

**DOWNTOWN DEVELOPMENT AUTHORITY**

Special Meeting  
Wednesday, March 31, 2021  
7:00 pm



**DDA Members Present:** Ted Stroud-Chair, John Fischer, Byron Russell, Rob Benstein, Greg Mauldon, Gary Howe, and John Lazet.

**Members Absent:** Fred Northrup and Todd Luks.

**Others Present:** David Revore, legal counsel, and Chris Lewis, incoming Treasurer.

**I. Meeting was called to order** by Chair Stroud at 7:04 pm.

**II. Set/Amend Agenda:** Amend V. (B), correct the fiscal year to read "2020-21."

**MOTION Benstein, seconded by Howe, to approve the agenda as amended.  
CARRIED 7-0.**

**III. Public Comment:** None

**IV. Approval of March 17, 2021, minutes and March 17, 2021 closed session minutes**

Amend the closed session minutes, page 2, as follows:

1. under "Counsel recommended": at the end of the second bullet point, by deleting "later than tonight" and inserting "after disclosure".
2. The first paragraph after the bullet points, amend the sentence to read: "Chair Stroud disclosed that two of the bidders are clients of his law firm but as ~~he does not represent them; as such~~ NEITHER CLIENT IS UNDER CONSIDERATION FOR THE AWARD, THERE IS no requirement FOR HIM to recuse himself from deliberation and voting."

**MOTION Benstein, seconded by Russell, to approve the March 17, 2021 minutes as submitted.  
CARRIED 7-0.**

**MOTION Russell, seconded by Fischer, to approve the March 17, 2021 closed session minutes as amended.  
CARRIED 7-0.**

**V. Amendment of FY 2021-22 DDA Budget**

**A. Revised Revenue and Expenditure Line Items**

Mr. Lazet explained that this year's estimated reduction in personal property tax capture is significant enough that estimated revenues should be amended, and that the expense for maintaining the DDA portion of the website needs to be funded. The money to cover the drop in revenue and the computer expense would come from the DDA fund balance.

**Motion Lazet, seconded by Stroud, to amend the adopted FY 2021-22 budget as follows: amend line item Current Property Taxes (G.L. 247-000-403.000) from 35,000 to 27,000; line item Contribution from Unappropriated Funds DDA (G.L. 247-000-676.000) from 151,000 to 159,750; and line item Computer – web site (247-000-802.001) from 0 to 750.  
CARRIED 7-0.**

**B. Motion to authorize the expense of Fire Protection Services for the FY 2020-21 Budget**

Mr. Lazet noted that payments to the Township for fire protection services have been made twice during each preceding fiscal year; however, the payments for FY 2020-21 have not yet been made. Current best practice, including internal controls for expenditures, is to have the Board authorize not only the appropriation of funds when adopting a budget, but also authorize the disbursement of funds when an invoice or payment comes due.

**Motion Lazet, seconded by Fischer, to authorize payment to Vevay Township for the DDA share of the Mason Fire Department fire protection services, pursuant to the DDA plan as amended, for FY 2020-2021, in the amount of \$24,000.  
CARRIED 7-0.**

**C. Motion to Adopt List of Pre-Authorized FY 2021-22 Expenses**

Mr. Lazet explained that the relative to the disbursement of DDA funds, accounting practices, and internal controls need to be updated to reflect current standards and requirements. While the DDA could choose to authorize payment of each invoice, that would only occur at quarterly meetings and lead to frequent late charges. An allowable and frequently used mechanism is Board pre-authorization of known expenses, thus allowing for timely payment. It was proposed that pre-authorization be given for payments to: the auditor; the Township for website and other ongoing costs; legal counsel for service rendered; contractual services, specifically the LEAP contract; expenses for the Vevay Township Athletic Fields Grading Project and Pavilion floor replacement; and the payment to Vevay Township to cover the cost of fire protection services (by separate motion).

**Motion Lazet, seconded by Howe, to pre-authorize disbursement of funds to cover expenses for Vevay Township, auditing services, contractual services, legal services, and costs incurred with vendors on the Vevay Township Athletic Fields Grading project and pavilion floor replacement.  
CARRIED 7-0.**

**VII. Pending Business:**

- A. Consideration of Bids/award Project on Athletic Field Grading Project and Pavilion Floor Replacement

There was discussion on Mr. Mauldon needing to recuse himself from deliberations as he is the recommended contractor for receiving the award.

**MOTION Lazet, seconded by Benstein, to recuse Greg Mauldon from the consideration of, and decision to, award the project contract for the Vevay Township Athletic Fields Grading Project and Pavilion Floor Replacement.**

**CARRIED 7-0.**

Board – had discussion on the final cost of the project as the bid was for unit prices as opposed to a flat cost; and on the need for flexibility in overall funding to allow a contingency for unexpected costs as the project progresses. There was extensive discussion on the wording of the proposed contract as a fixed cost agreement, when the bidding was conducted on a unit price basis. It was agreed that the contract needed to more explicitly reflect the specifics of the bid, and therefore needed amending before use.

**MOTION Stroud, seconded by Russell, that the awarding of the proposal and the contract be tabled for tonight to allow for further study.**

**CARRIED 6-0.**

The Board agreed to have the Chair work with legal counsel on amending the contract with acceptable language, and to meet again in a special meeting quickly in order to still grant the project for the current spring construction season if possible.

#### **VIII. Any Other Business**

No other business was raised or discussed.

#### **IX. Adjournment**

**MOTION Benstein, Seconded by Mauldon, to adjourn at 8:52 pm.**

**CARRIED 7-0.**

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John Lazet, Secretary