

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

Date: Thursday, February 23, 2023
Time: 9:30 a.m.
Place: Carlisle Visitor & Administrative Center
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: Paul J. Hruby, Jr., Assistant Director/Chief Ranger
Bonnie J. Burns, Administrative Services Manager/Treasurer
Joani Longbrake, Secretary
Visitors: Barb Fieger, President of Friends of Metro Parks
Lauren Hoffman, reporter, *The Morning Journal*
Absent: Park Staff: Jennifer L. Bracken, Assistant Director
Mariah Deitz, Public Information Officer

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 January 26, 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 23rd day of February, 2023.

B. The Director/Secretary advised the Board of the Statement of Accounts.

C. **Resolution 2023-12.** 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 January 1 to January 31, 2023 and on the Aged Payables reports dated January 31 and February 22, 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 January 1 to January 31, 2023 and on the Aged Payables reports dated January 31 and February 22, 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 January 1 to January 31, 2023 and on the Aged Payables reports dated January 31 and February 22, 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 January 1 to January 31, 2023 and on the Aged Payables reports dated January 31 and February 22, 2023 and affirmative for ratification of payments on Exhibit A.

RESOLUTION 2023-12:

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 January 1 to January 31, 2023 and on the Aged Payables reports dated January 31 and February 22, 2023, as approved for payment by vote of at least a majority of the Board of Park Commissioners. The Cash Dis-

bursements Journal, Aged Payables reports, Exhibit A, and the commissioners' votes are hereby made a part of the minutes of this meeting on February 23, 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 2023-13.** The Board of Park Commissioners certified the Annual Financial Report for the fiscal year ending December 31, 2022 and authorized filing the report with the Auditor of State and publishing such portions as prescribed by the State Auditor; motioned by Commissioner Hribar, seconded by Commissioner McLoda, passed unanimously this 23rd day of February, 2023.

RESOLUTION 2023-13:

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 certify the Annual Financial Report for the fiscal year ending December 31, 2022 and authorize filing the report with the Auditor of State and publishing such portions as prescribed by the State Auditor.

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

- B. **Resolution 2023-14.** The Board of Park Commissioners authorized the disbursement of the income from the Park District's endowment funds by the Community Foundation of Lorain County as detailed on Exhibit A; motioned by Commissioner McLoda, seconded by Commissioner Hribar, passed unanimously this 23rd day of February, 2023.

RESOLUTION 2023-14:

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 disbursement of the income from the Park District's endowment funds by the Community Foundation of Lorain County as detailed on Exhibit A.

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

- C. **Resolution 2023-15.** The Board of Park Commissioners authorized the Director/Secretary to waive fees, implement a bonus plan, authorize incentive programs, create recruitment programs, and offer other perquisites as needed to ensure lifeguard and water safety instruction employment viability. Said authorization is effective until incentives are no longer necessary, but will not exceed December 31, 2023; motioned by Commissioner Hribar, seconded by Commissioner McLoda, passed unanimously this 23rd day of February, 2023.

RESOLUTION 2023-15:

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 waive fees, implement a bonus plan, authorize incentive programs, create recruitment programs, and offer other perquisites as needed to ensure lifeguard and water safety instruction employment viability. Said authorization is effective until incentives are no longer necessary, but will not exceed December 31, 2023.

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

- D. **Resolution 2023-16.** The Board of Park Commissioners acknowledged 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, and authorized legal counsel to make application to the Probate Court for approval pursuant to Ohio Revised Code 1545.11, and secure Journal Entry of the Probate Court; motioned by Commissioner McLoda, seconded by Commissioner Hribar, passed unanimously this 23rd day of February, 2023.

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 acknowledge 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, and authorize legal counsel to make application to the Probate Court for approval pursuant to Ohio Revised Code 1545.11, and secure Journal Entry of the Probate Court.

E. **Resolution 2023-17.** The Board of Park Commissioners accepted the proposal from Jackson Dieken Associates Inc. of Westlake for law enforcement, public officials, and property/liability insurance for the Park District described on Exhibit A effective March 1, 2023 to March 1, 2024; motioned by Commissioner Hribar, seconded by Commissioner McLoda, passed unanimously this 23rd day of February, 2023.

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 proposal from Jackson Dieken Associates Inc. of Westlake for law enforcement, public officials, and property/liability insurance for the Park District described on Exhibit A effective March 1, 2023 to March 1, 2024.

F. **Resolution 2023-18.** The Board of Park Commissioners authorized the Director/Secretary to approve Change Order #3 in the amount of an increase of \$18,335.38 for Town Center Construction, LLC for the Amherst HealthPlex Roof Improvements project; motioned by Commissioner McLoda, seconded by Commissioner Hribar, passed unanimously this 23rd day of February, 2023.

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 approve Change Order #3 in the amount of an increase of \$18,335.38 for Town Center Construction, LLC for the Amherst HealthPlex Roof Improvements project.

- 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. Commissioner Hribar motioned and Commissioner McLoda seconded the motion to adjourn into Executive Session at 9:51 a.m. for the purpose of discussing property acquisition and personnel matters in accordance with Ohio Revised Code Section 121.22 (G) (1) through (6), and all members concurred. Roll call:

L. Chairman Lieux declared that the Executive Session was completed at 10:29 a.m. and returned to Regular Session. No action was taken in Executive Session.

- M. **Resolution 2023-19.** The Board of Park Commissioners authorized the amendment of the Director/Secretary's employment contract according to the terms and conditions contained in the amendment and incorporated into this motion, retroactive as of January 1, 2023, and authorized the Chairman to sign the same on behalf of the Park District, and all with the approval of legal counsel as to form; motioned by Commissioner McLoda, seconded by Commissioner Hribar, passed unanimously this 23rd day of February 2023.

RESOLUTION 2022-19:

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 amendment of the Director/Secretary's employment contract according to the terms and conditions contained in the amendment and incorporated into this motion, retroactive as of January 1, 2023, and authorize the Chairman to sign the same on behalf of the Park District, and all with the approval of legal counsel as to form.

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

- N. 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 10:30 a.m.

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