPPEWA SUBDISTRICT

On motion by Mr. Horstman, seconded by Mr. Parham, contract change orders for a dredging project at Structures IV-A and V-D in a net additional amount of \$52,793.36, as recommended and set forth in the above memorandum, were approved.

Mr. Slogar added that all eight dams in the Chippewa project recently were inspected and found in excellent condition. Also inspected were 10-12 miles of channel where maintenance projects were identified that will be undertaken in the future.

### PRESENTATION ABOUT MWCD RANGER PROGRAM

Ranger Bird, MWCD Ranger Specialist Supervisor, addressed the Board. He was previously employed by the Ohio Department of Natural Resources, Division of Watercraft, and retired after 28½ years of service. He joined the MWCD staff approximately 2 years ago and is responsible for supervision of five part-time rangers who patrol the lakes and two full-time ranger specialists. The full-time staff, in addition to patrolling the lakes during the summer season, patrol hunting areas and work on educational efforts. Those educational efforts include interaction with the public for understanding boating safety, water safety and different aspects of the MWCD parks. All members of the full-time ranger staff are certified instructors for boater education. Following is a summary of the 2010 Ranger Specialist Education Programs:

<b>PROGRAM TYPE</b>	<b># OF PROGRAMS</b>	<b># AUDIENCE</b>
<b>EDUCATION PROGRAMS</b>		
Adult Boating Skills	2	30
Ohio Boater Education Certification	4	100
Kayaking	6	37
Boating Clubs	3	131
Kids Boating and Water Safety	5	780
<b>DISPLAYS</b>		
Kids Interactive Safety Display	1	500
Sportsman Show Display	2	800
<b>TOTAL EDUCATION PROGRAMS</b>	<b>23</b>	<b>2,378</b>

During this past winter, during cleanup efforts at MWCD reservoirs, 1,500 tires were removed and disposed through an Ohio EPA grant. The educational component will be enhanced through a grant recently awarded to MWCD from the ODNR, Division of Watercraft, in the amount of \$6,300 for purchase of multi-media equipment for training.

Meeting attendees were invited to view a trailer recently obtained through a grant from ODNR for use in the kayak education programs conducted by MWCD staff.

### EXECUTIVE SESSION

On motion by Mr. Parham, seconded by Mr. Horstman, the Board of Directors entered into executive session at 11:45 a.m. to discuss matters related to ORC §121.22 (G) (2) , (3) and (4). On roll call: Mr. Boyle-yes; Mr. Horstman-yes; Mr. Kokovich-yes; Mr. Parham-yes; and Mr. Pryce-yes. The executive session ended at 1:20 p.m.

**10. ADJOURN**

There being no further business, on motion by Mr. Boyle, seconded by Mr. Horstman, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, May 20, 2011, at 9:00 a.m. at FFA Camp Muskingum, Leesville Lake.

*04/22/2011*

*Approved 5/20/2011*