

# Maumee Watershed Conservancy District

Board of Directors Meeting

December 14, 2021

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 December 14, 2021. In attendance were George Ropp and Richard Ricker, Directors; Clark Lynn Army, General Manager; Wendy Yunker, Sec/Treas; Kurt Warnimont, Maintenance Manager, Steve Wilson, Project Manager; Jim Weaner, Legal Counsel and Derek Dalton, Stantec.

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

**Approval of Minutes:** The minutes of the September 14th meeting were approved as mailed. Motion was made by Dick and seconded by George. Yeas 2.

**Financial Reports:** Lynn reported that there should be about \$120,000 turn back for 2021.

**HRA Reimbursement Update:** George reported that OPERS had some changes at the State level and will allow HRA payments for rehired retired State employees. Although the employees will not get to access this HRA money until they resign from their position, the money will be incurred and set aside for the active rehired retired State employees.

**Adoption of Resolution:** After discussion, a motion was made by George to approve the following resolution:

**Resolution No. 2268  
To Discontinue HRA Reimbursement  
From Maumee Watershed**

**Be It Resolved,** that the Directors of the Maumee Watershed Conservancy District here by discontinue HRA reimbursement payments for rehired retired State employees beginning in 2022.

Dick seconded the motion. Yeas 2.

**Adoption of Resolution:** After review and discussion of the financials, a motion was made by Dick to approve the following resolution:

**Resolution No. 2269  
To Amend 2021 Receipts/Appropriations**

<u>Acct#</u>	<u>Description</u>	<u>Current</u>	<u>Add'l Approp</u>	<u>Total Approp</u>
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10-13-01	Office Supplies	4,000.00	100.00	4,100.00
10-14-03	Insurance Health	100,000.00	4,300.00	104,300.00
10-15-01	Professional Fees	15,500.00	10,000.00	25,500.00

George seconded the motion. Yeas 3.

**2022 Appropriations:** Wendy went over the 2022 Appropriations, Estimated Receipts and Disbursements with the Directors.

**Resolution No. 2270**  
**2022 Appropriations, Disbursements and**  
**Estimated Receipts and Resources including New Accounts**

**BE IT RESOLVED,** that the Directors of the Maumee Watershed Conservancy District approve the 2022 Appropriations, Disbursements and Estimated Resources (as attached). These documents show the changes in percentage disbursements as well as the additional accounts for the receipts and expenditures of the federal RAISE grant for work on the Norfolk Southern Railway that will be distributed beginning in 2022.

Motion seconded by George. Yeas 3.

**Employee Salary Adjustments:** After Director discussion, Dick moved to give Kurt, Wendy, Todd and Connor a 6% hourly rate increase to begin on the first pay period for 2022. George moved to give Lynn a \$7,500 salary adjustment in 2021. Motions were seconded by Dick. Yeas 2.

**Update to Policy and Procedures Manual:** Lynn requested an update to the language under the Discrimination Policy and to add Juneteenth as a paid holiday. After a previous resolution by the Board, the language for HRA reimbursement for rehired retired employees needs to be eliminated from the Policy Manual. George moved to accept these changes, seconded by Dick. Yeas 2.

**By-Laws Update:** Lynn requested an update to the By-Laws of the Board of Directors and to include a suggestion made by a current Conservancy Court Judge. The requested language states: "Monies from Grants or other District funds may be used for preliminary studies to amend the official plan, but official plan amendment shall not be implemented without the Conservancy Court approval." George moved to accept the addition of language to the By-Laws, seconded by Dick. Yeas 2. (see attached)

**Lower Blanchard River Update:** Meadville Land Services has begun construction of the wetland restoration in Ottawa. Initial work should take 2 months and the contractors will return in the Spring for tree and grass planting.

Derek Dalton reported that Stantec has responded to FEMA's comments on the Letter of Map Revisions (LOMR) that will detail the changes to the flood plain boundary in Ottawa. He is hoping to receive final approval of the LOMR in about 90 days. Derek stated that they have almost depleted their original authorization of expenditures and Stantec is requesting a change order for authority of an additional \$5,000, should more review comments from FEMA need to be answered.

**Adoption of Resolution:** After review and discussion, a motion was made by George to approve the following resolution:

**Resolution No. 2271  
To Approve Change Order No. 1  
for Stantec's LOMR Application Support**

**BE IT RESOLVED**, that the Directors of the Maumee Watershed Conservancy District approve Change Order No. 1 with Stantec to include a cushion of \$5,000 "as- needed" should more review comments from FEMA need to be answered.

Motion seconded by Dick. Yeas 2.

**H2Ohio Amendment #1 Review:** Steve reported that an agreement could not be reached to purchase a portion of a property for the wetland restoration project so an amendment to the contract was presented to the Directors to remove the purchase of 30 acres and use that money to enhance the wetland restoration

**Adoption of Resolution:** After review and discussion, a motion was made by George to approve the following resolution:

**Resolution No. 2272  
To Approve Amendment No.1 to the H2Ohio  
Grant Agreement between MWCD and ODNR**

**BE IT RESOLVED**, that the Directors of the Maumee Watershed Conservancy District approve Amendment Number 1 to the H2Ohio Grant agreement between Maumee Watershed and Ohio Department of Natural Resources to properly show the expenditures for enhancement the Wetland Restoration.

Motion seconded by Dick. Yeas 2.

**RAISE Federal Railroad Grant:** Maumee Watershed was awarded \$7,115,711 through the Rebuilding America Infrastructure with Sustainability and Equity (RAISE) grants. This will pay for 80% of the construction cost for Norfolk Southern railroad enlargement. A kick off meeting with the Federal Rail Administration will be held later this month. Norfolk Southern

will complete their review of the 60% plans by the end of the year. Steve stated it would be 9months – 1 year before all the documentation is in place to be able to go to bid for this project.

**Adoption of Resolution:** After review and discussion, a motion was made by George to approve the following resolution:

**Resolution No.2273  
To Accept the Federal RAISE grant  
and Create New Financial Accounts**

**BE IT RESOLVED**, that the Directors of the Maumee Watershed Conservancy District accept the \$7,115,711 federal RAISE grant for the Norfolk Southern Bridge Replacement. This Federal grant money will be received under account 800-1-01 RAISE Grant – UB and expenditures will be recorded under account 30-02-10 RAISE Railroad - UB.

Motion Seconded by Dick, yeas 2.

**Upper Blanchard River Update:** Steve Wilson reported Hancock County and the owner of the remaining parcel to be purchased for Phase I benching will go through mediation to resolve the eminent domain. No date for the mediation has been scheduled.

Additional Hydraulic Improvements (Phase 2): AEP has submitted plans for relocation of their facilities and they require payment of \$92,778.41 to cover their costs. Hancock County has agreed to provide the funding. George moved to have Lynn sign the agreements with AEP in order to proceed. Dick seconded, yeas 2.

Hancock County has negotiated purchase agreements on 4 of the 7 remaining properties needed for the additional benching. Eminent domain proceedings have been filed on 2 of the 3 outstanding parcels. Derek Dalton reported that the 90% plans have been submitted to Ohio EPA for review. Stantec is waiting on review of the Federal permit applications (404/401) before completing the design plans.

**Eagle Creek Dry Storage Basin Planning Update:** Steve reported that the appraisals have been submitted to ODNR for review for the purchase of around 264 acres of additional property and should be completed by the end of the week. The Appraisals and Sales Contract were reviewed by Jim Weaner and Director Ropp and Jim stated there was some language that needed removed and cleared up before he would recommend approval by the Board. With the closing date of the end of the year in mind, Directors requested updates to the documents and then resubmittal for their review before the next Board meeting in 2 weeks.

Steve reported that the 2nd \$15 million grant agreement has been executed by ODNR & MWCD. An amendment is needed on the first \$15 million dollar grant to allow for the remaining balance of the first \$15 million to be used towards the next set of acquisitions.

**Adoption of Resolution:** After review and discussion, a motion was made by George to approve the following resolution:

**Resolution No. 2274**  
**To Approve Amendment No.2 to the first**  
**\$15 million dollar Grant through ODNR**

**BE IT RESOLVED**, that the Directors of the Maumee Watershed Conservancy District approve Capital Improvement Budget – Pass Through Agreement Ohio Department of Natural Resources HANC-003C Amendment Number 2 to include expenditures for acquiring additional property necessary for future development and extends the Grant project period through December 31<sup>st</sup>, 2022.

Motion seconded by Dick. Yeas 2.

Preliminary drainage plans have been submitted for review by MWCD, Hancock County Engineer and Eagle Township. Steve stated he will meet with the Eagle Township Trustees after the first of the year.

The U.S Army Corps of Engineers made a site visit on November 9 to gather information needed to determine the level of Federal permitting that will be required. No report of the Corps findings has been received to date. Stantec reportedly went over conceptual wetland plans with Christina Kuchle from ODNR. Appraisers have started working on residential appraisals.

**Engineering Services Consultant’s Contract:** Steve Wilson’s contract for Engineering Services with MWCD is due to expire this year so he presented the Directors with a renewal contract for 2022 with the only change being the hourly rate increasing from \$125/hour to \$150/hour. Dick moved to approve the one-year contract renewal. Seconded by George. Yeas 2.

**Little Auglaize River Update:** Jim reported that he had a title search done in response to a letter received by attorney Goldenetz and then reviewed maps at MWCD with Lynn and Wendy. He sent out a letter to Goldenetz stating his findings are showing the ownership of the land in question is legally MWCD’s, so no changes will be made.

**Grassy Creek Update:** Lynn inspected Grassy Creek and assigned a contractor to regrade the access road near Route 25.

**Schaller Ditch Update and New Apartments:** Lynn reported that there are new apartments being built along Schaller Ditch close to MWCD’s easement areas so he met up with the contractors and Dave Kuhn to discuss the terms of the easements and stake it out. Lynn does not believe this will be an issue going forward but he will keep an eye on it.

**St Joseph River logjam Update:** Contractors are not able to be working due to the wet grounds.

**Legal Counsel Update:** As reported previously, Jim researched the title and maps for a landowner/attorney in LA1 and had also reviewed appraisals and documents involved in the Eagle Creek. Jim had recently toured the MWCD Blanchard projects with Lynn and Wendy.

**General Manager Report:** Lynn handled a tile issue with a land owner on LA; drove watershed areas -made notes and took pictures; met with Jim and researched maps and reviewed title search regarding land issue Jim is working on for property in LA1; met with contractor on Schaller Ditch to discuss easement areas of MWCD for new housing and patios that are being constructed; held staff meetings and gave employee reviews; met with John Hoopingarner and partner regarding TMDL info; gave field work review and assignments to staff; conducted Eagle Creek tour with Directors and Steve Wilson; attended ODNR teleconference; researched CAUV and real estate tax laws; revised Policy and Procedure manual and By-Laws with Wendy; prepared 2022 Appropriations and estimated receipts and expenditures with Wendy; reviewed CDARS and financial reports for each month with Wendy; prepped for Board meeting; held Christmas luncheon for the Directors; took Wendy and Jim on tour and inspection of MWCD projects in Putnam and Hancock County.

**Secretary/Treasurer Report:**

- Received the New Land Market Values for Mercer, Van Wert, Putnam and Williams
- Scrubbed the reports from Van Wert, Mercer, Putnam and Williams and sent the signed certification letters to the auditors
- Uploaded pictures into the computer for Annual Report
- Updated MWCD website to include latest approved Board Meeting Minutes and the next meeting date
- Sent Ag Tour pictures to Putnam County Soil and Water
- Sent letter to Van Wert County Foundation stating the Directors approval of the Foundations plans for the boardwalk and observation deck
- Sent letter to Allen County Engineer with Resolution stating the Directors approved the bridge plans for State Road bridge over Auglaize River
- Attended meeting with John Hoopingarner and Louis McMahon regarding TMDL info
- Attended virtual meeting with ODNR lawyers
- Reviewed Policy and Procedures manual and Bi-Laws and suggested updates
- Researched easements for Schaller Ditch and Grassy Creek for the developing Townhomes encroachment issue
- Published the board meeting notice in the Crescent News
- Prepared tax form folders for 2022
- Ordered supplies to begin 2022 including W2 forms, 1099 forms, etc.
- Sent out Contractor Forms for 2022
- Toured the Lower and Upper Blanchard Projects with Jim and Lynn
- All invoices are paid up to date with supporting vouchers filed
- Check our bank accounts daily to verify their balance matches my balance
- Typed minutes from September meeting

- Provided the Directors with Board meeting information packet: previous meeting minutes, agenda, financial reports, CDARS list and recent news articles

**Maintenance Report:**

- Removing misc. debris and brush from 15' Easement areas
- Broken hydraulic hose repaired on District Massey Ferguson
- Used District Massey Ferguson tractor to mow back brush along District areas, 7 miles Paulding, 12 miles Van Wert. Tractor has been returned to Van Wert cold storage
- Washed District Kubota Mower
- District John Deere Tractor cleaned and washed
- Changed oil and replaced fuel sensor in District managers vehicle
- New Tires and front-end alignment done on District blue truck
- Oil changed in maintenance manager's white truck
- Log jam removed from under bridge over Hoaglin Creek in Van Wert
- Inspected Grassy Creek/Schaller Ditch areas in Perrysburg with Wendy. Also checked to make sure home construction patio areas stayed out of District easement as marked.
- Fall fertilizer applied to District yard
- Viewed areas to be repaired on Little Auglaize River in Paulding County with Lynn and contractor
- Met with landowner to discuss future repair work on Little Auglaize River, and placed 4 "No Hunting" signs on District property, and 5 Traffic Control signs, Rd. 82 -1, Rd. 72- 4
- Equipment maintenance, 1 chainsaw taken in for repairs of internal Oiler Worm Gear
- Met with landowner on Hoaglin Creek concerning filling in private pond
- Continue inspections along watershed areas with written notes
- Inspecting St. Joseph River for visible Log-jams

**Meeting dates 2021:** December 28, 2021, February 8 2022, March 8, 2022

**Adjournment:** George moved for adjournment at 10:45 a.m. Dick seconded. Yeas 2.

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George Ropp, President

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Wendy J Yunker, Sec/Treas.

Maumee Watershed Conservancy District  
Audit Committee Meeting  
December 14, 2021

The Maumee Watershed Conservancy District Audit Committee met in regular session at the District Office at 1464 Pinehurst Dr., Defiance, Ohio, on December 14, 2021. In attendance were George Ropp and Richard Ricker, Directors; Clark L. Army, General Manager, Wendy J. Yunker, Secretary/Treasurer and Jim Weaner, Legal Counsel.

George called the meeting to order at 10:50 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 11:10 a.m.

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George Ropp, President

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Wendy J Yunker, Sec/Treas.