

**Grand Valley Metro Council  
Executive Committee Meeting**

Thursday, February 19, 2009  
12:00 pm

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

**MEETING NOTES**

**Present**

Jim Buck  
Don Hilton, Sr.  
Jim Miedema  
Cy Moore  
Rick Root  
Alan Vanderberg

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

**Absent**

Daryl Delabbio  
Audrey Nevins  
Carol Sheets

Kent County  
Byron Township  
City of Wyoming

**Other**

Leon Branderhorst  
Andy Bowman  
Brian Donovan  
Gayle McCrath  
Don Stypula

Grand Valley Metro Council  
Grand Valley Metro Council  
East Grand Rapids  
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 January, 2009, GVMC Executive Committee Minutes.  
MOVE – Root. SUPPORT- Moore. MOTION CARRIED.**

### 3. Transportation

MDOT, The Rapid, the City of Grand Rapids and GVMC Staff are requesting to amend the FY2008 – 2011 TIP. Specifically, MDOT, The Rapid, the City of Grand Rapids and GVMC staff are requesting **TIP Amendments** for FY2009, 2010 and 2011.

- MDOT is requesting the following amendments to General Program Accounts (GPAs) for trunkline and local projects, either adding GPAs not currently in the TIP and adding funding to GPAs that do currently exist.
- The Rapid requests to amend the FY2010 TIP to make adjustments and additions to their Section 5307 and Section 5309 projects listed within the TIP.
- The City of Grand Rapids is requesting to amend the TIP to add an awarded FY2009 Enhancement project to the TIP. The project consists of reconstructing Cherry Street from Commerce Avenue to Division Avenue to brick pavers and the realignment of the Division/Cherry intersection. The award amount was \$417,328 federal with a total construction cost of \$1,470,000.
- Staff is requesting to amend the FY2009 TIP to add two Congestion Mitigation Air Quality (CMAQ) projects to the FY2009 TIP. MDOT and the Federal Highway Administration (FHWA) have determined that the projects are eligible for CMAQ funding.

**MOTION – To Approve the Requested TIP Amendments and Move them to the March 2009 GVMC Board Agenda. MOVE – Hilton. SUPPORT – Root. MOTION CARRIED.**

### 4. REGIS Memo of Understanding

**MOTION – To Take the REGIS Memo of Understanding Off of the Table. MOVE – Root. SUPPORT – Vanderberg. MOTION CARRIED.**

Don Stypula reported on a meeting previously held to discuss the REGIS Memo of Understanding. Two questions were forwarded to Mika Meyers regarding whether enhanced benefits could be offered to an employee without affecting GVMC's non-taxable status. Questions were regarding health benefits, which are not in question in this case.

Jim Buck reported there had been a question at last month's Executive committee meeting regarding services provided to GVMC by REGIS.

Don Stypula reported in his meetings with Bob Homan he was assured REGIS is not concerned with the services REGIS supplies to GVMC. Don has talked to members of REGIS regarding REGIS and how much time was being asked for Transportation planning.

Abed Itani explained that the Transportation department has its own GIS program and people. Transportation provides information to REGIS for its members benefit. Transportation does not need the REGIS information for its planning and in fact, has to supply GIS information in a different format to the Feds.

Cy Moore stated Daryl Delabbio was asking if everyone was getting a fair shake in this relationship. Is everyone being treated fairly. He was concerned about double dipping.

Abed Itani stated when Transportation uses REGIS, Transportation pays for it per hour. Also, GVMC put in an initial \$2.6 million to create REGIS.

Rick Root stated he didn't think there was consensus on the REGIS board regarding the changes being asked for in the Memo of Understanding.

Don Hilton stated if the REGIS Board was asked to vote on it today, many would not even know what they were voting for.

Al Vanderberg asked what the issues were that brought this request for the Memo of Understanding to a head. Items such as approval of budget and members, etc., have never been an issue before. What is the relationship between GVMC and REGIS. It appears as if they want their cake and eat it too. If there is a legitimate firm which determines the indirect formula for each department, then that is what it is. There should be no question.

There are questions regarding who these entities are members of. First GVMC, and then REGIS. There should be some opportunity to appeal. This Board needs to carefully think about its relationships with its agencies. This issue still needs much work and thought.

Abed Itani stated there have been no problems approving budgets. Theoretically, Transportation could ask for the same powers, but there would be no value in it to our members. This memo takes away the Executive Director's authority. This Executive Director may not have a problem with it, but how about the next. Regarding indirect costs, even now we have questions about that. I would feel better if there were one system we adhered to. Transportation has the federal regulations we have to follow.

Rick Root asked how did this all come about. He thought it started with a question of executive pay, but a lot of other issues have arisen.

Don Stypula stated Dharmesh Jain confessed he feels he is tugged in two different directions regarding who has authority over REGIS. Don has personally taken a step back in administration. There are those on the REGIS Executive board who want this taken a step further. Looking into the future we need to address what we do with an agency when we get to this point.

Don Hilton said it was previously stated that maybe it was time to let REGIS go on its own, and GVMC would be here to pick them up if they fell. If they go, we should just cut them loose. Either you are under the umbrella or not. It is like trying to have two bosses, and you can't do that.

Abed Itani stated REGIS would save money if they stayed with GVMC. There are also lease implications if REGIS were to split.

Al Vanderberg said he felt the issue of executive compensation could be done separately. There are mechanisms for adding to an existing salary schedule under special circumstances. This could be handled right away. However, there seems to be other issues which we still do not know they came up.

Gayle McCrath explained one of the issues which instigated this was the directive by the REGIS Board regarding Dharmesh Jain's salary increase. The REGIS board had done a salary survey

and the format of the proposed salary ranges did not match GVMC's. Options were given by her to the GVMC Executive Director on how Dharmesh could be awarded that salary (add another level to the GVMC salary scale to incorporate the new information; move Dharmesh to a similar salary on the existing scale, etc.). However, whatever the remedy was, it had to be done under the authority of the GVMC Executive Director, not the REGIS Board. The REGIS Board can make recommendations to the GVMC Executive Director which he can accept and implement, but the REGIS Board does not have authority to award an increase and create a totally new salary scale only for the REGIS Director. The recommendation from the REGIS Board also included changes in the benefits for the REGIS Director. However, the REGIS Director is an employee of GVMC and is allotted the same benefits as all GVMC employees which were determined by the GVMC Board.

Dharmesh Jain and the REGIS Board maintained that these powers and more (not requiring GVMC approval of REGIS Board members; not requiring GVMC approval of REGIS budgets and amendments, etc.), were given to the REGIS Board through their Restated Intergovernmental Agreement. However, the Restated Intergovernmental Agreement and the changes made therein, were only approved by REGIS members and only affect the relationship between REGIS and its members. It does not change the relationship or powers GVMC has over its agencies (REGIS).

Gayle McCrath also explained that other operational issues which arose such as the additional day off between Christmas and the weekend, could be handled simply by recognizing that REGIS has different obligations to its customers and may need to be staffed on those days. A floating holiday day in lieu of this day could be given to REGIS staff.

Al Vanderberg stated the wage and benefit portion of this could be accomplished a lot quicker than the rest of this.

Don Hilton said he started out with the process of the creation of REGIS a long time ago. He saw it come to use; almost fall apart; and its reinvention. The new REGIS Director does a fine job. I don't know what started this conversation and how we have gotten to this point, but it boils down to one issue, what the pay and benefits for the REGIS Executive Director should be. We got sidetracked on the other issues.

Rick Root stated it comes down to the question of who is in charge.

**MOTION – To Postpone the Issue of the REGIS Memo of Understanding Indefinitely.  
MOVE – Vanderberg. SUPPORT – Hilton. MOTION CARRIED.**

## **5. Office Space**

Don Stypula reported GVMC is having problems with the proposed contract for office space at the Riverview building. The numbers are being reviewed. We will make a counter offer. Don has asked the Right Place to help GVMC review other offers.

## **6. LGROW**

Brian Donovan reviewed the history of LGROW and the process which was used to create the organization. They have created a budget which was passed by the GVMC Board. LGROW has

had direct help from the Frey Foundation which is also helping them locate funding through other foundations. Money has been awarded through grants and a great partnership is coming together.

The goal now is to ask other groups to join. LGROW wants endorsement by GVMC's Board so we can really get this going. There are a lot of good things happening. We know these are tough times, so we want to keep the dues as low as possible.

Don Stypula added it is important when requesting funds from foundations to have a formal funding mechanism in place.

The group gave its consensus for the issue of LGROW to go on the March GVMC Board meeting agenda.

## **7. Legislative**

Don Stypula stated on Tuesday, May 5, GVMC will sponsor a trip to the State Capitol. We will gather at noon for a lunch in room 405 on the Senate side. Don has lists of caterers and will move forward from there.

## **8. Other**

Jim Buck reported they are looking for two more people to serve on the Nominating Committee. A Chairman also needs to be appointed. Audrey Nevins has also asked to step down and that another Kent County township representative replaces her.

## **9. Adjournment—1:30 pm**

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