

# Eastern Upper Peninsula Transportation Authority

## Regular Board Meeting Minutes

**DATE:** Wednesday, September 9, 2009

**PLACE:** 4001 I-75 Business Spur  
Sault Ste. Marie, MI 49783

**MEMBERS PRESENT:** Rodney Richards      Frank Sasso      Ted Postula  
Dennis Robinson      Jack Kibble

**MEMBERS ABSENT:** None absent

**ADMINISTRATIVE STAFF PRESENT:** Chuck Moser      Akemi Gordon      Lyn Rairigh  
Lynda Schexnayder      Jim Dunn, Attorney

**ADMINISTRATIVE STAFF ABSENT:** None absent

**OTHERS PRESENT:** See attached sign in sheet.

## **I. - II. CALL TO ORDER/ROLL CALL**

The meeting was called to order at 4:00p.m. by Chairman Sasso. All directors were present.

## **III. PUBLIC COMMENTS**

Dan Cairns spoke briefly regarding the upcoming North shore paving job to be done on Sugar Island. The pavers will be coming in to the office Friday to speak with Chuck Moser.

## **IV. APPROVAL OF BOARD MINUTES –August 3, 2009**

With regard to Regular Board Meeting Minutes for August 3, 2009; **IT WAS MOVED** by Director Richards; **SUPPORTED** by Director Kibble to approve said minutes. **UNANIMOUS.** Motion carried.

## **V. FINANCIAL REPORT-P.E.-July 31, 2009**

Finance Director Akemi Gordon presented and recommended approval of the following Resolutions: #2007-0204/Z17 FY 2010 Section 5316/Job Access and Reverse Commute Program; \$10,648 (Federal) and \$10,648 (MDOT). **IT WAS MOVED** by Director Postula; **SUPPORTED** by Director Kibble to adopt said Resolution. **UNANIMOUS.** Motion carried.

#2007-0204/Z15 FY 2009 Section 5311 Capital/Surface Transportation Program; funding source: 2009/7509 in the amount of \$18,000 (F). **IT WAS MOVED** by Director Kibble; **SUPPORTED** by Director Postula to adopt said Resolution. **UNANIMOUS.** Motion carried

#2007-0204/Z11/R1 FY 2008 Section 5309 Earmarks/High Priority Project for the purpose of providing additional funding of \$39,300 and an additional \$7,860 in toll credits. **IT WAS MOVED** by Director Kibble; **SUPPORTED** by Director Postula to adopt said Resolution. **UNANIMOUS.** Motion carried.

# 2007-0204/Z14/R1 FY 2009 Marine Capital for the purpose of adding \$38,000 in state funding and \$4,222 in local funding to the vessel propulsion systems line item for the purchase of replacement engines. **IT WAS MOVED** by Director Postula; **SUPPORTED** by Director Richards to adopt said Resolution. **UNANIMOUS.** Motion carried.

## **IN GENERAL**

Finance Director Gordon presented and recommended approval of the FYE 2010 Budgets for ferries and busing. Gordon reported making an adjustment to the bus system to reduce our fare box revenue to account for a loss of contract riders we were just notified about last week. We figured this would

decrease our revenue by \$10,500. The ferry budget was also adjusted to include \$25,000 we requested from the county. Gordon may have to amend the budget again once we have more

information on incoming revenues. **IT WAS MOVED** by Director Robinson; **SUPPORTED** by Director Postula to adopt FYE 2010 Budgets. **UNANIMOUS.** Motion carried.

Gordon reported she is in the process of searching for new health insurance. MERS is closing their health insurance division due to increased competitive firms. We have until January 31, 2010. Gordon would like to have Deb Gill come to the October board meeting to give a presentation.

### **BUSSING**

Gordon reported rider ship is down 5% or 2,625 through the end of July. Revenue is comparable to 08 with increases in some line items offset by some decreases in others. The net effect is a decrease of 0.11%.

### **FERRIES**

Gordon reported a decent July with an increase of 2,386 (4%) vehicles and 5,196 (6%) in passengers.

## **VI. DIRECTOR'S REPORT**

Executive Director Chuck Moser introduced Clark Harder, Executive Director of the MPTA since October 1999. Prior to that Clark was a State Representative serving in the House of Representatives from 1990-98. He was the chairman of the Appropriations Subcommittee on Transportation in 1997-98. Previous to serving in the legislature as an elected member Clark served on the Democratic House staff, has managed a small business and spent 12 years in broadcasting. He holds a Bachelor's Degree in Journalism from Michigan State University. In October Clark will mark his 10<sup>th</sup> year with MPTA and he is responsible for general oversight of the MPTA which includes representing transits interests to our elected officials at all levels.

At this time Clark Harder gave an overview of how MPTA works. Mr. Harder thanked Director Moser and Attorney Dunn for their work with the MPTA. Mr. Harder is on his way to Ironwood where the September Board Meeting of the Statewide Transit Association will be held.

Director Moser reported at the August MPTA Board Meeting the 5311 Committee, which is the committee that specifically advocates on behalf of the rural transit systems, recommended that the Board pass a resolution that would urge MDOT and the legislature to more adequately fund rural transit systems.

## **BUSSING**

Moser presented and recommended approval of a word change in our Drug Testing Program Policy; US Department of Transportation has reissued a final rule for all transportation modes that requires direct observation of urine sample collections for all “return-to-duty” and “follow-up” tests for controlled substances. Previously this was an employer option. Effective August 31, 2009, this became a mandated requirement. We will simply need to change the word “may” to “will” in two places in our existing policy to accomplish this. **IT WAS MOVED** by Director Postula; **SUPPORTED** by Director Kibble to make this change in our existing policy. **UNANIMOUS.** Motion carried.

## **FERRIES**

Moser reported we had a recent issue involving Native American Fishing rights. We had a net located right in our usual course of travel between Detour and Drummond for most of the month of August. We first attempted to resolve the issue at the lowest possible level to no avail. When it became apparent that the owner of the net was more intent in causing trouble than actually fishing, and after making sure that he was fishing outside of the boundary waters, Moser contacted Mark Gill from the USCG. Mark assured Moser that the matter would be thoroughly investigated and dealt with in the appropriate manner. Moser contacted Mr. Gill earlier today to thank them for a job well done. It looks like there will be a rather large fine imposed on the offender and there is likely to be further federal legislation taken up to redefine the boundary so that this will not happen again in that particular area. Moser has also commended our crew that they did a very good job in acting professional throughout this incident.

Moser reported with regard to EPA; it looks like we will be required to file a notice of intent or NOI for the purposes of discharging basically anything into the lake. The way it reads....any vessel exceeding 79' in length will be required to fill out a form to see what kind of permit we would be required to carry on each vessel. All of our vessels exceed 79'.

Lyn Rairigh gave a brief overview of problems with the Neebish Island ramp.

John Drury, Chuck and Akemi sat down with AECOM to discuss a potential design and oversight contract two weeks ago. AECOM gave EUPTA a cost estimate. Moser referred to a \$250,000 Earmark and briefly discussed a contract stipulating design, oversight and options (with specific approval from us). Moser will bring contract to October meeting.

## **VII. ATTORNEY REPORT**

Attorney Dunn reported that board members should receive some written communication in regards to the legal complaint in the mail in the next ten days.

## VIII. ADJOURNMENT

Being no further business to come before the Board, **IT WAS MOVED** by Director Richards; **SUPPORTED** by Director Postula to adjourn. **UNANIMOUS.** Motion carried. Meeting was adjourned at 5:15 pm. The next regular board meeting is scheduled for Monday, October 5, 2009, at 4:00p.m; Luce County Courthouse (small courtroom) in Newberry.

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Ted Postula, Sec. /Treas.

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Prepared By: Lynda Schexnayder