

**MINUTES
BOARD OF COMMISSIONERS MEETING
HURON-CLINTON METROPOLITAN AUTHORITY
THURSDAY, AUGUST 12, 2010**

The regular meeting of the Huron-Clinton Board of Commissioners was held at 10:30 a.m. on Thursday, August 12, 2010 at the Thomas S. Welsh Activity Center at Metro Beach Metropark. The meeting was convened in pursuance to a call thereof by the Executive Secretary and due notice to the HCMA Board of Commissioners.

Present: **Commissioners:** John C. Hertel
 John E. La Belle
 Harry E. Lester
 Robert W. Marans
 Anthony V. Marrocco

Staff Officers:
 Director Jayne S. Miller
 Deputy Director David C. Moilanen
 Controller David L. Wahl
 Executive Secretary Gregory J. Almas

Absent: Commissioner Warren C. Evans
 Commissioner Peter S. Walters

The meeting was called to order by Chairman Lester at 10:30 am

1. Chairman's Statement

Chairman Lester welcomed all present. He commented regarding rumors and concerns of employees and assured no action will be taken without Board review and approval. Chairman Lester requested employees continue to work together to make the Metroparks the best park agency in the world. Chairman Lester also expressed appreciation for the efforts of Metropark employees to make the Metroparks safe.

2. Public Comments

Norman Muller, resident, expressed appreciation for adjustments made to the fee schedule which will allow continuation of the senior dance program at Metro Beach Metropark.

3. Minutes – July 2010

Executive Secretary Almas read a proposed emendation to the July 8, 2010 Board of Commissioner minutes Item 6, E. Administrative Office, 1. Report – Camping, as follows:

Commissioner Marans suggested that the special camping events should be systematically evaluated to determine those events that generate significant interest. What works well and should be continued and what works poorly and should be modified or discontinued.

It was moved by Commissioner Marrocco, supported by Commissioner Marans that the Board of Commissioners approve the minutes for the July 8, 2010 regular meeting as emended.

Motion carried unanimously.

4. Financial Statements – July 2010

It was moved by Commissioner Hertel, supported by Commissioner La Belle that the financial statements for July 2010 be approved as submitted.

Motion carried unanimously.

5. Vouchers

It was moved by Commissioner Marans, supported by Commissioner Marrocco that the vouchers for July 2010 (0211524 through 0212248) be approved as submitted.

Motion carried unanimously.

6. Purchases

It was moved by Commissioner Marrocco, supported by Commissioner Hertel that the following purchases for July 2010 be approved as recommended by Purchasing Manager Scott Michael and staff.

ITB-10-032 2011 Annual Permits

Motion carried unanimously.

7. Reports

A. Stony Creek

1. Bids – Main Park road construction – Phase V

Chief Engineer Arens reported the project is to reconstruct approximately 0.6 miles of the main park road from the South Dam to the Eastwood Beach entrance, to include bituminous crushing, shaping, asphalt surfacing, culvert replacement, pavement marking, site restoration, provisions for full-road closure (except access to Boat Launch area) during construction, and related work.

It was moved by Commissioner Marans, supported by Commissioner Hertel that the Board of Commissioners award Contract No. 509-10Y to the lowest responsive, responsible bidder, Pro-Line Asphalt Paving Corporation in the amount of \$201,712.43 and that \$38,000.00 of Capital Improvement funds be returned to the Reserve Account as recommended by Chief Engineer Arens and staff.

Motion carried unanimously.

2. Change Order No. 2 – Eastwood Beach column and roof repairs

Chief Engineer Arens reported that on March 11, 2010 the Board of Commissioners awarded a contract to repair the roof structure of the Eastwood Beach Bathhouse at Stony Creek and that construction is currently in progress. Arens said changes have been necessary due to conditions encountered during the course of the contract including Change Order No. 1 – pressure grout crack in roof structure, phase 1 previously authorized within the Director's approval limit and proposed Change Order No. 2 including pressure grout crack in roof structure, phase 2, metal trim and flashing, roof skylights, electrical revisions, roof metal flashing and plaza concrete revisions totaling \$36,610.00.

It was moved by Commissioner La Belle, supported by Commissioner Marans that the Board of Commissioners approve Change Order No. 2 to contract No. 709-09T in the amount of \$36,610.00 and that a transfer of funds in the amount of \$47,000.00 from the Stony Creek Major Maintenance Account to Work Order No. 709.74-S159 be made to cover change orders to date as recommended by Chief Engineer Arens and staff.

Commissioner La Belle expressed his dislike of approving change orders but said that when necessary, the Authority has stepped forward and financed the cost.

Commissioner Marrocco noted the two change orders equate to 18 percent above the base contract and that the items should have been picked-up in design before bidding.

Commissioner Lester commented on the frequency of change orders and the fairness to bidders.

Motion carried unanimously.

3. Lifeguard recognition

Stony Creek and Wolcott Mill Interim Park Superintendent Michael Lyons reported that on Tuesday, June 29, Stony Creek lifeguards Lindsey Cindrich, Jeff Conn, Drew Matz and Ryan Pinter observed a 20-year-old female having difficulties in the water, immediately responded to the victim, removed her from the water and connected her to an Automated External Defibrillator (AED). The victim was in cardiac arrest and the Lifeguards initiated CPR. A water emergency was declared and the office immediately called Washington Township EMS. Lyons reported the victim has since recovered and was recently released from the hospital.

Lyons said the teamwork exhibited by the Lifeguards and the Washington Township EMS was exceptional. Lyons said that at the scene Washington Township Assistant Fire Chief, John Clark communicated how impressed he was with the excellent job the lifeguards did in handling this emergency.

Chairman Lester commented on the extraordinary efforts of the lifeguards in saving a human life and expressed sincere appreciation on behalf of the Board of Commissioners and the citizens of southeast Michigan.

The lifeguards were presented with a "Certificate of Appreciation for Exemplary Public Service" by Chairman Lester on behalf of the Board of Commissioners.

B. Kensington

1. Bids – Main Park road reconstruction – Phase IV

Chief Engineer Arens reported the project is to reconstruct approximately 0.4 mile of the main park road from the Park Office to the Buno Road Bridge to include bituminous crushing and shaping, regrading of base material, placement of concrete curb and gutter, asphalt surfacing, crushing, shaping, approximately 3,000 lineal feet of concrete curb and gutter, pavement marking, provisions for partial lane road closure during construction, site restoration and related work.

It was moved by Commissioner Marrocco, supported by Commissioner Hertel that the Board of Commissioners award Contract No. 504-10D to the lowest responsive, responsible bidder, Florence Cement Company in the amount of \$190,805.25 and that \$55,000.00 of Capital Improvement funds be returned to the Reserve Account as recommended by Chief Engineer Arens and staff.

Motion carried unanimously

2. Bids – Hike/Bike Trail pedestrian bridge painting and steel repairs

Chief Engineer Arens reported the project is to clean, prepare surface and coat the existing 10-foot wide by 150-foot long steel pedestrian truss bridge; provide minor steel repairs, protective measures and related work.

It was moved by Commissioner Hertel, supported by Commissioner Marans that the Board of Commissioners award Contract No. 704-10G to the lowest responsive, responsible bidder, Seaway Painting, LLC in the amount of \$179,600.00 as recommended by Chief Engineer Arens and staff.

Motion carried unanimously.

3. Report – MDOT storm water detention basin, I-96 and Kent Lake Road

Chief Engineer Arens reported that design of the proposed I-96 storm water detention basin near Kent Lake Road by the Michigan Department of Transportation (MDOT) is nearing completion, that the proposed detention basin will be constructed on approximately five acres of Metropark land located east of the Kent Lake Road interchange, that ownership of the detention basin will be transferred to the Metroparks and that MDOT will continue to have primary responsibility to maintain and repair the project including care and maintenance of native plants, vegetative control and periodic cleaning of the basin as necessary. Arens said the Metroparks will retain the right to provide maintenance of the detention basin as it deems necessary.

It was moved by Commissioner Hertel, supported by Commissioner La Belle that the Board of Commissioners receive and file this report as recommended by Chief Engineer Arens and staff.

Without objection, Commissioner Marrocco offered an amendment to the motion that the agreement between the Authority and MDOT would require MDOT to provide 100 percent of all maintenance of the detention basin.

Motion as amended carried unanimously.

4. Proposal – LEED certification, Golf Starter Building replacement

Chief Engineer Arens reported that the Golf Starter building project is designed to achieve at least a “certified” level under the criteria of the LEED v.3 rating system of the U.S. Green Buildings Council (USGBC). Arens presented a proposal dated July 28, 2010 from Lindhout Associates for the additional services necessary to obtain certification.

It was moved by Commissioner Marans, supported by Commissioner Marrocco that the Board of Commissioners decline the proposal from Lindhout Associates Inc. dated July 28, 2010 in the amount of \$19,580.00 to provide LEED certification services as recommended by Chief Engineer Arens and staff.

Commissioner Marans said he understood the financial cost and that the Golf Starter building is not the most significant building. However, he encouraged LEED certification on a future building of significance to demonstrate the Authority’s commitment to resource conservation.

Motion carried unanimously.

C. Dexter-Huron

1. River Terrace Trail Agreement, proposed terms

Chief Planner Nyquist reported on the proposed 1.42 mile River Terrace trail connecting the village of Dexter to Dexter-Huron Metropark which would be constructed on Metropark property. Nyquist presented a list of proposed key terms for a future inter-governmental agreement between HCMA and the Washtenaw County Parks and Recreation Commission (WCPRC) including: WCPRC to fund development, including design and construction; WCPRC and HCMA to fund future projects for minor repair on a 50-50 basis; WCPRC and HCMA to fund future projects for major repair on a 50-50 basis; HCMA to operate, patrol and provide regular maintenance on the trail, costs to be shared on a 50-50 basis; HCMA and WCPRC to indemnify the other party for losses, claims or damages; and WCPRC to maintain the necessary insurance.

It was moved by Commissioner Marans, supported by Commissioner Hertel that the Board of Commissioners approve the key terms of an agreement with Washtenaw County Parks and Recreation Commission for the development of a non-motorized paved trail in Dexter-Huron Metropark as recommended by Chief Planner Nyquist and staff.

Without objection, Commissioner La Belle offered an amendment to the motion that the WCPRC be commended for their collaborative efforts in the region to bring the Border-to-Border trail to fruition.

Motion as amended carried unanimously.

D. Lower Huron

1. Bids – Main Park road resurfacing

Chief Engineer Arens reported the project is to resurface approximately 1.1 miles of the main park road to include asphalt resurfacing of the park entrance road from Waltz Road to Savage Road, microsurfacing from Savage Road toward the Bob White area, provide shoulder widening, signage replacement and provide microsurfacing of approximately 0.2 miles of hike/bike trail at the Waltz Road entrance.

It was moved by Commissioner Marrocco, supported by Commissioner Marans that the Board of Commissioners award Contract No. 506-10S to the low responsive, responsible bidder, Pro-Line Asphalt Paving Corporation in the amount of \$217,326.78 and that \$18,000.00 be transferred from the Reserve Account as recommended by Chief Engineer Arens and staff.

Motion carried unanimously.

E. Administrative Office

1. Bids – Road and Hike/Bike Trail pavement crack filling, various parks

Chief Engineer Arens reported the project is to include overband crack sealing of the park roadway throughout Kensington, Lake Erie, Lower Huron and Stony Creek Metroparks; and to provide hot-applied crack filling along the hike/bike trail at Lower Huron Metropark. Arens noted the project was bid on a unit price basis per pound of joint sealant, with a total contract amount equal to the total proposed amount for contract services of \$42,000 for all parks combined.

It was moved by Commissioner Hertel, supported by Commissioner Marrocco that the Board of Commissioners award Contract No. 700-10H to the low responsive, responsible bidder, Wenn Seal Coating and Striping, Inc. in the amount of \$42,000.00 as recommended Chief Engineer Arens and staff.

Motion carried unanimously.

2. 2011 Tax Levy report

Controller Wahl reported the final 2010 Taxable Value figures used for the calculation of the Metropark's 2011 tax revenues have been received from the county treasurer's offices. Wahl said under the Headlee Tax Limitation formula the Authority will again levy .2146 mills for 2011 which will produce anticipated gross tax revenue of \$32,525,452. Wahl reported that considering estimated tax write-offs for tax abatement programs of \$1,177,000 the anticipated 2011 "net" tax revenues of \$31,348,451 is a decline of \$3,245,940 (9.4 percent) from 2010 and the largest tax revenue decline the Authority has experienced.

It was moved by Commissioner La Belle, supported by Commissioner Marans that the Board of Commissioners approve 1) the attached 2010 Tax Rate Request forms and 2) the inclusion of "net" tax revenues of \$31,348,451 in the 2011 Budget as recommended by Controller Wahl and staff.

Motion carried unanimously.

3. HCMA 457 Deferred Compensation Plan and Trust Restatement

Controller Wahl reported the Authority has a Section 457 Deferred Compensation Plan and that voluntary employee contributions are currently limited to "base" wages. Wahl said discussions were held with the HCMA Employee Association units and P.O.A.M. representatives and it was felt that a broader definition of eligible compensation to include all forms of compensation would allow employees greater flexibility in funding a portion of their retirement income.

It was moved by Commissioner Hertel, supported by Commissioner La Belle that the Board of Commissioners approve the restated Huron-Clinton Metropolitan Authority Section 457 Deferred Compensation Trust Agreement with Resolution as presented and recommended by Controller Wahl and staff.

Motion carried unanimously.

4. Liquor Licenses for Metro Beach, Stony Creek and Indian Springs

Deputy Director Moilanen reported that staff and attorney John Carlin have reviewed liquor control practices across the Metroparks system and are requesting approval from the Board on a series of changes in order to meet the MLCC regulations. Moilanen stated that to allow alcohol at the Welsh Activity Center at Metro Beach, the event room at the Environmental Discovery Center at Indian Springs and the banquet tent at Stony Creek liquor licenses are

required and that alcohol may only be sold through the Authority (concessionaires), rather than the current practice of permitting renters to bring in their own alcohol.

It was moved by Commissioner Marans, supported by Commissioner Hertel that the Board of Commissioners authorize staff to proceed with 1) upgrading the Metroparks' current liquor license to a Class "C" liquor license at Indian Springs to permit the sale of hard liquor and extending liquor sales to the Environmental Discovery Center, 2) upgrading the Metroparks' current liquor license to a Class "C" liquor license at Stony Creek to permit the sale of hard liquor and extending liquor sales to the Banquet Tent, and 3) the purchase of a class "C" liquor license for the Thomas Welsh Activity Center at Metro Beach for \$40,000 from reserves as recommended by Deputy Director Moilanen and staff.

Commissioner Marans requested a future report analyzing any changes in rental use and numbers.

Commissioner Marrocco inquired why the license could not be purchased from Harrison Township especially considering the Authority's past cooperative relations with the Township. Moilanen said Harrison Township intends to hold the one available license for private development.

Voting Yes: Commissioners Hertel, La Belle, Lester, Marans
Voting No: Commissioner Marrocco
Absent: Commissioners Walters and Evans

Motion carried.

5. Sustainability Report

Chief of Natural Resources Muelle reported members of the Sustainability Work Team have been actively soliciting ideas from fellow employees and gathering information from various organizations on sustainable practices. Muelle said the information is being compiled and prioritized to develop and institute a long-term comprehensive sustainability program. Areas being explored are sustainable design, material management, energy conservation, new technology, green purchasing, natural resource management, communication, financial tracking and urban community support. Muelle reported the Metroparks also continue to move forward in the area of material management, storm water management plans, pollution incident prevention plans and spill prevention control programs. Muelle also said in-house recycling efforts continue to expand, along with mowing reductions, green purchasing and habitat restoration efforts.

It was moved by Commissioner Hertel, supported by Commissioner Marrocco that the Board of Commissioners receive and file this report as recommended by Chief of Natural Resources Muelle and staff.

Without objection, Commissioner Marans offered an amendment to the motion that a comprehensive system of reporting be developed to record cost savings and improved environmental impact.

Motion as amended carried unanimously.

6. Deer Management Report

Chief of Natural Resources Paul Muelle reported deer management activities continued in the fall of 2009 and winter of 2010 at seven Metroparks: Kensington, Stony Creek, Indian Springs, Hudson Mills, Oakwoods, Lower Huron and Willow and a total of 220 deer were removed. Muelle stated Metropark staff continues to work with Safari Club International at Indian Springs and volunteers at Stony Creek to conduct the controlled hunts and again this year, Butcher Boy Meats and Sportsmen Against Hunger donated all costs associated with processing the deer.

It was moved by Commissioner Marrocco, supported by Commissioner Marans that the Board of Commissioners receive and file this report as recommended by Chief of Natural Resources Muelle and staff.

Commissioner Lester noted the increasing deer herd at Lake Erie Metropark.

Commissioner Hertel complimented the sophistication and care in which staff carried out the deer management plant

Motion carried unanimously.

7. Medicare Part D Subsidy

Human Resources Officer Johnstone reported that HCMA received a payment of \$15,336.14 as reimbursement for Medicare Part D, prescription drug subsidy for the period of January-March, 2010.

It was moved by Commissioner Marans, supported by Commissioner La Belle that the Board of Commissioners approve the transfer of \$15,336.14 to the Retiree Health Care Trust Fund as recommended by Human Resources Officer Johnstone and staff.

Motion carried unanimously.

8. Donations

It was moved by Commissioner Marans, supported by Commissioner Marrocco that the following donations be accepted and that a letter of appreciation be sent to the donors.

- A \$300 bench donation made by Mr. Morris Beider for use at the Indian Springs Golf Course.
- A \$300 bench donation made by Tod More for use the original Disc Golf Course at Hudson Mills.
- A \$350 bench donation made by James Tritt for use at the Cove Point picnic area at Lake Erie.
- A \$400 bench donation made by Carolyn McCloud for use at the Nature Center at Kensington.

Motion carried unanimously.

9. Legislative report

It was moved by Commissioner Marrocco, supported by Commissioner Marans that the Board of Commissioners receive and file the legislative report as submitted by Legislative Consultant Carr.

Motion carried unanimously.

8. Park/Department Presentation

a. Human Resources

Human Resources Officer Johnstone presented a review of the Human Resources Department's responsibilities including employee relations, labor contract negotiations and administration, benefit design and administration, workers compensation, unemployment compensation employment law and safety.

It was moved by Commissioner La Belle, supported by Commissioner Marans that the Board of Commissioners receive and file the Human Resources department presentation.

Commissioner Lester inquired into and expressed the importance of employee participation and involvement.

Motion carried unanimously.

b. Metro Beach Metropark Presentation

Park Superintendent Pershing presented a report regarding services, amenities, events and capital improvements at Metro Beach Metropark including in part, interpretative services, ice fishing, swimming pool and beach, marina, miniature golf, hike/bike trails, court games, boat launch ramps, activity center, DSO concerts, car shows, recently completed South Marina, par-three golf course shelter and more.

Commissioner Marrocco inquired as to the status of lifeguards at the Stony Creek beach and the beach at Metro Beach.

Commissioner Marrocco also favorably observed the very diverse demographics of Metro Beach Metropark users.

It was moved by Commissioner Marans, supported by Commissioner Marrocco that the Board of Commissioners receive and file the Metro Beach Metropark presentation.

Motion carried unanimously.

9. Director's comments

Director Miller stated that the South Marina dedication will immediately follow the Board of Commissioners meeting, that the NRPA conference will be October 25 – 29 and that attendance of at least one commissioner is encouraged to attend sessions on accreditation, that the Board of Commissioners retreat is scheduled on August 31, 2010 from 12:00p.m. – 4:00p.m., that the fall equipment auction will be held October 11 at the Wolcott Mill Farm and that the October 2010 Waterways Commission meeting will be held at Metro Beach Metropark.

10. Commissioners' comments

Commissioner Hertel stated that he would be unable to attend the August 31 retreat. He commented that Michigan is the only state in the nation without a State Fair and that the Metroparks passed up a gigantic opportunity.

Commissioner Hertel also observed that with the election of a new governor and with new MDNRE leadership there may be the opportunity to remove the sand bar at Metro Beach. He requested that staff contact appropriate federal government agencies to see what government funding may be available, that if available, an application for funding be made and that the Metroparks request MDNRE support for the project.

Commissioner Hertel further requested that the Metroparks advertise that Metro Beach has eight boat launch ramps available with no waiting.

Commissioner La Belle stated he would like to see the Board retreat rescheduled so that all Commissioners could attend considering the possible long-term effects resulting from the meeting.

There was a consensus of the Board to reschedule the Board of Commissioners Retreat.

Commissioner Marans requested a report on the status of lifeguards at Metropark beaches.

11. Motion to Adjourn

It was moved by Commissioner Marrocco, supported by Commissioner Marans that the Board of Commissioners adjourn the regular meeting.

The meeting adjourned at 12:07 p.m.

Respectfully submitted,



Gregory J. Almas
Executive Secretary