

Friends of Hyland

Email: FriendsofHyland@yahoo.com

Website: FriendsofHyland.com Facebook: <https://www.facebook.com/profile.php?id=61555702095390>

To: **Three Rivers Park District Board of Commissioners (BoC)**
John.Gibbs@ThreeRiversParks.org, Louise.Segreto@ThreeRiversParks.org,
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Cc: Boe.Carlson@ThreeRiversParks.org – Three Rivers Park District Superintendent
Jeff.May@ThreeRiversParks.org – General Manager at Hyland
Ashley.ORourke@ThreeRiversParks.org – Supervisor of Hyland Ski Patrol
Luke.Williams@ThreeRiversParks.org – Supervisor of Hyland Ski School and Race Department

**MN Metropolitan Council Members
Hennepin County Commissioners
Western Suburb City Mayors and Councilors
State Legislators
Governor Walz**

March 15, 2024

Dear Chair Gibbs, Vice Chair DeJournett and Commissioners,

Please enter this letter into the public record for concerns at Hyland Hills and include in the meeting packet for the upcoming TRPD Board Meeting on March 21st, 2024.

Please acknowledge receipt of this email.

Please explain how interested citizens can access the correspondence and all documents that Friends of Hyland has sent to you for inclusion in the TRPD Public Records concerning Hyland Hills.

Thank you for your responses dated February 13, 2024. Please see the end of this letter for detailed responses to this letter.

2023/2024 Season Recap

- Many (Including children, instructors, patrons, spectators, ski school students and racers) were seriously and needlessly injured in collisions due to lack of industry standard safety measures at Hyland for skier traffic and crowd management. The number of injured is estimated to be least 50 and possibly over 100.

- Over 1,000 children on 17 teams were disfavored daily with inferior assignments and less training opportunities, due to lack of fair rotation of training facilities at Hyland. This is while the *one* favored program (Team Gilboa) has access to the best facilities for 100% of their training time and approximately 5-16X more access than the average child.
- Team Gilboa takes in approximately \$1.2 million in revenue, enabled by TRPD's favoritism, which allows them to market and sell the best public facilities Hyland has to offer, at the expense of most children and the taxpaying public. None of this money flows back to Hyland/TRPD or the public. In addition,
 - Team Gilboa was subsidized by TRPD (taxpayers) an estimated \$276,000-\$416,000 – for one year.
- The threat of retaliation for whistleblowers continues.
- Current TRPD BoC leadership has known about the above concerns for 15-20 years and has taken no action to redress these concerns.
- TRPD stated (February 13, 2024) they will not respond to Friends of Hyland letters with concerns, which were first sent in May 2023.

Chair Gibbs, your statement that the **TRPD BoC will no longer respond to our concerns** is very disturbing, given the number of needless and serious injuries, extent of inequities and fiduciary transgressions, year after year. Most of the harmed are children. The board's fiduciary responsibilities are to all citizens in the State of MN – not just the patrons of Hyland or TRPD's taxing district.

The BoC's dismissal of these dangers and Hyland staff/citizen concerns without addressing one of them, providing no answers to questions or justification for TRPD's lack of action, is truly alarming.

For at least 12+ years, the TRPD BoC and Superintendent have known about these concerns and taken virtually no action – and in fact, dangers and inequities have become worse, causing more harm each year.

- Chair Gibbs, Vice Chair DeJournett, you (along with former chair John Gunyou) have been part of this board during this time and are aware. You've all had children who participated on Team Gilboa, the favored program, which gives the impression of conflict of interest for at least 12 years.
- Superintendent Carlson has also been aware and has not responded to these concerns of late.

What are citizens left to believe? What exactly are the roles of commissioners and Superintendent if TRPD isn't addressing the lack of policy adherence (safety, DEI, financial) by TRPD's operations staff?

Since May 2023, *this* BoC has provided:

- **No action to redress concerns.**
- Several e-mail responses. However, these communications have been **devoid of material substance or reformative plans**. They have been **accusatory, hostile, defensive and threatening** at times.
- **No answers** to any questions asked by Friends of Hyland and **no justifications** for ongoing dangers, lack of actions, inequities, subsidizations or retaliation.
- An offer for a meeting with **no agenda** for a proposed meeting between TRPD and Friends of Hyland, and **no assurances of no whistleblower retaliation** if a meeting were to be held.
- **No refutation** of our statements or corrections
- **Partial response** to our MN Data Practices Request. The response is missing many important items and we notified TRPD of this to no avail.

Recent Injury Update

In one 3-week period at Hyland this spring, there were at least:

- One concussion to a child that would have been prevented with basic fencing.
- Five collisions with your on-hill staff by out of control skiers/riders. We presume that these could have been prevented by simple fencing to keep errant riders/skiers from colliding with other skiers.
- TRPD's accident database should document these, and other incidents reported during this time.
- As far as we know, there were no consequences to any of the riders/skiers who caused the collisions, and violated the Skier Responsibility Code.

Chair Gibbs, despite what you stated about refusing to respond, Friends of Hyland remains optimistic that TRPD will develop a plan for reform, share it with us soon and implement it.

In the meantime, we will move ahead, pursuing other avenues to encourage reform.

Sincerely,

Friends of Hyland

References:

February 1, 2024 to TRPD BoC: <https://img1.wsimg.com/blobby/go/8166b262-e682-494d-b823-513d4561635f/downloads/February%201%202024%20Letter%20to%20BOC.pdf?ver=1706818610268>

List of Retaliatory Activities: <https://img1.wsimg.com/blobby/go/8166b262-e682-494d-b823-513d4561635f/downloads/Retaliation%20Activity%20.pdf?ver=1707190880302>

Friends of Hyland Response to 2/13/24 email from Mr. Gibbs (see below)

Counter to what the letter stated, Mr. Gibbs, there has been no disparaging of anyone – only factual statements that are backed by evidence.

- Friends of Hyland has received no assurances that there will be no retaliation – only mention that TRPD *has a policy on Retaliation*. TRPD also has policies on Safety and DEI but these are not being upheld so how are we to trust that the retaliation policy will be upheld – especially in light of past retaliation? See here for a list of retaliatory activities: <https://img1.wsimg.com/blobby/go/8166b262-e682-494d-b823-513d4561635f/downloads/Retaliation%20Activity%20.pdf?ver=1707190880302>
- Yes, these concerns raised are mostly operational. And yes, Friends of Hyland knows that these concerns are not aligned with industry standard or common-sense procedures for ski area operations – that’s the problem.
 - TRPD’s Operations staff are not handling these situations effectively, despite knowing about them *for years*. And now the full BoC knows about them also.
 - The letter mentioned that Friends of Hyland would not meet – that’s because of potential retaliation. Additionally, why do we need a meeting if the concerns are operational in nature, clearly defined and easily remedied? TRPD could have easily resolved this by now – the board does have considerable power and authority and *should* oversee the park after all. However, you’ve chosen not to.
 - Hence, these “operational” matters have been escalated to higher levels including the TRPD BoC and others.
 - Enhancements to TRPD existing policies on DEI and Safety would codify the necessary reform and resolve the issues. This is something the board *could* do.
- If TRPD feels something stated is “inaccurate”, perhaps TRPD could investigate the matters before getting defensive and concluding they are “disparaging” and “unfounded”.
- Friends of Hyland reiterates that if TRPD has any “inaccuracies” to point out, please do so, and we will correct them. *TRPD have yet to do this, despite multiple opportunities during the past year.*
- As far as corruption goes, Friends of Hyland has not accused TRPD of this. **We want answers and reformative action.** It’s that simple.
 - If there *has* been corruption in the past (or present), why not put this corruption (real or perceived) to bed by simply fixing the issues... or justifying them by answering questions with full transparently? TRPD has done neither.
 - Providing partial data per a Data Practices Request is not resolving anything. The longer these concerns go unaddressed, the more corrupt things *appear*.

February 13th, 2024: Letter from John Gibbs in response to Friends of Hyland letter February 1, 2024

Gibbs, John

From:john.gibbs@threeriversparks.org

To:friendsofhyland@yahoo.com

Cc:Carlson, Boe

Tue, Feb 13 at 11:40 AM

Friends of Hyland:

We have received your February 1 correspondence and attachment labeled Retaliation Activity. As always, that communication is included in the Park District records.

Your latest correspondence copying the Met Council Chair and members follows similar correspondence you recently provided to State legislators, Hennepin County officials, various city officials, and others. Contrary to your repeated claim that the Park District has not responded to you, we have responded to this group on numerous occasions, including offering to meet with your group and providing substantial responses to your data requests.

When members of the Board of Commissioners offered to meet with you, you sought assurances that there would be no retaliation. When those assurances were provided, you again refused to meet, and instead, provided additional correspondence about your concerns. It became clear that the concerns were operational in nature. As I have stated many times now, the role of the Three Rivers Board of Commissioners is to establish and guide policy, while Three Rivers staff is responsible for operations. However, you have also refused to meet with staff to discuss your concerns.

Nonetheless, the Park District has reviewed your safety concerns. The Board and staff place the highest importance on the safety of park visitors. Staff are regularly monitoring and reviewing park procedures and industry standards to ensure safe operations. Park staff must take into account a number of factors on a daily basis to provide a safe environment at Hyland Hills. It is clear from your repeated claims and correspondence that you simply disagree with the operation of Hyland Hills.

Instead of engaging in a constructive dialogue, you have attempted to disparage the Park District by expanding the scope of your allegations, making unfounded allegations of corruption, and continuing to spread inaccurate information well beyond the scope of the Park District through your unsolicited correspondence and website. For these reasons, we see no productive benefit to the Park District to continuing this discourse. Please consider this message the last response on this matter.

John Gibbs

Chair, Three Rivers Park District Board of Commissioners

(651) 324-0874