

The following meetings (work session and regular meeting) were held in compliance with the Sunshine Law and The Miami Conservancy District (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 meetings by electronic mail dated December 8, 2020. The meetings were held by teleconference due to the state of emergency related to COVID-19.

WORK SESSION

The work session of the Board of Directors of MCD on the topic of the 2021 budget and financial plan was called to order at 10:04 a.m. by Ms. Whelley, President, with Mark G. Rentschler, Vice President, present by teleconference. William E. Lukens, member, was unable to attend.

Members of the staff in attendance at the work session by teleconference: Janet M. Bly, General Manager; Rhonda K. Snyder, Secretary; Kenneth P. Moyer, Treasurer; Shannon E. Phelps, Manager of Administration; and Kurt A. Rinehart, Chief of Operations/Chief Engineer.

Legal counsel in attendance at the work session by teleconference: W. Chip Herin III, Coolidge Wall Co., LPA.

Mr. Moyer reviewed revenues and expenditures for 2020 and presented the 2021 budget and financial plan. Ms. Phelps presented the 2021 compensation proposal.

The 2021 budget and financial plan and compensation proposal were provided to members of the Board for review prior to the meeting.

M 2020-6509

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously adjourned the work session at 11:50 a.m.

REGULAR MEETING

The regular meeting of the Board of Directors of MCD was called to order at 12:31 p.m. by Beth G. Whelley, President, with Mark G. Rentschler, Vice President, present by teleconference. William E. Lukens, member, was unable to attend.

Members of the staff in attendance by teleconference were: Janet M. Bly, General Manager; Rhonda K. Snyder, Secretary; Daniel K. Foley, Great Miami Riverway Director; Brenda Z. Gibson, Manager, Public Relations and Education; Sarah Hippensteel Hall, Manager, Watershed Partnerships; Kenneth P. Moyer, Treasurer; Donald P. O'Connor, Chief of Construction and Planning; Shannon E. Phelps, Manager of Administration; Barry M. Puskas, Chief of Technical and Engineering Services; and Kurt A. Rinehart, Chief of Operations/Chief Engineer.

Legal counsel in attendance by teleconference: W. Chip Herin III, Coolidge Wall Co., LPA.

Guests in attendance: None

MINUTES

The Minutes of the Board of Directors October 1, 2020, regular meeting were provided to members of the Board for review and comment.

M 2020-6510

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the minutes for October 1, 2020.

FINANCE

The next items of business were presented by Mr. Moyer and included requests for approval of the 2020 revised estimate of receipts and the 2020 revised appropriations, including revised total fund and revised personnel appropriations.

REVISED ESTIMATE OF RECEIPTS – 2020

FUND NO.	FUND NAME	CURRENT ESTIMATE OF RECEIPTS	REVISED ESTIMATE OF RECEIPTS
100	Flood Protection	\$6,829,868	\$6,691,076
200	River Corridor Improvement	598,832	582,207
250	Aquifer Preservation	1,035,000	984,000
255	FEMA Assistance	422,894	232,544
275	Water Conservation	-0-	-0-
300	Debt Service	392,979	392,979
400	Dam Safety Initiative	1,600,000	1,629,000
401	FEMA Capital Projects	849,713	849,713
450	Capital Improvements	-0-	-0-
	TOTAL	\$11,729,286	\$11,361,519

M 2020-6511

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the revised estimate of receipts for 2020.

REVISED APPROPRIATIONS – 2020

Total Fund Appropriations:

FUND NO.	FUND NAME	CURRENT APPROPRIATION	REVISED APPROPRIATION
100	Flood Protection	\$9,660,732	\$7,224,800
200	River Corridor Improvement	630,569	412,068
250	Aquifer Preservation	1,174,654	1,080,355
255	FEMA Assistance	422,894	42,794
275	Water Conservation	-0-	-0-
300	Dam Safety Debt Service	392,979	392,979
400	Dam Safety Initiative	2,235,888	1,966,074
401	FEMA Capital Projects	849,713	401,569
450	Capital Improvements	-0-	-0-
	TOTAL	\$15,367,429	\$11,520,639

Included within the operating funds (Funds 100, 200, 250, and 275) appropriation totals are chargeback expenses from MCD's internal service funds. As requested by the Auditor of State, the internal service funds are not included in the approved budgeted amounts since the chargebacks are already accounted for in the operating funds. However, the amounts were provided for the information of the Board.

Internal Service Funds – Chargeback Expenses:

FUND NO.	FUND NAME	CURRENT "BUDGET"	PROJECTED 2020 EXPENSES
600	Administration & Technology	\$1,481,349	\$1,332,129
650	Education & Outreach	265,758	242,658

Additionally, the Auditor of State requires that the Board of Directors approve personnel appropriations specifically budgeted within each operating fund (Funds 100, 200, 250, and 275). The amounts are already included in the total fund appropriation request.

Personnel Appropriations:

FUND NO.	FUND NAME	CURRENT PERSONNEL APPROPRIATION	REVISED PERSONNEL APPROPRIATION
100	Flood Protection	\$3,521,658	\$2,938,000
200	River Corridor Improvement	203,599	148,250
250	Aquifer Preservation	534,280	534,280
255	FEMA Assistance	-0-	-0-
275	Water Conservation	-0-	-0-
300	Dam Safety Debt Service	-0-	-0-
400	Dam Safety Initiative	-0-	-0-
401	FEMA Capital Projects	40,463	5,064
450	Capital Improvements	-0-	-0-
	TOTAL	\$4,300,000	\$3,625,594

Amounts estimated to be spent in MCD's internal service funds for personnel expenses are included in the chargeback amounts assigned to each operating fund. The total estimated personnel expenses in the internal service funds were provided for the information of the Board.

Internal Service Funds – Personnel Expenses:

FUND NO.	FUND NAME	CURRENT PERSONNEL "BUDGET"	ESTIMATED PERSONNEL EXPENSES
600	Administration & Technology	\$926,149	\$841,379
650	Education & Outreach	198,033	198,033

M 2020-6512

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the revised total fund appropriations for 2020.

M 2020-6513

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the revised personnel appropriations for 2020.

Next, Mr. Moyer presented updates on financial matters, including the Interim Budget Report and Investment Report. In addition, Mr. Moyer requested acceptance of the Interim Budget Report and approval of the 2021 estimate of receipts, 2021 appropriations, and transfer of funds for the Dam Safety Initiative.

INTERIM BUDGET REPORT

The MCD Interim Budget Report for the period ending November 30, 2020, was provided to the Board of Directors for review and acceptance. The explanatory comments for the off-trend items were also provided.

M 2020-6514

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously accepted the Interim Budget Report as of November 30, 2020. In addition, the Board of Directors ordered that copies of the report be kept on file.

INVESTMENT REPORT

MCD has funds invested in STAR Ohio, STAR Plus, and JPMorgan Money Market fund. The interest rates as of November 30, 2020, were:

- STAR Ohio account – 0.14%.
- STAR Plus account – 0.15% on the first \$2.5 million invested and 0.03% on amounts invested above \$2.5 million.
- Money Market account with JPMorgan Bank – 0.60% (1-year historical performance as of 10/31/2020) which is consistent with a typical Government Money Market Fund Yield. This yield appears higher than the STAR accounts only because it reflects the 1-year historical performance, which includes the higher-earning months at the beginning of 2020.
- Checking and savings accounts – 0.01% and 0.05% respectively.

MCD's goal continues to be providing the highest investment return with maximum security while meeting all liquidity and operating demands. The primary objectives of investment activities, in order of priority, will continue to be safety, liquidity, and yield.

Amounts in each of MCD's investment accounts are provided in the Interim Budget Report.

2021 ESTIMATE OF RECEIPTS

FUND NO.	FUND NAME	ESTIMATED RECEIPTS
100	Flood Protection	\$5,265,813
200	River Corridor Improvement	645,800
250	Aquifer Preservation	910,000
255	FEMA Assistance	190,350
275	Water Conservation	-0-

2021 Estimate of Receipts (continued)

300	Dam Safety Debt Service	392,979
400	Dam Safety Initiative	2,374,250
401	FEMA Capital Projects	849,713
450	Capital Improvements	-0-
	TOTAL ALL PROGRAMS	\$10,628,905

M 2020-6515

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the proposed 2021 estimate of receipts.

2021 APPROPRIATIONS

Total Fund Appropriations:

FUND NO.	FUND NAME	TOTAL APPROPRIATIONS
100	Flood Protection	\$6,973,477
200	River Corridor Improvement	728,171
250	Aquifer Preservation	1,063,799
255	FEMA Assistance	380,100
275	Water Conservation	-0-
300	Dam Safety Debt Service	392,979
400	Dam Safety Initiative	4,440,332
401	FEMA Capital Projects	1,297,857
450	Capital Improvements	-0-
	TOTAL ALL PROGRAMS	\$15,276,715

Included within the operating funds (Funds 100, 200, 250, and 275) appropriation totals are chargeback expenses made from MCD's internal service funds. Internal service funds are not included separately in the total fund appropriations table since the chargebacks are already accounted for in the operating funds. However, the amounts were provided for the information of the Board.

Internal Service Funds – Chargeback Expenses:

FUND NO.	FUND NAME	TOTAL BUDGETED EXPENSES
600	Administration & Technology	\$1,475,127
650	Education & Outreach	266,555

Additionally, the Auditor of State requires that the Board of Directors approve personnel appropriations specifically budgeted within each operating fund (Funds 100, 200, 250, and 275). The following amounts are already included in the total fund appropriation request.

Personnel Appropriations:

FUND NO.	FUND NAME	PERSONNEL BUDGET
100	Flood Protection	\$3,543,534
200	River Corridor Improvement	210,952
250	Aquifer Preservation	561,330

Personnel Appropriations (continued):

255	FEMA Assistance	-0-
275	Water Conservation	-0-
300	Dam Safety Debt Service	-0-
400	Dam Safety Initiative	-0-
401	FEMA Capital Projects	35,399
450	Capital Improvements	-0-
	TOTAL ALL PROGRAMS	\$4,351,215

Amounts estimated to be spent in MCD's internal service funds for personnel expenses are included in the chargeback amounts assigned to each operating fund. The total personnel expenses estimated in the internal service funds were provided for the information of the Board.

Internal Service Funds – Personnel Expenses:

FUND NO.	FUND NAME	ESTIMATED PERSONNEL EXPENSES
600	Administration & Technology	\$908,277
650	Education & Outreach	203,430

M 2020-6516

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the proposed 2021 total fund appropriations and authorized the General Manager to enter into any necessary obligations, agreements, or contracts for the purposes provided for within these appropriations.

M 2020-6517

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the proposed 2021 personnel appropriations as budgeted, including a \$0.50 per hour adjustment to compensation effective with the pay date of January 14, 2021.

TRANSFER OF FUNDS—DAM SAFETY INITIATIVE

FUND	TITLE	DESCRIPTION	AMOUNT
300	Debt Service	Transfer In	\$389,385
400	Dam Safety Initiative	Transfer Out	\$389,385

This transfer is necessary to cover the debt service payments due during 2021 for the total amount of \$389,385. This transfer will ensure the fund balance in Debt Service (Fund 300) does not fall below zero during 2021. This transfer will not be effective until January 1, 2021, as the first payment in 2021 on the Ohio Water Development Authority loan (OWDA) is due January 2, 2021.

M 2020-6518

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the requested transfer of funds from Dam Safety Initiative (Fund 400) to Debt Service (Fund 300) for the amount of \$389,385.

2019 AUDIT REPORT

A copy of the final Audit Report for the audit of MCD's financial statements for fiscal year 2019 was provided to the Board of Directors for review. The audit was conducted by the Auditor of the State of Ohio. Mr. Moyer reported that there were no audit findings.

Next, Mr. Moyer provided an update regarding the readjustment of the appraisal of benefits.

READJUSTMENT OF THE APPRAISAL OF BENEFITS

On August 21, 2020, the Conservancy Court ordered the Board of Appraisers to proceed with a readjustment of the appraisal of benefits (based on a petition from the MCD Board of Directors passed on July 31, 2020). The last readjustment of the appraisal of benefits was completed in 2012. Current benefits are based on property values obtained from county auditors at the end of 2011.

The development of customized assessment software (Tyler Technologies) is currently in the final stages of completion.

Next, Mr. O'Connor and Mr. Puskas reported on dam safety activities.

DAM SAFETY

Lockington Dam Right Wall Drain System and Concrete Repair

Sunesis Construction Company is substantially complete with construction work. Only minor restoration and punch list items remain to be completed. Sunesis and MCD staff are in the process of reviewing final quantities and costs. Staff anticipates final construction costs to be close to the contract bid amount and under the appropriated amount.

The agreement with DLZ Ohio, Inc. for construction administration is over the original agreement amount and was discussed in the May 21, 2020, Board of Directors meeting. DLZ is currently working on creating the final as-built record drawings.

Board of Consultants

In October, MCD staff requested the Board of Consultants to review the Lockington Dam Structural Analysis Report revisions made by DLZ in September.

In late November, the Board of Consultants prepared a memorandum that includes:

1. The structural analysis methods used for the Lockington Dam report can be applied to the structural analyses at other MCD structures.
2. The analysis shows the importance of maintaining the original or as-built geometry of the concrete walls.
3. The Board of Consultants agreed with the decision to improve the concrete mass of the current construction project on Lockington Dam Right Wall.

Structural Analysis of Dams

The Lockington Dam structural analysis is being updated using the Board of Consultants' comments from the latest November memorandum.

The structural stability analysis projects at Englewood, Germantown, and Taylorsville Dam are progressing at various levels of completion. The engineering consultant has a team of engineers developing soil and bedrock properties and performing stability analysis computations. These projects are partially funded by Federal Emergency Management Agency (FEMA) High Hazard Potential Dams (HHPD) grants.

DAM SAFETY GRANT FUNDING UPDATES

The following are status updates regarding grant applications previously approved by the Board of Directors.

Project Title: *Huffman Dam Preliminary Engineering and Design*

Description: Perform structural stability analysis, alternatives analysis, and design for the rehabilitation of concrete structures at Huffman Dam.

Total Project Cost: \$500,453

Grant Amount Requested: \$325,294

Source: Federal Emergency Management Agency (FEMA) FY20 Rehabilitation of High Hazard Potential Dams (HHPD) Grant Program, administered through the Ohio Department of Natural Resources (ODNR).

The Miami Conservancy District Match: \$175,159

Other Participants: None

Status: Application was submitted to ODNR on June 26, 2020. ODNR notified MCD by letter dated December 4 that the project was not selected for funding.

Project Title: *Lockington Dam Left Wall Rehabilitation*

Description: The project will consist of repair, replacement, and reconstruction of the existing upstream dam concrete wall and installation of an innovative drain system to reduce water intrusion into the concrete.

Total Project Cost: \$3,328,709

Grant Amount Requested: \$2,163,660

Source: Federal Emergency Management Agency (FEMA) FY20 Rehabilitation of High Hazard Potential Dams (HHPD) Grant Program, administered through the Ohio Department of Natural Resources (ODNR).

The Miami Conservancy District Match: \$1,165,049

Other Participants: None

Status: Application was submitted to ODNR on June 26, 2020. ODNR notified MCD by letter dated December 4 that the project was not selected for funding.

The next item of business included updates for flood protection activities. Mr. O'Connor presented updates for the Hamilton revetment rehabilitation, Webster Station Landing project, and floodgate inspections. Mr. Rinehart reported on the Miamisburg Fourth Street Sycamore Creek Mitigation project and the Dayton Service Facility renovation. Both reported on maintenance projects.

FLOOD PROTECTION

Hamilton Revetment Rehabilitation, Left Bank Upstream of the Main High Bridge

Howell Contractors has completed all construction work. All quantities have been agreed upon and the final payment has been made. The original contract amount was \$485,617.25. Additional work during construction led to the addition of two change orders that brought the contract total up to \$499,906.88. After final quantities were measured, the final contract amount was \$483,716.88.

Webster Station Landing

All of the clay material for the core of the new levee has been delivered to the site. The Project Crew has completed about 90% of the construction of the clay core. Staff decided to delay pulling back the existing levee because it is too late in the year to get grass growth to stabilize the disturbed ground. Erosion control measures for the clay core are in place for the winter. MCD plans to resume construction in the spring.

Floodgate Inspections

Staff completed floodgate inspections in all features. The inspections were completed using a floodgate inspection web app that was developed in-house. This is the third year using the app. All data and photos from the last three years of inspections are accessible through the web-based application.

Maintenance

Several of the relief well risers on the downstream side of Huffman Dam had the tops of the pipes knocked off. Staff reattached the tops to the riser pipes. Staff does not know who or what knocked the tops off.

Staff installed a new orifice line in Troy for the new gage house. The existing Troy gage is located in the reinforced concrete structure on the left bank that is planned to be demolished. The new gage house will be on the right bank just upstream of the Main Street (SR 41) Bridge. The new gage and existing gage should ideally both be in place and functioning for at least a year before the existing gage is removed. This overlap helps calibrate the new gage.

Staff continued efforts to paint over graffiti on multiple floodwalls and other structures in Dayton.

MCD hired a tree service to remove approximately 15 dead or distressed trees at Taylorsville Dam, Dayton, Moraine, and Middletown. Before the tree service began, heavy winds on November 15 toppled three trees that were to be removed, plus several trees at Germantown Dam. Staff cut up the downed trees. The tree service removed the remaining trees and stumps.

Two sinkholes developed on MCD property adjacent to a headwall at a City of Dayton storm sewer outfall on the left bank of the Mad River. The sinkholes do not affect the levee or MCD infrastructure, but are near the Mad River Recreation Trail and could be a safety issue. Staff placed fencing around both sinkholes and notified the City about the sinkholes.

Miamisburg Fourth Street Sycamore Creek Mitigation Project

An independent appraiser completed property appraisal reports for the two properties in June. The appraiser responded to comments on the appraisal reports from the Ohio Emergency Management Agency (OEMA) and submitted revised appraisal reports to OEMA in August, September, October, and again in November.

Dayton Service Facility

On March 26, 2020, the Board of Directors declared an emergency related to the February 22, 2020 fire at MCD's Service Facility at 335 Bannock Street in Dayton. On May 21, 2020, the Board approved continuation of the emergency declaration until the building is reconstructed and available for staff occupancy so that necessary additional actions related to recovery from the fire can occur without delay.

Staff continued working with App Architecture to complete plans and specifications for reconstruction and improvements to the Dayton Service Facility. The architect's plans identify necessary upgrades to enhance safety, building efficiency, and staff working environment. App requested compensation for additional services related to design of water and sanitary sewer connections, responding to MCD requests to evaluate design alternatives, and additional meetings requested by MCD that were not included in the project scope. App also noted that the anticipated construction contract will require seven months to complete and the architect agreement was based on a five-month construction period. The architect requested adding two months of services to meet the construction schedule. Staff reviewed the request and amended the agreement to compensate the architect for the additional services.

MCD hired Junk King Cincinnati to remove multiple dump truck loads of debris from the Dayton Service Facility.

MCD hired ERATECH Environmental, Inc. to sample and test drywall, plaster, ceiling panels, floor tile, and baseboard for asbestos prior to demolition of the building interior. Laboratory testing on samples taken from 34 locations found no asbestos.

FLOOD PROTECTION Contract Update

Contract: 2020-044C Dayton Service Facility Renovation

Description: The project includes demolishing the interior and roof of the building and reconstructing the building with enhancements to interior offices and storage rooms; mechanical, electrical, and plumbing systems; windows and doors; and installing a new fire suppression system.

Architect's Cost Estimate: \$2,082,900

Source: Flood Protection (Fund 100)

Status: MCD received nine bids on November 12, 2020. Bilbrey Construction, Inc., of Dayton submitted the low bid of \$1,519,042. Bilbrey's bid was found to be complete and

correct, and less than the architect's estimate. The architect has experience with the contractor on several building projects and recommended that MCD award the contract to Bilbrey. The contractor proposed to complete construction in 224 calendar days.

Next, Mr. Puskas requested Board approval for resolutions adopting county natural hazard mitigation plans.

COUNTY NATURAL HAZARD MITIGATION PLANS

In August 2020, staff from OEMA notified MCD that FEMA published a notice of funding opportunity and is accepting applications for the FY20 Hazard Mitigation Assistance grant program. OEMA will submit a statewide grant application to FEMA for funding that may include projects requested by local communities acting as subapplicants. Jurisdictions must develop and maintain hazard mitigation plans in order to be eligible for this grant program.

Counties in the region typically update their hazard mitigation plans every five years. MCD staff collaborates with the counties to prepare updates to the plans.

MCD staff have identified a number of potential projects that may be eligible for FEMA grant funding. Preliminary proposals were shared with OEMA in October. The deadline for OEMA to submit applications is in January. In order for MCD to be an eligible subapplicant for FEMA grant funding, the Board must adopt the county natural hazard mitigation plans.

M 2020-6519

The Board of Directors on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously adopted the following resolution for the Butler County Natural Hazard Mitigation Plan 2017–2022.

R 2020-1902

RESOLUTION TO ADOPT THE BUTLER COUNTY NATURAL HAZARD MITIGATION PLAN 2017–2022

WHEREAS, the Board of Directors of The Miami Conservancy District (MCD) recognizes the vulnerability of community resources, property, and operations to the impacts of disasters and emergencies; and

WHEREAS, the Board of Directors also recognizes the role of MCD in the communities along the Great Miami River including tributary streams and its importance to the welfare of the people and institutions in the communities; and

WHEREAS, through its countywide coordinated program, the Butler County Emergency Management Agency has developed the Butler County Natural Hazard Mitigation Plan 2017–2022 that includes all hazards to which Butler County and its municipalities are susceptible as per Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, the Board of Directors endorses the goals, strategies, and objectives of the Butler County Natural Hazard Mitigation Plan 2017–2022 and acknowledges that it can support the Plan in the achievement of certain goals in appropriate ways.

THEREFORE, be it resolved that the Board of Directors adopt the Butler County Natural Hazard Mitigation Plan 2017–2022 and supports MCD participation in its efforts, to the extent

feasible and in a manner consistent with MCD's needs, resources, and responsibilities, to lessen the vulnerability of communities in Butler County to the impacts of disasters.

M 2020-6520

The Board of Directors on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously adopted the following resolution for the Miami County Hazard Mitigation Plan - 2017.

R 2020-1903

RESOLUTION TO ADOPT THE MIAMI COUNTY HAZARD MITIGATION PLAN - 2017

WHEREAS, the Board of Directors of The Miami Conservancy District (MCD) recognizes the vulnerability of community resources, property, and operations to the impacts of disasters and emergencies; and

WHEREAS, the Board of Directors also recognizes the role of MCD in the communities along the Great Miami River including tributary streams and its importance to the welfare of the people and institutions in the communities; and

WHEREAS, through its countywide coordinated program, the Miami County Emergency Management Agency has developed the Miami County Hazard Mitigation Plan - 2017 that includes all hazards to which Miami County and its municipalities are susceptible as per Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, the Board of Directors endorses the goals, strategies, and objectives of the Miami County Hazard Mitigation Plan - 2017 and acknowledges that it can support the Plan in the achievement of certain goals in appropriate ways.

THEREFORE, be it resolved that the Board of Directors adopt the Miami County Hazard Mitigation Plan - 2017 and supports MCD participation in its efforts, to the extent feasible and in a manner consistent with MCD's needs, resources, and responsibilities, to lessen the vulnerability of communities in Miami County to the impacts of disasters.

M 2020-6521

The Board of Directors on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously adopted the following resolution for the Shelby County Natural Hazards Mitigation Plan - 2017.

R 2020-1904

**RESOLUTION TO ADOPT THE
SHELBY COUNTY NATURAL HAZARDS MITIGATION PLAN - 2017**

WHEREAS, the Board of Directors of The Miami Conservancy District (MCD) recognizes the vulnerability of community resources, property, and operations to the impacts of disasters and emergencies; and

WHEREAS, the Board of Directors also recognizes the role of MCD in the communities along the Great Miami River including tributary streams and its importance to the welfare of the people and institutions in the communities; and

WHEREAS, through its countywide coordinated program, the Shelby County Emergency Management Agency has developed the Shelby County Natural Hazards Mitigation Plan - 2017 that includes all hazards to which Shelby County and its municipalities are susceptible as per Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, the Board of Directors endorses the goals, strategies, and objectives of the Shelby County Natural Hazards Mitigation Plan - 2017 and acknowledges that it can support the Plan in the achievement of certain goals in appropriate ways.

THEREFORE, be it resolved that the Board of Directors adopt the Shelby County Natural Hazards Mitigation Plan - 2017 and supports MCD participation in its efforts, to the extent feasible and in a manner consistent with MCD's needs, resources, and responsibilities, to lessen the vulnerability of communities in Shelby County to the impacts of disasters.

M 2020-6522

The Board of Directors on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously adopted the following resolution for the Warren County Hazard Mitigation Plan - 2021.

R 2020-1905

RESOLUTION TO ADOPT THE WARREN COUNTY HAZARD MITIGATION PLAN - 2021

WHEREAS, the Board of Directors of The Miami Conservancy District (MCD) recognizes the vulnerability of community resources, property, and operations to the impacts of disasters and emergencies; and

WHEREAS, the Board of Directors also recognizes the role of MCD in the communities along the Great Miami River including tributary streams and its importance to the welfare of the people and institutions in the communities; and

WHEREAS, through its countywide coordinated program, the Warren County Emergency Management Agency has developed the Warren County Hazard Mitigation Plan - 2021 that includes all hazards to which Warren County and its municipalities are susceptible as per Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, the Board of Directors endorses the goals, strategies, and objectives of the Warren County Hazard Mitigation Plan - 2021 and acknowledges that it can support the Plan in the achievement of certain goals in appropriate ways.

THEREFORE, be it resolved that the Board of Directors adopt the Warren County Hazard Mitigation Plan - 2021 and supports MCD participation in its efforts, to the extent feasible and in a manner consistent with MCD's needs, resources, and responsibilities, to lessen the vulnerability of communities in Warren County to the impacts of disasters.

Next, Mr. Rinehart reported on property administration matters.

PROPERTY ADMINISTRATION

Huffman Retarding Basin—Wright Patterson Air Force Base

MCD issued two retarding basin permits to Wright Patterson Air Force Base. The permits conform to the Board authorization in December 2019 for three structures to house an

Army Reserve training facility and the Board authorization in July 2020 for existing and proposed buildings in the National Air and Space Intelligence Complex.

Montgomery County—Firing Range

In October 2020, the Board authorized the General Manager to transfer former railroad properties and adjacent undeveloped floodplain properties to Montgomery County. MCD executed quit-claim deeds in October transferring seven parcels to Montgomery County, allowing for expansion of the sheriff's firing range. The property had no value to MCD and the county will be responsible for monitoring and managing the area. Montgomery County paid all costs related to the transfer.

Moraine—Proposed Montgomery County Sanitary Sewer

The Board of Consultants completed a preliminary technical review of the proposed sanitary sewer micro-tunneling project in Moraine and West Carrollton. Montgomery County Environmental Services notified MCD on October 28 that they were not pursuing the sewer tunnel project due to anticipated project costs.

The next item of business was a request for an amendment to Section 301 of the Land Use Policy. Mr. Rinehart presented the request.

PROPERTY ADMINISTRATION Land Use Policy

MCD received an application from a private company to lease an approximately 100-foot by 100-foot square area downstream of Lockington Dam for a fenced cell phone tower, plus a gravel road to access the tower. The request proposes defined terms with automatic renewals and a monthly lease fee. The proposed tower would be in a wooded area away from the toe of the dam.

The Land Use Policy grants the General Manager authority to approve and sign leases. Section 301 of the policy defines a lease as:

"a written agreement in which MCD gives a tenant the right to occupy real property owned by MCD, for a specific term and for specific purposes."

Per the policy, terms and conditions of a lease are mutually developed between MCD and the tenant. MCD currently has 14 active leases: 11 for public parks and recreation areas; one for a municipal golf course; one for barns and storage buildings at the leased golf course; and one issued jointly with the City of Dayton for the building, parking, and public green space at Temple Israel.

After reviewing the policy, staff concludes that it does not address cell phone towers, which were not common when the policy was written. Staff is requesting the Board update the Land Use Policy to specifically authorize the General Manager to negotiate terms and conditions and sign leases for cell phone towers on MCD property.

M 2020-6523

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved an amendment to Section 301 of the Land Use Policy, adding the following to the definition of a lease:

"A lease may be negotiated and granted for use of MCD-owned property for the purpose of installing, operating, and maintaining a cell phone tower, including guy wires, fence, access road, and other related installations. Leases related to cell phone towers will be subject to Board approval."

Next, Ms. Bly reported on high water events since the October meeting.

HYDROLOGY

High Water Events

There have been 12 high water events to date in 2020. Two high water events occurred since the October Board meeting.

Date	Features with Action Level Stage	Dams in Storage	Acre-Feet of Water Stored at Peak	Event Ranking
October 30	None	2	925	Not Ranked
November 26–27	None	1	660	Not Ranked

In order for an event to be ranked, it must have water storage at four or more MCD dams and a peak water storage volume of at least 10,050 acre-feet or 3.3 billion gallons of water.

LEGAL SERVICES

At the December 18, 2019 meeting, the Board of Directors approved the appointment of W. Chip Herin III to the position of Attorney and authorized the President to execute a one-year agreement. Staff recommended that the agreement for W. Chip Herin III be renewed for another one-year term.

M 2020-6524

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously approved the agreement with W. Chip Herin III, in accordance with Ohio Revised Code 6101.12, and authorized the President of the Board of Directors to execute the agreement.

Next, Ms. Bly presented a request for approval of a resolution of authorization regarding grant funding applications.

RESOLUTION OF AUTHORIZATION—GRANT FUNDING APPLICATIONS

The resolution authorizes the General Manager, on behalf of MCD and its Subdistricts, to make application for grant funding during the year of 2021 from a variety of sources, including state and federal agencies and private foundations. A resolution of authorization from the Board of Directors is required for most grant applications.

Pre-approval of this resolution from the Board of Directors often streamlines the grant writing process and allows staff to work more efficiently on grant applications.

M 2020-6525

The Board of Directors, on motion by Mr. Rentschler and seconded by Ms. Whelley, unanimously adopted the following Resolution of Authorization to Apply for Grant Funding.

RESOLUTION OF AUTHORIZATION TO APPLY FOR GRANT FUNDING

WHEREAS, The Miami Conservancy District and its Subdistricts are working throughout the Miami Valley to reduce the risk of flooding; improve water quality; enhance stream and river corridors; and build recreational amenities and trails; and

WHEREAS, federal agencies including, but not limited to, the Economic Development Administration (EDA), the U.S. Environmental Protection Agency (USEPA), the Federal Emergency Management Agency (FEMA), and the U.S. Army Corps of Engineers (USACE), administer financial assistance for these purposes; and

WHEREAS, state agencies including, but not limited to the Ohio Department of Transportation (ODOT), the Ohio Department of Natural Resources (ODNR), Ohio Environmental Protection Agency (Ohio EPA), and Ohio Emergency Management Agency (OEMA) administer financial assistance for these purposes; and

WHEREAS, regional agencies including, but not limited to, Metropolitan Planning Organizations (MPOs) administer financial assistance for these purposes; and

WHEREAS, non-profit organizations including, but not limited to, community foundations administer financial assistance for these purposes; and

WHEREAS, The Miami Conservancy District and its Subdistricts desire financial assistance awarded by these agencies.

THEREFORE, be it resolved by The Miami Conservancy District and its Subdistricts as follows:

1. That the Board of Directors authorizes the General Manager to make applications for and enter into any commitments necessary to obtain grant funds from agencies and organizations including, but not limited to, EDA, USEPA, FEMA, USACE, ODOT, ODNR, Ohio EPA, OEMA, MPOs, and community foundations.
2. That The Miami Conservancy District and its Subdistricts agree to provide local match funds for projects and will obligate funds required to satisfactorily complete the proposed project(s) and become eligible for reimbursement under the terms and conditions of the funding agency.
3. That the grants applied for under this resolution are subject to Board of Directors ratification.
4. All formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open and public meeting of this Board and deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.
5. This Resolution shall be in full force and effect at the earliest date allowable by law and shall remain in full force and effect throughout all of calendar year 2021.

The following summaries regarding the annual Records Commission meeting, COVID-19 Emergency Declaration and public relations and education activities were provided to the Board of Directors.

RECORDS COMMISSION

The annual Records Commission meeting was held on October 6. Meeting participants were: Rhonda Snyder, chairperson; Kenneth Moyer, fiscal representative; W. Chip Herin, III, legal representative; and Deborah Janning secretary to the commission. The commission reviewed and approved disposal of fiscal, human resource, and payroll records as presented. The disposal was processed by Document Destruction, LLC on October 27.

EMERGENCY DECLARATION—COVID-19

On March 26, 2020, the Board of Directors declared an emergency related to the COVID-19 pandemic. MCD continues to operate under this emergency declaration.

On November 18, 2020, Dayton and Montgomery County Board of Health issued a Stay-at-Home Health Advisory effective November 19, 2020 through December 17, 2020. In addition, Ohio Public Health Advisory System designated Montgomery County as a level four public emergency on November 26. MCD continued previously implemented safety protocols and adjusted remote schedules reducing the occupancy in headquarters. The in-office schedule allows coverage each day for phones to be answered, mail to be sorted/processed, invoices to be approved/submitted, checks to be processed/signed, and payroll to be input/verified. Staff perform other critical functions while working remotely or in the field.

As of November 30, MCD had two employees test positive for COVID-19. Fortunately, both employees recovered and neither positive case resulted in additional exposure quarantines for other MCD staff.

PUBLIC RELATIONS AND EDUCATION

Value Water Campaign

Nearly 110 people entered MCD's "Value Water" contest during October. The contest was held in conjunction with the national "Imagine a Day Without Water" campaign.

This year, MCD created the Great Miami Watershed University or Great Miami U. Students watched four two-minute, professionally produced MCD videos about the power of the region's water, the aquifer, rivers and streams, and changing weather patterns. They then took a four-question quiz to test their knowledge before receiving a diploma and being registered for a \$100 gift card to the local brewery or coffee shop of their choosing. Posting a photo of their diploma on one of MCD's social media platforms with the hashtag #GreatMiamiU netted them a second entry into the contest. A University of Dayton River Steward won the gift card.

MCD exceeded all of its campaign objectives: 100 participants, 10 percent of participants posting to social media, 75-percent cumulative quiz score. MCD recorded 108 participants, 12 percent posted to social media, and the participants achieved a 96-percent cumulative score. MCD received several compliments about the program. One person plans to use the videos in future presentations to schoolchildren and another person plans to copy the campaign and use it to educate residents about school funding.

Great Miami River Watershed Network—Nutrient Impairment of Surface Waters Seminar

The Great Miami River Watershed Network held its final 2020 meeting on December 2. Kate Hamilton from Ohio EPA, Division of Surface Water, presented on the Draft Loading Analysis Plan for the Stillwater River Watershed. Dr. Bob Hawley from Sustainable Streams LLC and Donnie Knight from the U.S. Fish and Wildlife Service shared their off-channel floodplain restoration projects in the watershed.

Awards

The Great Miami Riverway's Tour de Way passport program took third place in the Ohio Parks and Recreation 2020 Annual Awards of Excellence. The program won in the category of Marketing Innovation.

Outreach

Outreach since the last Board meeting:

- Don O'Connor presented, "The Miami Conservancy District: Managing Critical Infrastructure," to the Rotary Club of Kettering on November 18.

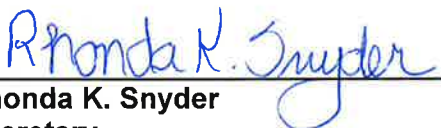
FUTURE BOARD MEETING

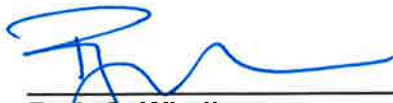
The Board members set Wednesday, March 24, 2021, for the next regular meeting of the Board of Directors of The Miami Conservancy District.

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

ATTEST:

APPROVED:


Rhonda K. Snyder
Secretary


Beth G. Whelley
President