

**NOVA Parks**  
5400 Ox Road  
Fairfax Station, Virginia 22039

**Board Meeting, July 15, 2021**  
**7:30 p.m.**

**The meeting took place at Rust Sanctuary & Manor House**  
**802 Children's Center Road, Leesburg, VA 20175**

## **MINUTES**

### **ATTENDANCE:**

#### **Members Present:**

Cate Magennis Wyatt, Chairman  
Sean Kumar, Vice Chairman  
Paul Baldino  
James Bonfils  
Mark Chandler  
Stella Koch  
Brian Knapp  
Michael A. Nardolilli  
Jeffrey Tarbert

#### **Members Absent:**

Paul Ferguson  
Patricia Harrison  
Scott Price

#### **Staff Present:**

Mike DePue, Planning Administrator  
Danielle Endler, HR Administrator  
Paul Gilbert, Executive Director  
Kim McCleskey, Budget Administrator  
Paul McCray, Historian  
Page Holt, Facility & Event Sales Manager  
Brian Nolan, Director of Planning & Development  
Chris Pauley, Director of Operations  
Blythe Russian, Park Operations Superintendent  
Mark Whaley, Park Operations Superintendent  
Lauren Weaver, Director of Finance

### **OPEN SESSION:**

#### **CALL TO ORDER:**

The Chairman called the meeting to order at 7:39 p.m.

**REPORT OF COMMITTEE ON RENAMING OF WHITE’S FORD REGIONAL PARK:**

Mr. Bonfils presented on the renaming of White’s Ford Regional Park. Based on the research done by the members of the Committee, it is recommended to rename the park to Piscataway Regional Park.

Motion by Mr. Bonfils, seconded by Ms. Magennis Wyatt, to rename White’s Ford Regional Park to Piscataway Regional Park.

**Discussion on the motion:**

Mr. Gilbert asked that Ford be included in the new name of the park because it is an important geographic feature of the park. Mr. Bonfils acknowledged that it is an important feature, but felt Crossing or River Crossing would be a better alternative to Ford. Mr. Nardolilli again raised the concern of naming the park Piscataway because it would be the same name as a national park, but thought adding Crossing would help limit confusion. Mr. Chandler requested and Mr. Bonfils provided clarification on the ties Piscataway has to the land. Mr. Bonfils indicated that his preference would be to amend the park name to Piscataway Crossing Regional Park as opposed to Piscataway Ford Regional Park.

Mr. Nardolilli made a friendly amendment to the motion to name it Piscataway Crossing Regional Park. Mr. Bonfils and Ms. Magennis Wyatt accepted the friendly amendment.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

Before the Report from the Strategic Initiatives Committee, chaired by Mr. Chandler, Mr. Knapp requested that staff introduce themselves to the new Board Members since this is the first in person meeting for some members. Present staff introduced themselves by name and position title.

**REPORT FROM STRATEGIC INITIATIVES COMMITTEE:**

Mr. Chandler introduced the members of the Committee and an overview of the goals of the Strategic Initiatives Committee and what they want to accomplish. To date, there have been three (3) meetings to look at new ideas as well as past ideas. Mr. Chandler provided a brief overview of different ideas that have been discussed and provided insight into the next steps the committee will take. A matrix will be created and used to determine which projects to pursue. The use of the matrix will allow the projects to be ranked in the order that they should be approached. Mr. Chandler’s hope is that the committee should be finished by next May. This will allow staff time to gather additional information and details that may be needed in evaluating the projects against the matrix.

Ms. Koch asked if there are any goals for open space and acquisition of land with any of these projects. While Ms. Koch supports the goals and ideas, she wanted to know the plans for green space and open land. Ms. Magennis Wyatt reminded Board Members that the Strategic Initiatives Committee is part of the 10 year strategic plan and is focusing on big projects that require time, funding, and planning.

The next meeting of the Strategic Initiatives Committee will be on August 17, 2021 at 7:30 p.m. at NOVA Parks Headquarters.

**INTERIM POLICY ON DRUG TESTING:**

Ms. Endler presented the Interim Drug Testing Policy to the Board. Mr. Tarbert had questions as to how alcohol testing would be treated in light of the changes being made. Ms. Endler confirmed that no changes were being made to the alcohol testing policy currently in place. Mr. Chandler wondered why we would not keep marijuana on the testing panel for pre-employment and random testing and simply disregard the results if they came back positive. Ms. Endler explained the possible legal implications if a positive marijuana result were received. Mr. Kumar confirmed Mr. Tarbert's question and asked for clarification on the scenarios in which alcohol testing would apply. Ms. Endler confirmed that alcohol testing is currently only done for reasonable suspicion and post-accident testing.

Motion by Mr. Baldino, seconded by Mr. Kumar, to approve the interim policy on drug testing recommended in the July 7, 2021, memo from Danielle Endler on this subject.

**Discussion on the motion:**

Mr. Knapp asked why the proposed policy was only an interim policy. Ms. Endler explained that the adoption of the interim policy would allow NOVA Parks to be in compliance with the new legislation that took effect on July 1, 2021, but would provide additional time for the formal policy to be reviewed by staff, the ad-hoc Personnel Committee, and legal counsel before presentation to the Board for approval.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

**END OF THE FISCAL YEAR NET REVENUE:**

Ms. Magennis Wyatt introduced the presentation on net revenue and expressed her thanks to staff for all of their hard work in the past year. Mr. Gilbert notified the Board that the current projected end of year net revenue is \$3.7 million, but that there are more adjustments that have to be made to get to the final net revenue.

The suggested allocation for the net revenue is 20% to the performance incentive plan, 60% to Capital, and 20% to the Strategic Opportunity Reserve. Mr. Gilbert also recommended that \$1.6 million from the Designated Set Aside be transferred to the Strategic Opportunity Reserve. This transfer will leave 15% of operating costs in the Designated Set Aside.

Mr. Chandler asked for clarification on how the bonuses in the performance incentive plan are calculated for employees. Mr. Gilbert reiterated that the bonus is not automatic and is on the basis of performance and completion of goals. Mr. Gilbert clarified that full-time employees are eligible to receive shares equal to their position grade and select part-time and seasonal employees are eligible for one (1) share.

Mr. Tarbert asked if the Strategic Opportunity Reserve has any funds in it. Mr. Gilbert explained that there are currently no funds in the plan as it is a brand new fund. The Board determined that they did not want a rollover in excess of 15% in the Designated Set Aside fund to be automatic and that a motion would be required to move funds. Mr. Tarbert asked for clarification on what is currently in the Capital fund and whether we spend down all appropriations we receive each year. Mr. Nolan explained that Capital has a rolling balance that carries from year to year. The goal is to spend down each year, but sometimes there is a carryover due to project delays or projects coming in under budget.

Motion by Mr. Bonfils, seconded by Mr. Tarbert, to allocate the FY2021 end of the year Net Revenue as follows: 20% for Performance Incentive Plan, 20% for Strategic Opportunity Reserve, and 60% for the Capital Fund.

**Discussion on the motion:**

Mr. Knapp requested a future discussion on the policy regarding the Performance Incentive Plan.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

Motion by Mr. Tarbert, seconded by Mr. Kumar, to transfer \$1.6 million from the Designated Set Aside to the Strategic Opportunity Reserve.

No discussion on the motion.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

**ADMINISTRATIVE ITEMS:**

1. Approval of Minutes of Board of Director's Meeting on May 20, 2021
2. Approval of Minutes of Strategic Initiatives Meeting on Jun 15, 2021
3. Approval of Minutes of Executive Committee Meeting on June 28, 2021
4. Approval of Rental Golf Cart Lease Agreement
5. Approval of Comprehensive Insurance Coverage Renewal
6. Adoption of Resolution Authorizing NOVA Parks' application for Recreational Trails Program Grant Funds for Beaverdam Reservoir Park Trails
7. Treasurers Report/Status of Funds
8. Approval of Minutes of Strategic Initiatives Meeting on July 12, 2021

**Discussion on Administrative Items:**

Administrative Item #4 – Mr. Tarbert asked how many golf carts are electric. Mr. Pauley stated that Algonkian has electric carts, but Pohick Bay and Brambleton operate gas carts and there are no plans to transition those to electric at this point. The landscape at Pohick Bay is not conducive to electric carts and the manner in which the chargers have to be stored would require major renovations at the storage shed at Brambleton. Mr. Tarbert was curious if the golf carts had combustion controls on the emissions. Mr. Pauley was unable to answer the question, but will look into it and get back to the Board. Mr. Pauley indicated that staff will look into more electric carts for the next lease, but noted they are more expensive than gas powered golf carts.

Administrative Item #7 – Mr. Knapp presented the Treasurer's Report/Status of Funds and thanked his predecessor for thinking through how the information is presented to make it easier to read and understand. Mr. Baldino thanked both Mr. Knapp and Ms. Weaver for their patience working through iterative process of updating the profit management report.

Administrative Item #8 – Mr. Knapp requested an amendment to the minutes of the Strategic Initiatives Meeting. Mr. Knapp requested that the discussion on competition being added to the matrix for evaluation be reflected in the minutes.

Motion by Mr. Knapp, seconded by Mr. Nardolilli, to approve the administrative items with the requested amendment to Administrative Item #8.

No discussion on the motion.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

**REPORT ON AUDIT PROGRESS:**

Mr. Knapp reported on the progress of the Audit Report and thanked Ms. Weaver and her staff for their work. The Audit Committee will meet on November 18, 2021 an hour before the Board Meeting. All Board Members will be invited to attend the Committee meeting. The draft audit report will be available for review prior to the Audit Committee meeting. At the January meeting, the final report will be presented and the Board will be asked to approve the audit. Mr. Knapp confirmed that we are still working with Robinson, Farmer, Cox Associates, but are working with a new partner and audit team. Final work for the audit is scheduled for the last week in August/beginning of September. Mr. Knapp wants to thank Headquarters and Field staff for the year round work that goes in to the audit.

**OTHER ITEMS:**

Mr. Tarbert asked for an update regarding the troubles NOVA Parks was having with the contractor on the W&OD Trail project. Mr. Nolan indicated that this is a small contractor that we have used before, but that this project size was larger than he had previously worked on. There were project delays due to a Dominion power line that was not marked that crossed the trail and was found when working on a swale. This took three (3) months to fix because Dominion needed to do the removal. There has also been ongoing work with a project with the City of Falls Church that has also caused a few delays. Mr. Nolan expects to be able to get the rest of the paving finished in August and planting in September. Mr. Baldino requested an update to the website and the Falls Church local newspapers given these updates provided by Mr. Nolan.

Mr. Chandler asked if the project was on time for completion and if there were any penalties for not meeting the deadline. Mr. Nolan confirmed that the project is not on time and that there are liquidated damages included in the contract for failure to complete the project on time. Mr. Nolan stated that the contractor previously requested an extension of the deadline which was approved. The contractor is now requesting an additional extension of 14 days, but this will likely still not be sufficient for the contractor to avoid liquidated damages.

Mr. Knapp asked if there was going to be a celebration and Mr. Gilbert confirmed that there will be a ribbon cutting and a celebration. Mr. Knapp also asked if there would be a celebration for the opening of Climb Upton. Mr. Gilbert confirmed that there would be, but that is dependent on the building being completed. Mr. Knapp thanked staff for the float in the 4<sup>th</sup> of July parade in the City of Fairfax. Mr. Knapp requested an update on the Carlyle House fire suppression system and the Bank Building. He also requested that the Board resume honoring Girl Scouts and Boy Scouts who complete projects at the parks.

Mr. Nolan provided a quick update on the fire suppression system. We have consulted with Fire Line who was recommended by the Fire Marshall and has also worked at Mount Vernon. Fire Line will conduct a study and prepare a report on what went wrong and why. Fire Line will also provide options on what to do with the system now.

Mr. Nardolilli discussed the Rails to Trails movement and the book that was recently published on this topic. The book speaks to the W&OD Trail and how the W&OD spurred the rails to trails movement. Mr. Nardolilli recommends this book to the Board members.

Motion by Mr. Knapp, seconded by Mr. Tarbert, to move into Closed Session to discuss contract negotiations, land acquisition and personnel matters allowed under Code of Virginia 2.2-3711.

No discussion on the motion.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

**CLOSED SESSION:**

Contract negotiations in accordance with Code of Virginia, Section 2.2-3711(A)(1)

Real estate matters, in accordance with Code of Virginia, Section 2.2-3711-(A)(3)  
--Land Acquisition

Personnel matters, in accordance with Code of Virginia, Section 2.2-3711-(A)(1)  
--Employee's annual review and goal setting

Contract negotiations were discussed. No action was taken.

Real estate matters were discussed. No action was taken.

Personnel matters were discussed. No action was taken.

Motion by Mr. Knapp, seconded by Mr. Nardolilli, to move out of closed session and re-convene in open session. **UNANIMOUSLY APPROVED.**

**OPEN SESSION:**

The Chairman read the following certification:

I certify that, to the best of my knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only such matters identified in the motion to convene closed session were heard, discussed or considered by this Board during closed session.

The certification was **UNANIMOUSLY APPROVED** by roll call vote.

**Actions following closed session:**

**Motion** made by Ms. Koch, seconded by Mr. Bonfils, to authorize the Executive Director to execute a contract with Metroduct related to utility infrastructure between Herndon and Rt. 7 west of Leesburg.

No discussion on the motion.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

**Motion** made by Mr. Tarbert, seconded by Mr. Baldino, to authorize the Executive Director to execute a contract with Crown Castle for a 40-year lease extension on the Bull Run cell tower, and Crown Castle's withdrawal of the permit application for the tower that would affect the view shed of Manassas National Battlefield Park.

No discussion on the motion.

**VOTE:** Eight (8) Board Members voted **AYE**. One (1) Board Member voted **NAY**. Mr. Chandler indicated his Nay vote was solely due to the length of the contract.

**Motion** made by Ms. Koch, seconded by Mr. Kumar, to authorize the Executive Director to commit \$800,000 for the maintenance and improvement of River Farm to be used in the first three years of NOVA Parks management. These funds will come from the Strategic Opportunity Reserve.

No discussion on the motion.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

**Motion** made by Mr. Tarbert, seconded by Mr. Knapp, to authorize the Executive Director to distribute the Board Reserve funds as discussed in Closed Session.

No discussion on the motion.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

**Motion** made by Mr. Knapp, seconded by Mr. Baldino, to approve the FY22 performance goals of the Executive Director as discussed in closed session.

No discussion on the motion.

**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

Motion made by Mr. Knapp, seconded by Mr. Nardolilli, to adopt the Annual Performance Review Evaluation form as discussed in Closed Session.

No discussion on the motion.


**VOTE:** No opposition or abstention, **UNANIMOUSLY APPROVED**

**ADJOURNMENT:**

A motion was made by Mr. Kumar, seconded by Mr. Chandler, to adjourn the meeting.

**VOTE: UNANIMOUSLY APPROVED.** The meeting was adjourned at 9:51 p.m.

Respectfully submitted,



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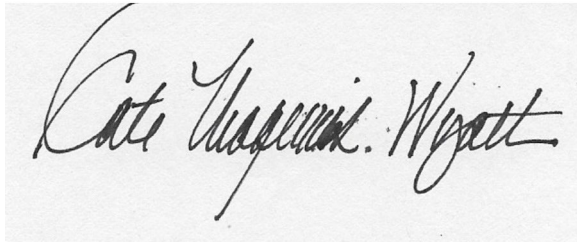
Paul A. Gilbert, Secretary

Approved by the Park Authority Board  
on September 16, 2021:



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Paul A. Gilbert, Secretary



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Cate Magennis Wyatt, Chairman