



43 with the District. Under President Trump there has been more activity in eight weeks  
44 then there has been in eight years, as they rebuild infrastructure. The administration is  
45 doing what it's saying it's going to do, which creates opportunity. CVTD has a  
46 unique opportunity to get funding. Under Obama money was dumped to democratic  
47 supporters, but this administration came in with an eye towards lasting infrastructure  
48 with a ten year tail. There is also a focus on public and private partnerships. They are  
49 taking a fiscally responsive and long approach to finances, so CVTD needs a 3 to 5  
50 year plan to present with priorities outlined (small, medium, and large). CVTD needs  
51 to have action items for the next 90 days. In May there will be a day and a half where  
52 there will be some one on one time with the delegation (no other groups or states).  
53 CVTD passes Tim Stewart's "red face test"—he can talk about any element of CVTD  
54 without anyone getting a "red face."  
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56 9. Training on Ethics and GRAMA – Kelly Smith, Olsen & Hoggan Attorneys at Law  
57 (CVTD legal counsel): Kelly Smith works with several organizations and CVTD is  
58 by far the best run, most efficient company that he deals with. Topics presented in  
59 this training: Gifts/Bribery, Conflicts of Interest, Hatch Act, Use of Public Funds, and  
60 GRAMA. Utah Code 67-16 is a law that seeks to remove money and personal  
61 relationships from politics. Gifts are limited to a non cash gift of less than 50 dollars  
62 per year or two awards given in recognition. Four conflicts of interest that are always  
63 prohibited (even if disclosed): employment conflict, employment information  
64 conflict, disclosure conflict, and use of position conflict. Two conflicts of interest that  
65 are cured by disclosure: static business conflict and transactional business conflict. If  
66 there is a conflict of interest let Todd Beutler know; a notice needs to be given to the  
67 Attorney General's office. Penalties include removal from office and up to a second  
68 degree felony. The Federal Hatch Act prohibits the use of official authority to  
69 influence the outcome of an election or coerce employees to contribute to any  
70 organization for political purposes. This can include wearing CVTD apparel in  
71 connection with campaigns. In addition, public funds cannot be used for politics or to  
72 influence a ballot; but an entity can provide factual information about a ballot that is  
73 accessible to both sides (those who agree and those who disagree). Penalties for using  
74 money in such a way could include a criminal charge for mismanagement of public  
75 funds. Government Records Access and Management Act (GRAMA) Utah code  
76 recognizes two constitutional rights: the public's right to access information  
77 concerning the conduct of the public's business and the right to privacy in relation to  
78 personal data gathered by governmental agencies. Under GRAMA the first step in the  
79 process is to determine if something is a record or not; a record is something that is  
80 prepared/retained by a governmental entity and reproducible. What is not a record are  
81 personal notes/emails prepared or received in a capacity other than the officer's  
82 governmental capacity, daily calendar, and material that is already available to the  
83 public through a public library. Records have different retention lengths and are  
84 subject to retention schedules. CVTD has a trained records officer on staff. There are

85 four categories of records: public, private, controlled, and protected; unless a record is  
86 determined to be “public” certain requirements must be met for that record to be  
87 released. Draft reports are considered “protected” and should not be disclosed to third  
88 parties; however, once a draft has been used to take action it is considered public.  
89 Unlawful disclosure of records may trigger both criminal and civil penalties against  
90 those who disclose them. If there are any questions, board members can email him,  
91 Kelly Smith, or contact CVTD’s records officer, Charise VanDyke.  
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93 10. Consideration of Board governance policies – Ron Natali, CVTD Board Member:

94 Ron Natali went over changes made to the policy manual, all of them minor, as the  
95 manual was in good shape after the blitz; all previous changes, besides the minor  
96 changes (marked in blue) that Ron presented, had been previously agreed to by board  
97 members. All revisions to the policy manual will be documented on the revision  
98 history section of the manual. The CEO’s annual performance review will be  
99 approved in the March board meeting and the pay increase is retroactive. Rich  
100 Anderson expressed his dislike of the retroactive pay increase mentioned in the  
101 Compensation Policy; he believes that any pay increase should be approved with the  
102 budget, but understands what it is trying to do (because of time restrictions the pay  
103 increase evaluation could not be done in time to be passed with the budget). It was  
104 pointed out that this is a tentative policy for this year, so changes can be made. Three  
105 committees will remain after the policies are put into effect: Executive Committee,  
106 Budget & Audit Committee, and PEP Committee; the rest will be dissolved. Issues  
107 brought up in board meetings that are not on the board agenda will be researched in  
108 PEP Committee and brought back to the board. After Ron Natali finished listing the  
109 changes made, Roger Jones entertained a motion to adopt changes. Rich Anderson  
110 asked that an additional change be made—to add that the CEO shall not allow  
111 financial activities to be incurred that are not conservative in nature and consistent  
112 with our community values (stating that it could offer some protection too). Craig  
113 Wright pointed out that it already states in the policy that the CEO will not engage in  
114 unlawful behavior. Erik Ashcroft mentioned that there were still some issues that he  
115 wanted to discuss. Roger Jones entertained a motion to hold onto the policy for one  
116 month for additional discussion in an Executive Committee meeting; he asked that  
117 discussion about this draft document (as well as the document) be kept within the  
118 board to keep in line with what the attorney said concerning GRAMA and not to seek  
119 information from outside sources. Erik Ashcroft motioned, Jeff Turley seconded.  
120 Craig Wright objected; vote passed unanimously. Roger Jones authorized additional  
121 board members to come to the Executive Committee meeting in March. Ron Natali  
122 requested that comments about the policy manual should be given to the Executive  
123 Committee in advance to give them time to examine them before the meeting.  
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125 11. Presentation on outsourcing of maintenance – Todd Beutler, CVTD General

126 Manager: On account of time, this agenda item was tabled to be presented March 22.

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- 12. Board Chair report – Roger Jones, CVTD Board Chair: Nothing to report.
  
- 13. General Manager’s report: Todd Beutler gave a brief update about the Short Range Transit Plan (SRTP). The consultant hired to put together the SRTP will be present next board meeting to answer questions. Board members will hear about proposed changes. Deborah Miller asked a question about what CVTD’s responsibilities are concerning public safety. Todd Beutler mentioned that CVTD works with law enforcement as needed and bus drivers are trained on reporting incidents; CVTD provides information and acts as a resource, but does not participate in the investigations, including commenting on any incident that may compromise an ongoing investigation. He added that incidents at the transit center have an 85 percent solve rate, which is a high percentage in the valley. Todd mentioned that Nathan Coats will be leaving CVTD after 15 years as the Director of Operations/Marketing; he mentioned that Nathan is assisting with the transition and that they will not be filling the position currently. Nathan was given a moment to speak. Nathan expressed gratitude to have had the privilege of being a part of the best public transportation organization in the nation. He mentioned that the vast majority of taxes used are reinvested in the community—referring to a consultant that found that for every dollar spent on CVTD it yields five dollars in the community. He said that CVTD had a grassroots start from citizens who went and created it. He urged board members to leave CVTD better than they found it, regardless of opinion. He mentioned that he was leaving CVTD after much debate because he saw that it would leave it even more stable than it already is and it was the right time for him and his family. He asked board members to treat CVTD as a gift and that if they ever need his perspective they can call him. Todd Beutler invited board members to attend an open house on March 23, where goodbyes could be said to Nathan.
  
- 14. **Adjourn:** Board Chair Roger Jones adjourned the meeting.