

## **BOARD OF APPRAISERS MEETING**

**Dayton, Ohio**

**July 8, 2025**

The regular meeting of the Board of Appraisers of The Miami Conservancy District (MCD) and its Subdistricts was called to order at 1:32 p.m. with David K. Galbreath, Jr., Chairman; Adam P. Kranbuhl, Member; and Joseph P. Kelley Jr., Member present. The meeting was held at MCD headquarters located at 38 East Monument Avenue in Dayton.

Members of the staff in attendance: MaryLynn Lodor, General Manager/Board Secretary; Sarah Hippensteel Hall, Manager of Communications, Outreach, and Stewardship; Kenneth P. Moyer, Treasurer; Donald P. O'Connor, Chief Engineer; and Barry M. Puskas, Chief of Technical and Engineering Services.

Legal counsel in attendance: Lee A. Slone, McMahon DeGulis LLP, and John M. Hoopingarner, McMahon DeGulis LLP, attended via Teams.

Guests in attendance at the work session: John Menninger and Carol Malesky, both of Stantec Consulting Services, Inc., attended via Teams.

### **COMPLIANCE WITH SUNSHINE LAW AND BYLAWS**

The meeting was held in compliance with the Sunshine Law and MCD and Subdistrict Bylaws. The meeting information was posted on MCD's website. Miami Valley news media and individuals requesting such notification were notified of this meeting by electronic mail dated June 30, 2025.

### **MINUTES**

The minutes of the January 8, 2025, meeting were provided to the members of the Board for review and comment. The Board of Appraisers, on motion by Mr. Kelley and seconded by Mr. Kranbuhl, unanimously approved the meeting minutes for the January 8, 2025, meeting.

Next, Ms. Lodor reviewed the progress on the Seventh Readjustment of the Appraisal of Benefits.

### **OVERVIEW OF BOARD ACTIVITY AND PROGRESS ON THE 7<sup>TH</sup> READJUSTMENT OF THE APPRAISAL OF BENEFITS**

During Phase 1 of the Benefit Assessment Study (BAS), the Board of Appraisers convened in September 2024, November 2024, and January 2025 to review and evaluate benefit appraisal options developed by Stantec Consulting Services, Inc. (Stantec). At the January 8, 2025 meeting, Stantec presented four preliminary alternatives for the Miami Conservancy District's (MCD) Seventh Readjustment of the Appraisal of Benefits methodology. Based on input from the Board of Appraisers, Stantec finalized the options and presented them to the MCD Board of Directors on January 23, 2025. Following that presentation, Phase 2 of the BAS commenced in February 2025.

As part of the BAS, Stantec reviewed MCD's existing appraisal methodology and comparable industry standards of appraising benefits. Direct benefits are the damages avoided by properties and individuals located within a floodplain due to flood protection infrastructure. Indirect benefits represent avoided damages to individuals in the broader community. This work runs parallel to the readjustment process, in which the Board of Appraisers will conduct appraisals using an updated methodology informed by policy direction from the Board of Directors and guidance from the advisory committee and independently conducted public opinion research. The Board of Appraisers was provided with a summary of the findings on direct and indirect benefits.

Between February 20 and June 12, 2025, MCD convened an advisory committee with support from the Miami Valley Regional Planning Commission and Stantec. The committee—comprised of approximately 18 diverse stakeholders from across MCD's nine-county service area—met four times as a group, provided feedback and perceptions on the direct and indirect benefits, and initial and refined appraisal alternatives. Concurrently, the Board of Directors tracked developments in state-level property tax reform.

Phase 2 of the BAS resulted in significant refinements to the appraisal alternatives, including considerations for caps, credits, and additional input from the advisory committee. The Board of Directors considered these refinements over the course of six months as Stantec continued to update and improve the alternatives. On May 22, 2025, the Board held a special meeting during which Stantec presented findings from the Phase 2 pilot study and detailed refinements to the benefit appraisal model.

On June 25, 2025, the Board convened a work session for further discussion. Following deliberation, the Board unanimously approved two key policy directives via resolution:

- Resolution **R 2025-1941**: *A Resolution Recognizing Benefits to Real Property and Public Corporations Not Previously Appraised and Directing the MCD Board of Appraisers to Appraise Such Benefits; and*
- Resolution **R 2025-1942**: *A Resolution Setting Policy of the Benefit Appraisal Approach - Stormwater Contribution Model.*

In accordance with the newly adopted policy direction, Ms. Lodor recapped the purpose of the meeting which was to review the Phase 2 BAS refinements and the anticipated activities to a completed 7<sup>th</sup> Readjustment in preparation for the Annual Conservancy Court meeting. Stantec will outline the framework with the Board of Appraisers and how an updated benefit appraisal record will be developed. As Phase 2 of the BAS is wrapping up, a Phase 3 scope is in development and will be shared with the Board of Appraisers at the next meeting.

During Phase 3 of the Benefit Assessment Study (following the August 29, 2025, Conservancy Court meeting and through March 2027), the Board of Appraisers will develop the official Conservancy Appraisal Record (CAR), with the assistance of MCD staff and Stantec. MCD will publish public notice of the CAR, including notifications to property owners and public corporations identified for potential inclusion within the District. Property owners will be given the opportunity to file exceptions to the CAR and request a hearing. As part of that process, the Conservancy Court may appoint one or more magistrates to oversee hearings and facilitate the review process.

It is anticipated that the Board of Appraisers will include in the final CAR a recommendation that additional benefited properties located within the Great Miami River Watershed and across MCD's nine-county jurisdiction be included within the District. A public hearing will be scheduled to allow input from all interested persons and public corporations regarding the proposed inclusion of these properties. This hearing may be held concurrently with the hearing on appraisals.

Next, Ms. Lodor introduced Mr. Menninger and Ms. Malesky of Stantec Consulting Services, Inc., who reviewed the refined proposed methods of determining benefits. Stantec discussed the benefits of flood protection system and how it differs in directly protected areas and those areas outside it. Stantec provided the updated flood protection benefits MCD provides based on the pilot area calculations – and the approach to extrapolate to whole boundary in Phase 3.

A discussion occurred about how stormwater runoff is the source of floodwaters, and how runoff from properties transfers the responsibility to manage floodwater to MCD. The stormwater runoff approach identifies impervious area as the runoff metric based on an equivalent residential unit (ERU), and an ERU is based on a quantified square footage for the average residential impervious area rather than using property value as a factor for calculating benefits.

It was further discussed that by handling excess water, MCD provides benefits to each property proportional to runoff produced by each property. To calculate the benefits per an ERU, Stantec will divide total benefits by total ERUs within a defined area. Additionally, as part of the stormwater runoff approach, runoff from properties closer to waterway contributes proportionally larger impacts to flooding - properties received greater benefits from flood protection; this factor would be applied to properties in the current "Official Plan Flood" (OPF) area.

Stantec reviewed the analysis of 2028 revenue requirements; highlighting \$12.5M for maintenance assessment and \$2.9M for capital assessment and presented a framework for implementing the recommended Stormwater Contribution Approach for assessment purposes. For the Phase 2 study, Stantec used an ERU impervious area equivalent to 3500 sq feet and capped all commercial and industrial at a max of - 28 ERUs using statistical analysis on data collected in pilot area studies.

Muskingum Conservancy District uses the stormwater runoff approach for one of its districts and runoff factors for commercial/industrial vs actual measured impervious area. Mr. Menninger stated that that approach was developed over 20 years ago and has been proven as a viable, fair and equitable industry standard approach for calculating benefits. Ms. Lodor stated that Stantec and staff are considering options to implement automated impervious area measurements. Other topics discussed the extrapolation of pilot area benefit calculations to the watershed area, ERUs based on stormwater runoff, direct and indirect area ERUs, and potential caps on maximum benefits.

The Board of Appraisers discussed the Board of Directors' policy direction of the stormwater runoff approach. The steps to complete the appraisal record were also discussed and because it is much different than the current method and Alternative 5, Stantec will develop more detail for the framework and a Phase 3 scope of work to review with the Board of Appraisers at the next meeting. With the Board of Appraiser's concurrence, in Phase 3 Stantec will further develop the new stormwater runoff approach and 2025 parcel data for review by the

Board of Appraisers in the coming months and through 2026, with the goal of certifying the CAP in March 2027.

The Board of Appraisers discussed the benefits to parcels outside the current boundary which is about 49,000 parcels. Stantec identified new benefits not previously appraised and outside of the current boundary and it is estimated that the indirect parcel count is upwards of 550,000 parcels within the nine-county area and a change to boundary must be evaluated. Ms. Lodor stated that in its June 25 meeting, the Board of Directors recognized that enlargement of the current District boundary may be needed and has directed the Board of Appraisers to appraise the newly identified benefits within the watershed and inside the nine counties where the MCD operates. Mr. Menninger discussed the benefits that parcels outside the current boundary receive. For example, if properties upstream were not contributing to the water, the flood control district would not have to manage it. However, the benefit that MCD provides is to manage excess water. This benefit is provided to upstream parcels in addition to protected parcels and the benefits provided area proportional to runoff contributed.

Mr. Menninger discussed how some properties may manage stormwater onsite for water quality purposes, but he made clear that those measures are not for flood control. Onsite measures do not replace the flood protection, flood control and management that MCD provides. MCD flood protection keeps the Miami Valley region free from the inconveniences of flood waters. Some cities with stormwater charges, like Dayton, manage different infrastructure and provide different benefits than MCD. MCD focuses on riverine flood management (Great Miami River, Stillwater and Mad River, 55 miles of levees, five large dry dams, floodplains, and pump stations), while stormwater utilities manage storm systems within the city infrastructure such as in roadways for "interior" drainage and getting that water to MCD infrastructure. MCD infrastructure has different needs than the over twenty cities where its assets are located. The MCD flood protection system and the numerous non-MCD stormwater systems have operational, capital, and management costs and processes that are different and unique. MCD is only responsible for the flood protection system.

Mr. O'Connor asked about the use of property value and damages avoided to calculate the benefits while using stormwater runoff to calculate the assessment. Mr. Menninger stated that the benefit is based on value of property at its core, just not on a per property, per parcel basis. Rather, the flood protection system is a regional asset that everyone is responsible for. The request of the Board of Appraisers is expected to include appraising the total benefits using the FEMA methods and that the method also includes a two-tier approach: first for the boundary of the 1913 flood plus 40% (OPF) and then for the area outside OPF flood area within the MCD boundary. Mr. Menninger suggested that the scope of work that Stantec and MCD propose would be helpful to have the Board of Appraisers review as it will include the technical analysis necessary to complete the CAP. The Board of Appraisers asked individual questions and provided feedback on the framework for more detailed development.

### **FUTURE BOARD MEETING**

There is a meeting of the Board of Appraisers scheduled for August 13, 2025, at 1:00 p.m. The meeting will be held at MCD Headquarters, 38 E. Monument Avenue in Dayton.

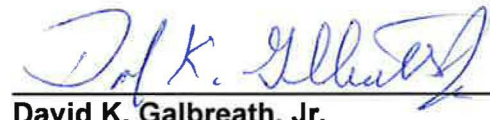
## ADJOURN

There being no further business, the meeting was adjourned by unanimous consent.

**ATTEST:**

  
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**MaryLynn Lodor**  
**General Manager/Board Secretary**

**APPROVED:**

  
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**David K. Galbreath, Jr.**  
**Chairman**