

FAIRFIELD COUNTY TRANSPORTATION IMPROVEMENT DISTRICT

MINUTES OF REGULAR BOARD MEETING

August 08, 2023

FAIRFIELD COUNTY RECORDS CENTER

138 WEST CHESTNUT STREET; LANCASTER, OHIO 43130

Sonja Simpson called the meeting to order just after 1:05 p.m. on August 08, 2023 at the Fairfield County Records Center. The following persons were present: Sonja Simpson (TID Chairperson); Rick Szabrak (TID Vice-Chairperson); Jeremiah Upp (TID Secretary/Treasurer); Greg Butcher (TID Board Member); Dave Levacy (Fairfield County Commissioner); Jeff Fix (Fairfield County Commissioner); Aundrea Cordle (Fairfield County Administrator); Mitch Noland (Fairfield County Engineer's Office); Jason Grubb (Fairfield County Engineer's Office); Anthony Iachini (Fairfield County Economic Development); Bill Lozier (TransCon Ohio); Tom Pannett (Kegler, Brown, Hill & Ritter); Scott Seamen (GPD Group); Isaac Brandt (WCS); Kyle Massaros (ASI); Susan Derwarter (Environmental Design Group); Ralph Hedrick (Amanda Twp Trustee); Jacque Annarino (ODOT)

1. APPROVAL OF REGULAR MEETING MINUTES:

- a. Approval of the July 11, 2023; regular meeting minutes.
- b. Motion to approve made by Mr. Upp. Second by Mr. Butcher. All members approved. Motion carried.

2. PUBLIC COMMENT:

- a. No public comments.

3. REPORT FROM FINANCE COMMITTEE: County TID Financial Report

- a. Report beginning July 6, 2023, to August 2, 2023.

Date	Description	Revenue	Expenses	Balance
07/06/23	Beginning Balance			\$278,956.96
07/17/23	TransCon, Ohio (June Invoice)		\$2,000.00	\$276,956.96
07/17/23	Kegler Brown Hill & Ritter		\$1,924.33	\$275,032.63
08/02/23	Ending Balance			\$275,032.63

- b. Mr. Upp (TID Treasure-Secretary) noted the August Financial Report shows a beginning date of 7/16/23. The actual beginning date should be 7/6/23. Mr. Upp noted he would correct the report.
- c. Mr. Szabrak made a motion to approve the Financial Report after editing/correcting the beginning date to 07/06/2023. Second by Mr. Butcher. All members approved. Motion carried.

4. NEW BUISNESS:

- a. **Accounting Firm: Wilson, Shannon & Snow** – Mr. Upp stated he met with Jason Carr of Wilson, Shannon & Snow (WSS) to review the firm’s interest and ability to represent the Fairfield County TID. Mr. Upp, Bill Lozier, Mitch Noland, Cheryl Downour and Jason Grubb met with Mr. Carr to discuss accounting, financial reports, financial resolutions, TID transactions, bank reconciliations, and other accounting practices in accordance with other TIDs. The board had some questions about WSS rate as outlined in the proposal from Mr. Carr. They discussed the possibility of contracting WSS on an hourly basis. The board requested Mr. Upp meet with other accounting firms that could also complete this type of work. The board also requested Mr. Upp discuss an hourly rate with Mr. Carr. Mr. Upp agreed to do both and bring the findings back to the board.
- b. **TID Website** – The board discussed opening a TID “website” to help communicate with the public and give an outlet for consultants to interact with the TID. Mr. Pannett agreed to look at the TID by-laws and review any legal issues including appropriate timing for meeting notices. The board agreed the website is an administrative function and we can move forward with building the page. The board agreed to create an additional webpage on the Fairfield County Engineers website.
- c. **TID Checking Account** – Mr. Upp discussed opening a standalone checking account for the TID in lieu of using the County Auditor and Treasurer for this function. Mr. Szabrak noted the Fairfield County Port Authority has a stand-alone checking account because the Port Authority is a separate county entity. Mr. Pannett agreed this would be beneficial and noted many other TIDs function in a similar way.

5. OLD BUISNESS:

- a. **TransCon Ohio Agreement** – The board discussed amending the current agreement with TransCon Ohio for the remainder of 2023. Mr. Pannett noted that he will propose a new contract for TransCon Ohio in 2024.
 - i) **Resolution Number 2023-06** – A resolution approving and authorizing the execution of an amendment to the 2023 consulting agreement with TransCon Ohio, LTD.
 - (1) *Mr. Szabrak made a motion to adopt the resolution. Second by Mr. Upp. Roll call vote was taken. All members voted “yes”. Resolution approved.*
- b. **Consultant Project Update Report**
 - i) **Refugee Road Shared Use Path** – Mr. Upp stated that the federal grant was applied for, and granted to, the Fairfield County TID (FCTID). The grant amount is \$1.2 million dollars. The intention was to move the project forward with the FCTID administering the project however, after discussion with ODOT District 5, we are realizing FCTID is not an LPA (Local Public Agency). When Federal funds are used in consultant contracts, the Federal Highway Administration (FHWA) requires the Ohio Department of Transportation to comply with rules set out in 23 CFR 172. FHWA issued a set of updated rules effective June 22, 2015. The rules address program management and oversight, consultant selection, negotiation, consultant

contracts, administration, and cost accounting. The rules also require ODOT ensure that local governments comply with the rules when Federal funds are used in consultant agreements. This means the project needs administered by the Fairfield County Engineers Office (FCEO) because FCEO is an LPA per the FHWA guidelines. The board discussed FCEO administering the project versus FCTID administering the project. The board discussed the issue of the local match as required by the grant. The local match requires 10% of the project be funded by the local agency. This means \$120,000.00 would be required from whomever administers the project. Mr. Upp noted; generally, FCEO would contribute \$150,000 per year to the FCTID. In lieu of the annual contribution for 2024, FCEO would administer the project and pay the local match of \$120k directly to ODOT. This eliminates the need for the FHWA grant to go into the TID account and then be transferred to FCEO to administer the project. That transfer would require intergovernmental agreements between FCTID and FCEO. The agreements would need to be drafted by KBHR, which would require additional fees for legal work. All this can be eliminated by simply allowing FCEO to receive the grant, pay the local match and administer the project. The board agreed this would be beneficial. For accounting purposes, a memo to the file will note the \$120k local match paid by FCEO in lieu of FCEOs annual contribution to FCTID for 2024.

ii) Basil Western Rd. Realignment –

(1) TID Grant (Ohio Jobs & Commerce) - Mr. Lozier noted that FCTID did not receive the TID grant from Ohio Jobs & Commerce (OJC). Mr. Lozier stated the feedback he received from Fred Vogel was the selection committee felt 2026 was too far out for construction. The OJC committee prefers the funds to be used inside the fiscal year its awarded and this project is scheduled to be constructed in 2026. That exceeds the committee's guidelines for this grant. The OJC committee encourages FCTID to apply again in 2024.

(2) Memorandum of Understanding – Mr. Szabrak stated that the MOU is complete and awaiting signatures. Mr. Szabrak noted that the Violet Township used to have a Port Authority. Violet Township dissolved the Port Authority in agreement with Fairfield County. In the agreement Fairfield County agreed to pay all legal fees tied to development through 2023. Violet Township wanted to make sure that was clear in the MOU. Those changes are outlined in *Section 3(c) Costs and Expenses*. Mr. Szabrak asked if the board needs to vote on the signing of this MOU? Mr. Pannett stated that the board already passed a resolution authorizing Mr. Upp the flexibility to sign the MOU. When all signatures are in place and the MOU is complete it will release the first payment from DHL for \$527,000. Violet Township signed last week. Canal Winchester should approve it Monday night (8/7/23). Fairfield County Port Authority should approve on Thursday (8/10/23). Fairfield County Commissioners should approve next Tuesday (8/15/23). At that point the MOU will be executed. It will go to DHL for payment. Mr. Pannett asked who DHL will write the check to; does it go to the County or the TID? Mr. Szabrak noted the agreement outlines the TID, but he believes DHL would be open to writing it to the County. Mr. Pannett asked if

the TID has its own bank account. Mr. Upp stated that the TID has an account with the County Auditor. Mr. Szabrak also stated he spoke with the bond council to discuss options; if the County would issue the bonds, or if the Port Authority would issue the bonds. If the Port Authority issues the bonds, it allows the for a longer term. There still needs to be a discussion with the County Commissioners before reaching a decision. Mr. Szabrak also mentioned Canal Winchester has agreed to contribute funds toward the bonds if there is an agreement for reimbursement. The board continued to discuss the need for an accurate estimate to adequately estimate bond amounts.

- iii) **Far East Freeway** – Mr. Lozier stated Greg Butcher heard from ODOT about aesthetics on the bridges (“*Pickerington*” on one side and “*Reynoldsburg*” on the other side). There should be a meeting soon with ODOT.
- iv) **US33/I-70 Connector** – Mr. Lozier shared the Silicon Heartland Regional Projects graphic from ODOT. This graphic highlights 14 projects that ODOT and Licking County TID are working on. Mr. Lozier noted that FCTID should re-engage with MORPC to push the idea of a location for the I70/33 connector. Mr. Upp echoed the fact that FCTID should work towards more involvement and more focus from MORPC and ODOT on a 30- and 40-minute ring. Mrs. Jacque Annarino (ODOT) confirmed that ODOT will soon be working on a 40-minute ring. ODOT just received an RFP from MORPC for review. MORPC will be issuing an RFP to hire a consultant to help them look at the 40-minute ring and engage with the stakeholders to look at their wants and needs. Mr. Upp noted FCTID needs to be part of the MORPC discussion to ensure the connector is on the radar for MORPC and ODOT.
- v) **East Side Industrial Connector** – Mr. Lozier noted there is expansion of a new business in the area. Mr. Szabrak confirmed the addition of Servo Solutions, battery recycling facility. \$250 million dollar expansion. 120 new jobs. Recycling approximately 200,000 batteries per year. The board discussed the importance of growth like this combined with the planning study can bring opportunities for economic grant money to fund infrastructure projects in that area. Mr. Noland noted MORPC is working with City of Lancaster leadership to present some possible economic development funding scenarios. Mr. Szabrak noted the city leaders have talked with the grant writers contracted by Fairfield County, to assist with possible grant applications as the city looks for future funding opportunities. Mrs. Annarino noted she will mention the project to Mr. Fred Vogel of Ohio Jobs & Commerce.
- vi) **US33 Corridor Lane Widening CAP Project** – Mr. Lozier and Mr. Upp attended a scope meeting with ODOT. LJB Engineering won the project. Mr. Lozier has some concern about ODOT developing the project with one environmental document. That means the lane widen gets slowed down with interchange justification studies, traffic modeling, and the public involvement around the Bixby Road interchange. It would benefit this project to have 3 different environmental documents for the 3 different projects. While in the scope meeting Mr. Lozier asked ODOT if the lane

widening should continue farther into Fairfield County. He did not receive a direct answer to the question at that time. We will continue to monitor this project.

vii) Silicon Heartland Regional Projects – Mr. Lozier highlighted the project. He stated that Governor DeWine and the State Legislatures came up with \$90 million to fund 14 separate projects in Licking County. 5 of the 14 projects have been assigned to the Licking County TID as the project manager. 3 of the projects are assigned to the Delaware County TID. 1 project is assigned to the Franklin County TID. All projects are based on a traffic study that the Licking County TID performed under a TID grant. The cooperative group came up with priorities for the projects. Mr. Lozier noted the cooperation between multiple agencies was something to be proud of. The LCTID is currently working diligently on completing these projects over the next 2-3 years. Mr. Lozier wanted to give the board some insight into this project. LCTID will be hiring consultants to begin these projects very soon.


6. OTHER BUSINESS:

- a. No other business

7. ADJOURNMENT:

- a. Motion to adjourn by Mr. Upp. Second by Mr. Szabrak. All members approved by saying aye. The meeting was adjourned.

Minutes approved by:



Jeremiah Upp
Secretary/Treasurer