



Montgomery County Transportation Improvement District Minutes of the August 08, 2016 Board Meeting

The one hundred and eighty-fourth meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room 1002 of the Montgomery County Administration Building in Dayton, Ohio on August 08, 2016.

Chairman Mr. Meyer called the meeting to order at 2:01 PM.

VOTING BOARD

Art Meyer
Eric Cluxton
Stephanie Singer

STAFF

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

EXCUSED ABSENCE

David Bills
Tom Tatham

OTHERS IN ATTENDANCE

Andrew Stumbo, BWSC
Paul Goodhue, LJB
Erik Collins, Montgomery County C&ED
Paul Gruner, Montgomery County Engineer
Tom Mochty, Woolpert
Jay Hamilton, Mead & Hunt
Scott Knebel, Crawford, Murphy, & Tilly, Inc.
Jeff Wallace, TranSystems
Joe Esperage, CT Consultants

Business Meeting

■ Minutes of July 11, 2016 {Resolution 2016-39}

Mr. Meyer referred Board members to the minutes of the July 2016 TID Board Meeting, copies of which were included in the Board packets.

Mr. Cluxton stated that he had reviewed the minutes and found no errors. Mr. Meyer thanked Mr. Stanley for attaching the progress report. Following further discussion and response to Board questions and comments, adoption of Resolution 2016-39, approving the July 11, 2016 TID Board Meeting minutes, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

■ **Financial Report: July 2016 {Resolution 2016-40}**

Mr. Meyer referred the Board to Resolution 2016-40 and the financial report for July 2016 that were included with the board packet.

Mr. Fraunfelter directed the Board to page 1 of the financial reports. He noted that the TID had received payment of its fee for Project Walnut from ODOT's SIB and, also, from Miami Township of its initial fee for the Lyons Road Pedestrian Access Project. He also mentioned that, in response to last month's questions from the Board, page 24 of the financial report highlighted the projects for which the TID was waiting to be reimbursed for project expenses. He explained that the Air Cargo project was reported in a negative cash position at the end of July, but that the TID had received the full \$250,000 ED/GE grant from Montgomery County for the project in early August. Mr. Fraunfelter noted that the Miscellaneous Reports contained a new City of Dayton Budget Report.

Mr. Meyer thanked Mr. Fraunfelter for responding to the Board's concerns.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-40, approving the July 2016 Financial Report, as presented, was moved by Ms. Singer, seconded by Mr. Cluxton, and unanimously approved.

■ **July 2016 Bills & Expenses {Resolution 2016-41}**

Mr. Meyer referred the Board to Resolution 2016-41 and the summary of bills and expenses for July 2016 included in the Board packets.

Mr. Stanley noted that most July payments were for routine project expenses. He pointed out an entry for the July SIB payment debt service payment. He then directed the Board to page 2 of the Bills & Expenses report, noting that the TID had begun incurring costs related to the Air Cargo Access Improvements Project. He went on to note that the TID had cash in hand from the ED/GE grant, so those initial Air Cargo expenses were covered by funds in hand.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-41, approving the payment of bills and expenses for July 2016, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

■ **Commercial Insurance Program {Resolution 2016-42}**

Mr. Meyer directed the Board to Resolution 2016-42 and Marsh & McLennan's Commercial Insurance Proposal.

Mr. Stanley explained that the TID renewed its insurance coverage in August every year. He mentioned that, as per previous practice, the current proposed insurance package was negotiated with Marsh & McLennan, since the TID had sought competitive proposals for its insurance in 2015. Mr. Stanley recommended that the Board approve the Marsh & McLennan proposal, though he commented that there could be an addition to be considered later in the year. He explained that the TID had not previously carried Builder's Risk Insurance, generally requiring it of a contractor instead. He described a recent inexpensive incident of damage to a signal pole during construction on a traffic signal on SR 741 that was not covered by any party's insurance and noted that he had asked Marsh & McLennan to explore the possibility of the TID purchasing its own insurance for similar cases.

Mr. Stanley went on to note that the proposed cost was 4% above the prior year, due to that fact that the TID anticipated a more significant amount of construction in the coming year. He stated that Marsh's quote for the insurance program was, in his opinion, a very good one and recommended approval.

Mr. Cluxton mentioned that his experiences with Marsh & McLennan had always been positive ones, and praised Marc Reynolds, Marsh's Senior Vice President. Mr. Stanley agreed.

Mr. Meyer asked how long the TID is exposed to situations like the signal pole incident. Mr. Stanley explained that the TID was exposed only during construction, until the project was transferred to the local government responsible for maintenance. He added that in the signal pole case, the TID was working in ODOT's right-of-way rather than in right-of-way acquired in its own name. He explained that he did not think the TID would end up carrying Builder's Risk Insurance but thought it should be evaluated.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-42, approving the insurance proposal from Marsh & McLennan, as presented, was moved by Ms. Singer, seconded by Mr. Cluxton, and unanimously approved.

Air Cargo Access Improvements Project

■ Amendment to the City of Dayton Project Management & Financing Agreement {Resolution 2016-43}

Mr. Meyer referred the Board to Resolution 2016-43 and the first amendment to the Air Cargo Access Improvements Project Management & Financing Agreement.

Mr. Stanley noted that the amendment concerned improvements to Air Cargo Drive and related infrastructure. He explained that, as with most TID projects, the original Air Cargo agreement was done in phases. He further explained that the first phase included design work related to a fast-track project about the Spectrum Brands development on the Airport site, and the terms of the agreement only went through the end of the design process. The TID had sought bids for the project, he reported, and the Aviation Director had recommended to the City Manager that the amendment to increase the TID's contract be approved to cover the full amount of construction for both phases of the Air Cargo Access Improvements Project. Mr. Stanley noted that there was a budget attached to the amendment which incorporated the anticipated total cost of the project.

Mr. Stanley pointed out that the TID had received good bids on the construction of the project, and the Dayton City Commission would soon consider action on the proposed amendment to the TID agreement. He recommended approval of the amendment.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-43, approving the first amendment to the Air Cargo Access Improvements Project Management & Financing Agreement, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

Mr. Stanley noted that the Air Cargo project was moving ahead rapidly, with water and sewer installation on track to be completed by the end of September and roadway improvements targeted for November 4. Mr. Stanley explained that there had been some typical on-site coordination issues, but that the contractors and the TID were working through them.

Market Street Extension Project

■ City of Brookville Project Management & Financing Agreement {Resolution 2016-44}

Mr. Meyer referred the Board to Resolution 2016-44 and the Project Management & Financing Agreement with the City of Brookville.

Mr. Stanley explained that the proposed resolution would address a new project with the City of Brookville. He stated that the Brookville Project Management & Financing Agreement had the same two-phase structure found in most TID agreements. He explained that Brookville requested TID assistance with the turnkey development of a roadway that would service the development of a new fire station and industrial park in the City by the end of the 2017 construction season.

Mr. Cluxton asked about the location of the project. Ms. Davidson pointed out the map attached to the agreement. Ms. Davidson explained that the south end of Market Street was just off of Salem Road in Brookville. She added that Brookville would be building a fire station on Upper Lewisburg Salem Road, and would like to extend Market Street north to meet Upper Lewisburg Salem Road. That, she noted, would give the fire station two means of egress and also provide an opportunity to develop the surrounding land.

Mr. Stanley explained that the City of Brookville is supplying all the funds for the project. Ms. Davidson stated that Brookville needs the utilities in by July 2017, with the roadway itself finished by September 2017.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-44, approving the Project Management & Financing Agreement with the City of Brookville, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

■ Barge Waggoner Sumner & Cannon Proposal {Resolution 2016-45}

Mr. Meyer referred the Board to Resolution 2016-45 and Barge, Waggoner, Sumner, & Cannon's Proposal for the Market Street Extension Project.

Mr. Stanley noted that Barge, Waggoner, Sumner, & Cannon ("BWSC") worked on the Connector Trail Project for the TID in Miamisburg. He stated that the TID has a good relationship with BWSC, and that the firm could work within the Project's fast-track schedule. Mr. Stanley explained that BWSC's proposal fit with those from other projects of a similar nature. He recommended approval.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-45, approving BWSC's proposal for surveying and engineering services, as presented, was moved by Ms. Singer, seconded by Mr. Cluxton, and unanimously approved.

■ Application to ODOT's State Infrastructure Bank {Resolution 2016-46}

Mr. Stanley explained that the proposed resolution would authorize a TID application to borrow money for the Market Street Extension Project from ODOT's State Infrastructure Bank (SIB). He added that the TID had already met with ODOT SIB staff and learned that the Market Street Extension Project would fit size guidelines for SIB direct borrowing. He stated that the TID could likely obtain loan approved within the next 45 days.

Mr. Meyer asked about the total cost of the project. Mr. Stanley explained that the TID did not have enough engineering done yet to be sure, but it would that prior estimates prepared for Brookville were approximately \$750,000.

Mr. Meyer then asked about the maximum size of a SIB loan. Mr. Stanley stated that the SIB liked to consider direct loans up to \$2 million and direct larger projects to its bond fund.

Mr. Stanley recommended approval, and added that Ms. Ross was already writing the application for the loan.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-46, authorizing the TID to submit an application for a SIB loan for the Market Street Extension Project, as presented, was moved by Ms. Singer, seconded by Mr. Cluxton, and unanimously approved.

Austin Interchange Project

■ Application to ODOT's State Infrastructure Bank {Resolution 2016-47}

Mr. Stanley directed the Board to Ms. Davidson for the resolution regarding a second SIB loan application.

Ms. Davidson explained that the Austin Joint Economic Development District (JEDD) had contracted responsibility for maintenance and improvement of landscaping and other enhancements in right of way in the vicinity of the Austin Interchange for 2016. She stated that, over the course of the year, the TID had worked with the Kleingers Group and the JEDD Board to establish the design for additional enhancements to the infields of the Austin interchange. Ms. Davidson added that this would improve the infield appearance and attract future commerce to the area. She explained that Kleingers designed three areas within each quadrant of the intersection: the hill slopes, the swales, and the basin. The JEDD then determined that it wanted to focus mainly on the hill slopes, because improving those would efficiently create a visual impact and remedy current drainage and erosion problems. Ms. Davidson added that the JEDD established a budget of \$600,000 plus irrigation costs and fees. She explained that Kleingers was now in the process of revising its design to accommodate the JEDD's decisions. Ms. Davidson explained that she and Mr. Stanley had spoken to SIB staff about a loan for the Austin Interchange Phase 2 Enhancement Project and had offered to apply on behalf of the JEDD.

Mr. Stanley added that the TID's agreement with the JEDD would have to be amended before the JEDD could commit the additional capital for the TID to contract the work. He noted that the JEDD Board had approved going forward with a SIB loan as a means of financing the project. Mr. Stanley stated that the TID would likely hold the loan, backed by the JEDD's guarantee. He explained that this SIB loan application would be in anticipation of the JEDD amending its agreement with the TID at the JEDD's September meeting. He recommended approval.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-47, authorizing the TID to submit an application for a SIB loan for the Austin Interchange Phase 2 Enhancements Project, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

Northern Airport Access Project

■ Application to JobsOhio {Resolution 2016-48}

Mr. Stanley stated that the final item for review was authorization for submission of an application to JobsOhio for support of the North Airport Access Project. He explained that last year the TID had adopted an agreement with the City of Dayton that dealt with the US-40 Improvement Project and a potential new roadway to service the north side of the Dayton International Airport (North Airport Access Project). He stated that the TID had completed about 50% design work for the project and was working with the Aviation Director to plan for assembling capital to build the roadway itself. Mr. Stanley explained that he and the Aviation Director had recently agreed that applying to JobsOhio for grant support would be a part of that plan. He stated that the complete cost of the roadway project would be approximately \$2.8 million.

Mr. Meyer asked for what the size of the TID application would be and Mr. Stanley answered that the TID would pursue 50% of construction costs.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-48, authorizing the TID to submit an application to JobsOhio for a grant for the Northern Airport Access Project, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, 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 1002 on the 10th floor of the Montgomery County Administration Building on September 12, 2016. Mr. Cluxton mentioned that he would not be able to attend.

■ Executive Session

Ms. Shillito suggested that the Board recess to executive session to discuss employment compensation of the TID's Executive Director. She also suggested that the Board address economic development assistance requests related to the City of Dayton, Montgomery County, and the previously discussed airport projects, along with economic development assistance requests related to Miamisburg, Miami Township, and jurisdictions related to the I-75 project.


Mr. Cluxton moved that the Board recess to executive session, for reasons suggested by Ms. Shillito. Ms. Singer seconded the motion. Ms. Singer voted for the motion. Mr. Cluxton voted for the motion. Mr. Meyer voted for the motion.

The Board recessed to executive session at 2:36 PM. Mr. Stanley and Ms. Shillito joined the Board in executive session.

The Board returned to open session at 4:00pm.

■ **Adjourn**

With no further business, Mr. Meyer adjourned the meeting the meeting at 4:15PM.



Eric Cluxton, Secretary-Treasurer

10/11/16
Date