

**FEATHER RIVER RECREATION AND PARK DISTRICT
1875 FEATHER RIVER BLVD., OROVILLE, CA 95965**

DISTRICT BOARD MEETING

Regular Board Meeting
February 27, 2018
5:30PM

Location: FRRPD Conference Room

Approved MINUTES:

Open Session 5:30PM

The public portion of the meeting was recorded by Chairperson Smith.

Chairperson Smith called the meeting to order at 5:30pm.

IN ATTENDANCE

Chairperson Victoria Smith	<u>Present</u>
Vice Chairman Gary Emberland	<u>Present</u>
Director Scott Kent Fowler	<u>Present</u>
Director Marcia Carter	<u>Present</u>
Director Don Noble	<u>Present</u>

The Pledge of Allegiance was performed.

Items pulled from the Consent Agenda

- A.** Approve the January 23, 2018 Regular Board Meeting Minutes (**Appendix A**)
Chairperson Smith recommended the following changes be made to the January 23, 2018 minutes:
 - a. On page 2 of 5, change the wording “Tom Lando and Jeff Carter is” to “Tom Lando and Jeff Carter are”
 - b. On page 3 of 5, change Director Fowler to Director Noble under the SBF Committee.

6. CONSENT AGENDA

- A.** Approve the January 23, 2018 Regular Board Meeting Minutes (**Appendix A**)
- B.** Financials – Review monthly financial statements (**Appendix B**)
- C.** Approve as recommended by Finance Committee: Allocate up to \$11k to Feather River Aire Heating & Cooling for repairs to 3 AC units and replace 1 unit at Activity Center. (**Appendix C**)
- D.** Approve as recommended by Finance Committee: Fee waiver for Fish & Wildlife rental/Act Center Board Room on 3/3/18. General Manager approved 50% waiver, request Board to waive 50% resulting in a 100% waiver totaling \$100 (**Appendix D**)

Director Noble made a motion to approve the Consent Agenda with the corrections made.
Director Carter seconded the motion.

THE MOTION TO APPROVE THE CONSENT AGENDA WITH THE CORRECTIONS MADE WAS APPROVED BY A UNANIMOUS VOTE.

REGULAR AGENDA

ACTION ITEMS

- 1. RESOLUTION NO 1378-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION & PARK DISTRICT INCREASING FIXED ASSET/CAPITAL THRESHOLD FROM \$2K TO \$5K AS RECOMMENED BY STAFF, AUDITORS KCOE ISOM, AND HARVEST ACCOUNTING**

Director Carter asked why the threshold was being increased. It was clarified that \$5K was a general practice for government agencies have a \$5K threshold for fixed assets. It also makes it easier for the County.

Director Fowler made a motion to adopt Resolution No. 1378-18.

Vice Chairperson Emberland seconded the motion.

- *THE MOTION TO ADOPT RESOLUTION NO. 1378-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION & PARK DISTRICT INCREASING FIXED ASSETS/CAPITAL THRESHOLD FROM \$2K TO \$5K AS RECOMMENDED B STAFF, AUDITORS KCOE ISOM, AND HARVEST ACCOUNTING WAS APPROVED BY UNANIMOUS VOTE.**

- 2. RESOLUTION NO 1376-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION & PARK DISTRICT REVIEWING AND ADOPTING THE 2016-2017 FEATHER RIVER RECREATION & PARK DISTRICT FINAL AUDIT REPORT (Appendix E)**

A final audit report was presented by a representative from KCOE & ISOM. KCOE & ISOM reported that there was identified/suspected fraud with regards to the gymnastics program and Gymnastics Director. Interim General Manager Lando made a corrected statement with regards to the audit that states that some gym coaches were waiving fees for private lessons, not the Gymnastics Director.

A member of the public indicated that the District seems to operate as gymnastics first, which is actually hurting the District. She stated that the gymnastics program needs a healthy Parks and Rec to survive. She stated that the District needs additional programs and revenue.

Another member of the public spoke in support of Shaw Carter. They asked the Board and the public to go down to the gym floor and see the good Shaw does for the kids in the program. She requested that proof be given, in regards to Shaw giving private lessons, before the audit was approved. Interim General Manager Lando clarified that it had already been asked to be stricken from the audit. She also suggested that this was a personal attack against Shaw and that the District was ruining gymnastics for everyone.

A member of the public asked what the District was going to do about the deficiencies on page 2 of the audit. Interim General Manager Lando stated that

there would be no forensic audit done. He assured the problem had been addressed.

Interim General Manager Lando stated that it is not a question of “did it happen”, it did happen and that we need to move on.

Director Noble made a motion to adopt Resolution 1376-18.

Director Fowler seconded the motion.

***THE MOTION TO ADOPT RESOLUTION NO 1376-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION & PARK DISTRICT REVIEWING AND ADOPTING THE 2016-2017 FEATHER RIVER RECREATION & PARK DISTRICT FINAL AUDIT REPORT WAS APPROVED BY UNANIMOUS VOTE.**

3. RESOLUTION NO: 1373-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$150,000 FROM THE BANK OF THE WEST MERCHANT ACCOUNT TO THE GENERAL FUND ACCOUNT 2600

Vice Chairperson Emberland made a motion to adopt Resolution 1373-18.

Director Noble seconded the motion.

***THE MOTION TO ADOPT RESOLUTION NO: 1373-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$150,000 FROM THE BANK OF THE WEST MERCHANT ACCOUNT TO THE GENERAL FUND ACCOUNT 2600 WAS APPROVED BY UNANIMOUS VOTE.**

4. RESOLUTION NO. 1374-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE TRANSFER OF PUBLIC USE IMPACT FEE FUNDS TO THE GENERAL FUND IN THE AMOUNT OF \$26,000 FOR APPROVED BERRY CREEK RESTROOM PROJECT.

Director Carter made a motion to adopt Resolution 1374-18.

Director Fowler seconded the motion.

***THE MOTION TO ADOPT RESOLUTION NO. 1374-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE TRANSFER OF PUBLIC USE IMPACT FEE FUNDS TO THE GENERAL FUND IN THE AMOUNT OF \$26,000 FOR APPROVED BERRY CREEK RESTROOM PROJECT WAS APPROVED BY UNANIMOUS VOTE.**

5. RESOLUTION NO: 1375-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$52,944 FROM THE BANK OF NEW YORK PROJECT FUND TO THE GENERAL FUND ACCOUNT 2600 FOR APPROVED PALERMO PLAYSTRUCTURE PROJECT ACCOUNT

A member of the public suggested adding “Palermo Playstructure” in the actual resolution.

Director Fowler made the motion to adopt Resolution 1375-18, with the added wording “Palermo Play Structure”.

Vice Chairperson Emberland seconded the motion.

***THE MOTION TO ADOPT RESOLUTION NO: 1375-18: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$52,944 FROM THE BANK OF NEW YORK PROJECT FUND TO THE GENERAL FUND ACCOUNT 2600 FOR APPROVED PALERMO PLAYSTRUCTURE PROJECT ACCOUNT, AS AMENDED, PASSED BY UNANIMOUS VOTE.**

6. RESOLUTION NO: 1377-18: A RESOLUTION OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS DIRECTING PREPARATION OF THE ENGINEER'S REPORT FOR THE CONTINUATION OF THE ANNUAL ASSESSMENT FISCAL YEAR 2017-18 FOR THE PARK MAINTENANCE AND RECREATION IMPROVEMENT DISTRICT (APPENDIX F)

Director Noble made the motion to adopt Resolution No. 1377-18.

Director Carter seconded the motion.

***THE MOTION TO ADOPT RESOLUTION NO: 1377-18: A RESOLUTION OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS DIRECTING PREPARATION OF THE ENGINEER'S REPORT FOR THE CONTINUATION OF THE ANNUAL ASSESSMENT FISCAL YEAR 2017-18 FOR THE PARK MAINTENANCE AND RECREATION IMPROVEMENT DISTRICT WAS PASSED BY UNANIMOUS VOTE.**

7. Agreement between the Forbestown Advisory Council and the Feather River Recreation and Park District. Changes: 5 special events changed to up to 10 special events. Adding wording to agreement to have additional 10 meetings a year for the Forbestown Ridge Fire Safe Council. (Appendix G)

Vice Chairperson Emberland made a motion to approve the changes to the agreement between the Forbestown Advisory Council and Feather River Recreation & Park District.

Director Fowler seconded the motion.

***THE MOTION TO APPROVE THE CHANGES TO THE AGREEMENT BETWEEN THE FORBESTOWN ADVISORY COUNCIL AND FEATHER RIVER RECREATION AND PARK DISTRICT PASSED BY UNANIMOUS VOTE.**

PUBLIC COMMENT:

A member of the public spoke in regards to the salary range posted for the General Manager position. He suggested we might get more applicants if the range of \$60-\$75K was stated instead of the starting at \$60K.

Another member of the public wanted to reiterate that she is not opposed to gymnastics. She is trying to figure out a way to save the Parks District and in turn save gymnastics.

A member of the public spoke in regards to swimming. She feels the District has lost sight of its purpose. She feels that swimming is a critical investment for the youth in our area. She wants Nelson Pool to be upgraded. She also stated that gymnastics should not be driving the District.

A former employee of the District feels that the Board messed things up. He feels like the Board created a hostile work environment for some of the employees, which is the reason he quit.

Another former employee of the District supported some of the others comments that were made. She wants the Board to take a look at what their sole purpose is, which is Parks and Recreation. She feels a lot of things have been pushed to the side because of gymnastics.

A member of the public spoke in support of Shaw Carter. He stated that the newspaper article with regards to Shaw was slander. He also stated he knows Apryl Ramage, who previously worked for him. He hopes that there is proof to the Shaw Carter allegations.

A member of the public spoke to the state of Riverbend Park and Salmon Road. He states that the conditions are unsafe.

A member of the public wanted 2 things addressed. The 1st being the tennis courts and the issues there. The lighting and the condition of the courts. The 2nd thing he wanted addressed was something he heard from the finance committee meeting which was the fraud to the District's Home Depot account. Interim General Manager Lando assured him that it was being investigated. Business Manager Peltzer clarified that the card number had been stolen and that the fraud actually occurred in Southern California.

A member of the public stated that they are in support of the parks and that we need to come together. She wants the negativity to go away.

A member of the public said most of her concerns were addressed. She did state that there were times when Shaw would work skills with her daughters if they were early to class. She stated that there were times he called other girls down to work skills without compensation. She stated that Shaw did things with the best intention for the District.

A member of the public, who is friends with both Shaw Carter and Apryl Ramage, stated that they didn't like each other. He felt there were other people carrying on Apryl's agenda. He also spoke in support of Shaw.

A member of the public would like the District to fix the lights at Bedrock Tennis Courts. She states she knows the courts were just redone, but there are cracks that have reappeared. She also stated that the courts are being used frequently.

A current employee spoke to the negativity in regards to management. She wanted to know how we could have a positive program when management wants the program to go away. She claims that the gymnastics program is being mismanaged, that there is a waiting list, but there are classes that aren't full. She would also like the accusations to stop.

Interim General Manager Lando clarified that the Recreation Supervisor specializing in gymnastics would help.

A member of the public said his organization pledged \$1K to help with the new playstructure.

A member of the public spoke in support of Shaw Carter and the gymnastics program. She feels it is a positive activity for the kids in the community. Her daughter and grandchildren love the program.

A member of the public indicated that the community needs more support from the residents. There is a different atmosphere in Oroville, compared to Chico. He would like to see the community come together. He also brought up that the tennis courts, which are used frequently, need lights, light poles, and the bathrooms are being vandalized.

An attorney with public interest law was asked to speak to the Board on behalf of community members. The community members have significant concerns with regards to the symptoms and the cause; the symptom being the potential embezzlement from a public employee. The Board has a fiduciary duty to the f of the District. He spoke to common law conflict of interest, that a Board member is related to one of the employees.

NON-ACTION ITEMS

- 1. Reminder: Board Training: Annual Required Ethics AB134 Compliance Training, 3/13/18 FRRPD Board Room 10am-12pm**

DIRECTOR, & COMMITTEE REPORTS, MANAGER, & STAFF REPORTS

Director Noble wanted to thank those that got the sign by the freeway up and running. He also stated that there would not be a Wildflower Festival. He also stated he felt that you could support gymnastics and still support the parks.

Interim General Manager Lando reports that the state of the tennis courts will be reviewed.

Director Fowler reported that the Park Watch Program was successful so far. The Park Watch group walks between 2-4 miles each time. It is getting out that if you are camping illegally, you need to move on. He is meeting with Fish and Game. Park Watch meets every Monday, Wednesday, and Friday at 9am. There is also a Park Watch app called Park Watch Report. It can be downloaded on your phone and reports are sent directly to Director Fowler.

Chairperson Smith stated that Nelson Pool has been getting fixed with "band-aids". The District previously had repairs quoted for the pool in the \$300-\$500K range. As to Salmon Run Rd, it is a gravel road and in a constant state of needing repairs. She finished with stating that the Park Watch Program is a great program and she hopes it will continue to be successful.

CORRESPONDENCE

None

UNFINISHED BUSINESS

None

BOARD ITEMS FOR NEXT AGENDA

3/8/18 10am Special Board Meeting:

- **Award Bid Riverbend Park Phase I construction**
- **Review and Approve Melton Design Contract Phase II construction docs Riverbend Park**

Chairperson Smith adjourned the meeting at 7:17pm.

Attest:

Victoria Smith, Chairperson

Randy Murphy, General Manager