

June 13, 2016

Attendees:

Mr. Butters
Mrs. O'Brien

Joan Heppert, Recording

Regular Meeting
of the
Russell Township Park Commission

EOUV Hall

The regular meeting was called to order at 7:00 p.m. with Charlie Butters and Linda O'Brien in attendance.

Pledge of Allegiance.

2016-35 Move to approve and sign the minutes from 5/9/16 as presented was moved by Charlie Butters and seconded by Linda O'Brien.

Vote: Charlie Butters Y, Linda O'Brien Y. Motion unanimous.

2016-36 Move to approve and sign the minutes from 5/16/16 as presented was moved by Linda O'Brien and seconded by Charlie Butters.

Vote: Charlie Butters Y, Linda O'Brien Y. Motion unanimous.

Linda O'Brien gave a summary of the hearing on Tuesday, May 24 with Judge Grendell as follows:

1. Some of the Russell resident's complained alleging that the board appointees violated their fiduciary and statutory duties by not voting the purchase of a portion of undeveloped, real property owned by Mary Modroo.
2. Violation of ORC121.22 of the sunshine law for the notice of the meeting and agenda for the meeting on 5/16/16.
3. The board is acting in a dilatory fashion by seeking an independent appraisal before deciding on the potential purchase of a portion of the Modroo property.

The court finds that the complaints raised against the park board members are not grounds for the courts to exercise its discretionary power under ORC 1545.06 to remove the park board members.

The overview of the due diligence as of 5/16/16 was presented by Linda O'Brien. The WRLC appraisal is in hand. An outside independent appraisal was also obtained. Linda O'Brien walked the property with Mary and Ken Modroo and Charlie Butters walked the property at another time with Ken Modroo and Joe Leslie to get an idea for beginning vision on the property and how it may be used. A one mile walking track was discussed at an approximate cost of \$110K without a parking lot. The parking lot cost is estimated to be around \$50K for an 8 – 10 car lot. To date there is not a contract available. There is a need for a clean environmental report, title and survey lines are to be in place. This agreement with the WRLC and Joe Leslie going forward will be a partnership.

2016-37 Move to enter into executive session per ORC 121.22 (G) (2) to discuss matters of land purchase for public purposes was moved by Charlie Butters and seconded by Linda O'Brien.

Roll Call Vote: Charlie Butters Y, Linda O'Brien Y. and was entered at 7:08 p.m. Joe Leslie and Brett Rodstrom of the Western Reserve Land Conservancy were invited into executive session.

2016-38 Move to enter back into the regular meeting was moved by Charlie Butters and seconded by Linda O'Brien at 7:44 p.m.

Roll Call Vote: Charlie Butters Y, Linda O'Brien Y.

2016-39 Move to enter into a partnership with the WRLC for the purpose of pursuing a negotiated agreement with Mrs. Modroo for the purchase of the Modroo property was moved by Linda O'Brien and seconded by Charlie Butters.

Roll Call Vote: Charlie Butters Y, Linda O'Brien Y. Motion unanimous.

2016-40 Move to retain Buckingham, Doolittle & Burroughs LLC for the proposed creation of a 511 by Russell Township Trustees and the potential impact on the RTPD for a cost not to exceed \$3,000.00 was moved by Charlie Butters and seconded by Linda O'Brien.

There were no other bids inquired upon for this service. An audience member suggested it was premature to obtain legal counsel and suggested to have an open discussion with the trustees. The question was posed to have the county prosecutor's office give legal advice on this matter. Jim Mueller stated the intent was to create a second park district.

Vote: Charlie Butters Y, Linda O'Brien Y. Motion unanimous.

2016-41 Move to approve the purchase of a digital recorder and gavel for a price not to exceed \$450.00 was moved by Charlie Butters and seconded by Linda O'Brien.

Vote: Charlie Butters Y, Linda O'Brien Y. Motion unanimous.

Charlie Butters reported on the website update and recognized Olivia Pecharka who has volunteered to help out the park board to bring the website up to date and has the boards appreciation and thanks for her efforts.

Charlie Butters gave an update on the linkage with the Township and proposed a letter for signature to the Russell Township Trustees.

2016-42 Move to approve and sign checks #218 – #220, #101 - #104 dated 6/13/16 was moved by Charlie Butters and seconded by Linda O'Brien.

Vote: Charlie Butters Y, Linda O'Brien Y. Motion unanimous.

2016-43 Move to approve up to \$300.00 for the purchase of two Doggie Dooley dog waste disposal systems and associated materials for installation was moved by Charlie Butters and seconded by Linda O'Brien.

Vote: Charlie Butters Y, Linda O'Brien Y. Motion unanimous.

The public comments section of the meeting was opened with a two minute limitation due to the 8:30 room rental deadline.

- When will the public be made aware of the details of the purchase? The board is waiting for the return of Mary Modroo at the end of the month.
- Eileen Fisco commented on the efforts to work hand-in-hand to get this purchase completed and appreciated the united efforts.
- Shelley Chernin encouraged the audience to speak if they had any concerns and mentioned following restrictions and potential penalties with the Doggie Dooley's and work being done at the Russell Uplands. Linda O'Brien responded that the board is working with the WRLC and they are informed with the information for the Doggie Dooley's and work at the Uplands.
- Sara Moore extended her thanks on behalf of the audience for moving forward with the purchase of the Modroo farm and extended her support and resource for the board and was appreciate of the motions passed tonight at the meeting.

The meeting was closed at 8:12 p.m.

Commissioner

Commissioner