

**BATA Regular Board of Directors Meeting Agenda**  
416 Front St, Suttons Bay, MI 49682, Suttons Bay Library  
Thursday, June 29, 2023 @ 1:30 pm

1. Call to Order by Chairperson
2. Pledge of Allegiance and Moment of Silence
3. Roll Call
4. First Public Comment\*
5. Approval of Agenda/Declaration of Conflict of Interest
6. Consent Calendar  
The purpose of the consent calendar is to expedite business by grouping non-controversial items together to be dealt with in one Board motion without discussion. Any member of the Board, staff or the public may ask that any item on the consent calendar be removed and placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Board action adopting the consent calendar.

*Consideration of Approving the following Minutes*

- a. *Regular Board Meeting Minutes of April 27, 2023*

*Consideration of Accepting the following Reports*

- b. *Finance Oversight Team Notes of May 22, 2023 and June 12, 2023*
- c. *Governance Committee Minutes of June 12, 2023*
- d. *April and May Finance Reports*
- e. *Board Request Tracker [no new items]*
- f. *Correspondence*

7. Any items removed from the Consent Calendar – Richard Cochrun
8. Executive Director's Report – Kelly Dunham
  - a. HQ Facility/Owner's Representative Report  
Jerry Tomczak, Program Manager, Cunningham-Limp
  - b. Hiring Report – Chris Davis
9. Chairperson's Report – Richard Cochrun
10. Committee Reports
  - a. Finance Oversight Team – Richard Cochrun
  - b. Governance Committee – John Somavilla
11. Old Business
12. New Business
  - a. 2023 Tax Rate Request Resolution Form L-4029 for Grand Traverse and Leelanau Counties

Roll Call:

- b. Cass Rd/Diamond Dr Listing Agent Recommendation

- c. Extension of \$10,000 Recruiting Incentive Recommendation
  - d. Executive Director Salary Band Recommendation
  - e. MPO Intergovernmental Agreement Recommendation
- 14. Board Discussion Items
  - 15. Second Public Comment\*
  - 16. Directors' Comments and Announcements/Open Floor
  - 17. Adjournment

Public Comment:

Any interested party or person may address the board on any matter of BATA concern during public comment. Comments will be limited to 5 minutes and a one-minute warning will be given when needed. Any public comment that becomes disruptive, unduly repetitive, or impedes the orderly progress of the meeting may be terminated by the presiding officer. Once you have completed your public comment the board may ask any clarifying questions. If needed, you will be assigned a member of BATA's staff to follow up directly on any open concerns.

## **BATA Regular Board of Directors Meeting Minutes**

115 Hall St, Traverse City, MI 49684

Thursday, April 27, 2023 @ 1:00 pm

1. Call to Order by Chairperson Richard Cochrun at 1:00 pm
2. Pledge of Allegiance and Moment of Silence

3. Roll Call

Richard Cochrun	Present
John Sommavilla	Present
Robert Fudge	Present
Heather Harris-Brady	Present
Brad Jewett	Present
Jamie Kramer	Present
Joe Underwood	Present

Absent: None

Other staff present: Kelly Dunham, Eric Lingaur, Chris Davis, Phil Masserant, Adam BeVier, Wayne Stevens, Keir Rasmussen, Britny Schwartz (Via Zoom).

4. First Public Comment\*

No public comment.

5. Approval of Agenda/Declaration of Conflict of Interest

**On a motion made by Brad Jewett and seconded by John Sommavilla, the BATA Board of Directors approved the April 27, 2023, Regular Meeting Agenda as presented.**

**Motion carried 7-0**

6. Consent Calendar

The purpose of the consent calendar is to expedite business by grouping noncontroversial items together to be dealt with in one Board motion without discussion. Any member of the Board, staff or the public may ask that any item on the consent calendar be removed and placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Board action adopting the consent calendar.

**On a motion made by Brad Jewett and seconded by Robert Fudge, the BATA Board of Directors moved to approve the April 27, 2023 Consent Calendar as presented.**

**Motion carried 7-0**

*Consideration of Approving the following Minutes*

- a. *Regular Board Meeting Minutes of February 23, 2023*

*Consideration of Approving the following Reports*

- b. *FY23 Q2 Ridership Report*
  - c. *FY23 Q2 Turnover Report*
  - d. *Governance Committee Minutes of March 13, 2023*
  - e. *Local Advisory Committee Meeting Minutes of April 12, 2023*
  - f. *Finance Oversight Team Notes of April 17, 2023*
  - g. *Board Request Tracker [no new items]*
  - h. *Correspondence Any items removed from the Consent Calendar – Richard Cochrun*
7. Executive Director's Report – Kelly Dunham  
Kelly updated the Board of Directors on meeting with the county administrators and legal counsel to work towards a potential resolution. They will continue to meet weekly and keep everyone informed and continue to monitor. Kelly invited the Board to the staff BBQ on May 4<sup>th</sup> from 10 am – 3 pm as well as the groundbreaking on May 10<sup>th</sup> at 2 pm, additional instructions on parking for the groundbreaking will be provided soon. New technology updates were given. GMV installations are currently taking place and we are working on solutions for the radio transmission. Kelly introduced Matt Morrutz as the LAC representative. Listing agents have been solicited for the listing of Cass Road and Diamond Drive facilities.
- Matt Morrutz spoke for the LAC as their representative and shared their current focuses.
- a. HQ Facility/Owner's Representative Report  
Jerry Tomczak, Program Manager, Cunningham-Limp  
Jerry provided an update on the Headquarter facility build.
  - b. Hiring Report – Chris Davis  
Chris provided an update on recruiting and hiring. At least four new hires are in the classes through June. Will provide July driver FTE predictions next month. CDL informational class was held on April 11

with the next class scheduled for May 10th. Hired one of the five attendees from the March class, two additional attendees are available to start in June and July, respectively. She also shared that the incentive has played a large role in recruiting and retention. Heather requested an update on Student Mechanics. Chris stated that the current Mechanic Supervisor stated that the mechanics are currently fully staffed. Will continue to investigate partnering with NMC for the future.

Marketing efforts are underway to recruit retirees as fill-in drivers.

c. Link Service Update – Adam BeVier

Adam provided an update on the Link Service changes because of the new technology implementation. Partnering with VIA to assist with improving Link services.

We are currently using 2 platforms that do not speak to each other, causing stress for riders and staff. With VIA, riders will have the option of booking all rides through an application or a dispatch. This technology will also allow riders to real-time track their bus as well as streamline payment options for riders, riders will still have the option to pay in cash once they board the bus.

The launch should be available in mid to late June.

8. Chairperson's Report – Richard Cochrun

Chairperson Cochrun had nothing to report.

9. Committee Reports

a. Finance Oversight Team – Richard Cochrun

Richard shared that their recommendation is to put the FY22 surplus in the capital reserve fund.

b. Governance Committee – John Sommavilla

John shared that the Governance Committee met in March to interview Board Applicants and shared that no action has been taken.

10. Finance Reports – Phil Masserant

a. Monthly Income Statement

Phil highlighted aspects of the monthly income statement.

b. Statement of Net Position

Phil provided an overview of current Net Position and stated that MiClass is separate from this statement as those funds are reported in the reserve fund.

c. Capital Reserve Fund Report

Phil shared that he will be making the recommendation to use surplus reserve from last year to help support future capital needs under line item 14b.

d. Operating Reserve Fund Report

Comfortable at 20.5%. Funding for the operating reserve fund comes from prior year MDOT reconciliations.

e. New Facility Fund Report

**On a motion made by Joe Underwood and seconded by Brad Jewett, the BATA Board of Directors moved to accept the Finance Reports as presented.**

**Motion carried 7-0**

13. Old Business

No old business presented.

14. New Business

a. New Facility Budget

Richard shared that this report came from FOT to breakdown funding mechanisms for the New Facility. Phil shared information on projected grants from the state and reviewed each of the funding sources that comprise the approximate \$30 million budget, Jerry Tomczak also provided information on contingency funds as well as additional fees that were considered when preparing the New Facility Budget as well as projected funds that will be reimbursed. The current budget sits at \$30.1 million.

**On a motion made by John Somavilla and seconded by Joe Underwood, the BATA Board of Directors moved to approve the total project costs as presented.**

**Motion carried 7-0**

b. FY 2022 Surplus Recommendation

The FOT recommended allocating the FY22 to the capital fund for future capital expenditures.

**On a motion made by Robert Fudge and seconded by Jamie Kramer, the BATA Board of Directors moved to approve the allocation of \$2,948,862 to BATA's Capital Fund as recommended by the FOT.**

**Motion carried 7-0**

- c. IT Vendor Contract Recommendation  
Eric shared information on why a vendor change was needed as well as projected savings.

Commissioner Jewett requested information on Next IT's experience with our technologies, Eric Lingaur stated that Next IT has significant experience with our technologies including more experience than our current provider, i3 Business Solutions.

**On a motion made by Brad Jewett and seconded by Joe Underwood, the BATA Board of Directors moved to approve the IT Contract with Next IT for 3 years for \$42,600 for the first year, and \$39,000 per year for years two and three as recommended.**

**Motion carried 7-0**

- d. MPO Participation Resolution

Kelly shared that the interlocal agreement will be approved separately, this is the MDOT required resolution for participating in the formation.

**On a motion made by Brad Jewett and seconded by Robert Fudge, the BATA Board of Directors moved to approve the MPO Participation Resolution as represented.**

**Motion Carried 7-0**

- e. FY 2023 Success Plan Scorecard Q1 & Q2 Results

Kelly shared the metrics indicating success for the organization. Preventable collisions are reported as a non-absolute number as projected numbers were based on 100% service level.

John Sommavilla requested additional information regarding preventable collisions as reported as well as corrective action regarding accidents.

Kelly shared that the Operations Team does continue to investigate accidents for trends and additional training opportunities either individually or staff wide.

Chris shared the Safety Committee reviews monthly accidents as well as injuries. The Safety Committee is currently focusing on prevention and not only reacting to accidents.

15. Board Discussion Items

No Board Discussion Items presented.

16. Second Public Comment\*

No public comment.

17. Directors' Comments and Announcements/Open Floor

Heather Harris-Brady shared that she will be out of commission in June due to a personal reason and may not be available for the June Board meeting.

18. Adjournment

**On a motion made by Brad Jewett and seconded by Robert Fudge, the BATA Board of Directors moved to adjourn the April 27, 2023 Regular Meeting of the BATA Board of Directors at 2:27 pm.**



**BATA**  
**Finance Oversight Team**  
**Notes**

**1:00pm May 22, 2023**  
**3233 Cass Road, Traverse City, MI**

**Present:** Richard Cochrun, John Somnavilla, Robert Fudge, Kelly Dunham,  
Phil Masserant, Chris Davis  
**Absent:** None

**1. Review Listing Agent Proposals**

The FOT reviewed 3 proposals that had been received, with one having the CCIM designation noted as preferred in our RFP. The FOT decided to move forward with inviting that broker in for an interview. If the outcome of that interview is satisfactory, they will move forward with recommending that broker be awarded the listing. If not, they will move forward with other interviews.

**2. Compensation Study Update**

Per a Board directive from March 25, 2021, to review salary bands every 2 years, the FOT reviewed results of the recent compensation study conducted for BATA's non-bargaining positions. The study resulted in a recommended adjustment to the existing salary bands, including that of the executive director. The FOT supports adopting the new executive director level band and will make the recommendation to the full board of directors.

**3. City Loop 7**

The FOT discussed and supported the promotional effort of introducing BATA's new City Loop 7 (replacing the old City Loop 5 which has been suspended due to staffing shortages). The fare free period will be from its roll out June 26<sup>th</sup> through Labor Day. Projected fare collection to be waived is approximately \$1500.

**4. L-4029 Filing Discussion**

The FOT discussed and supported a recommended process improvement to the annual L-4029 tax authorization that we file each year with both counties. This item will be forwarded to the full board for approval prior to July 1st.

## **5. Driver Compensation/Recruiting Incentive Discussion**

The FOT discussed the standing agenda item of alternatives to the \$10k recruiting and retention plan that ends on June 30. Discussion was held regarding the need for a definitive competitive compensation structure to continue the ability to recruit and retain drivers, dispatchers, and mechanics. While the FOT supports extending the \$10k recruiting incentive to bridge the gap to a more definitive structure, it is understood that this is only a stop gap and implementing a longer-term solution would be preferred. Staff will work towards a frontline compensation structure to be reviewed by the FOT at its next meeting.

**BATA**  
**Finance Oversight Team**  
**Notes**

**1:00pm June 12, 2023**

**3233 Cass Road, Traverse City, MI**

**Present:** Richard Cochrun, John Somnavilla, Robert Fudge, Kelly Dunham,  
Phil Masserant, Chris Davis

**Absent:** None

**1. Interview Listing Agent**

Dan Stiebel and Scott Hardy from Coldwell Banker were interviewed by the FOT for their interest in becoming the listing agents on the Cass Road and Diamond Drive facilities. The FOT was satisfied with the interview and will recommend awarding the listings to Dan Stiebel and Scott Hardy.

**2. Driver Compensation/Recruiting Incentive Discussion**

The FOT discussed the upcoming expiration of the \$10,000 recruiting and retention incentive, the continued need for more drivers, and the timing of the upcoming FY 2024 budget revision (August) and the need for a sustainable competitive frontline payscale. The FOT will recommend that the full board supports extending the \$10,000 incentive until it can be replaced in the upcoming budget revision process and implemented 10/1/2023 or sooner.



## **BATA Governance Committee Minutes**

Monday, June 12, 2023, 12:00p.m.  
Cass Road Conference Room  
3233 Cass Road  
Traverse City, Michigan 49684

### 1. Call to Order by Chairperson

John Sommovilla called the meeting to order at 12:13 pm

Members Present: John Sommovilla, Heather Harris-Brady, Robert Fudge

Other's Present: Kelly Dunham, Britny Schwartz

### 2. First Public Comment

No public comment was made.

### 3. Old Business

No old business was discussed.

### 4. New Business

- a. Review notes from interviews conducted March 13, 2023, to fill the at-large seat vacancies on the BATA board to determine the recommended applicants.
  - i. Committee members each recommended their top 2 candidates.
    1. John Sommovilla's recommended candidates were Wayne Schmidt and Rebecca Benedict.
    2. Heather Harris-Brady's recommended candidates were Wayne Schmitt and Rebecca Benedict.
    3. Robert Fudge's recommended candidates were Wayne Schmitt and Rebecca Benedict.
  - ii. Discussion in support for Rebecca Benedict included her ability to advocate for disabled drivers as well as her insight into seasonal employee transit needs due to her current employment with Cherry Republic. Rebecca is a Leelanau County resident.
  - iii. Discussion in support of Wayne Schmidt included his experience as a previous Board Member as well as his insight into future funding as we convert to the MPO, he is also a Traverse City resident.
  - iv. Recommendations for the 2024 term limit: Wayne Schmidt.
  - v. Recommendations for the 2025 term limit: Rebecca Benedict.
- b. Discussion was had regarding how to communicate to recommended candidates that they will be presented to the Board in the proposed intergovernmental agreement.
  - i. They will be notified once the agreement has been agreed to.

### 5. Second Public Comment

No public comment was made.

6. Adjournment

Chairperson Sommavilla motioned to adjourn the meeting at 12:32 pm; Robert Fudge seconded the motion.

**BATA Income Statement  
For the Seven Months Ending April 2023**

	April 2023 YTD			Budget Variance	Annual		
	Actual	Budget			Budget	Budget Remaining	% of Budget
<b>Revenues</b>							
Fare Box Revenue	\$ 303,449	<u>1</u> \$ 222,873	\$ 80,576	\$ 382,065	\$ 78,616	79%	
Auxiliary Trans Revenue	129,272	<u>2</u> 77,644	51,628	133,106	3,834	97%	
Non-Trans Revenue	10,318	441	9,877	761	(9,557)	1356%	
Local Revenue	1,685,073	<u>3</u> 1,748,244	(63,171)	4,521,234	2,836,161	37%	
Local Service Contract	166,798	162,729	4,069	288,844	122,046	58%	
State Formula & Contracts	1,868,084	<u>4</u> 2,370,406	(502,322)	4,154,215	2,286,131	45%	
Federal Operating Grants	983,234	<u>4</u> 1,249,205	(265,971)	2,164,538	1,181,304	45%	
CRRSAA/CARES Act	946,576	<u>4</u> 1,208,402	(261,826)	2,094,583	1,148,007	45%	
Other Revenue: Interest	230,527	<u>5</u> 89,587	140,940	132,806	(97,721)	174%	
Other Revenue: Refunds and Credits	214,952	18,914	196,038	32,422	(182,530)	663%	
<b>Total Revenues</b>	<b>\$ 6,538,281</b>	<b>\$ 7,148,445</b>	<b>\$ (610,164)</b>	<b>\$ 13,904,573</b>	<b>\$ 7,366,292</b>	<b>47%</b>	
<b>Expenses</b>							
Salaries & Wages	2,777,817	<u>6</u> 3,545,370	(767,553)	6,140,337	3,362,520	45%	
Paid Leave	257,404	257,404	-	441,264	183,860	58%	
Fringe Benefits	905,008	<u>6</u> 1,107,887	(202,879)	1,911,747	1,006,739	47%	
Services	429,325	375,699	53,626	772,037	342,712	56%	
Fuel & Lubricants	360,626	<u>7</u> 646,751	(286,125)	1,108,719	748,093	33%	
Materials & Supplies	196,454	247,257	(50,803)	427,028	230,574	46%	
Utilities	79,959	97,746	(17,787)	149,262	69,303	54%	
Insurance	388,858	346,129	42,729	593,358	204,500	66%	
Misc Expense	36,781	25,568	11,213	39,613	2,832	93%	
Interest			-				
Operating Leases & Rentals	9,722	10,003	(281)	17,472	7,750	56%	
<b>Total Expenses before Depreciation</b>	<b>5,441,954</b>	<b>6,659,814</b>	<b>(1,217,860)</b>	<b>11,600,837</b>	<b>6,158,883</b>	<b>47%</b>	
<b>Net Income before Depreciation</b>	<b>1,096,327</b>	<b>488,631</b>	<b>607,696</b>	<b>2,303,736</b>	<b>1,207,409</b>	<b>48%</b>	
Depreciation	647,864	615,013	32,851	1,054,291	406,427	61%	
<b>Net Income (Loss)</b>	<b>448,463</b>	<b>(126,382)</b>	<b>574,845</b>	<b>1,249,445</b>	<b>800,982</b>	<b>36%</b>	

**BATA Income Statement Notes**  
**For the Seven Months Ending April 2023**

	<u>Account Name</u>	<u>Explanation</u>
<u>1</u>	Passenger Fares	Increased Ridership
<u>2</u>	Advertising Revenue	Increase in new advertisements
<u>3</u>	Taxes Levied by Transit Agency	Increase in property tax values. Majority of taxes are collected on summer tax bill (Jul-Sep).
<u>4</u>	State Operating Assistance Federal Section 5311 ARPA/CRRSSA/CARES Act	Budget forecasted at full service levels. FY2023 State Operating 34.58%, Federal 5311 Operating 36% (includes 18% ARPA)
<u>5</u>	Interest Income	Fed Funds Rate for April 2023 was 4.83%. It was 0.33% last year.
<u>6</u>	Salaries and Fringe Benefits	Decreased staff and service levels
<u>7</u>	Fuel & Lubricants	Decrease in gallons consumed and favorable experience in fuel rates

**BATA Income Statement  
For the Eight Months Ending May 2023**

	May 2023 YTD			Budget		
	Actual	Budget	Variance	Annual Budget	Budget Remaining	% of Budget
<b>Revenues</b>						
Fare Box Revenue	\$ 363,675 <u>1</u>	\$ 254,712	\$ 108,963	\$ 382,065	\$ 18,390	95%
Auxiliary Trans Revenue	140,650 <u>2</u>	88,736	51,914	133,106	(7,544)	106%
Non-Trans Revenue	10,333	504	9,829	761	(9,572)	1358%
Local Revenue	1,757,802 <u>3</u>	1,748,507	9,295	4,521,234	2,763,432	39%
Local Service Contract	196,265	185,976	10,289	288,844	92,579	68%
State Formula & Contracts	2,133,763 <u>4</u>	2,710,710	(576,947)	4,154,215	2,020,452	51%
Federal Operating Grants	1,126,233 <u>4</u>	1,419,615	(293,382)	2,164,538	1,038,304	52%
CRRSAA/CARES Act	1,084,144 <u>4</u>	1,372,983	(288,839)	2,094,583	1,010,439	52%
Other Revenue: Interest	281,616 <u>5</u>	90,670	190,946	132,806	(148,810)	212%
Other Revenue: Refunds and Credits	216,397	21,616	194,781	32,422	(183,975)	667%
<b>Total Revenues</b>	<b>\$ 7,310,880</b>	<b>\$ 7,894,029</b>	<b>\$ (583,149)</b>	<b>\$ 13,904,573</b>	<b>\$ 6,593,693</b>	<b>53%</b>
<b>Expenses</b>						
Salaries & Wages	3,167,489 <u>6</u>	4,007,427	(839,938)	6,140,337	2,972,848	52%
Paid Leave	294,176	294,176	-	441,264	147,088	67%
Fringe Benefits	1,029,802 <u>6</u>	1,261,542	(231,740)	1,911,747	881,945	54%
Services	492,372	455,509	36,863	772,037	279,665	64%
Fuel & Lubricants	407,870 <u>7</u>	739,144	(331,274)	1,108,719	700,849	37%
Materials & Supplies	224,333	282,508	(58,175)	427,028	202,695	53%
Utilities	93,297	108,701	(15,404)	149,262	55,965	63%
Insurance	436,536	395,576	40,960	593,358	156,822	74%
Misc Expense	38,368	27,352	11,016	39,613	1,245	97%
Interest			-			
Operating Leases & Rentals	11,124	11,837	(713)	17,472	6,348	64%
<b>Total Expenses before Depreciation</b>	<b>6,195,366</b>	<b>7,583,772</b>	<b>(1,388,406)</b>	<b>11,600,837</b>	<b>5,405,471</b>	<b>53%</b>
<b>Net Income before Depreciation</b>	<b>1,115,514</b>	<b>310,257</b>	<b>805,257</b>	<b>2,303,736</b>	<b>1,188,222</b>	<b>48%</b>
Depreciation	740,416	702,872	37,544	1,054,291	313,875	70%
<b>Net Income (Loss)</b>	<b>375,098</b>	<b>(392,615)</b>	<b>767,713</b>	<b>1,249,445</b>	<b>874,347</b>	<b>30%</b>



**BATA Income Statement Notes  
For the Eight Months Ending May 2023**

	<u>Account Name</u>	<u>Explanation</u>
<u>1</u>	Passenger Fares	Increased Ridership; 44% increase over prior year
<u>2</u>	Advertising Revenue	Increase in new advertisements; 37% increase over prior year
<u>3</u>	Taxes Levied by Transit Agency	Increase in property tax values. Majority of taxes are collected on summer tax bill (Jul-Sep). 3.5% increase over prior year.
<u>4</u>	State Operating Assistance Federal Section 5311 ARPA/CRRSSA/CARES Act	Budget forecasted at full service levels. FY2023 State Operating 34.58%, Federal 5311 Operating 36% (includes 18% ARPA)
<u>5</u>	Interest Income	Fed Funds Rate for May 2023 was 5.06%. It was 0.77% last year.
<u>6</u>	Salaries and Fringe Benefits	Decreased staff and service levels
<u>7</u>	Fuel & Lubricants	Decrease in gallons consumed and favorable experience in fuel rates

## Kelly Dunham

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**From:** Kelly Dunham  
**Sent:** Friday, June 09, 2023 11:39 AM  
**To:** McKenzie Voight  
**Cc:** Jeff Voight  
**Subject:** RE: Ride

Mckenzie,

Thank you for your email. I appreciate you taking the time to reach out with your concerns. We are currently reviewing options to offer our regular riders that are using BATA after 7pm for essential service, such as yourself. I believe Adam BeVier, our operations manager has reached out to you. One of the avenues we're exploring is working with a third party provider (such as a cab) to supplement the change in BATA's hours of operation at no additional cost to the rider. We hope to have that plan firmed up by the end of next week and will again be in contact with you to provide a possible solution.

Thank you in advance for your patience as we work through the details.

Sincerely,  
Kelly Dunham

**From:** McKenzie Voight <mckenzievoight@gmail.com>  
**Sent:** Wednesday, June 07, 2023 4:45 PM  
**To:** BATA Board <bataboard@bata.net>  
**Subject:** Ride

I am aware of your changing policy of not providing service after 7 pm. I was wondering if you would consider making an exception. I am a high school student that doesn't have my license yet and bata is my only way to get home from work. I need a ride 5 days a week 4 of the 5 after seven. I can't keep my job if I don't have a ride. Is there any way I can have an exception? I would appreciate a reply back!

Mckenzie voight.

## Kelly Dunham

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**From:** Kelly Dunham  
**Sent:** Wednesday, June 14, 2023 10:57 AM  
**To:** Amara Hagy  
**Subject:** RE: Service

Amara,

First, my apologies for the delayed response as I was exploring solutions to the situation that you described below. We have decided to maintain our existing evening service hours, which will continue to provide you and others the option of using BATA to meet your needs. Should you have any additional concerns or questions, please don't hesitate to contact me. Thank you for riding BATA.

Best,

Kelly Dunham  
Executive Director  
Bay Area Transportation Authority  
p 231.933.5544  
c 231.675.2885

*BATA DELIVERS SAFE, HIGH-QUALITY, EFFICIENT, AND RELIABLE TRANSPORTATION SERVICES IN ITS REGION THAT LINK PEOPLE, JOBS, AND COMMUNITIES.*

**From:** Amara Hagy <amarahagy@gmail.com>  
**Sent:** Saturday, May 27, 2023 2:13 PM  
**To:** BATA Board <bataboard@bata.net>  
**Subject:** Service

I'm writing to you in regards of the elimination of all evening rides outside of Traverse City. I know many people who live in Long Lake, Grawn, Interlochen, and Kingsley that rely on bata. Not only morning rides, but many of them rely on evening service. Many of which had to change their jobs, or schedules to accommodate bata's availability. With the current economy, there will not be a surplus of jobs available, and it is already hard to get a job with full time hours.

This is going to create a huge barrier to those who rely on public transportation that cannot live within City limits, since covid there has already been major barriers to those outside of Traverse City, now it will be exacerbated.

This will cause people to lose their sources of incomes, affect their livelihood to keep their house, affect those who rely on transportation for appointments, grocery trips.

By eliminating these services in the evening, you will ultimately create more housing issues in Grand Traverse County, as well as poverty to increase and play into the role of creating more barriers for those who VOTED YES to increase the millage for more funding. In the end, you are betraying those who utilize your services and voted yes for BATA.

Please do not betray the community, the consumers, individuals and families. Please utilize the funding to create more access to those outside of the city limits, especially Long Lake township, Grawn, Interlochen and Kingley.

As someone who relies on Bata for work and to get home from work, and evening classes, this will ultimately create more disparities for all of us with no transportation.

## Kelly Dunham

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**From:** Jeff Voight <jeffvoight70@gmail.com>  
**Sent:** Wednesday, June 07, 2023 8:21 PM  
**To:** BATA Board  
**Subject:** Change in Bata scheduling

We were made aware of the changes made to the routing of the busses starting June 26. I would like to express my deep disappointment in this decision. According to the changes my daughter and son depend on this service for transportation from work. I find it particularly frustrating because we supported you in the recent millage. I've been voting every 2 years for the past 43 years and not once have I voted for millage increases or maintenance. I've always felt that if things that require more millage would be more fiscally responsible they wouldn't be needing them as often. This last election was the first time in my life that I voted to approve a millage request and it was for Bata. I figured we do use this resource and the cost is kept very reasonable, so you must be doing something right. So I gave you my support. Now to find out that these services will be discontinued for my daughters evening ride home from work has deeply disappointed us. I would like to request that you change your policy to accommodate continued service to us. Thank you for taking time to read my concerns.

Jeff Voight

## Kelly Dunham

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**From:** Kelly Dunham  
**Sent:** Wednesday, June 14, 2023 10:39 AM  
**To:** Cody Kneip  
**Subject:** RE:

Cody,

Thank you for reaching out to us with your concern. We have reviewed our evening hours of operation and I believe our operations manager, Adam was in touch with you to discuss your specific needs while we explored alternatives to continuing to provide service that meets your needs. Ultimately we have decided to maintain our existing evening service hours, which will continue to provide you the option of using BATA to get home. Should you have any questions, please don't hesitate to contact me. Thank you for riding BATA.

Best,

Kelly Dunham  
Executive Director  
Bay Area Transportation Authority  
p 231.933.5544  
c 231.675.2885

*BATA DELIVERS SAFE, HIGH-QUALITY, EFFICIENT, AND RELIABLE TRANSPORTATION SERVICES IN ITS REGION THAT LINK PEOPLE, JOBS, AND COMMUNITIES.*

**From:** Cody Kneip <ckneip1997@gmail.com>  
**Sent:** Friday, May 26, 2023 7:19 PM  
**To:** BATA Board <bataboard@bata.net>  
**Subject:**

I will urge you to reconsider the night time rides I work a 3 to 9 and rely on the bus to go to work and get home it will leave me high and dry if you do that like me other people also have night time rides around my time you will severely impact the community so please do not cancel the night time rides

## COMPLIMENTS TO BATA STAFF

Date Received	Employee	Route #	Comment	Dept
04/13/23	Mark Ewing	LOD	Mark took Karen home from Home Depot and she said that he is one terrific guy. She wanted to let us know what a great bus driver and man he is.	
04/14/23	Nathan Esper		Shout out to Nathan from Tracy. It was a very chaotic morning and he was extremely helpful in getting the morning started. He pre-tripped busses for me because I had no back-ups, another driver was late and Nathan was able to start their run for me until they got in. I very much appreciate his help!	
04/17/23	Doris Morgan/Don Galley/Misha		Alicia missed the loop bus at Walmart to make her connection to 13A to get home, Doris picked her up when she came up to her bus and worked with dispatch to get her to Don. Don had just called in empty on his route and offered to meet and take her home and she is very appreciative of everyones help.	
05/01/23	Doris Morgan/Linda Cushman/Brian Steed/Justin Jones	LOD	Sandra rode the bus 4 times between Friday ad Saturday and said that all her drivers were courteous and went above and beyond. She also appreciates the bus stop being near the pharmacy and having a bench at Meijer. She says thanks from all of us riders especially the seniors and disabled, thanks for being accommodating.	
05/04/23			Linda wanted to say thank you for your bus service, it has been so helpful to me as a new person here.	

## COMPLIMENTS TO BATA STAFF

Date Received	Employee	Route #	Comment	Dept
05/14/23	All of BATA		Suzy wanted to tell all the guys and gals at BATA that she sure appreciates them, you all help so many people and are so kind. She also wanted to tell all the females working, Happy Mother's Day.	
05/17/23	Todd McCall	31A	Leslie wanted to say that there is a delightful bus driver that passes the corner of Hammond & Fielstra Rd. about 8:30 every morning and makes it a point to honk the horn and wave to the kids and parents. We wait for the school bus every morning and the BATA bus as well for our morning hello. I thought it is very nice and wanted to let him know it is appreciated.	



Greetings BATA Board of Directors!

Have you been down Hammond Road lately?? Our new site is coming right along! We'll get a full update from Jerry at our meeting, but Team Elmers has been doing a fantastic job, moving along even a little ahead of schedule. Foundations have begun and the prefab walls are scheduled to start going up July 10<sup>th</sup>!

The BATA team has been working relentlessly on all fronts to implement the changes taking effect June 26<sup>th</sup>. From the technology prep side, to staffing, to public communication, changes of this magnitude require a massive collaborative effort, and everyone is doing a great job to do their best to ensure the rollout is as smooth as possible. We do anticipate some hiccups in the first week, especially with the new on demand technology but you can be assured that we will check and adjust accordingly. One area that we've adapted already is with our Link evening service hours. We had been planning on ending service by 10pm each night in the city area, 7pm in the rural areas. After hearing from several riders that would be impacted by this change (see emails in correspondence in packet), we reevaluated the allocation of resources to continue to provide service until 10:30pm, which is consistent with current hours. Hopefully this will allow us to minimize the negative impact on existing riders. We're hearing positive feedback from some of our most remote communities (i.e., Northport) about the service changes.

In addition to all the prep for the June 26<sup>th</sup> changes, we're knee deep in Cherry Festival service planning. We provide 165 additional service hours to support this important economic impact festival and we do it with 100% voluntary shifts. Again this year we will primarily use the Bayline to provide the service, and will be offering 20 minute frequency.

We've received notice from MDOT on the FY22 reconciliation which will result in an additional payment to BATA of \$147,615. Per the Operating Reserve Fund policy, this payment will be applied to that fund once received.

We've also received notice from the State of Michigan Court of Claims that the Scott Smith case (former supervisor that was terminated in 2020) decision supported BATA's actions.

The FOT has met twice since the last full Board meeting and has several recommendations on the new business agenda items this month. Please be sure to review the notes from their meetings for the full background on each of the new business items. The only new business item not vetted through the FOT, is the MPO Intergovernmental Agreement. This is the agreement to join the Metropolitan Planning Organization that will replace the existing TTCI board and provides for access to federal funding for the transportation implementing agencies in our region (GTC Road Commission, Leelanau County Road Commission, the City of TC, and BATA). The MPO provides an opportunity for all the governmental agencies/municipalities/townships etc. in the urbanized area to participate in the planning and approval of the use of the federal funds available to the MPO. As the public transit provider, BATA is REQUIRED to participate in the MPO to access federal funding. I've attached a memo

June 21, 2023

from the FTA that further describes BATA's involvement in the MPO and the coinciding transition to becoming a small urban transit agency.

I look forward to seeing all of you next week at the Suttons Bay Library for our meeting. If you have any questions in the meantime, please don't hesitate to reach out to me.

Respectfully,

Kelly Dunham



U.S. Department of  
Transportation

**Federal Transit  
Administration**

March 23, 2023

Kelly Dunham  
Executive Director  
Bay Area Transportation Authority  
Cass Road Transfer Station  
3233 Cass Rd.  
Traverse City, MI 49684

RE: 2020 Decennial Census Urbanized Areas population of 50,000-199,999 in Population

Dear Ms. Dunham,

This letter is to inform you of upcoming changes to the Federal Transit Administration's (FTA's) allocation of Urbanized Area Formula Grants (Section 5307) and Formula Grants for Rural Areas (Section 5311), and other FTA formula-based programs authorized by the Bipartisan Infrastructure Law, enacted on November 15, 2021. These changes result from the Census Bureau's recent publication of new urban area boundaries based on 2020 Census data and will affect how funding is awarded to grantees beginning in Federal Fiscal Year (FY) 2024, which begins on October 1, 2023. Some of these changes may require the governor to select a new designated recipient or administer/allocate funds to new direct recipients and/or subrecipients. Eligibility and requirements associated with Notice of Funding Opportunities (NOFOs) published in FY 2023 will be determined by 2010 Census designations.

Funds apportioned prior to FY 2024 will not be affected and may continue to be used under the terms for which they were originally apportioned. For example, funds apportioned under the Section 5311 program for rural areas prior to FY 2024 may continue to be used for areas that were classified as rural prior to the 2020 Census for purposes eligible under the Section 5311 program.

FTA has identified that Traverse City-Garfield, MI is now located in a small UZA (population of 50,000-199,999). This change will impact Bay Area Transportation Authority and any other providers of public transportation also in the small UZA. Such public transit providers will be eligible in FY 2024 to receive funding under FTA's Section 5307 Urbanized Area Formula Program and potentially other urban-focused formula programs. For small UZAs, funding will be apportioned to the State to support the transit needs of the small UZA, as well as other small UZAs in the State. Amounts specific to each small UZA are published by FTA for informational purposes only and are non-binding.

In order to receive funding through FTA and other Federal transportation funding programs, transit providers in UZAs are required to participate in the federally prescribed multimodal planning processes of a metropolitan planning organization (MPO). The MPO for the UZA will be required to comply with Federal planning requirements by preparing a Unified Planning Work Program (UPWP), a Metropolitan Transportation Plan (MTP), and a Transportation Improvement Program (TIP). These documents will enable transit providers to receive Section 5307 funding and access funding opportunities from a range of other sources. Funding will also be allocated to the MPO to support transit planning activities, as provided in 49 U.S.C. 5305.

The allocation of formula funding to the State for small UZAs in FY 2024 will be based on specific variables set in Federal law. A summary of FTA formula factors by formula program is provided on the [FTA Census Resources and Information webpage](#). For more detailed information on how funding made available under each of the FTA formula grant programs is apportioned, visit [FTA's 'Formula Flowcharts' webpage](#).

The following summarizes other changes that will apply to transit providers in small UZAs that were previously designated as rural subrecipient:

- Transit providers will be eligible to receive funds under the Section 5307 Urbanized Area Formula Program and potentially other formula funds made available for use in small UZAs.
- Transit providers will need to participate in the planning activities of an MPO for that UZA. The MPO, transit providers, and State will be required to coordinate the programming of Federal transit funding.
- Transit providers that are eligible public entities may elect to become or remain a direct recipient of FTA funds. Direct recipients are subject to oversight by FTA, which includes additional reporting requirements and compliance reviews (e.g., triennial reviews).
- With the State's approval, transit providers that are eligible public entities may also become or remain subrecipients of the State. To receive Section 5310 (Enhanced Mobility of Seniors & Individuals with Disabilities Program) funds, any recipients other than the State must be subrecipients of the State.
- Private non-profit organizations that provide public transit services in small UZAs may only receive Section 5307 funds as a subrecipient if they are carrying out Job Access and Reverse Commute projects as defined in [49 U.S.C. 5302\(10\)](#). Private non-profit organizations are eligible subrecipients of Section 5339(a) (Buses and Bus Facilities Formula Program) funds for public transportation projects and for Section 5310 funds (for certain public transportation projects and certain alternative to public transportation) made available for use in UZAs.
- Except for those operators for which safety is regulated by another Federal agency, transit providers that receive Section 5307 funds are required by the Public Transportation Agency Safety Plan (PTASP) regulation at 49 CFR part 673 to have an Agency Safety Plan (ASP) in place. The ASP of transit providers that serve a small UZA must be developed in cooperation with frontline employee representatives and incorporate applicable PTASP requirements as defined in [49 U.S.C. 5329\(d\)](#).
- Recipients will need to be in compliance with applicable FTA requirements and have completed the FTA Certifications and Assurances before FTA can award FY 2024 funding.

A summary of additional changes to select program requirements that apply to a change in area designation, along with other information on the 2020 Census, is provided on the [FTA Census Resources and Information](#) webpage.

For general guidance related to the Section 5307 program, please consult [FTA Circular 9030.1E](#) (Urbanized Area Formula Program: Program Guidance and Application Instructions).

Please contact Susan Weber of the FTA Regional office at [susan.weber@dot.gov](mailto:susan.weber@dot.gov)/312.353.3888 if you have any questions.

Sincerely,

**KELLEY  
BROOKINS**

Digitally signed by  
KELLEY BROOKINS  
Date: 2023.03.23 13:46:16  
-05'00'

Kelley Brookins  
Regional Administrator, Federal Transit Administration

ecc: Jean Ruestman Administrator, MDOT Office of Passenger Transportation  
Valerie Shultz, MDOT North Unit Supervisor  
Susan Weber, FTA Community Planner  
Kathleen Russell, FTA Community Planner

**BAY AREA TRANSPORTATION AUTHORITY**

**STAFFING UPDATE – June 21, 2023**

**Driver staffing goal to meet the Transit Master Plan for full service – 81 FTE\***

**Driver FTE goal to meet summer 2023 service level – 71.8 FTE**

**SUMMER 2023 SERVICE LEVEL FTE NEEDED**

**9 FTE**

**\*The previously reported FTE needed was only for service hours and did not include pre/post trip hours nor PTO/LOA hours.**

**Chris Davis**

**June 21, 2023**

Bay Area Transportation Authority



Resolution: 2023-04  
Approval of 2023 Tax Rate Request Form L-4029

WHEREAS, the Bay Area Transportation Authority (the "Authority") was created pursuant to the Michigan Public Transportation Act of 1986, P.A. 196, to provide public transportation in Grand Traverse and Leelanau Counties, and;

WHEREAS, on November 8, 2022 the voters of Grand Traverse and Leelanau Counties approved a renewal of the original .5 millage and establishing the maximum allowable millage levy of .4788, and;

WHEREAS, the Authority is authorized to collect property taxes in Grand Traverse and Leelanau Counties, and;

WHEREAS, the Authority's Board of Directors have reviewed and approved the 2023 Tax Rate Request Form L-4029, and;

WHEREAS, the Authority has historically collected on the summer tax roll in conjunction with Traverse City Area Public Schools ("TCAPS") and reimburse TCAPS for its share of the collection costs, and;

WHEREAS, the following municipalities collect on the summer tax roll; Acme Township, Blair Township, East Bay Charter Township, Garfield Charter Township, Grant Township, Green Lake Township, Long Lake Township, Peninsula Township, Whitewater Township, City of Traverse City, and;

WHEREAS, the following municipalities collect on the winter tax roll; Fife Lake Township, Mayfield Township, Paradise Township, Union Township, and all townships in Leelanau County, and;

WHEREAS, the Authority operates on a fiscal year end basis ending on September 30, and;

WHEREAS, tax collections from the summer tax roll will be used for operations in the fiscal year ending September 30, 2023, and;

WHEREAS, tax collections from the winter tax roll will be used for operations in the fiscal year ending September 30, 2024.

NOW, THEREFORE, BE IT RESOLVED that at a regular meeting of the Board of Directors of the Authority held on this 29th day of June, 2023, that this Authority, in accordance with the truth in budgeting act, hereby makes its intentions known to issue the maximum allowable millage levy of .4788 mills in 2023.

\_\_\_\_\_  
Richard Cochrun, Chairman

Dated: \_\_\_\_\_



**2023 Tax Rate Request** (This form must be completed and submitted on or before September 30, 2023)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory; Penalty applies.

County(ies) Where the Local Government Unit Levies Taxes <b>Grand Traverse and Leelanau</b>	2023 Taxable Value of ALL Properties in the Unit as of 5-22-2023 <b>10,575,499,951</b>
Local Government Unit Requesting Millage Levy <b>Bay Area Transportation Authority (BATA)</b>	For LOCAL School Districts: 2023 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2023 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2022 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2023 Current Year "Headlee" Millage Reduction Fraction	(7) 2023 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Voted	Operating	11/8/2022	.50000	.4788	1.0000	.4788	1.0000	.4788	.4788	.4788	12/2027

Prepared by <b>Phillip Masserant</b>	Telephone Number <b>(231) 933-5546</b>	Title of Preparer <b>Finance Manager</b>	Date
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**CERTIFICATION:** As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

**Local School District Use Only. Complete if requesting millage to be levied. See STC Bulletin 2 of 2023 for instructions on completing this section.**

<input type="checkbox"/> Clerk	Signature	Print Name	Date
<input type="checkbox"/> Secretary			
<input type="checkbox"/> Chairperson	Signature	Print Name	Date
<input type="checkbox"/> President			

Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag., Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	

\* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

\*\* **IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

MEMORANDUM

TO: BATA BOARD OF DIRECTORS  
FROM: CHRIS DAVIS, DIRECTOR OF HUMAN RESOURCES  
SUBJECT: EXTENSION OF \$10K RECRUITING INCENTIVE  
DATE: JUNE 21, 2023



On April 28, 2022, the BATA Board of Directors approved a \$10K Recruiting and Retention Incentive Program for employees. The incentive was effective May 1 – December 31, 2022. On December 8, 2022, the BATA Board of Directors approved extending the incentive through June 30, 2023. The program has resulted in increasing the hiring rate, increasing the employee retention rate, decreasing the turnover rate, and increasing the number of employees, but more employees are still needed. The \$10K incentive program expires June 30, 2023.

The Board Finance Oversight Team (FOT) discussed the need for a definitive competitive compensation structure to continue the ability to recruit and retain drivers, dispatchers, and mechanics. Bus driver and mechanic starting wage comparisons are attached, and work is being done to develop a frontline compensation structure that would align with the August budget revision and take effect October 1, 2023. In the meantime, the FOT recommends the extension of the \$10K recruiting incentive until it can be replaced in the upcoming budget revision process and implement October 1, 2023.

# Bay Area Transportation Authority Bus Operator Starting Wage Comparison

BATA	Dean	TCAPS	Country Fresh	The Ride	GT CO Road Commission
\$17.87	\$26.20	\$21.21	\$27.91	\$26.85	\$21.42
				86% = \$23.09	

## Bay Area Transportation Authority Mechanics Starting Wage Comparison

<b>BATA - Mechanic I</b>
\$22.36

<b>BATA - Mechanic II</b>
\$17.70

<b>The City of TC</b>
\$22.92

<b>TCAPS</b>
\$27.33

<b>Bill Marsh</b>
\$18.31

<b>GT CO Road Commission</b>
\$21.62

**MEMORANDUM**

**TO:** BATA BOARD OF DIRECTORS  
**FROM:** CHRIS DAVIS, DIRECTOR OF HUMAN RESOURCES  
**SUBJECT:** EXECUTIVE DIRECTOR SALARY BAND  
**DATE:** JUNE 21, 2023



On March 25, 2021 the BATA Board of Directors directed administration to change the frequency of reviewing non-bargaining salary bands from every three to five years to every two years due to the rapidly changing landscape. The compensation study conducted by Consultant Haley Sullins resulted in a recommended adjustment to the existing salary bands, including that of the executive director. The results were reported to the Board Finance Oversight Team (FOT) on May 22, 2023. The FOT recommends adopting the new executive director level salary band as indicated in the attached.

# Salary Band Adjustment

June 29th, 2023

Position
Executive Director

BATA Salary Range		
Current Minimum	Current Mid	Current Maximum
\$118,484	\$148,560	\$178,272

Haley Sullins Consultant Recommendation		
Proposed Minimum	Current Mid	Proposed Maximum
\$140,711	\$165,366	\$189,960

Haley Sullins Consultant Recommendation		
Market 50th - Traverse City	Market 50th - Ann Arbor	Market 50th - MI State Ave
\$173,314	\$204,840	\$188,909

# **Traverse Transportation Coordinating Initiative (TTCI)**

## **Intergovernmental Agreement for Participants of the Metropolitan Planning Organization**

### **Article I. Name**

The name of the inter-municipality committee formed under this agreement shall be the Traverse Transportation Coordinating Initiative, hereafter referred to as TTCI. The formation of this body replaces any former committee which was organized as a precursor to the formal establishment of the Metropolitan Planning Organization.

#### **Section 1.01 Transfer of Balance of Funds**

All funds held under the control of the committee established as the Traverse Transportation Coordinating Initiative previous to the execution of this agreement shall be transferred under the control of the entity named in Article I.

### **Article II. Purpose and Authority**

Michigan Public Act 200 of 1957 provides for the creation, by two or more municipalities, of an inter-municipality committee for the purpose of studying area transportation issues of mutual interest and concern. TTCI shall operate and act in compliance with and under the authority of Michigan Public Act 200 of 1957 and shall have the duties, privileges and rights prescribed in that Act.

### **Article III. Fiscal Year**

The fiscal year for TTCI shall be October 1<sup>st</sup> through September 30<sup>th</sup> of the following year.

### **Article IV. Duties of TTCI**

The duties of TTCI shall be broad objectives that will encompass, but are not limited to the following:

1. Develop transportation plans and programs and establish processes for the continuing review of plans, recommendations, and programs to facilitate the movement of persons and goods in the TTCI Study Area.
2. Design and carry out the assembling and analysis of information pertaining to transportation with the study area.
3. Coordinate transportation facility implementation and operation within the TTCI Study Area.

4. Review and evaluate the planning and programming of transportation related activities, projects and programs within the TTCI Study Area, as they may impact the transportation system.
5. Assist in project implementation where such projects require organizational, functional and operational analysis and/or to undertake those implementation functions not reserved to other agencies or as may be appropriately delegated by such other agencies.
6. Establish and implement a continuing program of public information regarding transportation planning, programs and projects.

## **Article V. TTCI MPO Organization**

TTCI shall be the established transportation planning body for the Census Designated Traverse City-Garfield Urbanized Area and TTCI Metropolitan Planning Area. Representation from transportation agencies, transit agencies and units of government which constitute a minimum of seventy-five percent (75%) of the US Census defined urbanized area shall meet the legislative requirements to seek TTCI MPO establishment; when they have agreed to participate in the formation of the inter-municipality committee through the approval and adoption of this inter-governmental agreement.

### **Section 5.01 Census Defined Urbanized Area and Metropolitan Planning Area**

#### **(a) Census Defined Urbanized Area:**

The United States Census Bureau conducts decennial census every ten (10) years. Upon completion of the decennial census the US Census Bureau conducts a review of data which supports the designation of urbanized areas. Following each decennial census, TTCI shall work with the Michigan Department of Transportation to ascertain changes to urbanized area boundaries, and shall make necessary revisions to meet the requirements of Michigan Public Act 200 of 1957. See *Attachment A* for a map of the urbanized area prescribed by the 2020 US Decennial Census. This attachment shall be updated following each decennial census.

#### **(b) Metropolitan Planning Area:**

The Metropolitan Planning Area (MPA) is the designated geographic boundary within which the planning processes prescribed in 23 CFR 450 and 49 CFR 613 is to be carried out. The Metropolitan Planning Area shall include all geographic boundaries which contain census designated urbanized areas and shall also contain geographic unit boundaries of areas which are forecasted to become urbanized within the next twenty (20) years. MDOT shall make recommendation on MPA boundaries following each decennial census with the final MPA designated by the TTCI Policy Board. A geographic boundary is defined as a Township, Village and City civil division boundaries. See *Attachment B* for a map of the MPA. This attachment shall be updated following each decennial census or as necessary to include expansion of the planning area boundary.



## Section 5.02 Eligibility

All transportation agencies, transit agencies and local units of government, which include within their respective service area or civil division boundary, a portion of the defined urbanized area or MPA; are eligible for inclusion and participation with TTCI and are referred to as Eligible Entities. A local unit of government is defined as a Village, City, Township or County. Eligibility shall solely be met through this section 5.02 and section 5.03 Member Conditions.

## Section 5.03 Member Conditions

The following conditions are required of participating eligible entities.

### (a) Voting Rights:

Participating eligible entities are each provided one (1) vote on the Policy Board. The single vote shall be administered by the primary or alternate Policy Board Member, and in no case shall both the primary and alternate Policy Board Member preside at the same meeting and in no case shall more than one (1) vote be cast by an individual eligible entity.

### (b) Planning Organization Dues:

Each participating eligible entity shall pay planning dues in a sufficient amount to meet the required eighteen point fifteen percent (18.15%) of the Consolidated Planning Grant provided by MDOT. Planning due amounts are established in *Attachment C*, with the prescribed dues having been certified through approval of this agreement. Dues shall be paid by each participating eligible entity each fiscal year upon receiving the invoice, and payment shall be made within 45 days of the receipt of the invoice. Attachment C shall be updated each year following the release of the monetary amount of the consolidated planning grant by the Michigan Department of Transportation.

### (c) Participation:

Participating eligible entities shall make every effort to have their representative attend TTCI Policy Board, Executive Committee (*if applicable*), Technical Committee (*if applicable*), or Ad Hoc Committee meetings (*if applicable*). Participation is fundamental to the successful operation of the MPO Planning Process(es). Unexcused absences will be monitored and relayed to respective eligible entity's governing board following the absence. Accumulation of three (3) unexcused absences within a single fiscal year will cause a formal request by the TTCI Policy Board for appointment of a new representative by the respective eligible entity.

## Article VI. Meeting Standards, Policy Board, and Committees

### Section 6.01 Quorum

A quorum is required for the conducting of business. The presence of a simple majority of the TTCI Policy Board Membership (as defined in Article VI, Section 6.03.(a) OR the presence of three-fifths (3/5) of transportation implementing agencies (BATA, City of Traverse City, GTCRC, LCRC, MDOT) and two (2) local units of government shall constitute a quorum for the purpose of

conducting business. Active voting members are those duly appointed representatives whose membership dues were paid in the prior budget year.

## **Section 6.02 Meeting Operation**

Meeting parliamentary procedure and voting decision processes of the TTCI Policy Board, Executive, Technical and Ad Hoc Committees shall operate according to “Robert’s Rules of Order”. All meetings of the TTCI Policy Board and Technical Committee shall operate within the requirements of the Michigan Open Meetings Act (OMA), 1976 PA 267, MCL 15.261 et seq.

## **Section 6.03 TTCI Policy Board**

### **(a) TTCI Policy Board Membership**

Membership on the TTCI Policy Board shall consist of one (1) individual from each participating eligible entity, whom is designated by the respective entities governing body to serve as their representative. Representatives may be members of the governing board, executive staff or their designee. Eligible entities shall appoint one (1) primary member to the TTCI Policy Board and shall appoint a second alternate member to attend in the primary member’s absence. Designations shall be made by each participating eligible entity at their first meeting of the calendar year and as otherwise outlined for replacement, with the exception of the initiation of the board under initial execution of this agreement. Designations shall be made in writing and by name provide a primary and alternative representative. Designations shall occur for each participating entity that have executed approval of this agreement, and shall include a representative from the Michigan Department of Transportation and the Federal Highway Administration as necessary. TTCI Policy Board Members are provided in *Attachment D*.

### **(b) Terms of TTCI Policy Board Members**

Policy Board Members shall serve a term of two (2) years, or until their replacement is designated by the eligible entities governing body. Policy Board members, whom are elected officials for eligible local units of government or a member of a governing body of an eligible agency, shall not serve past the expiration of their elected office for the eligible entity or expiration of their appointment on the eligible entities governing body. Members of the Policy Board who are staff to a participating eligible agency or local unit of government shall not serve beyond their time of employment with such eligible entity. A participating eligible entity membership that has expired due to any of the factors above shall be notified and a new designee shall be named by the respective eligible entities governing board at that time.

### **(c) Officers**

The TTCI Policy Board shall be served by an Executive Committee comprised of elected officers, which consist of a Chairperson, Vice-Chairperson, a Secretary and a Treasurer. The officers shall serve the duties outlined within the Policy Board by-laws. Officers shall be elected from TTCI Policy Board members who have served on the Policy Board from initial approval of this agreement or for a minimum of one (1) year. The four member Executive Committee shall have at least one (1) elected City, Village, Township or County representative and at least one (1)

representative of a transportation or transit agency. Officers shall be elected following a formal nomination from another member of the board, followed by a vote of the board; this shall occur for each respective officer position. Election of officers shall be at the first meeting of each calendar year or as soon as possible thereafter. Officers shall serve a term of one (1) year, or until a successor is elected. If a vacancy occurs then an election for that office shall occur at the next regular meeting of the Policy Board and that successor shall serve the remainder of the existing term.

**(d) Meetings**

The TTCI Policy Board shall hold meetings in accordance with the by-laws of the Policy Board.

## **Section 6.04 TTCI Executive Committee**

**(a) TTCI Executive Committee Established**

The TTCI Executive Committee shall be established through representation of the officers of the TTCI Policy Board.

**(b) TTCI Executive Committee Membership**

Membership on the Executive Committee shall follow the procedure outlined in Section 6.03.(c).

**(c) Terms of TTCI Executive Committee Members**

TTCI Executive Committee terms shall follow the standards outlined in Section 6.03.(c).

**(d) Executive Committee Meetings**

TTCI Executive Committee Meetings shall be held and operate in accordance with the TTCI Policy Board By-laws.

## **Section 6.05 TTCI Technical Committee**

**(a) TTCI Technical Committee Established**

The TTCI Technical Committee is hereby established and represented by professional staff of participating eligible entities of the TTCI Policy Board with inclusion of representation of other entities which are important to the areas transportation planning processes.

**(b) TTCI Technical Committee Membership**

Membership on the TTCI Technical Committee shall occur through designation of a representative by each participating eligible entity of the TTCI Policy Board. A representative shall also be included, but not limited to from each of the following entities; Northwestern Michigan College, Traverse City Area Public Schools, Traverse Connect, Cherry Capital Airport Authority, Michigan Department of Transportation, Grand Traverse Tribe of Ottawa and Chippewa Indians. TTCI Technical Committee members shall be designated through the process established in the TTCI Policy Board By-laws.

**(c) Terms of TTCI Technical Committee Members**

TTCI Technical Committee terms shall be in accordance with the TTCI Policy Board By-laws.

**(d) TTCI Technical Committee Meetings**

TTCI Technical Committee Meetings shall be held and operate in accordance with the TTCI Policy Board By-laws.

**Section 6.06 Ad Hoc Committee**

**(a) TTCI Ad Hoc Committee Establishment**

Ad Hoc Committees, special committees, and subcommittees may be established as deemed necessary by the TTCI Policy Board to further purposes in keeping with responsibilities and objectives.

**(b) TTCI Ad Hoc Committee Membership**

TTCI Ad Hoc Committees membership shall be in accordance with the TTCI Policy Board By-laws.

**(c) Terms of TTCI Ad Hoc Committee Members**

TTCI Ad Hoc Committee terms shall be in accordance with the TTCI Policy Board By-laws.

**(d) TTCI Ad Hoc Committee Meetings**

TTCI Ad Hoc Committee Meetings shall be held and operate in accordance with the TTCI Policy Board By-laws.

**Section 6.07 Community Engagement**

TTCI shall meet requirements for citizen input for the planning area through placement of a public comment agenda item on each meeting agenda for the TTCI Policy Board and TTCI Technical Committee meetings. Community Engagement events will also be scheduled a minimum of two (2) times per fiscal year. Events may consist of input sessions held at community halls or centers, pop-up sessions held in public spaces or through other interactive methods which gain public feedback. The actions outlined within this section shall be included in the Public Participation Plan (PPP) which will be updated as necessary through guidance of MDOT.

**Section 6.08 Meeting Notices, Agendas and Minutes**

**(a) Meeting Notices**

All TTCI Policy Board, TTCI Technical Committee and TTCI Ad Hoc Committee meetings shall be appropriately noticed in meeting the requirements of section 6.02.

**(b) Meeting Agendas**

All TTCI Policy Board, TTCI Technical Committee and TTCI Ad Hoc Committee meetings shall have an agenda provided to respective members no later than five (5) days prior to all regular meetings.

**(c) Meeting Minutes**

Minutes shall be taken and prepared for each TTCI Policy Board meeting, with the Draft minutes reviewed and voted upon for approval to a Final Copy of the Minutes at the next regular Board Meeting.

## **Article VII. Staffing and Support**

### **Section 7.01 Staffing Arrangement**

The TTCI Policy Board shall contract with the Northwest Michigan Council of Governments (dba. Networks Northwest) to coordinate and conduct administration and staffing related to its purpose, responsibilities and objectives. Personnel assigned to TTCI will adhere to a staffing plan outlined within each fiscal year's Unified Work Program, which is approved by the TTCI Policy Board.

### **Section 7.02 TTCI Board Autonomy**

TTCI shall be a stand-alone entity autonomous from the Northwest Michigan Council of Governments (dba. Networks Northwest) Board.

### **Section 7.03 Supportive Services**

TTCI may enter into agreements with other public and private agencies, including consultants, for all types of surveys and studies relating to its purpose, responsibilities and objectives. Such surveys and studies shall be identified and described in the annual Unified Work Program.

## **Article VIII. Unified Work Program Plan & Budget**

### **Section 8.01 Unified Work Program (UWP)**

A UWP shall be prepared prior to each fiscal year. The UWP shall meet all necessary State and Federal Planning requirements and focus areas. The UWP shall include all work to be undertaken within the fiscal year, outline necessary staffing and support, include action items and deliverables and work within a fiscally constrained context of the Consolidated Planning Grant. The UWP shall be reviewed and approved by the TTCI Policy Board prior to submittal to MDOT.

### **Section 8.02 Budget**

A budget shall be prepared prior to each fiscal year. The budget shall detail the Consolidated Planning Grant (CPG) funds, and local matching funds provided for the required eighteen point fifteen percent (18.15%) match. The budget shall outline expenditures for staffing committed to the UWP action items. The budget shall be included within the UWP and voted upon by the TTCI Policy Board for approval.

## **Article IX. Bylaws**

TTCI Policy Board shall operate under an agreed upon set of by-laws. By-laws shall uphold and not conflict with any provisions of this agreement. The provisions of this agreement shall always supersede the bylaws in guidance of board operation, the processes of the organization and all matters contained within this agreement.

### **Section 9.01 Adoption**

Bylaws shall be adopted by a two-thirds (2/3) vote of the TTCI Policy Board Membership.

### **Section 9.02 Amendment**

Bylaws may be altered, amended or replaced at any regular or special meeting of the Board by at least two-thirds (2/3) vote for the purpose of bylaw amendment. A copy of the proposed changes to the bylaws shall be filed with the Secretary at least ten (10) days prior to the meeting where such action is proposed to be taken and the secretary shall send a copy of the proposed change to each representative along with written notice of the time and place of such meeting. The Secretary shall also ensure that representatives received their notices at least five (5) days prior to such meeting.

## **Article X. Amendments to this Agreement**

### **Section 10.01 Addition or Withdrawal of Eligible Entity**

This intergovernmental agreement shall be amended for addition of any eligible entity and for the withdrawal of an eligible entity at any point during a fiscal year. This agreement shall not require approval of each respective participating entity for addition and removal of any eligible entity. *Attachment D* shall be updated to reflect any changes with eligible entity participation levels.

### **Section 10.02 Amendment to Update Attachment A (Census Urbanized Boundaries) and to Update Attachment B (Metropolitan Planning Area)**

This intergovernmental agreement shall be amended following each decennial census upon the release of the updated Urbanized Area boundaries and whenever an adjustment is made to the Metropolitan Planning Area Boundary. The amendment shall only include updates to attachments A and B. This amendment shall require only a simple majority vote of the TTCI Policy Board.

### **Section 10.03 All Other Amendments**

All other amendments to this agreement shall require approval of the TTCI Policy Board and the governing body of each participating entity. The process for amendments shall be:

1. Desired amendments shall be brought forth and placed on a TTCI Policy Board Agenda for discussion and voting.

2. A simple majority vote of the TCI Policy Board shall move to amend a draft of the agreement.
3. The amended draft agreement will be taken to each respective participating eligible entity's governing board for approval.
4. Once approval from each respective participating eligible entity's governing board is received, the amended draft agreement will be voted upon by the TCI Policy Board for adoption of the amendment.
5. A two-thirds (2/3) vote of the TCI Policy Board shall be necessary for final approval of the amended agreement.

## **Article XI. Addition of Eligible Entities**

Eligible entities as outlined in Section 5.02 with ability to comply with the conditions of Section 5.03 may be added to TCI during any part of the fiscal year. The process for addition of an eligible entity is as follows:

1. The eligible entity shall petition in writing, directed to the TCI Policy Board, a formal request to be included as an entity of TCI.
2. TCI Staff shall review the request and determine if the entity meets the eligibility requirements.
3. The request shall then be placed on an upcoming regular meeting Agenda of the Board for the action to be considered, through the approval of an amendment to this agreement as outlined in Section 10.01.
4. The Amendment shall place the name of the eligible entity in *Attachment D* as outlined in Section 6.03.(a)
5. Upon TCI Board approval of the amendment, the eligible entity to be added to TCI must obtain approval of this agreement from their respective governing board.
6. Upon approval of the agreement by the respective governing board, the entity shall pay the required yearly dues as outlined in Section 5.03 (b) and *Attachment C* for the current fiscal year in which they will be added.
7. The eligible entity shall be considered a member of TCI upon paying of the required due.
8. The bylaws shall be updated to include the eligible entity as a member of TCI in accordance with Section 9.02 of this agreement.

## **Article XII. Withdrawal of Eligible Entities**

An eligible entity may withdrawal from TCI at any time during the fiscal year. An eligible entity, which withdrawals from TCI shall not be reimbursed for any portion of their dues for any past and current fiscal year. The process for withdrawal of an eligible entity is as follows:

1. The eligible entity shall petition in writing, directed to the TTCI Policy Board, a formal request to withdrawal from TTCI.
2. The request for withdrawal shall be placed on the next upcoming regular meeting Agenda of the TTCI Policy Board, with action requested.
3. The TTCI Policy Board shall take action on the request and amend the agreement as outlined in Section 10.01.
4. The amendment shall include removal of the entity name from *Attachment D* under Section 6.03.(a).
5. The eligible entity shall be considered withdrawn from TTCI once the amendment has been approved.
6. The bylaws shall be updated in accordance with Section 9.02.

### **Article XIII. Removal of Entity**

An entity which no longer meets the conditions of this agreement, and is considered an Inactive Member under Article XIV of this agreement, may be removed from TTCI by a simple majority vote of the TTCI Policy Board.

### **Article XIV. Inactive Membership Status**

Any entity which is a member of TTCI and has not paid its annual dues in accordance with Section 5.03.(b) or no longer meets the eligibility requirements of 5.02 shall be considered an “Inactive Member”, and shall no longer have authority to preside at TTCI Policy or any respective Committee meetings. The entity’s “Inactive Member” status shall be referred to the Executive Committee for appropriate action. Appropriate action may include Removal of the Entity under Article XIII or a request to the entity to meet the condition of Sections 5.02 and 5.03.

### **Article XV. Adoption**

Upon original adoption of this Intergovernmental Agreement by the legislative body of each participating eligible entity as outlined in Section 5.02, such adoption shall be evidenced by an endorsement on this agreement under Article XVI Signatories by the Chief Elected Official and Secretary or Clerk of each respective eligible entities governing board at the time of execution of the agreement.



## Article XVI. Signatories

This agreement is executed on the \_\_\_\_\_ day of \_\_\_\_\_, 2023 by the

\_\_\_\_\_

having motioned for approval of the agreement, support and an affirmative vote of the governing board.

\_\_\_\_\_

Board Chair/President (PRINT)

\_\_\_\_\_

Board Chair/President (SIGNATURE)

\_\_\_\_\_

Date

\_\_\_\_\_

Clerk/Secretary (PRINT)

\_\_\_\_\_

Clerk/Secretary (SIGNATURE)

\_\_\_\_\_

Date

**Attachment A: U.S. Census Defined TC-Garfield Urbanized Area (2020)**



**Attachment B: Metropolitan Planning Area (2023)**



## ***Attachment C: Membership Due Calculations***

Dues shall be set at an equal proportion of the required 18.15% match to be met by each participating eligible entity. The dues shall be calculated for the consolidated planning grant amount provided to TTCI by the Michigan Department of Transportation for each fiscal year. The Consolidated Planning Grant match required for Fiscal Year 2024 shall be **\$50,672.98**.

### **Example Calculation:**

Fourteen (14) eligible entities sign onto the agreement:

$$\$50,672.98 / 14 = \$3,619.50$$

Each of the 14 participating eligible entities would match in the amount of **\$3,619.50**

***Attachment D: TCI Eligible Entity Membership***

**This section to be completed upon the execution of this agreement; through placing the name of each eligible entity participating on the TCI MPO Policy Board.**

<b>TTCI POLICY BOARD MEMBER LIST (DRAFT Eligible Entity Roster)</b>					
<b>Name</b>	<b>Title</b>	<b>Org</b>	<b>Email</b>	<b>Phone</b>	<b>Officers</b>
Mark Wilson	Commissioner	Traverse City	mwilson@traversecitymi.gov	(231) 999-1436	
Brad Kluczynski	Managing Director	GT Cty Road Commission	bkluczynski@gtcrc.org	231-922-4848	Secretary
Kelly Dunham	Executive Director	BATA	dunhamk@bata.net	231-933-5544	Chair
Chuck Korn	Supervisor	Garfield Twp	ckorn@garfield-twp.com		Vice Chair
Brad Jewett	Commissioner	GT County	bjewett@gtcountymi.gov	231-633-9421	
Beth Friend	Supervisor	East Bay Twp	bfriend@eastbaytwp.org	231-947-8719	Treasurer
Jeff Shaw	Supervisor	Elmwood Twp	supervisor@elmwoodmi.gov	231-946-0921	
Brendan Mullane	Manager	Leelanau Cty Road Commission	bmullane@leelanauroads.org	231-271-3993	
Doug White	Supervisor	Acme Twp	dwhite@acmetownship.org	231-938-1350	
Dan Wagner	TC TSC Manager	MDOT	wagnerD2@michigan.gov	231-340-9295	
Ron Lemcool	Supervisor	Long Lake Township	Supervisor@LongLakeTownship.com		
Andy Marek	Treasurer	Green Lake Township	treasurer@greenlaketownship.org		
Isaiah Wunsch	Supervisor	Peninsula Township	supervisor@peninsulatownship.com		
Midge Werner	Supervisor	Bingham Township	jmw202@gmail.com		
Jeff Franklin	Supervisor, MPO Regional Services West Unit	MDOT	FranklinJ1@Michigan.gov		
Deborah Allen	Leelanau County Administrator	Leelanau County	dallen@leelanau.gov	12312568100	
Nicole Blonshine	Supervisor	Blair Township	supervisor@blairtownshipmi.gov		
Lynette Wolfgang	Clerk	Blair Township	clerk@blairtownship.org	(231) 276-9263	
Steve Brock	Interim City Manager	Traverse City	sbrock@traversecitymi.gov		
Haider Kazim	Road Commissioner (Vice Chair)	Grand Traverse County	hkazim@gtcrc.org	231-922-1888	

<b>Alternatives</b>					
Krista Phillips	MDOT TC TSC Operations Engineer	MDOT	philipski7@michigan.gov	989-245-2173	
Craig Brown	Engineer	Leelanau Cty Road Commission	cbrown@leelanauroads.org	231-271-3993	
Wayne Schoonover	County Highway Engineer	GTCRC	wschoonover@gtcrc.org	231-922-4848	
Claire Karner	Planner	East Bay Twp	ckarner@eastbaytwp.org	231-947-8681 x2	
Eric Lingaur	Communications and Development Director	BATA	lingaure@bata.net	231-933-5534	
Mitchell Treadwell	Commissioner	Traverse City	mtreadwell@traversecitymi.gov	(231) 409-4819	
Rob Hentschel	Commissioner	Grand Traverse County	rhentschel@gtcountymi.gov	231-944-2868	
John Sych	Planning Director	Garfield Township	jsych@garfield-twp.com	231-225-3155	
Bob Neleson	Airport Engineer	Cherry Capital Airport	bob.nelesen@tvcairport.com		
Mark Bishop	Chief Financial Officer	Cherry Capital Airport	mark.bishop@tvcairport.com		
Jenn Cramer	Planner	Peninsula Twp.	planner@peninsulatownship.com		