

**Hendricks County Parks and Recreation  
Park Board Meeting Minutes**

Wednesday, May 23, 2018      Hendricks County 4-H Fairgrounds & Conference Center  
2:00pm      1900 East Main Street  
Danville, IN 46122

**CALL TO ORDER**

The meeting was called to order at 2:11 p.m.

**Board Present:**      Paul Miner, President  
                             Matt Freije, Vice President  
                             Bill Harrington, Secretary  
                             Gary Emsweller  
                             Doug Moon  
                             Beth Switzer

**Board Absent:**      Mike Hayden

**Staff Present:**      Jeremy Weber, Superintendent  
                             Eric Ivie, Assistant Superintendent  
                             Linda Brunner, Administrative Assistant  
                             Jim Holtsclaw, Park Manager  
                             Sarah Wolf, Park Naturalist

**Guests:**              Doug Valmore, Butler Fairman & Seufert  
                             Ray Benson  
                             Meghan Stritar, Parks Foundation of Hendricks County

**A. CALENDAR**

A-1. Agenda

**Freije moved to adopt the agenda; seconded by Harrington, the motion passed unanimously.**

A-2. & A-3. Approval of Minutes of April 4, 2018 and April 11, 2018 Meetings

Approval of minutes of the 4.4.18 regular meeting and 4.11.18 special meeting was deferred until the 6.6.18 meeting, due to a lack of quorum of those in attendance at those meetings.

A-4. Review Current Budget Status

Ivie discussed the spreadsheet he had distributed to board members by email. He noted the department is on track and he doesn't see any problems going forward. He reported that Emsweller had requested that he provide more information in the future, i.e., what we are planning to spend the remainder of the year, and he will include that information in his status report for the June 6 meeting. Emsweller stated he would also like to have this included in the materials distributed to the board prior to the meeting date, and noted that this new form of

reporting might allow staff to note any potential problems, opportunities, etc. He said a bullet point type of document could be provided to the board in advance so that it would be better prepared to ask questions. Ivie agreed and said he would work on it.

## **B. PUBLIC HEARINGS/PRESENTATIONS**

### **B-1. Public Comments**

Benson thanked everyone responsible for and involved in the 15<sup>th</sup> Anniversary Celebration at McCloud. His family was impressed and felt welcome, and Benson said the work that has been done by staff is incredible.

## **C. CONTINUING BUSINESS**

### **C-1. Vandalia Trail Update**

Weber introduced Doug Valmore, the designer on the Vandalia Trail Project from BFS. Weber advised the Board that they had met with Buck Arnold regarding acquiring a right-of-way on his property, and that he is still amenable to working with us, and the different options they had looked at to make that work. Valmore talked about BFS's role in design and construction of the portion of the trail that had just been built, and acquisition of the right-of-way (ROW) moving eastward. He advised that the environmental and draft design for the new section is done, and now they're trying to select properties to buy. He advised there were not enough funds in the INDOT grant to buy all the land that will be needed, but a significant portion of it. He described the location and significance of the Arnold property, which would provide 2.8 miles of the total of 4 miles from Amo to Clayton. The distance is broken up by several small sections owned by other property owners, whom he identified. Miner stated that one of the property owners who had originally been in favor of the trail is now concerned that he would lose access to the rest of his property, and discussed BFS representative Ron Francis' suggestion that we follow up and assure him that he would not lose access. Valmore stated that is a valid concern with many property owners, and said there can be allowances in the project design where a drive can be included where needed. The board then discussed the previous offer made in 2016 to Arnold based on an appraisal done at that time. His reply was that he wanted the Park Board to buy the entire 60 acres. Then Arnold had a subsequent appraisal done, which was significantly higher, but was invalid. Valmore stated a new appraisal would be required, and BFS estimated that the value per acre would likely be less than \$8,000, which would result in a total offer of about half what Arnold expected based on his prior appraisal. Valmore stated that the balance remaining on the grant is \$242, 443, and there are additional funds set aside for fees. The board discussed its options, such as offering what we have, talking about gifting the balance, since only a part of the property could be developed, and potential tax savings for him could be discussed.

BFS has started the appraisal process, which will probably take a couple months. When it is done, BFS could offer him what we have available, or if necessary could consider going back to INDOT for additional grant funds. The board discussed its responsibility to be good stewards of public funds and not to offer more than the property was worth. There was discussion of Clayton's desire to have the trail come in and connect with their park, but they have drainage problems which they are attempting to get a grant to resolve prior to the trail construction. Harrington asked if there was a deadline to acquire the right-of-way, and Valmore said no, not as long as we are moving forward, spending the money we have. He advised that there would not be additional grant money available until this grant is exhausted. Holtsclaw reported that INDOT occasionally has unspent funds left over from other

projects but that timing might be an issue. The board also discussed other possible funding options and its ability to alter the route if necessary. Valmore said he believed there would be additional funds available from INDOT once a significant portion was done. Valmore said he would get back with the Board when the new appraisal is completed. Valmore confirmed that a title search had been done and ownership of all parcels confirmed. Weber stated that there was a small parcel that showed different ownership on the plans than on Beacon, and that additional research would need to be done on that parcel.

Valmore then addressed the drainage problems on the recently-constructed trail near the treatment plant. Valmore admitted that BFS has looked at this with several people, and the bottom line is that there is more water flowing to the drain than what it was designed to handle. He stated BFS is designing a fix for this problem, and plans to try to intercept the water before it gets to the treatment plant property, reroute it south to the ditch that goes along the south side of the treatment plant and along a farm field. The plan will probably be to put in a 30-inch pipe to accommodate the water, and enhance the ditch before it reaches the creek. The new survey came in last week for the farm field, and Valmore assured the Board that BFS has committed to come up with a plan. Weber added that they've done the on-site with Dave Gaston. He said that traditionally the drainage is designed for a 10-year storm, and we've had considerably more than 10-year storms. Valmore concluded by telling the board BFS knows there's a problem there and they're looking into it. Valmore said he would have the drainage design estimate and plans to the Board within the next few weeks, and hopefully the farmer will be amenable to us enhancing the ditch along his field.

Following Valmore's departure, Emsweller stated he had some questions and concerns about the Vandalia Trail. His first concern was with the restrooms, which Weber had addressed in his Superintendent Report. Emsweller went through excerpts of minutes going back to August of 2017 when the Board first became aware of problems which would result in us having to go to the Town of Amo for permission to dig a well on their property. At that time Weber estimated the permits could be obtained in 30 days and he would attempt to expedite the process. Emsweller brought up several other mentions in minutes and on social media, and asked Weber what took so long to get the permits done. Weber went through the history of his efforts, and the obstacles he faced along the way, responding to specific questions from Emsweller. Emsweller stated he had learned from IDEM that the permits would be released June 13<sup>th</sup>, and asked if we had someone lined up to begin drilling on June 14<sup>th</sup>. Weber advised the well-driller is aware that the work needs to be started as soon as the permits are released, but it is not scheduled for a particular day. Emsweller then expressed his concern about the condition of the restrooms and asked if they could be fixed prior to the well being drilled. Weber advised that that was in Beaty's court, because of the way the contract is written and the warranty for the restrooms. Beaty was supposed to get a determination of the cause, and then responsibility for payment will be assigned based on that determination. Freije asked if we could contact the restroom manufacturer to attempt to speed up repair and Weber said he would look into it.

The discussion then turned to the condition of the paving on the trail. Weber stated that everything about this project has been a difficult process, requiring hours of meetings and discussions. The board then discussed the subject of making an offer to Beaty to settle their claim and Weber advised that CECON had provided a rough estimate of their recommendation, in the range of \$40,000 to \$60,000, but it is a complicated analysis to go through the claims the contractor submitted. The current status is that a field determination has been made by an INDOT engineer, which took several months. The

INDOT engineer says we're on "pretty solid ground" for denying Beaty's claim for damages. He explained the process of an appeal to the district level, and the potential consequences. Weber went through various contingencies regarding how the board might resolve the problem. He said that INDOT did not recommend that we offer a lower payment, and Weber did not recommend it, but wanted to hear the thoughts of the board. Miner stated he thought it would be a good idea.

Harrington recommended that the board give some consideration to consulting a construction litigation attorney, and questioned whether the county consults with one from time-to-time. He added that it might allow the Board to make certain that the dynamics of what's happening among the engineer, contractor, INDOT and the park board make sense, or if something is missing from the equation. Emsweller asked who was representing our interests in all these meetings, and Weber explained how negotiations have gone up until now.

Harrington asked the position of BFS on filing an E & O claim. Weber said that they've accepted responsibility for that and have notified their carrier. When asked, Weber said he would try to get that in writing. There was discussion of how the process would work to handle all problems at once. Harrington volunteered to assist Weber in the discussion with INDOT regarding resolving the problem with Beaty.

Miner reminded Board members that while the trail has a number of serious problems, its users are generally unaware of them, and are happy the trail is there.

#### C-2. McCloud Nature Park Update

Weber asked for questions on the McCloud update he had provided, and Emsweller said he had a few. He expressed his concern and that of the Foundation about the Arboretum, and read several excerpts from minutes about progress along the way, but expressed frustration with the delays in completion and stated it is his opinion the arboretum is not done, signs are not up, fountain not done, and we have lost major donors because we have chosen not to move forward. Weber stated that the reasons for the delays with the signs were not that we had chosen not to move forward, and proceeded to detail the process of how the project was delayed, including a failure to communicate during the approval process. Weber explained that with regard to the fountain, which was not in the original plans, it took a back seat to more urgent priorities he has had to deal with in the past year.

Emsweller also asked about the status of the park benches which were to be purchased by a grant from Tri-West High School students through the Hendricks County Community Foundation, Weber stated he was in no hurry on the benches as they were meant to accompany the fountain when it was completed. Emsweller stated that this seemed a simple task, and in his opinion, should have been completed before now.

Harrington and Weber discussed Weber's system for tracking ongoing tasks and prioritization. Weber stated that keeping track of the items was not as problematic as getting responses and information needed to move projects forward. There was discussion of the importance of tracking tasks and knowing how and when to follow-up so nothing falls between the cracks.

### C-3. Gibbs Memorial Park Update

Emsweller talked about the research he has done since May 6<sup>th</sup>, reading minutes and asking questions. He read excerpts from minutes about building a fence, and related conversations he has had with individuals regarding proceeding with a site development plan and the process that needs to be followed in order to move forward with plans to open the park. Emsweller asked Weber what the Board could do to help Weber move projects forward. Weber reiterated the complexity of the projects he's been working on in the past year, and reminded the Board that he has reached out from time-to-time for input and/or guidance on park board matters and on the current political pressures, but largely to no avail.

Harrington suggested the best way to manage expectations, communication, and prioritizing, and to make Weber's life easier and provide the Board with some real time oversight, would be if there was a regular running list of all the things that are going on. That would allow the Board to help prioritize and ask questions about specific items and no one would have to spend a lot of time going through minutes to figure out how we got from point A to point B. The Board and Weber would always have current information. If Weber needed assistance, Board members could take on tasks that dovetail nicely with their skillsets and we could avoid misunderstandings. Weber said he would be willing to do that. He said he's trying to find a better way, but reminded the Board he's been in his position less than two years and needs an adjustment period. There was a suggestion that if Weber kept track of his time, it would provide a snapshot so everyone would have a sense of how time-consuming various tasks are.

Emsweller stated that Weber's Superintendent Report was excellent, and recommended that he keep it up on a monthly basis, for the Board to be able to prepare for meetings and refer to from time to time. He added that it helps everyone understand where we are. He requested that it be sent out with other meeting materials. Weber stated that the report was very time consuming and he may not be able to sustain that, and Harrington suggested a bullet point list as a framework document as he had previously mentioned.

Due to the lateness of the hour, Emsweller suggested moving on to Item D-2. Staff Evaluations.

### C-4. Sodalís Nature Park Update

No discussion.

### C-5. Report on May 1<sup>st</sup> County Council Public Hearing

No discussion.

## **D. NEW BUSINESS**

### D-1. Review 2019 Draft Budget

Prior to discussing staff evaluations, Miner reminded board members that the deadline for the 2019 budget request is June 15. He asked the Board to review the budget document provided by Ivie prior to the June 6<sup>th</sup> meeting. Weber asked if the board wanted a committee to review and make recommendations prior to meeting. He said he wanted to add a prairie burn and maintenance truck for the new maintenance employee. Harrington recommended meeting an hour before the board

meeting on June 6<sup>th</sup>.

#### D-2. Staff Evaluations

Miner reported that staff evaluations are due June 1<sup>st</sup>. He stated that last year evaluations went out to all board members, but no one had contributed. Emsweller suggested it's a good policy for the board to have the opportunity to evaluate the Superintendent and Assistant Superintendent. Emsweller said in the past a composite evaluation was done combining all reviewers' scores. He went through his scoring system, and said that if someone had a comment, that comment was lifted verbatim and put on the official document. Emsweller said he would take on the task or the executive committee could put it together and he would talk to Erin Hughes to see if she would give us some time. Emsweller said he'll send out the evaluation to everyone this afternoon and responses can be reviewed by the executive committee, and recommended sending them to Harrington.

#### **E. REPORTS**

There were no reports presented, but Harrington advised he would be meeting with Whetstone, Wathen, McCormack, and Steuerwald on Tuesday, May 29<sup>th</sup> at 8am and he will report back to the Board.

#### **ADJOURNMENT**

**The meeting adjourned at 4:25 p.m., and was followed by an executive session.**

Respectfully submitted,

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William O. Harrington, Secretary