

Conservancy District
Board of Directors Meeting
August 8, 2023

The Board of Directors of the Maumee Watershed Conservancy District met in regular session at the Maumee Watershed Conservancy District office in Defiance, Ohio, on August 8, 2023. In attendance were George Ropp, Mark Moats and David Kuhn, Directors; Wendy Yunker, General Manager, Sec/Treas; Emilee Rankin, Administrative Clerk; Jim Weaner, Legal Counsel; Steve Wilson, Project Manager.

President George Ropp called the meeting to order at 9:00 a.m.

Approval of Minutes: The minutes of the June meeting were approved as mailed. Motion was made by Dave and seconded by Mark. Yeas 3.

Approval of Financial Reports: The financial reports for June and July along with the CD tracking were approved as mailed. Motion was made by Mark and seconded by Dave. Yeas 3.

Re-Appropriation of Accounts: Wendy informed the Directors that a couple of accounts need re-appropriated for 2023.

Adoption of Resolution: Motion was made by Mark to approve the following resolution:

Resolution No. 2336
To Amend 2023 Receipts/Appropriations

<u>Acct#</u>	<u>Description</u>	<u>Current</u>	<u>Add'l Approp</u>	<u>Total Approp</u>
30-02-01	Materials MFLA	65,000.00	20,000.00	85,000.00
30-01-10	Imp. Fund Upper Blanchard	500,000.00	300,000.00	800,000.00
30-01-02	Imp. Fund Eagle Creek	4,852,106.60	5,000,000.00	9,852,106.60
600-1-01	Intergovernmental Revenue	500,000.00	300,000.00	800,000.00
800-2-01	Imp. Fund Eagle Creek	5,000,000.00	5,000,000.00	10,000,000.00

George seconded the motion, Yeas 3.

Certificate of Levy 2023 payable 2024: Wendy stated that every year, she reaches out to each of the counties that we assess for operation and maintenance. This is to request new land market values on the parcels located within the watershed. These values get updated into our system to calculate the dollar amount due from each county. We need to certify this amount back to the auditor's office in early September.

Adoption of Resolution: Motion was made by Dave to approve the following resolution:

Resolution No. 2337
To Determine, Order and Levy the
Annual Levy for the Year 2023

BE IT RESOLVED, that the Board of Directors determine, order and levy the Annual Levy for 2023 upon all property and public corporations in said District, benefited under Section II of the Official Plan, known as Little Auglaize and tributaries, and Section III of the Official Plan, known as Grassy Creek, and Section X of the Official Plan, known as St. Joseph Stream Enhancement Project for the annual installments of assessments and interest, and maintenance assessments for the tax year 2023 and,

BE IT FURTHER RESOLVED, that said amount of said Annual Levy and said maintenance assessment shall be collected and payable in the year 2024 in the sums specified at the time that county taxes are due and collectible.

Mark seconded the motion. Yeas 3.

Insurance Renewal: Wendy stated she has been working with Conrad Beck to update MWCD's general liability and bond insurance. This year the premium through the Ohio Plan is \$20,479 which is about \$600 more than last year. The renewal reflects the addition of the 2017 Ford truck and coverage on the spray rig equipment. Jim Weaner reviewed and discussed ORC 6101.58 with the Directors regarding bonds. After review, Dave moved to continue with the Ohio Plan liability insurance one year renewal, adding Emilee Rankin with \$50,000 coverage and to continue with the \$12 million bond on Wendy Yunker. Mark seconded, Yeas 3.

Secretary Treasurer: Wendy stated that Emilee has been doing a great job in the office with all the duties she has been given and recommends that she is hired for full time as secretary treasurer.

After discussion, a motion was made by Mark to approve the following resolution:

Resolution No. 2338
To Promote Emilee Rankin as Full Time
Secretary/Treasurer

BE IT RESOLVED, that the Directors of the Maumee Watershed Conservancy District move to promote Emilee Rankin to full time salary position of Secretary/Treasurer, leaving Wendy Yunker as the General Manager beginning September 4, 2023.

Dave seconded the motion, Yeas 3.

Lower Blanchard/Ottawa Wetlands Update: Steve Wilson stated that Biohabitats has completed their work on the Wetland Restoration and Steve has requested an invoice to pay out the remaining \$10,000 to close out the project. Dominion Energy has re-submitted a change order, with proper documentation, to their original work agreement for the gas line relocation for the Diversion Channel. Steve requests the Board accept the change order pending the receipt of funding to cover the cost from the Village of Ottawa or the State of Ohio.

After discussion, a motion was made by George to approve the following resolution:

Resolution No. 2339
To Accept Dominion Energy Change Order
Subject to Funding from Village of Ottawa

BE IT RESOLVED, that the Directors of the Maumee Watershed Conservancy District move to accept the change order submitted by Dominion Energy, bringing the final bill to \$430,346 subject to funding by the Village of Ottawa or the State of Ohio.

Mark seconded the motion, Yeas 3.

Upper Blanchard River Update: Steve Wilson reported on the following items:

NS Bridge

- 100% plans were submitted to NS. Stantec has addressed the review comments.
- Conference calls with NS and FRA are scheduled every 2 weeks until we get final agreements from both entities. NS has agreed they will provide a cost share but specifics have not been determined. NS cannot complete the construction agreement until the FRA agreement is complete. FRA is now saying their Agreement could be completed in September.
- A Memorandum of Agreement between the City and MWCD needs to be executed that will allow NS to use a City owned property as a lay down/storage yard during construction. Request the Board authorize the MOA.

After discussion, a motion was made by George to approve the following resolution:

Resolution No. 2340
To Execute MOA with the City of Findlay
To allow NS to Use Property as Storage Yard

BE IT RESOLVED, that the Directors of the Maumee Watershed Conservancy District move to execute a memorandum of agreement with the City of Findlay to allow Norfolk Southern to use a city owned property as a lay down/storage yard during construction.

Dave seconded the motion, Yeas 3.

Hydraulic Improvements Phase 1

- Meeting with the City, County, property owner and his attorneys was held on March 27 with no resolution. Trial date for the eminent domain has been postponed until October, 2023.

Additional Hydraulic Improvements

- Still negotiating on acquisition of the final parcel.
- Bidding will be dependent on property acquisition and remediation of the brownfield site.
- Still waiting on a start date for the remediation of the chromium from the contractor.

- Excavation of potential historic artifacts was completed on March 22. Final report is being prepared for submittal to SHPO.
- A Memorandum of Agreement between the County, City and MWCD needs to be executed that will identify the various responsibilities for transfer of County owned properties to the City and the bidding of the construction project.

After discussion, a motion was made by Mark to approve the following resolution:

Resolution No. 2341
To Execute MOA with the City of Findlay
And Hancock County to Identify Responsibilities

BE IT RESOLVED, that the Directors of the Maumee Watershed Conservancy District move to execute a memorandum of agreement with the City of Findlay and Hancock County Commissioners regarding transfer of the County owned properties to the City of Findlay for the additional benching in regard to bidding and contracting for the actual construction.

Dave seconded the motion, Yeas 3.

Jim Weaner made a recommendation to the Directors to keep an eye on the upcoming work agreement to verify that MWCD is the administrator, not the contractor.

Eagle Creek Dry Storage Basin Planning Update and Property Acquisition: Steve Wilson reported the following:

- Negotiations continue with the 2 remaining residential owners.
- Tentative agreement on price has been reached on the Farmer parcel. Appraisal can begin after a purchase agreement is executed.
- Purchase agreement for the Lammers parcel (downstream of the spillway) has been executed. An appraisal has been requested.
- Appraisals for the flowage easements are still under review by ODNR.
- Conditional Letter of Map Revision (CLOMR) has been submitted to FEMA. A third round of comments from FEMA have been addressed and re-submitted.
- The design plans will be submitted to ODNR Dam Safety section this month requesting a permit to allow the construction of the embankment. The permit fee is based on a percentage of construction cost.
- There was a thistle complaint on one of MWCD properties that needed to be addressed so Croys mowing took care of that for \$1200.
- 68/15 interchange plans have been submitted by Stantec and the estimate is 2.3million. There needs to be a local match of 20% which should be provided by the City of Findlay.

George stated we can no longer drag the land negotiations further and requests that Jim sends a letter to remaining property owners that a decision needs to be made by our next board meeting or we will need to begin eminent domain procedures. Jim Weaner stated he will get with Pat Sadowski to send a joint letter to the landowners requesting a decision by September 12.

Steve Wilson suggested the Eagle Creek Basin Construction get split between two phases for financial reasons so we can get moving on phase one while we look for funding for phase 2.

All three directors encouraged Steve to work with Stantec to see how we can split the construction into two phases to get the project moving.

Little Auglaize River Update: 2,345 tons of rip rap placed on Little Auglaize, Town Creek and Middle Creek. Contractors are now working on pipes that need to be replaced. Spot spraying is nearing completion for the season.

Grassy Creek and Schaller Ditch Update: Second mowing has been completed and the contractor is continuing to work on brush cutting along the diversion channel. City of Perrysburg is still in the planning stages of repairing the culvert outfall.

St. Joseph River Update: Contractor is ready to remove type D logjams once the crops come off. Wendy and Kurt met with a landowner concerned about a logjam on his property and Kurt notified our contractor.

Legal Counsel Update: Jim Weaner reported that he has been staying in contact with Steve and Wendy with project updates. Jim has had discussions and research regarding treasurer bonds and has reviewed MOUs for the Upper Blanchard projects.

General Manager/Secretary Treasurer Report:

- Sent out letters to landowners regarding flowage easements
- Inspected Ottawa Diversion Channel and wetland area with Kurt and Emilee
- Stream inspections in Paulding, Putnam and Van Wert County with Kurt
- Spot treated stream banks with Kurt
- Reviewed and updated liability insurance policy
- Researched crime policy insurance and bond information
- Uploaded Paulding, Williams and Wood County 2nd half payments
- Oil changed in the Ford Edge
- Inspected contractor work and approved payment
- Met with landowner on St Joe regarding logjam
- Renewed maintenance employees spray license for next year
- Published Board meeting notice in Crescent News
- Updated MWCD website with approved minutes and next meeting date
- Checked activity of our bank accounts daily
- Mowed and sprayed weeds at office
- Reviewed all invoices, vouchers and financial reports
- Passed the Defiance Fire Department safety inspection

Maintenance Report: Wendy reported the maintenance crew has been busy with spot spraying, brush cutting and mowing District properties. They have spot treated 158.8 miles so far and noted that the miles will seem less than in the past due to the mileage being off due to the larger tires but the same amount of ground is being covered as in the past.

Meeting dates 2023: September 12, November 14, December 12

Adjournment: Dave moved for adjournment at 10:37 a.m. Mark seconded. Yeas 3.

George Ropp, President

Wendy J. Yunker, Sec/Treas.

Maumee Watershed Conservancy District
Audit Committee Meeting
August 8, 2023

The Maumee Watershed Conservancy District Audit Committee met in regular session at the District Office at 1464 Pinehurst Dr., Defiance, Ohio, on August 8, 2023. In attendance were George Ropp, Mark Moats and David Kuhn, Directors; Wendy J. Yunker, General Manager, Secretary/Treasurer; Emilee Rankin, Administrative Clerk; Jim Weaner, Legal Counsel.

George called the meeting to order at 10:40 a.m.

Wendy explained the financial procedures, while the committee reviewed the vouchers, bank reconciliation and financial statements to be in accordance with, and to satisfy the State Auditors checks and balances of an accounting system.

George moved to adjourn the Audit Committee meeting at 11:05 a.m.

George Ropp, President

Wendy J. Yunker, Sec/Treas.