

SAUGEEN MOBILITY

and REGIONAL TRANSIT

GENERAL BOARD MEETING MINUTES

Friday, May 27, 2022, 1:30 p.m.

Board Members Present: Councillor Warren Dickert, Town of Hanover Councillor, Board President
Councillor Beth Hamilton, Municipality of West Grey, Board Vice-President
Councillor Doug Bell, Municipality of Arran-Elderslie
Councillor Dean Leifso, Municipality of Brockton
Mayor Scott Mackey, Township of Chatsworth
Councillor Ed McGugan, Township of Huron-Kinloss
Councillor Paul Allen, Municipality of Grey Highlands

Board Members Absent: Vice Deputy Mayor Mike Myatt, Town of Saugeen Shores, Board Past President
Councillor Dave Cuyler, Municipality of Kincardine
Councillor Jim Frew, Township of Southgate

Guest: Charles Fitzsimmons, Acting Manager of Community Transportation, Grey County

Others Present: Catherine McKay, Recording Secretary

The meeting was conducted by videoconference in light of the COVID-19 pandemic.

1. Call to Order

President Warren Dickert called the meeting order at 1:30 p.m. and welcomed Paul Allen, Councillor, Municipality of Grey Highlands, and Charles Fitzsimmons, Acting Manager of Community Transportation, Grey County.

2. Disclosure of Pecuniary Interest and Declaration of Conflict of Interest

None declared.

3. Approval of the Agenda

Motion #2022-035

Moved by Scott Mackey; Seconded by Beth Hamilton

That the agenda for May 27, 2022 be amended to move item 5J GTR Request to be considered first in Business Arising from the Minutes and that the agenda be accepted as so amended.

Carried

4. Minutes of Previous Meeting – April 22, 2022

Motion #2022-036

Moved by Ed McGugan; Seconded by Doug Bell

That the minutes of the April 22, 2022 General Board Meeting be accepted as circulated.

Carried

5. Business Arising from the Minutes

A. GTR Request

The President introduced Mr. Fitzsimmons, noting that the GTR is looking for a solution to providing accessible transit as required under the Accessibility for Ontarians with Disabilities Act (AODA). He added that he and the Vice-President worked on the Memorandum of Understanding (MOU) between the GTR and SMART included in the meeting materials.

Mr. Fitzsimmons thanked the President and Vice-President for the invitation and explained that the GTR is a provincially funded demonstration project to provide regional transportation in Grey,

Bruce and Dufferin until March 31, 2025. The GTR issued a Request for Proposal for accessible transit but the only bidder did not meet the requirements. The GTR provides a pre-booked service connecting 20 regional communities, with long and infrequent runs. There was a need to find an accessible service provider, but this was difficult due to low demand. Several options were tried without success before the GTR connected with SMART to offer an accessible service on a full cost recovery basis. SMART will not offer door-to-door service for the GTR and so trips will be from one GTR stop to another stop, with clients having to arrange transportation to and from the stop. He noted that one of the issues for the GTR is that few people live within walking distance of its stops.

Mr. Fitzsimmons hopes the Board will see the MOU as viable and noted that it represents a one year experiment that can be cancelled earlier at SMART's discretion. His background is in accessible transit, and he is familiar with SMART and has admired its service for a long time. He added that the GTR needs an excellent scheduling system like the one SMART has. There are challenges such as increases in fuel prices, but he hopes that the demand for collective transportation will increase as people drive less. He concluded by saying that he was pleased to have connected with SMART and to have had the opportunity to address the Board.

The President invited questions from Board members. Ed McGugan thanked Mr. Fitzsimmons, as well as the President and Vice-President for their work on the issue. He asked if other passengers might be on the vehicle when it stops to pick up a client. Mr. Fitzsimmons said this is unlikely to happen as SMART would only take passengers from one GTR stop to another GTR stop. He noted that clients might have a companion or attendant with them, and any issues related to this would have to be worked out with SMART. Ed McGugan suggested that this issue needs to be carefully covered in the MOU. Mr. Fitzsimmons said that under the MOU, the GTR is not chartering a SMART vehicle, but SMART is making its service available to the GTR with the full cost billed to the GTR.

The Vice-President noted that the MOU refers to the use of a 9-passenger vehicle, and clients could have an attendant or family member with them. She said billing is by the kilometre and per hour from SMART's location in Solway. An attendant can ride free, but if, for example, a client has two children with them, they would have to pay the fee for the children.

Dean Leifso asked if SMART's corporate charter allows this type of arrangement and the President suggested that a legal opinion may be required, adding that Grey County prepared the MOU and there may be other things that need to be built into the agreement. He said that he is awaiting answers to insurance questions. Scott Mackey said that efforts have been on-going to align transportation for a long time, and so this is a step in the right direction. He asked about hours of service and the President explained that a passenger does not have to go through the GTR. The SMART-provided accessible service is an add-on for the GTR point-to-point service such that SMART would transport a client from their starting destination to a GTR pick up point, the client would then travel the GTR route in a GTR vehicle, and when the client is dropped off at the GTR drop off point, SMART would take them to their final destination. This add-on will ensure that GTR is providing service to all people in compliance with AODA. Mr. Fitzsimmons said that people will clearly have better service with SMART providing the add-on to the GTR service. Scott Mackey suggested that if four more municipalities joined the SMART partnership, no MOU would be required. Mr. Fitzsimmons said that since the start of the GTR in September 2020, there have only been two requests for accessible service.

The President explained that some refinements regarding operating hours are required since the GTR provides service on Sunday, but SMART does not. He asked if the GTR has the ability to refuse a request for accessible service on Sunday. Mr. Fitzsimmons said that six day a week service with SMART would be a significant improvement over the current situation and he said that the GTR could in fact say that accessible service is not available on Sunday and where a trip is outside of

SMART's operating hours, GTR could charge an additional fee. The Vice-President clarified that a 9 passenger bus would not necessarily be provided if only one passenger was being transported for example and the fee charged would be the SMART fee. Mr. Fitzsimmons noted that the choice of vehicle would be at SMART's discretion. The Vice-President raised the possible situation where SMART was operating at full capacity and stated that SMART will do GTR rides if it has a vehicle available, and the MOU needs to be drafted to ensure that what SMART does is within the scope of its service. She further added that the date would change on the MOU, SMART would prefer a 30 day termination notice in section 3.1, in 8.2 "10th" should be changed to "15th", and 8.2 (d) should be removed as no HST is charged.

Scott Mackey asked if SMART is taking a GTR client to the Owen Sound Hospital from Meaford, why would SMART only take the client to and from the GTR stops, rather than simply taking them to the hospital. The President explained that some people might try to circumvent SMART's system since SMART's rates are higher than the GTR flat rate. The Vice-President said that approach to such a trip might seem logical, but de-incentivizes municipalities to join SMART. She said that it is simple for SMART to just provide a service to the GTR that it needs.

The President stated that the next steps are to forward the amended MOU for a legal opinion and then bring it back to the Board at its June meeting. Doug Bell thanked the President, the Vice-President and Mr. Fitzsimmons for the presentation noting that this is a much needed service and he looks forward to it getting started. Mr. Fitzsimmons said that he would get the MOU with changes out next week and he then left the meeting at 2:07 p.m..

A. Replacement Van

The President provided an update, noting that Chris Walker, Director of Corporate Services/Treasurer for the Town of Hanover, advised that SMART needs to purchase a replacement van before year end to avoid having to return any of the ICIP funds. He said that this issue would be addressed once the new Manager is in place.

B. Scheduler/Dispatcher Recruitment

The Vice-President noted that rides are picking up and this will be addressed by the new Manager.

C. Bruce County Update

D. Media Relations Policy

E. Board and Employee Meetings Policy

F. Open Board Meetings Policy

The above items were deferred until a new Manager is in place.

G. COVID Policy Update

The President informed the Board that drivers have been notified that daily COVID testing is no longer required and a reminder has been sent that they are expected to comply with masking requirements. An updated COVID policy will be put in place once a new Manager is in place.

H. Policy for Mileage Reimbursement Outside of Board Meetings

Catherine McKay explained that the policy was developed with reference to similar municipal policies. She noted that the policy states that mileage is to be calculated from the Town Hall or Municipal Building of the Municipality which the Board member represents on the basis of equity, in that some Member municipalities are farther from SMART's office. Also, this element of the policy will ensure that Board Members who are, for example, in Toronto and travelling to SMART, will not be eligible for reimbursement of that amount of mileage. The policy does not contemplate that Board Members would in fact make such a claim, but it is in the Board's interests to have a transparent policy with reasonable limits. In addition, the Mileage Expense Report requires an approval signature which is to ensure appropriate financial controls.

Discussion centered on where mileage should be calculated from, with several Board Members suggesting that it should be from the Member's home. Paul Allen noted that in Grey Highlands, it was decided that distance should be calculated from the property owned by the Councillor in the municipality, rather than from a full-time residence, which can make a difference of a half hour driving time. The President noted that the choice of starting point should be justifiable and a Member may leave from a point closer than their home. He noted that this policy only applies to Members doing extra work outside of Board meetings and they should not be expected to bear the additional costs of doing so. Dean Leifso agreed that the policy needs to be clear and suggested that mileage be reimbursed based on the distance from a Member's home or the actual distance travelled whichever is less. Beth Hamilton noted that calculating from the Member's home would be clearer, and suggested that the policy be retroactive to January 1, 2022. She also asked that the rate be based on the Grey County rate which are more easily accessible, rather than Bruce County rates. Also, Chair and Vice-Chair should be changed to President and Vice-President.

Motion #2022-037

Moved by Scott Mackey; Seconded by Ed McGugan

That the Board of Directors of SMART approve the Reimbursement of Mileage for Board Members policy effective January 1, 2022 with the following amendments: distance is to be calculated from the Member's home address; the rate per kilometre is to be the Grey County rate; and Chair and Vice-Chair are to be changed to President and Vice President.

Carried

I. 2021 Annual Report to Municipalities

The President advised that the report had been circulated to the Municipalities.

6. New Business

A. Loucks and Loucks re Not for Profit Corporations Act 2010

The President noted that the material circulated for the meeting continued information about the Act from Loucks and Loucks. Peter Loucks will attend the Board's June meeting and Board members should prepare any questions they might have. Ed McGugan said that the issue seems to be complex and asked if Board members should consult their personal lawyers. Dean Leifso said that Mr. Loucks will do a good job for the Board and all not-for-profit organizations are affected by the Act and are going through the process of adjusting to it. He said that many of the issues are housekeeping matters and that Board members do not need to consult their personal lawyers. The President noted that the Act does not allow substitute members, a practice which the Board has followed. He suggested that Board members read the material provided on the Act in preparation for the next meeting.

B. Group Excursion Fees and Schedule

The Board discussed whether the intention of the policy was to have the same hours of operation for excursions as for point-to-point rides. Board Members had differing opinion as to excursions, which were to be on a cost recovery basis, were to run on Sundays. Scott Mackey asked if it is really cost recovery and the President said that it is as close as possible. Scott Mackey said that it skews the hours of service to have service on Sunday added to the other six available days, and suggested that excursions should be booked on one of the other six days. Dean Leifso recalled that the decision was to have no Sunday service for any reason, although the Board could review that decision now as the situation last December was completely different from the current situation. The issue will be left referred to the new Manager.

7. Correspondence

A. Southgate Resolution

The President noted that the partnership agreement only provides for notice to withdraw from the partnership agreement, and does not provide for extending membership,

8. Reports and Recommendations

A. March 2022 Operational Reports

B. April 2022 Operational Reports

Motion #2022-038

Moved by Scott Mackey; Seconded by Ed McGugan

That the Board of Directors of SMART accept the March and April 2022 Operational Reports as presented.

Carried

Paul Allen asked about the deficit and the President noted that it is mostly covered by gas tax revenue which is to be used primarily for capital purchases, but can be used for operational costs usually covered by fares and funding from the municipal partners. He added that in discussions with the Town of Hanover's Treasurer, he was advised that reserves at now at \$1.1 million. Also, rides are picking up and SMART is in a good financial position. The Vice-President added that the deficit is offset by gas tax funding and that at one time, the Board held no reserves.

9. Committee Reports

A. Manager Recruitment Committee

This item was deferred to the closed session.

Paul Allen asked for ridership statistics for Grey Highlands so as to be able to report to Council at its meeting next week. He also noted that Grey Highlands is not yet shown on SMART's web site. Councillor Allen then left the meeting and the President thanked him for joining.

Scott Mackey advised that since he was travelling with others in a vehicle, he would not participate in the closed session and he left the meeting.

10. Closed Session

Motion #2022-039

Moved by Doug Bell; Seconded by Dean Leifso

That the Board of Directors of SMART move into Closed Session at 2:39 p.m. to discuss employee negotiations.

Carried

The Board of Directors of SMART reconvened in open session at 2:49 p.m. and the President confirmed that the Board had gone in closed session and discussed employee negotiations and that no other matters were discussed.

Motion

Moved by Dean Leifso; Seconded by Beth Hamilton

That the Board of Directors of SMART adjourn at 2:49 p.m.

Carried



Warren Dickert, President



Catherine McKay, Recording Secretary