

**SUMMARY OF MINUTES
BOARD OF DIRECTORS
MUSKINGUM WATERSHED CONSERVANCY DISTRICT
Held at the MWCD Annex Building
March 22, 2019, 9:00 a.m.**

A meeting of the Board of Directors of the Muskingum Watershed Conservancy District was held at the MWCD Annex Building, 2050 Reiser Avenue SE, New Philadelphia, Ohio, on Friday, March 22, 2019, 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. Gresh, Ms. Limbach, Mr. Maupin, Mr. Moorehead, and Mr. Sprang.

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

Present from MWCD staff were Joe Baker, Scott Barnhart, Adria Bergeron, Mary Burley, Randy Canfield, Jim Crandall, Jim Cugliari, Brad Janssen, Dave Lautenschleger, Karen Miller, Jim Pringle, Boris Slogar, Stacie Stein, and Nate Wilson.

2. INTRODUCTION OF VISITORS AND PUBLIC COMMENT

Also in attendance for all or portions of this meeting were: Mark Krosse and Jill Heck (*Chippewa Lake residents*); and J.D. Long (*Harrison News Herald*).

3. APPROVAL OF MINUTES

On motion by Ms. Limbach, seconded by Mr. Sprang, the minutes of the February 22, 2019 meeting of the Board of Directors were approved. On motion by Ms. Limbach, seconded by Mr. Maupin, the minutes of the March 15, 2019, meeting of the Board of Directors were approved

4. FINANCIAL

Mr. Crandall presented the financial report for the two-month period ending February 28, 2019 (*copy on file*). The total operating revenue is \$6,792,382.00 with operating expenses of \$2,615,142.00 resulting in an excess of revenue over expenses of \$4,177,240.00 from operations compared to \$1,902,620.00 in 2018.

The operating variance from prior year is due mainly to a timber sale that has occurred in 2019 and the revenue generated by the Utica Shale – Oil and Gas revenue which is up in excess of \$2.5 million. In addition, the operating expenses are up over 2018 due, in part, to there being an extra pay that we have incurred in 2019.

The non-operating areas are comparable to 2018 except for interest revenue being up considerably in 2019 because of our taking advantage of short-term interest rates.

In the Maintenance Assessment fund, we have incurred nearly double the expenditures from 2018 mainly in the Shoreline Protection category.

Overall, the first couple months of 2019 are proceeding as anticipated. As we move into March, seasonal park camping revenues will pick up along with first half settlements from the county auditors for the assessment. The overall cash balance is \$118,412,292.00 compared to \$135,027,043.00 for this time last year, a decrease in excess of \$16 million.

On motion by Mr. Sprang, seconded by Mr. Gresh, the financial report was accepted as presented.

5. PAYMENT OF BILLS

On motion by Ms. Limbach, seconded by Mr. Gresh, the report of the payment of bills for the period ending February 28, 2019, was approved as presented.

6. BUSINESS

6.01a LEASE TRANSACTIONS

On motion by Mr. Maupin, seconded by Ms. Limbach, 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 AEP EASEMENT – ATWOOD

On motion by Ms. Limbach, seconded by Mr. Sprang, an easement with American Electric Power to provide underground electric service to an AT&T tower in Atwood Park, as recommended and set forth in the above memorandum, was approved.

6.01c FRONTIER COMMUNICATIONS – EASEMENT FOR FIBER OPTICS AT ATWOOD

On motion by Mr. Gresh, seconded by Ms. Limbach, an easement with Frontier Communications to provide underground and aerial fiber optic services at Atwood Park, as recommended and set forth in the above memorandum, was approved.

6.01d CHARTER COMMUNICATIONS – EASEMENT FOR FIBER OPTICS AT CHARLES MILL

On motion by Ms. Limbach, seconded by Mr. Gresh, an easement with Charter Communications to provide underground and aerial fiber optic services at Charles Mill Park, as recommended and set forth in the above memorandum, was approved.

6.01e AEP EASEMENT - PIEDMONT

On motion by Mr. Sprang, seconded by Ms. Limbach, an easement with American Electric Power to provide aerial electric service to the new water distribution system near Piedmont Marina, as recommended and set forth in the above memorandum, was approved.

6.01f SENECA BEACH CONCESSION AGREEMENT

On motion by Ms. Limbach, seconded by Mr. Gresh, a three-year concession agreement with Tim and Julie Orr for operation of the Seneca beach concession, as recommended and set forth in the above memorandum, was approved.

6.02a INVOICES PRIOR TO PURCHASE ORDERS

On motion by Mr. Maupin, seconded by Ms. Limbach, a “then and now” certificate for invoices received prior to processing of a purchase order, as recommended and set forth in the above memorandum, was authorized.

6.03a HUMAN RESOURCES SUMMARY

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

6.03b STATUS OF EMERGENCY MEDICAL RESPONDER (EMR) PROGRAM

On motion by Mr. Sprang, seconded by Ms. Limbach, a request to discontinue the existing Emergency Medical Responder program and adopt a proposed American Safety Health Institute First Aid Program in its place, as recommended and set forth in the above memorandum, was approved.

6.04a ATWOOD ARROWHEAD COTTAGE AREA PAVING: REQUEST TO ADVERTISE AND AWARD

On motion by Ms. Limbach, seconded by Mr. Sprang, a request to advertise for bids and award a contract for paving of the Atwood Arrowhead Cottage Area roadways, as recommended and set forth in the above memorandum, was approved.

6.04b PIEDMONT MARINA CAMPGROUND REDEVELOPMENT PHASE 2 AND WWTP IMPROVEMENTS CONTRACT ADDENDUM

On motion by Mr. Gresh, seconded by Mr. Sprang, an addendum to the bidding documents for the Piedmont Marina Campground Redevelopment Phase 2 and WWTP Improvements contract to lower the engineer’s estimate from \$2.7 million to \$1.95 million, as recommended and set forth in the above memorandum, was approved.

6.04c PURCHASE OF RENTAL BOAT MOTORS – BID RECAP

To keep our growing rental boat fleet at Seneca Lake Marina operating efficiently, bids were solicited and received on March 11, 2019, to replace eight (8) 50 horsepower Mercury motors with wiring harnesses, control cables, etc. Solicitations were sent to six dealers. Following is a recap of the bids received:

Bidder	Bid Total
Grove Lawn & Marine, Inc., Tridelpia, WV	\$ 49,805.00
Atwood Lake Boats, Mineral City, OH	\$ 52,240.00
Buckeye Lake Marina, Millersport, OH	No bid
Mercury Marine, Fond du Lac, WI	No bid
Vance Outdoors, Hebron, OH	No bid
Wright's Riverside Marine, St. Mary's, WV	No bid

It is recommended that the Board authorize the purchase of eight Mercury motors as described above from Grove Lawn & Marine in the amount of \$49,805.00. Funds for this purchase are included in the 2019 Budget.

On motion by Mr. Sprang, seconded by Ms. Limbach, purchase of the rental boat motors, as recommended and set forth in the above memorandum, was approved.

OTHER BUSINESS

Mr. Moorehead recognized Mr. Barnhart for 30 years of service with the MWCD as of today.

7. REPORTS

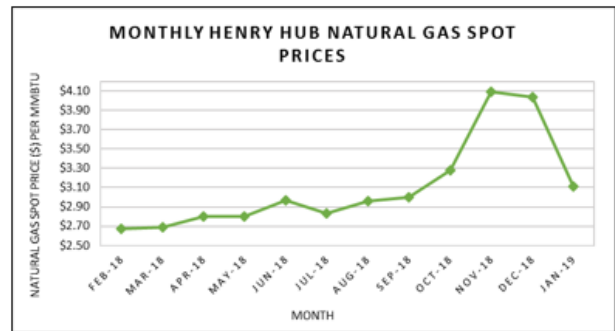
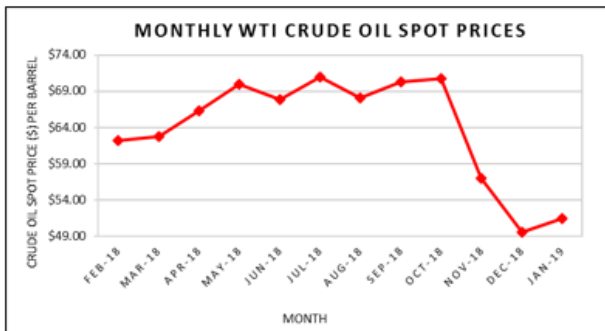
7.01 UTICA ROYALTY REVENUE REPORT

Utica royalty revenue is currently generated by 75 producing wells at Clendening, Seneca, and Leesville Reservoirs. A breakdown of the currently producing wells by operator and reservoir, along with the monthly royalty revenue can be seen on the attached page (*copy on file*).

Utica royalties for **February 2019** totaled **\$2,318,733.79**, which is a decline of 14% month-over-month from January 2019 (\$2,691,228.05).

The U.S. Energy Information Administration Prices Reports¹ (January 2019):

- o The WTI Crude Oil Spot Price² for Jan 2019: **\$51.38** per barrel
- o The Henry Hub Natural Gas Spot Price for Jan 2019: **\$3.11** per MMBTU



¹ The U.S. Energy Information Administration Prices Reports¹ (January 2019)

² WTI: Otherwise known as West Texas Intermediate is an oil benchmark and serves as a reference price for buyers and sellers of crude oil. One of the three primary crude benchmarks, WTI is associated with North American crude since this is where the market is. The New York Mercantile Exchange (NYMEX) oil futures contracts are based on WTI, and it has become one of the most common indexes when referencing the price of oil in North America.

³ Henry Hub Natural Gas: A natural gas benchmark commonly used as a pricing point for natural gas futures contracts on The New York Mercantile Exchange (NYMEX) and generally used as the primary price set for the North American natural gas market.

7.02 MASTER PLAN NEWSLETTERS

Members of the Board received copies of the March 2019 editions of “Master Plan Newsletters” for Atwood Lake Park, Charles Mill Lake Park, Piedmont Marina and Campground, Pleasant Hill Lake Park, Seneca Lake Park and Marina, and Tappan Lake Park and Marina.

7.03 MASTER PLAN UPDATE

Mr. Slogar distributed a report entitled “Park Master Plan Program, 4th Quarter 2018, Report to Board of Directors” (*copy on file*), and reviewed a Park Master Plan status report as follows:

Projects in Design

- Atwood Main Campground Improvements – Phase 2
- Atwood Camp Area 4 Restroom Improvements

Projects Under Construction

- **Charles Mill Lake Park Main Campground Redevelopment – Phase I:** Site work has been completed. The new CXT restroom is scheduled for installation this week. Renovation work continues inside the existing restroom/shower building. The project has reached substantial completion except for the existing restroom/shower completion scheduled for March 2019.
- **Charles Mill Lake Park Main Campground Redevelopment – Phase 2:** Tree clearing and demolition is currently underway. This project involves the reconstruction of the existing middle section of the campground with 66 full-hookup RV campsites with gravel pads, nine tent sites, renovations to the existing restroom/shower building, and a new CXT restroom/shower building. Substantial completion is scheduled for October 2019.
- **Piedmont Water Storage and Distribution Improvements:** The waterline installation is approximately 80% complete. The water storage tank pad preparation was underway when a slip developed last November behind the excavation due to saturated ground conditions and dispersive clays. The contractor’s work on the pad was stopped until design of the soil repair is completed. The contractor will construct a permanent (bin style) retaining wall under change order. The wall materials are on order, and are expected to be fabricated in 6-8 weeks. Substantial completion has been delayed until the retaining wall schedule is finalized.
- **Pleasant Hill Cabins Phase 1:** Classical Construction, LLC is the contractor of record. Construction of footings, masonry foundations, crawl space floor slabs, and subfloors are complete for all ten cabins. Stacking of logs is underway on 3 cabins. Roofs and wood decks are complete on two cabins and window installation is underway. Metal roof installation on the first cabin is underway. Substantial completion is scheduled for February 2020.
- **Pleasant Hill: Campground Redevelopment Phase 2:** This project was awarded to Simonson Construction Services, Inc. on February 11, 2019. The contractor is currently working on tree and stump removal and stripping of topsoil. Substantial completion scheduled for November 2019.
- **Seneca Lake Parkside Central and Woodlands Campgrounds:** Work is wrapping up inside the shower house. Due to weather conditions, paving and landscaping could not be completed and the project is scheduled for substantial completion by April 2019. Campers from Marina Point that were relocated have all been moved in.
- **Seneca Lake Marina Point Campground Redevelopment Phase 1:** Earthwork is nearly complete and utilities are being installed. The project will provide 98 seasonal RV sites with full utility hook-ups, a new CXT

restroom and shower building, playground, basketball court, and picnic shelter. Substantial completion is scheduled for November 2019.

- **Tappan Lake Park Campground Renovation – Phase 1:** All waterlines and sanitary sewers have passed pressure tests. All additional concrete for CXT pads and dumpster pad have been poured. Punch list items remain outstanding as well as surface paving. Work continues getting the CXT Restroom operational. Substantial completion is scheduled for April 2019.
- **Tappan Lake Park Campground Renovation – Phase 2:** The water main extension and sanitary sewer extension is underway. Concrete box culvert replacement will proceed in April after a temporary stream diversion is installed. Maintenance of campground traffic will be maintained while the new culvert is installed. Concrete stabilization of roads for camper traffic around existing area 1 to proceed during early April. Substantial completion is scheduled for November 2019.
- **Tappan Wastewater Treatment Plant and Main Lift Station Replacement:** Both upper and lower lagoon liners are installed. The existing WWTP remains operational during construction. Sand filter walls are installed. The precast treatment plant tanks are being installed. AEP electric work to proceed as soon as possible, but is holding up portions of the construction. Substantial completion is scheduled for April 2019.

Reservoir Dredging and Shoreline Stabilization (Ongoing)

Dredging Program

- **Seneca Lake:** Design work continues for the additional settling basin at the peninsula DMRA site, and construction is planned to begin late spring of 2019. Additional dredging will then be completed later this summer, once construction of the basin is complete.

Shoreline Program

- **Atwood Lake Park Peninsula Shoreline Stabilization:** After completion of the auger cast pile wall in early February, the remaining rock riprap has been installed and the project is now substantially complete. The lake level dropped during the first week of March, allowing the remainder of the rock riprap to be placed. Final restoration work such as seeding and mulching, pavement restoration, etc., will be completed as soon as weather conditions allow.

7.04 USACE PROJECTS STATUS REPORT

Mohawk Dam

- Project Partnership Agreement (PPA) will likely be signed in August with the project scheduled to be awarded in September.
- A town hall meeting for Zoar will be held April 24.

Zoar Levee

- PPA is under review at USACE Division Office.
- Town hall meeting scheduled for April 24.
- Geotechnical drilling is completed.
- Archeological investigation to start in late April.

Bolivar Dam

- Final accounting is complete with an estimated \$78k due back to MWCD.

7.05 IMMEDIATE OR PENDING LITIGATION

No report.

8. SUBDISTRICTS

8.01 PAYMENT OF BILLS – CHIPPEWA SUBDISTRICT

On motion by Mr. Maupin, seconded by Ms. Limbach, the report of the payment of bills for the period ending February 28, 2019, for the Chippewa Subdistrict, was approved as presented.

8.02 CHIPPEWA SUBDISTRICT UPDATE

Mr. Krosse addressed the Board requesting a decision on his recent request to “resolve the 2.1 mile jurisdictional black hole in the Chippewa Subdistrict, as has been petitioned by councils and trustees of four Medina County political subdivisions.” Mr. Krosse stated that residents of this area already pay the Chippewa assessment. Mr. Krosse provided a draft resolution (as requested by Mr. Moorehead). The proposed resolution read as follows:

“The MWCD Board (1) approves the recent petitions of the four Medina County jurisdictions, namely, Westfield Township, Westfield Village, Village of Chippewa Lake, and Village of Gloria Glens, requesting resolution of the 2.1 mile jurisdictional black-hole issue between reach CC15 and reach CC16 within the MWCD Chippewa Subdistrict;(2) approves Amending the Official Chippewa Subdistrict Plan accomplishing same, i.e. incorporating the 2.1 mile reach to provide in-scope services as specified by the Official Chippewa Subdistrict Plan as amended; (3) requests approval of same by the Subdistrict Conservancy Court; and (4) directs MWCD staff to perform all necessary operational and legal activities necessary to substantially accomplish same no later than _____ (mm/dd/2019).”

Mr. Moorehead requested that Mr. Krosse identify whether he is presenting his request as an individual or with an organization. Mr. Krosse responded that he is a member of and represents an organization called “Save the Lake Coalition.” (NOTE: According to their website...“The Save the Lake Coalition consists of volunteers dedicated to improving the quality of water at Chippewa Lake and the entire Upper Chippewa Lake Watershed.”)

Mr. Slogar then presented information which provided the historical background of the formation of the Chippewa Subdistrict – why and how it was formed. A copy of this presentation is on file. The presentation highlighted:

- There are four (4) amendments to the Chippewa Subdistrict Official Plan which was originally approved in 1961.
- Dam operations/maintenance typically include 1) upgrades, as necessary, to conform to revised State of Ohio Dam Safety regulations; 2) incorporating technology such as the addition of instrumentation/telemetry to provide real-time precipitation and lake level data to staff; 3) mowing the dams up to three time per year to prevent establishment of woody vegetation; 4) removal of sediment/debris from spillway structures; and 5) all other appurtenant structure maintenance and upkeep.
- There are 33 miles of channel to maintain, including 1) logjam removal; 2) maintenance of access lane in easement area; 3) removal of downed/dead trees; and 4) monitoring for encroachments.

Mr. Slogar displayed a map detailing the location of the subject Chippewa Lake area and reviewed the locations in the area that are under the jurisdiction of the Chippewa Subdistrict. Chippewa Lake is owned and operated by the Medina County Park District.

In conclusion, Mr. Slogar noted that nearly all the Chippewa project is downstream of the Chippewa Lake, that the operation of the Chippewa Subdistrict is not integral to water quality issues at Chippewa Lake, nor does the operation of the project have any impact on Chippewa Lake which is a natural “kettle lake” with no flood control purpose or features. Mr. Slogar stated that he would not recommend taking the steps that would be required to amend the Official Plan of the Subdistrict to include Chippewa Lake and the reach downstream of Chippewa Lake because operation and maintenance of this area by the Subdistrict would have no measurable impact upon water quality or flooding issues at Chippewa Lake.

Ms. Limbach addressed a statement included in Mr. Krosse’s proposed resolution that asked that the MWCD Board of Directors “*approves the recent petitions of the four Medina County jurisdictions, namely, Westfield Township, Westfield Village, Village of Chippewa Lake, and Village of Gloria Glens...*” Ms. Limbach pointed out that there are several inaccurate statements in the subject petitions.

Resulting from a question posed by Ms. Heck related to flooding of Chippewa Road and Kennard Road, Mr. Slogar stated that there are other potential resources for assistance available to address the flooding concerns that Mr. Krosse has posed. Specifically, repetitively flooded homes or businesses could be eligible for a buy-out through FEMA’s Hazard Mitigation Grant Program. USGS hydraulic and hydrologic modeling (previously provided to and paid for by the Subdistrict) could be used to better understand how Chippewa Lake responds to storm events within its watershed. Other local agencies such as the Medina SWCD or the Medina County Engineer may also be able to provide assistance.

Mr. Pringle had previously submitted an informational memorandum, dated March 15, 2019, to the Board which included copies of the resolutions submitted by Westfield Township, Westfield Village, Village of Chippewa Lake, and Village of Gloria Glens (*copy on file*).

The Board took the following action: On motion by Mr. Sprang, seconded by Ms. Limbach, the request to amend the Official Plan of the Chippewa Subdistrict to include Chippewa Lake was denied.

9. EXECUTIVE SESSION

On motion by Ms. Limbach, seconded by Mr. Maupin, the Board of Directors entered executive session at 11:17 a.m. to discuss matters related to ORC §121.22 (G) (1) [Employment] and (2). On roll call: Mr. Gresh-yes; Ms. Limbach-yes; Mr. Maupin-yes; Mr. Moorehead-yes; and Mr. Sprang-yes. The executive session ended at 12:28 p.m.

In open session, on motion by Mr. Maupin, seconded by Mr. Gresh, to retain the services of Waverly Partners of Cleveland, Ohio, to assist in executive recruitment.

10. ADJOURN

There being no further business, on motion by Mr. Gresh, seconded by Mr. Sprang, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, April 26, 2019, at 9:00 a.m. at the MWCD Annex Building.