

Resolution Number 2013 – 42

MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT

**RESOLUTION APPROVING
THE MINUTES OF
REGULAR BOARD MEETING OF
JUNE 20 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 June 20 2013; and

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

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 20, 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 02nd day of July 2013.



Chairperson, Montgomery County Transportation Improvement District

Attest: 

Secretary/Treasurer

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



**Montgomery County Transportation Improvement District
Minutes of the June 20, 2013 Board Meeting**

The one hundred and forty seventh meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room 208 of the Dayton Convention Center, Dayton, Ohio on June 20, 2013.

Chairman Meyer called the meeting to order at 11:48 AM.

VOTING BOARD

David Bills
Eric Cluxton
Scott Kelly
Art Meyer

STAFF

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

EXCUSED ABSENCE

Stephanie Singer

OTHERS IN ATTENDANCE

Joe Tuss, Montgomery County
Mike Eddy, LJB Inc.

■ Business Meeting

■ Minutes of Regular Session May 13 2013 Meeting and Special Session May 28 Meeting {Resolution 2013-34}

Mr. Meyer referred Board members to Resolution 2013-34, the minutes of the May 13 2013 regular TID Board meeting and the minutes of the May 28 2013 special TID Board meeting, copies of which were included in the Board packets. There were no comments or concerns regarding the minutes.

Adoption of Resolution 2013-34, approving the minutes of the May 13 2013 regular TID Board meeting and the minutes of the May 28 2013 special TID Board meeting, was moved by Mr. Cluxton, seconded by Mr. Kelly, and unanimously approved.

■ May 2013 Financial Report {Resolution 2013-35}

Mr. Meyer referred Board members to Resolution 2013-35 and the report of the TID's financial condition through May 2013 (copies of which were included in the Board packets).

Mr. Fraunfelter reported that there were a few items that would probably be unfamiliar to the Board. He directed the Board to the summary of the Austin Interchange Fund and noted effects by the federal

sequestration. He noted that Miami Township would have to put 8% more money into the next debt service payment for the Austin Landing Phase 1 Project. Mr. Fraunfelter also commented on several routine financial transactions.

With no additional comments or questions, adoption of Resolution 2013-35, approving the May 2013 Financial Report, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ May 2013 Bills & Expenses {Resolution 2013-36}

Mr. Meyer referred the Board to Resolution 2013-36 and the summary of bills and expenses for May 2013, included in the Board packets. Mr. Stanley highlighted several routine project expenses and recommended approval of the resolution.

Mr. Stanley pointed out that he had entered into a contract with Jason Woodard to temporarily manage the maintenance of landscaping and other aesthetic enhancement in the right-of-way for the Austin Interchange and connecting roadways. He explained that the Austin Center JEDD was responsible for maintenance of the subject right-of-way but that the JEDD Board had not been completely reformed following Montgomery County's withdrawal from the TID and, as a result, was unable to conduct routine business. He further explained that he had volunteered that the TID would manage the maintenance services on a temporary basis until the JEDD Board was reformed and would, then, pass the costs incurred back to the JEDD for reimbursement. He referred Board members to an email confirming the arrangement from the Vice-Chair of the JEDD Board.

With no additional comments or questions, adoption of Resolution 2013-36, approving the payment of bills and expenses for May 2013, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ Amend 2013 Appropriations {Resolution 2013-37}

Mr. Meyer referred the Board to Resolution 2013-37, authorizing the TID to amend 2013 appropriations (copies of which were included in the Board packets).

Mr. Fraunfelter explained that, consistent with past practice, the resolution would amend the TID's 2013 TID operating and project budgets. He reviewed various elements of the proposed amendment, including necessary corrections to the documents included in the Board packets. Mr. Stanley recommended that the resolution be tabled until the July TID Board Meeting to allow corrected documents to be distributed.

Mr. Meyer tabled the matter until the July 2013 Board meeting.

■ Tax Budget 2014 {Resolution 2013-38}

Mr. Fraunfelter referred the Board to Resolution 2013-38, approving the tax budget for 2014, (copies of which were included in the Board packets).

Mr. Fraunfelter explained that the TID was required by state law to approve a "tax budget" for 2014 and submit it to the State Auditor by July 15. The budget, he noted, was a place holder for the coming year and recommended approval.

With no further comments or questions, adoption of Resolution 2013-38, approving the tax budget for 2014, as presented, was moved by Mr. Kelly, seconded by Mr. Cluxton, and unanimously approved.

■ **Extension for Audit Report**

Mr. Fraunfelter explained that he would be requesting an extension of the submission deadline for the TID's 2012 Audit Report due to the engagement of a new auditing firm in 2013 and technical issues that had arisen over the classification of debt service payments for the Austin Interchange Project.

■ **Austin Aesthetic Project**

■ **Change Order #3 with Evans Landscaping for Austin Aesthetic Project {Resolution 2013-39}**

Mr. Meyer referred the Board to Resolution 2013-39, accepting Change Order #3 with Evans Landscaping for the Austin Aesthetic project, (copies of which were included in the Board packets).

Ms. Davidson explained that additional work arose at the corner of Austin Boulevard and Wood Road regarding irrigation and seeding that was originally not included in the contract because Miami Township had alternate plans for the site. She noted that Miami Township now preferred to have the property cleaned-up with minimal landscaping. She also explained that there were additional bolts needed for the light poles over the bridge and additional irrigation to install along the off-ramp on the southeast corner of the Interchange. Mr. Stanley recommended that change order be approved.

With no further comments or questions, the adoption of Resolution 2013-39, accepting Change Order #3 with Evans Landscaping for the Austin Interchange Aesthetic Project, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ **Selection of Joe's Landscaping on Behalf of the Austin Center JEDD as Lowest & Best Bidder for the Maintenance of Austin Center Right-of-Way at its Low Bid of \$36,775.90 {Resolution 2013-40}**

Mr. Meyer referred the Board to Resolution 2013-40, approving the selection of Joe's Landscaping on the behalf of the Austin Center JEDD as the lowest and best bidder for the maintenance of the Austin Center Right-of-Way at its low bid of \$36,775.90, (copies of which were included in the Board packets).

Ms. Davidson explained, as mentioned by Mr. Stanley earlier, that the TID had engaged Jason Woodard to oversee the maintenance of the Austin Center Right-of-Way on behalf of the Austin Center JEDD. She explained that, with his help, four qualified landscape maintenance firms familiar with the area to be maintained were invited to submit bids on the job. She noted that three firms submitted bids and that Joe's Landscaping was the lowest bidder. She noted that Joe's was the contractor maintaining the Austin Landing landscaping and that the company's work there had been excellent. Ms. Davidson explained that maintenance would include weed control, fertilization, lighting maintenance, and mowing. She recommended that the resolution be approved.

With no further comments or questions, the adoption of Resolution 2013-40, approving the selection of Joe's Landscaping on the behalf of the Austin Center JEDD as the lowest and best bidder for the maintenance of the Austin Center Right-of-Way at its low bid of \$36,775.90, as presented, was moved by Mr. Bills, seconded by Mr. Kelly, and unanimously approved.

■ **Public Comments**

There were no public comments.

■ **Next Meeting**

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 July 8, 2013.

■ **Executive Session**

Mr. Meyer suggested that the Board recess to executive session to discuss the acquisition of real property and the Executive Director's performance review.

Mr. Cluxton moved that the Board recess to executive session for the purposes outlined by Mr. Meyer. Mr. Kelly seconded the motion. Mr. Bills voted for the motion. Mr. Meyer voted for the motion.

The Board recessed to executive session at 12:25 PM. Mr. Stanley, Ms. Shillito and Mr. Tuss were invited to join the Board in executive session.

Mr. Tuss left the meeting at 1:15 PM.

■ **Adjourn**

The Board returned to open session at 1:39 PM.

Following brief discussion, the adoption of Resolution 2013-41, approving the Executive Director's performance evaluation for 2012, increasing his base compensation by 2.5%, retroactive to January 1, 2013, and establishing his 2013 performance goals was moved by Mr. Kelly, seconded by Mr. Bills, and unanimously approved.

With no further business, Mr. Meyer adjourned the meeting at 1:50 PM.


Eric Cluxton, Secretary-Treasurer

8/1/13
Date