

Byron Park District Regular Meeting Minutes
Tuesday, January 21, 2020 at 6:00 p.m.
Byron Park District Conference Room (420 N. Colfax)

1.1 Commissioner Oracki called the Regular Meeting of the Board of Commissioners to order at 6:01 p.m.

1.2 On roll call, the following were:

PRESENT: Commissioners Boyle, Jeffrey, Oracki, and Wilmarth.

ABSENT: Griffith.

STAFF PRESENT: Director Paul Zepezauer, Nick Warrner & Elaine Carow.

GUESTS: Sherri Harlan and Steve Nelson.

2.0 PUBLIC COMMENT: None.

3.1 BOARD AMMENDMENTS TO THE AGENDA: Commissioner Boyle requested the addition of item 7.3 Blackhawk Meadow Park.

3.2 STAFF AMMENDMENTS TO THE AGENDA: None.

3.3 APPROVAL OF THE AGENDA: Commissioner Jeffrey made a motion to approve the agenda as amended. Commissioner Boyle seconded the motion, which passed unanimously on voice vote 4-0.

4.1 APPROVAL OF THE BUDGET HEARING MINUTES OF DECEMBER 17, 2019: Commissioner Wilmarth made a motion to approve the Budget Hearing Minutes of December 17, 2019 as presented. Commissioner Boyle seconded the motion, which passed unanimously on voice vote 4-0.

4.2 APPROVAL OF THE REGULAR MEETING MINUTES OF DECEMBER 17, 2019: Commissioner Wilmarth made a motion to approve the Regular Meeting Minutes of December 17, 2019. Commissioner Boyle seconded the motion, which passed unanimously on voice vote 4-0.

4.3 APPROVAL OF THE REGULAR MEETING MINUTES OF JANUARY 10, 2020: Commissioner Wilmarth made a motion to approve the Regular Meeting Minutes of January 10, 2020. Commissioner Jeffrey seconded the motion, which passed unanimously on voice vote 3-0. Commissioner Boyle abstained.

5.1 TREASURER'S REPORT FOR THE MONTH ENDING DECEMBER 31, 2019: Director Zepezauer provided the Treasurer's Report. He reported the fiscal year was successful overall and reviewed the income statements. The Recreation Fee Revenue Comparison, Recreation Fee Revenue by Source, and Recreation Fund Comparisons were reviewed. Director Zepezauer advised the dance program and PE Center Memberships and punch cards were among the top revenue producers for the district. He noted Group Fitness under performed and will be looked at as a whole to revitalize classes. Commissioner Wilmarth noted Athletics were down slightly as well. Mr. Warrner advised smaller class sizes might be effecting enrollment at the lower levels and the district might be competing with its own programs such as dance. Revenue vs. Budget and Expenses vs. Budget were reviewed.

Commissioner Jeffrey made a motion to approve the Treasurers Report for the month ending December 31, 2019. Commissioner Wilmarth seconded the motion, which passed unanimously on voice vote 4-0.

5.2 APPROVAL OF BILLS FOR DECEMBER 2019: A list of bills for December 2019 was provided. Commissioner Boyle made a motion to approve the bills as presented. Commissioner Jeffrey seconded the motion, which passed unanimously on voice vote 4-0.

6.1 FACILITY EXPANSION AND RENOVATION: Director Zepezauer provided an update on the Facility Expansion Plan, reporting the District has submitted for the PARC grant. He advised the architectural drawings are 90% complete, in the process of reviewing and submitting final changes. Director Zepezauer suggested changing our approach and going with a construction management firm vs. general contractor. Steve Nelson with Larson and Darby presented information on both options. Discussion occurred. Commissioner Jeffrey questioned who provides oversight as it relates to quality control. Mr. Nelson advised the construction manager handles the bid process in stages, provides lists for detailed duties and supplies, and offers more transparency. Attorney Sherry Harlan indicated she is supportive of the Contractor at Risk option as the Construction Manager takes on liability which offers better accountability. Director Zepezauer solicited feedback. Commissioner Jeffrey was supportive of the oversight offered by a construction manager. Board consensus was to move forward with a construction manager.

6.2 2020 BOND ISSUE: Director Zepezauer advised the competitive sale was January 14th. Robert W. Baird was the lowest bid at 2.34%. The closing will be January 30, 2020. Funds will be deposited to the IPRIME account at PMA, which has a current interest rate of 1.71%. The District may look at some short term CDs in an attempt to increase the interest income in 2020.

6.3 INTERGOVERNMENTAL AGREEMENT WITH BYRON CUSD 226: Director Zepezauer introduced Attorney Sherry Harlan of Hinshaw & Culbertson. Attorney Harlan advised she has been working with the school district's attorney, Howard Metz, to revise the Intergovernmental Agreement to offer better protection for both entities. Director Zepezauer noted the school board was not supportive of revised version which was presented by Superintendent Barton at the most recent Committee of the Whole meeting. Director Zepezauer noted both he and Sherry generally agreed with the revised version. A brief update regarding meetings that have occurred to discuss and develop the agreement prior to Attorney Metz presenting the document to the school board was given. Director Zepezauer advised the school was not supportive of Section 4, item 4 & Exhibit A, the listing of the spaces and times available for use. He noted the main sticking point with the School District is who has final control of both the existing and new sections of the building and at what times. The PARC grant requires the areas of the building that will be utilizing grant funds to be open to the public. It also requires an IGA with a total length of 25 years as opposed to the original request of 15 years (5 year term with four renewal options). The School District is also looking at joining an insurance co-op for School District and the Park District would no longer be able to be on their plan. Attorney Harlan discussed the differences between the original agreement and revised agreement providing the Board with all the information needed to make a decision on the level of risk tolerance they are comfortable with as it relates to spending approximately \$4,000,000.00 on the facility expansion. Attorney Harlan discussed the level of risk under the current Intergovernmental Agreement. Sherry noted, while there is a special relationship between the school district and park district, she has concerns with the level of protection the agreement offers the Park District from a legal standpoint. Director Zepezauer advised the Board of Commissioners needs to make the decision on how to proceed with the future Intergovernmental Agreement and determine how much risk the Park District is willing to take. Commissioner Oracki noted she would prefer to have tough discussions between boards now to avoid future issues and develop a document that offers both entities protection. She expressed concerns with the level of risk to Park District daily operations if the old agreement remains in effect. Commissioner Wilmarth discussed meeting with Mr. Jeff Milburn, Mr. Phil Kesler, Superintendent Buster Barton, and Director Paul Zepezauer. Commissioner

Wilmarth reported consensus from said meeting was to keep the spirit of the original agreement and utilize addendums to address specifics. Commissioner Oracki questioned if the school was supportive of outlining space dedicated to the Park District for daily operations such as office space, courts in the evening, dance rooms and fitness space. Director Zepezauer said that his interpretation to this point has been that the School Board is reluctant to do so. He asked what the board's comfort level is in regards to the current IGA as compared to the Restated and Revised Agreement. A review of the Restated and Revised Agreement was conducted. Commissioner Oracki stressed the responsibility to protect the new facility for public use and the need for all parties to work together for facility access and scheduling. Director Zepezauer suggested adding verbiage to the agreement for school and park district administration to address daily scheduling only to reach the board level in the case of an unresolved issue. Concerns were expressed regarding what would happen if the new fitness center was closed to the public during the day. Consensus was to continue to work with the School Board to ensure the existing school facility is secured during the school day and the tax payers are protected should the expansion move forward. Director Zepezauer suggested that if we are returning to the original agreement, the Tiger Den Child Care Program should be included and a request be made that the Park District be the only agency to provide services within the complex. Brief discussion occurred. Director Zepezauer requested Sherry Harlan make minor changes to the current Intergovernmental Agreement incorporating board concerns. Sherry stated she disagrees with how the current agreement is drafted and as an Attorney she is unable to determine how to proceed when both the schools attorney and she agreed on the revised contract. Her suggestion is to request that Attorney Metz provide something for her to review. Commissioner Boyle stated Commissioners must protect the districts tax payers. Additional discussion occurred. Consensus was if the School Board wished to return to the original agreement, to request the new fitness center, new office space, new dance studio #2 (current free weight room), and the child care program and area be available to the Park District at all times to meet the requirements for the PARC grant and protect the taxpayers. Sherry advised there are several areas of the document that should remain to protect the park district, however, she would revise the agreement as discussed and at the direction of the board of commissioners. Director Zepezauer stated that he would draft a letter to Superintendent Barton that he could provide to Attorney Metz and the School Board.

7.1 2020 DISTRICT SHORT TERM AND LONG TERM GOALS: Tabled until the regularly scheduled February meeting of the Byron Park District Board of Commissioners.

7.2 DUGOUT BID APPROVAL: Director Zepezauer advised one bid was received from the Zenon Company. Dugouts will be installed in spring and will match the dugouts on fields 5 & 6. Concrete and dugout installation work will be bid separately.

7.3 BLACKHAWK MEADOW PARK: Commissioner Boyle expressed concerns regarding the excessive amount dog feces on the path at Blackhawk Meadow Park and dogs not on leashes. Brief discussion occurred.

8.1 DIRECTOR/STAFF REPORTS: Director Zepezauer provided the Parks & Projects Update. He advised the District was awarded the OSLAD grant in the amount of \$400,000.00 for the development of Johnson Park. Park maintenance continues weather permitting and snow removal as needed. The HR/Safety report was provided. The next session of swim lessons began on January 19, several changes will be implemented for the safety of participants. Changes included parents viewing from the bleachers and participants requesting permission to enter the pool from the instructor. Fourth quarter taxes have been filed, along with 2019 W2's. Preliminary audit fieldwork will be completed on January 21 with the full audit scheduled for February 10-12. Employee trainings are ongoing. Mr. Warrner provided the Recreation Report. Youth Basketball Leagues are scheduled to conclude on February 1. Tiger Cub Soccer began January 5. Soccer, Baseball, and Softball preseason planning is

underway. Several new PE Supervisors have been hired. Two supervisors will be scheduled in the evenings through the end of January and coverage will be reduced in February. Matrix will be conducting fitness equipment checkups and a disposable wet wipe dispenser has been installed to wipe down equipment. The Middle School Weight Training class is being revamped and a digital pass created to verify youth that have completed the program. Tiger Den enrollment numbers continue to increase; however, gym space continues to be an issue during the winter months. Summer Camp planning has begun. Dance enrollment is holding steady among classes and new instructors are settling in. All Young Rembrandts classes are filled with waitlists. Marketing for the Mother Son and Daddy Daughter Dances has begun. Chelsea Marie Photography will be returning to take photos, Sound Solution will provide musical entertainment, Candy Cloud Company will be making gourmet cotton candy, and there will be professional face painting. The Byron Fest 5K will once again be a Rockford Road Runners circuit race. Due to scheduling conflicts the Tiger 10 Miler will not be a circuit race as only one race per day is allowed on the circuit. A New Year, New You postcard has been distributed to Byron, Leaf River, Stillman Valley, and some Winnebago residences. Fitness Ads have been ran in the Ogle County Life and Tempo. The District officially began offering Silver & Fit and Active & Fit January 1, which operates similar to Silver Sneakers.

8.2 BOARD REPORTS: None.

9.0 EXECUTIVE SESSION: None.

10.0 ADJOURNMENT: Commissioner Wilmarth made a motion to adjourn at 8:10 p.m. Commissioner Jeffrey seconded the motion which passed unanimously on voice vote 4-0.

Rachel Chadli 2-18-2020

Signature

Date

Jeff Wilmarth 2-18-20

Signature

Date