**M I N U T E S**

VRE Operations Board Meeting  
PTC Headquarters – Prince William County, Virginia  
January 17, 2014

### Members Present

<table>
<thead>
<tr>
<th>Name</th>
<th>Jurisdiction</th>
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<tbody>
<tr>
<td>Sharon Bulova (NVTC)</td>
<td>Fairfax County</td>
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<tr>
<td>Maureen Caddigan (PTC)</td>
<td>Prince William County</td>
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<tr>
<td>John Cook (NVTC)</td>
<td>Fairfax County</td>
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<tr>
<td>Wally Covington (PTC)</td>
<td>Prince William County</td>
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<tr>
<td>John D. Jenkins (PTC)*</td>
<td>Prince William County</td>
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<tr>
<td>Matt Kelly (PTC)</td>
<td>City of Fredericksburg</td>
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<tr>
<td>Paul Milde (PTC)</td>
<td>Stafford County</td>
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<tr>
<td>Jennifer Mitchell</td>
<td>DRPT</td>
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<tr>
<td>Gary Skinner (PTC)</td>
<td>Spotsylvania County</td>
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<tr>
<td>Paul Smedberg (NVTC)</td>
<td>City of Alexandria</td>
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<td>J. Walter Tejada (NVTC)*</td>
<td>Arlington County</td>
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<tr>
<td>Jonathan Way (PTC)</td>
<td>City of Manassas</td>
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### Members Absent

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<tr>
<td>Suhas Naddoni (PTC)</td>
<td>City of Manassas Park</td>
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<td>Bob Thomas (PTC)</td>
<td>Stafford County</td>
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### Alternates Present

### Alternates Absent

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<tr>
<td>Marc Aveni (PTC)</td>
<td>City of Manassas</td>
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<tr>
<td>Brad Ellis (PTC)</td>
<td>City of Fredericksburg</td>
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<tr>
<td>Jay Fisette (NVTC)</td>
<td>Arlington County</td>
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<tr>
<td>Frank C. Jones (PTC)</td>
<td>City of Manassas Park</td>
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<tr>
<td>Tim Lovain (NVTC)</td>
<td>City of Alexandria</td>
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<td>Michael C. May (PTC)</td>
<td>Prince William County</td>
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<tr>
<td>Jeff McKay (NVTC)</td>
<td>Fairfax County</td>
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<td>Martin E. Nohe (PTC)</td>
<td>Prince William County</td>
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<tr>
<td>Kevin Page</td>
<td>DRPT</td>
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<td>Paul Trampe (PTC)</td>
<td>Spotsylvania County</td>
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### Staff and General Public

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<tr>
<th>Name</th>
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<tr>
<td>Doug Allen – VRE</td>
<td>Charles Kilpatrick – VDOT Commissioner</td>
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<td>Anthony Ayala – VRE</td>
<td>Ann King – VRE</td>
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<td>Donna Boxer – VRE</td>
<td>Mike Lake – Fairfax County</td>
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<td>Nancy Collins – Stafford County</td>
<td>Lezlie Lamb – VRE</td>
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<td>Kelley Coyner – NVTC staff</td>
<td>Aubrey Layne – Secretary of Transportation</td>
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<td>Rich Dalton – VRE</td>
<td>Bob Leibbrandt – Prince William County</td>
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<td>Maxime Devilliers – Citizen</td>
<td>Steve Mclsaac – VRE counsel</td>
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<tr>
<td>Nicholas Donahue – Deputy Secretary of Transportation</td>
<td>Betsy Massie – PRTC staff</td>
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<tr>
<td>John Duque – VRE</td>
<td>Foster Nichols – PB</td>
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<td>Patrick Durany – Prince William County</td>
<td>Dick Peacock – Citizen</td>
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<td>Arnold Gilbo – Keolis</td>
<td>Lynn Rivers – Arlington County</td>
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<td>Rhonda Gilchrest – NVTC staff</td>
<td>Mike Schaller – Citizen</td>
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<td>Al Harf – PRTC staff</td>
<td>Scott Schenk – Free Lance Star</td>
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<tr>
<td>Chris Henry – VRE</td>
<td>Brett Shorter – VRE</td>
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<td>Christine Hoeffer – VRE</td>
<td>Joe Swartz – VRE</td>
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* Delineates arrival following the commencement of the Board meeting. Notation of exact arrival time is included in the body of the minutes.
Chairman Smedberg called the meeting to order at 9:33 A.M. Following the Pledge of Allegiance, Chairman Smedberg welcomed Secretary of Transportation Aubrey Layne and gave him an opportunity to address the Board.

Secretary Layne extended greetings from Governor McAuliffe, including a message from the Governor that the administration looks forward to working with the VRE Operations Board over the next four years. He introduced several members of his staff: Jennifer Mitchell, Director of the Department of Rail and Public Transportation (DRPT), Nicholas Donahue, Deputy Secretary of Transportation, and Charles Kilpatrick, Commissioner of the Virginia Department of Transportation (VDOT). He also announced several other key members of his staff who were not present, including Grindley Johnson, Deputy Secretary of Transportation, and Quintin Elliott, Chief Deputy Commissioner of VDOT.

Secretary Layne observed that Northern Virginia is very important to the state and he pledges that this region will get the attention it deserves down in Richmond. He stated that VRE has some important projects underway, including the extension to Spotsylvania County, the Alexandria King Street Station Pedestrian Tunnel Project, and the Potomac Shores Station development. These projects will all be completed within the next few years and the McAuliffe administration wants to be a supportive partner.

Secretary Layne announced that under the leadership of DRPT Director Mitchell, $3.8 million in state matching grant funds were released yesterday for VRE track access costs. The state is also dedicated to working with VRE to find a multi-year solution for future stable funding for the track access fees.

Secretary Layne stated that the Governor has made it clear: The best decisions are made with local input and local decision making. He sees his role as Secretary of Transportation as VRE’s advocate to help VRE get the resources it needs. He is accountable to the citizens of Virginia but in the end the VRE Operations Board are the elected officials serving the citizens of Northern Virginia. He views the role of the state as supporting VRE with the resources needed to be successful. The state does have oversight for compliance and legal issues; is available to give guidance on policy; and wants to ensure that it is being a good steward of state funds and federal pass-through funding, but at the end of the day, policy needs to be in the hands of the local elected officials. He noted that there may be disagreements along the way, but the state is committed to working collaboratively with VRE. As a former CTB member, he is familiar with many VRE projects and although he may not yet understand all the political undertones, he will.

Secretary Layne then introduced Jennifer Mitchell, who is the new DRPT Director and will serve on the VRE Operations Board. Ms. Mitchell stated that she is from Alexandria and is a transportation planner by training, with specific experience working in the rail and transit fields over the last 20 years. She is familiar with VRE and its issues and looks forward to working with VRE as a partner.

Mr. Cook thanked Secretary Layne and his staff for coming to this meeting and for their encouraging words. He observed that the Operations Board works as a non-partisan group when they meet and the Board is very proud of its rail system and the work being done,
including voting today on the final VRE System Plan; establishing a Joint Audit Committee where a Management Audit is being conducted to make sure VRE is structured in a managerial way to fulfill the new mission of the System Plan; and hiring a new CEO, who has done an outstanding job over the last year. Mr. Cook stated that he looks forward to this new partnership between VRE and the state.

Mr. Skinner stated that it is an honor to have the Secretary of Transportation at this meeting. He congratulated Secretary Layne for his hiring of Mr. Kilpatrick and Mr. Elliott, who have done phenomenal work for Spotsylvania County. Mr. Skinner stated that it will be an exciting day when he can send an invitation to Governor McAuliffe and Secretary Layne to participate in the ribbon cutting ceremony for the opening of the Spotsylvania VRE Station later this year.

Secretary Layne observed that Northern Virginia is the economic engine for the rest of the Commonwealth. He explained that it is important to him to have Northern Virginia well represented on his team so that he and his staff can better understand Northern Virginia issues.

Ms. Caddigan stated that it is an honor to have Secretary Layne come to this meeting. She observed that it is “music to our ears” to hear that the state is willing to work with VRE and to listen. She looks forward to working with the state on the Potomac Shores Station development, which is in her district.

[Mr. Tejada arrived at 9:43 A.M. and Mr. Jenkins arrived at 9:45 A.M.]

Ms. Bulova stated that the VRE Operations Board operates on a bi-partisan basis where the Board Members leave their party affiliations at the door and work together on the business of operating VRE. VRE riders truly feel part of the VRE family. Mr. Smedberg agreed and also thanked Secretary Layne for coming and he looks forward to working with Ms. Mitchell as a fellow member of the VRE Operations Board.

**Approval of the Agenda – 3**

Mr. Kelly moved, with a second by Ms. Bulova, to approve the agenda. The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Mitchell, Skinner, Smedberg, Tejada and Way.

**Approval of the Minutes of the December 20, 2013 Operations Board Meeting – 4**

Mr. Milde moved approval of the minutes and Mr. Kelly seconded. The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Skinner, Smedberg, Tejada and Way. Ms. Mitchell abstained.
Installation of New Officers – 5

Chairman Smedberg announced the installation of the new officers for 2014, which were voted on at the December meeting:

Chairman: Paul Milde  
Vice Chairman: John Cook  
Secretary: Gary Skinner  
Treasurer: Paul Smedberg

Chairman Smedberg handed the gavel over to Mr. Milde.

Chairman Milde thanked Secretary Layne and DRPT Director Mitchell for taking time out of their very busy schedules to come to this meeting. Secretary Layne’s comments are refreshing and the VRE Operations Board looks forward to working collaboratively with the state.

Chairman Milde also thanked Mr. Smedberg for his leadership and guidance over the last year, which included many challenges that VRE was able to turn into opportunities. On behalf of the Operations Board, Chairman Milde presented a framed photograph of a VRE station to Mr. Smedberg in appreciated for his outstanding leadership during 2013.

Mr. Smedberg thanked the Board and stated that it was an honor to serve as Chairman during the last year. He agreed that there were major challenges but noted that one of the best things they did was to hire Doug Allen as the Chief Executive Officer, who deserves a lot of the credit for the success of the past year.

New Chairman's Comments – 6

Chairman Milde welcomed the new Operations Board Members, Jennifer Mitchell and Walter Tejada. Mr. Tejada stated that it will be hard to replace Mr. Zimmerman but he looks forward to representing Arlington County on the VRE Operations Board and working with the rest of the Board.

Chairman Milde gave a brief review of 2013, which includes strong ridership of almost 19,000 average daily ridership with 60 days over 20,000, even with sequestration and the government shutdown in October; overall on-time performance of 95 percent for the year; the VRE System Plan that lays out VRE’s future through 2040; and VRE’s budget, which increased by $35 million without increasing fares or overall jurisdictional subsidies.

Chief Executive Officer's Report – 7

On behalf of the VRE staff, Mr. Allen thanked Mr. Smedberg for his work as Chairman over the past year. He also welcomed Jennifer Mitchell and Walter Tejada as new members of
the Operations Board. He reported that VRE already conducted an orientation session for Mr. Tejada, which included a short train ride from Crystal City to Alexandria. Mr. Tejada thanked staff for the thorough orientation and for answering all his questions. Mr. Allen explained that Mr. Swartz is in the process of refining the new member orientation process. A full system ride will be scheduled for a later date and any Board Member is welcome to participate. Mr. Allen stated that he has a meeting scheduled with Ms. Mitchell for next week.

Mr. Allen reported that on-time performance (OTP) for the month of December was 93 percent. There was one particularly bad day with major delays when a wheelchair lift malfunctioned at L’Enfant Station. VRE is working with the contractor on this issue. He also announced that there was an unfortunate fatality on January 15th when a person crossing the tracks was hit by a VRE train near the Burke Station. The accident is still under investigation. Mr. Cook stated that there is a fence along the tracks in that location and asked VRE staff to work with Fairfax County staff to determine if the fence is secure.

Mr. Allen announced that Mr. Dalton worked with Amtrak to add two more Amtrak trains (one northbound and one southbound on the Fredericksburg line) to the step-up fare program effective January 27, 2014. These are considered reverse flow trains leaving at 7:30 A.M. from Union Station southbound towards Fredericksburg and 8:00 P.M. leaving the Fredericksburg Station northbound to Union Station. This is the beginning of some reverse flow service, which is a component of the VRE System Plan.

Chairman Milde asked about what type of ticket can be used with a step-up fare. Mr. Dalton explained that single ride or two-trip tickets cannot be used. Passengers with a valid 10-ride, monthly pass, TLC pass, or five-day ticket can use the step-up program. The concept is to offer this program as an extra service to regular VRE riders.

Mr. Jenkins asked if these two trains are the ones mentioned in Mr. Peacock’s article. Mr. Peacock stated that two of the four trains he proposed are now included in the step-up program. Mr. Jenkins asked staff to look at getting the other two trains incorporated into the step-up program if possible. Mr. Allen stated that each step-up fare costs VRE $5, but staff believes that there is a value to the customer to provide this service.

Mr. Allen announced that VRE’s Legislative Reception is scheduled for 6:00-8:00 P.M. on January 30th at the Main Street Station in Richmond. Secretary Layne and DRPT Director Mitchell, along with the Virginia General Assembly have been invited to attend. He encouraged VRE Board Members to also attend.

Mr. Way asked about the favorable budget variance of $3 million in the VRE Operating Budget. Mr. Allen explained that this variance is primarily due to a budget amendment that added $870,000; $560,000 under budget for fuel; $490,000 savings under facilities and maintenance; and salary savings due to some vacancies in staff positions. Mr. Way stated that this is good news.
Maxime Devilliers, a senior at the University of Mary Washington in Fredericksburg, reported that 275,000 people live in the Spotsylvania/Stafford/Fredericksburg area. The University of Mary Washington has 4,200 undergraduate students, 800 graduate students, and 950 faculty and staff members. All these people would benefit from weekend VRE service, as well as reverse flow service. The Chamber of Commerce would also benefit from more tourists and visitors coming to Fredericksburg. Mr. Devilliers stated that many young people and students are not aware of VRE. Although young, they are not free-loaders and pay taxes every day, including sales tax, liquor tax, and transportation tax. He observed that other metropolitan areas have weekend commuter rail service, including New York City, Boston, and Paris, France. Mr. Devilliers stated that he has 450 signatures on a petition in support of weekend VRE service. He stated that weekend service and reverse flow service would truly enhance the quality of life for the residents of the Metropolitan Washington region.

Mr. Smedberg thanked Mr. Devilliers for coming and stated that he did receive the package Mr. Devilliers sent but there was no contact information to respond. He asked Mr. Devilliers to provide his contact information to staff.

Mr. Skinner asked if the current step-up program is available on the weekends. Mr. Allen stated that it is only available during VRE service operations. Mr. Skinner suggested VRE coordinate with Amtrak on this, since VRE 10-trip tickets are valid for a full year, students could buy a ticket and use it with a step-up fare through the course of the year.

Ms. Bulova thanked Mr. Devilliers for making the VRE Operations Board aware of this issue. She stated that later this summer she will be holding an “Evolution of the Work Place” symposium where work experiences and expectations will be traced over the decades. She stated that the millennial generation is very much interested in mass transit and public transportation and Mr. Devilliers’ comments are right on track with these trends. She asked staff to look at how VRE could accommodate students and residents in the Spotsylvania, Stafford and Fredericksburg area. There may be some creative ways to provide service.

Mr. Tejada stated that VRE has an opportunity to develop an outreach strategy to inform these university students about VRE. Weekend service would require resources, but VRE could at least explore the feasibility and cost. At a minimum, VRE should have an outreach campaign to people who may not know about VRE and its existing service, including outreach to non-English speaking residents. Chairman Milde noted that VRE is constrained by capacity issues, both with seats and capacity on the rail lines. Weekend service would require time and money. These are all issues that would need to be resolved before adding weekend service.

Dick Peacock expressed his support for Mr. Devilliers’ comments. He observed that many commuter rail systems have weekend service. He suggested VRE could begin weekend service on Saturdays and if successful, then could expand to Sundays. He also suggested
VRE write a few articles for the university newspaper to inform the students about current VRE service. University of Mary Washington students already have bus service available to and from campus to the Fredericksburg VRE station.

Mr. Allen reported that on Monday, January 20th, VRE will run limited “S” schedule for the federal holiday/Martin Luther King Day. Mr. Way stated that it will be interesting to see the ridership, revenues and costs of providing this service. Chairman Milde asked staff to report back to the Operations Board and provide this information.

Mr. Kelly stated that the City of Fredericksburg is a tourist destination and it is important to encourage people from the metropolitan Washington area to come down to visit Fredericksburg. He stated that the City of Fredericksburg would be very interested in weekend VRE service and reverse flow service that Mr. Devilliers is recommending, but it will take time, work and money. The reality is that VRE has major capacity issues. He stated that it will be interesting to see ridership data on VRE’s “S” schedule for Martin Luther King Day. Chairman Milde stated that over the last 10 years, VRE ridership has grown 130 percent and is now constrained by capacity issues.

Consent Agenda – 9

On a motion by Mr. Kelly and a second by Mr. Way, the Board unanimously approved the following Consent Agenda Items:

- Resolution #9A-01-2014: Authorization to Issue an Invitation for Bid (IFB) for Rehabilitation of Wheel Sets
- Resolution #9B-01-2014: Authorization to Issue an Invitation for Bid (IFB) for Replacement of Stairs at Rippon Station
- Resolution #9C-01-2014: Authorization to Issue a Request for Proposals (RFP) for Repair and Overhaul Services for Locomotive Rotating Electrical Equipment

The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Mitchell, Skinner, Smedberg, Tejada and Way.

Authorization to Award a MEC V Task Order for Engineering Oversight for New Passenger Railcars – 10A

Mr. Allen explained that Resolution #10A-01-2014 would authorize him to execute a task order contract with STV, Incorporated for engineering oversight for the purchase of seven new passenger railcars in the amount not to exceed $850,000, plus a five percent contingency of $42,500, for a total amount not to exceed $892,500.

Ms. Bulova moved, with a second by Ms. Caddigan, to approve Resolution #10A-01-2014. The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Mitchell, Skinner, Smedberg, Tejada and Way.
Purchase of Expansion Railcars – 10B

Mr. Allen stated that the VRE Operations Board is being asked to approve a revised funding plan for the purchase of 14 expansion railcars and to refer the plan to the Commissions for their consideration and subsequent referral to the jurisdictions to include as part of their adoption of the VRE Operating and Capital Budgets. Resolution #10B-01-2014 would accomplish this.

Mr. Allen explained that NVTA funding was to be used to help purchase nine of these railcars, but staff and legal counsel have not been able to resolve a number of issues. As a result, staff has developed an alternate funding plan for the purchase of the 14 railcars in order to move forward on the purchase. The plan is based on the purchase of five railcars in FY 2015 and nine in FY 2016, all with a combination of 68 percent state funding, with the remaining 32 percent from a combination of federal formula funds and VRE funds. The FY 2015 subsidy amount would not change and no additional contribution would be needed from any jurisdictions.

Mr. Way asked if VRE staff is assured that VRE has the funding. Mr. Allen explained that VRE plans to submit a state grant for 68 percent of the cost of the railcars. Ms. Boxer explained that there would be a reallocation of formula funds and VRE would not purchase any railcars until the funding was in place. FY 2015 funding is already in place for the first five railcars.

Ms. Bulova stated that NVTC had a lengthy discussion at its last meeting on the NVTA funding issue. She expressed her appreciation to VRE staff for coming up with an alternative plan so that the railcars can run the entire VRE system. Mr. Cook agreed that this is a good solution. VRE needs to continue to work on accessing NVTA funding for the future. VRE should work with the new administration in Richmond to help reach consensus on how NVTA funding can be used. Ms. Mitchell stated that since she has not had a chance to understand the complexity of this issue, she will abstain from the vote.

Mr. Jenkins moved, with a second by Ms. Bulova, to approve Resolution #10B-01-2014.

Mr. Smedberg agreed with Ms. Bulova and Mr. Cook and stated that it is important to keep moving forward. He suggested putting together a Working Group to keep the momentum going on the funding discussion because there are NVTA issues that need to be resolved for both VRE and WMATA. Ms. Coyner noted that there are already plans to put together a Working Group and NVTC and PRTC will be included.

Mr. Harf suggested adding the following language to the resolution, “Be it further resolved that the VRE Operations Board provide provisional authorization to submit the state grant application by the February 1, 2014 deadline.” Mr. Jenkins and Ms. Bulova agreed to accept this friendly amendment.
Mr. Kelly thanked staff for coming up with an alternative plan. This now gives VRE time to work with others on the NVTA funding issue. He asked that FAMPO be included in at least some of the discussions with NVTC and NVTA so they have a clear understanding of how these issues could impact FAMPO. Ms. Coyner stated that Mr. Harf has been very involved representing the PRTC jurisdictions, but agreed that FAMPO should be included in some of the discussions.

In response to a question from Chairman Milde, several Board Members gave a brief explanation of the major issues regarding the NVTA funding as it relates to the three southern jurisdictions.

Mr. Skinner observed that with HOT lanes extending down I-95 to Stafford County and in the future extending down into Spotsylvania County and VRE service already serving this area, he would like to see a discussion of expanding the NVTA region to include the southern jurisdictions. Chairman Milde stated that those jurisdictions would need to increase their sales tax, which might be a tough sell. Mr. Skinner stated that it is important to understand the benefits and consequences either way.

Ms. Mitchell asked if the state grant request is already in the Five-Year Plan. Ms. Boxer stated that it was not included in last year’s plan, but will be included in the next cycle. Ms. Hoefner stated that VRE’s Transit Development Plan was submitted as a draft before VRE approved its budget. VRE has already notified DRPT that VRE intends to submit a final version that reflects these changes.

The Board then voted on the amended motion and it passed. The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Skinner, Smedberg, Tejada and Way. Ms. Mitchell abstained.

Adoption of the VRE System Plan – 10C

Mr. Allen stated that the VRE Operations Board is being asked to adopt the VRE System Plan and refer the Plan to the Commissions for their review and approval. Resolution #10C-01-2014 would accomplish this.

Mr. Allen explained that staff is ready to give a presentation on the System Plan. Ms. Bulova noted that she needs to leave at 11:00 A.M. Ms. Mitchell stated that she has to leave at the same time. Since the Board has had several presentations over the past few months, Ms. Bulova suggested skipping the presentation. There were no objections.

Mr. Cook moved, with a second by Mr. Covington, to approve Resolution #10C-01-2014.

Mr. Way noted that the cover memo states that the Board qualifies support for the longer term growth and expansion concepts. In his view, this is consistent with VRE’s mission statement, with the understanding that while Phase 3 of the System Plan is discussable, it is not a commitment. He also observed that Phase 2 recommends major investments to the
Long Bridge corridor between Alexandria and L’Enfant Station, including expanding capacity across the Potomac River. Mr. Allen explained that once the System Plan is approved, VRE will spend more time with CSX and other partners to begin to study the Long Bridge corridor issue, including cost estimates and development plans. Staff would return to the Board with recommendations. Mr. Allen explained that the Long Bridge, where the rail line crosses over the Potomac River into the District of Columbia, is a limiting factor to overall capacity. The DC Department of Transportation is currently leading a Long Bridge study. As VRE looks to add capacity, this would be a significant capacity improvement for the entire railroad.

Mr. Kelly observed that VRE expansion to Gainesville-Haymarket is part of the System Plan. Although there was also discussion of expanding service into Caroline County, VRE determined that it is not ready for that kind of expansion. He asked staff to convey VRE’s position. Mr. Allen stated that he and Mr. Harf have conveyed that information.

The Board then voted on the motion and it passed. The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Mitchell, Skinner, Smedberg, Tejada and Way.

Information Item: Discussion of Legislative Agenda – 11

Mr. Allen reminded the Board that at the last meeting it amended the Legislative Agenda to include the weighted voting issue. In response to a question from Mr. Covington, Mr. Allen explained that Delegate Filler-Corn offered to introduce legislation to repeal the weighted vote legislation. Her bill has now been assigned to a subcommittee. Ms. Mitchell stated that DRPT is very open to further discussions on this issue. Should the weighted voting go into effect on July 1, 2014, DRPT is committed to working together with VRE as a partner. Right now, the Commonwealth is not taking any position on pending legislation. She would like to know the issues and the practical implications. Mr. Allen stated that this can be discussed at their meeting next week.

Mr. Cook stated that there are practical problems with the current legislation because the Master Agreement may have to be amended. There is some concern that some jurisdictions would not have the support to approve an amendment. He stated that a delay of a year would be helpful if the current legislation cannot be repealed.

Mr. Kelly stated that he would like to see at some point VRE have a discussion about how VRE can sustain the level of service with the current organization and financial structure as it expands its service or will there need to be changes. He also looks forward to working with the new administration on these issues.

Mr. Covington stated that the General Assembly may be more inclined to reach consensus to extend the implementation for another year for the weighted vote issue. Mr. Cook stated that he is willing to make a motion to offer an amendment as an alternate plan to VRE’s legislative program to seek delay for another year. Ms. Bulova stated that ultimately VRE
wants the legislation repealed, but Plan B could be to seek an extension. Mr. MacIsaac stated that verbal direction to staff is adequate and no motion is required. Secretary Layne stated that because the state wants to fully understand the issue before taking a legislative position, a delayed implementation of a year would be a good idea.

Closed Session – 12

Mr. Cook moved, with a second by Mr. Smedberg, the following motion:

Pursuant to the Virginia Freedom of Information Act (Sections 2.2-3711A (1)(3) and (7) of the Code of Virginia); the VRE Operations Board authorizes a Closed Session for the purpose of discussing personnel matters; one matter involving the acquisition of real property for public purposes where discussion in public could adversely impact the VRE’s negotiating position; and three matters requiring consultation with counsel and appropriate staff concerning (1) recent amendments to sections 15.2-4507.C and 15.2-4512 of the Code of Virginia; (2) the legal requirements applicable to use of NVTA funds to purchase VRE rail cars; and (3) the contractual provisions applicable to VRE’s construction of a station in Spotsylvania County.

The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Mitchell, Skinner, Smedberg, Tejada and Way.

The Board entered into Closed Session at 11:08 A.M.

[Ms. Bulova and Ms. Mitchell left as the Board entered the Closed Session. Ms. Bulova rejoined the Board during the Closed Session.]

The Board returned to Open Session at 12:15 P.M.

Mr. Way moved, with a second by Mr. Kelly, the following certification:

The VRE Operations Board certifies that, to the best of each member’s knowledge and with no individual member dissenting, at the just concluded Closed Session:

1. Only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia were discussed; and

2. Only such public business matters as were identified in the motion by which the Closed Session was convened were heard, discussed or considered.
The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Skinner, Smedberg, Tejada and Way.

Chairman Milde moved, with a second by Mr. Cook, to approve the recommendations brought forth by the Executive Committee as amended in Closed Session in regards to Mr. Allen’s employment agreement. The vote in favor was cast by Board Members Bulova, Caddigan, Cook, Covington, Jenkins, Kelly, Milde, Skinner, Smedberg, Tejada and Way.

[Mr. Jenkins left the meeting at 12:17 P.M.]

Chairman Milde stated that Mr. Allen is doing an outstanding job and he is impressed with what he has accomplished for VRE. Mr. Smedberg commended Mr. Allen for his work over the last year and highlighted some of his major accomplishments, which include the establishing the Capital Subcommittee; creating the VRE System Plan; reorganizing staff; continuing to improve customer satisfaction; and working through the DRPT issues and other challenges. Mr. Cook stated that the Board will conduct a performance review with Mr. Allen during a future Closed Session but the Board wanted to publicly express their appreciation to Mr. Allen for the great job he is doing. Ms. Caddigan noted that VRE made the right choice when they hired Mr. Allen.

Mr. Allen thanked the Board for their kind words and stated that it has been a pleasure working with the Operations Board, staff and its partners.

Operations Board Members’ Time –13

Mr. Way announced that the Capital Subcommittee will be preparing an economic justification for a Heavy Maintenance Life Cycle Program. The Committee will be working with staff on this.
Adjournment

Without objection, Chairman Milde adjourned the meeting at 12:19 P.M.

Approved this 21st day of February, 2014.

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Paul Milde
Chairman

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Gary Skinner
Secretary

CERTIFICATION

This certification hereby acknowledges that the minutes for the January 17, 2014 Virginia Railway Express Operations Board Meeting have been recorded to the best of my ability.

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Rhonda Gilchrest