

A special meeting of the Board of Directors of The Miami Conservancy District (MCD) was called to order at 4:00 p.m. by Mark G. Rentschler, President, with Beth G. Whelley, Vice President, and Michael H. van Haaren, member, present. The special meeting was held at MCD headquarters.

Members of the staff in attendance: MaryLynn Lodor, General Manager; Rhonda K. Snyder, Secretary; and Kenneth P. Moyer, Treasurer.

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

Guests in attendance: None

**COMPLIANCE WITH
SUNSHINE LAW AND BYLAWS**

The special 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 the meeting by electronic mail dated February 23, 2023.

The special meeting was held to consider loan ratification and budget amendments, both related to the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 project.

**OHIO WATER DEVELOPMENT AUTHORITY LOAN RATIFICATION
Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 Project**

At the September 22, 2022, meeting the Board adopted a resolution authorizing *The Miami Conservancy District General Manager to Apply For, Accept, and Enter into a Cooperative Agreement Between The Miami Conservancy District and the Ohio Water Development Authority for the Construction of the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 Project.*

On October 6, staff applied for a loan through Ohio Water Development Authority's (OWDA) Dam Safety Loan Program. OWDA approved the loan through the Dam Safety Loan Program on December 8, 2022, and the Cooperative Agreement has been signed. The terms of the loan are \$4,179,680.80 with a fixed rate of 3.26% to be repaid over 20 years with estimated semi-annual loan payments of \$143,052.21 starting on July 1, 2024.

M 2023-6638

The Board of Directors, on motion by Mr. van Haaren and seconded by Ms. Whelley, unanimously ratified acceptance of the Ohio Water Development Authority loan for the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 project in the amount of \$4,179,680.80 to be repaid over 20 years starting on July 1, 2024.

**SUPPLEMENTAL APPROPRIATION AND REVENUE
Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1**

NO.	FUND NAME	REVENUE	APPROPRIATION
100	Flood Protection	\$4,179,681	\$4,179,681
450	Capital Improvements	\$4,179,681	\$4,179,681

MCD has been approved for a loan from the Ohio Water Development Authority (OWDA) for the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 project. The proceeds from the loan are only available on a reimbursement basis after costs have been incurred. In order to cover the costs prior to receiving reimbursement, it is necessary to have the funds available in the appropriate fund for the project (Fund 450 – Capital Improvements).

MCD plans to advance money from Fund 100 – Flood Protection to Fund 450 – Capital Improvements for the total amount of the loan. This will provide Fund 450 – Capital Improvements with the necessary fund balance to encumber and spend the funds for the project.

As invoices from the contractor(s) are paid, MCD will submit requests to OWDA for reimbursement. The periodic reimbursements will then be repaid from Fund 450 – Capital Improvements to Fund 100 - Flood Protection so that the initial source of the funds is replenished.

The supplemental appropriation in Fund 100 – Flood Protection will provide budgetary authority to advance money to Fund 450 – Capital Improvements for the project. The supplemental revenue in Fund 100 – Flood Protection will allow for the receipt of repayment from Fund 450 – Capital Improvements after reimbursements have been received from OWDA.

The supplemental appropriation in Fund 450 – Capital Improvements will provide budgetary authority to repay Fund 100 – Flood Protection after receiving reimbursements from OWDA. The supplemental revenue in Fund 450 – Capital Improvements will allow for the receipt of the advance from Fund 100 – Flood Protection prior to commencement of the project.

M 2023-6639

The Board of Directors, on motion by Ms. Whelley and seconded by Mr. van Haaren, unanimously approved a supplemental revenue and appropriation for Flood Protection (Fund 100) in the amount of \$4,179,681 for the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 project.

M 2023-6640

The Board of Directors, on motion by Mr. van Haaren and seconded by Ms. Whelley, unanimously approved a supplemental revenue and appropriation for Capital Improvements (Fund 450) in the amount of \$4,179,681 for the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 project.

**SUPPLEMENTAL APPROPRIATION
Ohio Water Development Authority Loan Fees**

NO.	FUND NAME	REVENUE	APPROPRIATION
450	Capital Improvements		\$12,454

MCD has been approved for a loan from the Ohio Water Development Authority (OWDA) for the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 project. The project costs are already included in MCD's 2023 budget. However, the OWDA loan fees were not known at the time of the budgeting process. While the amount of the OWDA loan fees (\$14,578) is now known, another portion of the project (technical services) came in slightly under the current budgeted amount. As a result, the amount needed to be added to MCD's 2023 appropriations for the OWDA loan fees is only \$12,454.

M 2023-6641

The Board of Directors, on motion by Mr. van Haaren and seconded by Ms. Whelley, unanimously approved the supplemental appropriation (\$12,454) for Capital Improvements (Fund 450) to cover Ohio Water Development Authority loan fees related to the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 project.

ADVANCE OF FUNDS
Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1

FUND	TITLE	DESCRIPTION	AMOUNT
100	Flood Protection	Advance Out	\$4,179,681
450	Capital Improvements	Advance In	\$4,179,681

MCD has been approved for a loan from the Ohio Water Development Authority (OWDA) for the Lockington Dam Left Wall Drain System and Concrete Repair, Phase 1 project. The proceeds from the loan are only available on a reimbursement basis after costs have been incurred. In order to cover the costs prior to receiving reimbursement, it is necessary to have the funds available in the appropriate fund for the project (Fund 450 – Capital Improvements).

MCD's plan is to advance money from Fund 100 – Flood Protection to Fund 450 – Capital Improvements for the total amount of the loan. This will provide Fund 450 – Capital Improvements with the necessary fund balance to encumber and spend the funds for the project.

As invoices from the contractor(s) are paid, MCD will submit requests to OWDA for reimbursement. The periodic reimbursements will then be repaid from Fund 450 – Capital Improvements to Fund 100 - Flood Protection so that the initial source of the funds is replenished.


M 2023-6642

The Board of Directors, on motion by Ms. Whelley and seconded by Mr. van Haaren, unanimously approved the requested advance of funds from Fund 100 (Flood Protection) to Fund 450 (Capital Improvements) in the amount of \$4,179,681.

ADJOURN

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

ATTEST:


Rhonda K. Snyder
Secretary

APPROVED:


Mark G. Rentschler
President