

**SUMMARY OF MINUTES  
BOARD OF DIRECTORS  
MUSKINGUM WATERSHED CONSERVANCY DISTRICT  
Held at the New Philadelphia City Council Chambers  
May 17, 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 Chambers, 150 East High Avenue, New Philadelphia, Ohio, on Friday, May 17, 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, Mr. Horstman, Mr. Kokovich, Mr. Parham and Mr. Pryce.

Present from MWCD staff were Scott Barnhart, Mary Burley, im Cugliari, John Hoopingarner, Darrin Lautenschleger, Sean Logan, Karen Miller, Jim Pringle, Boris Slogar, and Mark Swiger.

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

Mr. Parham and Mr. Hoopingarner presented a plaque to Mr. Kokovich in recognition of his 10 years of dedicated service as a member of the Board of Directors.

**2. INTRODUCTION OF VISITORS AND PUBLIC COMMENT**

Also in attendance for all or portions of this meeting were: Brent Winslow (*CONSOL Energy*); Luke Bates (*Canton*); Dave Fisher (*Freeport*); Hollie Hinton (*DLZ, Columbus, Ohio*); Tom Jedlinsky (*CDM Smith, Columbus, Ohio*); Mike Bailey (*ODNR*); and Chad Amos (*ODNR Division of Soil and Water Conservation*).

**3. APPROVAL OF MINUTES**

On motion by Mr. Boyle, seconded by Mr. Horstman, the minutes of the April 19, 2013, meeting of the Board of Directors were approved.

**4. FINANCIAL**

Mr. Cugliari presented the financial report for the period ending April 30, 2013. The total operating revenue is \$45,377,119.00, which includes \$40,630,702.00 oil and gas lease signing bonus payment, or \$4,746,417.00 without the lease signing bonus; and operating expenses of \$3,297,057, resulting in an excess of revenue over expenses of \$1,449,360.00. The operational surplus does not include the oil and gas lease signing bonus or the expenses incurred in the Recreation Improvement Fund.

**Maintenance Fund – General**

- Total revenue is 25.41% of budget.
- A reimbursement of expenses incurred from the Blackfork Subdistrict in the amount of \$21,189.00 was received from Ohio Water Development Authority.
- Expenses continue to run in line with budget at 30.58%.

**Recreation Fund-Parks**

- Total revenue is 58.94% of budget.
- Both Vacation Cabins and Park Camping revenues are in line with budget and ahead of 2012.
- Expenses are in line with budget at 21.37%. We will see expenses on the rise with the addition of seasonal staff during the summer months.

**Recreation Fund-Non Park**

- Total revenue is 34.12% of budget.

- All Marina Operations revenue is running at or ahead of 2012 levels.
- Multiple Docks revenue is 61% of budget and slightly behind 2012.
- Overall expenses are 31.24% of budget and ahead of last year.
- Expenses at Piedmont and Seneca marinas are ahead of 2012, as well as Cottage Sites, which is due mainly to the reappraisal being conducted.

**Maintenance Assessment Fund**

- First half settlements are complete with 60% of budget being met. This is very comparable to past years.
- Expenses are 56.51% of budget with \$441,370 being spent in the Shoreline Protection line item for the month.

Overall, revenues are in line with expectations and expenses are on budget. There continues to be a significant amount of dollars going into capital items as reflected in the Recreation Improvement Fund.

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

**5. PAYMENT OF BILLS**

On motion by Mr. Horstman, seconded by Mr. Boyle, a report of the payment of bills for the period ending April 30, 2013, was approved as presented.

**6. BUSINESS**

**6.01a LEASE TRANSACTIONS**

On motion by Mr. Boyle, seconded by Mr. Horstman, 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 ATWOOD COMPRESSOR SITE**

On motion by Mr. Kokovich, seconded by Mr. Pryce, a one-year extension of a compressor site and right-of-way agreement with Enervest Operating, as recommended and set forth in the above memorandum, was authorized.

**6.01c GULFPORT SHORT-TERM WATER SUPPLY AGREEMENT AT PIEDMONT (CLAY)**

On motion by Mr. Horstman, seconded by Mr. Kokovich, a short-term water supply agreement with Gulfport Energy for Piedmont Reservoir, as recommended and set forth in the above memorandum, was approved.

**6.02a BUDGET ADJUSTMENTS**

On motion by Mr. Horstman, seconded by Mr. Pryce, budget adjustments made during the month of April 2013, as recommended and set forth in the above memorandum, were approved.

**6.03a HUMAN RESOURCES SUMMARY**

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

**6.03b PERSONNEL POLICY REVISION:  
EMPLOYMENT OF LAW ENFORCEMENT PERSONNEL**

On motion by Mr. Horstman, seconded by Mr. Boyle, proposed revisions to the personnel policy entitled “Employment of Law Enforcement Personnel,” as recommended and set forth in the above memorandum, were adopted.

**6.03c PERSONNEL POLICY REVISION: DRUG-FREE WORKPLACE**

On motion by Mr. Pryce, seconded by Mr. Boyle, proposed revisions to the personnel policy entitled “Drug-Free Workplace,” as recommended and set forth in the above memorandum, were adopted.

**6.03c GROUP HEALTH BENEFIT PLAN REVIEW**

On motion by Mr. Horstman, seconded by Mr. Boyle, renewal of the group health benefit plan for MWCD staff with AultCare for a one-year period effective June 1, 2013, as recommended and set forth in the above memorandum, was authorized. On roll call: Mr. Pryce-abstain.

On motion by Mr. Kokovich, seconded by Mr. Horstman, the Board approved holding the employee contribution for the group health benefit plan at the current levels with no increase for the 2013-2014 plan year.

**6.04a CONTINUATION OF USGS WATER WITHDRAWAL STUDY**

On motion by Mr. Boyle, seconded by Mr. Pryce, a contract with USGS for a water withdrawal study, as recommended and set forth in the above memorandum, was authorized. On motion by Mr. Pryce, seconded by Mr. Kokovich, the memo was revised to delete last sentence of the memo regarding funding and a related budget revision.

**6.04b EMERGENCY GENERATOR INSTALLATION PROJECT – AWARD**

On motion by Mr. Pryce, seconded by Mr. Horstman, contracts for installation of emergency electric generators with Spring Electric of Mansfield in the amount of \$87,705.00 and Able’s Electric of Cambridge in the amount of \$149,544.00, as recommended and set forth in the above memorandum, were approved.

**6.05 PROPOSED OPERATIONAL POLICY: SHORT-TERM WATER SUPPLY**

Consideration of this matter occurred prior to discussion of the previous agenda item, “Gulfport Short-term Water Supply Agreement at Piedmont (Clay).”

On motion by Mr. Pryce, seconded by Mr. Kokovich, the proposed Short-Term Water Supply operational policy, as recommended and set forth in the above memorandum, was adopted.

**6.06 COOPERATIVE WORK AGREEMENT – ODNR DSWR**

On motion by Mr. Kokovich, seconded by Mr. Horstman, a 2013 Work Plan and extension of a Cost-Share Cooperative Work Agreement with ODNR Division of Soil and Water Resources, as recommended and set forth in the above memorandum, were approved.

Two handouts were provided to members of the Board: 1) *4R Nutrient Stewardship*, published by The Fertilizer Institute; and 2) *Using Cover Crops to Improve Soil and Water Quality*, published by The Ohio State University.

Mr. Amos addressed the Board to provide additional information regarding the Cover Crop program and the benefits it offers to the Muskingum River and Duck Creek watersheds. Mr. Hoopingarner stated that this program related back to the “core mission” and beginnings of the MWCD.

## **6.08 OTHER BUSINESS**

### **SUMMARY OF MARINA OPERATIONS**

Members of the Board received a Summary of Marina Operations report through April 30, 2013. No action was requested.

### **BOARD OF DIRECTORS VACANCY**

Mr. Hoopingarner reported that nine (9) applications have been received to date by the Tuscarawas County Clerk of Courts for the vacancy on the Board of Directors. The deadline for submitting applications was Wednesday, May 15, 2013. Judge O’Farrell, Presiding Judge of the Conservancy Court, will be appointing a three-judge panel to review the applications and make a recommendation to the full Court. Mr. Parham has been extended the opportunity to observe the interviews and to be available to answer potential questions of candidates.

### **JOINT SWCD PROJECT FOR WATERSHED SPECIALIST**

It is well established that working directly with private landowners is one the most effective methods to increase conservation practices and projects to improve both land and water. Specifically, the MWCD’s 2005 Amendment to the Official Plan clearly outlines our desire to work with local entities to increase the number of conservation practices on private land that lies within the drainage basin of our reservoirs.

Carroll and Harrison County Soil and Water Conservation Districts have developed a joint project that proposes to create a Watershed Specialist position to work exclusively in the Atwood, Leesville, Tappan and Clendenning sub-watersheds. This three-year project will facilitate cooperation with private landowners and other SWCD staff to help install practices that reduce nutrient and sediment run-off through leadership, education, water quality data collection and public outreach. Also, it is expected that this person would work closely with our dredging consultant, URS Corporation, to identify sediment reduction strategies to help extend the life of our dredging program.

Fifteen to eighteen percent of the funding for this position will come from Carroll and Harrison County SWCDs through a combination of in-kind and direct expenditure of local dollars. MWCD’s contribution will be approximately \$42,000 a year for a three-year commitment and such funding for this first year is included in the 2013 Conservation Maintenance Assessment budget.

MWCD staff in concert with ODNR Division of Soil and Water Resources program managers has reviewed the project description and believe this concept will be effective and efficient. No action is being requested at this time, but staff will be recommending approval for this joint effort at the July Board of Directors meeting.

### **RETREAT ITINERARY**

A preliminary itinerary for the May 22-23 session at The Carlisle Inn at Walnut Creek was distributed.

## 7. REPORTS

### 7.01 UPDATE ON 2013 GOALS

Mr. Hoopingarner advised the Board that the May 22-23 sessions at Walnut Creek will be largely based upon the 2013 goals and therefore a report at this time was not necessary.

### 7.02 STRATEGIC PLANNING

Mr. Slogar reported that the software related to strategic planning is installed, all strategic initiatives have been loaded, and a report will be prepared for presentation at next regular meeting.

### 7.03 PARK MASTER PLANNING

Woolpert will be making a presentation at the May 23 work session at Walnut Creek.

### 7.04 USACE PROJECTS STATUS REPORT

#### Dover Dam

- The Louisville, Kentucky, District of the USACE is currently performing a post construction assessment of Phase II of construction.
- Total project cost is \$103.5 million with MWCD's obligated local cost share being \$3.57 million. \$1.67 million or 53% has been expended to date.

#### Bolivar Dam

- A bid package is being prepared for installation of the seepage barrier and is expected to be advertised in September.
- Total project cost is \$165 million with MWCD's obligated local cost share being \$37.95 million. \$9 million or 24% has been expended to date.

Key MWCD staff will be meeting with representatives of the U.S. Army Corps of Engineers in Huntington, West Virginia, for the bi-annual partnering meeting, on Monday, May 20.

Mr. Slogar also informed the Board that the Senate wrapped up debate on SB 601, the Water Resources Development Act (WRDA) this week and passed the bill. First, the House will have to pass their own WRDA, and then the House and Senate will have to compromise on a final version before sending a final bill to the President. The WRDA authorizes studies and projects within the U.S. Army Corps of Engineers' key mission areas including navigation, shoreline protection, environmental restoration, and natural disaster damage reduction.

### 7.05 ATWOOD REGIONAL WATER AND SEWER DISTRICT UPDATE

The Board of Trustees will meet on Monday, May 20, and a major topic of discussion will be health insurance benefits for employees.

### 7.06 IMMINENT OR PENDING LITIGATION

Photographs were provided to the Board to report the MarkWest Encroachment #2 at Clendening Reservoir.

## **8. SUBDISTRICTS**

### **8.01 CHIPPEWA CHANNEL INSPECTION**

Mr. Slogar reported that the inspection of the Chippewa channels was performed on May 3. Lynn Army, Executive Director of the Maumee Conservancy District, visited recently and accompanied Mr. Slogar for the channel inspection.

## **9. EXECUTIVE SESSION**

There was no executive session.

## **10. ADJOURN**

There being no further business, on motion by Mr. Kokovich, seconded by Mr. Horstman, the meeting of the Board of Directors was adjourned. The next regularly scheduled meeting is Friday, July 19, 2013, at 9:00 a.m. at a location to be determined. The Board of Directors will meet on May 22, 2013, at 9:00 a.m. for a work session at The Carlisle Inn, Walnut Creek, Ohio. The Conservancy Court will convene on Saturday, June 1, 2013, at 10:00 a.m. in the Tuscarawas County Courthouse.

*05.17.2013, km*

*Approved 07.19.2013*