



Birmingham-Jefferson County Transit Authority
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BOARD MEETING MINUTES

Wednesday, March 24, 2010

Opening: The meeting was called to order by the Chairman, Guin Robinson, at 12:00 p.m. in the Public Meeting Room, located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

Members Present: Joyce Brooks, Frank C. Galloway, Brian Hamilton, Walter Jones, Johnnye P. Lassiter, Ronald Lyas, Doris Powell, Guin Robinson, and Rev. Patrick Sellers

Members Absent: None

Others Present: Debra Anderson-Burse, Christopher Bolling, Anna Brown, Dorothy Brown, Ernestine Cobb, William Copling, Butch Ferrell, Ann Florie, Amy Follett, Jacquese Gary, Richard Goldstein, Judy Gordon, Susie Hannah, Chuck Jeffries, Barbara Lawson, Chris Leffert, Dr. Jesse Lewis, Tracy Lewis, Aneesa McMillan, Julie McMillan, Joshua Meeks, Phillis Meeks, L. A. Moss, J. H. Oliver, Kevin Owens, Kevin Palmer, Nicholas Porterfield, David Ricker, Kristal Riddle, Scott A. Riddle, Helen Rivas, John Rockett, Ken Simon, Rhonda Siserir, Bracie Smith, Makeda Smith, Marilyn Solomon, Geri Tutt, Collina Washington, Deborah Witt, and James Wormely, Jr.

A moment of silence was observed.

Rev. Patrick Sellers led the assembly in the recitation of the **Pledge of Allegiance**.

Adoption of the Agenda: The revised agenda was adopted by general consent. [The revised agenda distributed at the meeting included items under the chairman's report for discussion of the executive director position and the RFP for Legal Services.]

Adoption of the Minutes: The minutes were adopted by general consent, with a correction to add Judge Agnes Chappell as being present at the February meeting and recognized by Chairman Guin Robinson. Brian Hamilton clarified the intent of paragraph 5, line 13, page 4, intending that after the Board interviews the candidates, if the Board is not satisfied, then the Board would move to the next candidate.

Chairman's Report –

American Public Transportation Association (APTA) Review:

Mr. Robinson announced that the APTA reviewers will be on site to review all aspects of the organization on May 17-20, 2010.

Update on the Executive Director Position:

Mr. Robinson reported that the open interviews for the executive director position were held on March 8, 2010, and the selection of the permanent executive director is at hand.

Ronald Lyas moved that the Board award the executive director position to William Copling; seconded by Rev. Patrick Sellers, and failed with a roll call vote resulting in seven (7) noes from Joyce Brooks, Frank Galloway, Brian Hamilton, Walter Jones, Johnnye P. Lassiter, Doris Powell, and Guin Robinson; and two (2) ayes from Ronald Lyas and Rev. Patrick Sellers.

Frank Galloway moved that the Board appoint the executive director position to Peter Behrman; seconded by Doris Powell; and approved by a roll call vote resulting in seven (7) ayes from Joyce Brooks, Frank Galloway, Brian Hamilton, Walter Jones, Johnnye P. Lassiter, Doris Powell, and Guin Robinson; one (1) abstention from Ronald Lyas, and one (1) no from Rev. Patrick Sellers.

Ronald Lyas moved that the Board authorize Guin Robinson, with input from the Board, to negotiate with the selected candidate for a salary package ranging from \$105,000 to \$115,000; seconded by Doris Powell, and approved by general consent.

RFP for Legal Services

Johnnye P. Lassiter moved that discussion regarding the RFP for legal services be tabled until the next meeting; seconded by Doris Powell and approved by general consent of those members voting. Frank Galloway, Brian Hamilton, and Rev. Patrick Sellers abstained from voting due to professional and/or personal reasons.

Joyce Brooks moved that the Board extend the current contract of legal services until the next meeting; seconded by Johnnye P. Lassiter, and approved by general consent of those members voting.

Interim Executive Director's Report –

William Copling, Interim Executive Director, announced that the BJCTA received delivery of the first, recently purchased, paratransit vehicle. The vehicle will be tested for a period of thirty (30) days and returned to the manufacturer with any requested changes. Five vehicles will be delivered each week, beginning in May, until all thirty vehicles are received.

Delivery of the first fixed route bus is expected to be in early July for testing. According to the manufacturer, production has been delayed until October. Ms. Powell referred to discussion of a change order and asked if legal counsel had reviewed the changes. Mr. Copling replied that the change order does not alter the contract and confirmed that there would be no additional charge to the Authority, as long as the BJCTA stayed within the parameters of the actual projected cost. The changes are documented. Ms. Lassiter commented that any changes should be written into the contract. Mr. Robinson requested that a representative of the manufacturer be present at all future meetings to answer questions from the Board, until the buses are delivered. Ms. Lassiter requested that the bus be delivered at Central Station, as is standard.

Richard Nardecchia, Chief Financial Officer, announced that the independent auditors released their report with no findings for FY2009. He then reported that as of February 28, 2010, assets were \$30,998,906.40 while total liabilities were \$10,648,477.84. The Income Statement details year to date revenues of \$12,979,741.84 and expenses of \$11,895,386.50 resulting in a difference of \$1,084,355.34. The total cash and cash equivalents were \$5,146,597.39 of which \$5,120,059.20 was the balance in the operating and money market accounts. The debt owed to Compass Bank was \$205,583.05, which will be retired in June 2010. Total overall variance with the budget is a positive \$2,062,932.77.

Ms. Powell asked for details to be provided on three financial items: 1) meetings, seminars, and training; 2) educational-tuition reimbursement; and 3) community outreach.

Mr. Robinson commended staff for working diligently to reduce overtime, which was a major concern of the Board.

Resolutions for Consideration and Approval:

- A. Resolution No. 2010-06** - Authorization to Exercise the One-Year Option in the Agreement between Bridgestone Firestone North American Tire, LLC and the Birmingham-Jefferson County Transit Authority Regarding Tire Leases and Service Agreement was moved by Rev. Sellers; seconded by Mr. Hamilton and approved by general consent.

- B. Resolution No. 2010-08:** Resolution Memorializing the Board's February 24, 2010 Approval of the Fiscal Year 2009 Independent Auditor's Report was moved by Ms. Lassiter, seconded by Ms. Powell, and approved by general consent.

- C. Resolution No. 2010-09:** Authorization to Obtain Aggregate and Specific Excess Loss Coverage with Optum Health Related to the Collective Bargaining Unit Health Program moved by Mr. Hamilton, seconded by Ms. Lassiter, and approved by general consent.

- D. Resolution No. 2010-10:** Authorization to Renew Health and Dental Insurance Coverage with Blue Cross Blue Shield of Alabama Related to the Collective Bargaining Unit moved by Mr. Hamilton, seconded by Ms. Lassiter, and approved by general consent.

Old Business –
Security

Mr. Hamilton thanked the management of Dynamic Security, Inc., for attending the meeting. He commented that the Board had listened seriously to concerns and recommendations expressed by the riders, and had reached out to the security professionals who acted swiftly in dealing with personnel decisions associated with the

concerns. The Human Relations Committee had very frank and open discussions with management representatives of Dynamic Security regarding how to make the riders feel safe. Collina Washington, Procurement Manager, introduced the guests as executive vice president Scott Riddle and his wife Kristal, regional manager Phillis Meeks, district manager Joshua Meeks, and sales representative Susie Hannah. Mr. Robinson commended the Human Relations Committee for their work.

Retirement Plan

Mr. Robinson reported that he had attended his first meeting of the Retirement Allowance Committee as a representative of the BJCTA. He has since requested several items in writing and will report to the Board as new information is learned.

Expression of Appreciation

Mr. Lyas thanked the interim executive director William Copling who has served the BJCTA well for almost two years. The Board stood and applauded Mr. Copling for his efforts.

Meeting

Ms. Powell questioned whether or not the meeting with Mr. Copling and transit rider Anna Brown had taken place, as directed in last month's meeting, and whether or not all her concerns were resolved. Mr. Copling replied that his assistant had called Ms. Brown to arrange the meeting. Mr. Robinson commented that the meeting should take place sooner than later.

New Business –

Ms. Powell commended the Chairman of the Human Relations Committee Brian Hamilton, along with the Chairman of the Board Guin Robinson, who both worked many long hours on the process of choosing a permanent executive director for the Birmingham-Jefferson County Transit Authority. As a member of the Board, she went on record to thank them for work done, over and beyond the call of duty and asked the Board to join her in making this into a motion. The Chairman of the Board has done a wonderful job working with the mayor and city council of the city of Birmingham to make sure that they understand how important it is for the BJCTA to receive ample funding. The motion was seconded and approved by general consent.

Public Comments –

Anna Brown, transit rider, announced that she had received a telephone call from the executive office on March 22, 2010, to arrange a meeting with Mr. Copling. She thanked the Board and Dynamic Security, Inc., for addressing the security issues and commented that the riders are still dealing with issues of cleanliness of the buses and customer service.

Deborah Witt, president of the Transit Advisory Committee, questioned the funding of the paratransit vehicles. Mr. Copling replied that the vans were purchased from a FTA grant and matching funds from the City of Birmingham; the fixed route buses were purchased from stimulus funds. Future funds received from the City of Birmingham will determine the amount of additional vehicles purchased. Mr. Copling further clarified

that \$3 million dollars had recently been received from the City of Birmingham for continued operations; there is a pending request of \$5 million more. The total amount requested was \$14.2 million. Mr. Robinson confirmed that the vast majority of money is for cost of services rendered to the City of Birmingham.

The **Meeting Adjourned** at 12:40 p.m. The next **Regular Meeting of the Board of Directors** will be held in the City of Mountain Brook on **Wednesday, April 28, 2010 at 12:00 PM** in the council chambers located at 56 Church Street, Mountain Brook, Alabama.

Minutes submitted by: Barbara Lawson, Administrative Assistant

Date: _____

Approved by: _____
Guin Robinson, Chairman

Attest: _____
Frank C. Galloway, Jr., Secretary/Treasurer