

**SUMMARY OF MINUTES  
BOARD OF DIRECTORS  
MUSKINGUM WATERSHED CONSERVANCY DISTRICT  
Held at the New Philadelphia City Council Chambers  
November 18, 2011, 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 Chambers, 150 East High Avenue, New Philadelphia, Ohio, on Friday, November 18, 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, Donnie Borland, Mary Burley, James Cugliari, John Hoopingarner, Darrin Lautenschleger, Sean Logan, Karen Miller, 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*); Curt Schneider (*Chartwell Group*); Doyle Hawk, Jeff Ohler, and Tom Wheaton (*Carroll County Commissioners*); Tanner Jenkins, Kay Weber, and Zack Meechan (*Kent State University students*); Mark Jukich (*Massillon resident and former MWCD employee*); Don McIntosh, Zack Morris, and Jim Crandall (*Rea & Associates*); and Bill Robertson (*Malvern resident*).

**3. APPROVAL OF MINUTES**

On motion by Mr. Boyle, seconded by Mr. Parham, the minutes of the October 21 and November 2-3, 2011, meetings of the Board of Directors were approved.

**4. FINANCIAL**

Mr. Cugliari presented the financial report for the periods ending October 31, 2011. The total revenue, excluding the Atwood Resort operations, is \$25,367,723 with expenses of \$8,493,077 resulting in an excess of revenue over expense of \$16,874,646.

**Recreation Fund – Parks**

- Total park revenues are 98.21% of budget and 1.2% ahead of last year.
- Vacation cabin revenue has met and exceeded budget by 5.56% for the year and is 17.6% ahead of last year.
- Park camping revenue is 99.13% of budget and nearly identical to last year.
- Camper trailer storage is 61.14% of budget with the balance of revenue to be received in November and December.
- Expenses continue to run at budget expectations with monies being put in the water and sewer systems and park camping as planned.

**Recreation Fund – Non Park**

- Total revenues in this area are 87.53 % of budget and 1.25% ahead of last year.
- Leased marina operations continue to run behind last year but are close to budget expectations.
- Piedmont Marina operations are running close to budget expectations and hopefully, over the last two months, will come close to meeting budget.

- Cottage sites, club sites and multiple docks are in line with budget. It looks like multiple docks will fall just short of meeting budget.

#### **Maintenance Assessment Fund**

- Assessment fund revenue collections met and exceeded budget by 4.54% as reported in detail to the Board last month.
- Expenses continue to run in line with budget expectations.
- Shoreline protection continues to be the most active area as we have expended 68.30% of budget. We are currently gearing up for projects to be completed during the lake drawdown period.

All other areas are in line with budget expectations as we wind down the year.

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

### **5. PAYMENT OF BILLS**

On motion by Mr. Pryce, seconded by Mr. Horstman, a report of the payment of bills for the period ending October 31, 2011, was approved as presented.

### **6. BUSINESS**

#### **6.01a LEASE TRANSACTIONS**

On motion by Mr. Boyle, seconded by Mr. Horstman, 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 SALVATION ARMY (CAMP NEOSA) LEASE RENEWAL**

On motion by Mr. Boyle, seconded by Mr. Horstman, changes to the lease for the Salvation Army (Camp Neosa) at Leesville Lake, as recommended and set forth in the above memorandum, were approved.

Members of the Board expressed some concern for the manner in which youth/educational camps might post the additional areas that may be made available to them along the shoreline. It was suggested that standard user-friendly language could be developed for use by the youth camps to post these areas that are accessible by the public.

#### **6.02a 2012 PRELIMINARY BUDGET – DRAFT**

Mr. Cugliari presented the draft preliminary budget for the year 2012. No action was requested at this time. A final budget will be presented for consideration at the December meeting. Among items of concern mentioned by the Board were:

- The future plans for the 17 vacation cabins at Atwood Resort and the related water line repair;
- “Real unit measurement” of commodities, i.e. gas and oil, timber, and agricultural operations;
- A 5-year plan for fleet management;
- The scope of a proposed park master plan; and
- The need for a 5-year capital budget plan.

On motion by Mr. Parham, seconded by Mr. Pryce, the Board authorized staff to proceed with paying off the OWDA maintenance assessment planning loan.

**6.02b OPERATIONAL POLICY: USE OF CREDIT CARDS**

On motion by Mr. Horstman, seconded by Mr. Boyle, a proposed operational policy entitled “Use of Credit Cards,” as recommended and set forth in the above memorandum, was adopted effective immediately.

**6.02c AUDIT OF MWCD FINANCIAL RECORDS**

This matter was discussed in executive session.

**6.02d PARK AUDITS - 2011**

On motion by Mr. Parham, seconded by Mr. Boyle, reports of audits of the five MWCD park locations, as recommended and set forth in the above memorandum, were approved.

**6.03a HUMAN RESOURCES SUMMARY**

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

**6.03b ORGANIZATIONAL STRUCTURE – FINANCE/ENGINEERING**

On motion by Mr. Pryce, seconded by Mr. Horstman, proposed organizational changes, as recommended and set forth in the above memorandum, were approved and authorization to post and fill a Senior Staff Accountant position granted.

**6.03c NEW POSITION – SENECA MARINA MANAGER**

On motion by Mr. Pryce, seconded by Mr. Parham, a request to establish, post and fill a new position of Seneca Marina Manager, as recommended and set forth in the above memorandum, was approved.

**6.04a PLEASANT HILL LAKE SLOPE STABILIZATION PHASE III –  
CONSTRUCTION ADMINISTRATION**

On motion by Mr. Pryce, seconded by Mr. Parham, a contract with S&ME, Inc., to provide on-site materials testing and construction administration for the Phase III of the Pleasant Hill Lake slope stabilization project, as recommended and set forth in the above memorandum, was approved.

**6.04b 2011-2012 SHORELINE STABILIZATION PROJECTS – PIEDMONT**

On motion by Mr. Parham, seconded by Mr. Horstman, award of shoreline stabilization projects at Piedmont Reservoir to Tucson, Inc. in the amount of \$346,670.75, as recommended and set forth in the above memorandum, was authorized.

**6.04c 2011-2012 SHORELINE STABILIZATION PROJECTS – SENECA**

On motion by Mr. Boyle, seconded by Mr. Horstman, award of shoreline stabilization projects at Seneca Reservoir to Stanley Miller Construction in the amount of \$129,123.00, as recommended and set forth in the above memorandum, was authorized.

**6.04d PURCHASE OF DUMP TRUCK**

Last month the Board approved to solicit bids and award to the lowest and/or best bid for a new dump truck for Charles Mill Lake Park. Bids were received on November 9, 2011, and Pallotta Ford was the only dealer to submit a bid for the truck with dump body, plow and spreader package.

Bid price for outright purchase .....\$60,318.00  
Bid price for four-year lease option .....\$16,222.59 per year  
Bid price for five-year lease option .....\$13,316.59 per year

Bidders who did not respond to the request for bids were: Donnell Ford, Downtown Ford, Loudon Motors, Humphries Auto City and Wendell Ford.

This purchase has been awarded to Pallotta Ford at their outright purchase price of \$60,318.00. This is provided for information only and requires no action.

**6.05 SCHEDULE OF BOARD MEETINGS FOR 2012**

On motion by Mr. Horstman, seconded by Mr. Boyle, a schedule of Board meetings for the year 2012, as recommended and set forth in the above memorandum, was approved as follows:

- January 20
- February 17
- March 23 (4<sup>th</sup> Friday)
- April 20
- May 18
- June 2 (Conservancy Court)
- July 20
- August 24 (4<sup>th</sup> Friday)
- September 21
- October 19
- November 16
- December 21

**6.06 ATWOOD LAKE RESORT AND CONFERENCE CENTER**

This matter was discussed in executive session.

In open session, on motion by Mr. Parham, seconded by Mr. Horstman, the Board adopted a resolution that:

- The MWCD initially offered donation of the Lodge to three entities: Ohio Department of Natural Resources, Kent State University Tuscarawas, and Carroll County Commissioners;
- Two of these entities, Ohio Department of Natural Resources and Kent State University Tuscarawas have declined the offer of donation; and

- The Carroll County Commissioners recently made a formal motion to accept the Lodge and associated property.

Therefore be it resolved that the Board of Directors authorizes staff and its representatives to proceed with the conveyance of the Atwood Resort property to Carroll County and to continue toward finalizing the terms and conditions of donation as expeditiously as possible.

#### **6.07 STRATEGIC PLANNING**

Mr. Hoopingarner reported that a work session was held on November 2 and 3 with the Board, facilitated by Jack Steele of Active Strategy. Mr. Steele is currently working with staff to develop documentation that will be presented to the Board for consideration at the December meeting.

#### **6.08 UPDATE/REVISION TO MWCD MISSION STATEMENT**

The mission statement of the Muskingum Watershed Conservancy District reads as follows:

***“Responsible stewards dedicated to conservation, recreation and flood control in the Muskingum River Watershed, striving to enhance the quality of life in the region.”***

During the strategic planning session held earlier this month, members of the Board of Directors and administration staff in attendance identified that an update/revision to the mission statement is warranted. The group discussed possible changes and improvements, and the MWCD staff is pleased to present the following updated mission statement to the Board for consideration:

***“Responsible stewards dedicated to providing the benefits of flood reduction, conservation and recreation in the Muskingum River Watershed.”***

It is recommended that the Board authorize this update/revision of the MWCD mission statement.

On motion by Mr. Horstman, seconded by Mr. Pryce, the proposed update/revision to the MWCD mission statement, as recommended and set forth in the above memorandum, was adopted.

#### **6.09 OTHER BUSINESS**

##### **WAGE ADJUSTMENTS**

On motion by Mr. Parham, seconded by Mr. Pryce, an increase of 1% in the wages of eligible non-bargaining unit employees, retroactive to the pay date including July 1, 2011, was approved; and a 2.9% increase in the wages of eligible non-bargaining unit employees was approved effective the first pay date in 2012.

### **7. REPORTS**

#### **7.01 LEXIPOL**

Mr. Barnhart reported that MWCD has entered into an agreement with Lexipol, LLC to assist with the preparation of a comprehensive law enforcement policy manual. Lexipol is endorsed by our Risk Management Agency (Ohio Plan) and as a result of using Lexipol for policy development, MWCD will be eligible for a subscription subsidy program which will result in a 50% reimbursement of the development and annual subscription fee for the first year. Over the next several months, staff will be working on policy updates and will bring this policy manual to the Board for approval upon completion.

No action is required at this time and this information is being provided for informational purposes only.

**7.02 OIL AND GAS LEASE NEGOTIATIONS UPDATE**

This matter was discussed in executive session.

**7.03 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 (this goal is complete).

**7.04 USACE PROJECTS STATUS REPORT**

The anchor drilling continues at the USACE Dover project with 36 anchors to be installed. Phase II of the project was recently awarded in the amount of \$20 million to Brayman Construction. Phase II will include installation of 21 anchors, making a total of 57 anchors installed.

A groundbreaking ceremony was held recently for Phase II of the Dover Dam project. The event was attended by approximately 60. Phase II includes installation of 21 anchors and was awarded to Brayman Construction in the amount of \$20 million.

The project of installation of a seepage blanket at Bolivar Reservoir, being performed by Massillon Construction, is now underway.

The U.S. Army Corps of Engineers has been conducting monthly meetings with residents of the Zoar area to discuss possible solutions for concerns with the Zoar Levee.

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

No report at this time.

**7.06 IMMINENT OR PENDING LITIGATION**

No report at this time.

## 8. LEGISLATIVE REVIEW

### 8.01 CURRENT LEGISLATIVE ACTIVITIES

Mr. Lautenschleger recently met with several legislators representing districts within the MWCD jurisdiction. The purpose of these meetings was to provide an update on the progress of negotiations relative to the Atwood Resort and any other matters of interest relative to the MWCD operations.

## 9. SUBDISTRICTS

### 9.01 BLACK FORK SUBDISTRICT

On motion by Mr. Horstman, seconded by Mr. Parham, authorization to negotiate for a planning loan with OWDA for the benefit of Black Fork Subdistrict in the amount of \$1.5 million, as recommended and set forth in the above memorandum, was granted.

### 9.02a BLACK FORK SUBDISTRICT BUDGET AND APPROPRIATION RESOLUTION FOR 2012

On motion by Mr. Pryce, seconded by Mr. Horstman, the budget and appropriation resolution for 2012 for the Black Fork Subdistrict of the Muskingum Watershed Conservancy District, as recommended and set forth in the above memorandum, was approved.

### 9.02b BUFFALO CREEK SUBDISTRICT BUDGET AND APPROPRIATION RESOLUTION FOR 2012

On motion by Mr. Pryce, seconded by Mr. Horstman, the budget and appropriation resolution for 2012 for the Buffalo Creek Subdistrict of the Muskingum Watershed Conservancy District, as recommended and set forth in the above memorandum, was approved.

### 9.02c CHIPPEWA SUBDISTRICT BUDGET AND APPROPRIATION RESOLUTION FOR 2012

On motion by Mr. Pryce, seconded by Mr. Horstman, the budget and appropriation resolution for 2012 for the Chippewa Subdistrict of the Muskingum Watershed Conservancy District, as recommended and set forth in the above memorandum, was approved.

### 9.02d DUCK CREEK SUBDISTRICT BUDGET AND APPROPRIATION RESOLUTION FOR 2012

On motion by Mr. Pryce, seconded by Mr. Horstman, the budget and appropriation resolution for 2012 for the Duck Creek Subdistrict of the Muskingum Watershed Conservancy District, as recommended and set forth in the above memorandum, was approved.

**EXECUTIVE SESSION**

On motion by Mr. Boyle, seconded by Mr. Horstman, the Board of Directors entered into executive session at 9:25 a.m. to discuss matters related to ORC §121.22 (D) (2). On roll call: Mr. Boyle-yes; Mr. Horstman-yes; Mr. Kokovich-yes; Mr. Parham-yes; and Mr. Pryce-yes. The executive session ended at 10:25 a.m.

On motion by Mr. Horstman, seconded by Mr. Pryce, the Board of Directors entered into executive session at 12:07 p.m. to discuss matters related to ORC §121.22 (G) (2). On roll call: Mr. Boyle-yes; Mr. Horstman-yes; Mr. Kokovich-yes; Mr. Parham-yes; and Mr. Pryce-yes. The executive session ended at 1:05 p.m.

On motion by Mr. Pryce, seconded by Mr. Boyle, the Board of Directors entered into executive session at 2:00 p.m. to discuss matters related to ORC §121.22 (G) (1) and (2). On roll call: Mr. Boyle-yes; Mr. Horstman-yes; Mr. Kokovich-yes; Mr. Parham-yes; and Mr. Pryce-yes. The executive session ended at 2:20 p.m.

**10. ADJOURN**

There being no further business, on motion by Mr. Horstman, seconded by Mr. Parham, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, December 16, 2011, at 9:00 a.m. at the New Philadelphia City Council Chambers.

*11/21/2011*  
*Approved 12/16/2011*