

BEN FRANKLIN TRANSIT
1000 Columbia Park Trail, Richland, WA
BOARD OF DIRECTORS MEETING MINUTES
Thursday, December 11, 2014/7:00 p.m.

VICE CHAIRMAN BOB OLSON called the meeting to order at 7:00pm

1. Convene/Roll Call – BOB OLSON, BOB KOCH, STEVE BECKEN, JEROME DELVIN, TERRY CHRISTENSEN, RICHARD BLOOM, LISA STADE, NORMA NELSON, RICK MILLER(EXCUSED)
MATT WATKINS (attended Executive Session)

Staff: Dennis Solensky, Gloria Boyce, Jerry Otto, Kathy McMullen, Tony Kalmbach, Christy Watts, Terry DeJuan, Jim Thielke, Dan Sandmeier, Debra Hughes, Katherine Ostrom, Rob Orvis, Tom Turner, Patrick Roach, Legal Counsel, Michaela Dimas/Scribe

2. Pledge of Allegiance

VICE CHAIRMAN OLSON invited Tom Turner to lead the Pledge of Allegiance.

3. Citizens Public Comment/Introduction of Visitors

VICE CHAIRMAN OLSON invited public comment on any item that is not on the agenda. Please state name and address for the record. Please limit remarks to three minutes.

4. Approval of Agenda

VICE CHAIRMAN OLSON called for a motion to approve the Agenda as presented.

ACTION: RICHARD BLOOM made and TERRY CHRISTENSEN seconded a motion to approve the Agenda as presented. MOTION CARRIED UNANIMOUSLY.

5. Board Committee Reports

- A. Planning & Marketing Committee/Bob Koch, Chair

BOB KOCH stated that the Planning & Marketing Committee met on Tuesday, December 2, 2014. The Committee was presented with radio advertisements and viewed commercial for Vanpool. Kathy McMullen presented a ridership report and provided information on the Project Management Plan & Grant. Staff presented the Procurement Outlook for the next 90 days and sales tax update. The minutes were provided in the packet.

B. Operations & Maintenance Committee/Rick Miller, Chair

JEROME DELVIN, stated that the Committee met on December 3, 2014. He presented an overview of the items discussed by the Committee. He stated that both items that are on CONSENT were discussed at the meeting. The minutes were included in the Board packet.

C. Administration & Finance Committee/Steve Becken, Chair

STEVE BECKEN stated that the Committee met on Thursday, December 4, 2014. Staff presented the Procurement Outlook for the next 90 days. The Committee placed the recommendation to Receive and File State Auditor's Office 2013 Accountability Audit Reports as an Action item. He presented an overview of the items discussed. The minutes were included in the Board packet.

6. Consent Agenda

(Any item is open for discussion at Board or Public Request)

A. Minutes of November 13, 2014 Regular Board Meeting

B. Payroll/Voucher Summary

November 2014 vouchers audited and certified by Ben Franklin Transit's auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been emailed to the Board members December 5, 2014.

ACTION: As of this date, December 11, 2014, I, BOB OLSON move that the following checks be approved for payment:

PAYROLL

Check Register Number	Check Number / Number	Date of Issue	In the Amount	
549-14	76342	11/14/2014	369,430.89	Payroll
550-14	Electronic File Payroll	11/14/2014	143,969.80	Payroll
551-14	76343 76382	11/28/2014	371,740.66	Payroll
552-14	Electronic File	11/28/2014	147,157.29	Payroll
			Total \$ 1,029,298.64	

NON-PAYROLL VOUCHERS

200-14	55218	55225	11/3/2014	102,340.20	Mdse
201-14	55226	55288	11/7/2014	452,086.54	Mdse
202-14	55289	55290	11/11/2014	1,227,060.00	Mdse
203-14	55291	55354	11/13/2014	217,677.50	Mdse
204-14	55355	55363	11/17/2014	100,387.38	Mdse
205-14	55364	55434	11/21/2014	194,644.07	Mdse
206-14	Electronic File September Excise Tax			1,339.16	Mdse
207-14	55435	55435	11/25/2014	105.75	Mdse
208-14	53716	VOIDED CHECK	11/25/2014	(1,029.32)	
209-14	54723	VOIDED CHECK	11/26/2014	(138.20)	Mdse
210-14	55436	55503	11/28/2014	215,715.76	Mdse

Total \$ 2,510,228.84

Check Register Nos. 549-14 to 552-14 and 200-14 to 210-14 in the total amount of: \$ 3,539,527.48

The motion was seconded by _____ and approved by a unanimous vote.

- C. Resolution 65-2014- Authorizing the General Manager to enter into a contract with LNI Manufacturing for the Award of the Bus Stop Shelter Contract

Patrick Roach, Legal Counsel, informed the Board that there was typographical error in the contract for Bus Shelter Contract on the second page. There were two changes were made.

- D. Resolution 66-2014- Authorizing the General Manager to enter into a contract with Bridgestone Americas Tire Operations, LLC for Bus Tire Leasing Services.

(BFT Board Standing Committees recommended approval of Consent Items to the Full Board of Directors)

VICE CHAIRMAN OLSON read aloud the items on the Consent Agenda. He called for a motion to approve the Consent Agenda as presented.

7. Action Items

- A. Approval to Receive and File State Auditor’s Office 2013 Accountability Audit Reports

Gloria Boyce, Administrative Services Manager, presented the Recommendation to Receive and File State Auditor’s Office 2013 Accountability Audit Reports and informed the Board of all items that were audited. As mentioned there were no recommendations, findings or management letters.

VICE CHAIRMAN OLSON called for a motion to approve.

ACTION: STEVE BECKEN made and TERRY CHRISTENSEN seconded a motion to approve the Recommendation to Receive and File State Auditor's Office 2013 Accountability Audit Reports as presented. MOTION CARRIED UNANIMOUSLY.

8. Discussion/ Information Items

A. CAC Meeting Minutes of November 10, 2014

CAC representative Greg Turpen stated they held a basic meeting and had their annual Christmas event. We were given an excellent presentation; staff members' always do an excellent job giving presentations to the CAC. Gloria Boyce went over the Operating & Capital Budget, in detail. The CAC recognized four of our members for completing three full terms, myself, Roger Bowman past Chair, Charlie McCary and Brenda Bradley. Greg Turpen stated he did his part and replaced his position with a staff member from Battelle and challenged the other three exiting members to do the same. CAC held elections; Holly Kaczmariski remains as Chair, Karyn Vandecar Vice Chair, and Rusty Morris as First Officer this will be the CAC Board for 2015.

9. Staff Reports & Comments

A. Legal Report

Patrick Roach, Legal Counsel, stated that he had been asked to give a brief report with the help of Kathy McMullen regarding advertising on the buses. There have been questions about what our Policy is on bus advertisement. He read and presented the October 13, 2005 Board adopted statement on advertising content for BFT Bus Advertisement. What is allowed or not allowed? Whether or not something may appear to a number of people in the Community as objectionable? An occasion arose at the end of October when a group from the East Coast went to our contractor P.S. Media and entered into an agreement for \$2,400.00 to put on 6 or 8 buses an advertisement about whether or not you believe in God and invited you to a website. The contract provided for the advertisement to be on the buses from November 17th to December 17th, a one month period. It stirred some comments and a letter to the editor of our local paper. Calls were made to staff, the General Manager, Board members, and I. The questions are can we prohibit or do we have to allow such signs on the bus? He stated the quick answer is, we can't prohibit and yes we have to allow it under the First Amendment of the United States Constitution. This has been litigated in different formats and bottom line is something of that nature although may be obnoxious to a lot of people, we have found that we need to allow this or face legal consequences. If further discussion would like to be held we can go into an Executive Session.

Kathy McMullen handed out copies of the current BFT Policy on Bus advertisements and information on how much revenue advertisement ads brings in.

Patrick Roach, stated if we would like to Amend our current Policy, we should present this to one of the Board Committees for review.

LISA STADE stated that this should be presented to two Board Committees. Requested further details from Kathy McMullen regarding what the advertising gets us in further detail not a generalization. It would be helpful when making a decision.

TERRY CHRISTENSEN asked for this to be placed as an item to be discussed at our 2015 Board Retreat.

JEROME DELVIN requested information on the existing contract with P.S. Media.

Patrick Roach, Legal Counsel announced that an Executive Session will be held for a performance review under RCW 42.30.110 Sub Sec. 1 (G. to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee).

B. Boarding Report- Tony Kalmbach

Tony Kalmbach, Transit Planner, reported total Operational boardings for September were up 8% over 2013. For October, Fixed route was down slightly -0.8%, Dial-A-Ride is up 3.0% and Taxi Service (Taxi Feeder, Finely and Night and Sunday Service) was up 14.5% over October 2013. For September Vanpool was up 7.5% in comparison to September 2013.

C. Treasurer's/ Budget/Sales Tax Reports

Treasurer's Report – Gloria Boyce, Administrative Services Manager, stated the Treasurer's report for month ending November 30th we have just over 20 million dollars in surplus funds and 8 million of that is restricted for 3 month operating reserve and 3.2 million reserved for local match requirements for Capital program leaving us with a surplus funds balance of about 8.9 million dollars.

Budget Report- we talked budget over the last couple of months, we have given year end forecasts those forecasts have not changed. Nothing out of normal and still believe we will be approximately 1 million dollars over expected/budget revenue.

Sales Tax – Sales tax receipts for the month of November totaled \$2,452,885.00 million dollars, about 2.1% increase over November 2013. Sales tax report year-to-date for 2014 2.3% and Year over Year are up 6.8%. On your desks are the Local Jurisdictions and other PTBA's Sales Tax reports for November.

D. General Managers Report

Dennis Solensky, General Manager, presented his report to the Board as follows:

- Board Retreat is scheduled for January 10, 2015. The facilitator will be in contact with Board members and staff that haven't been spoken to. Please make sure to speak with him as soon as you can, if you haven't already. Those that have spoken with him have been very excited.

- Interviews for Stephen Covey Consultants are taking place for our new Leadership Program, "The 7 Habits of Highly Effective People". This will provide the basic foundation of management interaction and greater leadership efforts.
- In the process of speaking with Commercial Realtors to purchase property for Park N Rides lots for Vanpool.
- Continuing to serve on the Vista Vision Task Force developing Vista Field.
- Working diligently on labor issues and having good discussions. Continuing to have a high level of cooperation and happy to be working with this group.
- Submitted information on the status of the organization over the past 7 plus months to the Board, and where he would like to see the organization
- Attended the Tri-Cities Chamber luncheon with staff members.
- Briefly discussed the advertising issue our legal counsel had spoken of. Proud of how staff handled the situation.

10. Board Member Comments

NORMA NELSON in regard to the Union, election of Officers was held all remained the same and is excited to be driving for the Lighted Bus Tour.

LISA STADE invited everyone on December 13, 2014, at 5:00pm to downtown Benton City for our annual lighted parade.

BOARD MEMBERS wished everyone safe and Happy Holidays.

11. Next Meeting Thursday, January 8, 2014, 7:00 p.m.
 BFT Administration Building Board Room,
 1000 Columbia Park Trail, Richland, WA

12. Executive Session

VICE-CHAIRMAN BOWMAN recessed the regular meeting for a 10 minute break before entering into an Executive Session at 7:35 p.m.

Pat Roach, BFT Legal Counsel, stated an Executive Session will be held for a performance review under RCW 42.30.110 (Sub Section 1 G. to review the performance of a public employee). The time will need to be set for 45 minutes. If it is longer than we can announce it to whomever is out in the hall. The meeting will reconvene into open session for adjournment.

CHAIRMAN MATT WATKINS arrived before Executive Session was held.

13. Reconvene and Adjournment

CHAIRMAN WATKINS reconvened the regular BFT Board of Directors meeting. He announced that Board discussed the topic and will enter into contract negotiations. The new proposed contract of the General Manager will be placed on the Admin & Finance Committee Agenda in February 2015.

CHAIRMAN WATKINS moved to enter into contract negotiations. JEROME DELVIN made and RICHARD BLOOM seconded the motion. MOTION CARRIED unanimously.

13. Next Meeting Thursday, January 8, 2014, 7:00 p.m.
 1000 Columbia Park Trail, Richland, WA

13. Adjourn- The meeting was adjourned at 8:30 P.M.

Respectfully submitted by:
Michaela Dimas, Exec. Assistant, Clerk of the Board
December 11, 2014