

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 11:20 a.m. by Mark G. Rentschler, President, with Beth G. Whelley, Vice President and William E. Lukens, 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 of Communications, Outreach, and Stewardship; Kenneth P. Moyer, Treasurer; Donald P. O'Connor, Chief Engineer; Christina M. Pfeiffer, Executive Assistant; Shannon E. Phelps, Manager of Administration; Barry M. Puskas, Chief of Technical and Engineering Services; and Rhonda K. Snyder, Secretary.

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

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 September 8, 2023.

### **MINUTES**

The Minutes of the Board of Directors meeting of June 21, 2023, were provided to members of the Board for review and comment.

#### **M 2023-217**

The Board of Directors, on motion by Ms. Whelley and seconded by Mr. van Haaren, unanimously approved the meeting minutes for June 21, 2023.

Next, Ms. Lodor requested acceptance of \$3,500 in donations collected through September 15, 2023, for the River Reflection Station in Troy.

### **CONTRIBUTIONS/DONATIONS**

#### **River Reflection Station**

MCD is installing a new amenity in Troy funded in part by RCIS and contributions from The Troy Rotary Foundation and Miami County Park District. The River Reflection Station honors retired Board members, William E. Lukens and William H. Hobart, for their service to MCD and the citizens of the Miami Valley. Following is a summary of the contributions for this amenity:

The Troy Rotary Foundation  
Miami County Park District

\$2,500  
\$1,000

**M 2023-218**

The Board of Directors, on motion by Ms. Whelley and seconded by Mr. van Haaren, unanimously accepted contributions totaling \$3,500 collected through September 15, 2023, from The Troy Foundation (\$2,500) and Miami County Park District (\$1,000) for the River Reflection Station in Troy.

Next, Mr. O'Connor requested approval for a Miami Valley Regional Planning Commission (MVRPC) resolution of authorization to apply for grant funding.

**RESOLUTION OF AUTHORIZATION—MVRPC GRANT FUNDING APPLICATION**

Staff intends to submit an application in October 2023 for federal funds through the MVRPC. The project is for constructing or improving recreation trails. MVRPC requires entities that submit applications to include a resolution authorizing staff to submit applications and prioritizing projects when there is more than one.

The following resolution complies with MVRPC's request and will be used for submitting the grant application for the project listed in the resolution.

**M 2023-219**

The Board of Directors, on motion by Mr. van Haaren and seconded by Ms. Whelley, unanimously adopted the following Resolution of Authorization to Apply for Grant Funding through the Miami Valley Regional Planning Commission.

**R 2023-76**

**RESOLUTION OF AUTHORIZATION TO APPLY FOR GRANT FUNDING THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION**

**WHEREAS**, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the Transportation Improvement Program (TIP); and

**WHEREAS**, the Board of Directors of The Miami Conservancy District and its subdistricts has committed to a timely project development schedule; and

**WHEREAS**, the Board of Directors of The Miami Conservancy District and its subdistricts will commit the necessary resources to support the local cost portion of the projects and the following list of projects may be submitted to MVRPC, shown in order of The Miami Conservancy District's priority.

1. **Gayle B. Price Bridge Painting**; estimated local cost share commitment of \$125,000; project priority 1 of 1

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of The Miami Conservancy District and its subdistricts that:

The General Manager is authorized to submit applications to MVRPC as mentioned above.

The General Manager is hereby authorized to sign on behalf of The Miami Conservancy District and its subdistricts the application for funds as referred to above.

The General Manager is hereby directed and authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the application referred to herein, and provide any information sought by reviewing agencies during the time the application is under review. The General Manager is further directed and authorized to cause compliance with all reporting requirements required by MVRPC as required as part of the funding process.

Upon application approval, The Miami Conservancy District hereby states its commitment to the local contribution for the project as identified in these applications, including local contribution of costs exceeding the current estimates or subsequent revised estimates as accepted by MVRPC.

It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting, and that any and all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

This resolution shall become effective immediately upon its passage.

Next, Mr. O'Connor requested approval of a resolution of participation required by the Ohio Department of Transportation (ODOT) for the Great Miami River Recreational Trail Sycamore Creek Bridge Replacement project.

### **RESOLUTION OF PARTICIPATION SYCAMORE CREEK BRIDGE REPLACEMENT**

In March 2021, MCD received notification that a grant had been approved for the Great Miami River Recreation Trail Sycamore Creek Bridge Replacement project. ODOT has agreed to manage the bidding and construction of the project scheduled for construction in 2025.

ODOT notified MCD that the Board of Directors needs to pass a resolution agreeing that MCD will serve as the Local Public Agency (LPA) 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 2023-220**

The Board of Directors, on motion by Mr. van Haaren and seconded by Ms. Whelley, unanimously adopted the following Resolution of Participation with the Ohio Department of Transportation for the Great Miami River Recreational Trail Sycamore Creek Bridge Replacement project.

**RESOLUTION OF PARTICIPATION  
MOT- Sycamore Creek Bridge Replacement  
PID NO. 115176**

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: remove and replace the bridge carrying the Great Miami River Recreation Trail over Sycamore Creek in the City of Miamisburg Ohio.

**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.

The Miami Conservancy District further agrees to pay 100% of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

**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 the 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, the 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 Miami Conservancy District agrees that if Federal Funds are used to pay the cost of any consultant contract, The Miami Conservancy District shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further The Miami Conservancy District agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The Miami Conservancy District agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The Miami Conservancy District agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

The Resolution, R-2023-77, 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.

## **Trail Improvements**

**Dayton: Webster Station Ramp Connector:** An Ohio Department of Transportation (ODOT) managed project, construction is underway and will be completed this fall.

**Dayton: South River Walk Improvements:** Design is ongoing and being performed in-house. Construction is scheduled for 2025. This project is partially funded by MVRPC grant funds.

**Dayton: Old North Dayton Trail, Segment 2 (Keowee Street to Heid Avenue):** Design is ongoing and Stage 2 plans are scheduled to be submitted to MCD and ODOT in November. Construction is scheduled for 2025. This project is partially funded by MVRPC grant funds.

**Dayton: GMRRT Carillon Reconstruction (East River Road to Stewart Street):** Design is expected to start Q4 2023 with construction scheduled for 2027. Staff has discussed partnership options with the City of Dayton and City of Moraine to possibly include road work and additional funding in the project. Staff is trying to connect with Dayton History to discuss the impacts to Carillon Historical Park. This project is partially funded by MVRPC grant funds.  
Bridge Improvements

**Dayton: Gayle B. Price Bridge Painting:** Staff is exploring short-term repairs and painting of rusted areas while MCD applies for MVRPC grant funding for a full repainting.

**Miamisburg: GMRRT Trail over Sycamore Creek:** Design is underway with Stage 1 plans due to MCD and ODOT at the end of September. Construction is scheduled for 2025.

## GREAT MIAMI RIVERWAY REPORT

### Coalition

The City of Monroe, Ohio, joined the Great Miami Riverway Coalition. Monroe's City Council voted on Tuesday, June 27 to approve their participation in the Riverway Coalition through May 31, 2027. Monroe is currently working to redevelop Bicentennial Commons Park (the former LeSourdsville Lake Amusement Park) along the Great Miami River. An onboarding meeting was held with city staff on August 16. A Coalition meeting was held on July 27.

### Marketing

- Facilitated a Marketing Subcommittee meeting on June 22.
- Launched a new Fall Food-n-Brew Challenge, a passport program, that will take place from September 15 to November 15. The challenge encourages use of the Riverway App and visits to Riverway places and events. The Fall Challenge will focus on local food and craft beer options along the Riverway.
- Distributed regular Riverway newsletters to subscribers via Mailchimp software.
- Managed an ongoing Search Engine Marketing campaign on Google with Great Lakes Publishing.

### Events

**Great Float 2023:** More than 130 people attended the 2023 GREAT Float was held on June 29. The City of Troy hosted the event along with organizers MCD, the Miami County Convention and Visitors Bureau, and the Miami County Park District. The event was financially sponsored by Kettering Health Troy and The Troy Foundation. The post-event surveys provided positive feedback about the length, the route, and the post-paddle events at Treasure Island. Special thanks were given to the park rangers from the Miami County Park District for their support.

**Great Miami River Smallmouth Bass Fishing Challenge:** Brad Whitaker was the winner of the largest smallmouth bass caught with conventional tackle in the 2023 GREAT Miami Riverway Smallmouth Bass Fishing Challenge, coming in at 20.5 inches. In the fly fishing category, Jake Minesinger landed the largest smallmouth bass at 19.5 inches. The tournament began on June 17 and completed August 16.

This year's sponsors included Molson Coors, the International Game Fish Association, ReelFlyrod, Fisherman's Quarters, and the Miami Conservancy District. Participants used the i-Angler app to register and send in their catches.

The tournament attracted 47 anglers competing in both the conventional and fly-fishing categories, logging a total of 676 bass during the challenge. Of the fish logged - 44 qualify as "trophy size" for the Ohio Department of Natural Resources Fish Ohio recognition program, which recognizes a noteworthy smallmouth bass as measuring 18 inches or more.

**50th Anniversary Celebration:** An event is planned for September 29 to celebrate the 50th anniversary of the first mile of trail ever constructed in the region. The first mile in Troy grew to become the Great Miami River Recreation Trail which grew into the nation's largest system of connected paved trails - Miami Valley Trails. The event will take place in Troy along the trail near the Adams Street Bridge where a new trail seating area is being constructed. Co-sponsors include MCD, The Troy Foundation, the City of Troy, Miami County Commissioners, Great Miami Riverway, and the Miami Valley Regional Planning Commission.

**The Great Miami Riverway Half Marathon:** The Great Miami Riverway Half Marathon was held on September 10 from Piqua to Troy. The event is organized by Can't Stop Running and is branded as a Riverway event in exchange for assistance promoting the event to the Riverway social channels and newsletter subscribers.

### **Potential New Riverfront Development**

- A key riverfront parcel in downtown Troy, the Spinnaker Building, adjacent to the current Troy low dam, is being demolished. The 4.5-acre property was identified in Troy's downtown development plan several years ago as a high-potential development site along the river.
- The 200-acre former DP&L Hutchings Power Station is moving closer to redevelopment. Frontier Industrial, a Buffalo-based developer, has spent the last year and a half cleaning up the property and readying it for a mixed-use riverfront redevelopment. The low dam in front of the plant will be removed, to make it safer to paddle on the Great Miami River, and the property will include housing, athletic facilities, restaurants, and potential office uses.
- Amp Brewhouse, on Maple Avenue in Hamilton, is on track to open in the not-too-distant future. Great Miami Brewing Inc. is redeveloping a former decommissioned electric substation building into a new brewpub/restaurant.

### **FUTURE BOARD MEETING**

At the December 2022 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 (rescheduled to March 22), June 21, September 20 (rescheduled to September 18), and December 13.

**ADJOURN**

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

**ATTEST:**

**APPROVED:**

  
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**Rhonda K. Snyder**  
Secretary

  
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**Mark G. Rentschler**  
President