

Resolution 2015 - 12

MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT

**RESOLUTION APPROVING
THE MINUTES OF BOARD MEETING OF
MARCH 9, 2015
MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES**

WHEREAS, the Board of Trustees of the Montgomery County Transportation Improvement District (TID) did meet in regular board meeting on March 9, 2015; and

WHEREAS, the TID Board has reviewed the minutes of each 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 March 9, 2015 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 13th day of April, 2015.



Chairperson, Montgomery County Transportation Improvement District

Attest: 

Secretary/Treasurer

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



Montgomery County Transportation Improvement District Minutes of the March 9, 2015 Board Meeting

The one hundred and sixty sixth meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room # 208 of the Dayton Convention Center in Dayton, Ohio on March 9, 2015.

Vice Chairwoman Ms. Singer called the meeting to order at 2:02 PM.

VOTING BOARD

David Bills
Art Meyer
Eric Cluxton
Stephanie Singer
Tom Tatham

STAFF

Steve Stanley, Executive Director
Crystal Davidson, Project & Development Director
Sean Fraunfelder, Finance Director
Linda Gum, Project Manager
Bev Shillito, General Counsel

EXCUSED ABSENCE

OTHERS IN ATTENDANCE

Vanessa Glotfelter, BWSC
Nathan Fischer, Woolpert
Erik Collins, Montgomery County
Paul Gruner, Montgomery County Engineer
Richard Miller, CTS
Mike Eddy, LJB, Inc.
Ralph O'Quinn, PSI

Business Meeting

Ms. Singer asked that everyone in attendance introduce themselves. Self-introductions followed. Mr. Tatham introduced himself as the Montgomery County Commissioners' newest appointment to the TID Board. Ms. Shillito administered the oath of office to Mr. Tatham and he was officially welcomed to the TID Board of Trustees.

■ Minutes of January 12, 2015 {Resolution 2015-06}

Ms. Singer referred Board members to minutes of the January 12 2015 TID Board Meeting, copies of which were included in the Board packets.

With no further comments, Adoption of Resolution 2015-06, approving the January 12 2015 TID Board Meeting minutes as presented, was moved by Mr. Bills, seconded by Mr. Cluxton, and approved by Mr. Meyer & Ms. Singer. Mr. Tatham abstained from voting.

■ Financial Report: January & February 2015 {Resolution 2015-07}

Mr. Meyer referred the Board to Resolution 2015-07 and financial reports for January & February 2015 that were included in the Board packets.

Mr. Fraunfelter noted that there were two months of financial reports to be reviewed since there had been no February Board meeting. He explained that he had recently changed the accounting software used by both the Butler County TID and the Montgomery County TID and, as a result, he was able to create reports for individual projects in a form that he believed would be easier for the Board to follow from month to month.

Mr. Fraunfelter noted an entry on Page 3 of the Austin Road Summary in the January report which reflected payment of \$1,500,000 to RG Properties for right of way for the Phase 1 Austin Landing Project and explained that the payment allowed the TID and Montgomery County to complete their obligations under the Phase 1 Development Agreement. He explained that funds for the payment had come from the \$1,600,000 loan from JPMorgan Chase that the Board had approved in 2014.

Mr. Fraunfelter also noted an entry on Page 3 of the Austin Road Summary Fund in the February report, explaining that payment of \$151,000 was for interest due from the second set of bond anticipation notes issued in 2014 for the Phase 2 Austin Landing Project. He and Mr. Stanley explained that, as a result of the interest payment which was required by law, Miami Township would be required to provide additional TIF funds directly to the TID in an equal amount in order to complete the full scope of the Phase 2 Austin Landing Project. Both commented that Township officials were aware of the requirement and had agreed to furnish the required additional funds.

Mr. Meyer suggested revising the resolution to add the word January in the third paragraph. Mr. Stanley committed to making the revision.

With no additional comments or questions, adoption of Resolution 2015-07, approving the financial report for January & February 2015, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

■ January & February 2015 Bills & Expenses {Resolution 2015-08}

Mr. Meyer referred the Board to Resolution 2015-08 and the summary of bills and expenses for January & February 2015 included in the Board packets.

Mr. Stanley commented that Sebaly, Shillito & Dyer's January expenses were mostly for the bond issue for the Phase 2 Austin Landing Project and that funds were included in the financing for those costs. He reiterated that the \$1,500,000 payment to RG Properties was made to complete the TID's obligations to purchase right-of-way for the Phase 1 Austin Landing Project. He reported that the remaining expenses were routine project expenses.

With no additional comments or questions, adoption of Resolution 2015-08, approving the payment of bills and expenses for January & February 2015, as presented, was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

■ Amending Annual Appropriation for 2015 {Resolution 2015-09}

Mr. Stanley referred Board members to Resolution 2015-09, amending the TID's annual appropriation for the 2015 calendar year, copies of which were included in the Board packets.

Mr. Fraunfelter explained that, as required by Ohio law, the Board had approved in July, 2014 a place-holder "tax budget" for 2015 and that a more accurate appropriation for 2015 operations could now be adopted. He briefly reviewed the proposed amended appropriation.

With no additional comments or questions, adoption of Resolution 2015-09, amending the TID's appropriation for the 2015 calendar year as presented, was moved by Ms. Singer, seconded by Mr. Bills, and unanimously approved.

Mr. Fraunfelter concluded by reporting that the audit of the TID's 2014 operations would begin during the week of March 16 and noted that individual Board members might be contacted by the audit firm, Plattenburg & Associates, in the ordinary course of the annual audit.

■ 70/75 Logistics Access Project Quality Selection Process {Resolution 2015-10}

Mr. Stanley referred the Board to Resolution 2015-10, authorizing the Executive Director to begin a quality based selection process for the 70/75 Logistics Access Project, which was included in the Board packets.

Mr. Stanley reported that ODOT's Transportation Review Advisory Council (TRAC) had now officially approved an allocation to the TID of \$1,400,000 for preliminary engineering, design & right-of-way for improving U.S. 40 from the US 40/Airport Access Road Interchange to Union Airpark Blvd to the west and Peters Pike to the east. He explained that the TRAC allocation would be programmed and available for use as early as July 2015 and that he recommended that the TID begin the process now of selecting an engineering consulting team to perform the project.

With no additional comments or questions, adoption of Resolution 2015-10, authorizing the Executive Director to begin a quality based selection process for the 70/75 Logistics Access Project, as presented, was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

■ Service Payments Delivery Agreement {Resolution 2015-11}

Mr. Meyer referred the Board to Resolution 2015-11 and the Service Payments Delivery Agreement, included in the Board packets.

Mr. Stanley explained that the agreement between the City of Union, Montgomery County and the TID in relation to Project Walnut provided, among other things, specific details for the then anticipated permanent financing of \$700,000 land reduction incentive for the P&G Dayton Mixing Center site. He reminded the Board that the original agreement anticipated that the financing would be done by the Dayton-Montgomery County Port Authority through its Bond Fund. Since that time, he explained that he, the Union City Manager, and the County Administrator had all agreed that financing the incentive through the Port Authority Bond Fund was not the most cost effective alternative. He concluded by explaining that the amendment would allow the parties to pursue other more cost effective alternatives. Ms. Shillito added that the proposed amendment would also name the TID as the County's agent for receiving Union's TIF revenue and making require debt service payments on behalf of all parties. She noted that the TID would have no commitments other than administrative duties.

Mr. Stanley recommended that standard language be added to the resolution providing that the Executive Director, with concurrence from the General Counsel, be authorized to make final changes to the amendment that might be necessary if such changes were required and not materially detrimental to the TID.

With no additional comments or questions, adoption of Resolution 2015-11, approving the Service Payments Delivery Agreement, as modified by Mr. Stanley's recommendation, was moved by Ms. Singer, seconded by Mr. Cluxton, and unanimously approved.

Ms. Shillito distributed Disclosure Statements for 2015 to the Board members and asked that they be completed, signed, and returned to her as soon as possible.

2015 Projects Review

Mr. Stanley gave an overview of the 2015 TID Project Activity pertaining to current projects located in southern Montgomery County. (A copy of the presentation is attached.)

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 April 13, 2015.

Mr. Stanley explained that he would send the Board the PowerPoint presentation of the overview of the 2015 TID Project Activity.

Executive Session

Mr. Stanley suggested that the Board recess to executive session to discuss economic development projects, specifically the Multi-Modal Freight Rail Project, Project Walnut, and the Mound Connector Project.

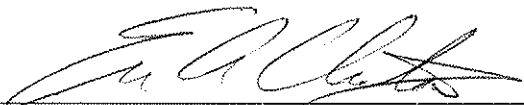
Mr. Bills moved that the Board recess to executive session to discuss the economic development projects suggested by Mr. Stanley. Ms. Singer seconded the motion. Mr. Cluxton voted for the motion. Mr. Meyer voted for the motion. Mr. Tatham voted for the motion.

The Board recessed to executive session at 3:38 PM. Mr. Stanley, Ms. Shillito, Ms. Davidson, Ms. Gum, and Mr. Fraunfelder joined the Board in executive session.


Adjourn

The Board returned to open session at 4:13 PM.

With no further business, Mr. Meyer adjourned the meeting at 4:14 PM.



Eric Cluxton, Secretary-Treasurer



Date