ERIE METROPARKS Board of Park Commissioners

Minutes - Special Meeting

September 28, 2011

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

Chairman Landefeld called the meeting to order at 3:04 PM in the Commission Room of the Maple Grove Center, Osborn MetroPark, Huron, Ohio.

Park Commissioners Present:

Kurt Landefeld, Chairman

James "Don" Miears, Vice Chairman

Commissioner Landefeld noted Commissioner Glovinsky's absence due to a pre-planned vacation and welcomed everyone who was present.

EXECUTIVE SESSION

Commissioner Landefeld acknowledged the board's desire to go into Executive Session with Attorney Tom Young for a short period of time for discussion before sharing details of the agreement that was reached in Monday's settlement conference, after which comments and questions would be welcomed from those in attendance.

(1) Commissioner Miears moved to enter into Executive Session to discuss Pending Litigation: Huron River Greenway.

Second: Commissioner Landefeld

Roll Call: Commissioner Landefeld: aye

Commissioner Miears: aye

Action: Motion passed unanimously with two affirmative votes.

The Park Commission entered into Executive Session at 3:05 PM and returned to Regular Session at 3:23 PM.

Upon return to Regular Session,

Resolution 2011-30: Erie MetroParks/Huron River Greenway Mediation Settlement Terms
Commissioner Landefeld read Resolution 2011-30: Erie MetroParks/Huron River Greenway
Mediation Settlement Terms. Commissioner Miears moved to approve Resolution 2011-30: Erie
MetroParks/Huron River Greenway Mediation Settlement Terms, resolving all disputes pertaining

the Erie MetroParks/Huron River Greenway, Case Nos. 2009-CV-877 Et. Al., as presented. Attorney Young spoke on behalf of Mr. Bob Wikel, who was present at today's meeting. Though clearly stated in the hearing transcript that has been made part of this Resolution, Mr. Wikel requested that his Attorney Charles Pawiukiewicz, who was also present at the settlement conference of September 26, 2011 on behalf of Wikel Farms, be referenced in the proposed resolution.

(2) Commissioner Miears moved to approve Resolution 2011-30, as presented; but amended to include Attorney Charles Pawiukiewicz.

Second:

Commissioner Miears

Action:

Motions carried unanimously with two affirmative votes.

Commissioner Landefeld further referenced the Transcript of Hearing, which sets forth the terms as outlined in the Transcript of Hearing that took place on September 26, 2011 in Erie County Common Pleas Court before the Honorable Judge Tygh M. Tone, resolving all disputes pertaining to the Erie MetroParks/Huron River Greenway, Case Nos. 2009-CV-877 et. al., and a map of the proposed Huron River Greenway route revision that was made available at the start of today's meeting; both made part of these minutes. Noting our agreement to close the trail south of Franklin Flats to Mason Road, with this property reverting back to the various landowners as agreed. Two smaller trails, the most popular portions of the greenway, will be retained to be used and enjoyed by the public (noted in blue): a northern trail beginning in the area of Dupont Marsh and extending south to Franklin Flats, and a southern trail beginning in the Village of Milan and extending north to the southern boundary of property currently owned by Dan Coles. Commissioner Landefeld further noted that Mick and Lisa Coles have agreed to grant an easement, noted in red, which will create a loop trail; adding that once the exact boundary lines are determined, a barrier will be installed to clarify this boundary line. Name changes will be proposed for both remaining trails and the park district will secure financing in an effort to ensure completion of the agreed terms. Commissioner Landefeld acknowledged the generosity of Mick Coles and Bob Wikel, who deserve much credit for their monetary sacrifices, and extended gratitude to them and several additional leaders in the community who were implemental in achieving an amicable settlement agreement: Erie County Commissioner Pat Shenigo, Judge Tygh Tone, and Sandusky City Commissioner Richard Brady, who was also present at this meeting and spoke briefly about the importance of this agreement to current and future residents of Erie County. Ongoing discussion ensued and questions were opened up to those present and addressed; videotaped and made part of these minutes.

ADJOURNMENT

With there be no further business brought before the Park Commission,

(3) Commissioner Miears moved to adjourn the meeting at 3:57 PM.

Second:

Commissioner Landefeld

Roll Call:

Commissioner Landefeld:

aye

Commissioner Miears:

ave

Action:

Motion passed unanimously with two affirmative votes.

APPROVAL OF MINUTES

The foregoing is a true and accurate account of the September 28, 2011 special meeting of the Park Commission, and has been formally adopted by the Commissioners as such, and shall be placed in and become part of the official Proceedings of the Board of Park Commissioners.

APPROVED:

James "Don" Miears, Vice Chairman

Date

ATTEST:

Kurt O. Landefeld, Chairman

Date