



BOARD OF DIRECTORS MEETING

APRIL 8, 2010

10:30 A.M.

**OKI REGIONAL COUNCIL OF GOVERNMENTS
720 EAST PETE ROSE WAY
SUITE 420
CINCINNATI, OHIO 45202**

**Web Site: <http://www.oki.org>
E-mail: plan@oki.org**

EXHIBITS

EXHIBIT 1-B

MEETING MINUTES



Ohio · Kentucky · Indiana
Regional Council of Governments

**MEETING MINUTES OF THE
EXECUTIVE COMMITTEE
OF THE
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS**

MARCH 11, 2010--10:30 A.M.

OKI BOARD ROOM

- Call to Order

Judge Pendery, President called the meeting to order at 10:40 a.m. with the following members in attendance.

EXECUTIVE COMMITTEE MEMBERS

Judge Executive Steve Pendery, Campbell County Fiscal Court, President
Mr. Ed Humphrey, Clermont County Board of Commissioners, First Vice President
Mr. Todd Portune, Hamilton County Board of Commissioners, Second Vice President
Mr. Joe Shriver (alternate for Judge Executive Drees), Kenton County Fiscal Court
Mr. Michael Moore (alternate for Ms. Qualls), Cincinnati, Ohio
Mr. Michael Snyder, Fairfield, Ohio
Mr. Larry Mulligan, Middletown, Ohio
Ms. Beth Fennell, Newport, Kentucky
Mr. Kenneth H. Bogard, Oxford, Ohio
Mr. James T. O'Reilly, Wyoming, Ohio
Ms. Peggy D. Reis, Anderson, Township
Mr. David Linnenberg, Green Township
Mr. Robert McGee, Union Township
Ms. Christine Maticic, Butler County Association of Township Trustees & Clerks, Past President
Mr. Elmo Rose, Warren County Association of Township Trustees & Clerks
Mr. Ken Rehtin, Campbell County Fiscal Court
Ms. Cathy Flaig, Boone County Fiscal Court
Mr. Michael F. Juengling, Butler County Planning Commission
Mr. David Okum, Hamilton County Regional Planning Commission
Ms. Teri A. Whitmore, Hamilton (City) Planning Commission
Mr. Keith Corman, Resident Member
Mr. Larry Maxey, Resident Member
Mr. Kenneth F. Reed, Resident Member, OKI Treasurer

Steve Pendery
President

Mark R. Policinski
Executive Director

Executive Committee continued:

Mr. Matt Davis (alternate for Mr. Stevens), N. Kentucky Area Chamber of Commerce
Mr. William Brayshaw, Hamilton County Engineer
Mr. Jim Ude, Indiana Department of Transportation
Mr. Robert Hans, Kentucky Transportation Cabinet
Mr. Hans Jindal, Ohio Department of Transportation
Mr. Andrew Aiello (alternate for Ms. Miler), Transit Authority of Northern Kentucky
Mr. Brad Williams, Butler County Regional Transit Authority

BOARD OF DIRECTORS

Mr. Randy Shank, Harrison, Ohio
Mr. Jeffrey D. Monroe, Ph.D., Lebanon, Ohio
Mr. Rick Brasington, Madeira, Ohio
Mr. Tony Bradburn, Mason, Ohio
Ms. Charlene Hanners, Milford, Ohio
Mr. Karl Schultz, Clermont County Township Association
Mr. Dwayne Boso, Clermont County Planning Commission
Mr. Mark McCormack, Dearborn County Planning Commission
Mr. Dennis Andrew Gordon, Northern Kentucky Area Planning Commission
Mr. Timothy Bachman, Fairfield (City) Planning Commission
Mr. Martin D. Kohler, Middletown (City) Planning Commission
Mr. Samuel A. McKinley, Resident Member
Mr. Thomas Voss, DHL
Ms. Kim Satzger, Port of Greater Cincinnati

GUESTS

Mr. Reggie Victor, City of Cincinnati
Mr. Mike Duncan, City of Blue Ash
Ms. Suzi Rubin, City of Monroe
Mr. Andy Fluegemann, Ohio Department of Transportation, District 8
Mr. Jon Cox, ENTRAN
Mr. Jeff Wallace, Parsons Brinckerhoff

LEGAL COUNSEL

Mr. Edward Diller, Taft Stettinius & Hollister, LLP

STAFF

Mr. Mark R. Policinski	Mr. Robert W. Koehler	Ms. Karen Whitaker
Ms. Marilyn Osborne	Ms. Purcy Nance	Mr. Brian Cunningham
Mr. Travis Miller	Mr. Mark Paine	Ms. Mary Luebbers

Ms. Nicole Kudrna
Mr. David Shuey
Ms. Robyn Bancroft
Ms. Regina Brock

Mr. John Heilman
Mr. Andy Reser
Mr. Don Burrell

Mr. Andrew Rohne
Ms. Florence Parker
Ms. Jane Wittke

- Announcements

President Pendery reminded everyone to please sign in for attendance purposes.

He stated that this is an Executive Committee meeting, members or their alternates can vote. Board members cannot vote.

ITEM #1: ADMINISTRATIVE

A. President's Report

- Ohio STP and CMAQ Applications

President Pendery reminded everyone that the Ohio STP and CMAQ applications are due to OKI by Thursday, April 1. He stated that OKI is looking to award nearly \$100 million for transportation projects located in the Ohio portion of the region during fiscal years 2012 through 2015. Any questions may be directed to Mark Paine of the OKI staff.

- OKI 2010 Annual Luncheon Meeting

President Pendery announced that the OKI 2010 Annual Luncheon Meeting will be held Monday, May 10 at the Newport Syndicate (*note: the date was later changed to May 24*). The keynote speaker will be the Honorable George Voinovich. Specific information regarding online registration details will be provided at a later date.

- Public Service Recognition Form

President Pendery reminded everyone about the Public Service Recognition form that was distributed last month. He stated that this is an opportunity to nominate individuals from throughout the tri-state region who contributed to outstanding public service as a public or non-profit employee or a volunteer.

B. Approval of February 11, 2010 Executive Committee Meeting Minutes

President Pendery called for corrections and/or additions to the February 11, 2010 Executive Committee meeting minutes.

There being none, Ms. Maticic moved that the February 11, 2010 Executive Committee meeting minutes be approved as mailed. Mr. Brayshaw seconded the motion; motion carried.

C. Executive Director's Report

Mr. Policinski reported that the RFQ for the OKI Regional Freight Plan has been released. Responses are due on March 29. He explained that the study will look at goods movement for the entire region. Mr. Policinski stated that freight will define the economic competitiveness for regions and countries in the new global economy.

Mr. Policinski reported that the Banks project is moving forward and that the foundation for the structure is a parking garage. On February 11, OKI was contacted by ODOT in regard to an issue raised by FHWA. FHWA was questioning the number of commuters who would park in the garage and transfer to transit. ODOT was told by FHWA that the issue needed to be resolved by March 1 or the project would die. OKI worked closely with ODOT and Andrew Rohne of the OKI staff who came up with a small area model that produced data that allowed the project's approval. The Executive Committee applauded OKI and Andrew Rohne for his efforts. Mr. Policinski explained that FHWA contacted OKI expressing how impressed they were with Mr. Rohne's work. Mr. Policinski stated that this is an example of a great partnership between OKI, ODOT, and FHWA and also an example of the great talent of OKI's staff. Mr. Fluegemann expressed ODOT's appreciation for OKI's work. Mr. Jindal added that ODOT Director Molitoris sent a letter of appreciation to OKI.

Mr. Policinski reiterated that everyone should mark their calendars for May 10 (*note: the date was later changed to May 24*) for the OKI Annual Luncheon. He stated that Senator Voinovich's interest in speaking at the luncheon shows how impressed he is with how the region came together on the Brent Spence Bridge. He stated that everyone is welcome to attend.

Mr. Policinski reported that the RIIZ will be introduced this month. He commented that this is five years of work coming to fruition.

D. Legislative Update

Mr. Cunningham, Staff, reported on the Legislative Affairs update. Mr. Cunningham said that last week, the U.S. House amended and passed the Senate's Hiring Incentives to Restore Employment (HIRE) Act, which includes \$15 billion in hiring incentives as well as provisions from the Jobs for Main Street Act. He stated the bill contains an extension of the Highway Trust Fund through December 31, 2010, as well as transfers \$19.5 billion from the General Fund into the Highway Trust Fund and restores \$8.7 billion to offset last fall's rescission of contract authority. Mr. Cunningham said it is expected that, with these additional resources, the Highway Trust Fund should be able to support highway and transit programs at the levels authorized for Fiscal Year 2009 through the end of

2010 and into 2011. He said because the House made some changes, the HIRE Act must go back to the Senate for another vote before it can head to the President's desk for a signature.

Mr. Cunningham said that once this longer-term extension is formalized it is expected that Congress will turn its attention to the six-year federal transportation funding authorization. He stated that Senator Boxer announced recently the Senate has begun work on their bill, and will be using Chairman Oberstar's language as a starting point. Mr. Cunningham said that language for the Senate version of the transportation funding bill is expected by late spring/early summer and committees in both houses have begun scheduling hearings on the authorization.

Mr. Cunningham stated that he had received clarification regarding an item he reported during the ICC meeting. During that meeting he stated money originally contained in the Jobs for Main Street Act that was targeted as a second stimulus for infrastructure was to be included in what has been named the Tax Extenders Act of 2009 (HR 4213). He stated that after receiving updated information that was not the case. In addition Mr. Cunningham said there are no bills currently pending in the Senate that would provide additional money for infrastructure.

Mr. Cunningham reported that the Ohio House Public Safety Committee approved House Bill 415 that would ban text messaging while driving in Ohio. (HB 415) He said while there has not been a vote date established, the full House is expected to act on it relatively quickly.

He said that Kentucky's version of Text Ban Legislation which originated in the Kentucky House is currently pending in the Senate Judiciary committee.

Mr. Cunningham also said that earlier this week the Kentucky House approved House Bill 292 – the state's \$3 billion road plan. He said the two-year road plan includes projects to be built between 2010 and 2012 passed the House 67-32. He said the bill moves to the Senate for its consideration.

E. Finance Officer's Report

Ms. Nance, Staff stated that distributed around the table is the Finance Officer's Report dated March 11, 2010. She stated this report contains financial statements for the period ended January 31, 2010.

Ms. Nance stated that on page 2 is the current information. She stated that as of March 5 OKI had \$265,799 in the PNC checking account, \$4,690 in the HSA/FSA checking account, and \$905,658 in the PNC savings account. She stated 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. She stated that Cash and Investments are up about 59% from this time last year. She stated that Receivables are down about 25% from this time last year due to the completion of the Millcreek Headwaters project and completion of the Fiscal Impact Analysis Model. She stated that as of January 31 there were \$683,000 in receivables, \$683,000 associated with January and December invoices and no funds outstanding from November and earlier. She further stated that payables are down 64% from this time last year due to the completion of the Millcreek Headwaters project and completion of the Fiscal Impact Analysis Model development.

Ms. Nance stated that on page 4 is the Revenue information. She stated that as of January 31, OKI is 58% of the way through the budgeted year. She stated that overall revenues are at approximately 47% which is slightly behind budget.

Ms. Nance noted the following items: Federal revenues are behind budget due to timing of New Freedom pass through projects. She stated that local revenues are ahead of budget due to the timing of county funding payments. She further noted that Contributed Services are ahead of budget due to the over-match received by the Ozone Program. She stated that this match is non-cash. A line has been added to the report to show fiscal year to date over-match received. She stated that this amount is deducted so the total line represents project budget progress.

Ms. Nance stated that on page 5 is the Expense information. She stated that overall expenses are at approximately 47% which is slightly behind budget.

Ms. Nance noted the following items: Category 3, Travel, Subsistence and Professional Development is behind budget due to timing of budgeted activities. Under category 4, Technical Consultants is behind budget due to the timing of budgeted contracts and Pass Through Contracts is behind budget due to the timing of New Freedom pass through funded projects. She stated that under category 5, Equipment Repairs and Maintenance is ahead of budget due to the timing of maintenance contracts. Under category 6, Contributed Services are ahead of budget due to the over-match received by the Ozone Program. These amounts are deducted so the total line represents project budget progress.

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 \$61,000 year to date. She stated that the two components of this increase are timing differences and year to date activities. She stated that the timing differences include: \$170,000 increase due to timing of county funding payments and \$185,000 decrease due to application of negotiated fringe and indirect rates. She stated that the remaining \$76,000 increase is associated with year-to-date operations and timing of active projects. She stated that after these changes OKI's current fund balance is \$1,195,000, of this amount \$345,000 is committed to active projects.

There being no discussion, Mr. Brayshaw moved that the Executive Committee accept and file the Finance Officer's Report dated March 11, 2010. Mr. Reed seconded the motion; motion carried.

F. Budget Committee Report

Mr. Reed reported that the Budget Committee met prior to the Executive Committee meeting in order to discuss several items. He explained that the preparation of the budget for next year has begun and they hope to move forward with it in a timely manner in order to present the budget to the Board in June. Mr. Reed noted that they also discussed the lease of the building. He explained that Mr. Policinski wanted guidance regarding exploring options for OKI's lease.

Mr. Reed stated that the Budget Committee will be meeting the next couple of months and will present information as it becomes available. President Pendery added that the Budget Committee did not come to any conclusions.

ITEM #2: OKI FISCAL IMPACT ANALYSIS MODEL UPDATE AND DEMONSTRATION

President Pendery reported that OKI's Fiscal Impact Analysis Model was officially rolled out yesterday at a press conference.

Mr. Miller, Staff stated that OKI is proud to announce the completion of the Fiscal Impact Model. The model is now available for use by participating communities. He stated that a fact sheet and information regarding the partnership program were available on the back table.

Mr. Miller explained that in 2005, OKI's Board adopted the Strategic Regional Policy Plan which identified the need for a fiscal impact analysis tool. After conducting research, OKI decided to create its own model. Mr. Miller noted that this model is unique to any other because it is very user friendly and its framework allows financial information from any jurisdiction to be inserted.

Mr. Miller stated that OKI worked with eleven partners who assisted by providing matching funds and who served on an advisory committee for the project. The partners include: Butler County, City of Hamilton, City of Monroe, City of Oxford, City of Cincinnati, Anderson Township, Boone County, Campbell County, City of Independence/NKAPC, Dearborn County, and MSD.

Mr. Miller explained that the Fiscal Impact Model can help local communities to compare alternative development scenarios and analyze the effects of a specific development project. Mr. Miller pointed out that the results of the model are estimates of potential future expenditures and revenues. He explained that model results provide information on only one aspect (the fiscal aspect) of the land use decision making process. Land use

decisions are complex and should involve consideration of multiple factors including environmental, social, political, economic, and many others, in addition to the fiscal impacts. All of these factors should be balanced with the values of the community.

Mr. Miller stated that the model uses a jurisdiction's budgetary information as well as land use, population, and employment statistics to project costs and revenues associated with a new development. By using data specific to each community, the accuracy of the results generated by the model is higher.

Mr. Miller provided a demonstration of the web-based model using a hypothetical development scenario.

Mr. O'Reilly questioned whether the model will reflect the changes in the real estate market. Mr. Miller explained that the model does not change, however the input will change in regard to property values. The output is a snapshot of a certain time period. Trends need to be considered in the decision-making process.

Mr. Portune stated that they often receive questions regarding new development proposals in proximity of existing development and whether the new development will simply relocate a business from one location to another rather than generating new business. Mr. Miller explained that the model only generates information specific to a site being evaluated, however, a user could perform an analysis to both the proposed development site as well as an existing property if it were known that businesses were planning to relocate in order to analyze the impact of that loss.

Mr. Bachman questioned how the model can be utilized by communities that are not Partners. Mr. Miller explained that communities can enter into an agreement with OKI to use the model. A 3-year commitment is expected and there is a cost of approximately \$20,000, spanning that 3-year period, that covers staff resources for the insertion of data into the model and maintenance.

Mr. Miller explained that the web-based version of the model became available to the Partners in November. There has been limited use due to the economy. Some Partners intend to use it to evaluate recommendations being made as part of their comprehensive plan update process including Anderson Township and the City of Cincinnati, both of which are currently updating their plans.

This item was presented for information only.

ITEM #3: 2010 CENSUS UPDATE

Ms. Luebbers, Staff reported that an advance notice letter has been sent out about the upcoming census. The letter advises recipients that next week they will receive their

2010 census questionnaire. Ms. Luebbers urged everyone to complete and mail back their survey promptly and encourage others to do likewise.

Ms. Luebbers discussed the costs of less than full participation. She explained that promptly mailing back forms saves taxpayers' money--about \$60 to \$70 is saved for every census form that does not require a follow-up. She explained that in Census 2000, the national mail response rate was 67%. That is, two-thirds of American households returned their census form by mail. If that response rate can be boosted just one percentage point in the 2010 census, about \$85 million will be saved.

Ms. Luebbers encouraged anyone with questions to contact her or visit the Census Bureau website at www.census.gov.

This item was presented for information only.

ITEM #4: INTERMODAL COORDINATING COMMITTEE REPORT

Mr. Paine, Staff reported that the Intermodal Coordinating Committee met Tuesday, March 9. He reported that the committee heard a presentation on the SR-28 Corridor Study. In addition, the OKI Fiscal Impact Model was presented along with an update on Census 2010. Mr. Paine stated that the ICC reviewed and recommends approval of two resolutions—Resolution 2010-07 regarding the 2030 Regional Transportation Plan Amendment 4 and Resolution 2010-08 regarding Amendment #24 to the OKI Transportation Improvement Program.

A. 2030 Regional Transportation Plan Amendment 4 – JOBS FOR MAIN STREET ACT

Mr. Koehler, Staff stated that as reported earlier by Mr. Cunningham, there is currently no bill that contains stimulus funding. However, Mr. Koehler stated that OKI is remaining vigilant in case the funding does become available. With guidance from the state and federal partners, a list of recommended projects has been developed. They are operating under the assumption that 50% of the funds are to be "under contract" within 90 days and the remaining 50% would need to be under contract within one year of the bill's passage. Funds not programmed within that timeframe would be sent back to Washington.

Mr. Koehler explained there are three types of funds included in this Amendment: OKI sub-allocated funds, ODOT and transit funds. The types of projects being considered are those that encourage jobs, improve safety, improve operations, capacity enhancing. Mr. Koehler stated that the list of projects provided meets these criteria. The scope of projects also led to geographical diversity. Mr. Koehler stated that they have worked under an aggressive timeframe, beginning with the January call for projects. A Public Hearing was held on March 8 and the project listing was presented and approved by the ICC on March 9.

Mr. Koehler explained that the matrix of projects that was included in the mailout includes two scenarios—funding at a level similar to the first stimulus package, and a half funding scenario. Mr. Koehler stated that through meetings with project partners, there have been changes to the recommendations. Mr. Koehler reported that Warren County no longer wished to be considered and those funds have been reallocated elsewhere, including the City of Lebanon. In Kenton County, an emergency project arose and the County could not wait for the funding. They have turned back the funds requested and these have been reassigned to another project.

Mr. Koehler reported that the federal requirements have been met, including the public comment period, fiscal constraint, and air quality constraint.

Mr. Koehler stated that because the Act is not signed into law, staff requests the Plan Amendment contingent on the funds being available from the JMSA or other similar action by Congress.

Mr. Humphrey moved that the Executive Committee approve Resolution OKI 2010-07 concerning Amendment 4 of the 2030 Regional Transportation Plan. Mr. Reed seconded the motion; motion carried.

B. Amendment #24 of the FY 2008-2011 Transportation Improvement Program

Mr. Paine, Staff stated that included in the mailing was a listing of projects to be included in the TIP amendment. He explained that the first three pages of projects are non-stimulus projects. The list includes 6 highway projects in Ohio and 1 highway project in Kentucky, plus numerous transit projects from SORTA that are recommended for addition or revision in the current TIO with existing funding. The remaining listing are those projects that are contingent on receiving the Jobs for Main Street (JMSA) federal funding. Mr. Paine stated that distributed around the table is a two-page revision to the list of JMSA highway and transit projects that were changed from the information included in the original mailout packet. These revisions were made at the request of the sponsors. Mr. Paine stated that because the scope, cost and timing of included projects is subject to periodic change and because new projects are continually being developed, the TIP is formally amended several times a year, as needed.

Mr. Brayshaw moved that the Executive Committee approve Resolution OKI 2010-08 concerning Amendment #24 of the FY 2008-2011 Transportation Improvement Program. Mr. Jindal seconded the motion; motion carried.

ITEM #5: CONSENT AGENDA

President Pendery stated that each month a written report of committee activities is mailed to the Board of Directors. This mailing includes February Consent Agenda Items.

- A. Regional Planning
 - Regional Land Use Commission
 - Regional Greenspace Office

- B. Transportation
 - Freight Working Group
 - Environmental Justice Advisory Committee

- C. Environmental
 - Water Quality Program
 - Regional Clean Air Program Consent Agenda

Mr. Reed moved that the Executive Committee approve the consent agenda as mailed. Mr. McGee seconded the motion; motion carried.

- D. Committee announcements and/or updates

There were no committee announcements and/or updates.

ITEM #6: OTHER BUSINESS

President Pendery announced that the next meeting of the OKI Board of Directors is scheduled for 10:30 a.m., April 8, 2010 in the OKI Board Room.

ITEM #7: ADJOURNMENT

There being no further business, Mr. Reed moved that the Executive Committee meeting be adjourned. Ms. Maticic seconded the motion; motion carried. The meeting adjourned at 11:37 a.m.

STEVE PENDERY, PRESIDENT

MARK R. POLICINSKI, SECRETARY

EXHIBIT 3-A

INTERMODAL COORDINATING COMMITTEE REPORT

**ITEM #3-A : FISCAL YEAR 2011 UNIFIED PLANNING WORK
PROGRAM**

DESCRIPTION: The enclosed exhibit, Unified Planning Work Program FY 2011 - Executive Summary, describes each of the main categories of planning activity to be undertaken by OKI in the coming year, along with a budget for accomplishing the work.

In order to obtain the funding necessary to operate for the coming year from the Federal Highway Administration, the Federal Transit Administration, the Ohio Department of Transportation, the Kentucky Transportation Cabinet and the Indiana Department of Transportation, OKI prepares an annual program of work activities consistent with mandated functions and emphasis areas defined by the various funding agencies.

The draft work program for FY 2011 has been reviewed by appropriate state and federal agencies. Approval of the work program by the OKI Board of Directors is necessary for OKI to be funded for the coming year.

**ACTION
RECOMMENDED:** Approval of Resolution OKI 2010-09

EXHIBIT: RESOLUTION OKI 2010-09
OKI FY 2011 Unified Planning Work Program Executive Summary

RESOLUTION
OF THE BOARD OF DIRECTORS
OF THE
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS
CONCERNING APPROVAL OF THE
OKI UNIFIED PLANNING WORK PROGRAM FOR FISCAL YEAR 2011

WHEREAS, the Ohio-Kentucky-Indiana Regional Council of Governments has prepared a Unified Planning Work Program for Fiscal Year 2011 in defining a scope of work to meet the needs of this region for which funding can be sought from the United States Department of Transportation, the State of Ohio, the Commonwealth of Kentucky and the State of Indiana; and

WHEREAS, the Unified Planning Work Program for Fiscal Year 2011 has been reviewed by appropriate state and federal agencies; and

WHEREAS, the Unified Planning Work Program for Fiscal Year 2011 hereby certifies that all requirements of 23 CFR, Part 450 relating to the Urban Transportation Planning Process have been met; therefore

BE IT RESOLVED, that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments, at its regular public meeting of April 8, 2010, hereby approves the OKI Unified Planning Work Program for Fiscal Year 2011.

STEVE PENDERY, PRESIDENT

EXHIBIT 3-B

INTERMODAL COORDINATING COMMITTEE REPORT

**ITEM 3-B: AMENDMENT #25 OF THE OKI FISCAL YEARS 2008-2011
TRANSPORTATION IMPROVEMENT PROGRAM**

- DESCRIPTION:** The attached exhibit, in resolution form, describes the specific revisions proposed.
- BACKGROUND:** OKI is responsible for preparing biennially a four-year program of projects in this region that will make use of available Federal-Aid Highway funds and Federal Transit Administration funds. Inclusion in this program is a prerequisite for such federal assistance. Because the scope, cost, and timing of the included projects are subject to periodic change, and because new projects are continually being developed, the TIP is formally amended several times a year, as needed.
- The amendment reflected in the proposed resolution lists 4 highway projects in Ohio, 1 highway project in Indiana and 1 regional planning project that are recommended for addition or revision in the current TIP.
- Prior to presentation to the Board of Directors, the proposed changes are reviewed by staff and presented to the Intermodal Coordinating Committee. The Intermodal Coordinating Committee considers the issue, and makes a recommendation to the Board of Directors.
- AUTHORITY:** 23 CFR, §450.324.
- FUNDING:** The fiscally constrained items proposed for amendment have an associated funding amount and source specified. Staff has determined that there is adequate funding available, or anticipated to be available, and the funding amounts are shown in year of expenditure figures for these projects.
- ACTION RECOMMENDED:** Adoption of Resolution OKI 2010-10.
- EXHIBIT:** Resolution (OKI 2010-10) Concerning Amendment #25 of the OKI Fiscal Years 2008-2011 Transportation Improvement Program.

RESOLUTION

**OF THE BOARD OF DIRECTORS OF THE
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS**

**CONCERNING AMENDMENT #25 OF THE
FISCAL YEARS 2008 – 2011 TRANSPORTATION IMPROVEMENT PROGRAM**

WHEREAS, the Ohio Kentucky Indiana Regional Council of Governments (OKI) is designated as the Metropolitan Planning Organization (MPO) by the Governors of Ohio, Kentucky and Indiana acting through the Ohio Department of Transportation (ODOT), the Kentucky Transportation Cabinet (KYTC) and the Indiana Department of Transportation (INDOT) and in cooperation with locally elected officials in the OKI region; and

WHEREAS, the Intermodal Coordinating Committee (ICC), as the technical advisory committee to OKI, has reviewed and recommended the projects listed in the resolution and recommend that they be added/amended into the Transportation Improvement Program (TIP); and

WHEREAS, all federally funded transit and highway projects in the Ohio Counties of Butler, Clermont, Hamilton and Warren, the Kentucky Counties of Boone, Campbell and Kenton and the Indiana County of Dearborn must be included in the TIP prior to the expenditure of federal funds and be listed with year of expenditure dollars; and

WHEREAS, the amendments are consistent with the *OKI 2030 Regional Transportation Plan* adopted on June 12, 2008 and the OKI Regional ITS Architecture adopted on March 13, 2008; and

WHEREAS, these amendments are consistent with OKI's previous air quality conformity analysis of June 12, 2008 and approved by the Federal Highway Administration on September 26, 2008 and it has been determined through interagency consultation that a new conformity finding is not needed; and

WHEREAS, for amendments involving exempt projects as listed in 40 CFR Part 93.126 are exempt from transportation conformity requirements and public review is not required as per the OKI Participation Plan; and

WHEREAS, for amendments involving non-exempt projects that are not regionally significant, both public review and transportation conformity determination are required. These projects may rely on a previous regional emissions analysis and the public participation process consists of posting the amendment and conformity reports on OKI's website and the opportunity to comment for at least 30 days prior to the OKI Executive Committee/Board of Directors action; and

WHEREAS, amendments involving non-exempt projects that are regionally significant must be listed in the Metropolitan Transportation Plan (MTP). If these projects are not listed in the MTP, public participation is provided through either a series of public meetings and a public hearing related to the MTP Update, or, if the TIP amendment for a capacity project occurs in the interval between MTP updates, through a public hearing to amend the MTP and a new conformity determination is required; and

WHEREAS, the environmental justice impacts of these amendments have been considered with "Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations"; and

WHEREAS, this amendment will result in a TIP that remains fiscally constrained;

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Ohio Kentucky Indiana Regional Council of Governments, at its regular meeting on April 8, 2010 hereby amends the Fiscal Years 2008 – 2011 Transportation Improvement Program as listed below:

STEVE PENDERY, PRESIDENT

OKI MPO
PROPOSED ACTIONS--TIP AMENDMENT #25
 April 8, 2010

OHIO PROJECTS

PID	MTP ID	Project Title	Project Description and Action	Sponsor	Fund Type	Phase	TIP Fiscal Years					
							Pre FY 08	FY 08	FY 09	FY 10	FY 11	Post FY 11
82555	p. 8-16	CLE CR 382 (Eastgate Drive North) Clermont County	Revise: Relocate Eastgate North with three lane section. ROW funding added to the funding with federal discretionary earmark and local match. AQ Status: Exempt	ODOT	TCSP	PE				\$245,000	(no change)	
					Local	PE				\$61,250	(no change)	
					Earmark	ROW-Sv				\$77,600	(no ROW listed previously)	
					Local	ROW-Sv				\$19,400	(no ROW listed previously)	
					Earmark	ROW-Acq			(no ROW listed previously)		\$148,045	
					Local	ROW-Acq			(no ROW listed previously)		\$351,955	
					OKI-STP						(no change)	\$1,820,000
					Local						(no change)	\$1,040,000
Total Project Estimate: \$3,763,250							Construction: 3rd Quarter FY 2012					
77929	O/M	CLE SR 133-4.67 (Clermont County)	Add: Minor rehabilitation on portions of SR 133 including replacement of 60" culvert CLE-133-3567. AQ Status: Exempt	ODOT	State	ROW				\$2,000		
					STP	CON				\$3,415,600		
					State	CON				\$853,900		
										\$4,269,500		
					Total Project Estimate: \$4,271,500							Construction: 4th Quarter FY 2010
87896	O/M	D08 Median Protection 2010 (District-wide)	Revise: Install wire rope in median on IR 275 from 0.25 miles west of Cross County overpass to Winton Road AQ Status: Exempt	ODOT	SAF	CON				\$3,410,000	(previously \$550,000 in ARRA funds)	
					Total Project Estimate: \$3,410,000							Construction: 4th Quarter FY 2010
87949	O/M	D08 Overlays (Fiscal Year 2011) (District-wide)	Add: Rehabilitate bridges HAM-275-3668, CLE-50-1264 and CLE 727-0263 by installing rigid concrete overlays and other minor rehabilitation work. AQ Status: Exempt	ODOT	IM	CON				\$225,000		
					STP	CON				\$275,000		
					State	CON				\$275,000		
					Total Project Estimate: \$775,000							Construction: 2nd Quarter FY 2011

INDIANA PROJECTS

Des #	MTP ID	Project Title	Project Description and Action	Sponsor	Fund Type	Phase	TIP Fiscal Years					
							Pre FY 08	FY 08	FY 09	FY 10	FY 11	Post FY 11
1005308	O/M	Bridge Inspections (Dearborn County)	Add: Bridge inspections in Dearborn County for fiscal years 2011 and 2013. AQ Status: Exempt	INDOT	BR	PE					\$116,240	
					Local	PE				\$29,060		
					BR	PE					\$103,880	
					Local	PE					\$25,970	
					Total Project Estimate: \$275,150							Inspections in FY 2011 and 2013

PLANNING PROJECTS

88173		Transit On-Board Survey	Add: Transit On-Board Survey in the Line Items section of the TIP AQ Status: Exempt	OKI	Ohio:						
					OKI-STP	PL				\$202,515	
					Local	PL				\$50,629	
					Kentucky:						
					OKI-PL	PL				\$37,485	
Local	PL				\$9,371						
Total Planning Estimate: \$300,000											

O/M--Non capacity projects are consistent with the operations/maintenance aspects of the MTP. See Goal 6: Emphasize the Preservation of the Existing System, 2030 MTP, page 1-8.

EXHIBIT 4

CONSENT AGENDA



Ohio · Kentucky · Indiana
Regional Council of Governments

DATE: MARCH 31, 2010
TO: OKI BOARD OF DIRECTORS
FROM: STEVE PENDERY, PRESIDENT
RE: CONSENT AGENDA ITEMS

Each month a written report of committee activities is mailed to the Board of Directors. At the meeting action requested will be a motion to approve the committee reports.

Questions and/or concerns regarding committee reports may be directed to staff by calling (513) 621-6300 (staff extension is noted next to name in the report), or by e-mail at plan@oki.org.

Listed below are consent agenda items to be presented at the April 8, 2010 Board of Directors meeting.

A. Regional Planning

1. Regional Land Use Commission

Chair: Ken Reed

Staff: Emi Randall (ext. 239) erandall@oki.org

Jane Wittke (ext. 125) jwittke@oki.org

Travis Miller (ext. 110) tmiller@oki.org

Staff has been researching a recently announced HUD (partnering with DOT and EPA) 'Sustainable Communities Planning Grant Program' they will be funding this year from a \$100 million appropriation. This funding program is on a very fast timeline. HUD expects to issue a Notice of Funding Availability (NOFA) in April with grant applications expected to be due in June. The dollars being proposed for projects available to regions our size (500,000+ pop.) is \$5 million. The funds are contemplated to be awarded to regions for preparation and implementation of what HUD is referring to as 'Regional Plans for Sustainable Development'. OKI's Strategic Regional Policy Plan is very consistent with what HUD defines as a 'Regional Plan for Sustainable Development'. Staff has been participating in webinars and conference calls with NARC and HUD representatives and are currently learning as much about the program as we can in anticipation of submitting a proposal to HUD later this year.

Steve Pendery
President

Mark R. Policinski
Executive Director

In an effort to promote the FIAM, staff demonstrated the FIAM to the ICC March 9th, at a news conference hosted by OKI on March 10th and to the Executive Board March 11th. As a result of the demonstrations, staff has responded to multiple requests for additional information regarding the FIAM from jurisdictions and other agencies within the OKI region as well as agencies outside of the region. Staff met with City of Cincinnati Planning and Buildings Department staff on March 2nd to demonstrate and promote the FIAM to additional members of the Department staff as they begin to use the tool.

Staff is scheduled to meet with officials in Clermont County, including elected officials and staff representing the County, Townships, Municipalities, TID, and Chamber of Commerce on March 29th. Staff was invited to discuss the Strategic Regional Policy Plan, federal requirements for the transportation planning process and its relationship to critical components including land use, environment and water quality management planning.

Staff is providing technical assistance to the City of Cincinnati by serving as member of the Steering Committee for the I-75 Focus Area Study. Staff attended a meeting on March 3rd to review and provide input on preliminary plans.

2. Regional Greenspace Office

Staff: Margo Lindahl (ext. 126) mlindahl@oki.org

Staff continued to prepare maps to be used for the upcoming round of local-agency consultations. Work progressed to refine information on the regional map that was used for the earlier state-agency consultations and to develop a set of county maps that will include additional types of information.

For the regional map, three map categories were combined into a new category of Regionally-Significant Streams. Streams in the new category include streams that were mapped previously based on state conservation plans, maps, and inventories and also include additional streams based on updates or revisions to state data sources that were referenced or provided in the state-agency consultations. The map legend and text boxes were modified to reflect changes in categories.

To accompany the map, staff developed a table that lists Regionally-Significant Streams and the basis for each stream's inclusion in this category. Streams are identified as regionally-significant based on one or more of the following: identification as a conservation priority in a state wildlife conservation plan, designated use in state water quality standards, assessment results in state integrated reports on water quality conditions, or ecological value in state anti-degradation policy. The list of Regionally-

Significant Streams was finalized based on staff review of state conservation data and discussion with state staff to resolve data discrepancies. Staff drafted descriptions of each data source and its use as an indicator of regionally-significant streams and documented data sources.

For the county maps, staff determined the streams and conserved areas to be shown. As part of the process, staff identified the mainstem for each watershed with a 12-digit hydrologic unit code and reviewed an internal database of local parks and preserves, identified sites to be added or disregarded, determined the type of site information most relevant, and obtained site information that was incomplete.

In addition to preparing for consultations, staff forwarded information on local initiatives for addressing climate change and attended the annual meeting of the OKI Regional Conservation Council on March 30.

B. Transportation

1. Freight Working Group

Staff: Robyn Bancroft (ext. 211) rbancroft@oki.org

Monday, March 29, 2010 was the deadline for the OKI Regional Freight Plan Statements for Qualifications (SOQ). The purpose of this work is to prepare a multimodal, intermodal freight plan for the three state, eight county OKI region that enhances the mobility of both people and goods while enhancing economic development and mitigating the negative impacts on mobility, safety, environment and quality of life. The OKI Regional Freight Plan Consultant Selection Committee are currently reviewing and individually scoring each submittal.

Staff was informed that our FY 2009/2010 National Clean Diesel Funding Assistance Program proposal was not awarded funding. 59 eligible funding requests for over \$81 million were received by EPA for which \$10 million was available. OKI and proposal partner IORY had submitted a request for the "Repower of Switcher Locomotive with Ultra-Clean Genset Technology." A debriefing conference call was held with a representative from EPA Region 5 on March 26. The major weakness of the application was the category of regional significance. Although the Genset replacement would reduce emissions considerably, other impacts on the region were difficult to address through this improvement. The debriefing was however very encouraging and informative to all parties. Future opportunities for funding and partnering are likely to occur.

The OKI Freight Working Group convened on March 3. A brief overview of the Regional Freight Plan RFQ was provided. Notice of OKI's call for Ohio transportation projects and the April 27-29th Mississippi Valley Freight Coalition of States Conference to be held in Cincinnati were both announced. The main agenda item was the presentation and discussion of the Ohio Rail Plan led by representatives from ORDC, ODOT and Wilbur Smith Associates.

Staff: Robyn Bancroft (ext. 211) rbancroft@oki.org

Next scheduled meeting: none scheduled at this time

2. Environmental Justice Activities

Staff: Florence Parker (ext. 103) fparker@oki.org

Staff provided a copy of OKI's Title VI Complaint Procedures to a colleague at a Council of Governments (COG) office in Northeast Ohio.

Staff forwarded information to the female owned firms listed on OKI's DBE Certified Vendor Bid List about a workshop that the Business Courier will present on May 14th titled "Bizwomen Breakfast". Staff also forwarded information to OKI's DBE Certified Vendor Bid List about a free workshop on "Bridging the Green Divide" and forwarded information announcing business opportunities available with the City of Cincinnati through its Small Business Enterprise Program.

Staff attended an African American ChamberNet promoting "Neighborhood Revitalization" that also encouraged support of small and minority-owned businesses. And staff handled inquiries from businesses on OKI's DBE Certified Vendor Bid List wanting to confirm that their DBE certifications on file with OKI are current as they prepare to respond to OKI's RFQ for its Regional Freight Plan.

Staff has confirmed April 16, 2010, 9:30AM as the date and time that OKI's Environmental Justice Advisory Committee members will meet to finalize deliberations and scoring of the EJ question on the STP/CMAQ applications that have been submitted to OKI seeking funding.

Staff facilitated a request for environmental justice data from a potential applicant for STP/CMAQ funds.

C. Environmental

1. Water Quality Program

Staff: Jane Wittke (ext.126) jwittke@oki.org

Bruce Koehler (ext.112) bkoehler@oki.org

General Water Quality Activities

In March OKI staff continued to respond to requests for determinations about whether wastewater facility projects would be in conformity with OKI's Regional Water Quality Management Plan prepared under Section 208 of the Clean Water Act. Conformity with OKI's "208" Plan is a condition before state agencies can issue permits for projects to proceed. In March OKI staff responded to 208 plan information requests from the Ohio EPA, the South Dearborn Regional Sewer District, and the Metropolitan Sewer District of Greater Cincinnati.

Throughout March, staff researched, analyzed and formatted geospatial data to update OKI's water quality management plan for Butler, Clermont, Hamilton and Warren counties. Watershed management plans, Total Maximum Daily Loads reports, and technical support documents were analyzed for pertinent information on point and nonpoint sources of pollution in the four OKI Ohio counties. On several occasions OKI staff conferred with the staffs of soil and water conservation districts in Butler, Clermont, Hamilton and Warren counties to gather their assessments of non-point source pollution for the plan update. Staff also created GIS maps which highlighted watersheds impacted by various nonpoint causes and sources of pollution.

Staff met with planning and sanitary sewer staff in each of the Ohio counties to discuss draft population projections for wastewater facility planning areas, information available on existing and future land use, and potential growth areas. Staff continued gathering updated information from wastewater management agencies about existing sewer service areas, wastewater treatment plant operations, improvements, expansions and facility planning, and met with staff from the Butler County Health Department and Butler County Storm Water District to discuss information available on household sewage treatment systems and issues in the county.

On March 9, OKI's water quality staff and executive director participated in a discussion of funding and program needs with the director of Ohio EPA and the directors of other areawide planning agencies in the state who are designated to perform water quality planning. On March 23, staff also participated in a conference call with the other areawides and Ohio EPA program staff to discuss developing scopes of work for successive fiscal years, scheduling and administrative issues.

On March 1 OKI staff met with staff from the Indiana Department of Environmental Management (IDEM) about OKI's approach to updating the water quality management plan for Dearborn County, progress made since the work began in February, and IDEM's expectations for grant administration and reporting. Working with staff from Dearborn County and the Dearborn County Plan Commission, staff finalized a schedule for advisory committee meetings and public meetings associated with the project, and arranged for meeting space at the Dearborn County Adult Center in Lawrenceburg. Staff contacted prospective members of the advisory committee and sent summary information about the role of the committee to those contacted.

Staff began to examine comprehensive plans available in Dearborn County for information on existing land use and future land use recommendations, anticipated growth areas, and researched population information available from the Indiana Business Research Center to look at population trends in the county. Staff also extracted information from the U.S. EPA ECHO website regarding wastewater treatment plants in Dearborn County.

On March 11, staff attended the annual meeting of the Dearborn County Soil and Water Conservation District and conferred briefly with Dearborn County officials about upcoming joint activities with OKI.

On March 12, staff helped Friends of the Great Miami and Great Miami Riversports harvest willow stakes for later transplanting along eroding sections of the Great Miami River in Butler and Hamilton counties.

On March 13, staff helped analyze the nitrate levels in 74 water samples gathered for Saturday Stream Snapshot, a volunteer stream monitoring program managed by Greenacres Foundation.

On March 23, staff completed and transmitted a letter of interest to the U.S. EPA's Office of Policy, Economics and Innovation to propose Smart Growth Implementation Assistance for a Mill Creek watershed hazard mitigation plan.

On March 23, staff exhibited an educational display and handouts about the New Miami Drinking Water Protection Program for *Test Your Well*, a yearly water analysis event sponsored by the Butler Soil and Water Conservation District.

On March 29, staff facilitated a meeting for Friends of the Great Miami (FOGM), which refined plans for water quality monitoring, live willow-staking, educational programming and a river cleanup.

Throughout March, staff continued to promote the Annual Meeting of the OKI Regional Conservation Council. Staff also facilitated the educational event on March 30 in the OKI Board Room. Titled *Environmental Protection & Restoration: How do we measure up?*, the program included presentations by OKI staff.

On various dates in March, OKI staff provided environmental information or guidance to Colerain Township's Department of Parks and Recreation and economic development director, Butler Soil and Water Conservation District, Friends of the Great Miami, five engineering consulting firms working on local government projects, Duke Energy, Hamilton County Soil and Water Conservation District, City of Sharonville, Liberty Township, several citizens interested in a Mill Creek cleanup, Miami Valley Resource and Conservation Development Council, the Campbell County Conservation District, the Hamilton County Environmental Action Commission, the Miami Conservancy District, IMAGO, a community-based environmental group, the Hamilton County Regional Planning Commission, Warren County Regional Planning Commission, Clermont County Planning Commission, and Butler County Department of Development.

Mill Creek Watershed Council of Communities

On March 12, the OKI staff member who chairs the Watershed Council conferred with Butler County Water and Sewer Department, West Chester Township and a consulting firm about applying for a floodplain wetland grant from the Water Resource Restoration Sponsor Program.

On March 17, staff chaired a meeting of the Watershed Council's Development Committee to plan actions for securing the non-profit organization's fiscal future.

On March 23, staff conferred with a Reading city councilman, two consultants and the Watershed Council's coordinator about Reading's interest in restoring stream segments, mitigating flooding and spurring economic development near the Mill Creek on land that may be donated to Reading.

On March 25, staff shared the Watershed Council's views with a consultant who is compiling a report for the Metropolitan Sewer District of Greater Cincinnati (MSD) to inform ratepayers about the challenges, strategies, innovations and impacts of MSD's wet weather program.

During March, staff concluded the transfer of the Watershed Council's office to OKI and worked closely with Council officers to upgrade the organization's

administrative and financial procedures and to finalize an employee agreement for the Watershed Council's coordinator.

Groundwater Committee

Staff drafted a summary of the March 3rd meeting, which featured updates on local groundwater management efforts and presentations on workforce sustainability for utilities and state certification requirements for water plant operations staff. Staff applied for contact hours for the March 3rd presentations to help committee members meet state requirements for continuing education, and met with the committee's leadership to discuss priority concerns and presentation needs.

Next Meeting Date: June 2 or 9, 2010

