

The regular meeting of the Board of Directors of The Miami Conservancy District (MCD) sitting as the Board of Directors of The River Corridor Improvement Subdistrict (RCIS) was called to order at 10:00 a.m. by Beth G. Whelley, President, with Mark G. Rentschler, Vice President and William E. Lukens, member, present. The meeting was held at the Sinclair Conference Center located at 444 West Third Street in Dayton.

Members of the staff in attendance: Janet M. Bly, General Manager; Rhonda K. Snyder, Secretary; Michael P. Ekberg, Manager, Water Resources Monitoring and Analysis; 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: W. Chip Herin III, Coolidge Wall Co., LPA.

Guests in attendance: None

**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 the meeting by electronic mail dated April 19, 2021.

**MINUTES**

The Minutes of the Board of Directors December 17, 2020, meeting were provided to members of the Board for review and comment.

**M 2021-194**

The Board of Directors, on motion by Mr. Lukens and seconded by Mr. Rentschler, unanimously approved the Minutes for December 17, 2020.

Next, Mr. Moyer requested approval of the assessment rate for the 2022 assessment collection.

**ASSESSMENT RATE FOR 2022 COLLECTION**

Section 6101.53 of the Ohio Revised Code provides that the Board of Directors of a conservancy district, on or before the thirtieth of September of each year, may levy an assessment upon each tract or parcel of land and upon each political corporation for the purpose of maintaining, operating, and preserving the works of the district. Such assessment is to be known as a conservancy maintenance assessment. Said assessment shall not exceed one percent of the benefits without prior authorization of the Conservancy Court.

The following rate was recommended for the 2022 assessment collection.

Levy No.	Purpose	Rate*
21	River Corridor Improvement Subdistrict	.0040

\*The rate is the same as the 2021 assessment collection.

**M 2021-195**

The Board of Directors, on motion by Mr. Rentschler and seconded by Mr. Lukens, unanimously adopted the following resolution.

**R 2021-70**

Resolved that in accordance with Section 6101.53 of the Ohio Revised Code, the Board of Directors approves the recommended rate for the 2022 collection of assessments for The River Corridor Improvement Subdistrict and directs the Secretary to prepare the necessary assessment duplicates.

Next, Ms. Bly reported on maintenance activities and Mr. Foley reported on the Great Miami Riverway.

**Maintenance**

In spring 2020, staff removed the swings from the north section of the River Walk in Dayton to promote physical distancing during the COVID-19 pandemic. In April 2021, the swings were reinstalled.

**Great Miami Riverway**

The Great Miami Riverway hosted two Riverway Conversations webinars. On January 25, the speaker was Jay Cullis, content manager for the Airstream Travel Trailer Company. Jay shared company history, Airstream's significant impact on the manufacturing economy of Sidney and Shelby County, and recreational vehicle industry trends. On February 25, the speaker was Bob Stomel, director of sales for Miamisburg-based Huffy Bicycles. Bob talked about industry trends, including how the pandemic created an unparalleled increase in demand. Laura Estandia of Bike Miami Valley and Wade Johnston of Tri-State Trails provided updates on local trail developments.

The Great Miami Riverway Coalition met on January 21 to discuss progress toward the goals and provide input on Riverway activities.

The next item of business was presented by Mr. O'Connor and included a request for approval of a resolution required by the Ohio Department of Transportation (ODOT) for the Mad River Recreation Trail Resurfacing project.

**MAD RIVER RECREATION TRAIL RESURFACING PROJECT**

In March 2020, MCD received notification that a grant had been approved for the Mad River Recreation Trail Resurfacing project. ODOT has agreed to manage the bidding and construction of the project scheduled for construction in 2021.

At the October 2020 Board of Directors meeting, a Resolution of Participation was adopted at ODOT's request. It committed MCD to serve as the local partner for the project, gave consent that ODOT could complete the project, and committed MCD to pay the local cost share.

ODOT requires that the Board of Directors adopt a second resolution, agreeing to pay the local cost share, requesting that the Director of Transportation proceed with the project and authorizing the General Manager to execute a contract with ODOT. In addition, ODOT requires a Fiscal Officer's Certificate which must be recorded with the record of proceedings of the Board of Directors. These documents aren't able to be executed until the final plans and estimate are submitted and approved by ODOT. The plans and estimate were submitted in December 2020 and recently approved.

The final estimate for construction is \$370,000. MCD is committed to paying 21% of the construction contract costs, and 100% of ODOT construction administration costs. Based on the latest estimate MCD's share is estimated to be \$92,606. The 2021 RCIS (Fund 200) budget includes \$93,500 to cover this commitment.

**M 2021-196**

The Board of Directors, on motion by Mr. Rentschler and seconded by Mr. Lukens, unanimously adopted the following Resolution for the Mad River Recreation Trail Resurfacing project and authorized the General Manager to enter into the required contract with ODOT.

**R 2021-71**

**FINAL RESOLUTION  
MOT-MAD RIVER RECREATION TRAIL RESURFACING  
PID NO. 113479**

The following Final Resolution enacted by the Board of Directors, The Miami Conservancy District, River Corridor Improvement Subdistrict, Ohio, hereinafter referred to as the Local Public Agency or "LPA", in the matter of the stated described project.

**WHEREAS**, on the 1st day of October 2020, the LPA passed a resolution of participation proposing cooperation with the Director of Transportation for the described project,

The project consists of planing and resurfacing the Mad River Recreation Trail between approximately 1100 feet west of Webster Street and the Eastwood MetroPark, including pavement repair, delineators, a wood fence, and pavement markings, lying within The Miami Conservancy District; and

**WHEREAS**, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **Ninety-Two Thousand Six Hundred Six and - - -00/100 Dollars, (92,606.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

**WHEREAS**, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above-described project and has transmitted copies of the same to the LPA; and

**WHEREAS**, the LPA desires the Director of Transportation to proceed with the aforesaid improvement.

**NOW, THEREFORE BE IT RESOLVED:**

- I. That the estimated sum of **Ninety-Two Thousand Six Hundred Six and - - - 00/100 Dollars, (92,606.00)**, is hereby appropriated for the improvement described above and the Treasurer is hereby authorized and directed for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The Miami Conservancy District hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid improvement.
- III. That the LPA enter into a contract with the State, and that the **General Manager** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this resolution.



**PID No. 113479**

**FISCAL OFFICER'S CERTIFICATE**  
(Chapter 5221 and Section 5705.41, Ohio Revised Code)

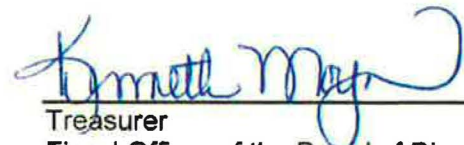
I hereby certify to that the money to wit: **\$92,606.00** required for the payment of the cost other than that thereof assumed by the **Federal Government**, for the improvement of that portion of the Mad River Recreation Trail, more particularly described as follows:

**The project consists of planing and resurfacing the Mad River Recreation Trail between approximately 1100 feet west of Webster Street and the Eastwood MetroPark, including pavement repair, delineators, a wood fence, and pavement markings, lying within The Miami Conservancy District; and**

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied, placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by the sale of bonds issued on the account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made and filed with the Board of Directors, the legislative authority of **The Miami Conservancy District**, after said Board of Directors passed the Final Resolution in connection with the within described project, and that this certificate will be forthwith recorded with the record of proceedings of said Board of Directors.

**IN WITNESS WHEREOF**, I have hereunto set my hand and official seal as fiscal officer, this 27<sup>th</sup> day of April, 2021.

A handwritten signature in blue ink, appearing to read "Kenneth May", is written over a horizontal line.

Treasurer  
Fiscal Officer of the Board of Directors  
**The Miami Conservancy District**

Next, Mr. O'Connor presented MVRPC grant funding updates and Dr. Hall presented an update for a navigational aids grant.

### **GRANT FUNDING UPDATES**

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

**Project Title:** *Great Miami River Recreation Trail Sycamore Creek Bridge Replacement*

**Description:** Removal and replacement of the Great Miami River Recreation Trail Sycamore Creek Bridge. Improvements include replacing the piers, abutments, beams, bridge surface, and safety fence.

**Total Project Cost:** \$369,783

**Grant Amount Requested:** \$186,363

**Source:** Transportation Improvement Program (TIP) through Miami Valley Regional Planning Commission (MVRPC). Transportation Alternatives (TA) funds.

**The Miami Conservancy District Match:** \$100,349 (River Corridor Improvement Fund 200). In addition, MCD will fund 100% of engineering costs estimated at \$83,071.

**Other Participants:** None

**Status:** Application was submitted on October 8, 2020. MVRPC notified MCD on March 4 that the grant funding request was approved.

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**Project Title:** *Webster Station Ramp Connector - Dayton*

**Description:** Constructing a 0.21mile-long section of recreational trail connecting the Mad River Trail near Tech Town up to Webster Street.

**Total Project Cost:** \$298,530

**Grant Amount Requested:** \$183,308

**Source:** Transportation Improvement Program (TIP) through Miami Valley Regional Planning Commission (MVRPC). Transportation Alternatives (TA) funds.

**The Miami Conservancy District Match:** \$78,560 (River Corridor Improvement Fund 200). In addition, MCD will fund 100% of engineering costs estimated at \$36,662.

**Other Participants:** None

**Status:** Application was submitted on October 8, 2020. MVRPC notified MCD on March 4 that the grant funding request was approved.

**Project Title:** *Old North Dayton Trail, Segment 2*

**Description:** Constructing a new 1.17-mile long extension to the Great Miami River Recreation Trail along the left bank levee of the Great Miami River from Keowee Street to Heid Avenue.

**Total Project Cost:** \$1,067,353

**Grant Amount Requested:** \$711,569

**Source:** Transportation Improvement Program (TIP) through Miami Valley Regional Planning Commission (MVRPC). Congestion Mitigation/Air Quality (CMAQ) funds.

**The Miami Conservancy District Match:** \$177,892 (River Corridor Improvement Fund 200). In addition, MCD will fund 100% of engineering costs estimated at \$177,892.

**Other Participants:** None

**Status:** Application was submitted on October 8, 2020. MVRPC forwarded the project to the Ohio Statewide Urban CMAQ Committee where it will compete against projects from around the state. A decision is expected in December.

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**Project Title:** *Great Miami Bikeway Connector to West Riverview Avenue*

**Description:** Constructing a 0.20-mile multi-use trail in the right-of-way of West Riverview Avenue in Dayton connecting North River Walk to the Monument Avenue Bridge.

**Total Project Cost:** \$153,110

**Grant Amount Requested:** \$100,400

**Source:** Transportation Improvement Program (TIP) through Miami Valley Regional Planning Commission (MVRPC). Transportation Alternatives (TA) funds.

**The Miami Conservancy District Match:** \$21,335 (River Corridor Improvement Fund 200).

**Other Participants:** Five Rivers Metroparks is the lead agency. MCD is only contributing funds to help pay for construction.

**Status:** Application was submitted on October 8, 2020. MVRPC notified MCD on March 4 that the grant funding request was approved.

**Project Title:** *Navigational Aids*

**Description:** To obtain replacement warning signs at low head dams in Hamilton and West Carrollton to alert river users to the safety issues of the dam.

**Total Project Cost:** \$6,680.00

**Grant Amount Requested:** \$6,680.00

**Source:** Ohio Department of Natural Resources (ODNR), Division of Watercraft

**The Miami Conservancy District Match:** \$0

**Other Participants:** N/A

**Status:** Application was submitted on October 29, 2020. ODNR has not announced grant awards.

#### **FUTURE BOARD MEETING**


The Board members set Thursday, June 24, 2021, for the next regular meeting of the Board of Directors of The Miami Conservancy District sitting as the Board of Directors of The River Corridor Improvement Subdistrict.

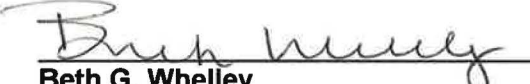
#### **ADJOURN**

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

**ATTEST:**

**APPROVED:**

  
Rhonda K. Snyder  
Secretary

  
Beth G. Whelley  
President