

**SUMMARY OF MINUTES
BOARD OF DIRECTORS
MUSKINGUM WATERSHED CONSERVANCY DISTRICT
Held at the MWCD Main Office via Teleconference
May 21, 2021, 9:00 a.m.**

A meeting of the Board of Directors of the Muskingum Watershed Conservancy District was held via Teleconference on Friday, May 21, 2021, at 9:00 a.m., pursuant to notice duly given all Directors, and the general public in accordance with law.

SPECIAL NOTE: Because of Executive Order 2020-01D, issued March 9, 2020, and the Orders of the Ohio Department of Health and pursuant to emergency legislation passed by the Ohio Legislature, this meeting was conducted through electronic technology. Members of the public wishing to observe the meeting were instructed to register in advance at www.mwcd.org/meeting. Members of the public wishing to submit comments prior to the meeting were instructed to email comments to comments@mwcd.org, prior to 5:00 p.m. on Thursday, May 20, 2021. Members of the public were also advised that comments would not be accepted after 5:00 p.m., May 20. Any comments received were provided to the Board of Directors for their information and were directed to the appropriate staff members for follow-up, if appropriate.

1. ROLL CALL

Directors present were: Mr. Gresh, Ms. Limbach, Mr. Maupin, Mr. Moorehead, and Mr. Sprang. James Gresh, President of the Board of Directors, presided.

MWCD staff in attendance (*remote or in person*) were Joe Baker, Adria Bergeron, Julie Bickis, Mary Burley, Craig Butler, Jim Crandall, Steve Demuth, Lynn Gilland, Scott Heller, Brad Janssen, Doug Little, Ryan McCleaster, Anna Miller, Jonathan Mizer, Karen Murphy, Matt Ott, Clayton Rico, Mark Swiger, Matt Thomas, Melissa Tylke, Nate Wilson, and Ethan Zucal.

2. INTRODUCTION OF VISITORS AND PUBLIC COMMENT

Also in attendance for all or portions of this meeting (*electronically*) were: J.D. Long (*Harrison News Herald*); Bruce Robinson (*Development Advisory Committee*); Sean Logan (*Woolpert*); and Steve Walker (*Development Advisory Committee and the Buckeye Trail Association*).

3. APPROVAL OF MINUTES

On motion by Ms. Limbach, seconded by Mr. Sprang, the minutes of the April 23, 2021, meeting of the Board of Directors were approved.

4. FINANCIAL

Mr. Crandall presented the financial report for the four-month period ending April 30, 2021. The total operating revenue is \$11,466,321, with operating expenses of \$5,038,625 resulting in an excess of revenue over expenses of \$6,427,696 from operations compared to \$3,545,653 in 2020.

The overall operating revenue is up 32% from 2020 and 48% of budget.

- Natural Resources and Land Management revenues are up 9% from 2020, most notably in the Multiple docks line item where revenue is up \$73,000 from 2020. This is mainly a timing issue, not all new business.

- Parks revenue is up 72% from 2020 or \$2.3MM. The two line items where this is evident are vacation cabins which is up \$182,000, and park camping which is up \$2.1MM over 2020 revenues. This increase is attributable to the timing of seasonal payments, reservations, and the impact of COVID-19 on the 2020 revenues.
- Marina revenue is up 51% from 2020. A portion of this increase is due to the timing of seasonal camping and docking payments as well as the impact of COVID-19.

The overall operating expenses are down 2% from 2020 or approximately 27% of budget.

The capital improvement and park master plan line items continue to be down in comparison to 2020. Again, this is planned as there is a reduction in these budget line items.

The Maintenance Assessment Fund revenue line item has all counties reporting first half settlements with the exception of one. Total expenses are 18% of budget and down 37% from 2020. This is due to over \$600,000 more being expended in 2020 than 2021.

Overall, through the first third of the fiscal year, revenues are performing up to budget expectations while expenses are being maintained. As the summer recreation season approaches, we will begin to see an increase in operating expenses.

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

5. PAYMENT OF BILLS

On motion by Mr. Sprang, seconded by Mr. Maupin, the report of the payment of bills for the period ending April 30, 2021, was approved as presented.

6. BUSINESS

6.01a LEASE TRANSACTIONS

On motion by Mr. Maupin, seconded by Mr. Moorehead, 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 – LEESVILLE

On motion by Ms. Limbach, seconded by Mr. Sprang, an easement for underground electric service to Camp NEOSA at Leesville, as recommended and set forth in the above memorandum, was approved.

6.01c MWCD 88-ACRE PROPERTY – PLEASANT HILL

On motion by Ms. Limbach, seconded by Mr. Maupin, a proposed plan for an 88-acre portion of MWCD property located at Pleasant Hill and adjacent to Malabar Farm State Park, as recommended and set forth in the above memorandum, was adopted.

6.01d TEMPORARY SURFACE USE | COLUMBIA GAS TRANSMISSION AT BOLIVAR

On motion by Mr. Sprang, seconded by Mr. Moorehead, a Temporary Surface Use Agreement with Columbia Gas for work on a transmission line located at Bolivar Reservoir, as recommended and set forth in the above memorandum, was approved.

6.01e TEMPORARY SURFACE USE | COLUMBIA GAS TRANSMISSION AT PLEASANT HILL

On motion by Mr. Sprang, seconded by Mr. Moorehead, a Temporary Surface Use Agreement with Columbia Gas for work on a transmission line located at Pleasant Hill Reservoir, as recommended and set forth in the above memorandum, was approved.

6.01f WATER WITHDRAWAL AND TEMPORARY SURFACE USE AT ATWOOD

On motion by Ms. Limbach, seconded by Mr. Maupin, a Temporary Surface Use Agreement and a Water Purchase Agreement with EOG Resources for an exploratory test well at Atwood Resources, as recommended and set forth in the above memorandum, were approved.

6.01g WATER WITHDRAWAL AT SENECA

On motion by Mr. Moorehead, seconded by Ms. Limbach, a Water Purchase Agreement with Antero Resources at Seneca Lake, 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 Mr. Moorehead, 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.

6.02b 2021 NATUREWORKS GRANT APPLICATIONS

On motion by Mr. Maupin, seconded by Ms. Limbach, Resolutions of Authorization for five (5) NatureWorks grant applications, as recommended and set forth in the above memorandum, were adopted.

6.02c AUDIT OF DISTRICT RECORDS

On motion by Mr. Sprang, seconded by Ms. Limbach, the 2020 Audit Report as performed by representative of the office of the Auditor of State, as recommended and set forth in the above memorandum, was accepted.

6.02d SUPPLEMENTAL BUDGET INCREASE

On motion by Mr. Sprang, seconded by Mr. Maupin, a proposed supplemental budget increase in the amount \$17,000 for purchase of a UTV for Tappan Park, as recommended and set forth in the above memorandum, was approved.

6.03a HUMAN RESOURCES SUMMARY

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

6.03b CHIEF OF CONSERVATION POSITION

On motion by Mr. Sprang, seconded by Ms. Limbach, a proposed Chief of Conservation position description along with the organizational chart, as recommended and set forth in the above memorandum, were approved.

6.04a ENGINEERING VEHICLE PURCHASE

On motion by Mr. Sprang, seconded by Mr. Maupin, purchase of a crane truck for the Engineering Department at a cost not to exceed \$135,000, as recommended and set forth in the above memorandum, was approved.

6.04b ATWOOD WTP RAW WATER PUMP BUILDING

On motion by Ms. Limbach, seconded by Mr. Sprang, a request to bid and award a construction contract for the Atwood water treatment plant raw water pump building, as recommended and set forth in the above memorandum, was approved.

6.04c CLENDENING MARINA WASTEWATER SYSTEM IMPROVEMENTS

On motion by Mr. Sprang, seconded by Ms. Limbach, a contract with CTI Engineers, Inc. for the design of the Clendening Marina wastewater system improvements, as recommended and set forth in the above memorandum, was approved.

6.04d SENECA NOBLE LANE ROADWAY IMPROVEMENTS

On motion by Ms. Limbach, seconded by Mr. Sprang, a request to bid and award a construction contract for improvements to the Seneca Noble Lane Cottage Area roadway, as recommended and set forth in the above memorandum, was approved.

6.04e TAPPAN PARK WELCOME CENTER

On motion by Mr. Sprang, seconded by Ms. Limbach, a contract with Woolpert for design of the proposed Tappan Park Welcome Center, as recommended and set forth in the above memorandum, was approved.

6.05 OPERATIONAL POLICY REVISIONS

On motion by Ms. Limbach, seconded by Mr. Sprang, proposed revisions to operational policies 1007, 1035, 1037, 1050, 1070, 1090 and 1095, as recommended and set forth in the above memorandum, were approved.

6.06 COOPERATIVE WORK AGREEMENT – ODA DIVISION OF SOIL AND WATER CONSERVATION

On motion by Mr. Sprang, seconded by Mr. Maupin, renewal of a Cooperative Work Agreement with the Ohio Department of Agriculture Division of Soil and Water Conservation, as recommended and set forth in the above memorandum, was approved.

6.07 COOPERATIVE WORK AGREEMENT – ODA/DSWC 2021 WORK PLAN

On motion by Mr. Sprang, seconded by Mr. Maupin, the 2021 proposed work plan for the Cooperative Work Agreement with the Ohio Department of Agriculture Division of Soil and Water Conservation, as recommended and set forth in the above memorandum, was approved.

On motion by Ms. Limbach, seconded by Mr. Sprang, the Board authorized an additional \$120,000 in funding for the cover crop program.

6.08 ALIVE MUSIC FESTIVAL AGREEMENT

On motion by Mr. Sprang, seconded by Mr. Maupin, an agreement with Northeast Productions, Inc. for the Alive Music Festival at Atwood, as recommended and set forth in the above memorandum, was approved.

6.09 PARK AMENITY AND ACTIVITY SURVEY – PRELIMINARY DESIGN CONTRACT

On motion by Mr. Sprang, seconded by Ms. Limbach, a contract with Environmental Design Group for continued development and planning of the amenities and activities in phase 2 of the Master Plan, as recommended and set forth in the above memorandum, was approved.

6.10 2020 ANNUAL REPORT OF OPERATIONS

On motion by Mr. Sprang, seconded by Ms. Maupin, the 2020 Annual Report of Operations, as recommended and set forth in the above memorandum, was approved for presentation to the Conservancy Court at their session on June 4, 2021.

6.11 ELECTION OF OFFICERS

On motion by Ms. Limbach, seconded by Mr. Moorehead, Mr. Maupin was elected President of the Board and Mr. Sprang was elected Vice-President.

On motion by Mr. Sprang, seconded by Mr. Moorehead, Mr. Butler was appointed Secretary of the Board. On motion by Ms. Limbach, seconded by Mr. Sprang, Mr. Cugliari was appointed Treasurer.

OTHER BUSINESS

On motion by Ms. Limbach, seconded by Mr. Sprang, a resignation/retirement of Mr. Cugliari, effective June 20, 2021, was accepted.

Mr. Butler reported regarding House Bill 152, introduced by Representatives Ginter and Stewart, relative to unitization of gas and oil well. This legislation continues to be discussed within the General Assembly.

There is concern that this legislation could have a significant negative effect on the MWCD oil and gas program. Namely, the ability to include the hard-fought model lease provisions to ensure partnering with well-qualified operators to require strong environmental protections. Staff continues to work with the sponsors on an amendment to resolve these concerns.

7. REPORTS

7.01 UTICA ROYALTY REVENUE REPORT

Utica royalty revenue is currently generated by 92 producing wells at Clendening, Seneca, Dover, Piedmont, and Leesville Reservoirs. A breakdown of the monthly royalty revenue can be seen on the attached page (*copy on file*).

Utica royalties for April totaled \$845,570.16 which was an 8% increase in month-over-month revenue from March (\$783,010.00). Please see the attached Royalty Report Exhibit (*copy on file*).

7.02 NATURAL RESOURCES AND LAND MANAGEMENT REPORT

Forestry's reforestation efforts continue in 2021. Approximately 9,500 trees were planted in late April at Atwood on a portion of the old golf course property. Additional details are as follows:

- The planting is 22 acres in size.
- The area planted occupied what were former golf course holes 14-18.
- The area was mowed and sprayed with herbicide. This technique increases survival by reducing competition from herbaceous plants.
- 9,500 trees were planted. All trees were planted in 1.5 days with 6 planters.
- Species planted consisted of all NATIVE hardwoods including: oak, hickory, yellow poplar, black cherry, sugar maple and persimmon.
- The trees planted were seedlings that averaged 18-24" tall.
- The planting was contracted through Conservation Services Inc.
- It will take some time for the trees to find their way. In fact, we may see limited growth for the first few years. Sleep, Creep and Leap is the phrase we use to describe how trees respond post planting.
- Once the trees establish a good root system and begin to increase their foliage, growth becomes exponential.
- The area was recently included to allow hunting as deer can cause severe mortality in newly planted trees.

In April, Forestry staff worked to install several exclusion gates at strategic locations on District properties. This initiative is part of our protection efforts to prevent unauthorized vehicles and access to areas for prevention of erosion and dumping of trash or materials which could cause negative impacts to our lands.

Additional waste removal is set to occur at Atwood. Matt Thomas, Water Quality Coordinator, took the lead on quotes and contracting for the removal of fluorescent bulbs, used paint, and used batteries which have accumulated over time from various renovations. The materials will be properly disposed of and eliminate any future threats to water quality.

Lease conferences for new lessees have resumed in 2021. These conferences, which were temporarily on hold because of the pandemic, are an important component of our cottage leasing program. The conference affords any new lessees the opportunity to receive an orientation of the MWCD and the cottage leasing program. Pertinent information such as the lease form, contact information, permits, plats, rules and regulations, and other important information is reviewed. The new lessees also can ask questions regarding the program.

We continue to move forward with the Coshocton Forest Extension 934-acre project at Wills Creek. In March of 2021 MWCD was notified by the Ohio Public Works Commission – Clean Ohio Green Space Conservation Fund that we were awarded the requested grant funding. Staff will be conducting the necessary due diligence over the next several months in order to work towards closing in the fall of 2021.

7.03 ENGINEERING REPORT

MASTER PLAN IMPLEMENTATION (ONGOING)

Projects in Design

- Atwood Activity Center Renovations Preliminary Design
- Clendening WWTP and Sewer Improvements
- Leesville North Fork and South Fork WWTP and Sewer Improvements
- Seneca Marina Building Deck Expansion
- Tappan Welcome Center
- Park Amenity and Activity Survey

PROJECTS UNDER CONSTRUCTION

- **Leesville North Fork Marina Fuel Upgrades:** The new dock extension has been installed and the work on the landside is complete. The installation of fuel lines and equipment on the dock is in progress. Substantial completion is scheduled for end of June.
- **Pleasant Hill Cabin and Toad Road Paving:** Paving began the week of May 5, 2021. Substantial completion is scheduled for end of May.
- **Pleasant Hill Cabin Road Landscaping:** The project was awarded to J & H Lawncare. A pre-construction meeting was held on April 28. Work is scheduled for the week of May 24.
- **Tappan Marina Renovations:** Hoods have been installed in the kitchen. Stone veneer is being added to the exterior columns. Interior drywall is being installed throughout. The elevator is onsite and will be installed shortly. MEP work is continuing. Substantial completion is scheduled for mid-June.

DREDGING PROGRAM

- **Seneca Lake:** Dredging at the southeast end of the lake, near the Judge James property, will be done this summer and substantial completion is scheduled for September.
- **Atwood Lake North Shore Cottage Area:** Restoration of the dredge material relocation site will be completed once weather and site conditions allow.

SHORELINE PROGRAM

Projects in Design

- Atwood Pines Cottage Area and Area 1 Campground Shoreline
- Charles Mill Yacht Point and Sites Lake Cottage Area Shoreline
- Seneca Marina Shoreline

U.S. ARMY CORPS OF ENGINEERS PROJECTS/PROGRAMS (*ongoing*)

Mohawk Dam

- Construction is progressing well and the contractor is finalizing work on the relief well housings.

Zoar Levee

- The contractor progressing under a limited Notice to Proceed granted by USACE.

Magnolia Levee

- Design is expected to be completed by July. The Project Partnership Agreement (PPA) with MWCD is under review at USACE and is expected to be provided to MWCD in the next few months.

7.04 RECREATION REPORT

Marinas Report

- All Marinas have been operating successfully over the past month.
- Ongoing – Tappan Marina on schedule for mid-June opening. Food options being discussed for Memorial Day weekend (as needed).
- Communication with leased marinas on action items and operational guidelines for the 2021 season.

Parks Report

- Parks & Marinas Advisory Committee (PMAC) – Staff has notified committee members serving on this committee for the upcoming season.
- Alive Music Festival agreement revised for Board approval. Action plan for event guidelines designed by staff and event organizer.
- Ongoing - Phase 2 Amenities for parks being discussed within department via results of the survey and focus groups. Staff recommendations to follow.
- Ongoing - Park Managers have reached out to local health department officials to discuss operations during the 2021 season. Staff working hard to confirm list of events for the season.
- Ongoing - Security in the Parks continues with camera installation beginning in Pleasant Hill this month and with Charles Mill and Atwood to follow. Staff continues to discuss safety protocols within recreation facilities throughout the District.

7.05 MARKETING/COMMUNICATIONS REPORT

Upcoming Events/ Ongoing Projects

- Earth Day Clean-up challenge
- Trail ribbon cutting at Atwood Lake (May 15)
- Website redesign: in progress
- Boat/cabin rental rack card updates for 2021
- Updates to website/ social media
- Planning marketing/ advertising for 2021
- Whoa Zone

Outreach Coordinator Projects

- Litter campaign
- Lakeviews newsletter
- Annual Report
- DAC

Publications in April

- Compass Magazine
- Amish Country Magazine: (Featuring CM/ PH)
- Horseman’s Corral: Pleasant Hill Horse Camp

Radio Advertising in April

- iHeart Mansfield: Pleasant Hill Cabin promotion
- WJER (Tusc County): Atwood Cabin promotion

Digital Advertising in April

- Facebook campaign: General MWCD Camping
- Digital Display ads

Television Advertising in April

- WKYC Channel 3 (Cleveland)
- WEWS Channel 5 (Cleveland)
- WHIZ (Zanesville)

OTT Advertising Markets (Over The Top – streaming television)

- Cleveland
- Columbus

Interviews in April

- WTUZ radio (Tuscarawas County) April 7: MWCD Partners with OWDA to invest \$5M...
- Mount Vernon News April 8: MWCD Partners with OWDA in invest \$5M (CB Interviewed)
- WJER radio (Tuscarawas County) April 15, 2021: (Conversation Corner) Litter pick-up, Whoa Zone, summer plans, etc.
- WKYC Channel 3 (Cleveland) April 28, 2021: Summer activities, camping, WhoaZone

Press Releases in April

- April 6, 2021: MWCD Partners with OWDA to invest \$5M...
- April 14, 2021: Earth Day Litter Clean-up
- April 29, 2021: Tappan Marina Slated to Open in July

E-Blasts in April

- April 2, 2021: Welcome Back Campers
- April 14, 2021: Earth Day Litter Clean-up
- Camping Flash Sale

Annual Travel Guide Advertisements

- Ohio Travel Guide
- Tuscarawas County Visitors Guide
- Visit Canton Visitors Guide
- Cambridge/ Guernsey Co Visitors Guide
- Mohican/Loudonville Visitors Guide
- Carroll County Visitors Guide

- Destination Mansfield Visitors Guide

7.06 IMMEDIATE OR PENDING LITIGATION

No report at this time.

8. SUBDISTRICTS

8.01 PAYMENT OF BILLS – CHIPPEWA SUBDISTRICT

On motion by Mr. Maupin, seconded by Mr. Moorehead, the report of the payment of bills for the period ending April 30, 2021, for the Chippewa Subdistrict, was approved as presented.

9. EXECUTIVE SESSION

On motion by Ms. Limbach, seconded by Mr. Sprang, the Board of Directors entered executive session at 12:49 p.m. to discuss matters related to ORC §121.22 (G) (1) Employment. On roll call: Mr. Gresh-yes; Ms. Limbach-yes; Mr. Maupin-yes; Mr. Moorehead-yes; and Mr. Sprang-yes. The executive session ended at 1:12 p.m.

10. ADJOURN

There being no further business, on motion by Mr. Moorehead, seconded by Ms. Limbach, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, July 23, 2021, at 9:00 a.m.

The Conservancy Court will convene on Friday, June 4, 2021, at 11:00 a.m. at the Tuscarawas County Court House, the Honorable Jim James (Stark County) will preside.