



To: Mayor Haila and City Council Members
From: Keith Abraham, Parks and Recreation Director
Date: November 4, 2022
Subject: Aqua Programs at Green Hills

At its October 25, 2022 meeting, City Council received a letter from Karen Cantonwine related to the Parks and Recreation Department's decision to discontinue offering aquatic programs at Green Hills Retirement Community. City Council referred this matter to staff.

The Executive Director of Green Hills Retirement Community (GHRC) contacted staff in 2011 inquiring to the feasibility of GHRC contracting with the Parks and Recreation Department to provide fitness and aqua exercise classes for their residents. The population served at GHRC is comprised solely of older adults. For decades, the Parks and Recreation Department has successfully programmed public fitness and aqua exercise classes for this population. In 2011, the Parks and Recreation Commission approved an initial agreement with GHRC. For several years, Parks and Recreation had provided these services. However, in FY 2015-16, GHRC staff began teaching fitness classes offered solely for their residents while the Parks and Recreation Department continued providing aqua classes.

As a result, the last seven agreements focused on facility use where the Parks and Recreation utilizes GHRC's therapeutic pool for aquatic activities (aqua exercise, water walking, and swim lessons) for the public and residents of Green Hill.

Each year, the City's aquatic facilities are inspected by the Story County Environmental Health Department (SCEHD). During inspections in summer 2022, SCEHD asked staff if Parks and Recreation was using other aquatic facilities since Municipal Pool is now closed. Staff informed SCEHD that programs were being held at ISU Forker Pool and at Green Hills. **SCEHD informed staff that Green Hills has a Therapy Use Exemption and cannot be used for the types of programs offered through Parks and Recreation and instructed staff to no longer use the Green Hills therapy pool for our aquatic activities.**

The Therapy Use Exemption for the Green Hills has three specific requirements for allowable activity:

- The swimming pool or spa must be used exclusively for therapy. "Therapy" means medical treatment of an impairment, injury, disease or

disorder. **Therapy does not include general exercise or wellness activities to maintain physical fitness and mobility.**

- The swimming pool or spa must be under direct supervision. "Direct supervision" means supervision provided by an individual physically present in the immediate vicinity, within sight of, and available to provide direction to and respond to the needs of the individual(s) under their care.
- **The supervision must be provided by qualified medical personnel. "Qualified Medical Personnel" means an individual licensed by the State of Iowa in a medical profession who is providing treatment within the scope of their professional license.**

Through conversation with SECHD, the following comments were also noted:

- Green Hills has the exemption with the state for their pool to be solely used for therapy. Exemption means the pool is not inspected or registered by the state
- This requires direct medical supervision at all times
- The medical professional must be licensed by the State of Iowa. Recreational Therapist is a national certification, and would not qualify as it is not licensed by the state
- In order for Parks and Recreation to use the Green Hills pool for programs, Green Hills would need to drop the "Therapy Use Exemption" and register the pool with the state. Green Hills would need to go through the registration process as it were a new pool as it has never been inspected or registered. The pool would be required to meet the current State of Iowa Swimming Pools and Spas Code.
- SECHD mentioned that the McFarland Clinic Pool was previously registered by the state, but dropped their registration and went the exemption route during COVID, and still continues to do so.
- SECHD stressed that Parks and Recreation not use Green Hills Pool as it is not registered for non-therapy activities.

Staff has explained to Green Hills our desire to continue to offer programs at Green Hills Pool once the State Code is met to allow non-therapy activities. Until that happens, Parks and Recreation has discontinued aqua classes effective October 24, 2022. A letter was sent to all participants explaining the situation.

Some Green Hills participants have registered for existing aqua classes at ISU Forker Pool, however, there are not many openings available. Thus, staff is surveying the Green Hills participants to gauge interest in attending classes at ISU Forker Pool if additional classes were offered. If there is enough interest, staff will work with ISU to

schedule more classes. Additionally, a new Strength Training Circuit 101 has also been added at the Community Center and promoted to just Green Hills participants. This class is full.

Staff will continue to communicate with Green Hills and reconvene classes there if State Code allows. In the meantime, staff will work to develop other opportunities to meet the needs of the Green Hills participants.