

**Resolution Number 2013 – 12**

MONTGOMERY COUNTY  
TRANSPORTATION IMPROVEMENT DISTRICT

**RESOLUTION APPROVING  
THE MINUTES OF  
REGULAR BOARD MEETING OF  
FEBRUARY 11 2013  
OF THE MONTGOMERY COUNTY  
TRANSPORTATION IMPROVEMENT DISTRICT  
BOARD OF TRUSTEES MEETING**

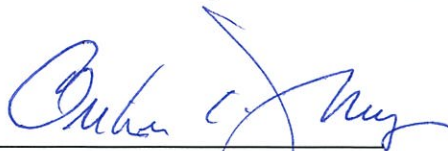
**WHEREAS**, the Board of Trustees of the Montgomery County Transportation Improvement District (TID) did meet in regular board meeting on February 11 2013; and

**WHEREAS**, the TID Board has reviewed the minutes of the said meeting and found them, as prepared, to be a full and accurate account of mentioned meeting.

**BE IT THEREFORE RESOLVED**, by the Board of Trustees of the Montgomery County Transportation Improvement District that the minutes of the regular board meeting of February 11, 2013 are hereby approved as prepared and appended to this resolution.

**BE IT FURTHER RESOLVED** copies of this resolution be provided to the TID Secretary-Treasurer and the Executive Director.

Adopted the 11<sup>th</sup> day of March 2013.



Chairperson, Montgomery County Transportation Improvement District

Attest: 

Secretary/Treasurer

Upon the motion of Mr. Bills.  
Seconded by Mr. Cluxton.  
Excused Absence: Ms. Singer.  
Motion was unanimously approved.



## Montgomery County Transportation Improvement District Minutes of the February 11, 2013 Board Meeting

The one hundred and forty second meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room 208 of the Dayton Convention Center, Dayton, Ohio on February 11, 2013.

Chairman Meyer called the meeting to order at 2:07 PM.

### VOTING BOARD

David Bills  
Art Meyer  
Stephanie Singer

### STAFF

Steve Stanley, Executive Director  
Crystal Davidson, Project Director  
Melissa Rasnic, Executive Assistant  
Sean Fraunfelter, Finance Director  
Bev Shillito, General Counsel

### EXCUSED ABSENCE

Eric Cluxton

### OTHERS IN ATTENDANCE

Paul Goodhue, CESO  
Mike Eddy, LJB Inc.  
Paul Gruner, Montgomery County  
Erik Collins, Montgomery County  
Jeff Wallace, Parsons Brinckerhoff  
Tom Gnau, Dayton Daily News

### ■ Business Meeting

#### ■ Minutes of January 14 2013 Meeting {Resolution 2013-06}

Mr. Meyer referred Board members to minutes of the January 14 2013 TID Board meeting, copies of which were included in the Board packets. There were no comments or concerns regarding the minutes.

Adoption of Resolution 2013-06, approving the minutes of the January 14 2013 TID Board meetings, was moved by Mr. Bills, seconded by Ms. Singer, and unanimously approved.

#### ■ January 2013 Financial Report {Resolution 2013-07}

Mr. Meyer referred Board members to Resolution 2013-07 and the report of the TID's financial condition through January 2013 (copies of which were included in the Board packets).

Mr. Fraunfelter reported that the majority of the transactions in January were for standard project expenses related to one or more of the TID's active projects. He added that reimbursements were received from the City of Huber Heights for some of the work performed for the Miami County RIDs and for TIF projections on

the Montgomery County side of Huber Heights. Mr. Fraunfelter also noted an accounting error and since the books were closed for 2012, there was a transfer that occurred in order to correct it in 2013.

With no comments or questions, adoption of Resolution 2013-07, approving the January 2013 Financial Report, as presented, was moved by Ms. Singer, seconded by Mr. Bills, and unanimously approved.

**■ January 2013 Bills & Expenses {Resolution 2013-08}**

Mr. Meyer referred the Board to Resolution 2013-08 and the summary of bills and expenses for January 2013, included in the Board packets. Mr. Stanley highlighted several routine project expenses and recommended approval of the resolution.

With no additional comments or questions, adoption of Resolution 2013-08, approving the payment of bills and expenses for January 2013, as presented, was moved by Mr. Bills, seconded by Ms. Singer, and unanimously approved.

**■ Austin Landing Phase 2 Project – Bond Anticipation Note Legislation {Resolution 2013-09}**

Mr. Meyer referred the Board to Resolution 2013-09, authorizing approval of the Phase 2 Austin Landing Bond Anticipation Note Legislation, (copies of which were included in the Board packets).

Mr. Stanley explained that the resolution would approve all of the documents necessary for the rollover of the original bond anticipation notes for the transportation components of the Phase 2 Austin Landing Project and related transportation improvements. He noted that the amount authorized by the resolution would not exceed \$11,600,000.

With no further comments or questions, adoption of Resolution 2013-09, authorizing approval of the Phase 2 Austin Landing Bond Anticipation Note Legislation, as presented, was moved by Ms. Singer, seconded by Mr. Bills, and unanimously approved.

**■ Austin West Boulevard/Motoman Project – Fechko Change Order for Byers Sanitary Sewer Project (Final) {Resolution 2013-10}**

Mr. Meyer referred the Board to Resolution 2013-10, authorizing approval of the Fechko Excavating Change Order Number 1 for Byers Sanitary Sewer Project, (copies of which were included in the Board packets).

Mr. Stanley reminded the Board that, at the request of the City of Miamisburg, the TID had added the construction of a sanitary sewer along Byers Road to service development of the former Long Farm property to the TID's Motoman Access Road Project. He explained that the proposed change order reflected reduced quantities required for the sewer project plus additional work requested by the City of Miamisburg. He concluded that a final punch list had been approved and with the approval of the change order and final payment, the project would be closing out.

With no further comments or questions, adoption of Resolution 2013-10, authorizing approval of the Fechko Excavating Change Order Number 1 for Byers Sanitary Sewer Project, as presented, was moved by Mr. Bills, seconded by Ms. Singer, and unanimously approved.

**■ Austin Landing Phase 1 Project – Approve Agreement with J & J Schlaegel, Inc for the MOT- Miami Township Trail Project in the amount of \$659,882.66 {Resolution 2013-11}**

Mr. Meyer referred the Board to Resolution 2013-11, approving an Agreement with J & J Schlaegel, Inc. for the MOT – Miami Township Trail Project in the amount of \$659,882.66, (copies of which were included in the Board packets).

Mr. Stanley noted that at the previous TID Board meeting, the Board had approved the selection of J&J Schlaegel, Inc., who was the lowest and best bidder at \$659,882.66. Mr. Stanley explained that the agreement is the standard ODOT LPA project contract and recommended approval of the contract in the amount not to exceed \$659,882.66.

Ms. Shillito commented that the Resolution should include language that (1) final adjustments to the agreement might be necessary and (2) the Executive Director and the General Counsel would be authorized to approve them, subject to their determination that the changes would not be materially detrimental to the TID.

With no further comments or questions, the adoption of Resolution 2013-11, including the addition of the language suggested by Ms. Shillito, approving an Agreement with J & J Schlaegel, Inc. for the MOT – Miami Township Trail Project in the amount of \$659,882.66, was moved by Mr. Bills, seconded by Ms. Singer, and unanimously approved.

**■ Public Comments**

There were no public comments.

**■ Next Meeting**

Mr. Meyer confirmed that the next Montgomery County TID Board Meeting would be held in Room 208 of the Dayton Convention Center at 2:00 PM on March 11, 2013.

**■ Executive Session**

Mr. Meyer suggested that the Board recess to executive session to discuss the settlement of right of way litigation and a human resources matter.

Mr. Bills moved that the Board recess to executive session. Ms. Singer seconded the motion. Mr. Meyer voted for the motion.

The Board recessed to executive session at 2:34 PM. Mr. Stanley, Ms. Shillito and Mr. Fraunfelder joined the Board in executive session.

**■ Adjourn**

The Board returned to open session at 2:54 PM. Mr. Stanley briefly reviewed the schedule for selling the Phase 2 Austin Landing notes and answered questions from Board members about the remaining process.

With no further business, Mr. Meyer adjourned the meeting at 3:16 PM.



Eric Cluxton, Secretary-Treasurer

March 11, 2013  
Date