

**KANAWHA COUNTY PARKS & RECREATION COMMISSION
COMMISSION MEETING
February 21, 2024
MINUTES**

CALL TO ORDER

The regular meeting of the Kanawha County Parks and Recreation Commission was held on Wednesday; February 21, 2024 at Coonskin Park in the Oak Room. This is the annual meeting of the Kanawha County Parks and Recreation Commission and President Tackett called the meeting to order at 2:00pm.

ROLL CALL

PRESENT:

Allen Tackett, John Robertson, Janet Drumheller, Karen Haddad, Steve Koepsel, Dave Pope, Pat Donahoe,

ABSENT: John Huddleston, Stuart Smith, Tyler Ohrn, Andrew Jordon, Chris Hamilton,

OTHERS

Jeff Hutchinson, Director

Commissioner Wheeler and Leslie Koepsel

Brad Maschari, Eddie Amburgey, Cliff Wheeler, Sarah Menefee

Jordan Herrick (lawyer)

Greg Stram, Deama Watts, Cyndie Marrett, Donna Carney, Jeanne Chandler

APPROVAL OF MINUTES

There was no meeting in January due to inclement weather. Commissioner Drumheller made a motion to approve the minutes from December and Commissioner Koepsel seconded the motion. All were in favor.

PERSONNEL COMMITTEE

Commissioner Drumheller reported that the personnel committee is going to meet and review and revise job descriptions that Jeff sent us earlier and we will be reporting back to the board for approval. Commissioner Drumheller would also like to make a motion that all employment hours of any kind, temporary or permanent, and their wages has to be approved by the board. Commissioner Pope seconded the motion. Commissioner Donahoe asked how we do it now. Commissioner Drumheller said that it is a matter of transparency and wants to do it like the Kanawha County Commission does. Jeff said if you want to see every part time employee, it is not feasible to hire part-time employees in that manner because of the time factor and availability. Commissioner Drumheller said that you will need to plan in advance just as the Kanawha County Commission does and they have no problem with that. President Tackett stated that if we needed to make approval to hire people to cut grass part time and the wages are already set for part time employees then we will be getting down in the weeds and it makes it more difficult to hire people. President Tackett said that he can understand if it is full time employees, not for part time employees who are seasonal workers. Commissioner Koepsel agreed with President Tackett and stated that part time employees want to know immediately if they have a job or not. Commissioner Drumheller said that we have a motion here and seconded;

Commissioner Koepsel asked for the amendment to exclude the part time employees from this motion. President Tackett updated Commissioner Wheeler on the motion and discussion. He added that if its full-time people he agrees but if its part time people he doesn't see the board having to do that. Commissioner Pope asked who could amend the motion. Commissioner Pope asked if you could put a limit on salary and wage on hiring and its \$12.00 hour is what we pay part timers and anyone over \$15.00 would have to be approved. Jordan Herrick said this topic is not on the agenda therefore a vote cannot be taken today; Jordan said if you table it for next meeting it will go under old business. Commissioner Donahoe made a motion to table this until our next meeting. Commissioner Pope seconded the motion, and all were in favor.

Commissioner Drumheller said that Jordan will be reporting on exempt and non-exempt employee status. Jordan said that is set by the Department of Labor and it dependent on the job duties of the employee and his understanding is that everyone is hourly and we talked about this in December. It is a DOL issue and if a manager falls under the definition but if they are still hourly, they are not exempt by Fair Labor Standards. Commissioner Robertson asked if there is anything to prevent the board from changing hourly to salary for certain management employees. Jordan said he doesn't think so but there may be some sort of notice requirement under state or federal law on when it can go into effect but unless there is a contract then he doesn't see the board not being able to make that change. Commissioner Haddad asked Commissioner Wheeler if there was a problem paying the employes hourly versus salary. Commissioner Wheeler said that is up to the board and how they want to handle it. He said that you receive a contribution from the Kanawha County Commission but it is your budget. If it falls under the DOL's guidelines and you want to change status from hourly to salary than that is the boards choice as long as they fit the criteria set by the DOL. Jordan said that someone can be salary and still be non-exempt but since everyone is hourly right now that ends the analysis right there. Jeff asked Jordan if he can get the criteria to determine what qualifies as hourly versus salary. He added that there may be exceptions for Law Enforcement. Commissioner Robertson said that some people it will not affect their pay at all because even though they are hourly and if you take that as 2,080 hours and that is what they are paid as salary as opposed to hourly rate it still does not affect their annual wage. But they would still have to meet the criteria established by the FLSA and he would think it would require a job description that would be compared to the requirements of the FLSA so that you can determine whether that position meets the criteria established by the FLSA in order to make them exempt. He believes if we have management employees that would meet the criteria and it would become a matter of changing them from hourly to salary. Which ultimately means those employees would not be eligible for overtime and that what he has a concern about and a concern about the deal we had to pay the feds as a fine. Jeff stated that we never paid a fine and the feds never received a nickel. Commissioner Robertson asked if it was the US DOL then. Jordan said there was no fine and the back wages were paid and then there were liquidated damages and all the money went back to the employees. Commissioner Wheeler asked who was on the Personnel Committee. Jeff responded with Commissioner Jordon, Drumheller, and Huddelston. Commissioner Wheeler said to find out who is on the Personnel Committee and have them meet with Jordan and Jeff and talk about the exemption and non-exemption and give us some recommendation at next meeting. He said

it seems like a lot questions on how it's done and doesn't think a public forum is the right place to discuss it. Commissioner Wheeler said whatever the Personnel Committee decides than that is their recommendation going forward. President Tackett added that he told Jeff to get with Jordan and to come up with how we could make as many employes as we have exempt in full. Commissioner Wheeler said again to the have Personnel Committee meet and make a recommendation and come back to the board with the recommendation and vote. Commissioner Robertson wanted to make a correction on what he said. He said on the settlement with the US DOL Wage and Hour Division we are required to pay back wages to employees totaling \$13,639.85 and then we had to pay liquidated damages. Regardless whether it was the US DOL and we ended up paying. Commissioner Donahoe said that wasn't a fine.

LONG RANGE PLANNING

Jeff reported that we are going through the bid process for Big Bend and Coonskin work on the slips and has been released. It comes back in on March 19th and the County Commission will meet the engineers and FEMA consultants. We will send a recommendation to the Commission on the contractor that will complete the job and how we want it and within the time frame. The Commission will do all the paper work and then will vote on it. It will take a little time to mobilize and get ready and we are looking the work to start at Big Bend from mid-May-June 1st. We are anticipating with weather permitting a six-month process. We be operating Big Bend differently until the work is done. That is our biggest thing facing right now in the park and how this goes.

FINANCIAL REPORT

Commissioner Donahoe said they met on Monday about the budget. Sarah reported on the financials. All facilities from July – December had a total income of \$1,400,956 with a gross profit of \$1,367,828. The total expenses were \$1,306,960. The non-recurring contribution of \$31,599 was a repayment form WV American Water. Which is a net income of \$92,467. Coonskin Golf had a total income of \$92,854 with a gross profit of 89,553. The total expenses were \$201,147 with a net loss of \$(111,593). Big Bend Golf Course had a total income of \$357,464 with a gross profit of \$332,428. The total expenses were \$267,447 with a net income of \$64,981. July – January all facilities had a total income of \$1,589,635 with a gross profit of \$1,556,447. The total expenses were \$1,495,869 with a net income of \$60,578. Add back the non-recurring contribution and it leaves us with \$92,177. Coonskin Golf had a total income of \$93,905 with a gross profit of \$90,604. The total expenses were \$228,178 with a net loss of \$(137,573). Big Bend had a total income of \$360,161 with a gross profit of \$335,084. The total expenses were \$300,359 with a net income of \$34,725. Commissioner Donahoe said on Monday they met and went over the budget and gave a handout of the budget. He said they went through the income and expenses and have a balanced budget of \$2,652,717 which is the total of expenses that tie into the new budget. He said they submitted that did not include the negative at Big Bend with the construction and the months of revenue we may lose. Commissioner Wheeler said they will set up funds in a special account for Big Bend. Once the construction starts, we will look at what we did in that month last year and subtract what was made and consider that the loss of revenue. The Commission will make month to month payments on loss of revenue until the work is done. That would balance out the budget and make it flat based

on what you made last year. Commissioner Wheelers hope is that even though half the course is closed that we still will get the support from the golf community and we won't have to draw out so much of that money and we can use those funds for other purposes. But if there are any loses than we will make sure your budget is flat for the six months of construction. This is needed as the bank in falling in and FEMA has denied us twice now and we will continue to fight it. As of now it needs to be fixed or we are going to lose the pond. We are putting \$1 million into it and has to be done. Commissioner Donahoe made a motion to accept the budget and finances and Commissioner Koepsel seconded the motion and all were in favor.

GOLF COMMITTEE

Commissioner Robertson reported that the golf committee met two times in the last two weeks and the first meeting was devoted to receiving the report from the construction at Big Bend and how we are going to adapt to staying open as much as possible and is going to affect our ability to run as an 18-hole golf course during the course of construction. We will continue to operate 9 holes. We have came up with problematic ideas in order to stay open. In regards to middle school golf and the usage of Coonskin for their practices and matches. Under SSAC rules the middle schools are allowed to play the spring season of 10 weeks and this would take place mid-March to mid-May. We would charge \$50 per player for the season. We would host their tournaments at no cost and expect management to work out a schedule with the teams that they would have practices two times a week. We will work with all the coaches to determine which days and which teams can practice and play matches. This will only be during weekdays and the coach or supervisor will have to be present when the group is here. Jeff Byant will work out the schedule and we will get a roster from him from each time. Practices are only from 3:30-5:00 on weekdays and that means they can tee off at 3:30 until 5:00 is there last tee time. In addition, we will provide a \$100 range card to the coach so they will be able to use the driving range. We would renew that card at a 25% discount. These guidelines were very easily agreed to by the Golf Committee and staff. Jeff added that we might as well add the High School too and get it all done in one shot and we won't have to revisit this. There are 12 middles schools in the county and could be up to 14-15. They will be limited to how many players can come per day and it's the coach's responsibility to determine who plays. Commissioner Koepsel said that this is more than fair per kid and they worry is everyone getting on the course. We could do it if we manage it properly and the thing is we weren't busy on the old golf course and the demand wasn't that high and we could let the kids play. Now, it's a lot busier during times they want to play. Jeff said before all this we will meet with the coaches and go over this and how we expect the players to use the golf course and the educates of golf. The board agreed that this is more than fair as they pay to play any sports to be involved in. All they have to do is play golf three times and it is paid for. Commissioner Wheeler said that we will test it out this year and if we need to modify it next year, we will change it up. He said that this is something that we get a lot of calls on and this is for young kids trying to experience golf for the first time. With paying full price for each practice is to much and we want them to learn the game and experience the new course. This is something that he asked Jeff and the board to put together to try to work out for everyone. We will get this report in writing to get to the coaches so they know what to expect. Commissioner Wheeler said to give them the option of Big Bend as well and if

it doesn't work out the we can revisit it and it will alleviate the amount of play that we are getting at one course. Commissioner Robertson made a motion to adopt the recommendation from the Golf Committee for middle school and high school golf season. Commissioner Donahoe seconded the motion. All were favor.

PUBLIC SAFTEY

Chief Amburgey reported that thanked the Commission for the Public Safety Grant and they received their new radios and officers already have said how much better they are being able to hear in spots were before they could not. He said that we need to redo our rules and regulations manual for the parks. It hasn't been updated since 1997 and there are changes that need to be made. We will look at this as will as the lawyer for approval and it will have to come before the Kanawha County Commission and then has to be heard and read by the Kanawha County Courts.

DIRECTORS REPORT

Jeff reported on the winter projects and we have been busy working on cleaning ditches, tree limbs, branches, and all that stuff. All the equipment has been worked on and ready to go when the grass needs mowed. Both of golf courses are almost finished with servicing all the golf equipment and just waiting on the weather to turn. Two of the bigger projects other than the work at Big Bend and Coonskin is that we are working on the pool house at East Bank and getting it all painted and taken care of. We will paint both pools at Coonskin and East Bank this spring and that will be a big undertaking and will pull people form everywhere. We will use the paint that the pool consultant recommended. We paint the pool about every five years. We remodeled the lady's bathroom in the main office and it hasn't been updated since the building was built. The maintenance guys have been working on a sink at the Family Center that fell off the wall during a birthday party and got that corrected. We have been busy even though its winter and working on shelters and other buildings. With Holiday Lights and these projects there is not a lot of time to sit around and our employees stay busy. We have a meeting with the YMCA the first week of March to renew the contracts on the pools. They intend to manage the pools again. The Town of East Bank has a new council and one member wanted to know if the city can use the park when the pool is not open. In the past we had a problem with East Bank not doing what they told us they would do. Jeff said if the do the policing and stuff than he would take to the board for their community events. If there is any way that the Town of East Bank can take interest in the park and the policing than it is a win for us.

LEGAL REPORT

PUBLIC COMMENT

Written notes available upon request.

ADJOURNMENT

Commissioner Donahoe made a motion to adjourn.

President Tackett called the meeting adjourned 3:12pm.

The next meeting will be Wednesday, February 20, 2024 at 2:00p.m.

Respectfully Submitted: Jeffrey K. Hutchinson, Director