

Resolution 2014 - 49

MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT

**RESOLUTION APPROVING
THE MINUTES OF BOARD MEETING OF
AUGUST 18, 2014
OF THE 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 August 18, 2014; and

WHEREAS, the TID Board has reviewed the minutes of 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 August 18 2014 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 08th day of September, 2014


Chairperson, Montgomery County Transportation Improvement District

Attest: 
Secretary/Treasurer

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



Montgomery County Transportation Improvement District Minutes of the August 18, 2014 Board Meeting

The one hundred and sixty second meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room 208 of the Dayton Convention Center, Dayton, Ohio on August 18, 2014.

Chairman Meyer called the meeting to order at 2:03 PM.

VOTING BOARD

Art Meyer
Stephanie Singer
Scott Kelly
Eric Cluxton

STAFF

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

EXCUSED ABSENCE

David Bills

OTHERS IN ATTENDANCE

Erik Collins, Montgomery County
Paul Gruner, Montgomery County Engineer
Mike Eddy, LJB
Vanessa Glotfelter, BWSC
Nathan Fischer, Woolpert
Paul Goodhue, ME/IBI

Business Meeting

■ Minutes of July 14, 2014 {Resolution 2014-42}

Mr. Meyer referred Board members to minutes of the July 14 2014 TID Board Meeting, copies of which were included in the Board packets. There were no comments or concerns regarding the minutes.

Ms. Shillito pointed out that Page 3 of the minutes should be corrected to indicate that the Board adjourned to executive session to discuss "personnel" not "personal" matters.

Adoption of Resolution 2014-42, approving the July 14 2014 TID Board Meeting minutes as corrected by Ms. Shillito, was moved by Mr. Cluxton, seconded by Mr. Kelly, and unanimously approved.

■ Financial Report: June & July 2014 {Resolution 2014-43}

Mr. Stanley referred the Board to Resolution 2014-43 and the financial report for June and July 2014 included in the Board packets.

Mr. Fraunfelter reported that the 2013 audit was finished and that the 2013 CAFR was available for distribution by hard copy and email to Board members. He explained that the audit included a finding over the classification of certain revenue not yet received by the TID under certain agreements with other local governments and that he and Mr. Stanley had agreed to reclassify the revenue as suggested by the auditors.

Mr. Fraunfelter also noted that it would be necessary to approve a change order to the auditor's contract due to an increased scope associated with single audit requirements triggered because the TID administered two federal grants in 2013 that totaled more than \$500,000. He concluded that he had recently completed all required annual filings in compliance with federal law for bonds issued by the TID.

Mr. Meyer commented that he had read the entire CAFR and that it was a very informative document that all Board members should read because it was a very thorough overview of the TID's operation. Mr. Stanley complimented Mr. Fraunfelter for his continued excellence in managing the TID's finances from the beginning of its operation.

Mr. Fraunfelter directed the Board to Page 3 of the June report and noted that \$4.9 million had been paid to RG Properties and its subsidiaries for the purchase of long term leases of real property for Austin Landing public parking lots and for partial payment for dedicated right-of-way for the major Austin Landing roadway. He also noted that Miami Township had reimbursed the TID for the amount needed to cover the federal sequestration-caused shortfall of direct IRS payment for interest paid by the TID on the Austin Landing Phase 1 bonds.

Mr. Fraunfelter noted that Page 3 of the July report showed that Austin Landing Phase 2 funds were being spent in a timely manner. He also pointed out that Page 13 of the July report reported that just over a million dollars had been received from the SIB loan for Project Walnut costs and that the Montgomery County ED/GE grant for Project Walnut of \$500,000 contributed significantly to the project's current positive cash flow.

With no additional comments or questions, adoption of Resolution 2014-43, approving the financial report for June and July 2014, as presented, was moved by Ms. Singer, seconded by Mr. Cluxton, and unanimously approved.

■ July 2014 Bills & Expenses {Resolution 2014-44}

Mr. Stanley referred the Board to Resolution 2014-44 and the summary of bills and expenses for July 2014 included in the Board packets.

Mr. Stanley commented that the payment to RG Properties of \$475,054 for the Phase 2 Austin Landing Project was for costs split between the public parking area and the public park. Mr. Fraunfelter noted that the expense amount for \$435.00 was to reimburse him for filing the GFOA application.

With no additional comments or questions, adoption of Resolution 2014-44, approving the payment of bills and expenses for July 2014, as presented, was moved by Mr. Cluxton, seconded by Mr. Kelly, and unanimously approved.

■ 2014-2015 Insurance Program {Resolution 2014-45}

Mr. Stanley referred the Board to Resolution 2014-45 approving the 2014-2015 Insurance Program, included in the Board packets.

Mr. Stanley explained that the resolution would approve his recommendation to award the TID insurance program to its current carrier, U.S. Specialty Insurance, through Brower Insurance. Mr. Stanley noted that he had invited from proposals from Brower and USI. He noted that USI had provided a lower quote; however, his recommendation was that the TID continue to maintain a program of pure insurance through US Specialty. He explained that two types of insurance were proposed. He elaborated that the US Specialty/Brower quote was for pure claims-made insurance, but that the USI proposal included the provision of primary general liability coverage through participation in a well-respected self-insurance pool with other local governments. Mr. Stanley commented that he did not believe that the TID, at this stage of its operation, should assume any long term exposure, however slight, to potential claims against other parties participating in a self-insurance pool for a few thousand dollars of current premium savings.

With no additional comments or questions, adoption of Resolution 2014-45, approving the 2014-2015 Insurance Program, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

■ Contract Modification #1 with BWSC {Resolution 2014-46}

Mr. Meyer referred the Board to Resolution 2014-46, approving contract modification #1 with BWSC for engineering and design of the Miamisburg Connector Project, which was included in the Board packets.

Mr. Stanley reported that the second public meeting for the project had been scheduled for August 28, 2014. He reminded the Board that, before constructing the Medlar Trail Project, the TID had entered into a memorandum of understanding with Five Rivers MetroParks, the City of Miamisburg, and the Miamisburg City School District to develop the Connector Trail on property already owned by Miamisburg and the School District. Mr. Stanley explained that some objections to the proposed location of the Connector Trail were made at the first public meeting and that he had

volunteered to hold a second public meeting to better explain all the alternatives considered by the TID for the project. He concluded by commenting that the bulk of the proposed change order would be for additional preparation for the 2nd meeting by BWSC and the inclusion of a landscape architect to the design team in response to public requests for screening the trail from adjoining property owners. Ms. Davidson reported that the change order would be for an additional lump sum fee of \$31,000 above the existing contract.

Mr. Cluxton reported that BWSC would soon be a new tenant within the Mound Business Park, but that, in his position as President of the Mound Development Corporation, there had been no connection or involvement concerning the TID's proposed BWSC change order.

With no additional comments or questions, adoption of Resolution 2014-46, approving contract modification #1 with BWSC, as presented, was moved by Ms. Singer, seconded by Mr. Kelly, and unanimously approved.

■ Change Order #5 with Balsbaugh Excavating {Resolution 2014-47}

Mr. Meyer referred the Board to Resolution 2014-47, approving change order #5 with Balsbaugh Excavating, which was included in the Board packets.

Ms. Davidson explained the prior change orders approved by the Board included extra work to complete culvert work at the intersection of Old Springfield Road and Union Airpark Blvd. She added that the current proposed change order included additional work at the same culvert for paving between a drainage channel and an adjacent wall. Mr. Stanley noted that the new road was officially open.

With no additional comments or questions, adoption of Resolution 2014-47, approving change order #5 with Balsbaugh Excavating, as presented, was moved by Mr. Kelly, seconded by Mr. Cluxton, 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 September 8, 2014.

■ Executive Session

Mr. Meyer suggested that the Board recess to executive session to discuss economic development.

Mr. Cluxton moved that the Board recess to executive session. Ms. Singer seconded the motion. Mr. Cluxton voted for the motion. Ms. Singer voted for the motion. Mr. Myer voted for the motion. Mr. Kelly voted for the motion.

The Board recessed to executive session at 2:58 PM. Mr. Stanley, Ms. Shillito, Mr. Fraunfelder, and Ms. Davidson joined the Board in executive session.

■ Return to Open Meeting

The Board returned to open session at 3:35 PM.

■ Executive Director Employment Agreement {Resolution 2014-48}

Ms. Shillito reported that she had prepared a modification to Mr. Stanley's employment agreement as requested by the Board and that Mr. Stanley had agreed to the proposed modification. Mr. Meyer indicated that the Board was prepared to act to amend the agreement.

Adoption of Resolution 2014-48, approving an amendment to the Executive Director's employment agreement, as presented, was moved by Mr. Kelly, seconded by Mr. Cluxton, and unanimously approved.

■ Adjourn

With no further business, Mr. Meyer adjourned the meeting at 3:36 PM.



Eric Cluxton, Secretary-Treasurer

Date