



**MASS TRANSPORTATION AUTHORITY  
MINUTES OF THE NOVEMBER 20, 2008 BOARD MEETING**

**PRESENT:** Paul Newman, Chairman, Richard Abrams, Paul Luttenbacher, Mike Zelley, John Northrup, Ted Henry

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

**GUEST:** Greg Mason, CHMP Inc., Attorney Michael Joliat, Derrick Bradshaw, Genesee County Metropolitan Planning Commission

**ABSENT:** Carolyn Sims, Darryl Buchanan

Chairman Newman called the meeting to order at 8:04 A.M.

Chairman Newman acknowledged the resignation from the Board of Rose Bogardus and the new member that has been appointed by the Genesee County Board of Commissioners to fill that vacancy is Mr. Ted Henry. Chairman Newman welcomed Mr. Henry to the Board.

Mr. Henry stated that he is the representative for the 8<sup>th</sup> District, which is Clayton Township. He is serving his second term on the Board and he is excited about sitting on the MTA Board of Directors.

**Comments of the Public**      None

**Discussion on Green Architect/Leeds Certification**

Mr. Foy introduced Greg Mason, who is the CEO of CHMP, Inc. We have been in the process of providing countywide transportation through the implementation of service centers. We are basically using the same design in each of the service centers. We are now moving forward with the Flushing Service Center. We are moving more and more into looking at the environmental aspects of what we are doing. We have asked Greg Mason to give us a plan for our current design to include green design and green construction so we will maximize the environmental aspect. Although there are up front cost to do this, over the life term of the facility you get more than the value back. It is an economic benefit for the organization.

As part of the process there is a national organization that will certify to the fact that this is a green certified building. That process requires certain steps to be taken and Mr. Mason will explain this to the Board. We are asking that the Board become informed on what green design

and green construction is and then think about whether you would want us to go further to design a green building.

Greg Mason, CHMP, Inc. stated that there is a pretty big initiative in the State of Michigan to go green. Leed is an acronym that means Leadership in Energy and Environmental Design. It is governed by an organization called the US Green Building Council. They actually have people on staff that certify your project in terms of compliance with some of their initiatives. Leed is more than just building buildings that save energy. Leed is focusing on using recycled materials, which are environmental friendly. It is looking at energy efficiency, using our resources as best as we can. It also tries to improve the environment inside the building. Providing better air quality, more sunlight. Things that they know help the human environment.

Leed for new construction is a rating system for buildings designed to guide and distinguish high performance buildings that have less impact on the environment, are healthier for those who live and work in them and are more profitable than their conventional counterparts. Leed for new construction is a performance orientated rating system where building projects earn points for satisfying criteria designed to address specific environmental impacts. If you want to be certified it is anywhere between 26 and 32 points. If you want a silver rating its 33-38, gold 39-51 and platinum 52-69 points. There is 69 potential points through the Leed system that you can achieve through the design and construction and how you operate the building. CHMP has certified Leed professionals on staff that will work with the US Green Building Council to certify the building.

The typical engineering and construction cost for the out county service centers (consistent with the last four service centers) has been \$83,000 for the design cost and about \$1,650,000 for the construction cost. To make it a Leed project, CHMP has put in a series of potential points that they would have MTA consider. They have not listed all 69 points. There are more points than what is needed to reach the minimum certification level. This is just a pallet to work off of and see what the MTA wants to go after. To become Leed certified there would be an additional design cost of about \$64,750.00 and an additional construction cost of approximately \$377,600. You only need 26 points to be certified but you should go after at least 30 points in case not all of the points are approved by the council.

If the Board decides to go this way, CHMP will work with MTA to try and find a happy medium. The other thing CHMP is sensitive to is that they made a couscous effort to make all the out county service centers look the same. We will still try to make this building look the same but yet be a little higher performed. New construction codes are already starting to come out that are green construction so it won't be long before certain components of green construction are going to be mandatory.

Mr. Foy stated that over the long run the economic value is one that you are going to sustain over the life of the building, which might be fifty years, however it takes increase capital cost to derive that benefit.

Chairman Newman stated that he thinks what Mr. Foy is looking for is whether the Board has an interest or would be willing to endorse their pursuit of looking into this type of design.

Mr. Foy stated that we are getting ready to move forward on the Flushing Service Center into the architectural area. Normally we would be doing this using our standard architectural design. What we are asking the Board is if you are interested in moving forward with the Leed design, which we understand will cost us roughly about \$50,000 more to do the design and then an estimated \$350,00-\$400,000 more in construction cost in order to provide this type of construction for the building. We would have to put the money into the A&E effort to make the design and we would bring back a cost benefit analysis for the Board to make a decision of whether we want to use green construction.

After further discussion Chairman Newman stated that Mr. Mason should sit down with Mr. Foy and pick out the points that he is most interested in pursuing and then bring it back to the Board so that the Board would have a better idea of what we're talking about in design cost.

**Minutes of the October 23, 2008 Regular Board Meeting**

Mr. Zelle moved, supported by Mr. Northrup to approve the minutes of the October 23, 2008 Regular Board Meeting. Motion passed unanimously.

**Minutes of the October 21, 2008 Finance Committee Meeting**

Mr. Abrams moved, supported by Mr. Northrup to approve the minutes of the October 21, 2008 Finance Committee Meeting. Motion passed unanimously.

Chairman Newman stated that we have a number of Resolutions on the agenda, items 3 through 10, which are all similar in nature and routine that authorize the General Manager to submit and sign grant applications and other documents with the Michigan Department of Transportation and the Federal Department of Transportation. Chairman Newman asked if we could bundle items 3 through 10 with one motion.

**Resolution #09-06 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 Service Operating Assistance for FY 2010 pursuant to Act No. 51 P.A. 1951, as amended.**

**Resolution #09-07 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 59 USC Sec. 5311 (former Section 18) of the Federal Transit Act of 1964, as amended, for operating assistance during FY 2010.**

**Resolution #09-08 certifying that FY 2010 Section 5307 capital funds are not needed for the Mass Transportation Authority to achieve full compliance with the American With Disabilities Act (ADA).**

**Resolution #09-09 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 2010.**

**Resolution #09-10 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 2010.**

**Resolution #09-11 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 Job Access and Reverse Commute Program for Fiscal Year 2010 pursuant to the Human Services Plan adopted by the MTA Board of Directors and the Genesee County Metropolitan Alliance.**

**Resolution #09-12 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 2010.**

**Resolution #09-13 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 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 2010 pursuant to the Human Services Plan adopted by the MTA Board of Directors and the Genesee County Metropolitan Alliance.**

Mr. Northrup moved, supported by Mr. Abrams to approve Resolutions #09-06, #09-07, #09-08, #09-09, #09-10, #09-11, #09-12 and #09-13. Motion passed unanimously.

**Resolution #09-14 authorizing Robert J. Foy, General Manager to enter into an agreement with HealthPlus of Michigan to provide a Traditional Premium Based Healthcare Plan in an amount not to exceed \$2,194,710.36 for a period of one (1) year.**

Mr. Abrams stated that the Finance Committee has reviewed this and recommends approval by the full Board, therefore Mr. Abrams moved Resolution #09-14. Mr. Northrup supported.

Mr. Foy stated that this is the healthcare program that we provide for all of the Mass Transportation Authority employees. The provisions of this agreement are consistent with the

labor agreement. The cost of this particular premium is going to be about 6% more than what it was in the previous year.

Motion passed unanimously.

**Resolution #09-15 authorizing Robert J. Foy, General Manager to enter into an agreement with Cintas, for the rental of mechanic uniforms, in an amount not to exceed \$171.08 per employee, per year, for a period of two (2) years; and Further, to authorize Robert J. Foy, General Manager to enter into an agreement with Uniforms Today, for purchase of Driver Uniforms, in an amount not to exceed \$340.00 per employee, per year, for a period of Two (2) years.**

Mr. Abrams stated that the Finance Committee reviewed this item and has moved to recommend the approval by the full Board, therefore Mr. Abrams moved Resolution #09-15. Mr. Zellely supported.

Mr. Foy stated that this is a contract, as pointed out, in two parts. One is for the rental and cleaning of the maintenance uniforms and the other part is the purchase of the driver uniforms. Two different companies. The driver uniform cost is substantially lower than what we have been paying for exactly the same uniform.

Motion passed unanimously.

**General Manager's Report**  
**October, 2008 Income/Expense Statement**  
**October, 2008 Ridership Statistic Report**  
**October, 2008 Complaint Statistic Report**

Chairman Newman stated that normally we would have staff provide comment on the above reports. Unless there are some specific questions he is going to ask the Board to receive those reports as submitted so that we could move into Executive Session.

Mr. Zellely stated that he knows we are working very hard but our trends are going up on our complaints.

Mr. Foy stated that we carried almost 650,000 passengers this month. The primary amount of the complaints is brought on because they want more service.

**Executive Session**

Attorney Michael Joliat advised the Board that an Executive Session was necessary to discuss three different matters pending litigation in Genesee County Circuit Court involving the Mass Transportation Authority. Bryson Martell vs. Mass Transportation Authority, Ashley Stewart vs. Mass Transportation Authority and Sherry Smith vs. Mass Transportation Authority. Discussion in open session may jeopardize MTA's position.

Mr. Northrup moved, supported by Mr. Abrams to move into Executive Session for the purpose as stated by the Attorney.

***Roll Call Vote:*** Paul Newman, John Northrup, Richard Abrams, Mike Zelle, Paul Luttenbacher, Ted Henry voted in the affirmative.

Regular session of the MTA Board was suspended at 9:10 A.M.

Mr. Northrup moved, supported by Mr. Zelle to go out of Executive Session.

Regular session of the MTA Board reconvened at 9:38 A.M.

Mr. Northrup moved, supported by Mr. Abrams to accept the recommendation of council relative to Bryson Martell vs. Mass Transportation Authority, Ashley Stewart vs. Mass Transportation Authority and Sherry Smith vs. Mass Transportation Authority. Motion passed unanimously.

**Comments of Board Members**

Mr. Foy stated that on behalf of the employees we would like to wish the Board a very Happy Thanksgiving. The staff would like to take this opportunity to express how much we appreciate their council and guidance in bringing affordable transportation to the people in Genesee County.

**Adjournment**

Meeting was adjourned at 9:40 A.M.

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