



The June 3, 2020 meeting of the BJCTA Finance & Administration Committee was held via a video conference call held in accordance with the March 2020 Proclamation issued by the Governor of Alabama.

**ATTENDEES**

Theodore "Ted" Smith	Kevin Powe	LeDon Jones
Donald Harwell	Frank T. Martin	Glenn Dickerson
Harold Young	Valerie Rivers	Stephanie Walker
Corin Hooper	DiNaira Gilbert	Mikesha Harvill
Myrna Pittman	Amber Pope	Phyllis Goode
Anita Griffith	Joshua Johnson	Justin Ridgeway
Malia Fort	Doris (no last name)	Christopher Brewster
Darryl Grayson	Approximately 18 callers	

**CALL TO ORDER**

Committee Chair Sam Parker called the meeting to order at 10:38 A.M.

**ROLL CALL/ ESTABLISHMENT OF QUORUM**

Sam Parker	Darryl Cunningham	Johnnye Lassiter
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**ADOPTION OF THE AGENDA**

Director Cunningham moved to adopt the agenda as presented. It was seconded by Committee Chair Parker and approved by general consent.

**ITEMS FOR INFORMATION AND/OR DISCUSSION**

**A. Heroes/ Hazard Pay**

*Discussion Begins*

**Committee Chair Parker** asked committee members if they had received a copy of the variable lump sum amount information regarding hazard pay.

**Director Lassiter** stated that she had not received any additional information.

**Committee Chair Parker** stated that he emailed the information yesterday. There was further discussion regarding the amount employees would get according to their job functions.

**Director Lassiter** asked for clarity on Maintenance employees and their job functions.

**Mr. Frank T. Martin** explained that the spreadsheet breaks down the amount that employees would get based on if they were customer facing or non-customer facing. Customer facing employees would get a higher sum of money.

**Committee Chair Parker** explained that the fifth option would be that every employee would get a lump sum of some amount. The lump sum would be bumped up in order for the taxes to be covered so they end up getting a net amount of either \$700, \$500, or \$300. The paratransit operators would be paid \$758 and they would end up with \$700. Fixed route operators, road supervisors, and paratransit

road supervisors would end up with a \$500 net amount. Supervisors, Maintenance, and Customer Care employees would get \$300.

**Director Lassiter** expressed concern about Customer Care and Maintenance employees getting the same amount.

**Committee Chair Parker** explained that the logic behind it was that those employees did not have as much risk of Coronavirus as the other essential employees receiving higher amounts.

**Director Cunningham** asked if this would be all the money essential employees would receive for the entire time of the pandemic.

**Committee Chair Parker** replied that there were talks about future payments that would be dependent upon the status of the coronavirus.

**Director Cunningham** stated that it seems like that is only 1% pay and that he thinks it's a low amount for two months.

**Director Lassiter** stated that we are looking at more than two months. It should be all of April, all of May, half of March, and now we're into June.

**Director Cunningham** asked for clarity if these amounts are to cover all of those months,

**Committee Chair Parker** replied "Yes, it is a lump sum of money."

**Director Cunningham** stated that we need to do a little better than that. That is a small amount for two and a half months. He asked what the other proposal looked like because he wanted to see something a little better than this one because it was the lowest one.

**Director Lassiter** agreed.

**Board Chair Ted Smith** asked if he could interject and with permission from Committee Chair Parker, he stated that right now they are looking at all of the fare loss and the possible decrease in payments from the City of Birmingham. They don't know what that will look like but at this point they just want to get something to the essential employees to show appreciation and then at some point in the future they can revisit this. Our main goal is to keep buses running and jobs for employees.

**Director Lassiter** stated that the main goal is to give essential employees a substantial amount of money.

**Board Chair Smith** said that it is not the main goal of the CARES Act.

**Director Lassiter** asked, what is the main goal of the CARES Act?

**Board Chair Smith** stated the main goal was to make sure that we have transportation running in all of Jefferson County and that we make sure we keep jobs in place.

**Director Lassiter** asked him to show her where it states that was the main objective because that is not what she saw when she looked at it.

**Board Chair Smith** asked her what did she see when she looked at it?

**Director Lassiter** stated that she just saw a list of objectives. It did not state what the main one was.

**Board Chair Smith** said it does say loss of revenue, capital items, maintain transit service, and pandemic leave. We don't know what our numbers will look like because of loss of revenue and those numbers should come in sometime in late July or August.

**Director Lassiter** asked for clarity if he was talking about the City of Birmingham because she knows that there has not been talks with Bessemer.

**Board Chair Smith** said that he has not talked to anybody about losses. He went on to say, "Wait a minute....,"

**Director Lassiter** stated, "Hold on. Don't tell me to wait a minute. Last meeting Director Powe was shut down when he tried to speak. You are not a member of this committee and you shouldn't be speaking right now."

**Director Powe** stated that our operators have been going through being worried and scared of being laid off and their jobs being in jeopardy since he got on the doggone board. This don't make no doggone sense man. And you want to slap these folks in the face like that for real?

**Board Chair Smith** asked him if he thought the operators were going to lose their job?

**Director Powe** replied that it doesn't matter. They have been scared to lose their job ever since he's been on the board.

**Board Chair Smith** stated that if the CARES Act money had not come in, they probably would have lost their jobs.

**Committee Chair Parker** stated what we are trying to do is recognize that the drivers and the folks in operations have been doing a good job in fulfilling the needs of having an operable transit system during this time of pandemic in our country and in our world and we want to recognize that in some way but we are also constrained by what we can pay.

**Director Cunningham** stated that this should have been resolved in the first month of the pandemic. He went on to say that he knows what the CARES Act is about which is covering the operations, but those buses cannot move without the operators and the support of our staff. If our people aren't top priority, then what are we doing as an operation. We must take care of these people in a professional manner that is not insulting to their intelligence and provide them with a reasonable amount of money. That proposal that you just showed me is not, in my opinion, a reasonable amount of money. Even if we have to cut back on some other proposed expenses to make sure our people are taken care of health wise. We must do that as a board in good faith. This is real serious and we must take a more professional stance in what we are doing here. Don't throw these people pennies like that. That would be insulting to them. He went on to say that as Director Powe said earlier, they are already fearful of losing their jobs. Let's not do this and insult them. We must produce a conducive environment that makes them happy to be here and happy to serve. We must do our job to get the correct measurements together to pay these people properly and on time.

**Director Powe** stated that Everyone wants to know what the CARES Act says, but where is legal at? What are we paying legal \$25,000 a month for if they are going to sit on the phone and be quiet. Whoever is legal on the doggone phone need to speak up and explain what the CARES Act is because you are not doing jack [expletive]. Yeah, I cussed. You ain't doing nothing! We pay you \$300,000.00 to do what? Sit on the doggone phone! Maybe they need to fire your doggone [expletive] too!

**Director Lassiter** stated that she didn't know if legal was on the phone and asked if there was anyone on the call from legal?

**Director Powe** shouted, My point exactly! My doggone point!"

**Director Lassiter** asked for clarity, you mean no one is on here?

**Director Powe** shouted My doggone point!

**Director Lassiter** asked Mr. Frank T. Martin if anyone was on the call from legal?

**Mr. Frank T. Martin** said Director Lassiter, I am not sure if anyone from legal is on the call this morning.

**Director Lassiter** then asked DiNaira Gilbert if anyone was on the call from legal. After a pause, Director Lassiter said, Ya'll just playing games now.

**Director Powe** said, they need to be fired too! He then said, Aye dog let's go ahead and adjourn this. We got business to handle.

**Director Lassiter** said this ain't making no sense at all. You don't know if anybody from legal is on the phone? That's their job. I'm like Kevin now. They're supposed to be here to advise us and answer questions. Ok, Mr. Smith, you were talking and screaming a little while ago is anyone from legal here? Mr. Chairman?

**Committee Chair Parker** stated, No, there is no one from legal. He thought that they could handle this themselves.

**Director Lassiter** stated, No, we don't need to handle it ourselves.

**Director Powe** yelled, What's the point in legal if we got to handle it our doggone self! We paying \$300,000.00 a year and we have to handle this ourselves?! We don't need no doggone legal then!

**Director Lassiter** stated that legal is supposed to be at every meeting.

**Director Powe** yelled, \$300,000! You got half the country don't even make that a year! 95% of the country don't even make that doggone much in a year and they not sitting on the phone? Where they at? Where they advice at man?! Why are they not advising what the CARES Act is, huh?!... Answer! I need answers dog! Everybody shut mouth now. So, I got to sit on the phone and yell just to get people with shut mouths! Nobody got no answers now. Everybody wanted to talk before that huh?!

**Attorney Sam Ford** interjected and stated to Director Powe that he is on the call and available to answer any questions about the CARES Act.

**Director Powe** yelled, Now you want to jump on the line. Man nawl, I ain't got [expletive] to say to you bruh. Straight up! All of a sudden you want to jump on the line now [expletive] you dog.

**Attorney Ford** asked if any other Board members had questions for legal about the CARES Act.

**Director Cunningham** stated that they wanted to make sure that their main concern was to make sure that the amount they are proposing to pay these people in a lump sum is a good amount and he just thought that they should be paid a little more and there were several mentions of us paying them every ninety days. Because of the pandemic we really can't go another ninety days because we don't know how soon there will be information on whether conditions get better or get worse and so we

have to do this on a monthly basis for right now until we can get a better handle on it but the amount that was proposed for ten weeks is probably about 1%. He doesn't think anyone across the nation is receiving 1% pay. We said before that 5% was too small. I asked for the financials a while back so that we could see what was available and as of this day I have not received not one total of what's available and the amount that we are receiving from the CARES Act is for operations and I feel that the people who are providing the services, driving these buses, and cleaning these buses making this thing operate deserves our utmost attention. I believe that it should be a higher amount than what is being presented at this time and that is my position on it.

**Mr. Frank T. Martin** said to Director Cunningham, with all due respect we have sent information to the Board and you have it, information regarding the CARES Act and our level of funding. You do have that information.

**Director Cunningham** stated that he does not have it. He said he knows about the CARES Act, but he doesn't have the financials. I'm pretty sure if I had it, I would not be asking for it. If you can resend it to me, I will be more than happy to look over it again. It's no problem but I do not have it.

**Mr. Frank T. Martin** You asked for the funding from the CARES Act and that's what was sent out to the Board.

**Director Cunningham** stated that he knows about the level of funding coming from the CARES Act, but he wants to know about the financials for the Board. What funding do we have from the Board that could be applied to help? We were trying to get an up to date status of where we are financially. Where is MAX financially without the CARES Act money and then with the CARES Act money. We don't want to put MAX out of business, but we do want the employees to be taken care of. That is my concern.

**Mr. Martin** said that you are asking for the financial statements that are sent out to the Board on a monthly basis.

**Director Powe** stated, Mr. Martin I asked you for that yesterday by the end of the doggone day. Why I didn't get it? You laughing? You laughing bruh! It's funny. So, it's funny?

**Mr. Martin** said to the Board, for the last several months you've been considering hazard pay. We've given you four to five options. We've also provided to you information from other transit agencies within Alabama as well as other organizations around the country that we were able to provide information for. The City of Mobile offered their employees a five-hundred-dollar bonus. It depends upon the local area and the amount of funding that has been available for the local property and what they feel is available. It appears that in some properties there's a fixed amount maybe as low as two hundred. There is one property that has a 1.5% increase.

**Director Cunningham** stated that it is not depending on the local area. It is depending on the CARES Act and what is available through the CARES Act.

**Mr. Martin** said the information you have before you gives you the various options to determine what you would like to do.

**Director Cunningham** stated the five hundred dollars you are mentioning was paid out over a month ago. We're talking about now ten weeks. So, if they paid that in the first month then we're talking about doubling what you have here before us. They've already paid them five hundred dollars and we don't know what they have paid them since then, but we need to make sure we do a good job. If we could get those figures, we could make a wise decision. The CARES Act was designed to keep us from going under and we have to use it accordingly. If we don't have any employees to run the system, then the

system is out of business already. We've got to take care of our employees. We need to act swiftly and professionally and get it done.

**Mr. Martin** stated that the five-hundred-dollar payment was a one-time payment for the City of Mobile and to the best of his knowledge that is the only thing they have received. Based on our communication with them that is all that they will be receiving.

**Committee Chair Parker** asked Director Cunningham if he had a copy of the first four options that were presented. He went on to say that it provides the total payroll cost for the period March 16 through May 7. Just to give you an idea of the cost and that total is \$83,705.00. He went on to say that he thinks that employees will have a job regardless of what we do. We are not at that point yet.

**Director Cunningham** stated that he is in agreement with the lump sum payment and the monthly review, as well. He just thinks the amount should be increased. He would like to see the amount be around 10% and reviewed on a monthly basis with the understanding that the amount could fluctuate.

**Mr. Glenn Dickerson** announced that he was on the line and asked about the 10% through what date. He said the schedule that is before them is retroacted back to March 16<sup>th</sup> and it goes up to June 30<sup>th</sup>. When you say 10% it's 10% from what day to what day?

**Director Cunningham** responded saying he guess using the same schedule that you have would be fine.

**Mr. Dickerson** asked for clarity if the date was through June 30<sup>th</sup> and

**Director Cunningham** said, No June 1<sup>st</sup>. We haven't gotten to June 30<sup>th</sup> yet. Just take it from where we are today. Whatever the last pay cycle is. The current pay cycle.

**Director Lassiter** said that Director Cunningham said he was in agreement with the lump sum but is now jumping back to ten percent. When we looked at 5% Director Harwell used the example that if a person made \$20 per hour that would be one extra dollar per hour. Now we are talking two extra dollars per hour with a ten percent increase.

**Director Cunningham** replied that he still wants to do a lump sum. He just didn't want the figure to be below ten percent.

**Director Lassiter** asked Mr. Dickerson to compare the amounts for the lump sum of ten percent increase per hour. She asked which amount is greater. She went on to say that she couldn't understand why we wouldn't go until June 30<sup>th</sup> instead of June 1<sup>st</sup> because we know June 30<sup>th</sup> is coming.

**Mr. Dickerson** shared that if everyone was paid the ten percent through June 30<sup>th</sup>, it would be \$343,174.00. The option provided of the lump sum with \$300, \$500, and \$700 the total would be \$143,000.00. There is about a \$200,000.00 difference.

**Director Lassiter** stated that according to the spreadsheet that Mr. Dickerson provided the cost was \$182,266.00.

**Mr. Dickerson** stated that those figures were at five percent and that the number should be doubled for the ten percent figure.

**Committee Chair Parker** asked Director Lassiter if she was suggesting that the maintenance and customer care employees receive less than the operators and

**Director Lassiter** she replied, yes. That is what we originally said.

**Mr. Dickerson** asked what percentage they would like to give the employees.

[background chatter- someone on the call phone is unmuted and there is a private conversation]

**Committee Chair Parker** asked who was speaking?

**Director Powe** replied it doesn't matter who's talking. She's speaking facts. It don't matter how she got on the doggone call.

**Mr. Dickerson** replied that the caller was talking about a different subject all together. She's talking about a conference call that the finance department had this morning. It has nothing to do with heroes pay.

**Director Cunningham** asked Director Lassiter if she would like to look at a set amount for this time since they are ten weeks behind.

**Committee Chair Parker** stated that he feels like they should agree on a percentage and that will be a lump sum payment for the period March 16 through June 30<sup>th</sup>.

**Mr. Dickerson** stated that he could come up with the new figures in the next few minutes before the scheduled Board meeting at Noon. All he needs is the parameters and he can have it done.

**Mr. Martin** asked that since there has been discussion about a lump sum what if Mr. Dickerson could cost out by doubling the figures on the spreadsheet instead of 300, 500, and 700. That they be 600, 1000, and 1400.00.

**Director Cunningham** agreed and said that was his suggestion as well.

**Mr. Martin** said that this would be based on March 16<sup>th</sup> through June 30<sup>th</sup> and then moving forward it could be address either on a monthly basis or quarterly basis. He suggested a quarterly basis, but it is the Board's decision.

**Committee Chair Parker** stated that he was also in agreement with that.

**Mr. Dickerson** stated that if the figures were doubled that we could easily say that the figure is \$286,000.00.

**Director Lassiter** asked for clarity that the figures would be doubled to 600, 1000, and 1400.00.

**Mr. Dickerson** shared for clarity that when the group last met Director Parker suggested that we gross up the pay so that when social security was taken out, they would gross 700. That would actually make the figure 758.00. The 500 is 542.00 and the 300 is 325.00.

**Director Lassiter** stated that she could agree with that.

**Committee Chair Parker** stated that this would be the proposal that would go before the full Board in the upcoming meeting and Mr. Dickerson will have a worksheet with all the figures prepared for the meeting. Director Parker stated that moving forward this would be reviewed on a quarterly basis and both

**Directors Cunningham and Lassiter** said that it should be reviewed monthly.

**Director Lassiter** added that in the event that we don't have any more money then we know that we cannot do anything else.

*End of Discussion*

Director Lassiter moved to adjourn the meeting. It was seconded by Director Cunningham

Meeting adjourned at **11:32 AM**

Unapproved