

**SUMMARY OF MINUTES
BOARD OF DIRECTORS
MUSKINGUM WATERSHED CONSERVANCY DISTRICT
Held at the New Philadelphia City Council Chambers
September 20, 2013, 9:00 a.m.**

A meeting of the Board of Directors of the Muskingum Watershed Conservancy District was held at the New Philadelphia City Council Chamber, 150 East High Avenue, New Philadelphia, Ohio, on Friday, September 20, 2013, 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, Ms. Limbach, Mr. Parham and Mr. Pryce.

Present from MWCD staff were Scott Barnhart, Donnie Borland, Dan Castellucci, Jim Cugliari, Tom Fisher, John Hoopingarner, Darrin Lautenschleger, Sean Logan, Karen Miller, Jim Pringle, Boris Slogar, and Mark Swiger.

Mr. Parham, 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: Mark Waltz (*Chairman of the MWCD Board of Appraisers*); Brent Winslow (*CONSOL Energy*); Dave Fisher (*Freeport resident*); JoEllen Hayes (*MWCD Development Advisory Committee*); James Dobrozsi (*Woolpert*); Keith Fuller and Ryan Dean (*American Energy*); and Hollie Hinton (*DLZ*).

3. APPROVAL OF MINUTES

On motion by Ms. Limbach, seconded by Mr. Horstman, the minutes of the August 16, 2013, meeting of the Board of Directors were approved.

4. FINANCIAL

Mr. Cugliari presented the financial report for the period ending August 31, 2013. The total operating revenue is \$54,641,014.00, which includes \$44,239,753.00 oil and gas lease signing bonus payment, or \$10,401,261.00 without the lease signing bonus; and operating expenses of \$8,425,021.00, resulting in an excess of revenue over expenses of \$1,976,240.00. The operational surplus does not include the oil and gas lease signing bonus or the expenses incurred in the Recreation Improvement Fund and Debt Retirement.

Maintenance Fund – General

- Use of Water Assets revenue received for the month was \$230,973.00 with \$210,345.44 received for the final payment by Gulfport Energy for the “Clay Pad.”
- Total expenses are 57.57% of budget.

Conservation Fund

- Mineral Operations – Gas and Oil received \$929,293.00 for the month. Of that amount, \$720,874.00 was received from Antero Resources as a part of the Seneca leased acreage and \$154,119.00 in royalty payment from Gulfport for the Clendening leased acreage.
- Expenses are 56.10% of budget and in line with expectations.

Recreation Fund-Parks

- Revenues are 95.21% of budget.
- Vacation Cabin revenue is 93.00% of budget and approximately \$9,000.00 ahead of 2012.
- Park Camping has met revenue budget by approximately \$12,000.00 and is \$127,000.00 ahead of 2012.
- General Parks is at 74.00% of budget and approximately \$33,000.00 below 2012.
- Expenses are 65.00% of budget and continue to run ahead of 2012 as was planned.

Recreation Fund-Non Park

- Total revenues are 81.42% of budget.
- Marina Operations (Leased) revenue is at 89.00% of budget and running slightly behind 2012.
- Piedmont Marina Operations revenue is 83.00% of budget and \$35,000.00 ahead of 2012. Piedmont Marina Camping revenue has met and exceeded budget and is \$10,000.00 ahead of 2012.
- Seneca Marina revenues are 80.00% of budget and ahead of 2012, mainly because there was not a full operation in 2012.
- Multiple Docks revenue has met and exceeded budget but is about \$18,000.00 short of 2012 due to policy changes.
- Expenses are 76.00% of budget.
- Both Seneca and Piedmont marinas expense budgets are running higher than anticipated. We are currently working with staff to reduce expenses for the balance of the year.

Recreation Improvement Fund

- Total expenses in this fund are 42.00% of budget.
- The major expense for the month was the \$452,658.00 in the Water and Sewer line item which is attributed to the Atwood Water Treatment Plant project.

Maintenance Assessment Fund

- Total revenues are 98.00% of budget.
- The collection of the assessment is 99.00% of the budget with five counties still to report second half.
- Total expenses are 64.00% of budget and in line with projections.

Overall, operations are within budget expectations through August and, as indicated earlier, a strong recreation season has occurred.

On motion by Mr. Boyle, seconded by Ms. Limbach, the financial report was accepted as presented.

5. PAYMENT OF BILLS

On motion by Mr. Horstman, seconded by Ms. Limbach, a report of the payment of bills for the period ending August 31, 2013, was approved as presented.

6. BUSINESS

6.01a LEASE TRANSACTIONS

On motion by Ms. Limbach, 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 2013 COTTAGE SITE APPRAISAL

On motion by Mr. Pryce, seconded by Mr. Boyle, the appraisal of MWCD cottage sites conducted by the Charles G. Snyder Company and approved by the Board of Appraisers at their August 8, 2013, meeting, was accepted; and the recommendation by the Board of Appraisers to continue establishing cottage site lease rates with a goal of a 5% rate of return, was affirmed.

6.01c PROPOSED LOT LINE CHANGE – L-108

On motion by Mr. Pryce, seconded by Mr. Boyle, a proposed lot line change for L-108, as recommended and set forth in the above memorandum, was approved.

6.01d TAPPAN PARK NATURAL GAS SERVICE

On motion by Ms. Limbach, seconded by Mr. Pryce, an Access Road and Farm Tap Agreement with East Ohio Gas Company to accommodate providing natural gas service to Tappan Park, as recommended and set forth in the above memorandum, was authorized.

ADDITION TO AGENDA: RESOLUTION RELATIVE TO ATWOOD PENINSULA

On Wednesday, September 18, Mr. Parham distributed to the other directors and to Mr. Hoopingarner via email a proposed resolution relative to the Atwood Peninsula.

Mr. Parham stated his intention of bringing the resolution before the Board for consideration, if that was the desire of the Board.

Mr. Hoopingarner informed the Board that, later in the meeting, the draft Park Master Plan prepared by Woolpert would be presented for the Board's review and comment. The draft Park Master Plan includes two proposed options for the Atwood Peninsula. Option A proposes 24 cottage site lots; while Option B proposed 37 cottage site lots. Mr. Hoopingarner noted that the Board, in past discussions relative to the Atwood Peninsula, had indicated that they were only interested in residential concepts for this area.

Several months ago the staff presented the concept of locating an interpretive center on the property. The Board indicated at that time that it was not interested in such a concept and it was therefore dropped from consideration. It was reiterated that neither an interpretive center nor a museum would be included in any proposed use of the property.

Mr. Parham's proposed resolution states that:

- *MWCD shall immediately begin the process of conducting a detailed evaluation of the cabins, determining as to each one whether it can reasonably be restored to a sellable condition and the estimated cost to do that, recognizing that major repair/modification costs beyond that would be a buyer responsibility;*
- *MWCD shall immediately begin the process of restoring water supply and connections and shall arrange for sewer service and connections as promptly as that can be accomplished;*
- *MWCD shall implement the Atwood Peninsula Cottage Site Lease area, and in that regard shall:*
 - *Survey and define the lots and areas to be assigned to each of the cabins for lease, and recommend proposed lease rates to the Board;*
 - *Determine where and how a common docking arrangement can be set up for the convenience of the cottage site lessees involved, since none will have direct waterfront access from their leased lots;*

- *Place an asking price on each cabin then offer them for sale as vacation or lake homes on the same basis as other cabins and houses for purchase on lease sites at Atwood and other MWCD lakes.*

Ms. Limbach asked for clarification from Attorney Pringle regarding the Sunshine Law and communications prior to a board meeting.

Attorney Pringle explained the provisions of the Sunshine Law and discussed a number of scenarios with the Board. Mr. Hoopingarner suggested that it might be advantageous to consider an annual presentation to the Board regarding the Sunshine Law and Boardsmanship.

Mr. Horstman made a motion to place Mr. Parham's proposed resolution on the table for consideration as Option C for the Atwood Peninsula, at the same time that Options A and B in the Draft Master Plan were considered. There being no second to the motion, the motion failed.

Mr. Boyle commented his concern for "cobbling up" the existing vacation cottages and that, in his opinion, it would not be in the best interest in the overall big picture.

6.02a BUDGET ADJUSTMENTS

On motion by Mr. Horstman, seconded by Mr. Boyle, budget adjustments made during the months of July and August 2013, as recommended and set forth in the above memorandum, were approved.

6.02b BUDGET REVISION

On motion by Ms. Limbach, seconded by Mr. Horstman, a budget revision resulting from increased retail sales at Piedmont Marina, as recommended and set forth in the above memorandum, was approved.

6.02c ESTABLISHMENT OF PETTY CASH FUNDS – PIEDMONT AND SENECA MARINAS

On motion by Mr. Pryce, seconded by Mr. Boyle, a resolution authorizing establishing petty cash funds for Piedmont and Seneca marinas, as recommended and set forth in the above memorandum, was adopted.

6.02d ONE-TIME DISPOSAL OF RECORDS

On motion by Mr. Pryce, seconded by Mr. Boyle, a request for one-time disposal of records from Atwood Resort, as recommended and set forth in the above memorandum, was approved.

6.02e 2014 PRELIMINARY BUDGET

Mr. Cugliari presented some preliminary information for preparation of the 2014 budget. No action was requested.

6.03a HUMAN RESOURCES SUMMARY

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

6.03b DRIVER TRAINING PROGRAM

On motion by Mr. Boyle, seconded by Mr. Horstman, a contract for advanced driver education training for designated MWCD employees, as recommended and set forth in the above memorandum, was approved.

6.03c FINANCE POSITION DESCRIPTIONS

On motion by Mr. Horstman, seconded by Mr. Boyle, revisions to position descriptions for employees of the Finance Group, as recommended and set forth in the above memorandum, were approved.

6.04 2013 ANNUAL MAINTENANCE ASSESSMENT

In order to maintain the works of the Muskingum Watershed Conservancy District, it is necessary to levy an annual maintenance assessment as set forth in Ohio Revised Code, Section 6101.55. Following is the Certificate of Annual Levy for the MWCD.

It is recommended that the Board approve a maintenance assessment in the aggregate sum of \$11,322,267.96.

Mr. Parham requested comment on a potential reduction of the maintenance assessment based on oil and gas royalties. Mr. Hoopingarner responded that predictions of royalty revenue are not solid.

On motion by Mr. Pryce, seconded by Ms. Limbach, the following resolution was adopted:

**RESOLUTION OF ANNUAL LEVY
OF THE
MUSKINGUM WATERSHED CONSERVANCY DISTRICT**

Resolved:

1. That on this 20th day of September, 2013, the Board of Directors of the Muskingum Watershed Conservancy District hereby determines, orders and levies a maintenance assessment for the year 2013, in the aggregate sum of \$11,322,267.96 for the account of the Maintenance Fund of said District. That said maintenance assessment shall be duly apportioned to the benefited properties and public corporations in said District in proportion to the benefits and that the amounts of said maintenance assessment imposed upon the properties and public corporations in said District be recorded in the Conservancy Assessment Record of the Muskingum Watershed Conservancy District.
2. That a certified copy of this resolution be recorded in the Conservancy Assessment Record of the MWCD.
3. The President and Secretary are directed to certify this Annual Levy to the County Auditors in the District, pursuant to law.
4. That the said amounts of said maintenance assessment shall be collectible and payable in the year 2014 in the sums specified at the same time that the state and county taxes are due and collectible.

On motion by Mr. Pryce, seconded by Ms. Limbach, the following certification was adopted:

**CERTIFICATE OF ASSESSMENT RECORD
OF THE
MUSKINGUM WATERSHED CONSERVANCY DISTRICT**

This is to Certify:

1. That on the 20th day of August, 2007, the Court of Common Pleas, Tuscarawas County, Ohio, Conservancy Division confirmed a readjustment of the appraisal of benefits to all the benefited property and public corporations in the Muskingum Watershed Conservancy District.
2. That the said readjustment of the appraisal of benefits to all the benefited lands and public corporations has been recorded in the Conservancy Assessment Record of the Muskingum Watershed Conservancy District which contains a notation of the items of property and the public corporations to which benefits have been appraised, the total amount of benefits appraised against each item or public corporation, and the total assessment levied against each item or public corporation.
3. That the Conservancy Assessment Record of the Muskingum Watershed Conservancy District contains a true and correct record of the benefits approved and confirmed by the Court.

On motion by Mr. Pryce, seconded by Ms. Limbach, the following certification was adopted:

**CERTIFICATE OF ANNUAL LEVY
OF THE
MUSKINGUM WATERSHED CONSERVANCY DISTRICT**

This is to Certify:

1. That on the 20th day of September, 2013, the Board of Directors of the Muskingum Watershed Conservancy District duly levied a maintenance assessment for the year 2013, in the aggregate sum of \$11,322,267.96 for the account of the Maintenance Fund of said District. That said maintenance assessment has been duly apportioned to the benefited properties and public corporations in said District in proportion to benefits and that the amounts of said maintenance assessment imposed upon the properties and public corporations in said District have been recorded in the Conservancy Assessment Record of the Muskingum Watershed Conservancy District.
2. That the Conservancy Assessment Record of the Muskingum Watershed Conservancy District contains a true and correct record of the Annual Levy of 2013 and of the maintenance assessment for the year 2013 as determined, ordered, and levied by the Board of Directors of the Muskingum Watershed Conservancy District on the 20th day of September, 2013.
3. That the said amounts of said Annual Levy and of said maintenance assessment shall be collectible and payable in the year 2014 in the sums specified at the same time that the state and county taxes are due and collectible.
4. Following here is: (A) The descriptions of the property opposite the names of the owners; and (B) The total amount of the annual levy on each piece of property and on each public corporation for the account of all funds and the amount of each item making up the total.

**6.05a SENECA MARINA BUILDING RENOVATIONS/KITCHEN EQUIPMENT –
FINAL ACCOUNTING AND CHANGE ORDER RATIFICATION REQUEST**

On motion by Mr. Boyle, seconded by Ms. Limbach, change orders for the referenced contracts, as recommended and set forth in the above memorandum, were authorized.

6.05b LEESVILLE GLENS COTTAGE AREA – CONCORD DRIVE PAVING

On motion by Mr. Pryce, seconded by Ms. Limbach, authorization to solicit bids and enter into a contract with the lowest and most responsive bidder in an amount not to exceed the engineer's estimate for a paving project at Leesville Glens Cottage Area, as recommended and set forth in the above memorandum, was granted.

6.05c TAPPAN PARK CAMP AREA 2 – CULVERT REPLACEMENT

On motion by Mr. Boyle, seconded by Mr. Horstman, award of a contract with Williams Excavating LLC in the amount of \$43,176.78 for replacement of a culvert in Tappan Park Camp Area 2, as recommended and set forth in the above memorandum, was approved.

6.05d 2013/2014 SHORELINE STABILIZATION PROJECTS

On motion by Ms. Limbach, seconded by Mr. Pryce, authorization to solicit bids and enter in contracts with the lowest and most responsive bidders for shoreline stabilization projects at Atwood, Charles Mill, and Seneca, as recommended and set forth in the above memorandum, was granted.

6.05e ATWOOD NORTH SHORE COTTAGE AREA PAVING PROJECT

On motion by Mr. Pryce, seconded by Mr. Horstman, award of a contract with Central Allied Enterprises, Inc. in the amount of \$481,591.65, for a paving project at Atwood North Shore Cottage Area, as recommended and set forth in the above memorandum, was approved.

6.06 OPERATIONAL POLICY UPDATE – FOREST MANAGEMENT

On motion by Mr. Boyle, seconded by Ms. Limbach, an updated version of the operational policy entitled "Forest Management," as recommended and set forth in the above memorandum, was adopted.

6.07 PARK MASTER PLAN

Work on the park master plan began the latter part of July, 2012 and the final product is the result of hundreds of hours of meetings with staff and park users, statistically valid surveys, facility tours and inspections. Benchmarking of similar park and recreations systems, demographic analysis, deferred maintenance and capital improvement plan analysis have all culminated into the final master plan and business plans to be presented to you today for your review.

Each of the park capital improvement plans contain a roadmap and prioritized plan for implementation of improvements, a suggested annual table of improvements along with an annual estimated cost. Staff anticipates that this table of completion will vary slightly depending on the required infrastructure upgrades and planning necessary to support the improvements. Upon approval of the plans, staff will immediately begin working with the engineering group to begin the necessary planning for implementation of the first annual master plan capital improvement budget and schedule. This plan will then be presented to the Board on an annual basis for approval of the planned projects, cost and implementation schedule.

No action is required or requested today. It is anticipated that these plans will be presented to the Board at the October meeting and the Woolpert team will be present to answer any questions that the Board may have.

6.08 OTHER BUSINESS

Mr. Hoopingarner reported that a long-time employee of the MWCD, Frank L. Davis, passed away on Wednesday, September 18. Frank’s father, Leroy Davis, worked as one of the original surveyors for MWCD. Frank, a registered surveyor, spent over 40 years with MWCD in various capacities within the Engineering Department.

ASIAN CARP UPDATE

Mr. Logan provided an update on the Asian Carp Monitoring Partnership project with The Nature Conservancy which was authorized by the Board in April 2013.

7. REPORTS

7.01 SUMMARY OF MARINA OPERATIONS

Members of the Board received a Summary of Marina Operations report through August 31, 2013. No action was requested.

Future Summary of Marina Operations reports will also include a narrative summary of marina operations in order to provide additional information for the Board’s review.

7.02 LAKE DRAWDOWN SCHEDULE FOR 2013-2014

In accordance with the U.S. Army Corps of Engineers (USACE) Control Manuals, the following table shows proposed lake drawdowns for the winter of 2013-2014. This schedule will be presented to the U.S. Army Corps of Engineers for their review and approval and the Ohio Department of Natural Resources for their review and comment.

Reservoir	Normal Pool	Winter Level	Total Drawdown (feet)	Begin 2013 Drawdown	Release Duration (days)	Suggested intermediate refill schedule by March 15, 2014
Atwood	928.00	920.00	8.0	November 1	35	926.00
Charles Mill	997.00	992.00	5.0	November 15	30	995.00
Clendening	898.00	893.00	5.0	November 1	35	896.00
Leesville	963.00	958.00	5.0	November 15	35	961.00
Piedmont	913.00	905.00	8.0	November 15	35	911.00
Pleasant Hill (1)	1020.00	1005.00	15.0	November 1	45	n/a
Pleasant Hill (2)	1020.00	1012.00	8.0	Begin refill to this level on 1/15		1018.00
Seneca	832.20	827.20	5.0	November 1	35	830.20
Tappan	899.30	894.30	5.0	November 15	35	897.30

NOTE: Due to planned construction at Atwood, Charles Mill, Piedmont, and Pleasant Hill, we recommend that drawdown continue from 5’ to specified levels at the release rates noted. The standard 5 foot drawdown will be sufficient for shoreline work at Seneca. All reservoirs with extended drawdown will be held at the requested elevation until February 15, 2014 and then returned to the normal winter schedule elevations.

- To accommodate autumn boating, fishing and hunting, and to help reduce shoreline erosion, it is recommended that the drawdowns occur on an even release basis and at the rate stipulated above (release duration) so as to reach the intended lowered elevation.
- We request of the USACE that refill begin February 15 on those reservoirs that can reasonably meet the intermediate refill date due to the nature of the reservoir, precipitation in that area, etc. For those reservoirs that cannot reasonably meet the March 15 refill date, please continue to begin refill on February 1. This delay will allow MWCD an additional two weeks to address any projects that need to be completed during drawdown, i.e. shoreline stabilization projects, dredging, dock repairs, etc.

This is provided for informational purposes only and requires no action on the part of the Board.

7.03 FINES LEVIED AGAINST GULFPORT ENERGY

MWCD staff was informed on September 11, 2013, that Gulfport Energy was fined \$250,000 by the Ohio Department of Natural Resources (ODNR) for violations of inadequately designed and constructed well pads for the Utica Shale development, including four individual sites near Clendening and Piedmont reservoirs.

None of the sites identified by ODNR for inadequacies of brine containment by Gulfport are located on MWCD-owned property and it does not appear that any brine reached the two lakes, and no groundwater contamination occurred. Only one of the well pad sites is within a mile of MWCD-owned property. Also, it appears the fluids that are the subject of the fines are not products or components of the hydraulic fracturing process, but from drilling operations.

To date, there have been no pads constructed on MWCD property at Clendening Reservoir in development of MWCD's lease with Gulfport, in which the MWCD holds the right to approve any well pad location and includes requirements that are more stringent than state regulations. The MWCD does not have a Utica Shale lease in place for its property at Piedmont Reservoir.

MWCD Conservation staff members immediately began an investigation of these situations and have met with Gulfport officials. Staff will continue to provide updates to the Board of Directors about this situation.

7.04 UPDATE ON 2013 GOALS

Mr. Hoopingarner reviewed the 2013 goals with the Board.

- 1) Oil and Gas Development
- 2) Park Capital Improvements
- 3) Marina Operations
- 4) Fiscal Management

7.05 STRATEGIC PLAN IMPLEMENTATION UPDATE

No report at this time.

7.06 USACE PROJECTS STATUS REPORT

Mr. Slogar reported on the status of the U.S. Army Corps of Engineers projects at Dover Dam and Bolivar Dam.

The Corps is currently reviewing bids for the seepage blanket installation at Bolivar.

7.07 ATWOOD REGIONAL WATER AND SEWER DISTRICT UPDATE

No report at this time.

7.08 IMMINENT OR PENDING LITIGATION

Attorney Pringle provided an update to the Board relative to imminent or pending litigation during an executive session (below).

8. SUBDISTRICTS

8.01 ESTABLISHMENT OF PETTY CASH FUND – CHIPPEWA SUBDISTRICT

On motion by Mr. Pryce, seconded by Mr. Horstman, a resolution authorizing establishing a petty cash fund for the Chippewa Subdistrict, as recommended and set forth in the above memorandum, was adopted.

8.02 CHIPPEWA SUBDISTRICT – 2013 ANNUAL MAINTENANCE ASSESSMENT

In order to maintain the works of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District, it is necessary to levy an annual maintenance assessment as set forth in Ohio Revised Code, Section 6101.55. Attached is the Certificate of Annual Levy for the Chippewa Subdistrict.

It is recommended that the Board approve a maintenance assessment in the aggregate sum of \$359,784.62. This total is equal to one-half of the one-percent of the total appraisal of benefits for the Subdistrict. The assessment is apportioned, based on the benefits appraisal.

On motion by Ms. Limbach, seconded by Mr. Boyle, the following resolution was adopted:

**RESOLUTION OF ANNUAL LEVY
OF THE
CHIPPEWA SUBDISTRICT OF THE
MUSKINGUM WATERSHED CONSERVANCY DISTRICT**

Resolved:

1. That on the 20st day of September, 2013, the Board of Directors of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District hereby determines, order and levies a maintenance assessment for the year 2013, in the aggregate sum of \$359,784.62 for the account of the Maintenance Fund of said Subdistrict. That said maintenance assessment shall be duly apportioned to the benefited properties and public corporations in said Subdistrict in proportion to the benefits and that the amounts of said maintenance assessment imposed upon the properties and public corporations in said Subdistrict and be recorded in the Conservancy Assessment Record of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District.
2. That a certified copy of this resolution be recorded in the Conservancy Assessment Record of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District.
3. The President and Secretary are directed to certify this Annual Levy to the County Auditors in the District, pursuant to law.

4. That the said amounts of said maintenance assessment shall be collectible and payable in the year 2014 in the sums specified at the same time that the state and county taxes are due and collectible.

On motion by Ms. Limbach, seconded by Mr. Boyle, the following certification was adopted:

**CERTIFICATE OF ASSESSMENT RECORD
OF THE
CHIPPEWA SUBDISTRICT OF THE
MUSKINGUM WATERSHED CONSERVANCY DISTRICT**

This is to Certify:

1. That on the 15th day of July, 2002, the Court of Common Pleas, Conservancy Division for the Chippewa Subdistrict, confirmed a readjustment of the appraisal of benefits to all the benefited property and public corporations in the Chippewa Subdistrict of the Muskingum Watershed Conservancy District.
2. That the said readjustment of the appraisal of benefits to all the benefited lands and public corporations has been recorded in the Conservancy Assessment Record of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District which contains a notation of the items of property and the public corporations to which benefits have been appraised, the total amount of benefits appraised against each item or public corporation, and the total assessment levied against each item or public corporation.
3. That the Conservancy Assessment Record of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District contains a true and correct record of the benefits approved and confirmed by the Court.

On motion by Ms. Limbach, seconded by Mr. Boyle, the following certification was adopted:

**CERTIFICATE OF ANNUAL LEVY
OF THE
CHIPPEWA SUBDISTRICT OF THE
MUSKINGUM WATERSHED CONSERVANCY DISTRICT**

This is to Certify:

1. That on the 20th day of September, 2013, the Board of Directors of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District duly levied a maintenance assessment for the year 2013, in the aggregate sum of \$359,784.62 for the account of the Maintenance Fund of said Subdistrict. That said maintenance assessment has been duly apportioned to the benefited properties and public corporations in said Subdistrict in proportion to the benefits and that the amounts of said maintenance assessment imposed upon the properties and public corporations in said Subdistrict and have been recorded in the Conservancy Assessment Record of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District.
2. That the Conservancy Assessment Record of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District contains a true and correct record of the Annual Levy of 2013 and of the maintenance assessment for the year 2013 as determined, ordered, and levied by the Board of Directors of the Chippewa Subdistrict of the Muskingum Watershed Conservancy District on the 20th day of September, 2013.

3. That the said amounts of said Annual Levy and of said maintenance assessment shall be collectible and payable in the year 2014 in the sums specified at the same time that the state and county taxes are due and collectible.
4. Following here is: (A) The descriptions of the property opposite the names of the owners; and (B) The total amount of the annual levy on each piece of property and on each public corporation for the account of all funds and the amount of each item making up the total.

8.03 SUBDISTRICT UPDATE

Mr. Slogar reported on recent discussions with officials in the Richland County area. There will be a meeting to discuss the formation of a subdistrict on October 24 which will be attended by Mr. Hoopingarner, Mr. Slogar, and Attorney Pringle.

9. EXECUTIVE SESSION

On motion by Ms. Limbach, seconded by Mr. Boyle, the Board of Directors entered into executive session at 9:40 a.m. to discuss matters related to ORC §121.22 (G) (2). On roll call: Mr. Boyle-yes; Mr. Horstman-yes; Ms. Limbach-yes; Mr. Parham-yes; and Mr. Pryce-yes. The executive session ended at 10:07 a.m.

In open session, on motion by Ms. Limbach, seconded by Mr. Horstman, staff was authorized to proceed with preparation of a pro forma and to begin preliminary negotiations for a property located in Dover, Ohio, that would accommodate some needed expansion of office space and primarily for heavy equipment currently based at the main office.

On motion by Ms. Limbach, seconded by Mr. Boyle, the Board of Directors entered into executive session at 12:32 p.m. to discuss matters related to ORC §121.22 (G) (2) and (3). On roll call: Mr. Boyle-yes; Mr. Horstman-yes; Ms. Limbach-yes; Mr. Parham-yes; and Mr. Pryce-yes. The executive session ended at 1:00 p.m.

10. ADJOURN

There being no further business, on motion by Mr. Pryce, seconded by Ms. Limbach, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, October 18, 2013, at 9:00 a.m. at the New Philadelphia City Council Chambers.

09.20.2013, km
Approved 10.18.2013