



Montgomery County Transportation Improvement District Minutes of the August 14, 2017 Board Meeting

The one hundred and ninety-sixth 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 14, 2017.

Chairman Meyer called the meeting to order at 2:04 PM.

VOTING BOARD

Art Meyer
Tom Tatham
Stephanie Singer

STAFF

Steve Stanley, Executive Director
Linda Gum, Project Manager
Bev Shillito, General Counsel
Crystal Corbin, Deputy Director
Mike Eddy, Project Manager
Sean Fraunfelder, Finance Director

EXCUSED ABSENCE

David Bills
Eric Cluxton

OTHERS IN ATTENDANCE

Paul Gruner, Montgomery County Engineer's Office
Andy Shahan, LJB, Inc.
Vanessa Glotfelter, BWSC
Mark Henderson, CT Consultants
Nick Yeretian, The Kleingers Group
David Seagraves, IBI Group
Erik Collins, Montgomery County C&ED
Anna Lee Durastanti, O.R. Colan Associates
Jay Hamilton, Mead & Hunt
Nathan Fischer, Woolpert

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

Business Meeting

■ Minutes of July 10 and August 4, 2017 {Resolution 2017-58}

Mr. Meyer referred Board members to the minutes of the July 10, 2017 TID Board Meeting and August 4, 2017 Special Board Meeting, copies of which were included in the Board packets.

Ms. Shillito suggested a correction to Page 7 of the July minutes to include "and Union" inserted between the words "Vandalia" and "prior" in the last sentence of the 2nd Paragraph. Mr. Stanley also suggested a correction to Page 5 to remove an unintended space between "\$1," and "5" in the 2nd sentence of the 1st Paragraph. Mr. Stanley agreed to revise the minutes to reflect the changes.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-58, approving the July 10, 2017 TID Board Meeting minutes with corrections and the August 4, 2017 Special Board Meeting minutes, as presented, was moved by Ms. Singer, seconded by Mr. Tatham, and unanimously approved.

■ Financial Reports: July 2017 {Resolution 2017-59}

Mr. Meyer referred the Board to Resolution 2017-59 and the Financial Reports for July 2017 included in the Board packets.

Mr. Fraunfelter pointed out a revenue entry of \$235,000 in the report on the Operating Fund (Fund 700) on Page 1 of the July report and explained that the TID had received payment from the City of Miamisburg in connection with the fee for the Byers Connector Road Project.

Mr. Fraunfelter also referred to Page 2 of the report on the Austin Road Fund (702 Fund), noting a revenue entry of \$4,465,000 for the construction of the Byers Road Connector Project. He explained that these line items are reflected on Page 19 of the Bank Reconciliation of all Accounts along with the TID fees of 2017 to date which total \$661,800. Mr. Tatham requested clarification for the entry "TID Deficit Carry on unreimbursed" in the Bank Reconciliation statement. Mr. Fraunfelter explained that it was a summary derived from other project carrying costs highlighted on the page, primarily from the \$1,500,000 due for the "Big Dig" storm water easement. He also noted that some costs for active projects had been advanced and were awaiting reimbursement.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-59, approving the Financial Reports for July 2017 was moved by Mr. Tatham, seconded by Ms. Singer, and unanimously approved.

■ July 2017 Bills & Expenses {Resolution 2017-60}

Mr. Meyer referred the Board to Resolution 2017-60 and the summary of bills and expenses for July 2017 included in the Board packets.

Mr. Stanley highlighted payments to T.R. Gear Landscaping in the amount of \$125,344.80 and \$52,830.00 for the Austin Enhancements Phase II Project. He noted that the payments would be reimbursed from the project SIB Loan once it was executed in final form. He reported that all listed payments were for routine project expenses. Mr. Fraunfelter pointed out the GFOA reimbursement of \$435.00 and noted that, for ease of administration, he had paid the fee and requested reimbursement. Mr. Stanley recommended that the resolution be approved.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-60, approving the payment of bills and expenses for July 2017, as presented, was moved by Ms. Singer, seconded by Mr. Tatham, and unanimously approved.

■ Commercial Insurance Program {Resolution 2017-61}

Mr. Meyer referred the Board to Resolution 2017-61 and the Commercial Insurance Program included in the Board packets.

Mr. Stanley explained that it was necessary for the TID to renew its insurance coverage in August every year. He mentioned that, as per previous practice, the current proposed insurance package was negotiated through Marsh &

McLennan. Ms. Gum and Ms. Corbin confirmed that the proposed premium was slightly higher than the previous year's premium. Mr. Stanley commented that the quote for the insurance program of \$17,872 was, in his opinion, a very good one and recommended approval of the renewal.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-61, approving the Commercial Insurance Program, as presented, was moved by Mr. Tatham, seconded by Ms. Singer, and unanimously approved.

Austin Aesthetics Phase II

■ T.R. Gear Landscaping Change Order #2 {Resolution 2017-62}

Mr. Meyer referred the Board to Resolution 2017-62 and the T.R. Gear Landscaping Change Order #2 included in the Board packets.

Ms. Corbin explained that due to inclement weather, a time extension was requested by the contractor of the Austin Enhancements Phase II Project and that the proposed change order would memorialize the TID's approval of the extension. Mr. Stanley explained that the contractor had performed well, particularly considering the challenging slopes on which the construction had to occur and that he was pleased with how the project looked. Ms. Singer asked if the time extension would harm the project. Mr. Stanley answered that it would not harm the project and that the contractor's warranty for the landscaping plantings would extend for a full year from the end of the project. He recommended approval of the resolution.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-62, approving the T.R. Gear Landscaping Change Order #2, as presented, was moved by Ms. Singer, seconded by Mr. Tatham, and unanimously approved.

■ SIB Loan Term Sheet Revision {Resolution 2017-63}

Mr. Stanley referred the Board to Resolution 2017-63 and the revised SIB Loan Term Sheet included in the Board packets.

Ms. Shillito reminded the Board that the TID was working with the Austin Center Joint Economic Development District (JEDD) to borrow \$704,000 through an ODOT SIB loan. She explained that the JEDD would guarantee and fund all payments under the borrowing, providing a reserve to the TID and a pledge to the SIB on a senior priority basis, of all annual JEDD revenues. She reminded the Board that the SIB Loan itself had already been approved and explained that the terms of the loan agreement had changed sufficiently to require additional Board action. The proposed resolution, she indicated, would authorize the Executive Director to enter into the revised Agreement with the SIB and JEDD. Mr. Stanley commented that the proposed loan agreement included unusual conditions that ODOT had requested from the JEDD and that the proposed revision stemmed from that reasoning.

Mr. Meyer asked if all three jurisdictions that were members of the JEDD would provide the requested back-up guarantee and Mr. Stanley confirmed that they were prepared to do so. Ms. Shillito recommended approval of the resolution.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-63, approving the SIB Loan Term Sheet Revision, as presented, was moved by Mr. Tatham, seconded by Ms. Singer, and unanimously approved.

City of Brookville Market Street Extension

■ Brumbaugh Construction Change Order #1 {Resolution 2017-64}

Mr. Meyer referred the Board to Resolution 2017-64 approving the Brumbaugh Construction Change Order #1, copies of which were included in the Board packets.

Ms. Corbin explained that the change order with Brumbaugh included the application of lime stabilization on the new portion of Market Street in the amount of \$4,257.76. She commented that the contractor had found some areas of the roadway bed where undercutting might not be sufficiently stable and recommended the lime stabilization process. Ms. Corbin added that the TID had previous experience with other projects with lime stabilization and that it had achieved favorable results. She explained that Brumbaugh was prepared to use Balsbaugh Excavating to perform the work and noted that the TID had worked with Balsbaugh successfully on previous projects. She recommended approval of the resolution.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-64, approving the Brumbaugh Construction Change Order #1, as presented, was moved by Ms. Singer, seconded by Mr. Tatham, and unanimously approved.

City of Miamisburg Byers Road Connector

■ Barge, Waggoner, Sumner, and Cannon Addendum #1 {Resolution 2017-65}

Mr. Meyer referred the Board to Resolution 2017-65 approving a Barge, Waggoner, Sumner, and Cannon Addendum #1, copies of which were included in the Board packets.

Mr. Stanley explained that the Board had previously approved a construction engineering agreement with Barge, Waggoner, Sumner, and Cannon (BWSC) in connection with the Byers Connector Project. He reported that the majority of the original contract had been used, primarily due to the addition of staking and surveying to BWSC's scope during construction. He recommended adding an additional \$15,000 that would be used toward the completion of the project.

Mr. Eddy reported that the project was still on schedule provided that the weather continued to hold. Mr. Stanley added that some unmarked utilities were uncovered during construction but that nothing had been damaged. He added that there would be an additional change order in the future for the addition of driveway repairs for the United Grinding Project.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-65, approving the Barge, Waggoner, Sumner, and Cannon Addendum #1, as presented, was moved by Mr. Tatham, seconded by Ms. Singer, and unanimously approved.

City of Miamisburg Riverfront Park

■ Bowser-Morner Testing Services {Resolution 2017-66}

Mr. Meyer referred the Board to Resolution 2017-66 approving an agreement with Bowser-Morner for testing services, copies of which were included in the Board packets.

Mr. Stanley explained that the resolution pertained to the second project under the Miamisburg Project Management and Financing Agreement. Mr. Eddy explained that Bowser-Morner's proposal was for standard materials testing on an as-needed basis for the Riverfront Roadway Project. He explained that the project had recently begun and that the contractor, Double Jay Construction, had already mobilized on site.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-66 approving a Bowser-Morner Testing Services Agreement, as presented, was moved by Ms. Singer, seconded by Mr. Tatham, and unanimously approved.

Wetlands Mitigation and Development

■ Five Rivers Metro Parks Memorandum of Understanding {Resolution 2017-67}

Mr. Meyer referred the Board to Resolution 2017-67 approving a Five Rivers MetroParks Memorandum of Understanding, copies of which were included in the Board packets.

Mr. Stanley reminded the Board that a Wetlands Mitigation and Development Project had also been included in the scope of the Miamisburg PMFA Agreement. He explained that the City had engaged the TID to identify and manage a strategy for wetlands delineation and mitigation to support current and future development in the northwest quadrant of the Austin Interchange, including forging a partnership with Five Rivers MetroParks to create and manage wetlands on property owned or controlled by Five Rivers. He further explained that the first proposed site that Five Rivers had chosen was located in Carriage Hill MetroPark and the map included with the proposed Agreement illustrated that choice. He stated that commented that each determined project area would have its own individual agreement for approval as it developed in the future.

Mr. Meyer asked about the actual undertaking of the process. Mr. Stanley explained that project would include construction of wetland and stream enhancements, including plantings, as well as five years of monitoring.

Following discussion and response to Board questions and comments, adoption of Resolution 2017-67 approving the Five Rivers MetroParks Memorandum of Understanding, as presented, was moved by Mr. Tatham, 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 11, 2017 at 2:00 PM.

■ **Executive Session**

Mr. Meyer suggested that the Board recess to executive session. Ms. Shillito explained that the executive session would be necessary to consider negotiations with Montgomery County and other political subdivisions related to requests for economic development assistance and public infrastructure improvements for projects including the City of Miamisburg and the Fairgrounds Project in Montgomery County.

Ms. Singer moved that the Board recess to executive session, for the purposes indicated by Ms. Shillito. Mr. Tatham seconded the motion. Ms. Singer voted for the motion. Mr. Tatham voted for the motion. Mr. Meyer voted for the motion.

The Board recessed to executive session at 2:45 PM. Mr. Stanley, Mr. Fraunfelder, Ms. Shillito, Ms. Corbin and Mr. Eddy joined the Board in executive session.

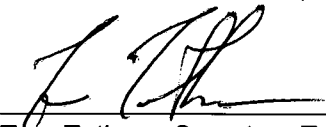
The Board returned to open session at 3:15 PM.

■ **Appointment of Secretary-Treasurer**

Ms. Shillito explained that, following Eric Cluxton's retirement from the TID Board, it would be necessary for the Board to elect a Secretary-Treasurer to for the balance of his 2017 term. Following discussion among the members of the Board, Ms. Singer moved that Mr. Tatham be elected to serve as the Board's Secretary-Treasurer for the remainder of 2017. Mr. Tatham seconded the motion. The motion was unanimously approved.

■ **Adjourn**

With no further business, Mr. Meyer adjourned the meeting at 3:17 PM.



Tom Tatham, Secretary-Treasurer

10/10/17

Date