

Resolution 2015 - 23

MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT

**RESOLUTION APPROVING
THE MINUTES OF BOARD MEETING OF
MAY 18, 2015 MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES**

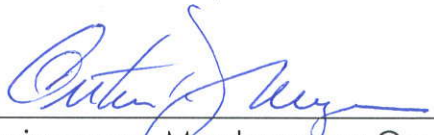
WHEREAS, the Board of Trustees of the Montgomery County Transportation Improvement District (TID) did meet in regular board meeting on May 18, 2015; and

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 May 18, 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 8th day of June, 2015.



Chairperson, Montgomery County Transportation Improvement District

Attest: 
Secretary/Treasurer

Upon motion of Mr. Cluxton.
Seconded by Mr. Bills.
Excused absences: Mr. Meyer and Mr. Tatham.
Motion was unanimously approved.



Montgomery County Transportation Improvement District Minutes of the May 18, 2015 Board Meeting

The one hundred and sixty eighth meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room 208 of the Dayton Convention Center in Dayton, Ohio on May 18, 2015.

Chairman Mr. Meyer called the meeting to order at 2:02 PM.

VOTING BOARD

Eric Cluxton
Art Meyer
Tom Tatham

STAFF

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

EXCUSED ABSENCE

David Bills
Stephanie Singer

OTHERS IN ATTENDANCE

Vanessa Glotfelter, BWSC
Nathan Fischer, Woolpert
Erik Collins, Montgomery County C&ED
Paul Gruner, Montgomery County EO
Jeff Koehn, IBI Group
Richard Miller, CT Consulting

Business Meeting

Mr. Meyer asked that everyone in attendance introduce themselves. Self-introductions followed.

■ Minutes of April 13, 2015 {Resolution 2015-17}

Mr. Meyer referred Board members to minutes of the April 13 2015 TID Board Meeting, copies of which were included in the Board packets.

With no further comments, adoption of Resolution 2015-17, approving the April 13 2015 TID Board Meeting minutes as presented, was moved by Mr. Tatham, seconded by Mr. Cluxton, and unanimously approved.

Mr. Stanley noted that Mr. Fraunfelter was not expected until later in the meeting and suggested that consideration of Resolution 2015-18 be postponed until he was present.

■ April 2015 Bills & Expenses {Resolution 2015-19}

Mr. Meyer referred the Board to Resolution 2015-19 and the summary of bills and expenses for April 2015 included in the Board packets.

Mr. Stanley reported that the payment of \$23,247.50 to the IBI Group on page 2 of the bills and expenses report was for services related to Project Walnut and the Procter & Gamble Dayton Mixing Center. He noted that all expenses were for routine project expenses from existing contracts with the exception of the Pavement Technology invoice in the amount of \$62,546.97 for Board approval. Mr. Stanley explained that the invoice was for a surface treatment that would improve and extend the life of pavement joints in the new roadways and that the Union City Manager had requested the treatment. He further explained that the cost exceeded his authorization authority of \$50,000 for the project and that it would be paid from SIB loan funds. Mr. Stanley recommended approval of all listed bills & expenses.

With no additional comments or questions, adoption of Resolution 2015-19, approving the payment of bills and expenses for April 2015, as presented, was moved by Mr. Cluxton, seconded by Mr. Tatham, and unanimously approved.

■ Miamisburg Multi-Use Connector Trail Project - Selection of W.G. Stang as Lowest & Best Bidder at \$365,807 {Resolution 2015-20}

Mr. Stanley referred the Board to Resolution 2015-20, authorizing the selection of W.G. Stang as lowest and best bidder for the Miamisburg Multi-Use Connector Trail Project, which was included in the Board packets.

Mr. Stanley explained that the resolution would authorize the selection of a construction contractor for the next portion of the trail network which would connect the Medlar Trail through property owned by the City of Miamisburg and the Miamisburg City School District to the multi-use trail along Byers Road and on to the trail included on the Austin Interchange Bridge. He noted that the Board had authorized advertising for bids during its April meeting. He asked Ms. Davidson to review the bidding process.

Ms. Davidson reported that five contractors had obtained project plans & bid packets and that two sets of plans were also distributed to contractor bid room services. She reported that bids were received from all five contractors: Barrett Paving Materials, R.B. Jergens, Belgray Inc., Brumbaugh Construction, and W.G. Stang. Ms. Davidson explained that the lowest and best bidder was W.G. Stang with a low bid of \$365,807, which compared to the engineer's estimate of \$416,092. Mr. Stanley commented that the bids from all five contractors were under the engineer's estimate, with only a \$3,200 spread among the three lowest bids. He added that the project should be complete by the end of August and recommended approval to award the bid.

With no additional comments or questions, adoption of Resolution 2015-20, authorizing the selection of W.G. Stang as lowest and best bidder for the Miamisburg Multi-Use Connector Trail Project at its low bid of \$365,807, as presented, was moved by Mr. Cluxton, seconded by Mr. Tatham, and unanimously approved.

■ Project Walnut – Assignment & Service Payment Delivery Agreement with the City of Union & Montgomery County {Resolution 2015-21}

Mr. Stanley referred the Board to Resolution 2015-21, authorizing an Assignment and Service Payment Delivery Agreement with the City of Union and Montgomery County, which was included in the Board packets.

Mr. Stanley explained that the original agreement among the City of Union, Montgomery County and the TID for Project Walnut provided, among other things, specific details for the then-anticipated permanent financing of the \$700,000 incentive to reduce land acquisition costs for the site of the P&G Dayton Mixing Center. 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 but that, consistent with the terms of the agreement, other alternatives had been explored after the County Administrator, the Union City Manager and he had concluded that a Port Bond Fund financing was probably not cost effective.

Mr. Stanley explained that the proposed assignment & service delivery agreement would allow the financing of the incentive through a different structure than originally anticipated. He explained that a portion of the TIF revenue assigned by Union to the County would be released by the County back to Union and that Union would then sell bonds through the Port Authority's Bond Fund in a private placement, using the released TIF funds to retire the bonds. The payment schedule, he added, would be the same as for the SIB Loan with the Port waiving the bulk of its customary fees to make the bond sale more cost effective.

Mr. Stanley reported that the Union City Manager already had authority to approve the proposed agreement and that the County Commissioners were anticipated to approve it in June. He explained that the proposed agreement would also formally designate the TID to act as the paying agent for the County for all debt service in connection with the P&G Dayton Mixing Center, meaning that the TID would receive all of Union's TIF revenue and make required debt service payments from it. Mr. Tatham confirmed that the TID's role was to act as a conduit and disperse the payments appropriately. Ms. Shillito agreed and commented that the entire transaction was required to repay the County which had advanced the \$700,000 for the incentive cost reduction. Mr. Stanley recommended approval.

With no additional comments or questions, adoption of Resolution 2015-21, authorizing the Assignment and Service Payment Delivery Agreement with the City of Union and Montgomery County, as presented, was moved by Mr. Cluxton, seconded by Mr. Tatham, and unanimously approved.

Future Projects – Authorize Submission of TID Grant Applications to ODOT {Resolution 2015-22}

Mr. Stanley referred the Board to Resolution 2015-22, authorizing the submission of TID Grant Applications to ODOT, which was included in the Board packets.

Mr. Stanley explained that ODOT was now soliciting project applications for its competitive TID Grant Program. He reminded the Board that only TID's registered with ODOT were eligible to apply for grants from the TID Grant Program and that the TID had been awarded 5 grants from the program in its first 4 years. He explained that more than one application could be submitted in a cycle. Mr. Stanley recommended the TID apply for two, possibly three, projects this year for the Mound Connector Project, the 70/75 Logistics Access Project and Social Row Improvements.

Mr. Stanley explained that the Mound Connector had been funded by ODOT 3 times in the past for preliminary engineering and environmental work, but that an application for funds to continue to advance the project beyond NEPA clearance could be submitted again this year. He recommended that a 2nd application be submitted for matching funds for the TRAC allocation that the TID had recently received for the 70/75 Logistics Access Project. A third application, he commented, could be to assist with a new project with Washington Township and the Montgomery County Engineer for improvements to Social Row Road.

Mr. Stanley explained that the grant program limitations allowed no more than \$250,000 per year per project or 10% of the overall anticipated cost of a project. Mr. Meyer asked how many registered TID's exist. Mr. Stanley responded

that ODOT had specific requirements for TID registration that had to be reviewed annually, but that possibly sixteen TID's were currently registered, with some TID's significantly more active than others. He also noted that the application deadline was June 15.

With no additional comments or questions, adoption of Resolution 2015-22, authorizing the submission of TID Grant Applications to ODOT, as presented, was moved by Mr. Cluxton, seconded by Mr. Tatham, and unanimously approved.

■ Financial Report: April 2015 {Resolution 2015-18}

Noting that Mr. Fraunfelter had joined the meeting, Mr. Meyer referred the Board to Resolution 2015-18 and financial reports for April 2015 that were included in the Board packets.

Mr. Fraunfelter directed the Board to an entry on Page 3 of the Austin Interchange Fund (Fund 702) showing expenditures from the Mound Connector TID Grant from ODOT in the amount of \$83,189.39. He also noted on an entry on the last page of the report for the Dogleg Road Project report, showing the final payment made to R.B. Jergens in the amount of \$105,568.61.

Mr. Fraunfelter added that the audit was continuing to progress. He explained that the TID is required to be audited annually, but that State Auditor's Office, due to capacity limitations, could not audit all government entities in Ohio. As a result, he noted that the audit of special purpose governments like the TID were often subcontracted to certified public accounting firms selected by the State Auditor. He commented that the TID's current audit firm, Plattenburg Associates, was in the midst of a multi-year contract to audit the TID.

Mr. Meyer referred to the Bank Reconciliation for All Accounts page and asked Mr. Fraunfelter to explain the line item "TID Deficit Carry on unreimbursed". Mr. Fraunfelter explained that the total for that entry included \$1,500,000 still owed to the TID by the City of Miamisburg for the City's share of the cost of constructing the "Big Dig" regional storm water facility and \$428,017 owed by the City of Springboro for improvements made to Austin Boulevard during Phase 1 of the Austin Landing Project. The latter reimbursement, he commented, was expected in conjunction with reimbursements for the Austin Interchange Enhancement Project. Mr. Cluxton commented that he had spoken with both the Mayor and City Manager of Miamisburg and that both had expressed their commitment to reimbursing the TID for the Big Dig costs.

With no additional comments or questions, adoption of Resolution 2015-18, approving the financial report for April 2015, was moved by Mr. Cluxton, seconded by Mr. Tatham, 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 June 8, 2015.

■ **Executive Session**

Mr. Stanley suggested that the Board recess to executive session to discuss economic development projects near the Dayton International Airport and the Austin Interchange.

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

The Board recessed to executive session at 2:38 PM. Mr. Stanley, Ms. Shillito, Ms. Davidson, Ms. Gum, Mr. Gruner and Mr. Fraunfelter joined the Board in executive session.

Mr. Gruner left the executive session at 3:00 PM.

■ **Adjourn**

The Board returned to open session at 3:28 PM.

With no further business, Mr. Meyer adjourned the meeting at 3:29 PM.



Eric Cluxton, Secretary-Treasurer

6/8/15

Date