



Montgomery County Transportation Improvement District Minutes of the September 9, 2019 Board Meeting

The two hundred and twenty-fifth meeting of the Montgomery County Transportation Improvement District (TID) Board of Trustees convened in Room 1001 of the Montgomery County Administration Building in Dayton, Ohio on September 9, 2019.

Mr. Meyer called the meeting to order at 2:05 PM.

VOTING BOARD

Art Meyer
Stephanie Singer
Tom Tatham
Walt Hibner
Dave Bills

STAFF

Steve Stanley, Executive Director
Crystal Corbin, Deputy Director
Linda Gum, Project Manager
Mike Eddy, Project Manager
Bev Shillito, General Counsel
Sean Fraunfelder, Finance Director
Veronica Hull, Administrative Assistant
Betty Hull, Rasor Communications

EXCUSED ABSENCE

OTHERS IN ATTENDANCE

Dan Bish, Montgomery County Economic Development
Scott Knebel, Crawford, Murphy & Tilly
Vanessa Glotfelter, Barge Design Solutions
Nathan Fisher, Woolpert
Andy Shahan, LJB
Paul Butt, O.R. Colan Associates
Kendall Bales, JMT Inc.
Sam Morton, The Kleingers Group
Kathy Streng, DLZ

Mr. Meyer asked that everyone in attendance introduce himself or herself. Self-introductions followed.

■ Minutes of August 12, 2019 {Resolution 2019-70}

Mr. Meyer referred the Board to Resolution 2019-70 and the Minutes for the August 12, 2019 TID Board meeting, copies of which were included in the Board Packet.

Following discussion and response to Board questions and comments, adoption of Resolution 2019-70, approving the minutes of the August 12, 2019 TID Board meeting, as presented, was moved by Mr. Hibner, seconded by Ms. Singer, and unanimously approved.

■ Financial Reports: August 2019 {Resolution 2019-71}

Mr. Meyer referred the Board to Resolution 2019-71 and the Financial Report for August 2019, copies of which were included in the Board Packet.

Mr. Fraunfelter referred the Board to Page 1 of the Report which included a revenue entry in the Operating Fund (#700) of \$300,000 from Montgomery County, which he explained was the payment due from 2018 per the Mutual Services Agreement between the TID and the County.

Mr. Fraunfelter directed the Board to Page 2 of the Report for the Austin Road Fund (#702), pointing out that the TID had received a SIB Loan reimbursement of \$281,859 for the Lower Miamisburg Road Project. He also referred the Board to Page 13 of the Report, noting that the TID had received a \$328,646 reimbursement from the Ohio Development Services' Roadwork Development (629) Program for the Lightner Road Project. Mr. Fraunfelter referred the Board to Page 21 of the Report and highlighted the TID's "Unrestricted TID Cash Balance" of \$1,098,563.

Ms. Corbin explained that three projects—Lower Miamisburg Road, Lightner Road, and Lyons Pedestrian Access—were near being closed, pending final expense reconciliation. She reminded the Board that the TID's unrestricted cash balance had fluctuated during peak construction season based on the receipt of various funding source reimbursements.

Following discussion and response to Board questions and comments, adoption of Resolution 2019-71, approving the August 2019 Financial Report, as presented, was moved by Ms. Singer, seconded by Mr. Tatham, and unanimously approved.

■ August 2019 Bills & Expenses {Resolution 2019-72}

Mr. Meyer referred the Board to Resolution 2019-72 and the summary of bills and expenses for August 2019, copies of which were included in the Board Packet.

Ms. Corbin highlighted a few bills and expenses. She explained that:

- (1) The \$6,370 payment to the IBI Group listed under the Lyons Road Pedestrian Access Project related to Addendum #2 to the IBI Construction Inspection Agreement approved by the Board in July.
- (2) The \$8,680 payment to Sebaly, Shillito & Dyer listed under the City of Union—TIF was for legal work for the real property option exercised in connection with Project Moonlight.

Following discussion and response to Board questions and comments, adoption of Resolution 2019-72, approving the payment of bills and expenses for August 2019, as presented, was moved by Mr. Bills, seconded by Mr. Hibner, and unanimously approved.

Lyons Road Pedestrian Access Project

■ R.B. Jergens Change Orders #6 and #7 {Resolution 2019-73}

Mr. Meyer referred the Board to Resolution 2019-73 and R.B. Jergens Change Orders #6 and #7, copies of which were included in the Board Packet.

Mr. Eddy reported that a bid item for Raised Pavement Markers (“RPMs”) was omitted from the original bid packet. He explained that Change Order #6 was for a time extension needed to accommodate the installation of the RPMs and that Change Order #7 was for removal and replacement of 125 RPMs in the amount of \$11,875.

Mr. Eddy provided the Board with a brief progress report concerning the Lyons Road Pedestrian Access Project, explaining that R. B. Jergens had completed construction and re-seeding and would be monitoring subsequent grass growth.

Following discussion and response to Board questions and comments, adoption of Resolution 2019-73, approving R.B. Jergens Change Order #6 to extend the completion date of the project to July 31, 2019, and Change Order #7 increasing the contract by \$11,875 for the additional cost of raised pavement markers for the Lyons Road Pedestrian Access Project, as presented, was moved by Mr. Hibner, seconded by Mr. Tatham, and unanimously approved.

I-675/Wilmington Pike Interchange Project

■ City of Centerville – Project Management & Financing Agreement {Resolution 2019-74}

Mr. Meyer referred the Board to Resolution 2019-74 approving a Project Management and Financing Agreement (“PMFA”) for the I-675 / Wilmington Pike Interchange with the City of Centerville, copies of which were included in the Board Packet.

Ms. Corbin reported to the Board that the City of Centerville had approached the TID to assist with identifying roadway conditions and improvement opportunities on and around the I-675/Wilmington Pike Interchange. She explained that Mr. Stanley had negotiated the terms of the Phase I Project Management and Financing Agreement (“PMFA”) and asked him to provide further explanation.

Mr. Stanley explained that the TID had been in discussion with the City of Centerville for a number of months about the need to improve the 675/Wilmington Interchange. He characterized the proposed Phase 1 PMFA as a preliminary agreement between the two parties to explore the potential scope of the project and identify the interest of additional stakeholders that would need to be involved. He explained that—since the Interchange was actually located in both Montgomery and Greene Counties—the TID would be able to assume a leadership position in the potential project only if the Montgomery County Commissioners and the Greene County Commissioners agreed to that and memorialized the terms of the engagement in a written agreement. Mr. Stanley added that the Phase 1 PMFA budget was set at \$20,000 with a contribution of \$10,000 from the City of Centerville and \$10,000 from the TID utilizing funds provided by Montgomery County.

Mr. Stanley explained that the TID would provide overall project management and lead meetings with potential project stakeholders, including Montgomery County, Greene County, ODOT District 7, ODOT District 8, the Miami Valley Regional Planning Commission, a number of other local governments, and some private sector land owners.

Mr. Meyer asked who would be primarily responsible for critical decisions related to the project. Mr. Stanley replied that the parties making important decisions could vary, depending on the definition of the project. He added that the initial critical decision about the TID’s involvement would clearly be made by the two county governments.

Mr. Meyer asked about the options that might be considered for improvement. Mr. Stanley answered that improvements to the Interchange itself would be certainly considered along with the possible addition of lanes on I-675. He reported that Centerville had previously engaged LJB to analyze traffic conditions in the area.

Mr. Hibner referred to the map provided in the Board Packet. He asked if the identification of certain roadways meant that there would be a possibility of their improvement. Mr. Stanley explained that he had requested that LJB prepare a map that would identify a broad potential project scope, but that the inclusion of any roadway improvement was likely dependent on the interest of specific local governments.

Mr. Meyer asked when the initial study would be completed. Mr. Stanley answered that the deadline included in the PMFA was December 31, 2019. He added that he expected a majority of the time would be devoted to meeting with the various stakeholders.

Mr. Tatham asked how the TID could cross over into another county's jurisdiction. Mr. Stanley explained that a provision was added to the Ohio Revised Code in 2013 to provide for the possibility. He cited ORC 5540.18 and noted that it provided for a TID to undertake projects located outside the county in which it was created if the County Commissioners from both counties entered into an agreement for that purpose.

Mr. Meyer asked if there was a TID operating in Greene County. Mr. Stanley replied that there was not, but that the Montgomery County Administrator and the Greene County Administrator had had a preliminary discussion about the TID and a 675/Wilmington Interchange Project.

Following discussion and response to Board questions and comments, adoption of Resolution 2019-74, approving the City of Centerville Project Management & Financing Agreement for the I-675 / Wilmington Pike Interchange Project, as presented, was moved by Mr. Bills, seconded by Ms. Singer, and unanimously approved.

I-70/75 Logistics Access Project (US-40)

■ Right of Way Consultants Selection {Resolution 2019-75}

Mr. Meyer referred the Board to Resolution 2019-75 authorizing the selection of consultants for Right-of-Way Acquisition and Appraisal Review Services for the I-70/75 Airport Logistics Access Project, included in the Board Packet.

Ms. Corbin reminded the Board that—due to the amount of funds allocated for right of way services for the project—the TID was required to select all consultants engaged in the right of way acquisition and appraisal services through ODOT's Quality-Based Selection Process. She explained that ODOT required advertisement for Letters of Interest ("LOI's") from consultants prequalified by ODOT.

Ms. Corbin reported that the TID had received five LOI's from prequalified consulting teams--Briggs Creative Services, Integra Realty Resources, O.R. Colan & Associates, Heritage Land Services, and the Martin + Wood Appraisal Group. She explained that a Selection Committee composed of herself, Mr. Stanley, and Mr. Eddy had reviewed the LOI's and then independently rated and ranked the qualifications of each consultant based upon ODOT's Consultant Selection Rating Form.

Ms. Corbin recommended that (1) Heritage Land Services be selected to perform the primary right of way acquisition and appraisal services (Contract A) and (@) Integra Realty Resources be selected to perform appraisal review services (Contract B).

Mr. Stanley commented that all of the LOI's were excellent and from highly qualified consultants. He added that the somewhat higher scores of the recommended firms related to their previous successful work with the TID or their recent appraisals of real estate in the immediate area of the Dayton International Airport.

Following discussion and response to Board questions and comments, adoption of Resolution 2019-75, authorizing the selection of Heritage Land Services and Integra Realty Resources for Right of Way Acquisition Services and Appraisal Review Services for the 70/75 Airport Logistics Access Project, was moved by Mr. Tatham, seconded by Mr. Hibner, and unanimously approved.

Deeds Point Bridge Project

■ Five Rivers Metro Parks-PMFA-Addendum #2 {Resolution 2019-76}

■ E. L. Robinson-Design & Engineering Services-Amendment #1 {Resolution 2019-77}

Mr. Meyer referred the Board to Resolution 2019-76 approving the (1) Second Addendum to the Project Management and Financing Agreement ("PMFA") for Phase I of the Deeds Point Pedestrian Bridge Project with Five Rivers MetroParks, and (2) Resolution 2019-77 approving the First Amendment to the Professional Services Agreement ("PSA") with E. L. Robinson for engineering design services for the Deeds Point Project, copies of which were included in the Board Packet.

Ms. Corbin reminded the Board, that during its January 2019 meeting, a PMFA had been approved with Five Rivers MetroParks for Phase 1 of the Deeds Point Pedestrian Access Bridge. She commented that the typical PMFA would progress from Phase I for planning and design to Phase II for financing and construction. However, in the case of the Deeds Point Project, she explained that Phase II incorporated design, financing, and construction. She explained that the proposed amendment and addendum would authorize a Phase II-Stage 1 scope for design services only, since it was still undecided whether the TID or 5 Rivers would bid and oversee the construction stage of the project.

Ms. Corbin reminded the Board that, during its March 2019 meeting, it had accepted E. L. Robinson's ("ELR") proposal to provide engineering design services of entire Deeds Point Project and authorized the Executive Director to enter into a professional service agreement Part 1 of the proposal for preliminary examination of the alternatives for replacing the bridge. She explained that Five Rivers was ready to move forward to begin Part 2--the engineering and design phase--of the selected alternative in the amount of \$60,378 as defined in the firm's original proposal.

Mr. Stanley commented on two substantive issues concerning the design of the replacement bridge.

- He explained that Robinson's original proposal included different prices for the actual design of the bridge, depending on whether a prefabricated structure was selected or a custom design was seen as necessary. He added that the custom design option had been removed from consideration because it would take longer and replacing the bridge as soon as possible was a priority for all parties.

- The second issue, he explained, was a new issue of whether or not proprietary composite materials should be considered for the structural components of the bridge. He added that this new consideration was slowing down the process of designing the new bridge to some degree.

Mr. Meyer asked why non-traditional materials would be considered, given the failure of the current bridge and the need to expedite its replacement. Mr. Stanley answered that a Five Rivers staff member had recently seen a presentation about composite structural bridge components and had raised the question of whether the cost of long-term maintenance might be lower with composite structural materials. He added that he anticipated bringing the matter to a close quickly.

Following discussion and response to Board questions and comments, adoption of (1) Resolution 2019-76, approving the Second Addendum to the PMFA with Five Rivers MetroParks for the Deed's Point Pedestrian Bridge Project, and (2) Resolution 2019-77, approving the First Amendment to the PSA with E. L. Robinson for the Deeds Point Pedestrian Bridge Project, as presented, was moved by Ms. Singer, seconded by Mr. Hibner, and unanimously approved.

■ **Public Comments**

There were no public comments.

■ **Next Meeting**

Mr. Meyer confirmed that the next regular Montgomery County TID Board Meeting would be held in Room 1001 on the 10th floor of the Montgomery County Administration Building on October 7, 2019 at 2:00 PM.

■ **Executive Session**

Mr. Meyer suggested that the Board recess to executive session. Mr. Stanley explained that the executive session would be necessary to discuss the 70/75 Airport Logistics Project, economic development projects in northern Montgomery County, and review personnel matters related to the Deputy Director's employment agreement.

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

The Board recessed to executive session at 2:34 PM. Mr. Stanley, Ms. Corbin, Mr. Fraunfelter, Ms. Shillito, Mr. Eddy and Ms. B. Hull joined the Board in executive session.

The Board returned to open session at 3:29 PM.

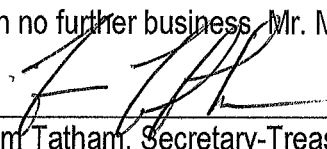
■ **Employment Agreement with Crystal Corbin {Resolution 2019-78}**

Mr. Meyer summarized the results of the Board's review of Ms. Corbin's Employment Agreement. He thanked Ms. Corbin for her leadership and continued growth, development and accomplishments in support of the TID.

Following discussion and additional Board comments, adoption of Resolution 2019-78, approving an Employment Agreement with Crystal Corbin dated as of September 9, 2019 and retaining Ms. Corbin's services as the Deputy Director of the TID was moved by Mr. Tatham, seconded by Mr. Bills, and unanimously approved.

■ **Adjourn**

With no further business, Mr. Meyer adjourned the meeting at 3:31 PM.



Tom Tatham, Secretary-Treasurer

12-9-19

Date