



Laketran

December 2021 Board of Trustees Meeting December 20, 2021

4:00 pm-6:00 pm Eastern Time

MINUTES

1. Meeting Notice

2. Meeting Called to Order – 4:05 p.m.

3. Roll Call

Brian J. Falkowski
Jon P. Marten
Donna P. McNamee
Lane H. Sheets
Charles J. Zibbel

Benjamin S. Capelle
Brandon D. R. Dynes

4. Pledge of Allegiance – All

5. Mission Statement – Mr. Charles J. Zibbel

6. Public Comments

None

7. Approval of Minutes

- a. Motion to approve the Laketran Board of Trustees Board Meeting minutes of November 22, 2021 was made by Mr. Sheets – Seconded by Ms. McNamee.

“AYES”: Messrs. And Mmes. Marten, McNamee, Sheets and Zibbel.

“NAYS”: None]

Motion passed.

8. Agenda Items

- a. Motion to approve the October 2021 Financial Statements, subject to audit, was made by Mr. Sheets – Seconded by Mr. Zibbel.

“AYES”: Messrs. And Mmes. Marten, McNamee, Sheets and Zibbel.

“NAYS”: None

Motion passed.

- b. Motion to approve the Resolution 2021-024 for the 2022 Operating Budget and Capital Plan was made by Mr. Sheets. Seconded by Ms. McNamee.
“AYES”: Messrs. And Mmes. Marten, McNamee, Sheets and Zibbel.
“NAYS”: None
Motion passed.
- c. Motion to approve the Resolution 2021-025 for the 2022 Special Transportation Service (STS) Budget was made by Mr. Zibbel – Seconded by Ms. McNamee.
“AYES”: Messrs. And Mmes. Marten, McNamee, Sheets and Zibbel.
“NAYS”: None
Motion passed.
- d. Motion to approve the Resolution 2021-026 for a five-year auditing contract with James G. Zupka, Inc. for the period January 1, 2021 - December 31, 2025 was made by Mr. Sheets – Seconded by Mr. Zibbel.
“AYES”: Messrs. And Mmes. Marten, McNamee, Sheets and Zibbel.
“NAYS”: None
Motion passed.
- e. Motion to approve the meeting schedule for 2022 was made by Ms. McNamee – Seconded by Mr. Sheets.
“AYES”: Messrs. And Mmes. Marten, McNamee, Sheets and Zibbel.
“NAYS”: None
Motion passed.

9. Six Month Look Ahead

(Ben Capelle)

10. Committee Reports

- a. Special Projects Committee
(Gary Swanson)

11. Administrative Reports

- a. CEO Report
(Ben Capelle)
- b. Director of Finance Report
(Lisa Colling)
- c. Director of Operations Report
(Matt Maier)
 - i. Ridership Report
- d. Director of Human Resources Report

- (Mike Austin)
- e. Director of Maintenance Report
(Keith Bare)
- f. Director of Information Technology Report
(Tony Melaragno)
- g. Director of Compliance & Development Report
(Andrea Aaby)
- h. Director of Communications Report
(Julia Schick)
- i. Upcoming Calendar
(Vicki Messenger)
- j. Additional Information
(Vicki Messenger)

12. Old Business

There was a discussion about the provisions of personal/professional services as applicable to legal counsel to the Board of Trustees. Is legal counsel subject to competitive bidding or RFP's or it is exempted. **Ohio Revised Code Section 306.04(C)(6)** was discussed which states the Board may: *Employ such financial consultants, accountants, appraisers, consulting engineers, architects, construction experts, attorneys-at-law, managers and other supervisory personnel, and other officers, employees, and agents as it determines necessary to conduct its business, and fix their compensation and duties.*

Specific conversation was had concerning the acquisition of professional services for legal counsel. **Ohio Revised Code Section 306.43 Contracts – competitive bidding (H)** which states: *Competitive procedures under this section are **not** required in any of the following circumstances: (6) The purchase substantially involves services of a personal, professional, highly technical, or scientific nature, including but not limited to the services of any attorney, physical, surveyor, appraiser, investigator, court reporter, adjuster, advertising consultant, or licensed broker, or involves the special skills or proprietary knowledge required for the servicing of specialized equipment owned by the regional transit authority.*

Legal Counsel advises that if the Board of Trustees so chose, they could go out for bid but the above was just to illustrate that the Board was not required to do so. Opinions were split as to Mr. Zibbel and Ms. McNamee felt that the board should act pursuant to the procurement guidelines for the agency. However, Mr. Marten and Mr. Sheets appeared to be inclined to believe that the ORC exceptions were applicable and expressed some concern for going out to bid.

Mr. Falkowski felt further discussion was needed and tabled the subject at this time.

13. New Buisness

None

14. Adjournment – 5:20 p.m.

Motion to adjourn the Laketran Board of Trustees meeting was made by Mr. Zibbel – Seconded by Ms. McNamee.

“AYES”: Messrs. And Mmes. Marten, McNamee, Sheets and Zibbel.

“NAYS”: None

Motion passed.

Meeting adjourned at 5:20 p.m.

The next Laketran Board of Trustees meeting will be on Monday, January 24, 2022 at 4:00 p.m. at Laketran Headquarters.

Benjamin S. Capelle
Secretary/Treasurer

Brian J. Falkowski, President
Laketran Board of Trustees