

Yuma Metropolitan Planning Organization
"Local Governments and Citizens Working Together"

**EXECUTIVE BOARD MEETING
MINUTES
September 30, 2010**

MEMBERS

PRESENT: Supervisor Casey Prochaska, Yuma County, Chair
Mayor Martin Porchas, City of Somerton
Mayor James Deermer, Town of Wellton
Supervisor Greg Ferguson, Yuma County
Mayor Al Krieger, City of Yuma
Council Member Africa Carrasco, City of San Luis
Paul Soto, Cocopah Indian Tribe
Michael Jones, ADOT
Council Member Paul Johnson, City of Yuma, via telephone

MEMBERS

ABSENT:
Council Member Cody Beeson, City of Yuma

OTHERS

PRESENT:
Charlene FitzGerald, YMPO
Shelly Kreger, YMPO
Charles Gutierrez, YMPO
Paul Patane, YMPO
Norma Lekan, YMPO
Gail Lewis, ADOT
John Carlson, ADOT

I. CALL TO ORDER

Chair Casey Prochaska called the meeting to order at 1:40 p.m. followed by the pledge of allegiance led by Africa Carrasco.

II. CALL TO THE PUBLIC

No response.

III. ADOT / OVERWEIGHT TRUCKS

Gail Lewis introduced John Carlson, who is with the Government Relations office at ADOT, and is serving as a policy advisor.

Ms. Lewis gave a brief review on the history of the overweight truck issue and made a presentation on the current status. After the presentation there were a few questions on reducing traffic congestion, the benefits of this program, equipment standards and safety. Ms. Lewis added that a map of the area included in the presentation will be sent to the Board. Casey Prochaska requested other information and Ms. Lewis said she would provide that and the maps.

IV. MINUTES OF THE JULY 29, AUGUST 19, AUGUST 31, AND SEPTEMBER 8, 2010 MEETINGS.

Paul Johnson commented that the minutes of the July 29, 2010 are of some controversy concerning changes he submitted that were objected to when distributed to the Executive Board. Because the recording was recently made available he made the following motion:

MOTION: Paul Johnson moved to continue the July 29, 2010 meeting minutes to the October meeting.

SECOND: Al Krieger.

NAY: Greg Ferguson

ACTION: Motion carried.

Casey Prochaska asked Africa if she goes by Africa Luna or Africa Carrasco and she replied she goes by Carrasco. Ms. Prochaska asked that the name be corrected in the minutes.

Regarding minutes of the August 19 and August 31, and September 8, 2010, Ms. Prochaska asked that Africa's name be corrected to reflect Carrasco.

MOTION: Greg Ferguson moved to approve the minutes of the August 19, August 31 and September 8, 2010 meetings.

SECOND: Al Krieger.

ACTION: Motion carried.

Paul Johnson asked if the meeting was being televised and Casey Prochaska replied that it was being recorded via audio. Mr. Johnson asked why it wasn't being televised and Ms. Prochaska answered that it is expensive to continue televising it. It's an open meeting and the public is encouraged to attend the meetings. Mr. Johnson voiced the benefits of televising it and Ms. Prochaska added that this can be further discussed later.

V. YMPO WEB SITE CONTRACT AWARD

Charlene FitzGerald and Charles Gutierrez reported that RFP's went to other local providers as requested by Greg Ferguson. MGM, Walt's Web World and another company who is now out of business were solicited and MGM came in at \$5,200. Walt's Web World didn't respond. Global Spex is still the least expensive at \$2,900. These were presented to the TAC and they are recommended to the Executive Board that Global Spex be awarded the contract.

MOTION: Casey Prochaska moved that the YMPO web site contract be awarded to Global Spex.

SECOND: Africa Carrasco.

ACTION: Motion carried.

VI. APPOINT FINANCIAL OVERSIGHT COMMITTEE OR AUDIT SUBCOMMITTEE

Charlene FitzGerald reported that an audit subcommittee had previously been appointed, but no meetings have taken place. The auditor would like to meet with the audit subcommittee in the next week or so. Greg Ferguson stated that the by-laws have been changed to reflect that the Secretary/Treasurer must be on the audit subcommittee. After a short discussion about a financial oversight committee, Mr. Johnson reported that Jim Deermer, Greg Ferguson, and himself were appointed to serve on the audit subcommittee.

MOTION: Al Krieger made a motion to keep the same audit subcommittee, but to expand the duties to include financial oversight.

SECOND: Martin Porchas.

ACTION: Motion carried.

VII. APPOINT COMMITTEE TO REVIEW BY-LAWS

Al Krieger asked if there's documentation in the by-laws stating that there have to be periodic reviews and Casey Prochaska replied that this had been previously requested by Mayor Krieger. Mayor Krieger recommended that legal counsel and possibly recruit staff from the City or County be included for guidance. There was a short discussion and Al Krieger nominated Martin Porchas to serve on the committee. Martin Porchas nominated Al Krieger to serve on the committee. Africa Carrasco and Paul Soto were also nominated to serve. Mayor Krieger asked if City staff could attend with him and Casey Prochaska suggested that the committee get together first to see what areas need work. Then, if necessary, staff can be brought in at a later time.

MOTION: Casey Prochaska moved to accept Africa Carrasco, Martin Porchas, Paul Soto, and Al Krieger as the by-law committee.

SECOND: Africa Carrasco.

ACTION: Motion carried.

VIII. DISCUSSION OF ATTENDANCE OF YMPO LEGAL COUNSEL AT MEETINGS AND COST TO EACH ENTITY

Casey Prochaska reminded everyone that this was requested by Mayor Krieger. However, YMPO has adopted a budget; therefore, the costs need to be discussed as it was not included in the budget. Mayor Krieger stated that it is a generally accepted practice to have legal counsel present and asked for an explanation of the costs involved. Wayne Benesch provided an explanation of a typical contract for legal counsel: the contract provides services on an hourly rate and any attorney assigned to a specific task will be one who is qualified to work on that specific task. Mr. Benesch also stated that usually if any board members have questions, they should direct them to the Executive Director. If necessary the Executive Director can contact the attorney to get answers to the questions as he doesn't recommend that the board members call the attorney directly. Mr. Benesch also recommends that the attorney be involved in reviewing the by-laws. A discussion was held on costs and needs, and Charlene FitzGerald recommended that this item be continued at the next meeting and the board agreed. Mr. Benesch was going to bring cost estimates to share with the board at the next meeting.

IX. NOVEMBER AND DECEMBER MEETING DATE CHANGE

Charlene FitzGerald reported that the November meeting needs to be rescheduled as the regular meeting is scheduled for Thanksgiving Day. Casey Prochaska stated that typically the November and December are combined the first week of December.

MOTION: Casey Prochaska moved to combine the November and December regular meeting on December 2, 2010.
SECOND: James Deermer.
ACTION: Motion carried.

X. LOCATION OF FUTURE MEETINGS

Casey Prochaska reported that it has been requested that future meetings be rotated so that meetings can be held in the community, at each entity's location. Al Krieger stated that he would like to see visual recordings of the meetings, if available, at each entity. If costs are involved he would like to see a presentation, at the next meeting, of these costs. Casey Prochaska added that the Town of Wellton doesn't have internet capabilities so televising will not be possible. Mayor Krieger stated that he will talk to the City Administrator about the City's communication department as to whether or not they could possibly televise the meetings. Casey Prochaska added that the ability to call into the meetings is important, not necessarily having them televised. Robert Pickels reported that previous meetings were televised as a courtesy and that if the board wants them televised in the future, a policy change needs to take place. Ms. Prochaska suggested that the entities send their preferences to the YMPO office and YMPO will present them at the October meeting. Al Krieger asked that the location of the future meetings be continued on the next agenda.

XI. NEW ITEMS OF BUSINESS FOR NEXT AGENDA

Rail and Border Issues:

Charlene FitzGerald commented that up-to-date information will be presented at the October meeting.

MPO 101: FHWA and ADOT have confirmed they'll be here in October.

2009 Audit: Delayed and should be ready in October.

FEMA: Oh hold.

Overweight Trucks: Open item on next agenda.

XII. EXECUTIVE DIRECTOR'S REPORT

A. August Financial Report

Greg Ferguson asked that the monthly report from the Treasurer's office be attached to the monthly financial report. Casey Prochaska also asked that the minutes from the Audit Subcommittee meeting be attached as well.

B. Staff Report

No report.

C. ARRA I

No report.

D. Audit Update

Auditor's here today to complete the 2009. We are now preparing the RFP for the 2010 audit.

E. Conference Updates

TERC – Charles Gutierrez will be attending.

Rural Transit Conference – Shelly Kreger will be attending.

Annual Rural Transportation Summit – Charlene FitzGerald will be attending.

F. DHS/Emergency Plan/FEMA/911

No report.

G. Air Quality Conformity

Paul Patane is currently working on this with ADOT.

XIII. EXECUTIVE SESSION

A. Executive Director's Annual Review

Charlene FitzGerald requested an open session for this agenda item.

Each board member commented on the job that Charlene FitzGerald has done over the past year, as the Executive Director.

XIV. RECONVENE TO PUBLIC MEETING (*If required from executive session*).

N/A.

XV. PROGRESS REPORTS

No discussion.

XVI. ADJOURN

MOTION: Casey Prochaska moved to adjourn.
SECOND: Martin Porchas.
ACTION: Motion carried.

The meeting was adjourned at 3:55 pm.

Minutes prepared by:

Norma M. Lekan
Executive Assistant

Minutes reviewed to form by:

Minutes adopted in regular session
on the 28th day of October, 2010.

Charlene FitzGerald
Executive Director

Casey Prochaska, Chairman
YMPO Executive Board