

**Grand Valley Metro Council  
Executive Committee Meeting**

Thursday, January 15, 2009  
12:00 pm

Grand Valley Metro Council  
40 Pearl Street NW, Suite 410  
Grand Rapids, MI

**MEETING NOTES**

**Present**

Jim Buck  
Daryl Delabbio  
Don Hilton, Sr.  
Jim Miedema  
Cy Moore  
Rick Root  
Carol Sheets  
Alan Vanderberg

City of Grandville  
Kent County  
Gaines Township  
Jamestown Township  
Council Treasurer  
City of Kentwood  
City of Wyoming  
Ottawa County

**Absent**

Audrey Nevins

Byron Township

**Other**

Leon Branderhorst  
Andy Bowman  
Bob Homan  
Dharmesh Jain  
Gayle McCrath  
Don Stypula

Grand Valley Metro Council  
Grand Valley Metro Council  
Plainfield Township  
Grand Valley Metro Council  
Grand Valley Metro Council  
Grand Valley Metro Council

**1. Call to Order**

The meeting was called to order at 12:10 pm by Chair Jim Buck.

**2. Approval of Minutes**

**MOTION – To Approve the December, 2008, GVMC Executive Committee Minutes. MOVE – Root. SUPPORT- Hilton. MOTION CARRIED.**

### **3. Meeting Change**

The committee discussed changing the date of the February Board meeting as many members will be unavailable to attend. After reviewing several dates, it was decided to stay with the original date of February 5, 2009.

### **4. Legislative**

Don Stypula reported on the meeting of the Legislative Committee. The Legislative Breakfast was discussed. It was thought that a lunch including legislative staff, the MML, MTA, & MAC would be good for late April / early May and would be held either at the MML office or in the Mackinaw room at the Capital. If there are no objections, Don will secure a venue and get notice out to everyone and work with the MML to get a caterer. We will then move forward with the invitations.

Jim Buck stated there was a very good turnout at the legislative committee and there was enthusiasm for an event in Lansing which also might include the staff of legislators. Don will proceed with these plans.

Rick Root stated it would be helpful if some of the GVMC staff like Abed and Andy could attend also.

Don Stypula reported the City of Wyoming has requested assistance on the closing of the 36<sup>th</sup> Street GM plant. He explained the situation and roadblocks. The city needs access to the building to market it for redevelopment. It may also need environmental cleanup. They would like this included in the stimulus package. They are requesting a letter be sent to Senators, Congressmen, the Governor and State Legislators asking them to be mindful of the situation so they can get access.

Carol Sheets stated GM will not allow city personnel in the building as it is not yet closed. We have a number of redevelopment properties we would like to work on.

Transportation Funding – Don Stypula stated there was nothing new in transportation funding other than what is in the stimulus package. Don will send copies of this to everyone and they should receive it before they get back to their offices.

Carol Sheets asked how set is this package and how much of it is in flux.

Don Stypula stated he has a family member who is joining the new administration and has been assured the package is set solid.

### **5. Transportation**

The Kent County Road Commission, GVMC staff and the City of Lowell are requesting to amend the FY2008 – 2011 TIP. Specifically, the City of Lowell is requesting TIP

Amendments for FY2009, 2010 and 2011 as well as a FY2009 Unified Planning Work Program (UPWP) amendment.

- KCRC is requesting to change the phasing of their 4 Mile Road project currently located in FY2010 and 2011. The project will now be implemented in two phases instead of three. Phase one (FY2010) will begin at Old Orchard Drive and end at Baumhoff Avenue with a new total cost of \$2,000,000. The second phase (FY2011) will continue at Baumhoff Avenue and end at Peach Ridge Avenue with a new total cost of \$2,000,000. The total project cost will be \$4,000,000. (See attached memo).
- Staff is requesting to amend the FY2009 TIP to de-obligate the Congestion Management System (CMS) project (\$61,388 Federal) and to delete this line item from the TIP. Staff is also requesting to move a City of East Grand Rapids FY2008 project; Breton Avenue from Lake to Hall; Advance Construction Conversion to FY2009 (approximately \$61,000 Federal).
- Staff is also requesting an amendment of the FY2009 UWP. See attached.
- The City of Lowell is requesting to amend the Transportation Improvement Program (TIP) for FY2009 adding a Federal Safe Routes to School program project to the TIP. The project (construct a 10' wide path) is located on Gee Drive from Creekside Park to Alden Nash. The grant total is \$269,700. (See attached memo).

The FY2009 Unified Planning Work Program (UPWP) for the Grand Valley Metropolitan Council (GVMC) includes the budget for all federally assisted transportation planning activities that the GVMC Transportation Division, the Interurban Transit Partnership (ITP) and the Michigan Department of Transportation (MDOT), will undertake. Any changes in the federal funding amounts under work items in the UWP warrant a UWP amendment and approval by the GVMC Board. Staff is requesting an amendment of the FY2009 UWP to delete the Surface Transportation Program (STP) funding amount of \$75,000 under "Work Item 4.2" Congestion Management System (CMS). This action is needed to maintain financial constraints in the FY2009 Transportation Improvement Program (TIP). Ozone Action! Program, "4.1"- Pavement Management System (PMS), and "4.2"- Congestion Management System (CMS). Staff is also requesting the amendment of the FY2009 UWP, to reflect federal STP and Congestion Mitigation/Air Quality (CMAQ) Program, previously obligated unspent funds from FY2008 under work items "1.3"- Geographic Information System (GIS), "3.3"- Staff is requesting to amend "Work Item 1.3" for the amount of \$178,480, "Work Item 3.3" by the amount of \$133,585, "Work Item 4.1" by the amount of \$194,359, and "Work Item 4.2" by the amount of \$150,830. The annual expenditures of the GVMC Transportation Department for FY2009 will not increase due to the FY2008 previously obligated unspent funds. In order for GVMC to retain these funds the FY2009 UPWP needs to be amended.

**MOTION – To Amend the TIP for the Items Mentioned and Move it on to the GVMC Board. MOVE – Hilton. SUPPORT – Sheets. MOTION CARRIED.**

**MOTION – To Amend the Unified Planning Work Program. MOVE - Delabbio.  
SUPPORT – Vanderberg. MOTION CARRIED.**

## **6. LGROW**

Brian Donovan explained the next step in setting up the LGROW organization is to establish dues. They have worked a long time to get it set up and now are ready to start the real work and establish a Board, which will come from dues paying members. They have been working on a shoestring budget for many years and have been very frugal. We ask this group to endorse the membership and dues model.

Don Stypula stated it is very difficult to ask for funding at this time. Foundations have been helpful to start the organization, but now it is time for potential members to show their support. It is helpful to bring this to the Council for discussion.

Andy Bowman stated LGROW is working with a public relations firm to get things going.

Bob Homan asked if there would be pay to play.

Brian Donovan stated there would be no vote on the Board if they do not pay dues.

Daryl Delabbio asked how LGROW relates to GVMC.

Andy Bowman stated it is like REGIS in that it makes its own decisions and will staff on a contractual bases.

Daryl Delabbio asked about NPDES.

Brian Donovan stated those who have a permit will still make payments on the NPDES fees.

Daryl Delabbio asked if GVMC members will get a discount on their LGROW dues.

Brian Donovan stated at this point, no as we LGROW dues will pay for 100% of its administration. None of the GVMC dues will go to support the organization.

Daryl Delabbio asked if LGROW activities would detract staff from their GVMC duties, and if so, would I get a discount off GVMC dues.

Brian Donovan stated staff has the time now, and they would be paid as a contractor. GVMC members would not be loosing.

Carol Sheets said she felt it was a great way to go. Our fees are increasing greatly and we need to be a player, but we may have questions if we ask for \$400 from our Board.

Brian Donovan added the DEQ is using this as kind of a model. I think we will be ahead of the curve. I want to keep it here and not in Lansing or Washington.

Carol Sheets said once you have some educational materials, I want you to come and present to the Wyoming Council.

Al Vanderberg stated LGROW is one of the best things GVMC has done. If it comes down to a matter of prioritization, it should be put first. However, we need to make sure the strategic plan reflects new priorities, and it brings up the question of how does the plan change? The Board needs to come to a consensus as to how to make intentional changes to the business plan.

Brian Donovan stated we are open to a different arrangement if GVMC wants. We can continue to have dialogue on this. We are hoping that as governments, we can take a lead on this issue.

Jim Buck asked Brian Donovan what he wanted from the Executive Committee at this point.

Brian Donovan indicated they were looking for the endorsement from the GVMC Board on asking others to join LGROW.

Don Stypula suggested this be brought back for continued discussion at the February meeting and then to the GVMC Board in March.

## **7. REGIS – Draft GVMC / REGIS Memo of Understanding**

Don Stypula reported a revised memo has been attached to the agenda which the REGIS Board has agreed to approve. He asked for the committee's opinion and desire to move forward.

Jim Buck stated there had been many areas of concern and asked if anyone wanted to comment.

Cy Moore stated there were questions on how the REGIS budget is approved. He doesn't have a problem as long as it is brought to the Finance committee early in the process rather than after it is approved.

Cy Moore also asked about the line which states the REGIS Board will set the pay and compensation for the REGIS Director separately and asked if that meant the rest of the REGIS employees fall in line with GVMC.

Bob Homan stated yes.

Rick Root said that although he initially pushed the issue, he thinks there are questions that need to be cleared up.

Don Hilton stated he is still uncomfortable with the direction this is going. I am not clear why we are moving down this road. Will REGIS separate entirely? We are in the process of moving to a new location. Where will we be if they pull out?

Don Stypula asked where the liability for action taken by the REGIS Director or REGIS Board would lie. Who would be sued if there would be an issue?

Bob Homan stated it either would be GVMC or both entities, they can't be separated.

Don Stypula reported that GVMC purchases insurance for the actions of its Directors. There is potential an event could place the Metro Council in the position of having to defend itself for the actions of the REGIS Director and/or Board, although it would have no oversight.

Bob Homan stated that is why the memo calls for periodic meetings between the GVMC Executive Director and the REGIS Director.

Don Stypula stated the diminished authority of the GVMC Executive Director needs to be noted. GVMC still is liable, but loses all authority and oversight.

Abed Itani stated he has concerns regarding liability and if REGIS ceases to exist, GVMC will be obligated for its rent. REGIS does not hold its own liability. From a practical point of view, you can't have a ship with two captains.

Don Stypula stated, as the Executive Director of Metro Council, I have the authority to make decisions which affect the entire organization. We have strong personalities and I need to weigh their needs during conflicts. Will I still have the authority to do so after this?

Rick Root said the question is who the #1 person is and who makes the call. I don't see this in this document. However, the REGIS Board feels it does. The liability still falls to the Metro Council; the leadership should continue to fall to the GVMC Executive Director and GVMC Executive Committee. I don't know how you could do both. Either you are under GVMC or not.

Bob Homan stated if an agreement can't be made, then Don will have to bring this to the REGIS Board.

Al Vanderberg indicated the issue doesn't need to be approved today.

Bob Homan stated the Committee had met before and has made changes to the agreement. He feels they have done all they can and the issue should be forwarded to the GVMC Board.

Don Stypula stated he hasn't shared this issue with anyone else on the Board. If it is brought to the Board, it will be the first time they have heard of it.

Jim Buck stated the same discussion will happen at the GVMC Board level. Has the full REGIS Board been in on the discussions regarding this?

Bob Homan indicated only the REGIS Executive Board has.

Jim Buck stated he doesn't like this. He has qualms with this to begin with as it was stated most of these changes were already enacted through the Intergovernmental Agreement, however the IGA is an agreement between REGIS and its members not REGIS and GVMC.

Don Stypula stated he could meet with the REGIS Executive Board or its full Board.

Al Vanderberg said there still needs to be clarification on what the problem is. He has been very involved in REGIS and was unaware there was a problem.

Rick Root said to him it appeared at first there was just some administrative squabbling, but now it appears there is more. If GVMC intends to be in control, we can't be half way.

Abed Itani stated REGIS is a GVMC Agency according to the GVMC Bylaws and additionally, GVMC paid \$2.7 million to get REGIS off the ground. Without GVMC, there would be no REGIS.

Daryl Delabbio stated he felt staff needs to discuss these matters off line, not in the Executive Committee meeting.

**MOTION – To Table the Issue Until the February Meeting. MOVE – Vanderberg. SUPPORT – Delabbio. MOTION CARRIED.**

## **8. Adjournment—1:30 pm**

**MOTION – To Adjourn. MOVE – Delabbio. SUPPORT – Moore. MOTION CARRIED.**