

**SUMMARY OF MINUTES  
BOARD OF DIRECTORS  
MUSKINGUM WATERSHED CONSERVANCY DISTRICT  
Held at Kent State University Tuscarawas, New Philadelphia, Ohio  
December 18, 2015, 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, on Friday, December 18, 2015, 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: Ms. Limbach, Mr. Maupin, Mr. Pryce, and Mr. Sprang.

On motion by Mr. Sprang, seconded by Mr. Maupin, Mr. Parham was excused.

Present from MWCD staff were Scott Barnhart, Barbara Bennett, Mary Burley, Jim Crandall, Jim Cugliari, Scott Heller, John Hoopingarner, Ted Lozier, Karen Miller, Jim Pringle, Mike Rekstis, David Sicker, Boris Slogar, Mark Swiger, and Melissa Tylke.

Ms. Limbach, 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: J.D. Long (*Harrison News Herald*), Brent Winslow (*GAI Consultants*), Doug McLarnan (*MWCD Development Advisory Committee*), and Sean Logan (*Woolpert, Inc./Sean Logan & Associates, LLC*).

**3. APPROVAL OF MINUTES**

On motion by Mr. Sprang, seconded by Mr. Pryce, the minutes of the November 20, 2015, meeting of the Board of Directors were approved with corrections as follows: 1) correction of a typographic error in the Conservation Fund section of Item 4, Financial, change "ae" to "are", and 2) a revision to language under Item 7.08, Discussion of 2015 Goals, to indicate that the Board received a copy of the 2015 goals but that no oral report was presented.

**4. FINANCIAL**

Mr. Cugliari presented the financial report for the period ending November 30, 2015. The total operating revenue is \$17,549,801.00 with operating expenses of \$12,915,582.00 resulting in an excess of revenue over expenses of \$4,634,219.00.

**Conservation Fund**

- Total revenues are 62.98% of the budget.
- Both Timber Harvesting and Pine/Pulpwood revenues have met and exceeded budget.
- Farm Operations Sharecrop is at 78.52% of budget revenue
- Mineral Operations-Gas and Oil Royalties revenue is 58.61% of budget and down from 2014. In 2014, a royalty payment of \$6,839,000 was received for the first six months of operation on the Myron Pad at Seneca, resulting in the main variance between the two years.

**Recreation Fund-Parks**

- Total revenues are at 103.10% of budget and up 4.16% over 2014.
- Total expenses are 85.28% of budget and up 8.01% from 2014 with the individual line items being within budget.

**Recreation Fund-Non Park**

- Total revenues are 100.52% of budget, and up 10.01% from 2014. Most revenue line items in this area are at or near meeting budget expectations.
- A significant difference in the variation of revenues is due to the fact that we began operating Clendening Marina this year which is also reflected in the increase of expenses.

**Maintenance Assessment Fund**

- Total revenues for the collection of the assessment, is at 106.61% of the budget with all counties settling for the year.
- Expenses are 48.45% of budget for the year.
- Also included is the Schedule of Assessment Collections for 2015.

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

**5. PAYMENT OF BILLS**

On motion by Mr. Sprang, seconded by Mr. Maupin, a report of the payment of bills for the period ending November 30, 2015, was approved as presented.

**6. BUSINESS**

**6.01a LEASE TRANSACTIONS**

On motion by Mr. Sprang, seconded by Mr. Maupin, 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 GULFPORT REQUEST TO ASSIGN DEEP MINERAL RIGHTS**

Information was provided relative to a request by Gulfport Energy Corporation for assignment of deep mineral rights on a lease at Clendening Reservoir. No action was requested.

**6.02a DEEP SHALE ROYALTY REVENUE DISTRIBUTION**

On motion by Mr. Pryce, seconded by Mr. Sprang, a proposal for distribution of deep shale royalty revenue for the year 2016, as recommended and set forth in the above memorandum, was approved.

**6.02b 2016 BUDGET**

On motion by Mr. Maupin, seconded by Mr. Sprang, the proposed 2016 budget, as recommended and set forth in the above memorandum, was approved.

**6.02c APPROPRIATION RESOLUTION FOR 2016**

On motion by Mr. Sprang, seconded by Mr. Maupin, the appropriation resolution for the 2016 budget, as recommended and set forth in the above memorandum, was approved.

**6.03a HUMAN RESOURCES SUMMARY**

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

**6.03b SEASONAL AND VARIABLE HOUR EMPLOYEE STAFFING PLAN – 2016**

On motion by Mr. Pryce, seconded by Mr. Sprang, the proposed seasonal and variable hour employee staffing plan for 2016, as recommended and set forth in the above memorandum, was approved.

**6.03c WAGE ADJUSTMENTS FOR 2016**

This matter was discussed in executive session with the following actions taken in open session:

On motion by Mr. Maupin, seconded by Mr. Sprang, a three percent (3%) increase wage adjustment for full-time and eligible part-time non-bargaining unit employees, as recommended and set forth in the above memorandum, was approved.

On motion by Mr. Maupin, seconded by Mr. Sprang, contracts for the IS/IT Manager and the Assistant Chief Engineer will be renewed for three (3) year terms each.

On motion by Mr. Pryce, seconded by Mr. Sprang, the contract for the Conservation Administrator will be renewed for a one (1) year term.

On motion by Mr. Pryce, seconded by Mr. Sprang, the contracts for the Chief Financial Officer/Treasurer, Chief Engineer, and Chief of Recreation/Chief Ranger will be renewed for three (3) year terms each with language to lower the amount of payout for unused vacation.

**6.04a PURCHASE OF SEED FOR SHARE CROP OPERATIONS IN 2016**

On motion by Mr. Sprang, seconded by Mr. Maupin, purchase of seed for the 2016 share crop operations, as recommended and set forth in the above memorandum, was approved.

**6.04b ATWOOD LAKE PARK TRAIL PHASE I PROJECT  
FINAL PROJECT ACCOUNTING AND CHANGE ORDER RATIFICATION REQUEST**

On motion by Mr. Pryce, seconded by Mr. Sprang, the final project accounting and change orders for the Atwood Lake Park Trail Phase I project, as recommended and set forth in the above memorandum, were ratified.

**6.04c ATWOOD LAKE PARK TRAIL AND BRIDGE – PHASE II**

The Board of Directors, at the October 23, 2015 meeting, authorized staff to solicit bids and enter into a construction contract for the Atwood Lake Park Trail and Bridge, Phase 2 project. Construction documents were prepared by Jones-Stuckey, a Pennoni Company, Columbus, Ohio.

Sealed bids were received December 8, 2015, with the following results:

<b>Company</b>	<b>Total Bid</b>	<b>Alternate</b>
Dennison Bridge Inc., Dennison	\$714,830.85	\$10,000.00
Ohio West Virginia Excavating, Shadyside	\$782,304.40	\$34,500.00
Stanley Miller Construction, East Sparta	\$827,315.70	\$4,815.00

Glenn O. Hawbaker, Inc., New Philadelphia	\$1,080,395.68	\$16,750.00
Lockhart Concrete, Akron	\$1,114,700.00	\$12,000.00

The amount of the low bid is below the engineer’s estimate of \$765,631.82 and is an acceptable bid.

A contract has been awarded to Dennison Bridge, Inc., of Dennison, Ohio, for the low bid of \$724,830.85, which includes a cost of \$10,000.00 for the acceptance of the alternate item (using form liners and concrete stain on the exposed faces of the concrete bridge abutments to provide a more aesthetically pleasing stone look).

Construction will begin as soon as possible, with a substantial completion date of June 30, 2016, established. Bridge construction will begin during the annual lake drawdown.

This is provided for informational purposes only. No Board action is required.

**6.04d ATWOOD LAKE WATER TREATMENT PLANT PROJECT  
 FINAL PROJECT ACCOUNTING AND CHANGE ORDER RATIFICATION REQUEST**

On motion by Mr. Maupin, seconded by Mr. Sprang, the final project accounting and change orders for the Atwood Water Treatment Plant project, as recommended and set forth in the above memorandum, were ratified.

**6.04e GEOTECHNICAL ENGINEERING AND  
 CONSTRUCTION MATERIAL TESTING SERVICES**

On motion by Mr. Sprang, seconded by Mr. Maupin, authorization to complete negotiations and enter into contracts for professional geotechnical engineering and construction material testing services for a two-year period ending December 2017, as recommended and set forth in the above memorandum, was granted.

**6.04f 2015-2016 SHORELINE STABILIZATION PROJECTS**

Bids were recently received for two shoreline stabilization projects at Atwood Lake. These projects were presented at the October Board meeting at which authorization was granted to enter into contracts with the lowest, most responsive and responsible bidders at costs not to exceed \$476,000 for the Atwood Glens project and \$572,000 for the Alive Area project. The following is a summary of the bids received:

<b>ATWOOD GLENS COTTAGE AREA SHORELINE STABILIZATION PROJECT</b>		
<b>Company</b>	<b>Location</b>	<b>Total Bid Price</b>
<b>Tucson, Inc.</b>	<b>New Philadelphia, OH</b>	<b>\$428,197.30</b>
Glenn O. Hawbaker	State College, PA	\$449,316.00
Stanley Miller Construction	East Sparta, OH	\$461,512.40
Environmental Remediation Contractor	Columbus, OH	\$491,458.00
Wenger Excavating	Dalton, OH	\$507,663.90
Border Patrol, LLC.	Richmond, OH	\$537,865.62
Engineer’s Estimate		\$475,787.00

<b>ATWOOD ALIVE AMPHITHEATER AREA SHORELINE STABILIZATION PROJECT</b>		
<b>Company</b>	<b>Location</b>	<b>Total Bid Price</b>
<b>Tucson, Inc.</b>	<b>New Philadelphia, OH</b>	<b>\$477,974.00</b>
Environmental Remediation Contractor	Columbus, OH	\$498,972.00
Border Patrol, LLC.	Richmond, OH	\$522,469.68
Stanley Miller Construction	East Sparta, OH	\$555,354.00
Dennison Bridge, Inc.	Dennison, OH	\$569,155.00
Glenn O. Hawbaker	State College, PA	\$578,886.00
Wenger Excavating	Dalton, OH	\$602,185.30
Engineer's Estimate		\$567,632.00

This memo is for informational purposes only and requires no action from the Board.

**6.04g TAPPAN PARK EAST CAMPGROUND SANITARY IMPROVEMENTS**

On motion by Mr. Pryce, seconded by Mr. Sprang, authorization to solicit bids for construction of a new sanitary sewer and lift station at Tappan Lake Park, as recommended and set forth in the above memorandum, was granted.

**6.04h CULVERT REPLACEMENT – TAPPAN PARK WEST CAMPGROUND**

On motion by Mr. Sprang, seconded by Mr. Maupin, authorization to enter into a construction contract with Dennison Bridge, Inc. for a culvert replacement at Tappan Park, as recommended and set forth in the above memorandum, was granted.

**6.05 SCHEDULE OF RECORDS RETENTION AND DISPOSITION**

On motion by Mr. Pryce, seconded by Mr. Sprang, records retention and disposition schedules for financial records, human resources records, and Chippewa Subdistrict and Atwood Resort files, as recommended and set forth in the above memorandum, were approved.

**6.06 PARK CAMPGROUND GUIDELINES – REVISIONS**

On motion by Mr. Pryce, seconded by Mr. Maupin, revisions to the Park Campground Guidelines and a change in the name of the document to Campground Rules, as recommended and set forth in the above memorandum, were approved.

**OTHER BUSINESS**

The following memo was read:  
 FROM: John M. Hoopingarner  
 SUBJECT: **WORK GROUPS**

On motion by Mr. Pryce, seconded by Mr. Maupin, a recommendation to create and organize work groups to focus on several areas of MWCD operations, as set forth in the above memorandum, was approved.

## **RECENT AWARDS RECEIVED BY MWCD**

Mr. Hoopingarner reported that two awards were recently received by MWCD: 1) from the U.S. Army Corps of Engineers for Project Team of the Year for the District's part in the Bolivar Dam project; and 2) from The Ohio State University Extension for Friend of the Community Development Award, for "outstanding support and partnership in the delivery of education programs to improve the quality of life in Ohio."

## **EXECUTIVE MANAGEMENT RETREAT**

Mr. Hoopingarner informed the Board that executive management staff met recently for two days to discuss relevant issues with a major focus on budget.

## **7. REPORTS**

### **7.01 MARINAS REPORT**

This is usually a very quiet time of year at most marinas. Boats are now shrink-wrapped, winterized and stored, and docks are in their winter storage locations.

One place that is not necessarily quiet at this time of year is the Dockside Restaurant at Seneca Lake Marina. Operators Annie Bride and Terry Lake hosted over 350 people at their Thanksgiving buffet and have about 30 holiday parties scheduled. Overall, the Dockside had an extremely successful year, with MWCD's share of revenues going from \$18,000 in 2014, to over \$28,000 this year, an increase of 56%.

The storm water and best management practices put in place recently at Piedmont Marina will be featured at the 2016 Ohio Storm Water Conference to be held next May.

Revenues at the seven leased marinas are up 6% from 2014, while the revenues from Piedmont and Seneca are up 7%. Interestingly, total revenues are up 10% at Tappan Marina, with restaurant and retail sales up 37% and docking up 16%. Following are highlights from the MWCD-owned and operated marinas:

- Though revenues at Clendening Marina fell \$31,000 short of the amount budgeted, expenses were kept \$72,000 under budget, resulting in a net operating profit of \$50,000, or 13%.
- The decision to lease out the marine service operation at Seneca resulted in a decrease of \$81,000 in expenses, while the facility's total revenues actually increased. Seneca Marina has gone from a net operating loss of \$51,000 in 2013, to a net operating profit of \$95,000, or 27%, this year.
- Piedmont Marina saw its bottom line increase from \$158,000 to \$192,000, an operating profit of 52%. Total revenues topped \$567,000. For historical perspective, MWCD assumed the operation of Piedmont in 2011, with revenues that year of \$352,000.

Brian Valot's Atwood Lake Boats was named a "Top 100 Marine Dealer" by Boating Industry, a leading publication in the field.

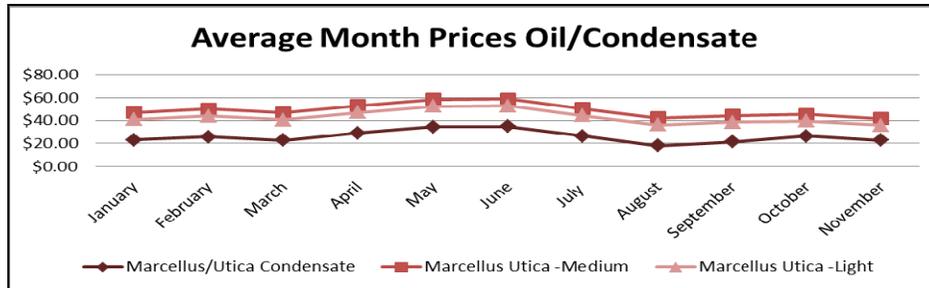
### **7.02 UTICA ROYALTY REVENUE REPORT**

Utica royalty revenue is currently generated by 22 wells on adjacent private property. The MWCD's proportional share of the wells varies significantly see attachment for more detail.

Utica royalty revenue increased by 93.44% from October (\$215,134.52) to November (\$416,157.27).

Some individual items of note:

- Antero Resources: Becker Unit began paying royalties
- Chesapeake Operating : Jamar and Gribi Units began paying royalties
- The Ohio Market Report prices posted for \$/barrel of Ohio Oil/Condensate on December 4, 2015
  - Marcellus Utica Medium \$38.97
  - Marcellus-Utica Light \$32.97
  - Marcellus – Utica Condensate (Formerly ALS) \$19.97



### 7.03 MASTER PLAN UPDATE

Mr. Slogar distributed a written report to the Board on the Master Plan Implementation.

#### Program Status

- The six individual park design (IPD) teams will be submitting their deliverables for the 30% preliminary design phase by January 15, 2016.
- IPD teams have provided MWCD with recommended priority listing and sequencing of projects meeting MWCD master plan budget constraints.
- The cabin development team has decided on the ADA compliant floor plans for three cabin prototypes. MWCD and ms Consultants will work with two suppliers of pre-engineered cabins to modify their standard designs to meet MWCD requirements.
- MWCD has received comments from the Village of Perrysville on a draft wastewater treatment agreement for Pleasant Hill. Final language is currently being worked out.

#### Individual Project Status

- Atwood Lake Park Welcome Center
  - NL Construction Corporation of Canton has completed installation of heavy timber trusses, roof sheeting and insulation. Plumbing HVAC and electric rough-in and landscaping are complete.
- Atwood Lake Park Trail, Phase I
  - VIP Construction Corporation of Canton has completed the project. Additional wood railing and crosswalk markings will be installed under separate contract.
- Tappan ADA Restroom and Shower House
  - MWCD staff and ms Consultants have completed value engineering on the restroom/shower building and plan revisions are underway. The project will be rebid in the first quarter of 2016.
- Atwood Lake Bridge and Trail Phase II
  - Bids were opened on December 8, 2015. Dennison Bridge of Dennison, Ohio, has been awarded a contract in the amount of \$724,830.85. The preconstruction meeting is scheduled for December 28, 2015 with construction to begin in January 2016. The substantial completion date is set for June 30, 2016.

- Atwood Amphitheater Trail Lighting
  - Wood Electric, Inc. of New Philadelphia has completed installation of concrete pole foundations, conduit and wiring. The wood light poles will be delivered and installed in late December 2015.
- Tappan Sanitary Sewer
  - DLZ is currently working on construction plans for a new sanitary sewer trunk line to connect the new restroom/shower building and future campgrounds to the treatment plant. Construction will start in early 2016.

#### **7.04 DREDGE PROGRAM UPDATE**

##### **Dredging Operations**

- PCi reports that approximately 11,000 cubic yards of material were mechanically removed from the upstream end of the Tappan Reservoir thus far and placed on a parcel of MWCD land located off of Deersville Road.
- Approximately 175,000 cubic yards of material are expected to be removed this winter.

##### **Navigational Dredging Program**

- Staff continues to evaluate options for smaller-scale dredging options meant to target areas in the reservoirs that would be inefficient and costly for large-scale dredging machinery.

#### **7.05 USACE PROJECTS STATUS REPORT**

##### **Bolivar Dam**

- The project is 60% complete with length of barrier. A few minor issues with hydro mill but resolved. Potentially done with barrier construction by end of spring 2016.
- Grouting completed just before Thanksgiving.
- Need to make a slight modification to all five gates for better fitment in the gate slots. Gates will need to be shipped back to the fabricator in Iowa for this modification.

##### **Dover Dam**

- Completing as-built drawings.
- Inflow Design Flood (IDF) being reviewed by the Louisville District team.

##### **Zoar Levee**

- Awaiting comments and expecting approval around March. Preliminary engineering design to follow.

##### **Mohawk Dam**

- Existing Condition Risk Assessment – draft finished and under review (Agency Technical Review and Quality Control and Consistency).
- Future Without Action Conditions – draft finished and under review (Agency Technical Review and Quality Control and Consistency).
- Both reports will go to the DSOG in late January.

##### **Muskingum 729 Watershed Assessment**

- Watershed Assessment Management Plan (WAMP) agreement and associated documents heading to division office for review by the end of this year.

#### **7.06 TAPPAN CORRIDOR PROJECT STATUS REPORT**

Ms. Bennett distributed and reviewed a status report of the Tappan Corridor Project (a copy of which is on file).

**7.07 DISCUSSION OF 2015 GOALS**

Members of the Board received a copy of the 2015 goal for reference and Mr. Hoopingarner provided a brief status update on the goals.

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

No report at this time due to the absence of Mr. Parham.

**7.09 IMMINENT OR PENDING LITIGATION**

Attorney Pringle reported on the status of imminent or pending litigation in executive session.

**8. SUBDISTRICTS**

**8.01 BLACK FORK SUBDISTRICT – STATUS UPDATE**

Mr. Slogar reported the preliminary conceptual design for a flood reduction system being reviewed and analyzed by local and technical groups. Once this process is complete, then cost estimates can be developed.

**8.02 CHIPPEWA SUBDISTRICT – STATUS UPDATE**

Mr. Slogar reported that the Chippewa Subdistrict project advisory committee met recently to review projects completed in 2015 and receive an update of projects planned for 2016. Mr. Slogar commented that the Chippewa Subdistrict is within approximately three years of entering into a maintenance mode with many of the major projects scheduled to be completed within that time frame.

**9. EXECUTIVE SESSION**

On motion by Mr. Sprang, seconded by Mr. Maupin, the Board of Directors entered into executive session at 10:25 a.m. to discuss matters related to ORC §121.22 (G) (1) and (2) [employment contracts]. On roll call: Ms. Limbach-yes; Mr. Maupin-yes; Mr. Pryce-yes; and Mr. Sprang-yes. The executive session ended at 11:40 a.m.

**10. ADJOURN**

There being no further business, on motion by Mr. Maupin, seconded by Mr. Pryce, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, January 22, 2016, at 9:00 a.m. at a location to be determined.