

## MINUTES

Preservation Parks of Delaware County

March 5, 2015 – 1:00 PM

2656 Hogback Road Sunbury, Ohio

**Board Members:** John Bader, Bruce Ruhl, Dan Boysel

**Staff:** Tom Curtin, Chris Roshon, Sue Hagen, Bonnie Houk, Saundra McBrearty, Ted Miller, Richard Niccum, Kyle Pace, Patrick Shirey, Dennis Welch

**Visitors:** Amy Tovar, Genevieve and Steve Berry

**Call to order:** The meeting was called to order by Chairman J. Bader at 1:00 PM

**Adoption of Agenda:** D. Boysel moved to adopt the agenda, B. Ruhl seconded, all members voted aye.

**Approval of the minutes from the February 5, 2015 meeting:** B. Ruhl moved that the minutes of the February 5, 2015 board meeting be approved, D. Boysel seconded, all members voted aye.

**Budget Report:** D. Boysel moved that the monthly budget report be accepted as submitted, B. Ruhl seconded, all members voted aye.

**Open to the Public:** Amy Tovar asked if it would be possible to provide information related to the park's interest / activities via e-mail alerts on the park district's web site. Sue Hagan informed us that alerts are placed on the park's Facebook page and she will look into posting alerts on the web site. Amy also inquired into the possibility of creating an e-mail address for the Board, Sue will pursue that as well.

### **Park Updates:**

County Wide Survey: Four RFP's were sent out, proposals are due 3.6.15.

Logan master Plan: The Board received the schedule for the first step in the master planning process. Elements included in this step will be completed in September.

DHP board walk: Construction on the new board walk has begun.

Bike trail: Survey work for the bike trail from Meredith State Road to North County Line Road is underway.

Clean Ohio Grant: For land acquisition was submitted last Friday.

Shale Hollow Parking lot update – The design for the parking lot is underway.

R-O-W Appraisal: A section of the abandoned rail road bed in Sunbury is being appraised as part of an acquisition effort.

Amy Clark / Bader Fund: Beginning in 2015 The Delaware Community Foundation will suspend collecting fees on this fund.

Donation: The Community Market has made a donation to the District's Fund at the Delaware Community Foundation.

**New Business:**

1. Resolution 2015 – 313 Requesting ODOT Biennium Funding

**WHEREAS**, the Board of Park Commissioners (the Board) for Preservation Parks of Delaware County has need for improvement of public park roadways owned and maintained by the Park District in Delaware County; and

**WHEREAS**, the Park District was created according to Ohio Revised Code 1545, owns or holds at a minimum a 15-year lease of eligible parkland for roadwork funding, and has adequate, available resources for the construction and maintenance of requested park road improvements; and

**WHEREAS**, the Ohio Park Districts Roadwork Fund is provided by the Ohio Department of Transportation (ODOT) for such purposes as authorized by Ohio Revised Code 5511.06, is subject to the Park District Guidance To ODOT's Metropark Program as prescribed by ODOT, and is coordinated by the Ohio Parks & Recreation Association (OPRA); and

**WHEREAS**, Section II, paragraph 1A, of the Annual Agreement between ODOT and OPRA requires a two-year list of priority projects for the Metroparks Program to be submitted to ODOT for Department-wide posting and distribution. In order to comply with this provision, each Metropark is required to submit their two-year list of priority projects to OPRA.

**WHEREAS**, the Board is cognizant of the requirements for receiving such funds, and agrees to comply with the OPRA Policy dated April 13, 2007 and as amended on November 7, 2008 by the Ohio Parks and Recreation Association (OPRA) Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Park Commissioners of the Preservation Parks of Delaware County requests the designated allocation from the Ohio Parks Districts Roadwork Fund along with any remaining balance of funds in accordance with the following stipulations:

Funds can be used for materials and labor necessary for construction or reconstruction of park drives, park roads, new or replacement bridges, park access roads and parking lots. The funds also may be used for the purchase and hauling of materials for the improvement, repair and maintenance of park drives, park roads, park access roads, and parking lots, and rental of labor and equipment. Force account labor costs (charges by park district employees or associates) are ineligible. Ineligible costs include bikeways and items such as shelter houses, wells, pumps, restrooms facilities, park buildings, etc. All projects must be associated with public vehicular

access to be eligible for funding. Funds may be used for eligible construction costs, including construction engineering (i.e., testing and inspection) of "LET" projects.

The Park District will pay all costs incurred over the appropriated allocation and, also, for all costs associated with design, environmental studies and documents, and right-of-way activities. Any deviation from the guidelines regarding environmental studies or roadway design requires the written approval of ODOT.

Preservation Parks of Delaware County designates Thomas G. Curtin as the contact person for the local arrangements to sign all documentation on behalf of the Board of Park Commissioners.

B. Ruhl moved that Resolution 2015 – 313 be approved, D, Boysel seconded and all members voted aye.

## 2. Rockford Homes Construction Agreement

### **Cost Plus Construction Agreement**

This Cost Plus Construction Agreement ("Agreement") is made this \_\_\_ day \_\_\_\_\_, 2015, between Rockford Homes Inc. ("Rockford") whose tax mailing address is 999 Polaris Parkway, Suite 200, Columbus, Ohio 43240 and The Preservation Park District of Delaware County, ("Parks") whose tax mailing address is 2656 Hogback Road, Sunbury, Ohio 43074 under the following circumstances:

- I. Parks is the owner of real property along the South side of Hyatts Road, Delaware County, Liberty Township, which property is to the east of and adjacent to property owned by Rockford.
- II. Rockford is in the process of undertaking, and paying for, a necessary improvement within the Hyatts Road right-of-way, and the Parks has requested during this time Rockford install a gravel access with culvert on the Parks property off of Hyatt's Road.
- III. To facilitate this improvement, Rockford and Parks agree on the terms hereinafter set forth.

**NOW THEREFORE**, in order to allow for the improvement upon the Park's property during the Hyatt's Road improvement process, and in consideration of the mutual covenants and benefits stated herein, Parks and Rockford are subject to the following terms and conditions.

- A. Parks will pay for within 30 days of billing the following: engineering, Delaware County inspection, material and labor for the installation of the gravel access.
- B. Rockford will contribute \$2,000.00 toward the total improvement.
- C. Rockford's scope of work shall be limited to installation of the access drive per the approved engineering plans provided by the Parks and obtaining final acceptance from Delaware County.

Parks' obligation is strictly limited to costs relating directly to the construction and installation of the culvert and gravel access. Parks has no obligation for any cost related to any other portion of Rockford's construction site, including, but not limited to, Rockford's construction of turn lane and grading for which Rockford is solely responsible. Parks will be notified if the estimated costs for engineering (\$2,700.00) and construction (\$6,000.00) will be exceeded.

- D. This agreement may be amended only by an instrument in writing signed by both Parks and Rockford.
- E. The persons executing this agreement on behalf of Parks and Rockford represent to the other party that they are duly authorized to execute this agreement on behalf of such party.
- F. This agreement shall be governed by, and construed solely in accordance with, the laws of the State of Ohio. The parties hereby submit to local jurisdiction in the State of Ohio and agree that any action relating to this agreement shall be instituted solely and exclusively in Delaware County, Ohio.

D. Boysel moved to enter into Cost Plus construction agreement with Rockford Homes, B. Ruhl seconded and all members voted aye.

3. Resolution 2015 – 315 General Fund transfer to Bond Retirement Fund

In the matter of approving the transfer of funds from the expenditures transfers general fund to the revenues bond fund as follows:

**Transfer of General Funds**

| <b>From:</b>                          | <b>To:</b>                     |              |
|---------------------------------------|--------------------------------|--------------|
| 72329111 – 5801                       | 76392911 – 4601                | \$428,882.00 |
| Administration General (Transfer Out) | Bond Retirement Fund (Revenue) |              |

Now therefore, the Board of Park Commissioners of Preservation Parks approves the transfer of \$428,882 from the General Fund Expenditures to the Bond Retirement Revenue Fund, effective upon receipt.

D. Boysel moved to approve the resolution, J. Bader seconded and all members voted aye.

4. Surplus property – office desk

D. Boysel moved to declare the office desk surplus, B. Ruhl seconded and all members voted aye.

**Department Reports:** The department reports were accepted as presented

**Old Business:**

1. Resolution 2015 – 312 Budget Revision

**In the matter of approving revised appropriations to the general fund the budget request is listed below with details for each org key attached. In addition there is a new org key for ODNR Watercraft – River Run and details are attached.**

Approval of the following changes are requested.

**72392001 – Preservation Parks**

**REVENUE**

| Category             | Current Budget        | Changes            | Revised               |
|----------------------|-----------------------|--------------------|-----------------------|
| 410                  | \$3,336,276.00        | \$0                | \$3,336,276           |
| 420                  | \$23,600.00           | \$0                | \$23,600.00           |
| 450                  | \$1,352,397.00        | \$50,123.00        | \$1,402,520.00        |
| 470                  | \$30,000.00           | \$0                | \$17,000.00           |
| <b>Total Revenue</b> | <b>\$4,759,273.00</b> | <b>\$50,123.00</b> | <b>\$4,809,396.00</b> |

**72392001 – Preservation Parks**

**EXPENSES**

| Category                  | Current Budget        | Changes             | Revised               |
|---------------------------|-----------------------|---------------------|-----------------------|
| 500                       | \$1,450,344.00        | 0                   | \$1,450,344.00        |
| 510                       | \$568,950.00          | 0                   | \$568,950.00          |
| 520                       | \$318,370.00          | \$43,675.00         | \$362,045.00          |
| 530                       | \$598,380.00          | \$22,455.30         | \$620,835.30          |
| 540                       | \$1,110,748.00        | \$184,547.50        | \$1,295,295.50        |
| 560                       | \$132,426.11          | 0                   | \$132,426.11          |
| 570                       | \$10,445.00           | \$(2,808.00)        | \$7,637.00            |
| 580                       | \$428,882.00          | 0                   | \$428,882.00          |
| 590                       | \$274,454.00          | \$421,342.00        | \$695,796.00          |
| <b>Total Expenditures</b> | <b>\$4,784,573.00</b> | <b>\$674,237.91</b> | <b>\$5,458,810.91</b> |

B. Ruhl moved to adopt resolution 2015 -312, D. BoyseI seconded and all Board members voted aye.

2. Resolution 2015 – 314 Easement for Highway Purposes

**WHEREAS**, on January 28, 2015, Preservation Park District of Delaware County granted to the Board of County Commissioners of Delaware County, Ohio an easement for highway purposes along Hyatts Road, and

**WHEREAS**, on January 30, 2015 the easement was filed for record by Rockford Homes, and

**WHEREAS**, the easement was not in a form approved by and was recorded without the consent of Delaware County, and

**WHEREAS**, the Board of Park Commissioners desires to rescind the motion to enter into the easement made at the January Board meeting and make a motion to approve an easement in a form approved by Delaware County Commissioners,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Park Commissioners hereby rescinds the original motion and accepts the revised easement for highway purposes along Hyatts Road.

B. Ruhl moved to adopt resolution 2015 – 314, D. Boysel seconded and all Board members voted aye.

3. Evaluation tool - the Board was provided with a second draft of the proposed employee evaluation tool. No action was required

**Executive Session:**

B. Ruhl made a motion to go into executive session at 1:59 pm to discuss land acquisition, discipline of an employee and issues of employment. J. Bader seconded, roll call was taken and all members voted aye.

1. Land
2. Personnel

The Board came out of executive session at 2:37 pm, no action was taken.

D. Boysel moved to adjourn the meeting at 3:02 pm, B. Ruhl seconded and all members voted aye.