

A special meeting of the Board of Directors of The Miami Conservancy District (MCD) was held in compliance with the Sunshine Law and MCD Bylaws. The meeting information was posted on MCD's website. Miami Valley news media and individuals requesting such notification were informed of this meeting by electronic mail dated May 13, 2025. The meeting was held in the Troy Municipal Building, 100 S. Market Street, Troy, Ohio.

SPECIAL MEETING

The special meeting was called to order at 10:03 a.m. by Mark G. Rentschler, President, with Beth G. Whelley, Vice President, and Michael H. van Haaren, member, present.

Members of the staff in attendance: MaryLynn Lodor, General Manager/Board Secretary; James B. Casper, Manager, Operations and Maintenance; Ginger Clark, Manager of the Great Miami Riverway; Michael P. Ekberg, Manager, Water Resources Monitoring and Analysis; 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; and Barry M. Puskas, Chief of Technical and Engineering Services.

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

Guests in attendance at the special meeting: Jill Billman Royer, Burges & Burges Strategists; Matt Lindsay, Miami Valley Regional Planning Commission; and John Menninger, Stantec Consulting Services, Inc. Carol Malesky, also from Stantec Consulting Services, Inc., attended via Teams.

The purpose of the special meeting was to review the Benefit Assessment Study and ongoing refinements.

BENEFIT ASSESSMENT STUDY FOR THE SEVENTH READJUSTMENT OF THE APPRAISAL OF BENEFITS

In January 2025, Stantec presented its Phase 1 Study to the Board of Directors. The Phase 1 Study included calculation of direct benefits using FEMA direct and indirect benefit methods. Indirect benefits were calculated based on a pilot study of areas that included the cities of Hamilton and Dayton. Stantec also presented four benefit appraisal alternatives and obtained feedback from the Board. Based on the accelerated Phase 1 Study and Board feedback, a second phase of the study began in February to further refine the benefit appraisal alternatives. Stantec documented the Phase 1 Study and Phase 2 efforts in a draft report that remains in development. Stantec's refinements will be presented to the Board at the May 22 Special Board meeting, as outlined in the attached Seventh Readjustment Roadmap/Schedule, attachment 4A.1. Also attached is a list of all outreach activities related to the Benefit Assessment Study and the Seventh Readjustment, attachment 4A.2.

Throughout the last two years, MCD has been engaging with stakeholders to inform them about the Seventh Readjustment, the pause, 2025 rates and the on-going Benefit Assessment Study; a list of ongoing engagements is provided in attachment 4A.2. In late 2024 and early 2025, MCD contracted with Burges and Burges to design and execute public opinion research; attachment 4C.1 provides a summary of the public survey of 1200 property owners

and attachment 4C.2 provides the summary results of the 40 in-depth interviews with thought leaders throughout the nine-county area.

In February, an advisory committee began, facilitated by Miami Valley Regional Planning Commission (MVRPC), supported by MCD and Stantec with background and presentations of Phase 1 Study findings. Committee meetings were held in February, March, and May 2025. A resource website was created for the Advisory Committee, and the site included slide decks presented, meeting summaries, handouts, and feedback obtained from the committee. Information and feedback related to the Advisory Committee is included as attachment 4D.

On May 8, Stantec presented the four benefit appraisal alternatives at the third meeting of the Advisory Committee. MVRPC facilitated activities following Stantec's presentations, and feedback was obtained from the committee on each of the alternatives. Item 4E includes information and insight from the most recent Advisory Committee meeting which focused on alternatives and refinement recommendations. The advisory feedback on the alternatives is included as item 4E.3 Advisory Committee Meeting Number 3 – May 8, 2025. Stantec continues to use this feedback to refine alternatives that will be presented to the Board.

Ms. Lodor shared that the goal for today's discussion is to narrow down to two or three alternatives and obtain Board feedback on the refinements made to identify other modifications that can make the preferred approach better. A key consideration: should a future fee structure be based on impervious area (Alternative 1) property value (Alternatives 2-4) or a flat fee (new Alternative 5), or some variation? Following the feedback today, Stantec will continue to refine based on Board preferences and will prepare for a discussion with the Board of Appraisers in July.

Following Board feedback on Stantec's Phase 2 refinements, the Advisory Committee will meet for Meeting Number 4 on June 12, 2025, which will include a presentation of refinements. Stantec is preparing to make its recommendation to the Board at the June 25 Board of Directors meeting. Using the input from the Board, Stantec will continue to prepare a final draft report to support their testimony to the annual Conservancy Court on August 29, 2025.

Ms. Lodor then introduced John Menninger from Stantec. In addition to its coordination with the Advisory Committee, Stantec continues to advance the Benefit Assessment Study, and a draft report is in development. To date, Stantec has made progress with the following efforts associated with the Phase 2 effort:

1. A third pilot study area has been completed that evaluates indirect benefits for all areas within Miami County. The findings of all the pilot studies will be presented to the Board for review and discussion with Stantec. Preliminarily, the findings appear to support more than one tier of indirect benefits across the district.
2. Stantec's economic team identified additional tangible and intangible indirect benefits that lend further support to the establishment of indirect benefits and an expansion of the flood protection assessment area.
3. Stantec analyzed the benefit appraisal alternatives by conducting a sensitivity analysis. Stantec will present their findings and refinements to the Board.
4. Stantec will present the pros and cons of each refined alternative along with implementation considerations.

Mr. Menninger discussed the findings of the Phase 2 pilot area (Miami County) and compared those findings to those of the Phase 1 pilot areas (Dayton and Hamilton). A discussion ensued between the Board and Mr. Menninger concerning the following:

- Comparison of direct benefit valuation among the three pilot areas, with indirect benefits being a lower percentage of total benefits in rural areas as opposed to urban centers where the ratio of direct to indirect benefits is nearly 1:1;
- Indirect benefit for agricultural property and what is included in the calculation; and
- How the indirect benefit assessment does not include the complete loss of roads and bridges, population displacement due to physical changes in the river channel, fatalities from flooding, or “qualified” benefits such as loss of time to reroute around lost bridges and loss of use of recreational facilities.

Discussion then turned to the Advisory Committee and questions from the Board about the insights gained from it and public research. Advisory Committee meetings were designed to present a lot of technical information then get feedback. The Board asked if there was a sense within the Advisory Committee to move away from using property value as a factor in the benefit assessment. Ms. Lodor stated that the stormwater contribution model received the most interest compared to the different alternatives presented, but strong preference remained on the use of some property value and flood protection zone distinction. A discussion ensued as to the extent to which the Advisory Committee might reach consensus on any particular alternative benefit appraisal method and the possibility of individual bias based on who the Advisory Committee member is and their role in their community.

Ms. Lodor then introduced Jill Billman Royer of Burges & Burges Strategists to present their public opinion research findings. In November 2024, MCD contracted with Burges & Burges to conduct a public opinion survey of 1200 property owners within the nine-county region. An in-depth survey was also conducted in January with forty-two thought leaders throughout the region. Burges & Burges conducted a survey of approximately 1200 residents of the nine counties that make up the Miami Conservancy District. Ms. Billman Royer identified several takeaways from their research:

1. Public Awareness & Communication Gaps

- Many participants were previously unaware of MCD’s role, often viewing it through a recreation/conservation lens rather than flood protection.
- This disconnect has contributed to public confusion and skepticism.
- Ongoing efforts like stakeholder meetings and visual/digital messaging are helping, but a broader “education first” strategy is essential.

2. Support for the Pause & Need for Trust-Building

- There was widespread support for pausing the reassessment, seen as the right move.
- Participants emphasized that this pause should be used to rebuild trust through clear, transparent outreach and education.

3. Complexity of Indirect Benefits & Fairness Concerns

- Indirect benefits are recognized but are hard to quantify and communicate.
- There is no consensus on how to assess them or who should pay—property owners or governments.
- A hybrid model with flexibility for local context was favored by many.

4. Expansion & Land Use Challenges

- Expansion into new counties will face resistance without strong, localized justification.
- Tailoring assessments by land use type sparked debate—fairer to some, overly complex to others.

- Education, especially around distinctions like agricultural vs. commercial land, will be critical.

5. Funding Strategy & Infrastructure Prioritization

- While infrastructure is seen as important, the \$140M price tag raised concern about urgency and priorities.
- Most agree federal/state support should be maximized, but local funding will remain essential.
- Messaging should include visual, relatable portrayals of risk if MCD infrastructure is not maintained.

Ms. Lodor then introduced Matt Lindsay from Miami Valley Regional Planning Commission to summarize the insights gleaned from his role as facilitator of the three Advisory Committee meetings held so far. The Advisory Committee highlights provided by Mr. Lindsay included the following:

- The committee has worked well together and identified and recognized indirect benefits to the broader region, not just properties that flooded in 1913. The first workshop resulted in indirect benefits being identified throughout the nine-county area with the reliance and use of infrastructure or services that receive flood protection.
- The committee reviewed and identified pros and cons for each of the four alternative methodologies presented by Stantec, but not likely to get a consensus on an alternative based on the diversity of participants and interests.
- The committee had several suggestions of how to refine those alternative methods in an effort to be as equitable as possible to all residents of the Great Miami River watershed.

Ms. Lodor returned to John Menninger to review Stantec's refinement of proposed benefit appraisal alternatives. Each alternative was discussed in detail: Alternatives 1A and 1B are based on stormwater contribution; Alternatives 2A, 2B, and 2C are flood zone approaches, based on the recurrence of flooding within the zone with modifying factors that include land-use type and protection levels; Alternative 3 provides the most direct correlation between direct and indirect benefits; however, the assessments are still tied to the property value; Alternatives 4A and 4B are simplified versions of MCD's current methodology but maintain the use of the 1913 flood depth as a factor; and a new Alternative 5, which is a tiered flat-rate approach, grouped into five flood-recurrence zones. Mr. Ken Moyer also shared that Alternative 5 had a lower maximum assessment and higher minimum assessment with no property value consideration.

Further discussion included the necessity of a readjustment if the benefit appraisal method was no longer tied to property value, what the consequences may be to economic development for each of the alternatives presented, and how MCD anticipates farmers will react to an indirect benefit assessment, especially given that farmers often have multiple parcels.

A discussion followed concerning further possible refinements to Alternative 5, including the possibility of a flat-rate alternative combining property value ranges, flood interval zones, and land use – an Equivalent Benefit Unit (EBU), zone-plus approach. Stantec will provide more analysis of this alternative concept for further review in advance of the June 25 meeting.

EXECUTIVE SESSION

Next, the Board of Directors adjourned to Executive Session, on motion by Mr. Rentschler and seconded by Mr. van Haaren, for the purposes of considering pending or imminent court action as allowed by Ohio Revised Code Section 121.22(G)(3). Upon a roll call,

the vote was as follows: Mr. Rentschler, aye, Ms. Whelley, aye, and Mr. van Haaren, aye. Executive Session began at 1:26 p.m.

Staff members present at the Executive Session were: MaryLynn Lodor, General Manager/Board Secretary.

Legal Counsel present at the Executive Session: Lee A. Slone, McMahon DeGulis LLP.

Ms. Whelley departed the meeting at 1:55 p.m. A motion to exit the Executive Session was made and moved by Mr. van Haaren and seconded by Mr. Rentschler.

The meeting returned to open session at 2:01 p.m.

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The Board of Directors, on motion by Mr. van Haaren and seconded by Mr. Rentschler, authorized the general manager to sign the settlement agreement negotiated with Sunesis as stipulated and discussed during the executive session. Ms. Whelley previously departed the meeting and did not vote.

FUTURE BOARD MEETINGS

During their December 18, 2024, meeting, the Board members set the following dates for the remaining 2025 regular meetings of the Board of Directors of The Miami Conservancy District:

Wednesday, June 25, 2025

Wednesday, September 10, 2025

Wednesday, December 17, 2025

ADJOURN

There being no further business, the meeting was adjourned on motion by Mr. van Haaren and seconded by Mr. Rentschler at 2:02 p.m.

ATTEST:


MaryLynn Lodor
General Manager/Board Secretary

APPROVED:


Mark G. Rentschler
President