OZARKS TRANSPORTATION ORGANIZATION

BOARD OF DIRECTORS MEETING MINUTES

February 16, 2012

The Board of Directors of the Ozarks Transportation Organization met at its scheduled time of 12:00 p.m. in the Ozarks Transportation Organization Large Conference Room, in Springfield, Missouri.

The following members were present:

Mr. Brian Bingle, City of Nixa (a) Mr. Lou Lapaglia, Christian County

Mr. Phil Broyles, City of Springfield (a) Mr. Larry Martin, City of Ozark (a)

Mr. Jerry Compton, City of Springfield (Chair) Mr. Bradley McMahon, FHWA

Mr. Tom Finnie, Citizen-at-Large Ms. Robin Robeson, City Utilities

Mr. J. Howard Fisk, Citizen-at-Large Mr. Dan Salisbury, MoDOT (a)

Ms. Teri Hacker, Citizen-at-Large Mr. Brian Weiler, Airport Board (a)

Mr. Nick Heatherly, City of Willard (a) Mr. Tom Vicat, City of Strafford (a)

Mr. Jim Krischke, City of Republic (a) Mr. Jim Viebrock, Greene County

1. *Denotes alternate given voting privileges as a substitute for voting member not present*

The following members were not present:

Mr. Mokhtee Ahmad, FTA Mr. Jim Enyart, Airport Board

Ms. Becky Baltz, MoDOT Mr. Tom Keltner, City of Willard

Mr. Harold Bengsch, Greene County Mr. Aaron Kruse, City of Battlefield

Ms. Roseann Bentley, Greene County (a) Mr. Steve Meyer, City of Springfield (a)

Mr. Thomas Bieker, City of Springfield (a) Mr. Shane Nelson, City of Ozark

Mr. Shawn Billings, City of Battlefield (a) Mr. Jim O’Neal, City of Springfield

Mr. Brian Buckner, City of Republic Mr. John Rush, City of Springfield

Mr. Steve Childers, City of Ozark (a) Mr. Mark Schenkelberg, FAA

Mr. Sam Clifton, City of Nixa Mr. Tim Smith, Greene County (a)

Mr. John Elkins, Citizen-at-Large (a) Mr. John Vicat, City of Strafford

Others Present: Mr. Jered Tyler, Congressman Billy Long’s Office; Ms. Sara Edwards, Ms. Natasha Longpine, Mr. Curtis Owens, Ms. Debbie Parks, Mr. Chris Stueve, Ozarks Transportation Organization; Ms. Megan Hammer, Senator Claire McCaskill’s Office; Mr. Dan Smith, Greene County Highway Department; Mr. Dan Wadlington, Senator Roy Blunt’s Office.

Mr. Compton called the meeting to order at 12:05 p.m.

1. **Administration**
2. **Introductions**
3. **Approval of Board of Directors Meeting Agenda**

Mr. Heatherly made the motion to approve the Board of Directors February 16, 2012 Agenda. Ms. Hacker seconded and the Agenda was approved unanimously.

1. **Approval of the December 15, 2011 Meeting Minutes**

Mr. Fisk made the motion to approve the December 15, 2011 Minutes. Mr. Broyles seconded and the Minutes were approved unanimously.

1. **Public Comment Period**

None.

1. **Executive Director’s Report**

Ms. Edwards stated that the OTO would be conducting a Board of Directors Training on February 22 and 8:30 a.m. Staff wants review what the OTO is about, what work the OTO produces, and what the OTO is required to do, as well as how the OTO selects projects to work on.

The OTO is continuing to work on the Transit Route Study. The consultants have sent over some original concepts and those were reviewed by the Transit Subcommittee. Now, those concepts are being priced to see the costs of regional service to each outlying community.

The STP-Urban report is produced twice a year now. The OTO is planning on having a meeting about the OTO Budget. The budget runs July 1through June 30. Federal Highway must give approval in advance. The budget has been working through the Executive Committee and the UPWP Subcommittee to look at what the work program is and what the budget should look like for next year.

The TEAM Conference is coming up and includes certification for Local Public Agencies Training and Federal Highway. A person does not have to be an engineer to take the training. A person would have to be a full time employee of the agency that receives federal funding for the project. Staff members of the OTO cannot take training and then represent Christian County or any other jurisdiction. Ms. Longpine will go to that training so that the OTO will be informed and be able to manage the OTO’s projects. There will be additional training opportunities in the area, as the goal is not to exclude any jurisdiction. If a jurisdiction has not received the training and is not certified, MoDOT will personally offer training.

Mr. Lapaglia stated that it was the understanding that the TEAM Conference and training was not free. Ms. Edwards stated that was correct, though future trainings would be.

The Board had previously approved that the OTO participate in the purchase of aerial photography and that agreement is now in place**.** Currently, there is no progress on a new transportation bill. The House will not be voting on it. The House has stated it will wait until the election is over.

Staff is working on the Transit Coordination Plan and is looking to have a draft done at the end of the month. The final outcome should be a plan that results in implementation strategies to better coordinate human service transit providers.

There is a planning partner’s meeting on February 23 with MoDOT where there will be a presentation of the STIP projects for the next year as well as scoping projects. There is not a lot of funding available but scoping can be done in case there is a new bill or other funding source.

1. **Legislative Reports**

Mr. Taylor stated that in regards to the Transportation Bill, there is a postponement of the vote. Road and Safety concerns are currently being researched. It has come down to three different bills; two of the bills are the Energy Bill and the Highway Bill.

Ms. Hammer stated that the Senate is debating the Transportation Bill at the moment. There are a couple of amendments of note in the Transportation Bill. Senator Blunt has proposed an amendment with Off System Bridges. Senator McCaskill has a meeting considering that amendment and what position she will be taking. The meeting has not occurred yet. Senator McCaskill herself has a proposed amendment to the Transportation Bill.

Mr. Wadlington stated that Senator Blunt talked about the Transportation Bill the previous Friday. The Senator’s explanation was that the House is currently working on a five-year extension. The Senate is working on a two-year extension of $109 billion dollars. The House will probably pass its bill and the Senate will probably pass its bill and that is where it will end. There will likely be a thirteenth extension of the Highway Transportation Bill. There will be no new Highway Bill at this point.

# New Business

1. OTO In-Kind Match Letters

Ms. Parks stated that the OTO operates off of an 80 percent reimbursable grant and the other 20 percent comes from local match funds. The UPWP, which is the OTO’s Unified Planning Work Program, allows the OTO to use in-kind match for a small percentage of its budget. Member attendance at meetings counts as in-kind time, in order for it to count, there needs to be a signed letter in the file stating the member’s hourly rate. There are two types of letters. The first type is for elected officials or citizens that sit on a board or committee. The form is called the Volunteer Form. The letter states that the OTO will charge the rate of $18.57 for the member’s time. The other form is for individuals who attend in the capacity of the jurisdiction where they work. An example would be city administrators or public works directors. The time is calculated by actual dollar rate earned per hour plus the benefit amount. Since the program was implemented, $17,318 have gone toward the match of federal dollars in the OTO Budget.

Every year the letters need to be updated due to position turnover. The letters are kept confidential and are used for budgetary and audit review purposes. Employees who receive a paycheck paid with federal dollars are not allowed to count their time. The letters were passed out during the meeting.

Mr. Lapaglia inquired if the forms counted for 2011 or 2012. Ms. Parks stated 2012 only. Mr. Lapaglia wondered if the search committee’s time could be counted. Ms. Parks stated that going forward the Executive Committee’s time would be tracked. Staff will be updating the forms during the first Board meeting of every year to make sure everyone’s time is captured.

Mr. Gano asked if it needed to be original or if it could be faxed back in. Ms. Parks stated the forms could be emailed or faxed back.

1. OTO Board Appointment Letters

Ms. Parks stated that the along the same thought as the in-kind letters, the Board appointment letters needed to be updated for the audit files. The OTO By-laws specifically outline who is to serve on the Board and committees within the organization. There needs to be a signed letter of appointment for all of the Board and committee representatives. There are not many letters currently on file. The letters may be written in any way, but a sample letter has been included in the packet for reference. It will need to be on official letter head and with an official signature. This same information was handed out to the Technical Planning Committee.

1. Financial Statements for Second Quarter 2011-2012 Budget Year

Mr. Krischke stated that under Tab Four of the agenda, there is a report and the various financial statements for Board review. The statements highlight this last quarter which ran October 1 through December 31. The expenditures exceeded revenues by $10,062.54. This is mainly due to the purchase of office furniture and the expenditures for moving to the new office. There was also a large expense for the Transit analysis. Everything else was in line with normal budget expenditures. There is a healthy fund balance of $188,493 and $2,577 of in-kind funds were utilized. He thanked staff for helping make the transition into the treasurer position easier.

Mr. Finnie made the motion to accept the second quarter financial report. Mr. Broyles seconded and the motion was carried unanimously.

1. TIGER Update

Ms. Longpine stated that the OTO wanted to update the Board on the TIGER funding activity. The third round of awards were announced in December. There has also been a fourth round of funding announced. The pre-applications are already due on February 20 with obligation of projects due by September of 2013. Projects eligible for TIGER funding are those that have to be truly ready to go. There are some items to be pointed out about the last round of TIGER funding. There is a work sheet that folds out of the agenda. The green projects are rural projects; all the other projects are urban areas. The projects are sorted by the amount of TIGER funding that actually makes up the overall project. Very few projects are even close to the 20% minimum match. Most are 40% or more.

The first two projects are using TIFIA payments. There is information regarding this in the new transportation bill as well. There are also projects using other funding sources. Currently there is no information if TIGER will or will not be included in the next round of the transportation bill. If the OTO is going to compete, the thought process on projects needs to be different than now. The projects have to be ready to go.

Ms. Edwards stated that OTO made a request to the local MoDOT office to look at Chestnut Expressway Rail Bridge and the Eastgate and Chestnut Expressway relocation a TIGER application. The request was sent over to Central Office, but it was decided that this was not one of the top priorities for the state. There are other priorities that could go ahead of this request. It was a long shot, however, since there was not a 40 or 50 percent match.

Mr. Salisbury stated that MoDOT is not really sure the criteria used to select the projects by Central Office. Staff is working on finding out and working to get better at processing projects so that they are be ready to go.

1. MoDOT Bolder Five Year Direction Update

Mr. Salisbury stated that regarding MoDOT’s bolder direction progress has been made. It is going along pretty smoothly. Three district offices, 18 Resident Engineer offices, and 106 maintenance facilities have been closed. All of the facilities will be available for sale. Several communities have stepped forward and have communicated interest in buying some of these facilities. As soon as the facilities are ready they will be sold. Right now staff is trying to select 740 pieces of equipment to reduce and those pieces will also be offered for sale. The most painful part of the process is the reduction in employees by 20 percent statewide. Most of the reduction is in the area of administration and people who work on projects. Right now, MoDOT stands at 777 employees in the southwest region with the target of 746, however, those 777 still are not in the right spots. At the end of the year MoDOT will probably be laying off some of employees. Everyone will be offered a job somewhere, but towards the end, the offers will be in maintenance. It is moving forward very well considering everything that has happened.

There is some contact information included with the agenda. If there is confusion on whom to contact, contact anyone and they will direct the individual to the correct person. There are two area engineers, one in Nevada that covers the North and one in Branson that covers the South. The Joplin area are has district leadership stationed there with no engineers. Most people contact district leadership for questions. The OTO’s primary contact is the planning division which is headed up by Frank Miller.

1. Administrative Modification Number One to the FY 2012-2015 TIP

Ms. Longpine stated that this is an administrative modification to the TIP. MoDOT is asking for $10,000 from construction to be put into right-of-way for Christian County. Per OTO policy, staff is allowed to make administrative changes without approval of the Board for minor changes to the TIP. That policy includes changes like this modification.

1. Amendment Number Two to the FY 2012-2015 TIP

Ms. Longpine stated that this is a TIP amendment which will need Board approval. MoDOT is requesting to add scoping of the Republic Road Bridges over the James River Freeway to the TIP. The project is around $309,000. Once scoping is completed, the estimated total cost for construction is $4,300,000.

Mr. Miller stated that the City of Springfield has this project in the City’s Long Range Plan to widen Republic Road.

Mr. Finnie made the motion to approve the TIP Amendment Number Two to the FY 2012-2015 TIP. Ms. Hacker seconded and the motion carried unanimously.

1. OTO Requests for Public Records and Services

Ms. Longpine stated that this policy is something that has come out of several discussions with the Board of Directors and Executive Committee. The OTO needed to have in place a policy to handle records and requests for services that are more than just supplying records to the public. The records request policy incorporates the Sunshine Law and sets a fee schedule for considering staff time in addition to the cost of copies. The request for services has guidelines for approval of working with private institutions and member jurisdictions. If the request will be less than three hours, it is up to the Executive Director to decide if the OTO will accommodate the request. If the request is greater than three hours, the Executive Committee would decide. The request would be brought to the Board if it would cost the organization more than $2,000, since an amendment would need to be made to the UPWP. The policy allows work for member jurisdictions of less than 8 hours. It also allows the Executive Director to set a fee schedule annually for the cost of those services.

Mr. Fisk asked if the eight hours is cumulative from the first of the year. Ms. Edwards stated she did not interpret it that way for the member jurisdictions. Mr. Fisk asked if the fees are allowed with the Sunshine Law.

Ms. Longpine stated that on the records side, the Sunshine law allows the cost of copies. It also allows the organization to charge for time, so the fees take into account time. It also allows for setting that fee schedule. Mr. Lapaglia stated that the cost of time cannot be based on the highest paying employee.

Mr. Fisk made a motion to approve the OTO request for public records and services. Mr. Lapaglia seconded and the motion was approved unanimously.

1. TIP Software Annual Contract

Ms. Longpine stated that this is a new program that the OTO is looking into. The TIP is currently produced in-house. It is a combination of Excel documents and Word documents. Staff has been looking at different solutions for a couple years to make it a much easier database to use and produce. The OTO went out for an RFP this year for an electronic TIP. There were six submissions received and the firm selected was DTS, Data Transfer Solutions.

Out of the options, DTS had the most user friendly reporting format and is web based. There is the capability to go to an interactive map, look at the TIP projects, and produce a customized TIP report. Each jurisdiction could run the TIP for their area. Information for a particular project can be pulled.

The contract includes annual maintenance on top of the initial implementation. That will allow the OTO to have the mapping capabilities, to allow the jurisdictions to submit projects across the web for amendments and to produce the TIP each year. This covers what it would cost the OTO and then some to host it internally and then have the additional support on it. DTS will be responsible for that instead. The overall time spent trying to produce the TIP would be reduced.

Mr. Lapaglia made a motion to approve an annual maintenance contract for TIP software. Mr. Fisk seconded and the motion carried unanimously.

1. Copy Machine Three-Year Lease

Ms. Parks stated that the copy machine three year lease has been handed out. Staff thought that OTO would have to go out to bid, but the OTO was able to participate in a cooperative purchase option which is allowed in the OTO purchasing manual. The City of Springfield has a contract in place that will allow the OTO to get the same pricing for a copy machine. The reason a new lease is needed, is that the old lease that originated from the City of Springfield has run out. The old lease will either need to be renewed or a new copy machine obtained.

Since technology has changed in three years there are some better pricing options for better technology. Right now the OTO currently has a black & white copier that only allows black and white scans. The new copier that is being discussed is a color copier that can be programmed to be used in black & white mode or color. This allows for keeping costs down, but also gives the option for color scanning and copies. There are a lot of maps that are produced, so the ability to scan the maps and then email them would be a real benefit.

Looking at the prices, the current lease is for $220 per month which includes the service, toner, and ink. The new copier will be approximately the same monthly price. Staff is still in the negotiating phase for color copies, but thinks that the monthly price will still be around $220. There will not be a formal contract. There will be the City of Springfield original contract information and addendum and a purchase order. It is still a lease, so the Board is being requested to approve the three year commitment.

There was an inquiry if this is actually a lease with a company. Ms. Parks stated it is actually with Copy Products. The inquiry is the lease with Copy Products or is it a third party lease with a financial group. Ms. Parks stated that if it was not done through the cooperative purchase with the City of Springfield, OTO would have had to go out and had to sign a lease with US Bank, which is Copy Products’ Third Party Lease Company. There is not a formal lease with a third party company.

Mr. Broyles stated that the City has gone to the Konica on all of the City’s copy machines. The Konicas are good machines. Mr. Vicat stated that basically the OTO is “piggy backing” off of the City of Springfield’s contract. Ms. Parks stated that is the concept.

Mr.Heatherly asked if the City signed a third party lease. Ms. Parks stated that the OTO is not working with the City of Springfield. The OTO is allowed to purchase off of State Contracts or GSA per its purchasing manual and this is actually a lot cheaper than the GSA rate.

Mr. Finnie voted to authorize the Executive Director to enter into a copy machine lease. Mr. Broyles seconded and the motion was carried unanimously.

1. Employee Education Assistance Program

Ms. Edwards stated that staff was asked to develop an employee education assistance program/tuition reimbursement program as a result of the last Board meeting. Staff researched the different programs around like MoDOT and the City of Springfield, and came up with a draft plan for an education assistance program. The highlights are $4,000 per year per employee. It is 100% reimbursable for an A, 90% for a B and 50% for a C. To qualify, an employee would have to have worked for one year and be in good standing with an okay evaluation. The classes have to be job related. There is a requirement that if an employee leaves within one year, the employee would be required to reimburse the OTO. The policy will go into force July 1, 2012 to coincide with the new fiscal year.

Mr. Compton stated that the Executive Committee worked with Ms. Edwards to look at several different groups from MoDOT and others to review some of the programs. The feeling was that not only does it help retain the top employees but it gives better credentials for the organization as well.

Ms. Edwards stated that $12,000 was proposed for the budget so at the most three employees could be taking classes at the same time.

Mr. Finnie made the motion to approve the draft OTO Education Assistance Program. Mr. Broyles seconded and the motion carried unanimously.

1. Executive Committee Appointments

Ms. Edwards stated that in February 2009 the Board acted to appoint the Executive Committee and also amended the By-laws to create the Executive Committee. The Executive Committee has seven members, four of which would be the officers: Chair, Vice-Chair, Treasurer, and Secretary. The other three members would be Board appointed. The original appointments were made in 2009. The request is to reappoint the three positions since it has been three years. At this time the Board is requested to appoint three members to the Executive Committee. Mr. Aaron Kruse and Mr. Steve Childers have both stated their willingness to serve. Mr. Tom Keltner did not feel like he would be able to do so. He would nominate Mr. Nick Heatherly to serve in his place.

Mr. Fisk stated that third person who is willing to serve could be discussed and be brought to the Executive Committee. It is important to make sure that jurisdictions are represented.

Ms. Edwards stated that the Board could appoint two and then come back to the next Board meeting with an Executive Committee recommendation for the third. Mr. Compton stated that if anyone would be interested in serving they could inform the Executive Director.

Mr. Fisk made the motion to appoint two to the Executive Committee members, Aaron Kruse and Steve Childers, and bring the third member back to the Board for consideration.

Mr. Nick Heatherly stated there is in an issue of whether he could be on the Committee since he was not an elected official. Mr. Finnie stated that Mr. Childers is also not an elected official. Ms. Edwards stated that the issue is outlined in the current By-laws. It reads that an elected official must be the official appointed and the alternates can be appointed. It does not say that alternates cannot be on the Executive Committee. The issue with Mr. Heatherly serving is that the By-laws also state that the same person cannot serve on the Board and the Technical Committee. Mr. Heatherly serves on the Technical Committee. Mr. Steve Childers only serves on the Board. Mr. Martin or Mr. Heatherly could not technically vote at this meeting since both serve on the Technical Committee. It is an issue that some of the smaller jurisdictions do not have enough staff to represent both the Board and the Technical Committee.

Ms. Edwards stated that as long as someone does not serve on the Technical Committee they can be appointed to the Executive Committee. The By-laws can always be changed if the Board feels it necessary.

Mr. Finnie made the motion to approve Mr. Fisk’s motion. Ms. Hacker seconded and the motion carried unanimously.

1. **Other Business**
2. **Board of Directors Member Announcements**

Mr. Heatherly stated that the City of Willard passed the City’s sales tax with no sunset.

Mr. Weiler stated that he appreciated Congress passing the FAA reauthorization Bill after 23 continuous resolutions. This is a four year funding bill that provides funding for modernization of traffic control systems. It is moving more towards GPS equipment instead of ground based navigation to make aircraft more efficient. He wanted to thank the delegation for their support of the airport.

1. **Transportation Issues For Board of Directors Member Review**

Mr. Fisk requested that as soon as MoDOT announces their surplus equipment that the OTO send out the information to the jurisdictions in case they would want some of the equipment. Mr. Salisbury stated that the last round was an auction, but MoDOT has sold property in a lot of different ways.

Ms. Edwards inquired if there was a mailing list the OTO could get on for that through the Central office. Mr. Salisbury stated he would ask MoDOT to keep the OTO in the loop on that.

1. Articles for Board of Directors Member Information

No comments on articles

1. **Adjournment**

Meeting adjourned at 12:55 p.m.