

A special meeting (work session) of the Board of Directors was held in compliance with the Sunshine Law and The Miami Conservancy District (MCD) Bylaws. The meeting information was posted on MCD's website. Miami Valley news media and individuals requesting such notification were notified of the meetings by electronic mail dated July 9, 2024, and July 10, 2024 (amended notice). The meeting was held at Miami Conservancy District, 38 E. Monument Avenue, in Dayton, Ohio.

WORK SESSION

The work session of the Board of Directors of MCD was called to order at 2:59 p.m. by Mark G. Rentschler, President, with Beth G. Whelley, Vice President, and Michael H. van Haaren, member, present.

Members of the staff in attendance at the work session: MaryLynn Lodor, General Manager/Board Secretary; James B. Casper, Manager, Operations and Maintenance; Ginger Clark, Manager of the Great Miami Riverway; Michael P. Ekberg, Manager, Water Resources Monitoring and Analysis; Sarah Hippensteel Hall, Manager of Communications, Outreach, and Stewardship; Kenneth P. Moyer, Treasurer; Donald P. O'Connor, Chief Engineer; Christina M. Pfeiffer, Executive Assistant; and Shannon E. Phelps, Manager of Administration.

Legal counsel in attendance at the work session: John M. Hoopingarner, McMahon DeGulis LLP via telephone, and Lee A. Slone, McMahon DeGulis LLP in person.

Guests in attendance at the work session: Joel Lauer, Hamilton City Council; Vickie Cross, citizen of Hamilton, Ohio; Bob Harris, citizen of Hamilton, Ohio; Jonah Hendershot, Spooky Nook Sports, Hamilton, Ohio; Carrie Pate, citizen of Hamilton, Ohio; John Menninger, Stantec Consulting Services, Inc.; Mallory Greenham, City of Hamilton; Tim Naab, Hamilton City Council; David Stark, ArtSpace Hamilton Lofts; Sydney Dawes, Dayton Daily News; and Sam Beiler, Spooky Nook Sports, Hamilton, Ohio.

The work session was held to discuss the upcoming Conservancy Court meeting, and to consider strategic business planning and current and future lease matters.

Mr. Rentschler began by welcoming guests to the MCD Headquarters building and to the meeting. He then opened the meeting to public comment. The following attendees chose to speak:

1. Bob Harris, 429 S. 2nd Street, Hamilton, OH
2. Jonah Hendershot, 5 Danielle Court, Hamilton, OH
3. Vicki Cross, 1307 Ludlow Street, Hamilton, OH
4. Hamilton City Councilman Joel Lauer, 1430 Alexander Drive, Hamilton, OH
5. Hamilton City Councilman Tim Naab, 345 High Street, Hamilton, OH
6. Mallory Greenham, City of Hamilton, 345 High Street, Hamilton, OH
7. Dr. David Stark, 222 High Street, Hamilton, OH
8. Carrie Pate, 401 N. 2nd Street, Hamilton, OH
9. Sam Beiler, 601 N. B Street, Hamilton, OH

In response to several of the public comments regarding the increase in assessments, Mr. Rentschler stated that MCD must have operating funds to perform our mission. Mr.

Rentschler provided further explanation and went on to state that in order to solicit funding from state and federal government agencies, MCD typically must have 30-40% of the amount requested as matching funds. With the readjustment delayed since 2020, MCD has been utilizing its unencumbered reserves for the last several years to offset increasing maintenance or repair needs. Mr. Rentschler indicated that without a new assessment rate for 2025 the district would not remain solvent. The Board heard the comments/feedback, mostly from Hamilton and Butler County, and it acted to pause the 7th Readjustment. However, the increased assessment rate is necessary until MCD can update its assessment methodology to reflect direct and indirect benefits and complete the necessary administrative and legal steps. Once a new methodology has been established, assessments will likely go down significantly for current beneficiaries, but people who have not been assessed to date will have an assessment in the future. Mr. Rentschler summarized that he and the other board members understand the proposed assessment is a burden, but it is temporary.

Next, Ms. Lodor stated that the annual Conservancy Court meeting will be held on July 26, 2024, at 10:00 a.m. Judge Mary Wiseman, of the Montgomery County Common Pleas Court, has been appointed to replace Judge Denise L. Cross, who retired at the end of April 2024. The Conservancy Court is anticipated to appoint a presiding judge during the July 26 meeting. Mr. Slone stated that the motions and entries are nearly complete and confirmed the location of the meeting.

Next, Ms. Lodor provided a progress update on some strategic initiatives and began with an update on the options for possible future “hardship exemptions” and/or abatements as discussed at the Board’s May 3, 2024, meeting. Discussion followed regarding designing such credits or abatements when MCD changes its assessment process.

Ms. Lodor then introduced Mr. John Menninger of Stantec Consulting Services, Inc. (Stantec), the firm selected to provide a benefits assessment study. Mr. Menninger discussed Stantec’s qualifications and described the scope of work to be completed by Stantec, in addition to answering questions regarding the process of completing the work. A meeting to kick-off the benefits assessment study will be held on July 31, 2024.

Next, Mr. O’Connor presented information on the flood protection capital improvement plan for the next five years along with priority of projects based on the projected revenues to be collected from the 1% capital assessment. The capital assessment will address some of the most critical flood protection capital needs; however, it is reduced from what was originally anticipated with the 7th readjustment, and more funding will be required to maintain and repair the infrastructure. Mr. Moyer reminded the Board that the capital assessment is restrictive as to how MCD can spend the funds collected.

The discussion then moved to an update of the May 3, 2024, Resolution to seek Federal and State funding and low interest loans. Several funding opportunities are being pursued by MCD, although some will require that MCD has a portion of matching funds available. Other funding opportunities are reimbursement programs, where MCD would have to complete projects and be reimbursed afterwards. Mr. Lauer reiterated that Hamilton would like to be involved in securing matching funds and would assist in soliciting funds from the state and federal government. He also stated that Hamilton would like MCD to be transparent about which projects are underway and how that funding is spent. Mr. Naab reiterated that Hamilton would assist in soliciting funds.

Next, Dr. Hippensteel Hall gave an overview of MCD’s water stewardship strategic goals and the work of the Aquifer Preservation Subdistrict (APS) to improve water quality and quantity; study

human impact on rivers, streams, and aquifers; share analyses, information, and data; increase public awareness of water's value; and provide strategic leadership to communities within the Great Miami River watershed.

Mr. Ekberg then gave an update on MCD's new partnership with Darke County to monitor ground water at several sites. MCD is redeveloping several observation wells throughout the system. Currently MCD maintains 33 such wells, many of which need added maintenance or rehabilitation to remove deposits and improve performance.

Next, Mr. Ekberg presented precipitation information from the last 40 years and discussed the hydroclimate variability study being conducted with Dr. Natalie Teale of Miami University. The study will explore precipitation averages and trends.

Dr. Hippensteel Hall then updated the Board on the Conservation Reserve Enhancement Program (CREP) proposed for the Great Miami River. Our watershed is a high contributor to nutrient runoff from agricultural land which may ultimately end up in the "dead zone" in the Gulf of Mexico. MCD is partnering with the United States Department of Agriculture and the Ohio Department of Natural Resources to address such nutrient loss. MCD is facilitating the program's environmental review and will assist with outreach to farmers and property owners within the Great Miami River watershed.

Next, Dr. Hippensteel Hall noted that the Ohio Environmental Protection Agency awarded MCD a grant in the amount of \$3.997M under its Water Resource Restoration Sponsor Program to address erosion threatening an MCD levee and the Middletown wastewater treatment plant. MCD is currently in the planning stage.

Dr. Hippensteel Hall then informed the Board that the Water Stewardship Report is due in 2027. This report is published by MCD every eight years.

Next, Ms. Lodor turned the discussion to strategic goals for the River Corridor Improvement Subdistrict. Per RCIS Official Plan, MCD has focused on the operation and maintenance of approximately 30 miles of trail along the river, along with other recreational assets such as boat ramps. Mr. Casper informed the Board that staff will address a section of the trail that has a crack 75 feet long along the edge. Mr. Casper said that a drain will be installed, and the asphalt will be repaired.

Mr. O'Connor discussed funding needed for the various capital projects along the river trail and is developing a capital improvement plan for RCIS. Current efforts are mostly grant funded and a large part of the matching funds for the recreation trail improvements come from an agreement with Five Rivers Metroparks, but the remainder is from MCD's recreational cash reserves.

Next, Ms. Lodor and Mr. O'Connor gave an update to the Board regarding the West Carrollton Whitewater Park. West Carrollton's bond financing requires a lease commitment of at least 30 years, and they would prefer a 45 to 60-year commitment from MCD. Some questions regarding maintenance of the property, the ability to terminate the lease, and signage were also discussed and staff are working to update the lease terms to reflect West Carrollton's requests. The updated terms will be further refined and are expected to be presented at the September Board meeting.

FUTURE BOARD MEETINGS

At the December 13, 2023, meeting, the Board members set the following dates for future 2024 regular meetings of the Board of Directors of The Miami Conservancy District: September 18, 2024, and December 18, 2024.

ADJOURN

There being no further business, the meeting was adjourned on motion by Mr. van Haaren and seconded by Ms. Whelley at 5:02 p.m.

ATTEST:

APPROVED:



MaryLynn Lodo
General Manager/Board Secretary



Mark G. Rentschler
President