

# **SAUGEEN MOBILITY**

## **and REGIONAL TRANSIT**

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### **GENERAL BOARD MEETING MINUTES**

Friday, February 16, 2024, 10:00 a.m.

Boardroom, 603 Bruce Rd 19, Walkerton, ON & via Zoom

**Board Members Present:** Doug Townsend, Councillor, West Grey, Vice Chair  
Warren Dickert, Deputy Mayor, Hanover, Past Chair  
Cheryl Grace, Councillor, Saugeen Shores (via Zoom)  
Doug Kennedy, Councillor, Kincardine (via Zoom)  
Joel Loughhead, Councillor, Grey Highlands (via Zoom)  
Scott Mackey, Mayor, Chatsworth  
Jennifer Shaw, Deputy Mayor, Arran-Elderslie (via Zoom)  
Monica Singh-Soares, Councillor, Southgate (via Zoom)

**Board Members Absent:** Ed McGugan, Councillor, Huron-Kinloss, Chair  
Kym Hutcheon, Councillor, Brockton

**Others Present:** Stephan Labelle, SMART Manager  
Catherine McKay, Recording Secretary (via Zoom)

**1. Call to Order**

The meeting was called to order at 10:00 a.m. by the Vice Chair.

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

None declared.

**3. Approval of the Agenda**

**Motion** Moved by Warren Dickert; Seconded by Scott Mackey

That the agenda be accepted as presented.

**Carried**

**4. Delegations**

There were no delegations.

**5. Minutes of Previous Meeting – January 26, 2024**

**Motion** Moved by Cheryl Grace; Seconded by Jennifer Shaw

That the minutes from January 26, 2024 be accepted as circulated.

**Carried**

**6. Business Arising from the Minutes**

**A. Report on the Budget**

The Manager advised that a 20% reduction in 2024 due to the rate increase would only affect the 2025 gas tax because it is calculated on the previous year's rides. He confirmed that \$745,000 would be received in gas tax for 2024 and projected a balance of \$1.09 million in the gas tax account as of December 31, 2024.

The Manager will send a memorandum to Board members outlining the details of the budget so they can report to their Councils. Board discussion included whether the fleet could be expanded in 2024 since the gas tax will not be reduced as anticipated, and whether the amount in the gas tax reserve account could be an opportunity to reduce municipal contributions. Since not all the relevant information is currently available, these issues will be addressed at a future meeting. Some elements of the operating budget will change due to the larger than anticipated amount of gas tax and the reserve may improve, but municipal contributions will not change from what was presented. The Manager continues to look for grant opportunities.

**Motion** Moved by Scott Mackey; Seconded by Monica Singh-Soares  
That the 2024 budget be approved as presented.

**Carried**

**7. Correspondence**

There was no correspondence.

**8. New Business**

**A. Report on Legal Ramifications of New Not for Profit Corporations Act**

The Manager updated the Board on the response from its lawyer regarding instructions to amend the partnership agreement and the request for a retainer. The Manager will follow up with the lawyer and with SMART's auditor for advice on the cost to prepare documents for ONCA compliance.

**Motion** Moved by Monica Singh-Soares; Seconded by Cheryl Grace

That the board approve Report SL2024-0201-1 Report on Legal Ramifications of New Not-For-Profit Act.

**Carried**

**B. Report on Group Excursions**

The Manager reviewed the report highlighting a total of 4,868 riders generating \$36,675 in sales. The 2014 Freightliner bus used for excursions is still road worthy and there was no change to rates for excursions which are charged to the group sponsoring the trip, not to the individuals. Clients are primarily residents of long term care facilities, although there are some excursions for students with special needs. Discussion noted that actual costs, including maintenance and capital costs, should be factored into the excursion rate and the percentage increase applied to individual rates should be applied to excursion rates. Clarification of the number of riders was requested in light of the statistics in the report and the Manager will review the rates and the ridership figures. He confirmed that an appropriately sized vehicle is sent for each excursion, and the large bus is not used for a group that could travel in a 9 passenger vehicle. Additional information is required on the actual costs of the bus before making a decision on the excursion rate. More information on the usage of the bus is needed, and it should be promoted more, along with exploring how to increase riders on group trips. The bus is used three to four times per week in peak season with one invoice being sent regardless of the number of passengers, and the Manager believes there is room to increase its use. It was suggested that the number of excursions should be used as a key metric. The Manager indicated that he could do presentations to long term care facilities to promote use of the bus and agreed to report back on the matter.

**Motion** Moved by Scott Mackey; Seconded by Warren Dickert

That the rate for excursions be increased by 27% to \$3.81/km from \$3.00.

**Withdrawn**

**Motion** Moved by Scott Mackey; Seconded by Warren Dickert

That the Manager bring forward a report outlining the actual costs for the Freightliner bus used for group excursions including capital replacement, maintenance, and without including any municipal subsidy.

**Carried**

**Motion** Moved by Cheryl Grace; Seconded by Jennifer Shaw

That the report on large group excursions be accepted for information.

**Carried**

**C. Donations**

The Manager reported donations of \$7,425 in 2023 and \$10,000 has been budgeted for 2024.

Organizations in each municipality that might be interested in supporting SMART should be identified.

**Motion** Moved by Monica Sing-Soares; Seconded by Cheryl Grace  
That the current donation amount be received for information.  
**Carried**

**D. Hands Free Policy**

The Manager advised that paragraph 3 is to be deleted. Discussion centred on the practicality of some provisions such as requiring drivers to avoid eating and drinking. Reference was had to the RCMP's policy which defines distracted driving to include eating, drinking and smoking, although the definition in Ontario does not include eating and drinking. The member municipalities should be consulted since they will have already developed a policy.

**Motion** Moved by Joel Loughead; Seconded by Doug Kennedy  
That the Hands Free Policy be approved as presented.

**Withdrawn**

**Motion** Moved by Joel Loughead; Seconded by Doug Kennedy  
That the Manager bring forward an updated Hands Free Policy at the next meeting.

**Carried**

**E. Personal Use of Saugeen Mobility Vehicles Policy**

The Manager explained that the issue has arisen as a result of a review by SMART's insurer. Through discussion it was clarified that monitoring a driver's location could be done through their cell phones which allows the vehicle location to be seen on a map in the office. SMART's insurer suggested GPS trackers, a considerable expense at about \$100 per vehicle, but which would give more precise locations. Drivers are often required to wait for a client who is attending a medical appointment, and the question was asked whether during that wait time, the driver could leave to do personal errands. It was noted that drivers are paid to wait in such situations, they have their break and lunch periods during which they can do their personal errands, and they should not be doing personal errands while being paid. Another point was made about what happens if a driver has an accident with a SMART vehicle while doing personal business during working hours. Drivers are permitted to do personal errands using a SMART vehicle within its geographic boundaries which is seen as a "perk" of the job, and it could cause dissatisfaction if it was no longer allowed. The use of SMART vehicles for personal use could be a taxable benefit for employees. There was discussion about allowing some flexibility in the policy, relying on common sense, allowing personal business at the discretion of the Manager, and taking a different approach in practice than set out in a policy.

**Motion** Moved by Warren Dickert; Seconded by Joel Loughead  
That the Manager bring forward a revised Personal Use of Saugeen Mobility Vehicles Policy at the next meeting.

**Carried**

**F. Ontario Good Roads Association Conference**

Warren Dickert noted that if SMART wishes to bring an issue such as the gas tax forward to a conference such as OGRA or ROMA, it can do so through the Town of Hanover. Monica Singh-Soares, Warren Dickert and Scott Mackey plan to attend OGRA. The Manager advised that an application has been submitted for a grant to fund automatic calling to remind clients that their ride is coming. This would reduce the number of calls to the office from clients to confirm their ride. The Manager will submit ideas for delegations at the conference.

**Motion** Moved by Monica Singh-Soares; Seconded by Warren Dickert  
That the Warren Dickert, Scott Mackey and the Manager put together a list of concerns to be taken to the conference that that the list be submitted to the Town of Hanover which will make a request for a delegation by SMART.

**Carried**

**G. Transit Plan**

The Manager noted that Bruce County would like to see SMART's business expand to include people who do not have a mental or physical disability and promoted to the municipalities not included in the partnership agreement, i.e. Northern Bruce Peninsula, South Bruce Peninsula and South Bruce. However, this would come with very high costs and expanding SMART to include other municipalities for specialized transit makes sense, but not for the population at large. Grey County has implemented a fixed route transit service, but it has not been successful since what is needed is a door-to-door service. Discussions about moving SMART to the County level of government have taken place in the past but not resulted in any firm decisions. The Manager informed the Board that Claire Dodds, Commissioner of Community Development for Bruce County has offered to attend a Board meeting to discuss the matter. It was agreed that SMART does not need to prepare a transit plan given its strategic plan and the Manager will invite Clarie Dodds to a future meeting.

**9. Reports and Recommendations**

**A. Report on January 2024 Operations**

The report showed 1,976 rides, \$29,586.75 in sales and 34,309 billed kilometers, an increase of 14% in rides, 11% in fees and 5% in billed kilometers compared to the same period last year. There were 37,513 kilometres (54%) driven in deadhead and SMART is close to maximum capacity. More drivers would have to be hired to increase capacity. The work on an efficiency index is not complete and more data is required, It was noted that there is an opportunity to increase efficiency by reducing deadheads.

**Motion** Moved by Scott Mackey; seconded by Cheryl Grace  
That the report on January 2024 operations be accepted as presented.  
**Carried**

**10. Committee Reports**

There were no committee reports.

**11. Closed Session**

There were no items for a closed session.

**13. Strategic Planning Session**

Jennifer Shaw noted that tactics have been identified in the draft plan and suggested that the Board review the priorities and goals. Discussion resulted in a number of additions under Sustainable Operations including funding mechanisms, opportunities for municipal sustainability under "Increase Revenue" and expanded service. The asset management plan should begin before December of 2024 since it relates to vehicle replacement. Under Sustainable Operations, the Manager will connect with municipal councils, employees will be asked for their ideas, SMART could attend local events, festivals and fairs to promote its service and expand awareness, and the Manager will make presentations to the Chambers of Commerce. (The member municipalities are members of the Chambers so SMART does not need a membership.) Under Quality Governance, the goal of having a Board Governance Policy by the end of the current term of the Board was suggested to clearly delineate the responsibilities of the Manager versus the Board so that the Board can move away from an operational approach. Board members are to submit their ideas for the strategic plan to Jennifer Shaw.

The legal question arose of whether the Ontario Not for Profit Corporations Act (ONCA) or the Municipal Act applies to SMART. The Manager will contact the partner municipalities to find out which law firm they use for their Municipal Act work.

**Motion** Moved by Warren Dickert; seconded by Scott Mackey  
That the Manager reach out to the Chief Administrative Officers of the member municipalities to request the name of the lawyer they consult with expertise in municipal law (the Municipal Act) and the not for profit sector (Ontario Not for Profit Corporations Act).  
**Carried**

In light of the above discussion, the Board unanimously agreed to reconsider the motion on item 8A Report on Legal Ramifications of New Not for Profit Corporations Act to be as follows:

**Motion** Moved by Scott Mackey; seconded by Warren Dickert  
That Report SL2024-0201-1 Report on Legal Ramifications of New Not-For-Profit Act be deferred to a subsequent meeting pending the Manager's report on legal expertise.  
**Carried**

**14. Adjournment & Upcoming Meeting Dates**

**Upcoming Meeting Dates**

Friday, March 22, 2024, 10:00 a.m. Regular Monthly Board Meeting, SMART Office, 603 Bruce Rd 19, Walkerton, ON.

**Motion** Moved by Warren Dickert; Seconded by Joel Loughead  
That the Board of Directors of SMART adjourn at 1:10 p.m.  
**Carried**



Doug Townsend, Vice Chair



Catherine McKay, Recording Secretary