

**EXECUTIVE BOARD  
REGULAR MEETING MINUTES**

*Local Governments & Citizens Working Together*

**EXECUTIVE BOARD & Executive Session  
Regular Meeting  
Thursday, October 29, 2015  
1:30 PM**

**City of Yuma  
City One Plaza  
Yuma, Arizona 85364  
Room 190**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Executive Board Meeting called to order at 1:32 p.m., and Cocopah Vice Chairman J. Deal Begay led the Pledge of Allegiance.

**II. ROLL CALL ATTENDANCE  
YMPO EXECUTIVE BOARD**

Treasurer	Russell "Russ" Clark, Board of Supervisors, Yuma County
Member	Cecilia McCollough, Mayor, Town of Wellton
Member	Greg Ferguson, Board of Supervisors, Yuma County
Member	Gary Knight, Councilmember, City of Yuma
Member	J. Deal Begay, Vice Chairman, Cocopah Indian Tribe
Member	Paul Patane, Yuma District Engineer, ADOT

**YMPO EXECUTIVE BOARD MEMBERS ABSENT**

Chairwoman	Maria Ramos, Councilmember, City of San Luis
Vice-Chairman	Cody Beeson, Councilmember, City of Yuma
Member	Martin Porchas, Mayor, City of Somerton
Member	Edward Thomas, Deputy Mayor, City of Yuma

**YMPO STAFF PRESENT**

Executive Director	Charlene FitzGerald
Senior Planning Manager	Charles Gutierrez
Accountant II	Vivian Hunter
Mobility Manager	Mark Teuscher

**ADDITIONAL ATTENDEES**

Bruce Bartholomew	ADOT
Karl Goldsmith	ADOT
Alan Parisian	ADOT
Deena Fetzer	ACHIEVE
Tim Eisenmann	NEI- (Retired)
Gladys Wiggins	YCAA

**III. DECLARATION OF VOTES:**

Proxies submitted for City of Yuma Councilmember Cody Beeson and Deputy Mayor Edward Thomas. Councilmember Gary Knight declares five votes for the City of Yuma.

Proxy submitted for City of San Luis Chairwoman Maria Ramos to Mayor Martin Porchas.

**IV. CALL TO THE PUBLIC:**

YMPO Mobility Manager Mark Teuscher informed Executive Board of his resignation.

**V. CONSENT AGENDA**

**A. EXECUTIVE BOARD MINUTES FOR SEPTEMBER 24, 2015 REGULAR MEETING**

**B. EXPENDITURE REPORT SEPTEMBER 2015**

**MOTION:**

Supervisor Greg Ferguson motioned to approve consent agenda items as presented. Councilmember Gary Knight seconded the motion.

**VOTE:**

The vote on motion was unanimous.

**VI. RE-ELECTION OF OFFICER – 2015 CALENDAR YEAR**

Treasurer Russ Clark stated that Vice Chairman Cody Beeson will not be part of the Executive Board next year and opened up discussion regarding the next year's replacement of Chairman. Mr. Clark also stated that in accordance with the By-laws, the Vice Chairman normally moves up to Chair, and the Treasurer moves up to Vice Chairman; therefore, one option is to have the Treasurer move up to the Chair, and Executive Board members can nominate and vote on the vacant Vice Chairman and Treasurer positions. Another option is to replace the Vice Chairman now and have them move up next year as Chairman. Supervisor Ferguson informed the Executive Board that in the past, the Chair remained Chair for a second year, the treasurer moved up to Vice Chairman, and a Treasurer was then nominated and voted on by the board members. This option would have to be discussed with the present Chairwoman Maria Ramos. Mayor Cecilia McCollough suggested that the nominee should be available to attend most if not all meetings. Supervisor Greg Ferguson stated that he interpreted the By-laws as to offering no provisions on the removal of an Officer and suggested waiting until after the calendar year to make any kind of action. Treasurer Clark agreed to not taking action and suggested discussing again at December 2015 and January 2015 Executive Board meeting in order to include absent members in the discussion.

**VII. RED FUEL, IS NOT STREET FUEL**

Treasurer Russ Clark introduced Bruce Bartholomew, Karl Goldsmith and Alan Parisian of Arizona Department of Transportation (ADOT). Mr. Bartholomew informed the Executive Board that there are various vehicles and equipment that utilize Diesel fuel that pose no damage to roads and highway. Vehicles and Equipment belonging to the farming, timber and construction industries are a few examples. As a result, these particular industries engaged in such activities are not required to pay taxes on diesel fuel as long as the activities are restricted to specific applications set forth by the government. The non-taxable diesel fuel is dyed red. Use of red-dyed diesel fuel in a vehicle on Arizona's public roads is a violation of state law. Arizona is losing at least 10 million dollars in revenue every year due to theft and improper use of Red-dyed diesel fuel.

The State of Arizona enforces the law by implementing sworn officers to conduct inspections and investigations. The penalties are severe with a minimum penalty of \$1,000 or \$10 per gallon of dyed diesel fuel. Once the State of Arizona access the violator, the IRS will also access the violator because of federal guidelines and laws. A second offense will double in penalty to \$2,000 or \$20 per gallon of dyed diesel fuel. However, the State of Arizona and ADOT focus more on compliance by informing the public and different agencies about the red-dyed diesel fuel.

Mr. Goldsmith and Parisian discussed some of the exemptions. The vehicle has to be designed to perform a specific function. Therefore a tractor riding from one farm to another is allowed to be on a road. A *hay-stacker* is a converted pickup used on farms and is not allowed on the roads because the pickup was not designed for that purpose. School buses and city buses are another exemption and allowed on roadways as long as it is used for the designed purpose. If a school bus is chartered out in the evening to take a group of people to a bingo event, the bus cannot have red-dyed fuel in the tank. Numerous eligible companies whose vehicles have multiple purposes simply purchase regular diesel fuel; and at the end of the year, they fill out the forms and documents provided by ADOT and write it off on their income taxes.

#### **VIII. EXECUTIVE SESSION**

No Items presented

#### **IX. RECONVENE TO PUBLIC MEETING**

No Items presented

#### **X. EXECUTIVE DIRECTOR'S REPORT / SUMMARY OF CURRENT EVENTS / BOARD MEMBER REPORTS & COMMENTS**

- A. MEMBERSHIP
- B. CHANGES TO BYLAW
- C. STAFF REPORTS
- D. TAC MINUTES
- E. CONFERENCE UPDATES
- F. MPO/COG DIRECTOR/PLANNER MEETINGS
- G. RTAC
- H. PROJECTS-ECONOMIC DEVELOPMENT AND TRANSPORTATION
- I. STRATEGIC REGIONAL SAFETY PLAN
- J. RURAL TRANSPORTATION SUMMIT 2016

Executive Director Charlene FitzGerald announced that the 2<sup>nd</sup> Economic Summit will occur on November 4, 2015 at the Cocopah Resort. The House Transportation Committee and Arizona Chamber will host a reception November 12, 2015 at 5:30 p.m. and followed by dinner at 7:00 p.m. at the Hilton Pivot Point. The forum is on Friday November 13, 2013 from 8:00 a.m. to 12:30 p.m.

#### **XI. POSSIBLE FUTURE AGENDA ITEMS**

- A. SAN LUIS TRAFFIC GPS STUDY – MAIN STREET-ADOT
- B. YMPO REGIONAL STRATEGIC TRANSPORTATION SAFETY PLAN (YRSTSP) –DEC 2015
- C. AUDIT FY 2015 – JAN/FEB
- D. UPWP BY 2017 – MAR/APR

## **XII. PROGRESS REPORTS**

- A. ADOT Corridor Profile Studies**, September 28, Charlene FitzGerald attended
- B. Scenario Planning Webinar**, September 28, Charlene FitzGerald participated
- C. Seeking your input on FHWA's Scenario Planning of Future freight and Passenger Traffic flows Across the U.S./Mexico and U.S./Canada Borders Modeling Framework**, September 28, Charlene FitzGerald participated
- D. SEAGO Training 5310 Finance**, September 29, Mark Teuscher and Vivian Hunter attended
- E. Functions of a Supervisor**, September 29, Charles Gutierrez attended
- F. Council Meeting in Wellton**, October 6, Charlene FitzGerald and Charles Gutierrez attended
- G. TAC Meeting**, October 8, Charlene FitzGerald, Charles Gutierrez and Melissa Ramos attended
- H. Power of Accountability**, October 13, Charlene FitzGerald and Charles Gutierrez attended
- I. Mobility Management Summit**, October 15, Charles Gutierrez attended
- J. Transportation and Arizona Outreach Program**, October 15, Charlene FitzGerald attended
- K. AMPO** – October 20-22, Charlene FitzGerald attended
- L. Skills of the Supervisor**, October 20, Charles Gutierrez attended
- M. CA/AZ Regional Meeting of the BBBXG**, October 27 - 28, Charlene FitzGerald and Charles Gutierrez attended
- N. Executive Board Meeting**, October 29, Charlene FitzGerald, Charles Gutierrez, and Vivian Hunter attended

## **XIII. ADJOURNMENT**

### **MOTION:**

Yuma District Engineer Paul Patane motioned to adjourn the meeting.  
Mayor Cecilia McCollough seconded the motion.

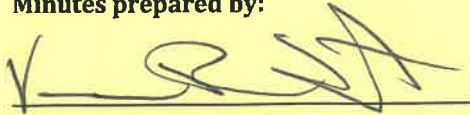
### **VOTE:**

The vote on motion was unanimous.  
Meeting adjourned at 2:12 P.M.

### **Future meeting locations:**

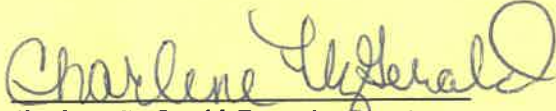
See attachment for dates: all meetings will be held in Yuma City Hall, room 190 in 2015

**Minutes prepared by:**



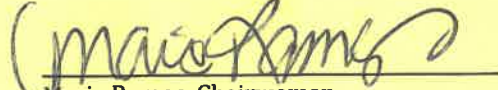
Vivian R. Hunter  
Accountant II

**Minutes reviewed to form by:**



Charlene FitzGerald, Executive Director  
Yuma Metropolitan Planning Organization

**Minutes adopted in regular session  
On December 3, 2015**



Maria Ramos, Chairwoman  
YMPO Executive Board



### **XIII. PROGRESS REPORTS -**

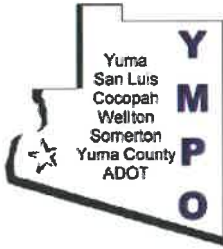
- A. TAC Meeting**, November 12, Charlene FitzGerald, Charles Gutierrez and Melissa Ramos participated
- B. AZ House Transportation Committee**, November 12-13, Charlene FitzGerald, Charles Gutierrez, Melissa Ramos, and Robert Aguilar attended
- C. YMPO Long Range Transportation Plan** – Charlene FitzGerald participated
- D. SEAGO Training 5310 Workshop**, November 17, Charles Gutierrez attended
- E. YMPO Regional Mobility Committee Quarterly Meeting**, November 18, Charles Gutierrez attended
- F. ADOT Statewide Long Range Transportation Plan** – November 18, Charlene FitzGerald attended
- G. RAAC**, November 19, Charlene FitzGerald attended
- H. Executive Board Meeting**, December 3, Charlene FitzGerald, Charles Gutierrez and Vivian Hunter attended

### **XIV. ADJOURNMENT**

**Notice:** In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, YMPO does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in YMPO programs, activities, or services, contact Charlene FitzGerald at 928-783-8911.

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