

Executive Committee Meeting Minutes
Ohio-Kentucky-Indiana Regional Council of Governments
May 9, 2024 – 10:30 a.m.

Attendance record for OKI board members along with guests and staff follow the minutes.

Item #1A - Administrative

OKI First Vice President Josh Gerth called the meeting to order at 10:32 a.m. He reminded members to sign in and silence their cell phones. Additionally, he noted today's meeting is an executive committee meeting, and only members (of the executive committee) or their alternates may vote or second a motion. He asked that members state their name clearly when making a motion or second so it could be captured in meeting minutes. FVP Gerth asked Judge Executive Kris Knochelmann to lead the Pledge of Allegiance.

Item #1B - Approval of the April 11, 2024 Board of Directors Meeting Minutes

FVP Gerth requested approval of the April 11th Board of Directors meeting minutes as distributed. Commissioner David Painter moved that the minutes be approved, Mr. Ken Reed, Treasurer seconded; motion passed unanimously.

Item #1C - CEO's Report

Mr. Mark Policinski stated there is a northern Kentucky organization called the Devou Foundation and they are in the process of gathering signatures to place on the city of Cincinnati's November ballot an amendment to the city's charter. The amendment would prohibit the city of Cincinnati from belonging to an MPO (Metropolitan Planning Organization), i.e., OKI, who does not have proportional voting by population.

He said it is very important for everyone to understand that this amendment is not sponsored by the city of Cincinnati.

He continued and said the Devou effort is called Fair Share for Cincinnati and that the campaign is built on two misrepresentations. The first misrepresentation is because of the voting structure of OKI and how the Board has voted over the years, the city is not getting its fair share of the amount of funds that OKI expends in Ohio. The second misrepresentation is that the projects that the Board has approved over the years are not the projects that the city of Cincinnati wanted.

Mr. Policinski said the city of Cincinnati is about 18.5% of the Ohio population in the OKI region. From 2010 to 2028, the city has received 31% of all the Ohio funds expended by OKI. In direct grants, where the city was the primary applicant, \$143 million, roughly about 18%. He also mentioned there are other grants approved by the Board where the city is a direct beneficiary but not the primary applicant, such as projects at the Banks, the Western Hills Viaduct, and the Martin Luther King interchange. He said without the Board approving of the unique financing plan, there would be no Martin Luther King interchange, which has yielded about a \$3 billion investment in the Uptown area.

Continuing, he said the Board has extended about \$115 million to SORTA; of which 62% of the ridership and 62% of the routes of Metro are in the city of Cincinnati. All of this has been done by working hand in glove with the city of Cincinnati. He further said Devou is saying, "well these are not really the projects that the City of Cincinnati wants." Mr. Policinski stated for at least the past 20 years that he has been CEO; OKI does not put projects in your jurisdiction. The jurisdictions propose the projects to OKI. OKI has never gone to a jurisdiction and told them what projects they will propose, and which OKI will fund.

Mr. Policinski then invited Mr. Aaron Herzig with Taft Law to the podium.

Mr. Aaron Herzig introduced himself and stated that Taft Law has been the law firm of record for OKI for decades. He shared some history about the governance of OKI via comments and a PowerPoint presentation.

Mr. Herzig provided various scenarios as follows:

- Could OKI be forced to change its governance structure if this charter amendment passes? The answer is no. Cincinnati's charter doesn't govern OKI. None of the local jurisdictions or local governments could pull down OKI as a corporate entity.
- Could the city of Cincinnati leave OKI? No, it's not a member, so it can't leave something it's not a member of.
- OKI is the MPO for the region. The three states (OH, KY, IN), the federal government and federal law prefer one MPO for a region.
- Could Cincinnati stop participating in the decision making of OKI? It could. If the City of Cincinnati charter is amended and it says do not participate in an MPO, the city may not be able to participate. That's a decision for the city to make.

Mr. Policinski stated Devou Foundation is well-financed with a strong social media presence. He wanted Board members to have the facts to share with their communities.

Mr. Policinski asked if there were any comments or questions.

Judge executive Steve Pendery asked if there is enough time for the Devou Foundation to read our materials and begin understanding what they are proposing is a waste of time such that they can change their proposed charter amendment.

Mr. Policinski responded by saying the Devou Foundation is not looking for a compromise.

Council Member Mark Jeffreys thanked Mr. Policinski for his time working on this issue. He reiterated that this is not from the city of Cincinnati. He did ask the city for a legal opinion several months ago. He stated the city has real problems to solve and this is not one of them nor is it a good use of the boards' time; it's a solution in search of a problem that does not exist. He secondly stated that the city of Cincinnati and city council has approved every single project that they applied for from OKI. He will ask the city for a formal report and share that with his colleagues. He said they can't prevent a private citizen from putting an issue on the ballot. The amendment is not in the interest of the city.

Commissioner Denise Driehaus, Hamilton County stated the city of Cincinnati is critical to Hamilton County. They are always in partnership with the City of Cincinnati. She noted she has a great deal of respect for Councilmember Jeffreys as he is engaged in this group as he is with many things related to transportation. She stands in solidarity with the city of Cincinnati in saying this is a solution in search of a problem. She stated there is no problem, we saw the numbers and the city is clearly getting its fair share and that the projects are things they have asked for and what they want. She said it is misguided and that is the perspective from herself representing Hamilton County.

Commissioner Steve Hayden, Covington asked do we know what instigated the launch of this effort. Mr. Policinski responded he does not know.

Mayor Elizabeth Slamka, Middletown asked what OKI is doing in getting the truth out to the community despite DeVou's strong social media presence and budget. Mr. Policinski responded OKI cannot expend money to lobby. All OKI can do is present the facts, be active on social media and, if contacted, we will talk about this amendment. OKI cannot launch a lobbying effort. It would be a misuse of public funds. However, he said OKI will be vigorous in getting the facts out.

Council Member Susan Vaughn, City of Hamilton asked if the PowerPoint will be available, and the answer was yes.

Commissioner T.C. Rogers, Butler County added that OKI has been running well. He said this is a threat, but he will remain a strong supporter of OKI.

Mr. Herzig reiterated that OKI cannot set up a campaign committee, but that OKI can combat misinformation and tell the public what is accurate and true. He said the Board of Directors in their roles as elected officials, as individuals and citizens can say what you want, where you want about an issue of public interest, same for OKI staff.

Mr. Policinski provided final comments stating what OKI has done over the past 20 years, is invest tens of millions of dollars of projects annually. The board of directors approve hundreds of millions, without "no" votes. We work across states and party lines and build projects that are needed, and we always have cooperation and communication. OKI is magnificent and it is being attacked with a misinformation campaign.

Item #1D – Finance Officer's Report

Director of Finance, Ms. Katie Hannum, stated copies of the Finance Officer's Report were distributed to all in advance with a printed copy at their seats. Ms. Hannum reported the Council's financing activities, as of May 3, 2024, OKI had:

- \$674,926 in the PNC Bank Commercial Checking Account
- \$26,685 in the PNC HAS/FSA Checking Account
- \$875,821 in the STAR Ohio Money Market Mutual Fund Account

Ms. Hannum reported there has been no recent activity on OKI's line of credit, and that there is no outstanding balance at report date. She further reported on Balance Sheet, Revenue and Expense information.

(Continued Item #1D)

FVP Gerth requested a motion to approve the financial report. Mr. Darryl Haley, SORTA provided a motion, Mr. Ken Reed, Treasure seconded the motion; motion passed unanimously.

Item #2 – Ohio EPA & Ohio DNR Regional Water Studies Overview

Guest speaker, Ms. Tiffani Kavalec, Policy Director Ohio EPA provided an overview of Ohio’s 15-county regional water study for Central Ohio. She outlined the current study and shared that a 17-county regional water study for SW Ohio is coming next.

Highlights of her presentation include Columbus being the fastest growing city in the country, much aided by the recent manufacturing investments from Intel, Hyperion, and the Honda/LG plant – all of which are using large volumes of water daily. Additionally, Columbus also has one of the fastest growing locations for data centers with Amazon Web Services announcing nearly \$8b further investment in Ohio on top of a \$6.3b investment. She noted that water reuse, how they treat wastewater effluent to a higher standard than stream water quality standards. She showed a screenshot of a Regional Water Study dashboard for Central Ohio which provides historical data, projected data and total water use by county. She noted they are still in the data gathering stage and she shared multiple data maps, such as water wells, streams, and ambient ground water monitoring. She mentioned the WaterReuse committee and encouraged the board of directors if they were interested in participating to contact her. She expects the Central Ohio project to be completed by December 2024 and SW Ohio request for proposals will be later this summer.

Item #3 – Resolution Authorizing the Marketing Campaign for the Regional Clean Air Program

Ms. Jenny Newcomb, OKI staff explained that OKI is the eligible grant recipient for federal assistance to undertake the region’s Clean Air program. OKI partners with several media outlets and businesses to effectively promote the ‘do you share for clean air’ message throughout the region. She requested a resolution to establish authorization for the marketing expenditures for the FY 2025 Clean Air program. FVP Gerth requested a motion to approve Resolution 2024-13. A motion was provided by Councilmember Mark Jeffreys, with a second from Judge Executive Kris Knochelmann; motion passed unanimously.

Item #4 – Resolution Authorizing the Marketing Campaign for the Regional RideShare Program

Ms. Jenny Newcomb, OKI staff shared that the OKI RideShare program serves as the Local RideShare Agency (LRA) for OKI’s eight-county region. The goal of the program is to reduce single occupant vehicles on the roadways by providing commuters with alternative forms of transportation such as carpooling or vanpooling. She stated the purpose of this resolution is to establish authorization for the marketing expenditures for FY 2024 RideShare campaign. FVP Gerth requested a motion to approve Resolution 2024-14. A motion was provided by Councilmember Susan Vaughn with a second from Mr. Roger Kerlin; motion passed unanimously.

Item #5 – SFY 2025 Ohio Water Quality Areawide Funding Agreement TIPBUD

Mr. David Rutter, OKI staff stated the SFY 2025 Ohio EPA areawide water quality planning agreement includes \$75,000 of state pass-through funds from the state Biennium Budget.

(Continued Item #5)

OKI will develop a scope of services which details the water quality management planning activities that it will undertake in Ohio and not exceed \$75,000. FVP Gerth asked for a motion for Resolution 2024-15, which was provided by Commissioner David Painter and seconded by Mayor Elizabeth Slamka, motion carried unanimously.

Item #6 – SFY 2025 Ohio Water Quality Areawide Funding Agreement 604(b)

Mr. David Rutter, OKI staff stated that the FY 2025 Ohio EPA Areawide water quality planning agreement included federal pass-through funds in an amount of \$99,028.57 under Section 604(b) of the federal Clean Water Act. OKI will develop a scope of services which details the water quality management planning activities that it will undertake in Ohio during SFY 2025 and not exceed the above stated amount. FVP Gerth requested a motion to approve Resolution 2024-16. Commissioner Steve Hayden provided the motion with a second Councilmember Susan Vaughn; motion carried unanimously.

Item #7 - Intermodal Coordinating Committee Report

OKI staff, Mr. Andy Reser provided a brief update on the ICC meeting held on May 7 2024. He shared that the following persons provided presentations: Fred G'Sell, ETC Institute presented the results of the OKI Transit Onboard survey, Dr. Elizabeth Niese, OKI staff presented findings from the 2050 Plan online survey and Brett Porter, OKI staff shared the 2024 Congestion Management Process Report. Mr. Reser added that the ICC approved administrative modification to the TIP. Lastly, the committee was reminded of the June 7 deadline to submit applications for OKI STBG/SNK/TA and Carbon Reduction transportation funds and made a recommendation to the executive committee to approve TIP Amendment #8.

Item #8 - Amendment #8 of the OKI Fiscal Years 2024-2027 Transportation Improvement Program

Mr. Andy Reser, OKI staff stated that Amendment #8 includes the addition of twenty projects. Of which, eight were added due to their recent award of the OKI Carbon Reduction Funds for the EV Charging Infrastructure. The EV charging projects are in Fairfield, Trenton, Butler Co. MetroParks, Anderson Township, Cincinnati, Forest Park, Boone Co. and CVG Airport.

Additionally, an INDOT project was added - a portion of the I-275 Carol Cropper Bridge repair. Mr. Reser continued with updates regarding transit, including 5310 projects that were added to the TIP. He noted FY 2025, 5310 projects are split into FTA line items for subrecipient replacement vehicles, vehicle equipment, preventative maintenance, software, contracted services, mobility management and program administration. TANK is a direct recipient and their 5310 funds

FVP Gerth requested a motion to approve OKI Resolution 2024-17. A motion was provided by Trustee Shannon Hartkemeyer with a second from Mr. Roger Kerlin; motion passed unanimously.

Item #9 - Other Business

There was no other business from the floor. FVP Gerth reminded everyone the next meeting is June 13th, a Board of Directors meeting starting at 10:30 a.m.

Item #10 - Adjournment

FVP Gerth requested a motion to adjourn, which was provided by Treasurer Ken Reed with a second from Mr. Karl Schulz; motion passed unanimously.

End of meeting 11:36 a.m.

Submitted by Lorrie Platt

Jurisdiction/Organization	First Name	Last Name	Exec. Comm. Alternate	<div style="display: flex; justify-content: space-between;"> Jan. 11 - Board Feb. 8 - E.C. Mar. 14 - E.C. Apr. 11 - Board May 9 - E.C. June 13 - Board Sept. 12 - E.C. Oct. 10 - Board Nov. 14 - E.C. </div>										
				E										
Warren County Engineer	Neil	Tunison		E										
Warren County Regional Planning Commission	Ryan	Cook	Cameron Goschinski	Y	Y	R								
West Chester Township	Ann	Becker	Arun Hindupur	E	Y		Y							
Wyoming, OH	Dan	Driehaus	Jodi Woffington	E	Y			Y						
Resident Members (20)														
Resident member	Craig	Beckley		Y			Y							
Resident member, The Port	Laura N.	Brunner		E	E	E	E	E						
Resident member	Jeff	Earlywine		Y	Y		E	Y						
Resident member, Boone County Engineer	Rob	Franxman			Y									
Resident member, Warren County Board of Commissioners	Shannon	Jones												
Resident member	Liz	Keating		E	Y	Y								
Resident member	Roger	Kerlin	Chris Reinersman	Y	Y	Y	Y	Y						
Resident member, Dearborn County Chamber of Commerce	Eric	Kranz		E										
Resident member	Larry	Maxey		Y	Y	Y	E	Y						
Resident member	Henry (Hank) E.	Menninger, Jr.		Y	Y	Y	E	Y						
Resident member, Cincinnati USA Regional Chamber	Pete	Metz			Y			Y						
Resident member	Pamela E.	Mullins		Y	Y									
Resident member	Kenneth	Reed		Y	Y	Y	Y	Y	E					
Resident member	Sal	Santoro		Y	E	E	Y							
Resident member	Karl B.	Schultz	Joe Braun	Y	Y	Y	R	Y						
Resident member, Ohio Commission on Hispanic/Latino Affairs	V. Anthony	Simms-Howell	Michael Florez	Y	Y	Y	Y	Y						
Resident member, Kenton Co. Public Works	Spencer	Stork			Y	Y	E	Y						

Guests

Lauren O'Brien, CT Consultants
Jennifer Haley, Clermont BCC
Greg Doherty, City of Mason
Tracie Braun, Clermont Co. BCC
Scott Falkowski, Forest Park
Adam L. Wilkey
Jennifer Shuey, DLZ
Bob Hill, Lochner
Brandon Setzer, KCPW
Chris Harding, Hamilton Co. Board of County Commissioners
James Lukus, Sharonville
Duncan McDonel, Warren Co. Regional Planning

OKI Staff

Lorrie Platt
Andy Meyer
Katie Hannum
Travis Miller
Regina Fields
Summer Jones
Gabriela Waesch
Michael Outrich
Jenny Newcomb
Brett Porter
Florence Parker
Timothy Stautberg
Liren Zhou
Robyn Bancroft
Jersson Pachar