MEETING MINUTES OF THE
EXECUTIVE COMMITTEE
OF THE
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS
MARCH 13, 2014
10:30 A.M. – OKI BOARD ROOM

- Call to Order

President Portune, noting that there was a quorum, called the meeting to order at 10:38 a.m. with the following members in attendance:

EXECUTIVE COMMITTEE MEMBERS

Mr. Todd B. Portune, Hamilton County Board of Commissioners, President
Judge Gary W. Moore, Boone County Fiscal Court
Mr. T. C. Rogers, Butler County Fiscal Court
Judge Steve Pendery, Campbell County Fiscal Court
Mr. Kevin Lynch, Dearborn County Board of Commissioners
Judge Steve Arlinghaus, Kenton County Fiscal Court
Mr. Michael Moore, alternate for David Mann, Cincinnati, Ohio
Ms. Sherry Carran, Covington, Kentucky
Mr. Terry Senger, Fairfield, Ohio
Mr. Robert Brown, Hamilton, Ohio
Mr. Larry Mulligan, Middletown, Ohio
Ms. Beth Fennell, Newport, Kentucky
Mr. James T. O'Reilly, Wyoming, Ohio
Mr. Russell L. Jackson, Anderson Township
Mr. David Linnenberg, Green Township
Mr. Karl B. Schultz, Miami Township
Mr. Matthew Beamer, Union Township
Mr. Mark Welch, West Chester Township
Ms. Christine Matacic, Butler County Association of Township Trustees & Clerks
Mr. Ken Rechtin, Campbell County Fiscal Court
Mr. Dan Bell, Kenton County Fiscal Court
Mr. David Okum, Hamilton County Regional Planning Commission
Executive Committee Members (continued)
Mr. Dennis Andrew Gordon, Northern Kentucky Area Planning Commission
Mr. Stan Williams, Warren County Regional Planning Commission
Mr. Ken Bogard, Resident Member
Mr. Bill Brayshaw, Resident Member
Mr. Larry Maxey, Resident Member
Mr. Kenneth F. Reed, Resident Member
Mr. V. Anthony Simms-Howell, Ohio Comm. on Hispanic/Latino Affairs, Resident Member
Mr. Ted Hubbard, Hamilton County Engineer
Ms. Debra Ault, alternate for Jim Ude, Indiana Department of Transportation
Mr. Robert Hans, Kentucky Transportation Cabinet
Mr. Stefan Spinosa, alternate for Steve Mary, Ohio Department of Transportation
Mr. Andrew Aiello, alternate for Bill Voelker, Transit Authority of Northern Kentucky

BOARD MEMBERS
Mr. Charles Tassell, Deer Park, Ohio
Mr. Larry Brown, Florence, Kentucky
Ms. Denise Holt, Forest Park, Ohio
Mr. Randy Shank, Harrison, Ohio
Mr. Christopher Reinersman, Independence, Kentucky
Ms. Molly Barber, Indian Hill, Ohio
Mr. Stephen Kaiser, Lebanon, Ohio
Mr. Michael Steur, Madeira, Ohio
Mr. Kurt Seiler, representing Rich Cox, Mason, Ohio
Mr. Steve Snyder, Oxford, Ohio
Mr. Greg Breetz, Boone County Planning Commission
Mr. Mark McCormack, Dearborn County Plan Commission
Mr. Marc Hult, Kenton County Planning Commission
Mr. Timothy Bachman, Fairfield (City) Planning Commission
Mr. Jody Gunderson, Hamilton (City) Planning Commission
Mr. Martin D. Kohler, Middletown (City) Planning Commission
Ms. Kellie Wise, representing Greg Hartman, Hamilton County Board of Commissioners, Resident Member
Mr. Roger Kerlin, Resident Member
Ms. Lanita Hanekamp, representing Chris Monzel, Hamilton County Board of Commissioners, Resident Member
Mr. Thomas Voss, Resident Member
Mr. Neil Tunison, Warren County Engineer
GUESTS

Mr. Wayne Bastin, Bastin & Co. LLC
Ms. Nola Clarke, Governor’s Regional Office
Ms. Marcie Mathews, DLZ
Mr. Skip Schulte, Citizen
Mr. Joe Vogel, URS
Mr. Jeff Wallace, Parsons Brinckerhoff
Ms. Hollie Hinton, DLZ
Ms. Marilyn Hyland, I&O Railroad
Mr. Michael Giffen, Dayton, Kentucky

LEGAL COUNSEL

Mr. Ed Diller, Taft, Stettinius & Hollister

STAFF

Mr. Mark R. Policinski  Mr. Robert W. Koehler  Ms. Marilyn F. Osborne
Ms. Karen Whitaker  Ms. Purcy Nance  Mr. Mark Paine
Ms. Mary Luebbers  Mr. David Shuey  Ms. Alex Barnes
Ms. Summer Jones  Ms. Emi Randall  Ms. Robyn Bancroft
Ms. Jane Wittke  Mr. Andrew Rohne  Mr. Andy Reser
Ms. Florence Parker

Mr. Welch led the Executive Committee in the Pledge of Allegiance.

• Announcements

President Portune reminded everyone to sign in for attendance purposes. He also reminded everyone that this is an Executive Committee Meeting and that Executive Committee members or their alternates are able to vote, Board members are not able to vote.

ITEM #1:  ADMINISTRATIVE

A. President’s Report

President Portune provided a preview of a powerpoint presentation that he was giving that evening at a panel discussion, organized by the Enquirer, regarding regional transportation issues. He explained out the Enquirer has been discussing the need for a regional transportation system. They have provided maps and asked readers to weigh in. He explained that the presentation to be held that evening was another step in the process.
President Portune reported that over 200 people attended the Regional Transportation Summit that was held at Union Terminal. He reported that there was great participation by a number of representatives from several federal agencies, including the Department of Transportation, Federal Transit Administration, Federal Railroad Administration and a representative on behalf of the White House. President Portune explained that several key issues were identified, including the need for: 1) a funding matrix that details all sources of funding and timetables; 2) an informal call for a regional Request For Interest (RFI) for anyone in the private developer community to express their interest to be a part of any one or more aspects of our regional transportation network of infrastructure, including roadways, traffic system management, or getting involved in the investments in the improvements that have been identified for regional rail—either freight or passenger service; 3) identify legislation to support, including RIIZs; and 4) the need for everyone to continue to work together.

President Portune reported that there was a Hamilton County Transportation Improvement District meeting, in partnership with Clermont County, regarding the Eastern Corridor. He reported that a tremendous amount of work is being done—over $80 million of construction is underway. He reported that they have come to a consensus around improvements that need to be done in the Madisonville area/Red Bank Corridor; received reports with respect to public support for and demand for greater service of passenger rail on the Oasis line; and they are moving forward, in partnership with both the Wasson Corridor bikeway group and the Ohio Riverway Rails Trails group, with the dual development of both rail and trail.

President Portune reported that a station area workshop was conducted in the Columbia Tusculum area regarding the development of commuter rail service on the Oasis Line that is being introduced in the Eastern Corridor. The workshop was attended by over 80 people who gave input into what the stations need to look like and regarding development opportunities at and around the station locations.

President Portune also reported that they were approached about pursuing a federal demonstration project for Compressed Natural Gas (CNG) powered DMU vehicles on the Eastern Corridor.

- Appointment of Alternate to the 2014 OKI Executive Committee

President Portune stated that due to the retirement of Melissa Williams, the Campbell County Fiscal Court has requested that the County Administrator, Robert Horine, serve as Judge Pendery’s alternate on the OKI Executive Committee.

Judge Pendery moved to concur with the President’s appointment of Robert Horine as an alternate on the Executive Committee. Judge Arlinghaus seconded the motion, motion carried.
• Public Service Recognition Form

President Portune reminded the committee that nominations are being accepted for individuals from our region who have contributed outstanding public service. Up to five individuals will be selected from OKI to be recognized with other honorees at an event on Cincinnati’s Fountain Square during Public Service Recognition Week in May. Nomination forms need to be returned to OKI by Friday, April 4. Questions should be directed to Florence Parker of the OKI staff.

B. Approval of February 13, 2014 Executive Committee Meeting Minutes

President Portune called for corrections and/or additions to the February 13, 2014 minutes of the Executive Committee meeting.

There being none, Mr. Brayshaw moved that the February 13, 2014 minutes of the Executive Committee meeting be approved as mailed. Mr. Reed seconded the motion; motion carried.

C. Executive Director’s Report

Mr. Policinski provided an update about the Brent Spence Bridge project. He reported that there is a bill in the Kentucky legislature to allow public private partnerships in Kentucky. The bill was scheduled to go on the floor today, but the House is tied up with budget debates. He explained that the bill includes tolls as a funding option. However, he explained that a possible amendment by Representative Santoro would allow for a separate vote to be taken on any project that includes a toll. Mr. Policinski stated that the central issue is whether the Kentucky delegation will carve Northern Kentucky out of the 3P legislation. If this happens, the Kentucky legislature will pull out the $37 million that the new Kentucky Six-Year Transportation Plan currently has in it for the Brent Spence Bridge. Mr. Policinski commented that there are many layers to the debate and it is unknown at this time what will happen. He pointed out that every large infrastructure project is a political project and will be decided on political terms.

Mr. Policinski reported that he is traveling to Washington, DC next week to meet with Senator Donnelly regarding RIIZs. He explained that Senator Donnelly does not sit on any committees related to transportation, but is very supportive and well liked on both sides. Mr. Policinski reported that he also plans to meet with Congressman Massie, who sits on the Transportation and Infrastructure Committee. He stated that Congressman Massie’s staff is very engaged. They need to determine if he is interested in introducing the bill. Mr. Policinski explained that RIIZs are a tax bill and the committee of jurisdiction is Ways and Means. He said that he hopes their meetings next week will help move the RIIZ legislation along toward introduction.
D. **Legislative Update**

Mr. Policinski explained that he will be providing the Legislative Update since Brian Cunningham, the Director of Communications, has resigned. He reported that the President released a new budget which includes a 45% increase in transportation funding—from $52 billion to $75 billion. His proposal includes more emphasis on freight. However, Mr. Policinski pointed out that Congress is looking at a smaller amount of funding for transportation. It is not believed that Congress will have a bill passed by September 30, when the current bill expires. It is anticipated that they will file an extension and continue at current funding levels. He commented that both chambers are working hard to put together a transportation bill.

Mr. O'Reilly asked whether staff can look into a recent court ruling regarding the reversion of railroad lines back to the original property owners when they are abandoned. He asked if staff could advise him as to whether local governments are at risk when it comes to the use of railroad easements for other purposes. Mr. Policinski asked Mr. O'Reilly to send him a request and he will have staff report back at an upcoming meeting.

E. **Finance Officer's Report**

Ms. Nance, staff, stated that the Finance Officer's Report, dated March 13, 2014, was distributed around the table. She stated this report is on the financial statements for the period ended January 31, 2014 and includes current cash information.

Ms. Nance stated that on page 2 is the current information. As of March 4, OKI had $200,238 in the PNC checking account, $12,636 in the HSA/FSA checking account, and $602,906 in the PNC savings account. She reported that there has been no recent activity on OKI's line of credit and there is no outstanding balance at report date.

Ms. Nance stated that on page 3 is the balance sheet as of January 31. Cash and Investments are down 7% from this time last year. She stated that Receivables are up 36% from this time last year due to the timing of routine invoice payments, addition of new projects, and increased planning activities. At January 31, there were $791,000 in receivables, $775,000 associated with December and January invoices and $16,000 outstanding from November and earlier. She further stated that payables are down 31% or $22,000 from this time last year due to the timing of routine invoices.

Ms. Nance stated that on page 4 is the Revenue information. She reported that at January 31, OKI is 58% of the way through the budgeted year. Overall, revenues are at 58%, which is on budget.

Ms. Nance noted the following items: Federal revenues are ahead of budget due to addition of the Solar Ready project and the timing and administration of the New Freedom pass through projects. Local revenues are ahead of budget due to the timing of county funding
payments. Contributed services are ahead of budget due to overmatch received in the New Freedom pass through project and due to the seasonal nature of the Clean Air marketing campaign.

Ms. Nance stated that on page 5 is the Expense information. She reported that overall expenses are at 56%, which is on budget. Ms. Nance noted the following items: Category 3, Professional Development is behind budget due to the timing of budgeted activities and due to savings from development events budgeted but not attended; Category 4, Technical Consultants is behind budget—OKI had $50,000 budgeted for a Peer Review of OKI's Travel Model. FHWA is providing a peer review panel to OKI at no cost. Professional Services is ahead of budget due to the timing of the Clean Air survey and addition of the National Heritage Data Base project; Category 5, Legal Counsel and Auditing are ahead of budget due to the timing of audit services and legal fees associated with the SIB loan process; and Category 6, Contributed Services are ahead of budget due to the overmatch received in the New Freedom pass through project and the seasonal nature of the Clean Air marketing campaign.

Ms. Nance stated that on page 6 is the General Fund Balance information. She stated that the General Fund Balance has had a net increase of approximately $28,000 year to date. The two components of this increase are timing differences and year to date activities. The timing differences include a $116,000 increase due to the timing of county funding payments and a $30,000 decrease due to the application of negotiated fringe and indirect rates. The remaining $58,000 decrease is associated with year-to-date operations and timing of active projects.

There being no discussion, Mr. Rogers moved that the Executive Committee accept and file the Finance Officer’s Report dated March 13, 2014. Ms. Matacic seconded the motion; motion carried.

ITEM #2: PRESENTATION OF FISCAL YEAR 2013 AUDIT REPORT BY BASTIN & COMPANY, INDEPENDENT AUDITOR OF THE COUNCIL

Mr. Wayne Bastin, Bastin & Co. LLC, reported that this was the fifth and final year of their contract with OKI. He explained that his firm will no longer be able to conduct the audit because OKI now requires a Tier 1 audit and Bastin & Co. is a Tier 2 firm. *Subsequent to this report, OKI has learned that the Auditor State of Ohio has again revised their audit bid process eliminating audit firm tiering. This appears to allow Bastin & Co. LLP to re-bid the audit.*

Mr. Bastin reported that OKI’s independent audit was completed in December 2013 and approved by the State in February. The audit includes three parts and each received a clean audit with no findings. He remarked that this is a demonstration of the quality of OKI’s Finance Office and abilities of the staff. He thanked Ms. Nance and the Finance staff for their help with this complex audit.
On behalf of OKI, President Portune thanked Mr. Bastin for his outstanding work.

Mr. Reed moved to accept and file the Fiscal Year 2013 audited financial statements of the Council. Mr. Bogard seconded the motion; motion carried.

ITEM #3:  KENTON KY 536 CORRIDOR SCOPING STUDY

Mr. Koehler, staff, provided background information about the KY 536 Corridor. He explained that it is an east-west corridor that runs for approximately 20 miles from Boone County to Campbell County. He stated that some of the sections have been updated and some need safety improvements. He commented that the corridor does not effectively meet the growing needs of the communities through which it passes.

Mr. Koehler showed a map depicting the 2010 household data. He reported that within one mile of KY 536, there is currently an estimated population of over 38,000. He also showed the estimated change in population between 2010 and 2040. In Kenton County alone, it is estimated that there will be over 1,500 new households within one mile of the corridor. In order to have a more balanced/mixed-use environment and bring employment, Mr. Koehler explained that there is the need to invest in better infrastructure.

Mr. Koehler showed a map depicting 2010 employment. He reported that within one mile of the corridor, there are an estimated 8,200 jobs. He explained that there are high concentrations of jobs in the areas surrounding I-71/75, KY 17 and US 27 corridor, where there is good transportation infrastructure. Mr. Koehler stated that even with conservative estimates, if the corridor is upgraded, they expect significant growth. Between 2010 and 2040, the proportion of new jobs in the KY 536 corridor will be dramatically higher than the rest of the Northern Kentucky region.

Mr. Koehler explained that it is not just about jobs and where people live, they are also concerned about safety issues. He displayed a map showing the crash locations and the critical rate factor. The section of KY 536 between KY 16 and KY 177 is almost 3.5 times above the state crash rate average.

Mr. Koehler reported that a lot of investment has already been made in the corridor and much more remains. He explained that KYTC District 6 recognized the importance of the corridor and completed a scoping study in 2000. That study identified specific preferred alternatives and projects for much of the corridor and many of those preferred alternatives have some phases completed or initiated. However, he pointed out that the segment in Kenton County from KY 17 to the Licking River remains undetermined. Mr. Koehler reported that the Governor’s proposed Six Year Highway Plan includes construction dollars for some of the segments, however the year of construction has been pushed out at least of couple of years from the current Plan.
Mr. Koehler summarized that this is an important transportation corridor and OKI needs to continue to keep it near the top of our needs list. He also expressed the need to determine a preferred alternative for the KY 17 to Licking River segment. He showed a map outlining this area, which is what staff is proposing be included in a Kenton KY 536 Scoping Study. He explained that he has been in contact with KYTC and they are supportive and have provided discretionary planning funding. He estimates that the study will take about a year and will be more in-depth that other work than OKI is accustomed to doing. Mr. Koehler explained that the project will be included in the FY15 UPWP which will be presented next month to the Board for consideration.

President Fortune stated that he is pleased to see that OKI is looking at other areas in need for study in the OKI Region, including the KY 536 Corridor and the I-74/Bright Corridor in Indiana.

ITEM #4: INTERMODAL COORDINATING COMMITTEE REPORT

Mr. Paine, staff, reported that the ICC met on Tuesday, November 11. John Deatruck with the City of Cincinnati provided an update on the Cincinnati Streetcar project. He provided highlights of the current construction underway in Over-the-Rhine and provided the group with a timeline for completion of the project. Mr. Koehler presented information on the Kenton County KY 536 Corridor Scoping Study. Mr. Paine also reported that Mary Luebbers presented information on the 2010 adjusted urbanized area boundary.

Mr. Paine reported that the ICC recommends approval of Resolution 2014-07, amendment #6 to the OKI FY 2014-2017 TIP and Resolution 2014-08, an update of the 2010 adjusted urbanized area boundary.

A. Amendment #6 of the FY 2014-2017 Transportation Improvement Program

Mr. Paine, staff, stated that the amendment reflected in the proposed resolution lists two highway projects in Ohio, one highway project in Kentucky and two highway projects in Indiana that are recommended for addition or revision in the current TIP. Mr. Paine explained that the changes in Ohio include a new culvert project in Warren/Clinton Counties and a revision to the cost estimate of phase 2 of the Lytle Tunnel project, a change in the funding for Veteran’s Way project in Boone County and a revised construction estimate for two projects in Dearborn County.

Mr. Hubbard moved that the Executive Committee approve Resolution OKI 2014-07 regarding Amendment #5 of the FY 2014-2017 Transportation Improvement Program. Ms. Matacic seconded the motion; motion carried.
B. **Endorsement of the 2010 Adjusted Urbanized Area Boundary**

Ms. Luebbers, staff, stated that there are three urbanized areas in the OKI region – Cincinnati, Middletown and part of the Dayton urbanized area. She explained that OKI, in conjunction with state and local planners, made adjustments to these Census Urbanized Areas to create the OKI Urbanized Area. She explained that they filled in gaps so that the OKI Urbanized Area would be one contiguous area. They also extended the Census Urbanized Area to include urban land uses not detected by the Census Bureau during their delineations. She pointed out that they also “smoothed” some ragged boundary edges and made sure that roads did not switch back and forth between urban and rural.

Ms. Luebbers displayed a map showing the OKI Urbanized Area based on the 2010 Census Urbanized Area. She explained that any area outside the OKI Urbanized Area is considered rural. The main reason for identifying roads as rural or urban is that it is the first step in highway functional classification. She clarified that OKI only funds projects that fall within the OKI Urbanized Area.

Ms. Luebbers reported that the three states’ departments of transportation, as well as local transportation officials, have reviewed and approved the proposed OKI Urbanized Area.

Judge Arlinghaus questioned how KY 536 can be funded if it is not an urbanized area. Mr. Koehler explained that the study will use planning funds. It is hoped that through the study projects will be identified that could get funded by other funds. In addition to the OKI funds available for the urban area, there are KYTC funds for both the urban and non-urban area. Mr. Policinski pointed out that the OKI Board has the final decision and could decide to fund projects outside the urban area.

Mr. Rogers questioned the inclusion of the Dayton area. Ms. Luebbers explained that in the Census Bureau’s delineation, the two areas merge. Springboro and Franklin are in the OKI region and considered urbanized, however projects in those areas are funded by MVRPC. Mr. Policinski pointed out that Franklin and Springboro ceded from OKI and joined MVRPC. OKI does not fund projects in those areas.

Ms. Carran moved that the Executive Committee approve Resolution OKI 2014-08 endorsing the 2010 Urbanized Area Boundary for the OKI region. Mr. Gordon seconded the motion; motion carried.

**ITEM #5: CONSENT AGENDA**

President Portune stated that each month a written report of committee activities is mailed to the Board of Directors. He stated that this mailing includes the February Consent Agenda items.
Mr. Rogers moved that the Executive Committee approve the consent agenda as mailed. Mr. Bogard seconded the motion; motion carried.

ITEM #6: OTHER BUSINESS

There was no other business for discussion.

ITEM #7: ADJOURNMENT

Mr. Reed moved to adjourn the Executive Committee. The meeting adjourned at 11:48 a.m.

TODD B. PORTUNE, PRESIDENT

MARK R. POLICINSKI, SECRETARY

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Transcribed: 03/20/2014