BOARD OF DIRECTORS MINUTES  
ABA Fall Board Meeting  
September 23-25, 2018  
Sonoma, CA

Members in Attendance  
Chris Anzuoni  
Eugene Berardi  
Bill Blankenship  
Mike Butts  
Michael Colborne  
Bryan Cole  
Julia Conway  
Donald DeVivo  
Warren Dickinson  
David Eaton  
Terry Fischer  
Kim Grzywacz  
Tom JeBran  
Daryl Johnson  
AJ Kinney  
Stephanie Lee  
Craig Lentzsch  
John Meier  
John Miller  
Ron Moore  
TJ Morgan  
Camilla Morris  
Peter Pantuso  
Stephanie Parr-Brooks  
John Percy  
Polina Raygorodskaya  
Karen Sanders  
Chris Shepler  
Mikie Shepler  
Ian Smart  
Albert Spence  
Linda Spruill  
Francis Tedesco  
Francis Tremblay  
Nicole Twigg  
Steve Woelfel

Members Not in Attendance  
Doug Anderson  
Ben Blunt  
Linda Burtwistle  
Dane Cornell  
Mike Dickson  
Anthony Fiorini  
Alan Glickman  
Steve Haddad  
Scott Henry  
Jim Jalbert  
Peter Picknelly  
Bill Torres  
Buddy Young

Staff  
Eric Braendel  
Melanie Hinton  
Suzanne Rohde  
Brad Tucker

Guests  
Alex Berardi  
Ron Brownstein  
Roman Cornell  
Nicole Fritz  
Brendon Harrington  
Charles Nolen  
Rick Schweitzer

Opening Remarks
ABA Chairman Don DeVivo welcomed the ABA Board of Directors to the Fall Board Meeting in Sonoma, CA.

- ABA Chairman Don DeVivo began the meeting by recognizing the guests and speakers in attendance
- The minutes from the previous Board Meeting were approved unanimously

**President’s Report**

ABA President & CEO Peter Pantuso covered the following subjects during his report:

- Peter Pantuso reminded the Board that a new staff member, Lia Zegeye, has been added to the Membership Department
- Peter talked about how the budget for 2019 appeared to be tight
  - Peter Pantuso raised the possibility of increasing dues on an annual basis for the purpose of keeping pace with inflation
  - Peter touched on the fact that the costs for the current year are higher than anticipated, while the revenue from publications was much lower than anticipated and that ABA needs to be more realistic about the publication revenue for 2019
- Peter Pantuso stated that the goal for membership should be to increase by 400 by the end of each year while increasing retention rates above 90 percent
  - Pantuso reminded the Board that a group of ABA Board Members recently met with Transportation-related Congressional leaders and that the repeal of the gas-tax rebate that has been proposed by Chairman Shuster
- Peter Pantuso stated that UMA does not want to do a joint fly-in with ABA this year
- Pantuso brought up that two anonymous donors have agreed to give to the ABA Foundation a total of $500,000 ($250,000 each) for research, based on the ABAF raising $1 million
- He also discussed that mergers are happening throughout the bus industry, which can negatively affect ABA Membership numbers
- Gene Berardi and Peter discussed bringing in key members of the association to strategically meet with transportation-oriented members of Congress regardless of a joint fly-in and Gene emphasized the importance of being unified on transportation issues when talking to members of Congress
- Regarding dues increases, John Percy raised the point that Destinations International used a company called “Avenue M” to restructure their dues and that ABA might want to look into that as a possibility

**Counsel’s Report**

Mr. Schweitzer began by reminding the members that the meeting would be conducted under the ABA Anti-Trust Guidelines and that there should not be any discussions about rates, components of rates, or competition.
Mr. Schweitzer mentioned that in the FAST Act over-the-road buses are supposed to maintain consistent toll rates as transit vehicles at federally-funded tolling facilities.

Mr. Schweitzer highlighted that federally-funded tolling facilities mean all facilities that were originally constructed with federal funds or facilities that have been rehabilitated with federal funds or continue to receive federal funds.

Mr. Schweitzer suggested that the Mayer Brown law firm would be an excellent firm to use if ABA should choose to litigate this issue. With input from Craig Lentzsch and others, it was decided that a better approach would be to send letters to 20+ tolling facilities, remind them of the law under the Fast Act, and ask them to stop collecting tolls on motorcoaches, and see what the response is.

  - John Miller brought up the fact that he won a legal case in which his company would be exempt from paying tolls on certain bridges in Kentucky.

Mr. Schweitzer mentioned that ABA has been working on a joint proposal with UMA regarding the San Francisco Airport regulations.

**Audit Committee Report**

- Eric Braendel updated the Board that ABA would be undergoing an audit in January and that members of the audit committee would meet on the first week of April to discuss the audit.

**Bus Maintenance and Repair Council (BusMARC) Report**

ABA Board Member John Miller delivered the BusMARC Report.

  - John Miller said that the meeting notes for BusMARC covered the topic comprehensively, and elected not to speak further on BusMARC.

**Bus Industry Safety Council (BISC) Report**

ABA Board Member Alan Glickman was not in attendance but submitted a full report (attached).

**BusPAC Report**

The BusPAC Report was delivered by ABA Senior Vice President of Government Affairs and Policy Suzanne Rohde.

  - Suzanne Rohde began by reminding the Board of Directors that the yearly BusPAC fundraising goal is $100,000.
    - Rohde stated that the current amount raised is around $61,000.
  - Rohde provided feedback on the ABA fundraiser held for Rep. Yoder, who serves as the Homeland Security Subcommittee Chair of the House Appropriations Committee and has also been very helpful in trying to restore the bus security grants to $7 million.
  - Rohde noted use of BusPAC funds, and that 54% of the funds supported Republican members while 46% supported Democrat members, reflecting the current control of each house of Congress, and noted the percentages would change to reflect any changes in control of either body after the election.
Rohde re-emphasized the importance of ABA Board Members meeting with Representatives on Capitol Hill, and explained the importance of BusPAC due to its size as mid-sized PAC, bringing more attention and stature to the bus industry.

**Time and Place Report**

- Mr. Berardi reminded the Board that the next Fall Board Meeting would be in Palm Beach, Florida at The Breakers Hotel
  - Mr. Berardi added that the following year’s Fall Board Meeting will take place at the Biltmore Inn in Asheville, NC
- Mr. Berardi raised the topic of holding the ABA Fall Board Meeting in the Western US
  - Berardi added that the low turnout at this meeting should be grounds for discussion as to whether or not the “3 to 4 year cycle” of heading West should continue
- Mr. DeVivo suggested the possibility of holding future meetings in a major city rather than a resort location
- After much discussion it was agreed that the Fall 2021 Board meeting would not be held in the west but would be held in the east or mid-west. Some suggested Montreal would be a good destination that would be an urban destination with an international feel

**Finance and Budget Committee Report**

The Finance and Budget Committee Report was presented by Gene Berardi, Craig Lentzsch, and Eric Braendel.

- Eric Braendel began by reminding the Board that due to poor performance of the ABA Reserve Fund, ABA began looking for a new investment advisor team
- Craig Lentzsch explained that the three main search criteria were fees, approach to the portfolio, and service to the ABA and ABA Foundation
- Craig explained that a committee of board members reviewed a number of firms and narrowed the list to 3 firms for in-person interviews. Ultimately the committee recommended Goldman Sachs to be the new investment advisor. Goldman Sachs won on the approach criteria, the fee criteria, but was slightly behind Morgan Stanley on the service criteria
- The Board voted unanimously to move forward with Goldman Sachs as the new investment advisor for ABA
- Following a question from Don DeVivo, Eric Braendel stated that the transition from TD Bank to Goldman Sachs would take place in the weeks following the 2018 Fall Board Meeting
- In discussing the ABA financials, Eric noted that revenue is $5,650,000
  - An overall decrease of $150,000 from 2017
  - Other income is up 53% from 2017
- Expenses for 8 months ending August 31, 2018 are $4,654,000
• An increase of $80,000 over the prior year
• Eric Braendel anticipates expenses at the end of 2018 to exceed the prior year by approximately $80,000 but in a best-case scenario, expenses will exceed revenue by $15,000 and in a worst-case scenario, expenses will exceed revenue by $75,000
• Eric Braendel forecasts that the 2019 budget will have a net of $2,000
• Eric Braendel updated the Board that Ascension signed a 5-year lease for the 111 K Street address starting in January 2017 and remain a solid tenant
• Eric mentioned that the current mortgage expires at the end of 2020 and that the rate for the 111 K Street building space will likely increase
• Eric also discussed a regular annual due increase of 2.5 percent. The board asked to review this issue again at the January Board meeting but approved 2.5 percent dues increase for the 2019 annual budget
• Chairman Don DeVivo called for a non-binding straw poll vote on whether or not to implement a 2.5% dues increase on an annual basis to keep pace with inflation
  o The poll showed 22 Board members in favor of such an increase, and 10 Board members opposed to the increase
• The Board voted unanimously to approve the 2019 budget as presented with a 2.5 percent increase
• Polina Raygorodsky proposed that the Board should discuss exit-survey results at future Board meetings to analyze why certain ABA members are deciding to end their membership

Government Affairs Report

ABA Senior Vice President of Government Affairs and Policy Delivered the Government Affairs Update.

• Suzanne Rohde began the report by updating the Board that there are 9 appropriations bills remaining for Congress this year
  o Suzanne added that the Transportation appropriations bill could be be passed soon, but that there are currently partisan policy disputes that are holding the bill up and it will likely be rolled into a continuing resolution.
• Suzanne informed the Board that with the help of ABA’s lobbyists from K & L Gates, language was included in the Interior Bill regarding CUA fees at national parks
  o Suzanne said because of this language, ABA was able to have a successful meeting with the Department of Interior
• Rohde mentioned ABA put in a strong effort to obtain an amendment in the FAA re-authorization, but that at last minute it was dropped due to the airports coming out in opposition even thought they were a part of the negotiations of the language.
• Suzanne covered the issue of the proposed version of Rep. Shuster’s bill, recommending the elimination of the partial fuel-tax refund for motorcoaches. She also noted Rep. Shuster is retiring, but since the language is now public, there is a greater likelihood it will come up again.
• Rohde and Rick Schweitzer are filing a pre-emption petition in an attempt to stop inspections at the San Francisco Airport.
• On the topic of upcoming midterms, Rohde conveyed the impression that Democrats will have a more difficult time than Republicans in trying to obtain a majority in the Senate, but had a very good chance of obtaining control of the House.
• Suzanne also touch on the L&I NPRM and the fact that the Agency listened to industry concerns. But, that the compliance date for the current rule needed to be extended.
• Suzanne also stressed the importance of good industry participation in the Motorcoach census, particularly for lobbying efforts

2019 Marketplace Outlook
Marketplace Chair Kim Grzywacz. brought the group up to speed on developments regarding ABA’s Annual Meeting and Marketplace 2019.
• Kim began by letting the Board now that the new Louisville Convention Center has officially been opened
• Kim announced that the opening night event will be taking place at the Kentucky Derby Museum
• Kim also reported that registrations are only 5% down, even though registrations started a month later this year

Presentation from Guest Speaker, Ron Brownstein
Ron Brownstein spoke about his experiences as a political correspondent, and the current climate of United States politics.

ABA Foundation Report
The ABA Foundation report was presented by ABAF Chair Tom JeBran.
• Tom JeBran opened his report by reminding the Board of Directors that the ABA Foundation Board of Governors met on September 6th at ABA headquarters
• He noted that the ABAF will be pushing hard to make it clear that scholarships are available to all ABA members and their employees or coworkers
  o Melanie Hinton added that every ABA company will be receiving a “scholarship in a box” which will demonstrate that application process more clearly
• Tom expressed that the Board of Governors was looking into streamlining the scholarship application process
• Tom also discussed the $500,000 gift from the two anonymous donors and that ABAF staff will begin the fundraising efforts soon

Governance Committee Report
The Governance Committee Report was delivered by John Meier.
• John Meier began by noting that Tony Fiorini, Mike Butts, and Nicole Twigg were going to be rotating off the Board
  o John also noted the Kim Grzywacz would be rotating off from the role of Marketplace Chairman
• John Meier announced that Kim Grzywacz, Jonathan Berzas, and Cindy Brown have been put on the slate to become full-time Board members
• John said that Ron Moore would be terming out of the Executive Committee and Steve Haddad will conclude his 2nd term on the Executive Committee and rotate off, and that Ben Blunt and Bill Torres would be added to that Executive Committee
• John noted that Pete Smith with Smokey Mountain Resorts will be added to the ABA Foundation Board of Governors

Communications Report

ABA Director of Communication & Media Relations Melanie Hinton delivered the Communications Report.

• Melanie Hinton began the report by asking the Board members to fill out a survey for the purposes of better demonstrating who ABA leadership is to the general ABA membership
• Melanie Hinton brought up that ABA will be leading a Marketplace Mondays contest to drum up excitement for Marketplace
• Hinton demonstrated that there is a new “chat” function on the ABA website to help with website inquiries
• Melanie talked about ABA’s new oversite of email correspondence, and being able to determine whether members have opened emails

Bus World Update

ABA President and CEO, Peter Pantuso delivered an updated on the upcoming BusWorld event.

• Peter Pantuso began by showing a video of the upcoming event BusWorld will be having in Russia
• Peter made the Board aware that BusWorld is interested in partnering with ABA for future events
  o Pantuso said that the next step, should ABA agree to move forward, would be to hold a BusWorld Academy at ABA Marketplace 2020 in Omaha, NE
  o If BusWorld expresses further interest, the organization would partner with ABA for a show in Baltimore in 2021
• Peter Pantuso noted that BusWorld and ABA are planning on sharing a draft budget and draft contract with each other so that both organizations have a better idea of what the agreement will look like
• Craig Lentzsch expressed the sentiment that the Board must approve any formal agreement on the BusWorld exhibition
• Gene Berardi made a point that he thinks the primary discussion around whether or not to move forward with the BusWorld deal should be centered around the continued success of Marketplace
• Mikie Shepler expressed concern about combining the two events because of the potential negative impact that combining the two would have on the Travel and Tour Members of ABA
• Peter Pantuso underscored the importance of getting more of the ABA operators involved in ABA events, which could happen because of interest in partnering with BusWorld

Presentation from Guest Speaker, Brendon Harrington

Brendon Harrington spoke about the transportation system at Google’s Mountainview campus.

Strategic Planning Report

Don DeVivo led the discussion on the Strategic plan.

• Don DeVivo reminded the Board that there was a meeting in June of 2017 to discuss the strategic plan
• Don emphasized that the Government Affairs department of ABA remains at the forefront when it comes to strategy
• Peter Pantuso expressed that he thinks the Membership Department is headed in a positive direction with the addition of a new Senior Director of Membership

Meetings, Education, and Membership Report

Peter Pantuso presented on meetings, education, and membership.

• Peter announced that all the educational offerings for 2019 Marketplace will be listed in one place

Radar Issues

• Peter Pantuso expressed concern about the potential for a Senator Schumer-led Senate to implement new legislation requiring the bus industry to pay drivers “time and a half” for exceeding a 40-hour work week
• Mikie Shepler, in the wake of an accident with her company, cautioned members of the Board to examine their own insurance policies
  o Shepler said that the minimum $5 million dollar insurance requirement is not enough

Additional Documents

STRATEGIC SAFETY COMMITTEE CHAIRMAN'S REPORT TO THE ABA BOARD
The Summer BISC Meeting in Baltimore (Linthicum) Maryland was another big success with 165 member attendees.

The keynote speaker was the new FMCSA Administrator Ray Martinez from New Jersey. Most know that he was the former Head of the Motor Vehicle Department in New Jersey.

Administrator Martinez, our keynote speaker, spoke of being engaged with operators and working at both the grass roots level along with working with the folks at USDOT. He gave us great insight on future policies related to autonomous vehicles. This was his first industry address.

The summer meeting in June included a side trip to the "Bus Museum of Transportation" in nearby Hershey, PA and Executive Coach in Lancaster, PA which was one of the meeting's highlights.

Additional Summer Meeting Highlights:

- Getting the most info from the new Telematics
- Pre-employment screening and reducing the risk of making a poor hire
- TSA update
- NTSB update
- 10 Top OSHA Violations Discussion
- Round table super session and discussion on ELD implementation, benefits, challenges, view of our regulators of the new ELD process. 130 attendees participated
- Saucon user group meeting
- School bus accidents review
- Human trafficking concerns

There was an excellent presentation by "Fusion Health" on sleep apnea. Fusion Health, currently working with Greyhound has a very robust program to identify and manage sleep issues. Check the Fusion Health website if you are interested in learning about them.

In addition, ABA's new school bus council held a "general and education" session.

BISC (Security Committee and small committee of others) has collaborated with TSA on new security training video that will accompany new TSA regulations. This has been ongoing since October 2017.
BISC is currently working on the winter meeting agenda to be held at Marketplace in Louisville. Two keynote speakers will soon be announced.

We are currently taking nominations for this year's Norm Littler Safety Award.

The BISC West Meeting is being held in Olympic Valley, California in conjunction with the California Bus Association Annual Meeting on October 23, 2018.

The BISC West agenda will cover:

- Pre-employment screening.
- The top 3 Workers Comp injuries and how to prevent them.
- ELD Implementation - Discussion on how things are working and what is next.
- CVSA enforcement update and motorcoach inspection.
- BISC West is poised to be a great partnership opportunity with the California Bus Association. BISC will be part of the main meeting, giving exposure to over 300 CBA attendees. It is also part of all CBA marketing and registration material beginning in June.

Al Smith recently was invited to participate in a webinar with the NTSB which was broadcast to 375 people.

BISC has strengthened partnership with SYTA and has revisions on the Safety Brochure "Before You Hire a Motorcoach Company". SYTA will be distributing the updated brochure to 80,000 teachers and student trip planners this fall.

SYTA hosted a webinar in May reviewing our brochure with more than 250 participants.

BISC will also be reviewing criteria for a new SYTA Motorcoach Company Partner Inspection Checklist.

BISC continues to be featured in presentations at state association meetings, so far in 2017 mentions and materials were distributed at- Florida Motorcoach Association, DATTCO Expo (CT, BANY, New England, MA associations), Transportation Research Board, Commercial Vehicle Safety Alliance, Wisconsin Motor Coach Association, and Virginia Motorcoach Association to date.

BISC took over the Bus Bulletin for a month and sent out 30 promotional messages and references to event registration material to its subscriber database which includes all BISC members.
Remember the mandate for FMCSA is to remove two existing regulations for every new regulation added. This is an opportunity to identify and remove many onerous and foolish regulations that plague our industry.

BISC is now active on Facebook and my goal is to continue to make improvements to the BISC website.

Some of my other work in progress efforts are:

1. Creating a BISC safety store to serve as a library and resource for safety and regulatory information.
2. Enhancing and increasing specific and branded communication to all BISC members between meetings.
3. Partnering with other safety organizations to create research and education to support ABA and BISC safety efforts.
4. And, of course, to continue to build BISC membership.

By the way, if you are interested you can sign up to be on the NTSB subscription list to get the latest information from the NTSB by logging on to their website.

There was a recent one hour webinar on September 13th addressing, "Reducing commercial motor vehicle crashes through the use of video recorders". Investigators and analysts from the NTSB's Office of Highway Safety and Office of Research and Engineering, along with commercial fleet owners representing the truck and bus industries discussed why and how their organizations use video recorders to improve safety.

BISC Financials through August 31, 2018
Revenue will hit this year's budget of $55,000, an increase of $15,000 over the prior year period.
Expenses are also on budget, showing $56,000 through the eight month period ended August 31 against a full year budget of $64,000.

2019's budget anticipates a lower level of expense, set at $55,000 and we are hopeful of an increase in sponsorship to bring ABA's investment in BISC even closer to break even.

Thanks to our generous BISC sponsors which totaled $40,000 for 2017.

- ABC Companies - Title sponsor
- Bridgestone - Firestone
- JJ Keller
- National Interstate
- NIC Federal
BISC has room for additional sponsors and I suggest operators who have relationships with strong national companies, who service our industry, contact their companies and alert them of a great opportunity for them to get terrific exposure to all of the top motorcoach companies in North America. Just take a look at our current sponsors to see who they would be joining with as important BISC sponsors. This is truly a great opportunity to expand their industry reach.