

# **SPECIAL MEETING OF THE BOARD OF PARK COMMISSIONERS ANDERSON TOWNSHIP PARK DISTRICT**

**April 16, 2015**

Dale Bartholomew, President, called the special meeting of the Board of Park Commissioners of the Anderson Township Park District (“ATPD”) to order at 5:55 pm at the Anderson Center, 7850 Five Mile Road, Cincinnati, OH 45230. Present were Board Members: Angie Stocker, Nadine Gelter, and Tom Turchiano.

**AGENDA:** Mrs. Stocker moved the Board approve the Agenda as presented in the special meeting posting. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Bartholomew, Mrs. Gelter, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

Also present were: Ken Kushner, Executive Director; Emily Armstrong, Assistant Director/Board Clerk; Brian Jordan, Financial Officer; Jessica Fall, Recreation Manager; Sheila Fehn, Office Manager; Marshal Carpenter, Recreation Supervisor; and Lorin Smith, Recreation Supervisor.

A brief discussion took place among the Commissioners regarding Mr. Bartholomew’s talking points for his address of the Trustees at their regular meeting.

The Commissioners took seats in the audience of the Trustees’ meeting, which was scheduled to begin at approximately 6:00 pm. The meeting was conducted by the Trustees, according to their agenda (attached).

Mr. Bartholomew spoke during the “Presentations and Recognitions” section of the Trustees’ meeting. On behalf of the Board of Park Commissioners, he thanked the Trustees for the opportunity to speak at their meeting. He said a recent Ohio Attorney General (“OAG”) opinion regarding the steps the ATPD takes to put a levy on the ballot has changed. Because of this change, the Board of Park Commissioners will not be presenting the recent community survey results before the Trustees tonight. He deferred to Margaret Comey, Law Director for Anderson Township, for the explanation of the OAG’s opinion.

Ms. Comey said representatives from the Township and the ATPD, along with counsel, met in early March to talk through the tax levy process and to review the statutes because they were concerned about whether or not it was appropriate that the Board of Trustees is authorized to consider the question of the submission of the Park Board’s levy to the Board of Elections. There was some disagreement about how to interpret the statute, so they agreed Ms. Comey would apply to the OAG for an opinion interpreting the statute and giving guidance as to how we should move forward. She said she asked the OAG to render their opinion expeditiously, considering the ATPD’s time deadlines. She said the OAG’s opinion was fortunately received on April 14<sup>th</sup>.

Ms. Comey said the bottom line of the OAG’s opinion was that since the ATPD owns property outside the unincorporated area of Anderson Township in the villages of Fairfax and Newtown, the authority of the Trustees is removed from considering requests by the ATPD to review a levy request.

Mr. Bartholomew said the ATPD would appreciate a future opportunity from the Trustees to present the survey results to the residents. He said the results were positive and supportive for the ATPD to get the Beech Acres land and improve the other parks. Now that the time constraint of the Trustees’ approval has been taken out of the process, the ATPD commissioners have more time to work hard to

reduce the levy amount. He thanked the community for the tremendous turnout for the survey. He said the community is strongly in support of what the ATPD is attempting to do to make the community a better place to live, work, and play.

He stated the next ATPD Board meeting is May 12<sup>th</sup> at the Juilfs Park Office at 6:30 pm. He said the survey results will be presented at the May 12<sup>th</sup> meeting by the consultant who conducted the survey, which is the same person who conducted the Forest Hills School District's survey last year.

A member of the audience said she didn't get the opportunity to fill out the ATPD's survey.

Mr. Bartholomew said the ATPD mailed hard copies of surveys to people who requested them, since some people do not have access to a computer. He stated a hard copy of the survey was sent to the woman she was sitting next to in the meeting.

Mr. Jackson, Trustee, redirected the audience's questions to the Trustees, and reminded the attendees this was a meeting of the Anderson Township Board of Trustees. He said the Trustees were prepared to vote on the ATPD's levy request, until they received the OAG's opinion the day before that they no longer are required to do so.

Mr. Bartholomew welcomed the public to direct their questions to the ATPD, so they can be answered appropriately. He thanked the Trustees for the opportunity to speak before them.

The Public Forum section of the Trustees' meeting included comments from the public and the Trustees regarding various topics, including: the OAG's opinion; Township government responsibilities and authority over the Park Board; W. M. Johnson Hills Park; and a proposed levy. The Public Forum will be represented in the April 16, 2015 meeting minutes of the Board of Trustees.

At 7:10 pm, the Trustees' meeting continued while the ATPD Board members and staff gathered in the adjacent hallway.

Mr. Bartholomew stated that Mr. Turchiano left the meeting earlier in the meeting.

A brief discussion took place regarding staff's witnessing of misinformation that was purposefully being disseminated by members of the audience to other members of the audience in the meeting.

Mrs. Armstrong said certain members of the public regularly state they do not know what the ATPD is proposing for the levy and/or for W. M. Johnson Hills Park ("JHP"), yet the survey information, the levy information, and the JHP plans and explanation have been online at AndersonParks.com.

Mr. Kushner said addressing residents' questions and explaining the ATPD's perspective on matters are priorities. He stated if people really wanted to know what is going on it seems he would get more phone calls or emails.

Mrs. Gelter said it is the ATPD's responsibility to continue to provide the community access to the ATPD's information. She stated staff should continue to encourage the community to get informed so they can make their own decisions and ask questions. Those who do not wish to know the truth will continue to find other sources to provide them with incomplete or false information.

At 7:15, there being no further business to be brought before this Board, Mrs. Stocker moved to adjourn the meeting. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Stocker, Mr. Bartholomew, and Mrs. Gelter. (3); No: None. The motion carried unanimously.

*I hereby certify that the foregoing are the minutes of the April 16, 2015 special meeting of the Board of Park Commissioners, which minutes reflect the essence of the meeting and are not verbatim.*

*Emily Armstrong*  
*Board Clerk*

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Dale Bartholomew

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Nadine Gelter

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Angie Stocker

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Tom Turchiano