

Regular Board Meeting – January 27, 2016

RESOLUTION SUMMARY

<b>Resolution</b>	<b>Description</b>	<b>Byers</b>	<b>Doneghy</b>	<b>Savage</b>	
<b>Resolution No. 01-16</b>	Authorizing Blue Water Communications to Negotiate for Advertising Purchases	Motioned		2 <sup>nd</sup>	Approved
<b>Resolution No. 02-16</b>	Expense Approval, Ottawa Streetscape Improvements and Bike Path, City of Toledo, Lucas County, Ohio	Motioned		2 <sup>nd</sup>	Approved
<b>Resolution No. 03-16</b>	Approval to request funding through the Recreational Trails Program	Motioned		2 <sup>nd</sup>	Approved
<b>Resolution No. 04-16</b>	Approval to request funding through the Clean Ohio Trails Fund	Motioned		2 <sup>nd</sup>	Approved
<b>Resolution No. 05-16</b>	Activity and Participant Registration Software	Motioned		2 <sup>nd</sup>	Approved
<b>Resolution No. 06-16</b>	Appointment of Treasurer	Motioned		2 <sup>nd</sup>	Approved
<b>Resolution No. 07-16</b>	Authorize Purchase of Insurance Services for General Liability, Public Officials Liability, Law Enforcement Liability, Employee Liability, Prior Acts, and Cyber Liability Coverages	Motioned		2 <sup>nd</sup>	Approved
<b>Resolution No. 08-16</b>	Schedule of Payables	Motioned		2 <sup>nd</sup>	Approved

*The mission of Metroparks of the Toledo Area is to conserve the region's natural resources by creating, developing, improving, protecting, and promoting clean, safe, and natural parks and open spaces for the benefit, enjoyment, education, and general welfare of the public.*



## Board Minutes

**METROPOLITAN PARK DISTRICT OF THE TOLEDO AREA**  
**WEDNESDAY, JANUARY 27, 2016, 8:30 A.M.**  
**WARD PAVILION – WILDWOOD METROPARK PRESERVE**

Commissioners Present:

Scott Savage, President  
Fritz Byers, Vice President

Absent - Lera Doneghy, Vice President

Stephen W. Madewell, Executive Director  
David Smigelski, Legal Counsel

Staff present: Dave Zenk, Matt Cleland, Jill Molnar, Tim Schetter, Joe Fausnaugh, Carla Westbrook, Cathy Marinelli, Denise Johnson, Scott Carpenter, Michelle Grigore, Heather Mosqueda, Robin Brown, Ashley Smith, Heather Norris, Nate Ramsey, Doug Carr and Kyle Robinson.

1. NON-RESOLUTION BOARD ITEMS

President Scott Savage called the meeting to order at 8:31 a.m.

Mr. Savage led the Pledge of Allegiance.

2. CONSENT AGENDA ITEMS

Mr. Fritz Byers made a motion for approval of consent agenda items, which also includes the disposition of the minutes of the previous meeting held on December 21, 2015. This motion was seconded by Mr. Scott Savage and approved.

3. CONSIDERATION OF REPORTS FROM DIRECTOR AND EMPLOYEES OF THE DISTRICT FOR YOUR REVIEW

A. Dr. Michelle Grigore – Director of Programming

Dr. Michelle Grigore presented an overview of programming in 2015 along with goals and strategies for 2016.

Mr. Byers is in line with our consultants' recommendations, user feedback, etc., and applauds these developments. Areas of importance are to deepen our outreach to schools, and recognizing that our user engagement has hit a plateau is paramount.

Mr. Savage stated that he appreciates the details, the metrics, and the opportunity to serve additional people with these strategies outlined for 2016 and beyond.

B. Carla Westbrook, Director of Finance/Treasurer

Mrs. Carla Westbrook thanked Mr. Savage and Mr. Byers for the opportunity here at Metroparks. Mr. Byers stated he wanted to personally thank her for her services throughout these years. Mr. Savage mentioned that in 2014 she received an award from the auditor of state for a clean audit report. He thanked her for her services and also stated that she will be missed.

Mrs. Westbrook stated that at the end of December 2015, expenses are at 90% of budget, which is normal for this time of year.

One item Mrs. Westbrook and Mr. Matt Cleland looked into was the appearance of deficit spending in grant funds. The timing of cash flow for reimbursement grants creates this appearance, and all grant spending is within allocated amounts.

Mr. Byers stated that the budgeting for 2015 proved to be a very good tool. He inquired if Mrs. Westbrook foresees any concerns with the governmental transfers. Mrs. Westbrook said she does not foresee any issues; the county auditor's office is going through some changes, but the revenue will be transferred appropriately.

4. BOARD APPROVAL OF CONTRACTS, DEEDS, AGREEMENTS, ETC.

1. Mr. Byers offered and moved adoption of the following resolution, with a second by Mr. Savage:

Resolution No. 01-16 – Authorizing Blue Water Communications to Negotiate for Advertising Purchases

Mr. Scott Carpenter reported that this is our annual blanket purchase order regarding advertising with this company.

After discussion and upon unanimous vote the resolution was declared duly adopted and recorded in the appendix to these minutes.

2. Mr. Byers offered and moved adoption of the following resolution, with a second by Mr. Savage:

Resolution No. 02-16 – Expense Approval, Ottawa Streetscape Improvements and Bike Path, City of Toledo, Lucas County, Ohio

Mr. Dave Zenk stated that this has been discussed previously, but essentially this is the City stepping up to rectify conditions near Middlegrounds to aid in the creation of additional trails and connectivity to not only downtown, but also to additional Metroparks.

After discussion and upon unanimous vote the resolution was declared duly adopted and recorded in the appendix to these minutes.

3. Mr. Byers offered and moved adoption of the following resolution, with a second by Mr. Savage:

Resolution No. 03-16 – Approval to request funding through the Recreational Trails Program

Mr. Zenk stated that this is a re-submittal after receiving feedback from last year to increase trail connectivity with the Wabash Cannonball trail. Mr. Savage and Mr. Byers applaud Metroparks staff in working with outside resources to supplement the costs.

After discussion and upon unanimous vote the resolution was declared duly adopted and recorded in the appendix to these minutes.

4. Mr. Byers offered and moved adoption of the following resolution, with a second by Mr. Savage

Resolution No. 04-16 – Approval to request funding through the Clean Ohio Trails Fund

Mr. Zenk stated that this represents the western spine of the Oak Openings, and will ultimately connect Secor with Wiregrass Lake. The construction costs are slightly higher because of the category three wetlands and the need for a boardwalk to be built for the trail. Mr. Byers inquired about these additional costs, Mr. Zenk stated that it is virtually impossible to provide work arounds and ultimately have to build the boardwalk. Mr. Byers inquired as to how quickly we will get a response. Mr. Zenk responded that typically the award is announced mid-summer, and we are most likely considering for spring 2017. Mr. Byers thanked Metroparks staff for tracking down the outside resources to aid in the funding of this project. Mr. Savage remembers 10 years ago discussing about connectivity was very appreciative to Metroparks staff for making this happen.

After discussion and upon unanimous vote the resolution was declared duly adopted and recorded in the appendix to these minutes.

5. Mr. Byers offered and moved adoption of the following resolution, with a second by Mr. Savage:

Resolution No. 05-16 – Activity and Participant Registration Software

Ms. Heather Mosqueda stated that based on the timing constraint when this went out for bid, we did not receive sufficient response and is asking to reject all bids so that a re-bid can occur. Mr. Byers inquired if she spoke to those that chose not to bid. Ms. Mosqueda responded yes and the reason was primarily because of the holidays and too short of a timeline for proposals. There was indication that more would bid if the timeline was different.

After discussion and upon unanimous vote the resolution was declared duly adopted and recorded in the appendix to these minutes.

6. Mr. Byers offered and moved adoption of the following resolution, with a second by Mr. Savage:

Resolution No. 06-16 – Appointment of Treasurer

Mr. Steve Madewell explained that the board has the responsibility of appointing the Treasurer position with Metroparks. With Mrs. Westbrook retiring, Mr. Matt Cleland has been selected as her replacement. Mr. Byers stated that Mr. Cleland's background and experience and performance so far at Metroparks has proven he is fully capable of this position.

After discussion and upon unanimous vote the resolution was declared duly adopted and recorded in the appendix to these minutes.

7. Mr. Byers offered and moved adoption of the following resolution, with a second by Mr. Savage:

Resolution No. 07-16 – Authorize Purchase of Insurance Services for General Liability, Public Officials Liability, Law Enforcement Liability, Employee Liability, Prior Acts, and Cyber Liability Coverages

Mrs. Westbrook stated that this is our general liability insurance policy. Hylant Administrative Services works with us in conjunction with the Ohio Service Plan. The Cyber policy is purchased through AIG and Hylant has worked to reduce our pricing over a 3-year period. Mr. Madewell commented that with our continued experiences, the rates will also continue to decline. Mr. Byers responded that what Mr. Madewell has described is typical of the insurance business and has been thrilled with their services.

After discussion and upon unanimous vote the resolution was declared duly adopted and recorded in the appendix to these minutes.

8. Mr. Byers offered and moved adoption of the following resolution, with a second by Mr. Savage:

Resolution No. 08-16 – Schedule of Payables

After discussion and upon unanimous vote the resolution was declared duly adopted and recorded in the appendix to these minutes.

5. PUBLIC ISSUES

Mr. Savage stated that every month we hold these meetings, and the public is always welcome. He thanked those attending and stated that for those who wish to speak today, there will be a five minute time constraint for each individual. He went on to state that Metroparks will note any questions, and they will be addressed after everyone has spoken. Mr. Savage asked those speaking at the podium to please state their name.

Amy Grohowski stated that in regard to Dr. Grigore's presentation, she spoke about developing rapport with the public. She inquired why there had been secrecy about the deer cull. She asked why \$70,000 was spent and why there was no public forum. Ms. Grohowski stated that, in the past years, Metroparks purchased land for the wildlife corridor. She inquired why Metroparks is killing deer in that corridor.

Mr. Savage responded that, as a point of clarification, there was a public meeting that approved the culling. The board meeting held on November 24, 2015, when the resolution was passed, was a public meeting. He went on to state that the Board appreciated Ms. Grohowski's comments.

Mary Ann Staples stated she appreciates Metroparks, but would like to know more about the horseman center and whether there are any plans for that. Mr. Savage stated he could not comment. Mr. Zenk stated from a programming aspect they are having discussions with potential contractors to offer more horseback programming. The limitation to these is that you have to own a horse. Ms. Staples also inquired if there was any thought of making a horseman's camp. Mr. Zenk responded that Metroparks is increasing camping opportunities, but that it was something that the Board could look into.

Roger Hinelin stated that the deer kill should be up to the voters, not Metroparks. He went on to state that Metroparks is breaking the law and that the slaughtering of the deer is ridiculous.

Mary Meeker Ensmann stated that, based on the 2015/2016 Management plan, Metroparks is to kill 200 deer. She provided several statistics regarding current number of deer, pregnant does, and their fetuses. She stated that Metroparks has not made any additional attempts that do not include killing the wildlife and asked why Metroparks has not done that.

Mike Emm stated that 60 years ago he first visited Oak Openings. The only deer you saw then were in a cage by Mallard Lake. He went on to say that Metroparks has bought farms and has created the habitat, but has done nothing to feed the habitat. He suggested that where Metroparks burns, it should plant corn, beans, etc. He would also like to see a draw to hunt. Overall, he stated that Metroparks does have a nice park, nice trails, but needs to do more.

Janice Pitzner, from Waterville, inquired if the Metroparks board meetings are usually held on Wednesdays, at 8:30 a.m. She went on to say that at the November 18, 2015 meeting Metroparks tabled the deer culling. And then on November 24, 2015, Metroparks held a special meeting where the culling was approved that only lasted 18 minutes.

Lisa Blake, from Swanton Township, states she makes good use of Metroparks. She went on to say that she heard one reason for the culling was starvation. She understands there is the issue with the plants, but objects to the spending of \$70,000 for the culling. Ms. Blake also stated that she could support the efforts if provided the information in a public meeting and if Metroparks could show the reasons for the culls. She went on to say that

she does not understand why it was not open to local hunters. Lastly, she believes the donation of the deer to charities was more of a PR move.

Jenny Price, from the Oak Openings area, stated that she has watched the Board of Park Commissioners change and the management of the park change over the past several years. She understands from the public today that Metroparks has a monthly meeting where the public can attend to discuss concerns, changes in the parks, new plans and ideas Metroparks has. At the end of the meeting, she addressed the guests by stating if you do not have access to a computer, you can go to your local library and ask for assistance. Educate yourself on the biological issues regarding the excess of deer. Ms. Price stated she disagrees with the inhumane way of eliminating the deer, yet it is not fair to come to the board without being fully informed. She suggested that this type of forum stops and that people educate themselves and wait for a year to see the results from the cull.

Randy Hayes, of Swanton, stated that the deer herd in the country is in decline except in the urban areas. He suggested that Metroparks could perform a weeklong youth camp teaching archery, etc., and end in taking them hunting. Mr. Hayes would like to see Metroparks increase areas for archery.

Nancy Young from Sylvania stated she has been going to Wildwood for years. She also stated she enjoys the beauty of the deer. While she heard Metroparks plan to increase trails, Ms. Young has not heard of any ideas of opening a deer park. Her biggest concern was that there was not a public vote.

Jerry Jacobs stated that he is truly concerned with these gentlemen that laws have been broken. She went on to state that our tax dollars are paying for this, and she believes this is because of what is happening in Ottawa Hills. Ms. Jacobs is requesting to have notices be posted in the parks as to when meetings are held and coming up. She inquired as to why birth control was not an option. She also suggested Metroparks work with the Zoo and obtain predator manure. Ms. Jacobs also inquired if the farm purchased on Hill actually cost \$6M. She does understand that Metroparks did not fund all of that, but stated that it was still Government funds and taxpayer dollars. Ms. Jacobs would like to see all of the money Metroparks takes in and how it is spent.

Ron Leth, from Swanton Township, stated he is blindsided by the leadership of Metroparks. He went on to inquire if Metroparks has committed a crime. Mr. Leth also inquired if the archery draw has been expanded because that is what he was just told. He feels that the people next to corridor need to be told about hunts, and warned the Metroparks that it is creating a group to vote against Metroparks. Mr. Leth went on to state that he bought land to hunt next to a nature preserve, not next to a hunt site. He stated that park lands are being over hunted.

Mr. Savage responded that as a group, the Board and Metroparks staff is going to address as many questions and be as transparent as possible. Mr. Savage went on to say that he just started his 10<sup>th</sup> year on the Board. Regarding Metroparks and the deer counts, Metroparks started as early as 2008 and very publicly counted deer in the park district. Mr. Savage stated he is very grateful that everyone was civil with their comments. He also stated that the idea of a monthly forum in the evening will be considered.

Steve Madewell responded that no laws were broken, and that that is very important to understand. Metroparks was working with the Ohio Department of Natural Resources (ODNR), which is the agency that governs the deer in the State of Ohio and the organization that issued the permit. Wildlife Management is a separate issue from hunting. Mr. Madewell also stated that, regarding Ottawa Hills, Metroparks has no connection with its legislation. In regard to accusations of secrecy, however, The Toledo Blade published two articles relative to the deer cull prior to the culling, along with interviews on television and radio shows. In fact, one of the articles that was written by Matt Marky appeared in The Blade on December 21, 2015.

Mr. Madewell went on to state that Metroparks started an archery wildlife program three years ago about which an article appeared in The Blade when the program was first implemented. Regarding the special board meeting that was held on November 24, 2015, Mr. Madewell stated that the Board wanted a period of time to specifically study the material. If the public wants to view this as a manipulation, Mr. Madewell understands that perception, but that was not the intent. Regarding the \$70,000 fee from APHIS, this is actually an “up to, not to exceed” dollar

amount. Responding to the inquiry as to why Metroparks chose not to use local hunters, Mr. Madewell responded that our intention was to not disrupt daily visitation by those using this agency. He went on to say that this is a first time event, and we were not going to put anyone at risk. It was strictly a safety measure.

Mr. Madewell also stated that Metroparks' science is sound, and it has a process that was followed. The Division of Wildlife is accurate and is in accordance with its rules and regulations, and this is an evolving program. He went on to state that the people who do this, APHIS (Animal and Plant Health Inspection Service – Wildlife Services), are highly trained professional experts, and this is what they do. Metroparks did not want the venison to go to waste; we have transferred nearly 4,000 pounds of venison, which was distributed to local charities.

Mr. Madewell reported that 200 deer is our permit ceiling. He also stated that Metroparks has counted the fetuses or pregnant does and is sharing that data with ODNR, as it is an indicator of deer herd health. Mr. Madewell stated that the quality of the deer herd is in decline, but not population counts. Our commitment is to maintain balance with any wildlife populations, be it deer or gypsy moths. It is quite likely our next issue down the road will be wild hogs. Our management is to benefit ecology and enjoyment of the visitors.

Dr. Tim Schetter reported that Metroparks utilizes infrared counting, and it has a contract for that service. Infrared surveys were done on January 23, 2016, and the Board is awaiting the results. As of last year's count, the deer count at Oak Openings was 375 deer.

Metroparks staff counted bedded deer during daylight hours from a helicopter. The other method involved a fixed wing plane using an infrared camera, and the Board is waiting for this count.

Mr. Madewell added that one point that has not been discussed at all is what happens if the carrying capacity gets diminished at Oak Openings as most area hunters think of Oak Openings as a wintering ground. Clearly Oak Openings is a very important area, and we are not trying to eliminate deer but rather perpetuate an appropriate number of deer.

Mr. Savage stated that regarding the Horseman Center, Metroparks periodically reviews different areas for improvement and with our ability in utilizing outside funds. He would like to sit down with our senior staff and put together an outside assessment plan for programming in Oak Openings.

Mr. Madewell indicated that Metroparks is not seeing deer starving, per say, but that does not mean that there are not too many deer. By the time deer are starving, it is possible that significant damage has been done to the habitat.

Mr. Madewell stated that birth control for deer is controlled by the Division of Wildlife and, to the best of his knowledge, there has been one experimental permit issued in Ohio. Research regarding soap, and predator excrement, as a deer deterrent indicates their effectiveness is temporary at best. Mr. Madewell stated that Metroparks has over 12,000 acres, so the notion of trying to fence that area is unattainable.

Fritz Byers stated the following points:

1. Public accountability – Mr. Byers stated with 100% certainty that Metropark Board meetings were conducted in accordance with Ohio Sunshine Laws, and all meetings were conducted in a public forum. He also reported that none of the culling was discussed in executive session. Mr. Byers stated that Metroparks is a public agency and can make those records available to all who wish. He also stated that it is inevitable that we may not come to an agreement for these difficult topics. Mr. Byers also stated that he was not sure about one of the commenter's issue with the availability of meeting minutes, but knows for a fact, that a story ran in The Blade and agrees with Mr. Madewell; the Board needed more time to read the material prior to approving the culling. Mr. Byers also agrees with Mr. Savage regarding holding regular public forums and can tell from today's attendants that we will never have consensus from everyone on the various issues.
2. Regarding the claim of calling Metroparks criminals and stating we have broken laws, Mr. Byers stated that

those are serious charges. He responded that if anyone really believes this and opposes the process that we used, they are more than welcome to present that to our legal counsel. The process we have followed is consistent with Ohio Law.

3. Regarding the decisions Metroparks made, Mr. Byers stated that some of the commenters are 100% against the killing of the deer, some are against using hunters, and others have other objections, and these are all valid opinions. Mr. Byers went on to say that our charge as the Board, based on the oath we took and appointment by the Probate Judge in Lucas County, we are obligated to follow the Ohio Revised Code. We have a mission statement to *conserve the region's natural resources by creating, developing, improving, protecting, and promoting clean, safe, and natural parks and open spaces for the benefit, enjoyment, education, and general welfare of the public.* We are obligated to pursue that mission in our best judgment, not our personal opinion, to make decisions that are best for Metroparks. Mr. Byers also stated that this process has been exhaustive, and we have had to utilize best practices to reach our decision, which was based on science. He also stated that concerns over the lack of a public forum, he takes to heart. As far as voting and Ottawa Hills, Mr. Byers responded that Metroparks has nothing to do with that. Mr. Byers also stated that based on the Ohio General Assembly, the Board of Park Commissioners was not elected, but appointed. He also stated that the reason the culling was not submitted for a public vote was because the role of the Board of Park Commissioners is to adhere to the rules and regulations set forth by the Ohio General Assembly. That is how all Metroparks in the State of Ohio function.

A question was raised about the need for additional culling. Dr. Schetter responded that we are continuing to evaluate our numbers of deer. If additional culling is needed, Dr. Schetter stated that we have several tools in place based on the data in hand. To date, Metroparks has removed 106 deer from Oak Openings and 30 deer at Wildwood.

Mr. Savage stated that whether you agree or disagree, his hope is that those in attendance have a sense that the breadth of knowledge and experience of the staff at Metroparks are second to none. He is so proud and grateful to the staff for its ability to provide an unbelievable park experience. Mr. Savage stated he grew up as a farmer and this decision (deer culling) has been heart-wrenching. The management staff here does a wonderful job, and he hopes those in attendance can understand this. Mr. Savage also stated that we all may disagree, but we have some take-aways that we have learned here today. We are not perfect, but certainly will take your input seriously.

Mr. Byers made a motion to adjourn the board meeting at 10:48 a.m., which was seconded by Mr. Savage.

\_\_\_\_\_  
Scott Savage, President

Attest: \_\_\_\_\_  
Stephen W. Madewell, Executive Director

SWM/kjm  
1/27/16