

**REGULAR MEETING OF THE BOARD OF PARK COMMISSIONERS
ANDERSON TOWNSHIP PARK DISTRICT
MARCH 13, 2008**

Dale Bartholomew, President, called the regular meeting of the Board of Park Commissioners of the Anderson Township Park District to order at 6:37 pm at the Anderson Township Park District, Juilfs Park Office, 8249 Clough Pike. Present were Board Members: Duffy Beischel, Mark Bissinger, Gail Wright and Nadine Gelter. Also present were: Ken Kushner, Executive Director; Emily Armstrong, Asst. Director; Bailey Martella, Financial Officer/Board Clerk; Mike Smith, Operations Manager; and Scott Lahman, Recreation Manager.

GUESTS: Anderson Township Residents: Marianne Powers, Barry Peterson, Susan Kerscher, Mike Kerscher, Tom Schott and Mr. Gatsh.

AGENDA: Mr. Bartholomew asked for corrections to the agenda, hearing none the agenda was approved as written.

PUBLIC TO ADDRESS THE BOARD: Mr. Barry Peterson asked the Board if he could address them on the Johnson Park Cell Tower issue at which time Mr. Bissinger asked Mr. Bartholomew if he could please make a statement before starting the discussion.

Mr. Bissinger stated that in 2003 when Lattice Communications first approached the Park District with respect to potentially placing a tower in Johnson Park, he represented Lattice Communications and continued as their counsel until the sale of their assets. Mr. Bissinger was not a member of the Board of Park Commissioners at that time. Arcadia Communications was formed by two persons Mr. Bissinger previously worked with when they were employed at Lattice Communications. Arcadia Communications is a client of Mr. Bissinger and his firm. He further stated that in each discussion concerning Arcadia Communications and its interest in entering into a contract to put a tower in Johnson Park, he disclosed his relationship with Arcadia Communications and recused himself from any involvement in the conversation or voting. The agreement between Arcadia Communications and the Park District was negotiated between Arcadia personnel, the Park District's staff, the Park District's counsel, and members of the Park's Board of Commissioners other than Mr. Bissinger.

Mr. Bissinger stated he hoped the discussion stayed on track concerning the merits of the cell tower and encouraged the group to discuss the facts and not the perception.

Mr. Peterson made clear that he was not questioning the integrity of Mr. Bissinger or the Board in this matter. He further stated that he acknowledges that Mr. Bissinger had nothing to do with the contract between Arcadia and the Anderson Township Park District. Mr. Peterson asked the Board why they felt there was a need for a tower in this area. Mr. Beischel responded that it is the cell tower company that determines the need in a certain area not the park district. He further said that he never imagined the neighbors would oppose a tower over ¼ mile away from their home.

Mrs. Susan Kerscher asked why the residents on her street, Hiddenview, had not received a letter from the park district regarding the Cell Tower Informational Meeting on March 19th. Mr. Kushner confirmed that only the neighbors whose property abuts the park were notified and in their case their property abuts the Hamilton County Park District's land. Mrs. Kerscher asked Mr. Kushner to notify her of all meetings or issues on Johnson Park. Mr. Kushner stated he would put her on the notification list.

The very lengthy conversation continued with the residents reiterating that "they do not want the cell tower" and their general disapproval of the Board's decision. They stated that \$1,200/month rent revenue was not enough to warrant the district agreeing to lease the space to Arcadia or anyone else. They suggested that alternative sources of income be investigated. Mr. Bartholomew stated that the district continues to seek grants, sponsorships, donations and offer programming to help defray the cost of special projects and the day-to-day operation of the park district. The group of residents stated that they felt this cell tower would greatly affect the value of their property and for the amount of taxes they currently are paying thought that it should be located elsewhere in the township. Mr. Wayne Hermann, past Board member, spoke to the group and stated he was sure the tower company had done their research and if the tower is not erected at Johnson Park it would be located on some other piece of private or public property in the same area since that is where it has been determined the need is greatest.

Mrs. Gelter addressed the group with a short history of how the park district acquired the park property and stated there had been many discussions at public Board meetings concerning this issue since early 2007. She confirmed that a vote had been taken and, although not unanimous, the majority ruled and the contract was signed. She further stated that the district needs the funds to be able to build the amenities, i.e. bathrooms, shelters, trails etc., to open the park to the public for their enjoyment.

Ms. Marianne Powers told the Board that she was very displeased with the Board's decision and stated that her home sits on an acre of property and she pays over \$9,000 per year in taxes. She further stated she didn't see the reason for putting the tower in this particular park. She also asked the Board if a tower would be considered in any of the other parks. She further went on to say that she would be satisfied if the tower could be erected in any other park such as Riverside Park or Clear Creek Park where there are no adjacent homes. Mr. Bartholomew stated there are adjacent private homes at Riverside Park. He further stated that T-mobile is in the construction stage on the tower being erected at Beech Acres Park and, if approached to place a tower in another park; the Board would seriously consider it. But for this area's tower Johnson Park is the site that has been pinpointed to give the most needed coverage.

The Board did advise the group that the contract with Arcadia had been signed and that the next step would be to attend the informational meeting on March 19th. After the meeting on the 19th Arcadia Communications will apply to the Anderson Township Zoning Board for approval of the project. The residents will be able to address the Zoning Board with their concerns at that time.

Mr. Peterson closed by stating that he thought the park district has done an excellent job with the parks but in this case the Board “had crossed the line and let the public down by not soliciting input prior to the decision.”

Mr. Bartholomew thanked the group for attending and hoped he would see them on the 19th.

OLD BUSINESS

Riverside Park Riverbank Project: Mr. Smith stated that the project is still on hold because of the inclement weather.

Reds Community Fund: Mr. Kushner reported that because of the weather the field construction has not progressed as anticipated. He also noted that three contractors submitted quotations for the project and all them were much higher than anticipated, therefore, some of the previous amenities, such as the press box, would be dropped.

Mr. Kushner stated he would keep the Board apprised of the opening day!

2006 –2011 Audit Proposals: Mrs. Martella advised the Board that 3 CPA firms had sent in proposals for our bi-annual audits. They were:

Bastin & Company, LLC	\$27,520
Balestra, Harr & Scherer, CPAs, Inc.	\$18,000
Von Lehman + Company Inc.	\$48,000

She reported that the Balestra quotation of \$18,000 for the 3 audits was the lowest and asked the Board to authorize her to sign the recommendation to be sent to the Auditor of State. Mr. Bartholomew asked for any objections, hearing none authorized Mrs. Martella to sign the recommendation form. Our recommendation and the local Auditors office recommendation will be sent to Columbus where a final decision will be made.

Broadwell Woods: Mr. Kushner reported that Jack Sutton, Director of the Hamilton County Park District sent a letter concerning the ANCOR Connector Road project to Mr. William Brayshaw, Hamilton County Engineer and Dr. Henry Dolive, Anderson Township Administrator. In his letter he stated “In its deliberation, the Board thoroughly reviewed their request that the Park District donate, trade or exchange 2.09 acres of land at Broadwell Woods in order to accommodate the proposed road project. The Board also carefully considered the nature of the Broadwell Woods preserve and the purpose for which it was acquired in 2002, namely green space preservation and the protection of hillsides and forest areas within the property. After extensive consideration, the Hamilton County Park District Board voted unanimously not to approve your request”. Mr. Beischel suggested that if any further action is indicated with the project and Broadwell Woods property the Hamilton County Park District should take the lead.

Clear Creek Park Bike Trail: Mr. Kushner reported that Jack Sutton, Director of the Hamilton County Park District, has been authorized by his Board to enter into negotiation with Turpin Fisher for the purchase of a corridor along State Route 32 for the purpose of developing the bike trail from Clear Creek Park to Beechmont Avenue. In the letter to Mr. Fisher, Mr. Sutton has also offered to relocate Webb Lane to the western side of Clear Creek Park to be used for

agricultural business purposes in exchange for Mr. Fisher abandoning the use of Webb Lane as it currently is configured through Clear Creek Park.

Heritage Center: Mr. Kushner reported that the repairs to the Heritage Center are nearing completion. Mr. Smith stated that some of the projects have taken quite a bit longer than the contractor anticipated, however he is doing a great job and the house will be completed soon.

Levy Discussion: The Board decided to table this topic and scheduled a meeting on March 18th for the sole purpose of levy discussion and preliminary organization.

NEW BUSINESS:

Hiring Information: Mr. Bartholomew indicated that the "New Hire" forms in the book were for the Board's review and suggestions. Ms. Wright stated that she had several proposals and would contact Mrs. Armstrong concerning these changes.

RESOLUTION 2008-05 - NOVEMBER LEVY: Mr. Beischel moved the Board approve Resolution 2008-05 authorizing a 1.9 mil levy to be placed on the November ballot. Mrs. Gelter seconded the motion and asked Mrs. Martella to forward the resolution to the Anderson Township Trustees for their authorization. Voting; Yes; Mr. Bissinger, Mr. Bartholomew, Mr. Beischel, Mrs. Gelter, Ms. Wright, (5), No: None. The motion carried unanimously.

Professional Survey: Mr. Beischel moved the Board approve a contract not to exceed \$6,000 for a professional survey company and authorize Mrs. Martella to open a purchase order when the company has been secured. Mrs. Gelter seconded the motion. Voting: Yes: Mr. Bartholomew, Mr. Beischel, Mr. Bissinger, Ms. Wright and Mrs. Gelter. (5); No: None. The motion carried unanimously.

Fertilizer Purchase: Mr. Beischel moved the Board approve the purchase of spring fertilizer in a not to exceed amount of \$7,160.40 from Helena Chemical Co.; and authorize Mrs. Martella to open a purchase order in that amount. Mrs. Gelter seconded the motion. Voting: Yes: Mr. Bartholomew, Mr. Beischel, Mr. Bissinger, Ms. Wright and Mrs. Gelter. (5); No: None. The motion carried unanimously.

FINANCIAL REPORTS AND AUTHORIZATION OF EXPENDITURES: Mrs. Gelter moved for the Board to approve the **February 2008 Financial Reports and Authorized the Expenditures** as presented by Mrs. Martella. Mr. Bissinger seconded the motion. Voting: Yes: Mr. Bartholomew, Mr. Beischel, Mr. Bissinger, Ms. Wright and Mrs. Gelter. (5); No: None. The motion carried unanimously.

APPROVAL OF MINUTES: Mr. Beischel moved to approve the minutes of the **February 13, 2008 Regular Meeting**. Ms. Wright seconded the motion. Voting: Yes: Mr. Bissinger, Mr. Beischel, Mr. Bartholomew, Mr. Bissinger, Ms. Wright and Mrs. Gelter (5) No: None. The motion carried unanimously.

At 9:30 p.m. Mrs. Gelter moved to adjourn the regular Commissioner's meeting and move into Executive Session to discuss litigation. Mr. Beischel seconded the motion. Voting: Yes: Mr. Bartholomew, Mrs. Gelter, Mr. Bissinger, Ms. Wright and Mr. Beischel. (5); No: None. The motion carried unanimously.

Mrs. Martella left the meeting at this time.

At 9:50 p.m. Mr. Beischel moved to adjourn the Executive Session and reopen the Regular meeting. Mrs. Gelter seconded the motion. Voting: Yes: Mr. Bartholomew, Mrs. Gelter, Mr. Bissinger, Ms. Wright and Mr. Beischel. (5); No: None. The motion carried unanimously.

Mrs. Armstrong reported that a discussion followed pertaining to a training session Ms. Wright had attended featuring fundraising. Ms. Wright suggested placing a button on the Website for credit card donations and that one of the ideas brought up in the meeting was that University of Cincinnati students receive credit helping entities perform work on their websites. Mrs. Armstrong stated that she was fairly sure that this was already a functional component of the district's website.

Mrs. Armstrong also reported that Ms. Wright reminded the other Board members that she would not seek re-appointment in May but offered to help in any way she could with the levy in November. Mr. Beischel suggested Ms. Wright notify the Anderson Township Trustees immediately since they are responsible for appointing the park district's Commissioners and will need to start the process quickly.

At 9:53 p.m. there being no further business to be brought before this Board, Mr. Beischel moved to adjourn the meeting. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Bartholomew, Mr. Bissinger, Ms. Wright and Mr. Beischel. (5) No: None. The motion carried unanimously.

Submitted by,

Bailey H. Martella
Financial Officer/Board Clerk

Dale Bartholomew

Duffy Beischel

Mark Bissinger

Nadine Gelter

Gail Wright