

**SUMMARY OF MINUTES
BOARD OF DIRECTORS
MUSKINGUM WATERSHED CONSERVANCY DISTRICT
Held at the New Philadelphia City Council Chambers
December 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, December 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, Ms. Limbach, and Mr. Parham.

On motion by Ms. Limbach, seconded by Mr. Boyle, Mr. Horstman and Mr. Pryce were excused.

Present from MWCD staff were Scott Barnhart, Mary Burley, Jim Cugliari, John Hoopingarner, Darrin Lautenschleger, Karen Miller, John Olivier, Jim Pringle, Mike Rekstis, 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: Dave Fisher (*Freeport resident*); Doug McClarnan (*MWCD Development Advisory Committee*); Larry Kerr (*Atwood Lessees, Inc.*); Marissa Lautzenheiser (*Rural Action/Huff Run/Mud Run Watershed Coordinator*); Tim Vonville (*Turner Oil and Gas*); Gabriel Riggle (*Healthy Tusc*); and Bruce Dean (*Sierra Buckeye*).

Larry Kerr addressed the Board relative to a recent paving project that was completed at the Atwood North Shore Cottage Area. He reported that the project management was excellent and every aspect of the project went very well. The residents were kept up to date during the project and the quality of the finished project is great.

Marissa Lautzenheiser addressed the Board reporting on the activities of the Huff Run/Mud Run Watershed Restoration Partnerships. She stated that Huff Run does work in areas of water quality, acid mine drainage, pollution and educational outreach. She thanked the MWCD for its continuing support of Huff Run/Mud Run and further expressed appreciation for recent PWM grant funding it received.

Gabriel Riggle addressed the Board stating appreciation for the MWCD involvement in development of trails, i.e. the Atwood Trail. Mr. Riggle is the Mud Run AmeriCorps member for the 2012-2013 term. His work at Mud Run Watershed included establishing a watershed group, educational outreach, watershed planning as well as field work such as water sampling. Mr. Riggle is an avid biker whose plans include joining the Peace Corps in the summer of 2014.

3. APPROVAL OF MINUTES

On motion by Mr. Boyle, seconded by Ms. Limbach, the minutes of the November 15, 2013, meeting of the Board of Directors were approved.

4. FINANCIAL

Mr. Cugliari presented the financial report for the period ending November 30, 2013. The total operating revenue is \$57,523,765.00, which includes \$44,239,753.00 of oil and gas lease signing bonus payment, or \$13,284,012.00 without the lease signing; and operating expenses of \$11,376,856.00, resulting in an excess of revenue over expenses of \$1,907,156.00. The operational surplus does not include the oil and gas lease signing bonus or the expenses incurred in the Recreation Improvement Fund or Debt Retirement.

Conservation Fund

- Farm Operations – Sharecrops is at 63% of the revenue budget and currently about \$142,000.00 short of budget.
- Expenses overall are at 67% of budget and within expectations.

Recreation Fund-Parks

- Total revenues are 102.42% of budget with all major revenue categories meeting or exceeding the budget.
- Total expenses are 88.42% of budget and in line with projections.

Recreation Fund-Non Park

- Total revenues are 102% of budget with all major revenue categories meeting budget expectations.
- Total expenses are 90% of budget.
- Marina expenses at our operated facilities are within the budget expectations as adjusted. We continue to streamline expenses at Seneca Marina.

Recreation Improvement Fund

- Total expenses are 60% of budget and in line with budget expectations.
- Marina Facilities expenses are \$218,946.00 for the month with the majority being for the Seneca Marina shower building and the wrap up of the construction cost at Seneca Marina.
- Park Facilities and Camping expenses are \$182,900.00 for the month with funds being spent for the Charles Mill activity building, beach toys, trash receptacles and paving projects.

Maintenance Assessment Fund

- Total expenses are 74% of budget.
- Sediment Removal expenses are \$44,582.00 for the month which was expended for the consulting work being done by URS.
- Shoreline Protection expenses are \$56,898.00 for the month which was for the startup of some shoreline projects being done during this drawdown period.

Overall, as 2013 wraps up, operations have gone well. The staff continues to improve facilities and put dollars into much needed infrastructure upgrades as plans develop for the implementation of the park master plan.

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

5. PAYMENT OF BILLS

On motion by Mr. Boyle, seconded by Ms. Limbach, a report of the payment of bills for the period ending November 30, 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 WASHINGTON ELECTRIC COOPERATIVE EASEMENT - SENECA

On motion by Ms. Limbach, seconded by Mr. Boyle, a permanent easement as requested by Washington Electric Cooperative for an aerial electric distribution line at Seneca, as recommended and set forth in the above memorandum, was granted.

6.01c TIPKA FAMILY – ASSIGNMENT OF MINERAL RIGHTS

On motion by Ms. Limbach, seconded by Mr. Boyle, assignment of a portion of the deep rights below lease #567 (Tappan Reservoir) from the Tipka Family to Tipka Oil & Gas, as recommended and set forth in the above memorandum, was approved.

6.01d TIPKA OIL & GAS – ASSIGNMENT OF DEEP MINERAL RIGHTS

On motion by Mr. Boyle, seconded by Ms. Limbach, assignment of a portion of the deep rights below lease #567 (Tappan Reservoir) from Tipka Oil & Gas to Sierra Buckeye, as recommended and set forth in the above memorandum, was approved.

6.01e SIERRA BUCKEYE – ASSIGNMENT OF DEEP MINERAL RIGHTS

On motion by Ms. Limbach, seconded by Mr. Boyle, assignment of a portion of the deep rights below lease #567 (Tappan Reservoir) from Sierra Buckeye to American Energy-Utica, as recommended and set forth in the above memorandum, was granted.

6.02a PWM – USGS STREAMSTATS PILOT PROJECT GRANT

On motion by Mr. Boyle, seconded by Ms. Limbach, a PWM grant in the amount of \$40,000 for the proposed StreamStats Pilot Project, as recommended and set forth in the above memorandum, was awarded.

6.02b DOVER DAM LOCAL COST SHARE FUNDING REQUEST

On motion by Ms. Limbach, seconded by Mr. Boyle, a request from the U.S. Army Corps of Engineers for release of \$95,000 in cost-share funds for the Dover Dam project, as recommended and set forth in the above memorandum, was approved.

6.03a HUMAN RESOURCES SUMMARY

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

6.03b REVISED POSITION DESCRIPTION – RECREATION MARKETING COORDINATOR

On motion by Ms. Limbach, seconded by Mr. Boyle, revisions to the position description and post and fill of a Recreation Marketing Coordinator, as recommended and set forth in the above memorandum, was approved.

6.03c WAGE ADJUSTMENTS FOR 2014

Mr. Hoopingarner and Mr. Cugliari presented information regarding salary budget projections as produced by the Society for Human Resource Management. Following discussion, on motion by Mr. Parham,

seconded by Ms. Limbach, a wage adjustment for MWCD non-bargaining unit full-time employees, including contracted employees, in the amount of 3.9%, was approved.

6.04a PURCHASE OF SEED FOR SHARE CROP OPERATIONS - 2014

On motion by Mr. Boyle, seconded by Ms. Limbach, purchase of seed corn and soybeans in amounts not to exceed \$126,500 for the 2014 season, as recommended and set forth in the above memorandum, was authorized.

6.04b ENGINEERING SERVICES – W.E. QUICKSALL AND ASSOCIATES

On motion by Ms. Limbach, seconded by Mr. Boyle, an agreement with W.E. Quicksall and Associates for engineering services, as recommended and set forth in the above memorandum, was approved.

6.04c BUSINESS PLAN IMPLEMENTATION CONTRACT – PROS CONSULTING

On motion by Mr. Boyle, seconded by Ms. Limbach, a contract with PROS Consulting to provide services related to implementation of the business plan for parks and marinas, as recommended and set forth in the above memorandum, was authorized.

**6.04d 2013-2014 SHORELINE STABILIZATION PROJECTS
ATWOOD LAKE SLIP REMEDIATION**

On motion by Mr. Boyle, seconded by Ms. Limbach, an agreement with Stanley Miller Construction to perform a slip remediation project at Atwood Lake at a cost not to exceed \$475,700, as recommended and set forth in the above memorandum, was approved.

6.04e OFFICE FURNITURE PURCHASE - ENGINEERING

On motion by Ms. Limbach, seconded by Mr. Boyle, purchase of office furniture through state-term contract at a cost not to exceed \$45,000 for the engineering group, as recommended and set forth in the above memorandum, was approved.

**6.04f PIEDMONT MARINA SITE IMPROVEMENT PROJECT
ELECTRIC SERVICE RECONSTRUCTION**

On motion by Mr. Boyle, seconded by Ms. Limbach, a contract with AEP/Ohio Power Company for improvements to electrical service at Piedmont Marina at a cost of \$36,079.34, as recommended and set forth in the above memorandum, was authorized.

**6.04g PIEDMONT MARINA SITE IMPROVEMENT PROJECT
AUTHORIZATION FOR CONSTRUCTION BID**

On motion by Ms. Limbach, seconded by Mr. Boyle, a request to advertise for bids for construction of site improvements at Piedmont Marina, as recommended and set forth in the above memorandum, was approved.

The following matter was presented at this time:

APPROPRIATION NEEDED FOR SHORELINE PROJECT (Pleasant Hill)

At the October 2013 meeting of the Board, staff and legal counsel were authorized to pursue the appropriate avenues to acquire the property necessary to proceed with the Pleasant Hill Boat Club shoreline schedule due to property rights issues and the inability to come to an agreement with one of the landowners in the area. Since that time, other residents worked together to obtain the ownership of the property in question.

Currently, another issue arose regarding rights for one small piece of property affected by the proposed project. The subject property is located in the middle of the proposed project. Mr. Rekstis reported that significant efforts were taken to avoid any need for a taking and the time period over which those efforts were made. It was noted that property rights for all of the other properties were obtained voluntarily. However, there was one piece of property for which the landowner's predecessor had approved documents necessary for the project, but the documents were not executed because the project fell apart due to the problems with other landowners.

Attorney Pringle addressed the Board relative to a proposed appropriation being presented for the Board's consideration. The Pleasant Hill Boat Club Shoreline Stabilization Project has been under consideration since 2004 and classified by MWCD as a priority. The adjacent landowners became involved in 2009. Initially, the project was intended to be done as one project but became two because of necessary landowner approvals. All of the approvals from landowners were obtained without compensation, due mainly to the benefit to them, with one exception. One landowner who had previously indicated approval of the project ultimately transferred her property to a nephew. That individual has been reluctant to grant authorization for the project to move forward.

Mr. Rekstis reported that the services of Stanley L. Baumberger of Baumberger Appraisal and Real Estate, Mansfield, were obtained to perform an appraisal. Mr. Rekstis indicated that the appraisal was very straightforward and utilized three comparable sales – one located next door to the subject property. The highest value of the three comparables was used to determine the value of the subject property. The appraised value is considered to be fair and reasonable.

In reviewing the public purpose of the project, Mr. Rekstis stated that it is a water quality improvement for Pleasant Hill, to reduce sedimentation and improve water quality. He indicated that if it were not for the houses located in the project area, the work would have been accomplished by now. There is concern for the safety of access for service and emergency vehicular traffic in the area and if the project is not done during the upcoming winter drawdown, the project would be delayed until next winter, at the earliest. By then it is extremely likely that additional significant erosion would occur and the road and any access would be affected.

Attorney Pringle reported that all of the required documentation was personally served to the owner of the subject property on December 7. The offer of \$2,000.40 is 120% of the appraised value.

On motion by Ms. Limbach, seconded by Mr. Boyle, the Board adopted the following Resolution of Necessity:

**RESOLUTION OF NECESSITY
FOR AN APPROPRIATION
BY THE
MUSKINGUM WATERSHED CONSERVANCY DISTRICT**

This matter came before the Board on the 20th day of December, 2013.

The Board has been provided with information regarding a proposed shoreline restoration project at Pleasant Hill Reservoir (“the project”) on more than one occasion, including at the Board Regular Monthly Meeting held this day.

The Board finds that the project advances public purposes, including, but not limited to, water quality and the prevention of sedimentation, is necessary and in the public interest and is located in such a manner that the project will provide the greatest public good and the least private injury.

The Board finds that the statutory notice of intent to acquire required by R.C. 163.04 was served personally on the property owner and that there has not been an agreed resolution of the need for the property such that an appropriation action would not be needed. A copy of the notice and written good faith offer to purchase is attached as Exhibit I. A copy of the return on personal service of the notice is attached as Exhibit E. The Board finds that the notice of intent to acquire included information as to how the landowner could review the plans for the project if he so desired. A copy of the legal description of the entire parcel owned by the landowner was attached to the notice of intent to acquire and is attached hereto as Exhibit A.

The Board finds that the “Subject Property” described in Exhibits B (fee) & C (easement), attached to the notice of intent to acquire (and hereto) and made a part hereof, is necessary and required for the project. The property and easement are generally described in the notice of intent to acquire as “an easement to allow the construction of and access to the project for purposes of maintenance of the shoreline restoration construction project and a portion of your six to seven foot wide parcel (adjoining the Pleasant Hill Reservoir) in fee, being largely the portion of that parcel located just above the bluff (or bank) and from there down the incline of the eroding shoreline to the edge of the District’s property (approximately fifteen feet from where the water meets the shoreline).”

The Board finds that completion of this project during or about the month of January 2014 during the winter draw down of the reservoir is a matter of public exigency.

The Board is authorized and empowered to take property for a public purpose pursuant to R.C. 6101.17.

The Board finds that a written good faith offer to purchase the property and easement was made and delivered personally to the landowner, together with a summary copy of the appraisal secured from an independent appraiser. A copy of the appraisal and summary appraisal was attached to the notice of intent to acquire (and hereto) as Exhibit D.

The Board finds that staff has made strenuous efforts over an extensive period of time to reach an agreed resolution of the need for the property, such that an appropriation action would not be needed.

The Board hereby authorizes the taking of the Subject Property in the name of the Muskingum Watershed Conservancy District as a necessary action in order to complete the project. Management, staff and legal counsel are directed to take any and all actions necessary to implement the appropriation of the Subject Property.

The Board finds that the offer of \$2,000.40 to purchase the needed property and easement was a good faith offer and reasonable compensation for the taking and would constitute reasonable compensation for the purpose of a deposit made in conjunction with a petition for appropriation.

The Board finds that the funds offered to purchase and to be deposited with the appropriation petition are available and in the budget.

6.04h PLEASANT HILL BOAT CLUB SHORELINE STABILIZATION – BID AWARD

On motion by Ms. Limbach, seconded by Mr. Boyle, a contract with Mark Haynes Construction for shoreline stabilization work at Pleasant Hill Boat Club in the amount of \$519,648.50, as recommended and set forth in the above memorandum, was awarded.

6.04i PURCHASE OF PICKUP TRUCK

On motion by Mr. Boyle, seconded by Ms. Limbach, purchase of a pickup truck from Loudon Motors in the amount of \$25,259.32, as recommended and set forth in the above memorandum, was authorized.

6.05 PROPOSED RATES FOR 2014

On motion by Mr. Boyle, seconded by Ms. Limbach, proposed rates for the 2014 season for parks, vacation cabins, Piedmont and Seneca marinas, and docking decals, as recommended and set forth in the above memorandum, were approved.

6.06 DEVELOPMENT OF MARINA STANDARDS

On motion by Ms. Limbach, seconded by Mr. Boyle, marina performance standards as developed by Lunde-Williams, LLC, as recommended and set forth in the above memorandum, were adopted.

6.07 SCHEDULE OF BOARD MEETINGS FOR 2014

Due to the absence of two members of the Board, the January 17, 2014, meeting was established and the remainder of the schedule will be considered at the next meeting.

6.08 ELECTION OF OFFICERS FOR 2014

On motion by Ms. Limbach, seconded by Mr. Boyle, Mr. Pryce was elected as President and Mr. Horstman as Vice-President for 2014; Mr. Hoopingarner was affirmed as Secretary and Mr. Cugliari as Treasurer.

6.09 OTHER BUSINESS

OHIO PARKS AND RECREATION ASSOCIATION CONFERENCE

Mr. Hoopingarner informed the Board that the Ohio Parks and Recreation Association (OPRA) Conference and Trade Show will be held in Sandusky, Ohio, on February 2-5, 2014. As a part of that conference, the Jack Gallon Board Development Institute is held on Sunday, February 2. Some of the members of the MWCD Board of Directors have attended this event in the past and Mr. Hoopingarner requested that if any member is interested in attending the 2014 event to contact him.

In addition, the MWCD will be recipient of two significant awards for projects: 1) for the ‘Dock Watch’ program; and 2) for the Seneca Marina building renovations.

Mr. Lautenschleger added that John Hoopingarner will receive the Jack Hanna Resource Conservation Award for outstanding leadership by the OPRA. According to the awards criteria, the Jack Hanna Resource Conservation Award is “presented to an OPRA member who has dedicated his or her career to the conservation of natural resources as exhibited by leadership in conservation both in their career in parks and recreation and in other efforts.”

SHALE SUMMIT

Mr. Hoopingarner informed the Board that the Shale Summit sponsored by Crain’s Cleveland Business is scheduled on February 20, 2014, in Cleveland. Representatives of the MWCD will be attending this event and members of the Board were encouraged to considered attending.

There is also a local shale conference, by invitation only, being held on January 30. MWCD has received an invitation to attend.

HOUSE BILL 375

Mr. Hoopingarner distributed a copy of a Bill Analysis of proposed H.B. 375. This proposed legislation would levy a new severance tax on oil and natural gas.

PROPOSED ADDITIONAL PERSONNEL NEEDS: ENGINEERING

Mr. Slogar presented an overview of possible organization changes and additional positions in the engineering area. A proposal will be brought to the Board for consideration at a later date.

7. REPORTS

7.01a SUMMARY OF MARINA OPERATIONS

Board members received a copy of the Summary of Marina Operations report through November 30, 2013. No action required.

7.01b MARINA REPORTS NARRATIVE

Through the end of October, overall marina revenues are up approximately 2%. Some individual items of note:

- Atwood West Marina is up 5%, with stronger boat sales than last year.
- The MWCD share of Clendening Marina’s revenues has risen from \$65,730 in 2012 to \$102,438 in 2013.
- Both Piedmont and Seneca marinas exceeded revenue budget projections. Expenses still need to be brought under control at Seneca. Having a qualified, on-site manager during the 2014 season should make a big difference.
- Leesville South Fork revenues are up over 47% due to the efforts of new owner, Keith Ott.
- Pleasant Hill Marina revenues show the effect of the massive flooding and are down 6%, but have shown an almost 20% increase in docking.

New entrance signage, conforming to MWCD Branding Guidelines, has now been installed at most marinas.

Design work is continuing on the service building at Seneca, with a simpler design approach being strongly considered.

Planning continues for the design of launch ramp, parking, restroom, and waterfront improvements at Piedmont Lake Marina. Phasing of the project to potentially span before-season and after-season is being studied.

New marina building siding and windows project, and installation of security camera system is now underway at Piedmont.

Boats are now off marina docks, and docks moved to winter storage locations.

The Dockside Restaurant at Seneca Lake Marina is wrapping up business for 2013. The restaurant held a very successful Thanksgiving buffet with over 140 reservations.

7.01c PIEDMONT AND SENECA MARINAS BUSINESS PLANS

Board members received a copy of the updated business plans for Piedmont and Seneca marinas. No action required.

7.02 WATER QUALITY SAMPLING PROGRAMS

Earlier this year, the Board of Directors requested that information be provided about the water sampling programs that the MWCD participates in at its lakes. Water quality testing at the 10 permanent lakes has been conducted since the 1970s and has expanded in recent years.

The MWCD participates in three separate water quality sampling programs on MWCD lakes to serve three specific purposes. In each of the programs, the MWCD cooperates with other agencies and organizations.

The three programs are:

- An extensive sampling program at all lakes carried out in conjunction with the U.S. Army Corps of Engineers (USACE).
- A program begun with the United States Geological Survey (USGS) in 2010 to quickly estimate bacteria levels at MWCD's public beaches at Atwood, Tappan and Seneca parks.
- A program with the Ohio Lake Management Society (OLMS) for "citizen sampling" on nine of the 10 MWCD lakes through the OLMS Citizen Lake Awareness and Monitoring (CLAM) program.

Specific information about each program is included with this report, as well as an MWCD news release about the sampling programs that was prepared for the Water Management Association of Ohio fall newsletter.

These details were presented for information and review, and no action is required.

7.03 2013 AGRICULTURAL OPERATIONS

The impact that the July rains and the resulting flood waters at Mohawk Dam and Wills Creek Reservoir had on agricultural operations are now quantifiable.

Mohawk, which crested on July 13 at 52.6' above normal flow, lost approximately 772 acres of corn and beans to high water, leaving only 118 acres of beans to harvest.

Wills Creek crested on July 14 at 12' above normal pool, resulting in the loss of approximately 17.5 acres of corn in various fields.

The loss of 789.5 acres at Mohawk and Wills Creek accounts for approximately 58.5 % of the total crop.

This is the most significant agricultural flood in the last 15 years, going back to 1998 when the total loss was 955 acres, which then resulted in \$45 net loss per acre. In at least the last 45 years there are no comparable losses to the 1998 flood.

The 2013 net loss per acre for the sharecrop operations when comparing only material expenses to revenue are estimated to be \$47 per acre. A bar graph of the net income per acre in recent years was distributed.

By the end of November, the overall agricultural budget was approximately \$142,000 under revenue projections and \$56,500 under expense projections. Final settlements with the lessees and timing of cash rent payments will impact the end of year revenue and expense budget.

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

Mr. Slogar reported that Jack Steele of Active Strategy will meet with MWCD staff on January 22-24 to continue with training and updating the plan. He provided an update on the progress made during the past year including high priority initiatives and an example of a dashboard report.

Mr. Boyle requested that the dashboard report be made a part of the monthly reports to the Board.

7.06 USACE PROJECTS STATUS REPORT

Mr. Slogar indicated that there is no update for either the Dover or Bolivar projects. He offered information concerning the status of the Zoar Levee, In March 2011, the Corps classified the levee as a Dam Safety Action Classification 1, meaning that the need for action is of very high urgency. The Corps launched a study to determine what should be done with the levee.

The Corps completed its baseline risk assessment for the levee in October 2013. In doing so, it reclassified the levee as a Dam Safety Action Classification 3, meaning that the need for action is of moderate urgency.

Representatives of the Corps met with Zoar residents recently to share news that the historic buildings located at Zoar will not be moved. The rehabilitation of Zoar Levee will be much less comprehensive than originally anticipated.

Mr. Slogar stated that it is unknown at this time what financial commitment might be requested of the MWCD for the local cost share of this project.

7.07 ATWOOD REGIONAL WATER AND SEWER DISTRICT UPDATE

Mr. Parham reported that at the recent meeting held December 16, the Board of Trustees approved a 3% increase in overall wages for employees.

7.08 IMMINENT OR PENDING LITIGATION

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

8. SUBDISTRICTS

8.01 REPLACEMENT OF HYDRAULIC STRUCTURES ALONG CHIPPEWA CREEK

Bids for the replacement of hydraulic structures 14R, 15R, 16R and 223R have been received and the projects are ready to proceed to construction. The project consists of replacing culverts and other pipe structures along the Chippewa Creek main channel that provide drainage or control of floodwaters.

The Board approved the bidding and award of the project to the lowest and/or most responsive bid in a not to exceed amount of \$35,200 at the October 2013 meeting. The following bids were received:

COMPANY	TOTAL BID PRICE
Mark Haynes Construction, Inc.	\$27,880.00
DC Berger Excavating, LLC	\$34,950.00
Keiper Excavating, Inc.	\$37,685.35

After reviewing the bid, this project has been awarded to Mark Haynes Construction, Inc., at their total bid price of \$27,880. Project costs are included in the 2014 Chippewa Subdistrict budget. No action required.

9. EXECUTIVE SESSION

On motion by Ms. Limbach, seconded by Mr. Boyle, the Board of Directors entered into executive session at 12:44 p.m. to discuss matters related to ORC §121.22 (G) (3). On roll call: Mr. Boyle-yes; Mr. Horstman-absent; Ms. Limbach-yes; Mr. Parham-yes; and Mr. Pryce-absent. The executive session ended at 12:53 p.m.

In open session, on motion by Ms. Limbach, seconded by Mr. Boyle, legal counsel was authorized to file legal paperwork as necessary for the authorized taking of property in the name of MWCD for certain property at Pleasant Hill Reservoir.

10. ADJOURN

There being no further business, on motion by Ms. Limbach, seconded by Mr. Boyle, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, January 17, 2014, at 9:00 a.m. at a location to be determined.