

Resolution 2015 - 30

MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT

**RESOLUTION APPROVING
THE MINUTES OF BOARD MEETING OF
JUNE 8, 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 June 8, 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 June 8, 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 July, 2015.



Chairperson, Montgomery County Transportation Improvement District

Attest: 
Secretary/Treasurer

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



Montgomery County Transportation Improvement District Minutes of the June 8, 2015 Board Meeting

The one hundred and sixty-ninth meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room 208 of the Dayton Convention Center in Dayton, Ohio on June 8, 2015.

Vice-Chairperson Ms. Singer called the meeting to order at 3:02 PM.

VOTING BOARD

Eric Cluxton
Stephanie Singer
David Bills

STAFF

Steve Stanley, Executive Director
Crystal Davidson, Project & Development Director
Sean Fraunfelter, Finance Director
Michael Booth, TID General Counsel

EXCUSED ABSENCE

Art Meyer
Tom Tatham
Linda Gum
Beverly Shillito

OTHERS IN ATTENDANCE

Sam Morton, BWSC
Erik Collins, Montgomery County C&ED
Jeff Koehn, IBI Group
Richard Miller, CT Consulting
Jeff Wallace, Parsons Brinckerhoff
Nathan Fischer, Woolpert

Business Meeting

Ms. Singer asked that everyone in attendance introduce themselves. Self-introductions followed.

■ Minutes of May 18, 2015 {Resolution 2015-23}

Ms. Singer referred Board members to minutes of the May 18 2015 TID Board Meeting, copies of which were included in the Board packets.

With no further comments, adoption of Resolution 2015-23, approving the May 18 2015 TID Board Meeting minutes as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ May 2015 Financial Report {Resolution 2015-24}

Ms. Singer referred the Board to Resolution 2015-24 and the financial report for May 2015 included in the Board packets.

Mr. Fraunfelter directed the Board to an entry on Page 2 of the Austin Interchange Fund (Fund 702) showing a \$196,742.04 expenditure for Austin Landing Phase 1 debt service. He noted that the actual debt service payment was made from an external trust account required in connection with issuance of the bonds, not the TID's direct accounts. The expense entry in the TID accounts, he explained, reflected a transfer of funds to the debt service trust fund.

Mr. Fraunfelter highlighted the May payment of Austin Interchange debt service and noted that it was the last full debt service payment for the project from the reserve of earmarked federal funds held by the TID. He explained that Miami Township,

Miamisburg and Springboro would have to pay a portion of the December 2015 Austin Interchange debt service payment and commented that he would invoice each jurisdiction for its allocated share of the December debt service payment and, thereafter, twice a year.

Mr. Fraunfelter directed the Board to an entry on page 16 of the Freight Rail/Project Walnut Fund (Fund 707) showing a \$250,267.63 draw from the Project Walnut SIB Loan. He noted that the June financial report would include a payment of \$1,209,518 to the ODOT SIB Loan to reflect the full amount of reimbursement received by the TID from JobsOhio's 629 Grant. Mr. Stanley reminded the Board that the actual Ohio 629 Grant received by the TID was much larger than originally committed by the State and that he had decided to draw those funds down quickly to reimburse the TID for costs already billed to the SIB Loan. He indicated that ODOT staff had finally agreed with his suggestion that the SIB Loan should be simply reimbursed by the amount of the grant award and amended to expand its scope to include additional roadway improvements not included in the original scope of the loan agreement.

With no additional comments or questions, adoption of Resolution 2015-24, approving the financial report for May 2015, as presented, was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

■ **May 2015 Bills & Expenses {Resolution 2015-25}**

Ms. Singer referred the Board to Resolution 2015-25 and the summary of bills and expenses for May 2015 included in the Board packets.

Mr. Stanley reported that all expenses were for routine project expenses. He commented that the payment of \$1,113.39 to the Daily Court Reporter was for advertising for bids for the Miamisburg Multi-Use Connector Trail. Mr. Stanley recommended approval of all listed bills & expenses.

With no additional comments or questions, adoption of Resolution 2015-25, approving the payment of bills and expenses for May 2015, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ **Butler County TID Sixth Amendment {Resolution 2015-26}**

Ms. Singer referred the Board to Resolution 2015-26 concerning the Sixth Amendment to the Butler County TID Agreement included in the Board packets.

Mr. Stanley explained that the original agreement with the Butler County TID for accounting services was enacted in 2001 and that it needed to be amended periodically to reflect changes in the services to be purchased by the TID and the hourly rates established between the Butler TID and Mr. Fraunfelter. He further explained that the proposed 6th amendment would reflect an increase in Mr. Fraunfelter's fee. He recommended that the amendment be approved.

Mr. Fraunfelter added that the higher fee rate had been approved by the Butler County TID earlier that day. Mr. Stanley added that from the beginning, the TID has been extremely fortunate to have Mr. Fraunfelter perform the TID's accounting and assist with complicated project financing. He recommended approval of the resolution.

With no additional comments or questions, adoption of Resolution 2015-26, approving the Sixth Amendment to the Agreement with the Butler County TID, was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

■ **70/75 Logistics Access Project Engineering Consultant Selection {Resolution 2015-27}**

Mr. Stanley referred the Board to Resolution 2015-27, approving the selection of an engineering consultant for the 70/75 Logistics Access Project, which was included in the Board packets.

Mr. Stanley explained that ODOT's Transportation Review Advisory Council (TRAC) had approved an allocation to the TID of \$1,400,000 to be matched with \$500,000 of local funds for preliminary engineering, design & right-of-way for improving the US 40/Airport Access Road Interchange and U.S. 40 from the Interchange to Union Airpark Blvd on the west and to Peters Pike on the east. He explained that the TRAC allocation would be programmed and available as early as July 2015 and, as a result, the TID had moved forward rapidly to select an engineering team, using a quality based selection process consistent with ODOT's requirements. He noted that, if the Board approved the recommended selection, TID staff and the selected consultants would meet with ODOT District 7 staff to begin developing a specific project scope in June with a target of presenting agreements for Board consideration over the next two months.

Mr. Stanley reported that four letters of interest (LOI's) were received from AECOM, EMH&T, IBI Group and the Kleinger's Group. Mr. Stanley explained that local representatives of stakeholder local governments named to a Selection Panel were asked to review, rate and rank the LOI's. He further explained that the members of the Panel had ranked the consultants in the same order and unanimously agreed to recommend to the Board that the IBI Group be selected to provide engineering consulting services for the Project.

With no additional comments or questions, adoption of Resolution 2015-27, approving the selection of the IBI Group as engineering consultants for the 70/75 Logistics Access Project, as presented, was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

Mr. Stanley added that the LOI's received were all of high quality and that he had a positive view of working with some of those firms on future TID projects.

■ City of Miamisburg Construction Inspection Services Agreement {Resolution 2015-28}

Mr. Stanley referred the Board to Resolution 2015-28, authorizing the City of Miamisburg Construction Inspection services Agreement for the Miamisburg Multi-Use Connector Trail Project, which was included in the Board packets.

Mr. Stanley explained that the resolution would authorize the City of Miamisburg to perform construction inspection services for the trail project that 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 added that the terms of the proposed agreement were identical to agreements previously approved by the Board for construction inspection services by Miamisburg personnel. He noted that compensation would be limited to no more than three percent of the direct construction budget. He concluded by commenting that Ms. Davidson and the Miamisburg inspection staff had developed an excellent working relationship while working together.

With no additional comments or questions, adoption of Resolution 2015-28, approving the City of Miamisburg Construction Inspection services Agreement for the Miamisburg Multi-Use Connector Trail Project, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

Mr. Stanley added that the contractor W.G. Stang had started work and was motivated to complete the project by August 31.

■ Public Comments

There were no public comments.

■ Next Meeting

Ms. Singer 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 July 13, 2015.

■ **Executive Session**

Mr. Stanley suggested that the Board recess to executive session to discuss economic development projects related to the Austin Interchange. He added that the Board might consider approval in open session following the executive session of an amendment to an existing loan agreement.

Mr. Bills moved that the Board recess to executive session to discuss economic development projects related to the Austin Interchange, as suggested by Mr. Stanley. Mr. Cluxton seconded the motion. Mr. Bills voted for the motion. Mr. Cluxton voted for the motion. Ms. Singer voted for the motion.

The Board recessed to executive session at 3:19 PM. Mr. Stanley, Mr. Booth, Ms. Davidson, and Mr. Fraunfelder joined the Board in executive session.

The Board returned to open session at 3:38 PM.

■ **First Amendment to the Loan Agreement with JPMorgan Chase N.A. to Extend the Maturity Date of the Line of Credit Note {Resolution 2015-29}**

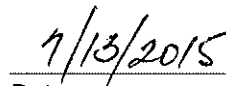
Following brief discussion, the adoption of Resolution 2015-29, approving the first amendment to the loan agreement with JPMorgan Chase to extend the maturity date of the line of credit note to December 31, 2015, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ **Adjourn**

With no further business, Ms. Singer adjourned the meeting at 3:39 PM.



Eric Cluxton, Secretary-Treasurer



Date