

REGULAR BOARD MEETING - BLOOMINGTON PUBLIC TRANSPORTATION CORPORATION (BPTC) FEBRUARY 26, 2013, 5:30 P.M.

In the Edward J. Kuntz Board Room of the Bloomington Transit Operating Facility, 130 W. Grimes Lane, Chairman McConn convened the regular meeting of the Board of Directors of the Bloomington Public Transportation Corporation.

ROLL CALL

Board Members present: Chairman McConn, Vice Chairman McDaniel, Secretary Cartwright, Board Member Obermeyer, and Board Member Hasler. Also present were Lewis May, General Manager, Brenda Underwood, Human Resources/Marketing Administrator, Christa Browning, Controller, and there were no members of the public present.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications.

MESSAGES FROM BOARD MEMBERS

There were no messages from Board Members.

MESSAGES FROM THE MANAGER

Mr. May opened with an update on the downtown transfer facility. He noted during excavation work at the site the general contractor discovered two underground storage tanks underneath the concrete slab. He said the exact size of these tanks is unknown. He did note that there is soil nearby and around these tanks have a strong petroleum odor. Mr. May said that the services of AECOM Technical Services, Inc. previously known as Earth Tech, who conducted our environmental assessments prior to purchasing the property have been enlisted to do an evaluation. He said AECOM took several soil samples from the areas that were under the gas station building and near the previously unknown tanks and sent to a lab for testing. He said all samples revealed varying levels of petroleum products. The concentrations of various petroleum related chemicals were comparable to what they were when Earth Tech tested the site prior to our purchase of the property. He said concentrations of benzene were somewhat higher but the levels are not over the Indiana Department of Environmental Management's closure levels. Mr. May said some soils and other materials such as gravel and construction rubble in the areas where the building footers and columns will be placed will need to be removed. He said the soil must be disposed of at an approved waste facility because it contains petroleum products. He noted that a waste profile will be performed which is a documentation that profiles the content of the material and allows BPTC to dispose of it at an approved facility. He said we have contracted with AECOM to develop a waste profile for us and then we will have to arrange to transport and deposit the materials with an approved facility. He said at this point we do not know the cost of transporting and depositing the material at an approved facility but subject to IDEM approval we would only remove the amount of soil needed to get to a suitable base for the placement of the footers/columns or any other areas that need to meet compaction minimums. He said it is unknown how much material needs to be removed until the building is laid out and excavation

begins for the footers/columns. Subject to IDEM concurrence, the amount to be removed will be kept at a minimum with a goal of keeping as much material on site as possible assuming it does not present a compaction issue. He noted the building is required to have a vapor intrusion mitigation system as part of the environmental restrictive covenants attached to the deed and was included in the construction documents and specifications.

Mr. May noted that a contract was awarded to DoubleMap for the purchase of the GPS Voice Annunciator and as part of that contract award we had an option that we could exercise at our discretion for the vehicle tracking system. He said a group known as Arrival Star has sued or threatened to sue many private trucking and cargo shipping companies as well as some transit systems claiming patent infringement by various vendors of vehicle tracking technology. He noted that DoubleMap asserts they have not been the subject of any patent infringement lawsuits or any threats of lawsuits. He said DoubleMap stated that they would purchase any licensing agreement at their expense if they or we are threatened by Arrival Star. Mr. May has asked legal counsel to review and edit contractual language that will require DoubleMap, Inc. to fully indemnify BPTC from any lawsuits or threats of litigation. He said the language as edited by legal counsel is enclosed in the board packet. He noted on the agenda for the Board's consideration and approval is Resolution 13-02; a resolution authorizing the BPTC to exercise an option for the purchase and installation of automatic vehicle location system technology from DoubleMap, Inc. in the amount of \$183,743.

Mr. May gave an overview of January ridership noting that fixed route ridership was up 5.07 percent in January 2013 compared to the same period last year. He noted BT Access was up 2.98 percent in January 2013 compared to the same period last year.

MESSAGES FROM THE CONTROLLER

Controller Browning gave an overview of Resolution 13-06; a resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code and other Federal statutes administered by the Federal Transit Administration.

MINUTES

The minutes for February 12, 2013 were presented for approval by Secretary Cartwright and seconded by Board Member Obermeyer. The minutes were approved unanimously.

CLAIMS

The claims for February 26, 2013 were presented for approval by Secretary Cartwright and seconded by Board Member Hasler. The claims were approved unanimously.

OLD BUSINESS

There was no Old Business.

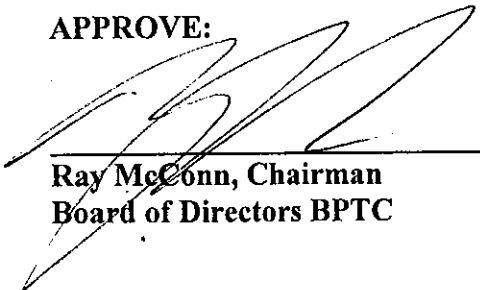
NEW BUSINESS

Under New Business, Vice Chairman McDaniel moved to approve Resolution 13-02; a resolution authorizing the BPTC to exercise an option for the purchase and installation of automatic vehicle location system technology from DoubleMap, Inc. The motion was seconded by Board Member Obermeyer. Resolution 13-05 was approved unanimously.

Under New Business, Secretary Cartwright moved to approve Resolution 13-06; a resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code and other Federal statutes administered by the Federal Transit Administration. The motion was seconded by Board Member Obermeyer. Resolution 13-06 was approved unanimously.

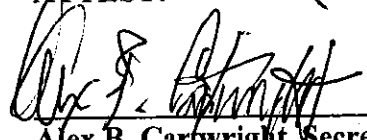
ADJOURNMENT

APPROVE:



3-12-13
Ray McConn, Chairman
Board of Directors BPTC

ATTEST:



3-12-13
Alex B. Cartwright, Secretary
Board of Directors BPTC