

MINUTES – REGULAR SESSION
Board of Park Commissioners & Governing Board of the
LORAIN COUNTY METROPOLITAN PARK DISTRICT

Date: Tuesday, March 21, 2023
Time: 5:32 p.m.
Place: Kopf Family Golf Course at Cherry Ridge (Clubhouse)
Present: Commissioners: Kenneth M. Lieux, Chairman
Sherrill M. McLoda, Vice-Chairman
Joseph E. Hribar
Legal Counsel: Dennis M. O'Toole
Director/Secretary: James E. Ziemnik
Park Staff: Jennifer L. Bracken, Assistant Director
Visitor: Barbara Fieger, President, Friends of Metro Parks

OPENING OF MEETING

Roll call by Director/Secretary: Kenneth M. Lieux – Aye
Sherrill M. McLoda – Aye
Joseph E. Hribar – Aye

Chairman Lieux declared all members present and opened the meeting.

OLD BUSINESS:

- A. Approval of the minutes of the February 23, 2023 Regular Session. The minutes were distributed prior to the meeting, enabling the commissioners to read them in advance. Commissioner Hribar motioned and Commissioner McLoda seconded the motion for approval; motion passed unanimously this 21st day of March, 2023.
- B. The Director/Secretary advised the Board of the Statement of Accounts.
- C. **Resolution 2023-20.** Payment of accounts payable. Motion by Commissioner McLoda for adoption of Resolution for payment of line items on the Cash Disbursements Journal for the period of February 1 to February 28, 2023 and on the Aged Payables reports dated February 28 and March 21, 2023; and ratification of payments on Exhibit A; seconded by Commissioner Hribar. The Chairman then called for the individual line item votes of the Commissioners to be approved for payment by at least a majority of the Commissioners, and be certified by the Treasurer and Secretary of the Board of Park Commissioners for issuance of checks for payment. The line item votes of the Commissioners were cast as follows:

Commissioner Lieux: Affirmative for all line items on the Cash Disbursements Journal for the period of February 1 to February 28, 2023 and on the Aged Payables reports dated February 28 and March 21, 2023 and affirmative for ratification of payments on Exhibit A.

Commissioner McLoda: Affirmative for all line items on the Cash Disbursements Journal for the period of February 1 to February 28, 2023 and on the Aged Payables reports dated February 28 and March 21, 2023 and affirmative for ratification of payments on Exhibit A.

Commissioner Hribar: Affirmative for all line items on the Cash Disbursements Journal for the period of February 1 to February 28, 2023 and on the Aged Payables reports dated February 28 and March 21, 2023 and affirmative for ratification of payments on Exhibit A.

RESOLUTION 2023-20:

BE IT RESOLVED by the Board of Park Commissioners of the Lorain County Metropolitan Park District that we deem it necessary and in the best public interest to ratify the payments on Exhibit A and to direct and authorize the issuance of checks for payment of all line items on the Cash Disbursements Journal for the period of February 1 to February 28, 2023 and on the Aged Payables reports dated February 28 and March 21, 2023, as approved for payment by vote of at least a majority of the Board of Park Commissioners. The Cash Disbursements Journal, Aged Payables reports, Exhibit A, and the commissioners' votes are hereby made a part of the minutes of this meeting on March 21, 2023.

Kenneth M. Lieux – Aye
Sherrill M. McLoda – Aye
Joseph E. Hribar – Aye

ATTEST _____ APPROVED _____
James E. Ziemnik, Director/Secretary Kenneth M. Lieux, Chairman

NEW BUSINESS:

- A. **Resolution 2023-21.** The Board of Park Commissioners authorized the Director/Secretary to seek certification of various levy funding options from the Lorain County Auditor for the pending expiration of the existing park levy, and do all things necessary to file the appropriate paperwork; motioned by Commissioner Hribar, seconded by Commissioner McLoda, passed unanimously this 21st day of March 2023.

RESOLUTION 2023-21:

BE IT RESOLVED by the Board of Park Commissioners of the Lorain County Metropolitan Park District that we deem it necessary and in the best public interest to authorize the Director/Secretary to seek certification of various levy funding options from the Lorain County Auditor for the pending expiration of the existing park levy, and do all things necessary to file the appropriate paperwork.

ATTEST _____ APPROVED _____
James E. Ziemnik, Director/Secretary Kenneth M. Lieux, Chairman

- B. **Resolution 2023-22**

Request for Funds from the Ohio Department of Transportation (ODOT) and Designation of Projects for Ohio Park Districts Roadwork Fund FY 2024-2025 through the Ohio Parks and Recreation Association (OPRA)

WHEREAS, the Board of Park Commissioners (the "Board") of the Lorain County Metropolitan Park District has need for improvement of public park roadways owned and maintained by the Park District in Lorain 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, the Board is cognizant of the requirements for receiving such funds and agrees to comply with the OPRA Policy, as clarified at the Meeting on December 7, 2010, park districts are prohibited from accumulating more than three (3) Bienniums (six years) of *unused* funds.

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; and

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

- 1.) 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, restroom 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.
- 2.) 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.
- 3.) Lorain County Metro Parks Director James E. Ziemnik is designated as the contact person for the local arrangements to sign all documentation on behalf of the Board of Park Commissioners.

Commissioner McLoda motioned and Commissioner Hribar seconded the motion for adoption of the foregoing Resolution. Thereupon the Commissioners unanimously declared said resolution to be adopted as provided by law this 21st day of March, 2023.

ATTEST _____ APPROVED _____
James E. Ziemnik, Director/Secretary Kenneth M. Lieux, Chairman

- C. **Resolution 2023-23.** The Board of Park Commissioners accepted the terms of the donations of money and other property received by the Park District from July 1, 2022 through December 31, 2022 as described on Exhibit A, the same having been approved by Journal Entry of the Probate Court, and directed the Director/Secretary to reflect said acceptance in the record of donations of the Park District; motioned by Commissioner Hribar, seconded by Commissioner McLoda, passed unanimously this 21st day of March 2023.

RESOLUTION 2023-23:

BE IT RESOLVED by the Board of Park Commissioners of the Lorain County Metropolitan Park District that we deem it necessary and in the best public interest to accept the terms of the donations of money and other property received by the Park District from July 1, 2022 through December 31, 2022 as described on Exhibit A, the same having been approved by Journal Entry of the Probate Court, and direct the Director/Secretary to reflect said acceptance in the record of donations of the Park District.

ATTEST _____ APPROVED _____
James E. Ziemnik, Director/Secretary Kenneth M. Lieux, Chairman

- D. **Resolution 2023-24.** The Board of Park Commissioners authorized the Director/Secretary to enter into a Farming Agreement with the KHK Land Revocable Trust of Bellevue to farm a small parcel of Park-District-owned land along the North Coast Inland Trail in Huron County, all with the approval of legal counsel as to form; motioned by Commissioner McLoda, seconded by Commissioner Hribar, passed unanimously this 21st day of March 2023.

RESOLUTION 2023-24:

BE IT RESOLVED by the Board of Park Commissioners of the Lorain County Metropolitan Park District that we deem it necessary and in the best public interest to authorize the Director/Secretary to enter into a Farming Agreement with the KHK Land Revocable Trust of Bellevue to farm a small parcel of Park-District-owned land along the North Coast Inland Trail in Huron County, all with the approval of legal counsel as to form.

ATTEST _____ APPROVED _____
James E. Ziemnik, Director/Secretary Kenneth M. Lieux, Chairman

- E. **Resolution 2023-25.** The Board of Park Commissioners adopted the revisions to the Park District's Cash Handling Policy; motioned by Commissioner Hribar, seconded by Commissioner McLoda, passed unanimously this 21st day of March 2023.

RESOLUTION 2023-25:

BE IT RESOLVED by the Board of Park Commissioners of the Lorain County Metropolitan Park District that we deem it necessary and in the best public interest to adopt the revisions to the Park District's Cash Handling Policy.

ATTEST _____ APPROVED _____
James E. Ziemnik, Director/Secretary Kenneth M. Lieux, Chairman

- F. **Resolution 2023-26.** The Board of Park Commissioners approved the following revisions to the Lorain County Metropolitan Park District's First Amended Budget Appropriations for 2023 to the Permanent Annual Appropriations for 2023: Personnel Services (salaries and fringes) in the amount of \$7,698,730.00, and Other in the amount of \$14,787,200.36; motioned by Commissioner McLoda, seconded by Commissioner Hribar, passed unanimously this 21st day of March 2023.

RESOLUTION 2023-26:

BE IT RESOLVED by the Board of Park Commissioners of the Lorain County Metropolitan Park District that we deem it necessary and in the best public interest to approve the following revisions to the Lorain County Metropolitan Park District's First Amended Budget Appropriations for 2023 to the Permanent Annual Appropriations for 2023: Personnel Services (salaries and fringes) in the amount of \$7,698,730.00, and Other in the amount of \$14,787,200.36.

ATTEST _____ APPROVED _____
James E. Ziemnik, Director/Secretary Kenneth M. Lieux, Chairman

- G. Reports, requests and comments of the Director/Secretary
- H. Questions, requests and comments from the Commissioners to the Management
- I. Questions, requests and comments from the public to the Commissioners and to the Management
- J. Reports, requests and comments of Legal Counsel
- K. There being no further old or new business, the Chairman entertained a motion for adjournment. Commissioner Hribar motioned and Commissioner McLoda seconded the motion for adjournment. There being no objections or dissenting votes, the meeting adjourned at 6:04 p.m.

ATTEST _____ APPROVED _____
James E. Ziemnik, Director/Secretary Kenneth M. Lieux, Chairman