

REGULAR MEETING OF THE BOARD OF PARK COMMISSIONERS

ANDERSON TOWNSHIP PARK DISTRICT

December 2, 2010

Dale Bartholomew, President, called the regular meeting of the Board of Park Commissioners of the Anderson Township Park District to order at 6:30 pm at Park District headquarters, 8249 Clough Pike, Cincinnati, OH 45244. Present were Board Members: Dale Bartholomew, Angie Stocker (arrived at 6:35 p.m.), J. Duffy Beischel, Josh Gerth, and Nadine Gelter.

Also present were: Ken Kushner, Executive Director; Emily Armstrong, Assistant Director/Board Clerk; Brian Jordan, Financial Officer; Mike Smith, Operations Manager; Scott Lahman, Recreation Manger; and Sheila Fehn, Office Manager.

GUESTS: Scott Fehn; John von Wahlde; Dave Thibodeau; Kevin Piers; Barry Martin; John Sherwin; Lisa Wakeland, Forest Hills Journal; Tom Turchiano.

PLEDGE OF ALLEGIANCE

AGENDA: Mr. Bartholomew moved the Board approve the Agenda. Mrs. Gelter seconded the motion. Voting: Yes: Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (4); No: None. The motion carried.

PUBLIC TO ADDRESS THE BOARD:

The following represents a condensed version of the conversation that took place between the guests at the meeting and the ATPD Board and staff; it is not verbatim.

Mr. Barry Martin stated he is a resident of Anderson Township, and that he came before the Board tonight to show his support and appreciation of the ATPD. He thanked the ATPD for the recreational opportunities it provides the community. He is a long-time user of various ATPD sports fields and is the recent past-president of the Forest Hills Youth Football (FHYF) program. He stated the ATPD's decision to build synthetic fields at Riverside Park was a good thing for the community and for sports. He said everyone who represents the ATPD does a great job. He appreciated the ATPD's support of the FHYF program this past fall when FHYF was without fields on short notice. He wished to address a misrepresentation of the FHYF program from last month's Board Meeting. The FHYF program is not bankrupt, and the FHYF program does not have the goal to make a profit. **Mr. Martin** stated he is appreciative of everything the ATPD does for the community and thanked the Board for the opportunity to express his opinion.

The Board thanked Mr. Martin for taking the time to attend the meeting.

OLD BUSINESS:

W. M. Johnson Hills Park ~ Update: Mr. Kushner stated Ms. Kreinbrink, Senior Archaeologist with Natural and Ethical Environmental Solutions, continues to conduct the site analysis of W. M. Johnson Hills Park.

Riverside Park ~ Dry Run Sewer Extension, Phase II: Mr. Kushner stated he had nothing new to report at this month's meeting regarding the Dry Run Sewer Extension.

Mr. Beischel stated in a recent conversation with Mr. Mark Schmidt, Mr. Schmidt told him MSD believes they are waiting for the ATPD to get back to MSD. He suggested Mr. Kushner contact the Metropolitan Sewer District (MSD) to check on the progress of the Dry Run Sewer project and to inquire about MSD's response concerning how MSD could work around the All Weather Fields. Mr. Beischel stated Mr. Schmidt also told him MSD was interested in digging a second well which is used for irrigation. Mr. Beischel said he recalls MSD took the well offer off the table in 2009.

Mr. Bartholomew suggested Mr. Kushner get MSD's response in writing regarding who the current MSD project contact is, as well as the status of the project. He stated he still has reservations about the loss of any athletic field use, should the sewer result in the natural turf being disturbed on the park side of Roundbottom Road.

Mrs. Gelter stated since the early 1990's the ATPD has been hearing about what MSD says it is going to do, and that she believes it is MSD's obligation to come to the ATPD if MSD wants something from the ATPD.

Mr. Kushner stated at the September 8, 2009 meeting with MSD at Riverside Park, MSD requested the ATPD's plans for the All Weather Fields to see how MSD might be able to work around the All Weather Fields. He reported he submitted the requested plans, and that MSD still has not gotten back to the ATPD. Mr. Kushner said wells can only be dug in certain places, and a new well would need to be dug much deeper than the existing well.

Laverty Park ~ Parking Lot Resurfacing: Mr. Kushner reported Blue Chip Pavement Maintenance, Inc. deducted \$820 from the original invoice to account for the 16 tons of asphalt not delivered. He reported the final cost for the Laverty Park parking lot re-surfacing was \$13,975.00. He stated he expressed the ATPD's dissatisfaction with the job to the company. He reported the warranty is for 5 years, but a warranty is meaningless if the company goes out of business.

Laverty Park Playground Renovation: Mr. Kushner reported the new playground is currently under construction and that the new fencing has been installed behind the basketball court.

Beech Acres Park ~ Cell Tower: Mr. Kushner reported he had nothing new to report regarding T-Mobile's request to sublease Beech Acres Park cell tower space to Clear Wireless.

NEW BUSINESS:

Mr. Kushner requested the Board discuss the Project Cost Analysis item next, in order to allow Mr. Kevin Piers to address the Board.

Project Cost Analysis: **Mr. Piers** introduced himself as one of the owners of Decorative Paving, Co. He stated the Park Board should be commended for thinking outside the box for the Riverside Park permeable paver parking lot. He said permeable paver parking lots are significantly beneficial to the environment as they provide sustainable means to contend with rainwater run-off, distinctly decreasing pollution to the watershed as compared to asphalt lots. He believes most parking lots in the future will be made of permeable pavers because they are cost effective, they eliminate the need for separate retention/detention areas and catch basins, and they work well. He initially had reservations about the ATPD serving as the general contractor, but after working with Mike Smith and the ATPD Operations crew, he wants the Board and the citizens of Anderson to

know the ATPD has first class employees. He said the ATPD staff conducted business professionally, promptly, and correctly. **Mr. Piers** stated while the permeable paver lots are initially more expensive than asphalt, they have a big pay-off over the 30 year life of the lot. He suggested the ATPD use a boot on snow plows when plowing this type of lot. In his opinion, the ATPD's ability to do ground work on this type of project saves a significant amount of money.

Mr. Beischel stated while permeable paver parking lots are perceived to be expensive, considering that the long term costs of asphalt maintenance is higher, the ATPD should consider more of these lots in the future.

The Board thanked Mr. Piers for taking the time to attend the meeting.

2010 Field User Residency Report: Mr. Kushner reported all but one organization submitted their rosters this past year in order for the ATPD to determine the number of Anderson Residents being served on park facilities.

Mrs. Fehn stated the organization that did not provide its rosters to the ATPD paid full price for the fields and paid a fine. She further stated the roster information is used to determine the allocation of fields, and that the allocation for this organization in 2011 will be affected.

2010 Yearly Facility Comparison Report: Mr. Kushner reported shelter rental numbers were up again in 2010. He stated the ATPD had 308 shelter rentals, representing 15,673 users, and that the shelters serve many more people who use the shelters on a walk-on basis.

Project Cost Analysis: Mr. Kushner presented a draft Project Cost Analysis for three ATPD construction projects, comparing the cost difference between contracting out the projects, versus the ATPD contributing labor and equipment for the projects. He identified the three projects as: the Riverside Park Riverbank Restoration; the Riverside Park Synthetic Turf Fields; and the Riverside Park Permeable Paver Parking Lot. Mr. Kushner said the comparison numbers were derived from engineer's estimates to complete the projects. He stated the analysis confirms the ATPD's construction practices result in a significant savings of tax dollars, enabling the ATPD to work within the operating budget while enhancing the park system. He reported the savings amounted to \$1.6 million on the projects listed, and that the projects would have cost \$4 million had all components of the project been contracted out. Mr. Kushner stated the final analysis will be posted on the ATPD's website.

Mr. Beischel stated that people, in general, do not believe government can do things well or efficiently, and therefore, the ATPD should relate this information to our residents.

Mr. Dave Thibodeau stated the ATPD has been operating on 1.9 mill levies since 1992, and that taxpayers do not know the ATPD has done so much without asking for more money. He said Cincinnati Magazine listed the Anderson parks as the "best of the city". He believes Anderson has quality fields, that the community wants to use them, and that the parks are a primary reason why people choose to live in Anderson. He also stated it is the job of the Board to provide the best fields for taxpayers.

Mr. Tom Turchiano stated he represents the Forest Hills Youth Football (FHYF) program, and that the 2010 Southern Ohio Youth Football Association (SOYFA) injury report listed FHYF with

the least number of injuries. He said FHYP was listed at 4%, while others who played on grass were listed between 20%-30%. He said the FHYP program voted to use the Riverside Park All Weather Fields for all practices and games for their 2011 season.

Mrs. Stocker stated the cost of ATPD fields was reported to be significantly higher than other fields in the area. She asked Mr. Turchiano to compare the ATPD's rates with others in the area.

Mr. Turchiano stated the ATPD's fees were less than others in the area and that the ATPD has fewer scheduling challenges than others in the area. He said he appreciated the ATPD's efforts to work with FHYP to overcome their significant scheduling issues earlier this year. He stated the synthetic field is like a field of dreams, and that all the kids were thrilled to play at Riverside Park, especially with the lights. He stated the FHYP program is promoting their organization by advertising the Riverside Park All Weather Fields as the safest fields available. He understands the G-Max rating on this type of All Weather Fields is the lowest in the city.

Mr. Beischel stated one of the primary reasons he was interested in becoming a Board member was because he wanted safe fields for all kids. He requested Mr. Turchiano provide a copy of his organization's injury report to the ATPD.

Mr. Kushner reported the ATPD's field fees have stayed the same for the fourth year in a row. He said the All Weather Fields were specifically designed to be universal, serving soccer, lacrosse, and football, and that the layout of the fields enables Division A baseball games. He reported the ATPD opened the All Weather Fields for walk-on on Thanksgiving, and that the ATPD plans to make this a tradition with more advertising in the future.

Recreation Department Reports: Mr. Lahman gave a brief presentation of the Recreation Department Financial Reports. Mrs. Gelter commended Staff for the reports.

Mr. Bartholomew suggested Staff make local scout groups aware that W. M. Johnson Hills Park is currently available for overnight camping.

Ohio Parks and Recreation Association (OPRA) 2010 Awards of Excellence: Mr. Kushner reported the ATPD won the following 2010 Awards of Excellence from OPRA:

- **Run to Remember 5K**, 1st Place, Health and Wellness Programming;
- **Greater Anderson Days Event Poster**, 3rd Place, Marketing Print Publications

Counsel's Response to Petition: Mr. Kushner gave a brief presentation of ATPD legal counsel's response to Mr. Mark Schmidt's Petition presented at the November meeting.

FUNDRAISING AND GRANT ACTIVITY:

Sponsorship Program: The Board reviewed the 2010 Sponsorship Program.

REQUESTS FOR APPROVAL:

Re-Appropriation of the Budget and Exchange of Surplus Equipment:

Mrs. Stocker moved the Board declare the ATPD's 1995 550 Case Bull Dozer as surplus and re-appropriate the budget in order to buy a used 2004 650K Case Bull Dozer for a final purchase amount of \$45,000.00 including trade in, by the following means:

- Transfer \$45,000.00 from the Johnson Hills Park account, 1000-760-700-0000, to the Major Equipment account, 1000-610-500-4002.

Mr. Gerth seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Resolution 2010-17 ~ 2011 Equipment Lease: Mr. Beischel moved the Board approve **Resolution 2010-17, authorizing an Equipment Lease-Purchase Agreement** with Fifth Third Bank for certain equipment at an interest rate of 2.02%. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Resolution 2010-18 ~ Amended Certificate All Resources: Mrs. Gelter moved the Board approve **Resolution 2010-18, approving the final revenues and final summary budget appropriations** for 2010. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Resolution 2010-19 ~ Auditor's Tax Advance Request: Mrs. Gelter moved the Board approve **Resolution 2010-19, requesting an Advance Payment of Taxes** to be drawn on the undivided real estate tax fund. Mr. Beischel seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Resolution 2010-20 ~ Land and Water Conservation Fund Grant: Mr. Beischel moved the Board approve **Resolution 2010-20, authorizing application for a Land and Water Conservation Fund grant** for Kellogg Park. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Resolution 2010-21 ~ Recreational Trails Program Grant: Mr. Gerth moved the Board approve **Resolution 2010-21, authorizing application for a Recreational Trails Program grant** for W. M. Johnson Hills Park. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Duke Energy Retail Sales Agreement: Mr. Beischel moved the Board approve the Duke Energy Retail Sales Agreement at the fixed price of \$.063/kWh through the December 2012 meter read. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

At 7:47 pm, the guests left the meeting and the Board took a break.

At 8:00 pm, the Board resumed the meeting.

2011 BUDGET: After review and discussion of the revenue and appropriation proposal, Mr. Beischel moved to:

- 1) Approve the 2011 budget receipts and appropriations; with the understanding that the carry-over balance is currently a projection which is finalized when the books are closed for 2010. When the actual carry-over is determined at the close of the year, the difference shall be added or deleted from appropriations and receipts as necessary.

2) Authorize the Financial Officer to make the necessary adjustments and set up the 2011 appropriations, receipts, and purchase orders to pay invoices accordingly prior to the January meeting.

Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

2011 Holidays: Mrs. Gelter moved the Board approve the 2011 Holidays as presented. Mr. Gerth seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Additional 2010 Half-Day Holiday: Mr. Beischel moved the Board approve each full-time employee receive an additional half-day holiday to be used any of the following days: Thursday, Dec. 23, Monday, Dec. 27, Thursday, Dec. 30, or Monday, Jan. 3, as a reward for a job well done in 2010. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

2011 Field Use Policies: Mr. Gerth moved the Board approve the 2011 Field Use Policies as presented. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

2011 All Weather Field Policies: Mr. Gerth moved the Board approve the 2011 All Weather Fields Policies with the corrections as discussed. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Purchase Orders Approval: Mrs. Stocker moved the Board approve the following between-meeting Purchase Orders:

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|--|---------------------------|-------------|
| <i>David Williams & Associates</i> | <i>Laverty Playground</i> | \$56,721.45 |
| <i>Advanced Turf Solutions</i> | <i>Seed</i> | \$ 7,200.00 |
| <i>Arnold Printing</i> | <i>Park Guide</i> | \$ 7,000.00 |

Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

FINANCIAL REPORTS AND AUTHORIZATION OF EXPENDITURES:

Mr. Bartholomew asked the November 2010 Financial Reports and Authorization of Expenditures presented by Mr. Jordan be tabled until the next meeting to allow for further review.

APPROVAL OF MINUTES:

Mrs. Gelter moved the Board approve the minutes of the **November 10, 2010 Regular Meeting**. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

At 8:53 pm Mr. Gerth moved the Board take a short break, then adjourn into Executive Session to discuss land acquisition and personnel. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

At 9:23 pm Mr. Gerth moved the Board adjourn the Executive Session and re-open the regular meeting. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Mr. Kushner stated he had two miscellaneous items remaining to discuss with the Board.
Liquor License Notice: Mr. Kushner informed the Board that he signed off on behalf of the ATPD as having no objection to the Ethel's Tavern application for a liquor license with the Division of Liquor Control.

Conflict of Interest: Mr. Kushner stated a representative of Dinsmore and Shohl contacted him to establish if the ATPD would have a conflict of interest concern regarding Dinsmore and Shohl's legal representation of a private property owner with whom the ATPD may choose to do business.

Mr. Beischel moved the Board take the position it has no issue with Dinsmore and Shohl's representation of said private property owner. Mr. Bartholomew seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

At 9:51 pm there being no further business to be brought before this Board, Mrs. Gelter moved to adjourn the meeting. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Gelter (5); No: None. The motion carried unanimously.

Submitted by,

Emily Armstrong
Assistant Director/Board Clerk

Dale Bartholomew

J. Duffy Beischel

Nadine Gelter

Josh Gerth

Angie Stocker