



**MASS TRANSPORTATION AUTHORITY  
MINUTES OF THE JANUARY 17, 2008 BOARD MEETING**

**PRESENT:** John Northrup, Acting Chairman, Richard Abrams, Paul Luttenbacher, Mike Zelley, Rose Bogardus

**STAFF:** Robert Foy, Suzanne Shepherd, Jerry Ragsdale, Ed Benning, Terry Jurrens, Charlene Kowalski, Steve Hamelin

**GUEST:** Greg Mason, CHMP, Inc., David Lurvey, Siwek Construction, Mike Joliat, Attorney

**ABSENT:** Paul Newman, Carolyn Sims, Joe Conroy

Acting Chairman Northrup called the meeting to order at 8:08 A.M.

**Comments of the Public** None

**Minutes of the December 20, 2007 Regular Board Meeting**

**Minutes of the December 18, 2007 Finance Committee Meeting**

Mr. Zelley moved, supported by Mr. Abrams to approve the minutes of the December 20, 2007 Regular Board Meeting and the minutes of the December 18, 2007 Finance Committee Meeting. Motion passed unanimously.

Acting Chairman Northrup stated that we would move to agenda item #15.

**Resolution #08-24 authorizing the General Manager to enter into an agreement with Siwek Construction, for the construction of the Swartz Creek Service Facility, in an amount not to exceed \$1,551,000.00.**

Mr. Abrams stated that the Finance Committee reviewed this item and recommends approval of the full Board. Therefore, Mr. Abrams moved Resolution #08-24. Mr. Northrup supported.

Mr. Foy stated that this is the service center that we will be building on the corner of Dye Road and Miller Road in the City of Swartz Creek. This is the second time that we bid this project. We originally went through the bid process but there were so many that had incomplete proposals that we denied all of the bids and rebid the contract.

Greg Mason, CHMP, Inc. stated that we were very pleased with the bids that we received. On January 10<sup>th</sup> we received five bids. The bids ranged from \$1,551,000 to \$1,629,000. This reflects a substantial savings from the project we bid back in 2006. We are about \$85,000 lower for this project. Siwek Construction, being a local contractor, using local firms, was the low bid. We reviewed their bid and found everything in order. We are now in the process of drafting a contract assuming that the Board approves them as the contractor.

After some discussion the motion passed unanimously.

**Resolution #08-12 authorizing the General Manager to sign, file and execute on behalf of the Mass Transportation Authority such applications, assurances and contract agreements as required by the Michigan Department of Transportation for Specialized Services Operating Assistance for FY 2009 pursuant to Act No. 51 P.A. 1951, as amended.**

Mr. Foy stated that agenda items 3, 4, 5, 6, 7, 8, 9, 10 and 11 are all resolutions associated with certifications that we have to make every year with regard to the General Managers ability to serve in certain functions. The Board has to authorize the General Manager to do these things on an annual basis.

Ms. Bogardus moved, supported by Mr. Abrams to approve Resolution #08-12. Motion passed unanimously.

**Resolution #08-13 authorizing the General Manager of the Mass Transportation Authority to sign and submit a grant application and sign, file and execute a contract with the Michigan Department of Transportation for an operating assistance grant under 49 USC Sec. 5311 (former Section 18) of the Federal Transit Act of 1964, as amended, for operating assistance during FY 2009.**

Mr. Luttenbacher moved, supported by Mr. Abrams to approve Resolution #08-13. Motion passed unanimously.

**Resolution #08-14 certifying that FY 2009 Section 5307 capital funds are not needed for the Mass Transportation Authority to achieve full compliance with the Americans With Disabilities Act (ADA).**

Ms. Bogardus moved, supported by Mr. Northrup to approve Resolution #08-14.

Mr. Foy stated that this is an arrangement that was made many years ago in dealing with the highway side. We transfer some of our 5307 money, which can be used for anything to the Genesee County Planning Commission. In return they give us back highway money that is very restricted on what it can be used for. We use the highway funds for building buildings.

Motion passed unanimously.

**Resolution #08-15 appointing Robert J. Foy, General Manager as the Transportation Coordinator for all public transportation matters, who is authorized to provide such information as deemed necessary by the Commission or Department for its administration of Act 51 for FY 2009.**

Mr. Abrams moved, supported by Mr. Luttenbacher to approve Resolution #08-15. Motion passed unanimously.

**Resolution #08-16 authorizing the General Manager of the Mass Transportation Authority to sign and submit a grant application and sign, file, and execute a contract with the Department of Transportation, United States of America, for grants under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), as amended, for capital assistance for the Fiscal Year 2009.**

Ms. Bogardus moved, supported by Mr. Zellely to approve Resolution #08-16.

Mr. Zellely stated that on all of the resolutions where we are authorizing the General Manager to sign these contracts, that it is with the stipulation that all policies and regulations are followed. So there is nothing unusual with a Board giving authority to administration for signing contracts.

Mr. Foy stated that what the Board is doing is giving him the authority to go forward and submit applications for grants. When those grants are approved the Board is giving him the authority to sign the documentation to accept the grant.

Motion passed unanimously.

**Resolution #08-17 authorizing the General Manger of the Mass Transportation Authority to sign and submit a grant application and sign, file, and execute a contract with the Department of Transportation, United States of America, for grants under the Safe Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) as amended, and the Job Access and Reverse Commute Program for Fiscal Year 2009 pursuant to the Human Services Plan adopted by the MTA Board of Directors and the Genesee County Metropolitan Alliance.**

Mr. Abrams moved, supported by Mr. Zellely to approve Resolution #08-17. Motion passed unanimously.

**Resolution #08-18 authorizing the General Manager of the Mass Transportation Authority to sign and submit a grant application and sign, file, and execute a contract with the Department of Transportation, United States of America, for the Section 5309 grant under the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), as amended, for the Fiscal Year 2009.**

Ms. Bogardus moved, supported by Mr. Northrup to approve Resolution #08-18. Motion passed unanimously.

**Resolution #08-19 authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code and other Federal statutes administered by the Federal Transit Administration for Fiscal Year 2009.**

Mr. Luttenbacher moved, supported by Mr. Abrams to approve Resolution #08-19. Motion passed unanimously.

**Resolution #08-20 authorizing the General Manager of the Mass Transportation Authority to sign and submit a grant application and sign, file, and execute a contract with the Department of Transportation, United States of America, for grants under the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), as amended, and the New Freedom Program for Fiscal Year 2009 pursuant to the Human Services Plan adopted by the MTA Board of Directors and the Genesee County Metropolitan Alliance.**

Ms. Bogardus moved, supported by Mr. Northrup to approve Resolution #08-20.

Mr. Foy stated that these are different places that money is available for us to submit a grant. Each one of these requires us to have a resolution authorizing us to go after a grant. We are receiving about \$200,000 a year from the New Freedom Program, which we use to purchase expanded Your Ride vehicles.

Motion passed unanimously.

**Resolution #08-21 authorizing the General Manager to submit, to the Michigan Department of Transportation, the Mass Transportation Authority's FY 2008-09 Performance Indicators.**

Mr. Foy stated that we are required each year to submit to the Department of Transportation in Lansing a list of performance indicators. The reason for this is to assure that, as a Board, you have clear indications of some areas of operations that we should have targets of improvements.

Terry Jurens, MTA Plan, Program, Budget and Grants Manager stated that we try to look at the organization and pick out a selection that will cover the most aspects of the organization and those things that we feel are most important in achieving our goals. Cost efficiency is one of those so we look at cost per vehicle hour, operating cost per passenger, operating cost per vehicle hour and cost per vehicle mile. We also look at the extent that passenger fares contribute to the cost of the organization. In the maintenance department one way of measuring the effectiveness of our maintenance is the number of pull offs.

After a lengthy discussion on the safety of our vehicles and the number of incidents MTA reports, Mr. Zellely requested that we make an amendment to the performance indicators that we look at a performance indicator to make the Board understand how safe the buses are.

Mr. Foy stated that at the next Board meeting we will bring a list of the incidents broken down by category for the last couple of years.

Ms. Jurens stated that the one way that we can provide a comparison with other agencies is through the Section 15 data. The data that is reported follows their definition and criteria. It is at a very high level. It does not meet the definition of an incident unless it's an assault, a theft or some crime or law that is committed. We have almost none of that so what is reported is not a large number.

Mr. Zelle moved, supported by Ms. Bogardus to approve Resolution #08-21. Motion passed unanimously.

**Resolution #08-22 authorizing the General Manager to establish a Mass Transportation Authority Tier 1 Membership Status with Automation Alley in an annual membership fee of Five Thousand Dollars (\$5,000.00).**

Mr. Abrams stated that the Finance Committee reviewed this and recommends approval to the full Board, therefore Mr. Abrams moved Resolution #08-22. Mr. Northrup supported.

Mr. Foy stated that the Mass Transportation Authority has not been a member of Automation Alley. We have recently been in discussion with them. There is an effort within Automation Alley to support the development of a low weight 40-foot transit vehicle. There is a group of individuals being lead through the Automation Alley effort to reduce the weight in a transit vehicle by 30%. We are in the business right now of building a diesel electric power plant that is about twice as efficient. We feel that if we can get their chassis and our power plant and put them together, this is another way of bringing jobs into Michigan. We would like to move forward with discussions with the Department of Transportation in Detroit and SMART because they are going to be the beneficiaries of the first chassis's that come off the line. We want to work with them about getting our power plant involved with that effort. We feel that this is an opportunity for us to enhance job opportunities in Genesee County.

Motion passed unanimously.

**Resolution #08-23 approving the Flint Mass Transportation Authority's Revenue and Expense Budget for FY 2009.**

Jerry Ragsdale, MTA Assistant General Manager-Administration stated that we have to submit our 2009 budget to the State in February so that they can start their planning process in developing the formula assistance that we receive in operating dollars.

Mr. Ragsdale went over our current year staff requirements stating that we have a total of 489 employees. There will be some expansion and possibly hiring of additional staff in 2009 because of the Senior Millage Transportation being implemented. Right now we do not have a good handle on how much additional drivers or other staff we will need until the program is approved and implemented.

Mr. Ragsdale stated that in the FY 2009 budget the increases are in labor and material and supplies, especially fuel. Those are the two areas where we see the largest growth. Our fringe benefits have stabilized with going to a fixed rate plan.

Mr. Ragsdale went through the proposed FY 2009 budget stating that the total revenue projected for FY 2009 is \$25,742,636 for an increase of \$1.1 million over FY 2008. Expenses are proposed to be \$24,504,209 for an increase over 2008 of \$972,272. For FY 2009 we are still expecting a \$1.2 million fund balance.

Mr. Abrams stated that the Finance Committee reviewed this and makes recommendation for approval by the full Board; therefore Mr. Abrams approved Resolution #08-23. Mr. Luttenbacher supported. Motion passed unanimously.

**Mass Transportation Authority FY 2008 Capital Program**

Ms. Jurens stated that you have given Mr. Foy the authority to submit grant applications. The capital program is a funding source for some of the major initiatives and multi year projects that the MTA is undertaking. The major projects fall into the categories of Facilities, Diesel Hybrid Development, Fuel Cell Technology Development, ITS Implementation and Fleet Enhancement. All of these are major initiatives that require multi million dollars so they are projects that can't be funded in a single year but are ongoing over a number of years. The plan lays out how we plan on applying for and hopefully receiving the funds to make these projects happen.

Ms. Jurens then went over the major projects stating that various funds will come from flex funds from the Federal Highway side, SAFETEA-LU which is the authorizing legislation, Section 5309 funds, CMAQ funds, Section 5307 funds and New Freedom funding.

Mr. Abrams moved, supported by Mr. Northrup to accept the Mass Transportation Authority FY 2008 Capital Program. Motion passed unanimously.

**Review of Claim for Workers Compensation**

Mike Joliat, Attorney for the MTA stated that we were going to present a claim in Executive Session. It is not a significant claim in terms of dollars but it is a case that is over what our claims adjustor has authority for settlement. This is a vehicle accident case that involves one of our employees. She was in a rear end accident where she was stopped at a traffic signal and was rear-ended by a small vehicle at a low speed. Her claim was primarily handled through the Workers Comp System. The law suite is a no fault claim seeking the additional benefit you get under the no fault act. Workers comp pays about two-thirds of your wage lost and no fault pays about 80% so she was seeking that difference. A year after the accident, she needed to have surgery. The claims adjustor admitted that at this point she needed someone to help her out at home doing certain things that she was unable to do. The suit went to case evaluation. Her claim was significantly more than the amount that the evaluators awarded. They awarded in the area of \$6200.00 plus \$18,500.00 against the at-fault driver that doesn't involve us at all, and \$6618.00 against the Mass Transportation Authority. That number is based on a couple of invoices for people that she had paid and actual calculation of the wage loss benefit. We recommend that the case evaluation award be accepted. The employee is back to work now operating a Your Ride vehicle. The program with favored work seemed to work well and that is why we recommend acceptance of the evaluation award.

Mr. Zelley moved, supported by Mr. Abrams to accept the recommendation of council. Motion passed unanimously.

Ms. Bogardus left the meeting at 9:47 A.M.

**General Manager's Report**

**December, 2007 Income/Expense Statement**

**December, 2007 Ridership Statistic Report**

**December, 2007 Complaint Statistic Report**

Acting Chairman Northrup ruled that the General Manager's Report, the December, 2007 Income/Expense Statement, the December, 2007 Ridership Statistic Report and the December, 2007 Complaint Statistic Report be received and filed.

**Adjournment**

Meeting was adjourned at 10:00 A.M.

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