

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 10:35 a.m. by Mark G. Rentschler, President, with Beth G. Whelley, Vice President and Michael H. van Haaren, member, present. The meeting was held at MCD headquarters.

Members of the staff in attendance: MaryLynn Lodor, General Manager; James B. Casper, Manager, Operations and Maintenance; Michael P. Ekberg, Manager, Water Resources Monitoring and Analysis; Daniel K. Foley, Great Miami Riverway Director; Sarah Hippensteel Hall, Manager, Watershed Partnerships; Kenneth P. Moyer, Treasurer; Donald P. O'Connor, Chief Engineer; Shannon E. Phelps, Manager of Administration (serving as acting Secretary at this meeting); and Barry M. Puskas, Chief of Technical and Engineering Services.

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 December 5, 2022.

MINUTES

The Minutes of the Board of Directors meeting held September 22, 2022, were provided to members of the Board for review and comment.

M 2022-207

The Board of Directors, on motion by Ms. Whelley and seconded by Mr. Rentschler, unanimously approved the Minutes for September 22, 2022. Mr. van Haaren was appointed to the Board of Directors effective December 13, 2022, therefore abstained.

Webster Station Ramp Connector

Staff reported that Ohio Department of Transportation (ODOT) District 7 comments from the previously submitted Stage 3 plans were addressed. The final right-of-way plans have been approved by ODOT. The General Manager signed the ODOT Local Public Agency (LPA) Agreement which details the requirements and responsibilities of ODOT and MCD through the development of the project. Construction is expected in 2023.

South River Walk Improvements

Staff reported that ODOT District 7 and City of Dayton comments from the previously submitted Stage 1 plans were addressed. Staff provided documentation to ODOT that confirmed MCD property rights in all of the areas within the project work limits. This ensures that the project will stay on schedule with construction scheduled to begin in 2024.

Sycamore Bridge Replacement

MCD's consultant, Woolpert, Inc., is continuing to work on the feasibility study and ecological survey. The General Manager signed the ODOT LPA Agreement which details the requirements and responsibilities of ODOT and MCD through the development of the project. Construction is currently scheduled to begin in 2025.

Old North Dayton Trail, Segment 2

The project kick-off meeting was held with ODOT on June 22, 2022. The General Manager signed the ODOT LPA Agreement which details the requirements and responsibilities of ODOT and MCD through the development of the project. Staff is scheduled to hire a design consultant in early 2023 with the Stage 1 design plans due in August of 2023. Construction is currently scheduled to begin in 2025.

Operations and Maintenance (O&M) Projects

Staff reported that normal O&M activities were completed with some notable repairs made to the damaged areas of the recreation trail near Hutchings Station near Miamisburg and downed trees were removed off of the recreation trail in Dayton, West Carrollton, Miamisburg, and Franklin after a weekend of heavy winds in early November.

Safe Recreation Plan

Staff spoke to the Bike Miami Valley's Regional Advocacy Committee about the Safety Locator Signs on the Great Miami River Recreation Trail and working with trail managers to expand the locator signs to other trail segments across the region. The locator signs were paid for by the Rotary Club of Dayton.

Great Miami Riverway

The Great Miami Riverway Coalition met on October 27 to discuss progress toward the goals and provide input on Riverway activities.

The Fall Challenge, a two-month-long passport program featuring fall festivals and events, ran from September 15–November 15. Over 100 people participated in the Fall Challenge for the chance to win a free Riverway t-shirt.

On October 1 and 2, MCD staff and Riverway Coalition members managed the Riverway booth and Spin Art Bike at Five Rivers MetroParks Outdoor Experience event. More than 700 people visited the booth and rode the bike to make original spin art.

RESOLUTION OF PARTICIPATION SOUTH RIVER WALK IMPROVEMENTS PROJECT

In March 2019, MCD received notification that a grant had been approved for the South River Walk Improvements project. ODOT has agreed to manage the bidding and construction of the project scheduled for construction in 2024.

ODOT notified MCD that the Board of Directors needs to pass a resolution agreeing that MCD will serve as the Local Public Agency partner for the project. The resolution gives consent to the Director of Transportation to complete the project and agrees that MCD will provide the local cost share of the project.

M 2022-208

The Board of Directors, on motion by Ms. Whelley and seconded by Mr. van Haaren, unanimously adopted the Resolution of Participation with the Ohio Department of Transportation (ODOT) for the South River Walk Improvements project.

R 2022-74

**RESOLUTION OF PARTICIPATION
MOT-South River Walk Improvements
PID NO. 110272**

The following is a Resolution enacted by The Miami Conservancy District, River Corridor Improvement Subdistrict, of Montgomery County, Ohio, hereinafter referred to as The Miami Conservancy District (Local Public Agency – LPA).

SECTION I – Project Description

WHEREAS, The Miami Conservancy District has determined the need for the described project: Improvements include new pedestrian light poles, new electrical wiring, new control panels, new gravel walking surface, minor drainage improvements, new wayfinding signage, and pedestrian amenities such as benches and trash cans. Said project is further identified as MOT-South River Walk Improvements.

NOW THEREFORE, be it resolved by The Miami Conservancy District of Montgomery County, Ohio.

SECTION II – Consent Statement

Being in the public interest, The Miami Conservancy District gives consent to the Director of Transportation to complete the above-described project.

SECTION III – Cooperation Statement

The Miami Conservancy District shall cooperate with the Director of Transportation in the above-described project as follows:

The Miami Conservancy District agrees to participate in the cost of the project.

The Miami Conservancy District further agrees to pay 100% of the cost of those features requested by The Miami Conservancy District which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The Miami Conservancy District further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to The Miami Conservancy District. The Miami Conservancy District shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION IV – Utilities and Right-of-Way Statement

The Miami Conservancy District agrees to acquire and/or make available to Ohio Department of Transportation (ODOT), in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The Miami Conservancy District also understands that right-of-way includes eligible utility costs.

The Miami Conservancy District agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, The Miami Conservancy District shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI – Authority to Sign

That MaryLynn Lodor, General Manager of said The Miami Conservancy District is hereby empowered on behalf of The Miami Conservancy District to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation which is necessary to complete the above-described project.

Upon request of ODOT, MaryLynn Lodor, General Manager of said The Miami Conservancy District is also empowered to assign all rights, title, and interests of The Miami Conservancy District to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The Resolution, R 2022-74, is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. It shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

GRANT FUNDING UPDATES

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

Project Title: *GMRRT Reconstruction – East River Road to Stewart Street*

Description: This project includes reconstructing a 1.37-mile-long section of the Great Miami River Recreational Trail (GMRRT) between East River Road and Stewart Street.

Work includes full-depth reconstruction and widening of the trail, improved drainage, improved trail access, parking improvements, new trail lighting, and trail amenities.

Total Project Cost: \$2,642,495

Grant Amount Requested: \$1,711,123

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

The Miami Conservancy District Match: \$931,372 (River Corridor Improvement Fund 200). This amount includes design, construction local match, and inspection costs.

Other Participants: None

Status: Application was submitted on October 6, 2022. Preliminary scoring results are expected in December 2022. Final award announcements are expected in March 2023.

Project Title: *Stillwater Trail Resurfacing – Gayle B. Price Bridge to Wegerzyn Road*

Description: This project includes resurfacing a 1.46-mile-long section of the Stillwater River Trail between the Gayle B. Price Bridge near Island Metro Park and Wegerzyn Road. Work includes milling and resurfacing of the existing asphalt, full-depth pavement repairs, installation of amenities (swings, benches, trash cans, and dog waste stations), installation of native prairie planting, and installation of historical and cultural signage.

Total Project Cost: \$979,499

Grant Amount Requested: \$629,109

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

The Miami Conservancy District Match: \$350,390 (River Corridor Improvement Fund 200). This amount includes design, construction local match, and inspection costs.

Other Participants: None

Status: Application was submitted on October 6, 2022. Preliminary scoring results are expected in December 2022. Final award announcements are expected in March 2023.

Project Title: *GMRRT ADA & Safety Improvements*

Description: This project includes improvements to five locations where the regional Great Miami River Recreation Trail (GMRRT) crosses busy city streets. Improvements include installing pedestrian actuated flashing LED warning signs (possibly Rectangular Rapid Flashing Beacons), installing ADA-compliant curb ramps, installing pavement

striping including highly visible crosswalks, and installing additional highly visible signage.

Total Project Cost: \$355,596

Grant Amount Requested: \$228,391

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

The Miami Conservancy District Match: \$127,205 (River Corridor Improvement Fund 200). This amount includes design, construction local match, and inspection costs.

Other Participants: None

Status: Application was submitted on October 6, 2022. Preliminary scoring results are expected in December 2022. Final award announcements are expected in March 2023.

Project Title: *Old North Dayton Trail, Segment 3*

Description: This project includes constructing a new 0.80-mile-long extension to the regional Great Miami River Recreational Trail along the left bank of the Great Miami River from Old North Dayton Trail, Segment 2 near Heid Avenue to Old Troy Pike. A proposed trail connection to the City Of Riverside's Eintracht Singing Society will be made. Work includes installing a new 14-foot-wide asphalt path, underdrains, benches, trash receptacles, and dog waste stations.

Total Project Cost: \$1,182,265

Grant Amount Requested: \$583,991

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

The Miami Conservancy District Match: \$598,274 (River Corridor Improvement Fund 200). This amount includes design, construction local match, and inspection costs.

Other Participants: None

Status: Application was submitted on October 6, 2022. Preliminary scoring results are expected in December 2022. Final award announcements are expected in March 2023.

FUTURE BOARD MEETING

The Board members set the following dates for the 2023 regular meetings of the Board of Directors of The Miami Conservancy District sitting as the Board of Directors of The River Corridor Improvement Subdistrict: March 8, June 21, September 20, and December 13.

ADJOURN

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

ATTEST:

APPROVED:



Shannon E. Phelps
Acting Secretary



Mark G. Rentschler
President