

**SUMMARY OF MINUTES
BOARD OF DIRECTORS
MUSKINGUM WATERSHED CONSERVANCY DISTRICT
Held at the MWCD Main Office via Teleconference
January 22, 2021, 9:00 a.m.**

A meeting of the Board of Directors of the Muskingum Watershed Conservancy District was held via Teleconference on Friday, January 22, 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, January 21, 2021. Members of the public were also advised that comments would not be accepted after 5:00 p.m., January 21. 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 (*electronically*) were Joe Baker, Adria Bergeron, Mary Burley, Craig Butler, Jim Crandall, Jim Cugliari, Steve Demuth, Scott Heller, Brad Janssen, David Lautenschleger, Michael Mahaffey, Dean Mallett, Ryan McCleaster, Karen Miller, Tricia Miller, Jonathan Mizer, Karen Murphy, Becky Oakes, Matt Ott, Boris Slogar, Eric Stechschulte, Shawn Tharp, Melissa Tylke, Jeff Yohe, Nate Wilson, and Ethan Zucal.

2. INTRODUCTION OF VISITORS AND PUBLIC COMMENT

Also in attendance for all or portions of this meeting (*electronically*) were: Ken Heigel and Todd Skruck (*Ohio Water Development Authority*); J.D. Long (*Harrison News Herald*); Terry Fercana (*Environmental Design Group*); Sean Logan (*Woolpert*); Jill Smith; and Steve Walker (*MWCD Development Advisory Committee and Buckeye Trail Association*).

3. APPROVAL OF MINUTES

On motion by Ms. Limbach, seconded by Mr. Maupin, the minutes of the December 18, 2020, meeting of the Board of Directors were approved.

4. FINANCIAL

Mr. Cugliari presented the financial report for the twelve-month period ending December 31, 2020. The Total Base Operating Income is \$6,163,908 compared to \$15,904,426 in 2019.

Total Operating Revenue is \$22,266,840 or 106% of the revised budget and 30% less than 2019, mainly due to Oil & Gas Utica Shale and investment income. Please keep in mind that these budget amounts reflect the adjustments made at the September Board meeting as a result of COVID-19. The original operating revenue budget for reference was \$24,019,976.

OPERATING REVENUE

- Administrative revenues will fall short of budget due mainly to the low interest environment as it is 85% of budget.
- Conservation revenue exceeded budget by 43% as a direct result of the Use of Water Assets line item for the water sales to the oil and gas industry as well as Sharecrops coming in over budget by \$35,000. The forestry line items in this area ended at 94% of budget.
- Parks revenue is 5% over the revised budget and 18% ahead of 2019 which equates to over \$1.1mm.
- Non-Park revenue is 103% of the revised budget and 7% ahead of 2019 which equates to in excess of \$425k.

OPERATING EXPENSES

- Total Operating Expenses are 92% of budget and remain flat from 2019 except for the Health Insurance Laser which was nearly double the amount from 2019. Overall expenditure controls put in place earlier in the year have been an integral part of keeping expenses at this level even though there has been some year-end spending occurring to try and capture some material, supplies and equipment that was not purchased earlier in the year.

Total Capital Improvement and Master Plan expenses are 80% and 95% respectively of budget.

Maintenance Assessment Fund revenues are in line with budget as the variance is due to a grant for a shoreline project not received yet.

Expenses are at 67% of budget and 15% less than of 2019. The main variances to budget are the Dam Safety Upgrades line item which the USACE did not request further funding in 2020 and the Sediment Removal line item.

As the year wraps up, the overall financial performance of the Conservancy District has been exceptional considering the many challenges faced in 2020.

On motion by Mr. Sprang, seconded by Mr. Maupin, 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 December 31, 2020, was approved as presented.

6. BUSINESS

6.01a LEASE TRANSACTIONS

On motion by Ms. Limbach, 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 SHORT-TERM WATER SUPPLY: TAPPAN LAKE DEERSVILLE AREA

On motion by Mr. Moorehead, seconded by Ms. Limbach, the Board approved entering into a short-term water supply agreement with EAP Ohio, LLC, for water withdrawal from Tappan Lake, as recommended and set forth in the above memorandum.

6.01c ODOT EASEMENT – CHARLES MILL

This matter was discussed in Executive Session. In open session, on motion by Mr. Maupin, seconded by Mr. Sprang, a proposed agreement between MWCD and ODOT to widen an existing easement along U.S. Route 30 at Charles Mill, as recommended and set forth in the above memorandum, was approved.

6.01d ODOT EASEMENT – WILLS

This matter was discussed in Executive Session. In open session, on motion by Mr. Maupin, seconded by Mr. Sprang, a proposed agreement between MWCD and ODOT to expand two areas of a standard highway easement to replace an existing culvert in the Wills Creek area, as recommended and set forth in the above memorandum, was approved.

6.02a INVOICES PRIOR TO PURCHASE ORDERS

On motion by Ms. Limbach, seconded by Mr. Maupin, 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 CLEAN OHIO GRANT: COSHOCTON FOREST EXTENSION AT WILLS CREEK

On motion by Ms. Limbach, seconded by Mr. Maupin, authorization to negotiate and submit a purchase and sale agreement to be signed by the Executive Director so that it can be submitted with the grant application by February 8, 2021, as recommended and set forth in the above memorandum, was granted. The MWCD’s obligations under the proposed Purchase agreement will be contingent upon future MWCD Board of Directors approval of the transaction contemplated by this Agreement on or before the expiration of the Due Diligence Period.

6.02c CLEAN OHIO GRANT: SENECA SHORELINE PROJECT

On motion by Ms. Limbach, seconded by Mr. Moorehead, the proposed Resolution of Authorization to apply for and enter into a grant agreement for a shoreline stabilization project located at Seneca Reservoir, as recommended and set forth in the above memorandum, was adopted.

6.02d BUDGET ADJUSTMENTS

On motion by Ms. Limbach, seconded by Mr. Moorehead, a report of budget adjustments for the year ending December 31, 2020, as recommended and set forth in the above memorandum, was accepted.

6.02e CREDIT ACCOUNT REWARDS YEARLY REVIEW

On motion by Ms. Limbach, seconded by Mr. Maupin, the report of the Credit Account Rewards Yearly Review, as recommended and set forth in the above memorandum, was approved as presented.

6.02f USE OF CREDIT CARDS QUARTERLY REVIEW

On motion by Ms. Limbach, seconded by Mr. Maupin, the report of the Use of Credit Cards Quarterly Review, as recommended and set forth in the above memorandum, was approved as presented.

6.02g OWDA FRESHWATER LOAN PROGRAM: MWCD INTEREST SUBSIDY PROGRAM

Representative of the Ohio Water Development Association – Ken Heigel, P.E., Executive Director, and Todd Skruck, Chief Financial Officer – joined the meeting to provide additional information about the OWDA Freshwater Loan Program.

On motion by Ms. Limbach, seconded by Mr. Maupin, an agreement creating a partnership between OWDA and MWCD in which MWCD will invest \$5 million in the existing OWDA Freshwater Loan Program to assist communities within the MWCD jurisdictional boundary build and improve wastewater treatment systems, as recommended and set forth in the above memorandum, was approved.

6.03a HUMAN RESOURCES SUMMARY

On motion by Ms. Limbach, 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 - 2021

On motion by Mr. Maupin, seconded by Mr. Moorehead, a revision to the seasonal and variable hour employee staffing plan for 2021, as recommended and set forth in the above memorandum, was approved.

6.03c RECREATION – ADDITION OF RANGER SPECIALIST POSITION

On motion by Mr. Moorehead, seconded by Ms. Limbach, the proposed additional Ranger Specialist position to patrol the Clendening and Piedmont lake areas, as recommended and set forth in the above memorandum, was authorized.

6.04a PLEASANT HILL PARK CABIN AND TOAD ROADS PAVING

On motion by Ms. Limbach, seconded by Mr. Sprang, a request to advertise for bids and award a contract for road improvements at Pleasant Hill, as recommended and set forth in the above memorandum, was approved.

6.04b PIEDMONT MARINA AND MAIN CAMPGROUND PHASE 2 PROJECT

On motion by Mr. Sprang, seconded by Mr. Maupin, change orders for the Piedmont Marina and Main Campground Phase 2 Project, as recommended and set forth in the above memorandum, were ratified.

6.04c PIEDMONT WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT

On motion by Mr. Sprang, seconded by Mr. Maupin, change orders for the Piedmont Wastewater Treatment Plant Improvements Project, as recommended and set forth in the above memorandum, were ratified.

6.04d SENECA MARINA POINT CAMPGROUND PHASE 1 PROJECT

On motion by Mr. Sprang, seconded by Mr. Moorehead, change orders for the Seneca Marina Point Campground Phase 1 Project, as recommended and set forth in the above memorandum, were ratified.

6.04e TAPPAN MARINA FUEL SYSTEM UPGRADE PROJECT

On motion by Ms. Limbach, seconded by Mr. Sprang, a change order for the Tappan Marina Fuel System Upgrade Project, as recommended and set forth in the above memorandum, was ratified.

6.04f PROFESSIONAL SERVICES AGREEMENT: CAPITOL PARTNERS

On motion by Mr. Sprang, seconded by Mr. Maupin, an agreement for professional services with Capitol Partners, as recommended and set forth in the above memorandum, was approved.

6.05 HFP RACING EVENTS AT MWCD PARKS

On motion by Ms. Limbach, seconded by Mr. Maupin, an agreement with HFP Racing to hold triathlon race events at MWCD parks in 2021, as recommended and set forth in the above memorandum, was approved. Upon request of Mr. Sprang, a copy of the contract will be provided to the Board members when it is finalized.

6.06 EMPIRE RECREATION MANAGEMENT AGREEMENT/LEASE, EQUIPMENT PURCHASE

On motion by Mr. Moorehead, seconded by Mr. Maupin, an agreement with Empire Recreation Management to provide beach front recreational activities for guests at Atwood and Pleasant Hill parks and the purchase of equipment at a cost not to exceed \$250,000, as recommended and set forth in the above memorandum, were approved.

6.07 OTHER BUSINESS

LEESVILLE NORTH FORK MARINA FUEL SYSTEM UPDATE

On motion by Mr. Sprang, seconded Ms. Limbach, a request to re-bid and award a contract for the Leesville North Fork Marina Fuel System Upgrade and revised the engineer's estimate for the project, as recommended and set forth in the above memorandum, were authorized.

7. REPORTS

7.01 CONSERVATION REPORT

Mr. Butler reported that initial discussion has occurred with The Nature Conservancy relative to carbon credit development.

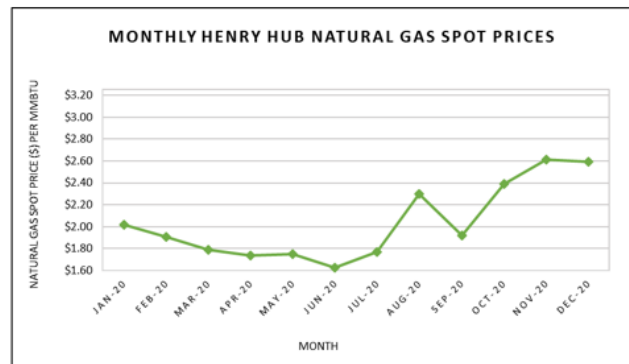
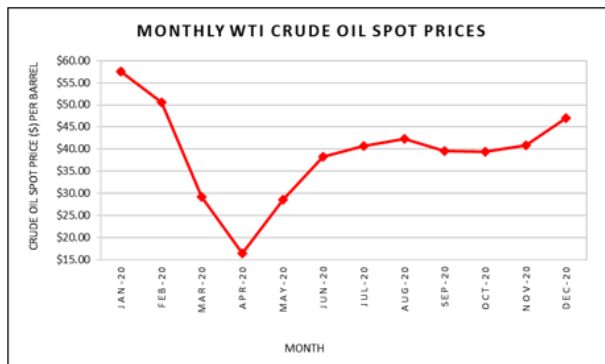
7.02 UTICA ROYALTY REVENUE REPORT

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

Utica royalties for December totaled \$590,723.44 which was a 0.25 % decrease in month-over-month revenue from November (\$592,189.17).

The U.S. Energy Information Administration Prices Reports¹:

- The WTI Crude Oil Spot Price² for Dec 2020: **\$ 47.02** per barrel
- The Henry Hub Natural Gas Spot Price for Dec 2020: **\$ 2.59** per MMBT



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

Projects Under Construction

- **Charles Mill Lake Park Main Campground Redevelopment Phase 3:** Lockhart Concrete is working on restroom construction. All RV pads have been poured and all paving is complete. Substantial completion was reached in November 2020 and final punch-list and minor miscellaneous items remain.
- **Piedmont Water Treatment Plant and SCADA:** Plant start-up has taken place and we are expecting the SCADA subcontractor to program the system soon. Border Patrol is waiting on new pump controllers to fill the tank. Substantial completion was scheduled for December 2020 and is slightly behind schedule.

- **Seneca Lake Marina Point Campground Redevelopment Phase 2:** Tucson is working on building the new boat ramp in the campground now that the lake is down. The card gate access is being installed and programmed. Minor work on the restrooms and shower house are being made. Paving has been completed. All concrete RV pads have been poured. Substantial completion is scheduled for March 2021.
- **Tappan Marina Renovations:** Trusses and steel joists are under installation and block columns under assembly. Substantial completion is June 2021.
- **Tappan Marina Sanitary Sewer and WWTP Improvements:** Wastewater treatment plant tank installation is completed. Construction of sanitary lift station and piping to serve the marina is underway. Substantial completion is April 2021.

DREDGING AND SHORELINE (ONGOING)

Dredging Program (no significant update)

- **Seneca Lake:** Construction of the peninsula settling basin is complete, and we are waiting to receive ODNR approval to begin pumping dredged material into the basin. Substantial completion for the dredging work is planned for summer 2021.
- **Atwood Lake North Shore Cottage Area:** The MWCD Heavy Equipment Crew completed clearing and grubbing work at the disposal site in December and began excavation/dredging in mid-January. The dredging work is scheduled to be complete by February 2021.

Shoreline Program

- **Pleasant Hill Loudonville Wildlife Club Area:** Clearing and grubbing work has been completed and Mark Haynes Construction is now beginning to install the rock riprap. Substantial Completion is scheduled for February 2021.
- **Seneca Lake Churchman Point Phase 2:** The Notice to Proceed has been issued to Mason Dixon Energy Services and work will begin in January. Substantial Completion is scheduled for February 2021.
- **Atwood Lake - North Shore Cottage Area:** The MWCD Heavy Equipment Crew has installed 80% of the rock riprap on this project. The remaining rock riprap is in the same area as the dredging work and will be completed after dredging is done. The coir log and final restoration will also be done after the riprap is complete. Completion is scheduled for February 2021.
- **Atwood Lake** – Three small projects will be conducted by various contractors at Atwood Lake during this winter drawdown: one at the west end of the park beach and two in the Atwood Glens Cottage Area. Construction will begin in January and will be complete prior to refill of the reservoir.

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

Mohawk Dam

- A partnering meeting was held December 15 with the contractor, DRS Enterprises. Construction is underway and three relief wells have been drilled thus far.

Zoar Levee

- A partnering meeting was held December 15 with the contractor, DRS Enterprises. USACE is working through a minor right-of-way issue and they anticipate issuing a Notice to Proceed soon.

Magnolia Levee

- Plans and specifications are progressing and are anticipated to be completed in June. 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.

Miscellaneous

- Boris Slogar attended a virtual Flood Risk Tabletop Exercise hosted by USACE in December for the Massillon Levee. Local agencies and officials along with representative from various state and federal agencies

attended to provide a diverse range of input and perspectives. The purpose of this exercise was to discuss the risks and challenges that may occur in the area as a result of heavy flooding, levee equipment failure, and other potential challenges as well as to improve communications between agencies and stakeholders

7.04 RECREATION REPORT

Marinas Report

- Ongoing - Tappan Restaurant Lease Agreement discussion with lessee for the 2021 season.
- Operational Audits continue this month for all marinas. Discussion with Human Resources for the Deputy Chief of Marinas was held earlier in the month. Anticipate decision for position February 2021.

Parks Report

- Finalized contract with WhoaZone at Atwood and Pleasant Hill for the 2021 season.
- Ongoing discussion for potential of Alive Music Festival in 2021 season. More details will be available in upcoming months.
- Glamping options continue to be discussed with the team. Atwood has been identified as first park to test the marketability of glamping for the District. Site selection is underway for 2021 season.
- Discussion for racing events within MWCD Parks was had with HFP Racing for the 2021 season.
- Operational Audits continue this month for all parks. Park Managers will be reaching out to local health department officials to discuss operations during the 2021 season.

7.05 MARKETING/COMMUNICATIONS REPORT

ONGOING PROJECTS

- Website redesign: in progress
 - Integrating photos into the new site
- Park and Marina brochure updates for 2021
- Boat/ cabin rental rack card updates for 2021
- Assisting in implementation of MP Phase 2 survey and Focus Groups
- Updates to website/ social media
- Planning marketing/ advertising for 2021
- HFP Racing

PUBLICATIONS IN DECEMBER

- Ohio Magazine: Pleasant Hill Cabins
- Compass Media: Pleasant Hill Cabins
- Amish Country Magazine: Pleasant Hill Cabins

E-BLASTS IN DECEMBER

- Fall Lakeviews: December 7
- Happy Holiday: December 14
- Survey for Amenities: December 23

AFFILIATIONS / MEMBERSHIPS

- Ohio Travel Association
 - Board Member
 - 2020 Board Chair of Ohio Conference on Travel
- Tuscarawas County Chamber of Commerce
 - Board Member, Governance Council (Term expires December 2021)
- Adventures in NE Ohioyr

- Immediate Past President (Term. expires December 2021)
- Tuscarawas County Convention and Visitors Bureau
 - Board Member
- Cambridge/ Guernsey County Visitor Convention Bureau
 - Board Member
- Ohio Parks and Recreation Association
 - Communication Chair for OPRA Conference

Ms. Bergeron reported that four focus group sessions were recently conducted. There were more than 3,500 responses to a related online survey.

8. SUBDISTRICTS

8.01 PAYMENT OF BILLS – CHIPPEWA SUBDISTRICT

On motion by Ms. Limbach, seconded by Mr. Maupin, the report of the payment of bills for the period ending December 31, 2020, 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 11:47 a.m. to discuss matters related to ORC §121.22 (G) (1) Employment and (3). On roll call: Mr. Gresh-yes; Ms. Limbach-yes; Mr. Maupin-yes; Mr. Moorehead-yes; and Mr. Sprang-yes. The executive session ended at 12:15 p.m.

The following action was taken in open session:

On motion by Ms. Limbach, seconded by Mr. Sprang, an employment contract for the Engineering Project Manager – Master Plan, was approved.

10. ADJOURN

There being no further business, on motion by Mr. Moorehead, seconded by Mr. Sprang, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, February 19, 2021, at 9:00 a.m.