

**IFTA, INC. BOARD OF TRUSTEES
ACTIONS VIA E-MAIL
April 1, 2009 - September 15, 2009**

APRIL 2009

Audit Committee

On April 16, 2009, Scott Bryer (NH), IFTA, Inc. Board of Trustees (Board), contacted the other Board members by email to inform them that the chair of the Audit Committee had made a recommendation to fill the vacancy from the Midwest Region.

Motion: Mr. Bryer moved that the Board accept the recommendation of the Audit Committee to add Jeff Hood (IN) as a representative to the Committee to fill the Midwest Region vacancy. Patricia Platt (KS) seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on April 16 and 17. The Motion passed.

MAY 2009

1. *Dispute Resolution Committee*

- a. On May 1, 2009, Robert Turner (MT), Board member, offered a Motion via email regarding the chair and vice chair of the Dispute Resolution Committee (DRC).

Motion: Mr. Turner moved to extend Ed King's term as chair through 12/31/2009 and have Rick LaRose become the DRC chair on 1/1/2010. Mrs. Platt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on May 4 through May 6. The Motion passed.

- b. On May 4, 2009, Richard LaRose (CT), Vice Chair of the DRC informed the DRC Board Liaisons by email that a vacancy had occurred in the Midwest Region due to the resignation of Beth Hartley (NE). Mr. LaRose recommended that Mark Byrne (NE) be appointed to fill the vacancy.

Motion: Ms. Platt moved to accept Mark Bryne (NE) to fill the vacancy for Midwest Region of the DRC. Mr. Turner seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on May 5 through May 7. The Motion passed.

2. *Program Compliance Review Committee*

On May 4, 2009, Rena Hussey (VA), Board member, sent an email to the Board regarding the Program Compliance Review Committee (PCRC). Ms. Hussey informed the Board that Jay Starling's (AL) term as Chair ended at the end of April. The current Vice Chair, Cathy Beedle (NE), is interested in serving, and she is well prepared to do so. Although Mr. Starling has termed out as Chair he still has two years of eligibility as a Committee member. A past Chair would typically serve as Ex Officio, but since he has not termed out he should be allowed to serve as a full, voting member of the Committee. Vicki Hayden (AR) has

termed out as Ex Officio so the PCRC will not have an Ex Officio member at this time. Additionally there is one vacancy that the Committee has found a volunteer to fill.

- a. **Motion:** Ms. Hussey moved that Cathy Beedle (NE) be appointed as Chair of the PCRC effective May 1, 2009. Mrs. Platt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on May 4 through July 13. The Motion passed on May 4.
- b. **Motion:** Ms. Hussey moved that the Board approve the PCRC's recommendation to appoint Jay Starling as an at large member of the PCRC. Mrs. Platt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on May 4 through May 6. The Motion passed.
- c. **Motion:** Ms. Hussey moved that the Board approve the PCRC's recommendation to appoint Richard Wagner (KY) to the PCRC to fill the vacancy for the Southeast Auditor vacancy left open by the resignation of Reggie Little (NC). Votes were submitted via the Board's secure page on IFTA, Inc.'s website on May 4 through May 6. The Motion passed.

3. *Alternative Fuels Committee*

On May 26, 2009, Jessica Eubanks, Executive Assistant, IFTA, Inc. notified the Board by email that the Alternative Fuels Committee (AFC) had completed its biodiesel database and was seeking approval to move forward and make a presentation at the Annual Business Meeting.

Motion: Mrs. Platt moved to approve the database. Doug Shepherd (CA) seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on May 26 through June 2. The Motion passed.

JUNE 2009

1. *Audit Workshop*

In January 2009, the Board met with the IRP, Inc. Board of Directors. Discussion was had regarding both organizations (IFTA, Inc. and IRP, Inc.) hosting the Audit Workshop every other year. The Boards agreed it was a good idea. IFTA, Inc. currently has contracts for the 2010 and 2012 Audit Workshops. IRP, Inc. will host the Audit Workshop in 2011. In May 2009, the IRP, Inc. Board of Directors took action to formalize the decision. On June 2, 2009, Lonette L. Turner, Executive Director, IFTA, Inc. notified the Board of the action taken.

Motion: Mrs. Platt moved that IFTA, Inc. host the Audit Workshop every other year beginning in 2011. Mr. Shepherd seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on June 2. The Motion passed.

2. Information Technology Advisory Committee

On June 3, 2009, Mr. Bryer notified the Board by email of a recommendation for change on the Information Technology Advisory Committee (ITAC).

Motion: Mr. Bryer moved to accept the recommendation that Michael Albin (ACS) replace Jason Stein (ACS) on the ITAC. Mrs. Platt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on June 3 through June 9. The Motion passed.

3. Full Track Preliminary Ballot Proposal #4-2009

To approve Full Track Preliminary Ballot Proposal #4-2009 to go forward for discussion at the 2009 Annual Business Meeting, the Board submitted votes via the Board's secure page on IFTA, Inc.'s website on June 5 through July 13. The approval was unanimous.

4. Clearinghouse Advisory Committee

On June 9, 2009, Ms. Turner forwarded to the Board, the final version of the Funds Netting Rules recommended by the Clearinghouse Advisory Committee (CAC).

Motion: Scott Greenawalt (OK) moved that the Board adopt the funds netting rules proposed by the CAC. Mrs. Platt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on June 9. The Motion passed.

5. Compliance Audit Working Group

At the January 2009 meeting with the IRP, Inc. Board of Directors, the Board asked that IFTA representatives participate on the Compliance Audit Working Group (CAWG) created by the IRP, Inc. Board of Directors. The IRP, Inc. Board of Directors agreed. At that time, the project scope was unavailable, but was being worked on. Also, Ms. Turner was asked to contact the Federal Highway Administration (FHWA) regarding possible funding for the CAWG. Following the meeting, IFTA representatives were appointed to the Working Group and contact was made with FHWA. Representatives from IRP, Inc. forwarded the CAWG project scope to IFTA, Inc. Representatives from IFTA, Inc. and IRP, Inc. discussed the information received from FHWA regarding federal funding. IRP, Inc. drafted a proposal for such funding and identified Indiana as the state that would make application for the funding.

Following the review of the CAWG project scope by the Board, concerns were raised regarding the project scope. On June 12, 2009, following in depth discussion by the Board, formal action was taken.

- a. **Motion:** Julian W. Fitzgerald, Sr. (NC), moved that IFTA, Inc. not participate on the CAWG. Andrew Foster (NB) seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on June 12 through June 24. The Motion passed by a vote of 6-2. The two dissenting votes were cast by Mr. Bryer and Mr. Greenawalt.

- b. **Motion:** Mr. Greenawalt moved to reconsider the Board's decision to withdraw from the CAWG. Mr. Turner seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on June 16 through June 24. The Board finalized voting on this matter by conference call on June 24, 2009. (See minutes of that call.)

6. *California 2010 IFTA Decal - Barcode*

By letter dated June 15, 2009, California requested that the Board approve its request to add a barcode to the 2010 California IFTA decal. On June 22, 2009, Ms. Turner forwarded the letter to the Board.

Motion: Mrs. Platt moved that the Board approve California's request to add a barcode to the 2010 California IFTA decal. Mr. Greenawalt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on June 22 through July 6. The Motion passed.

7. *Clearinghouse Access Agreements*

- a. Participating and Non-Participating Members

On June 18, 2009, Ms. Turner provided the Board members with the Clearinghouse Access Agreements for both Participating and Non-Participating members. These agreements were reviewed and recommended for approval by the CAC. The Access Agreements were posted on the Board's secure website. The deadline for comments to these documents was June 24, 2009.

Motion: Ms. Hussey moved to accept the IFTA Clearinghouse Participating Member and Non-Participating Member Access Agreements as presented and recommended by the Clearinghouse Advisory Committee. Mr. Foster seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on June 23 and June 24. The Motion passed.

- b. Non-Participating Member

Following approval of the Non-Participating Member Clearinghouse Access Agreement, amendments were suggested. Ms. Turner forwarded those amendments to the Board on June 26, 2009.

Motion: Mr. Foster moved that the amendments made to the non-participating Member Access Agreement be approved as written. Ms. Hussey seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on June 26 and July 2. The Motion passed.

JULY 2009

On June 30, 2009, Tammy Trinker, Events Coordinator, IFTA, Inc. forwarded the minutes of the 2Q09 Board meeting to the Board members for review and comment by August 3, 2009.

Motion: Mr. Greenawalt moved that the 2Q09 Board Meeting Minutes be approved as submitted. Mr. Turner seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on July 8 through July 27. The Motion passed.

AUGUST 2009

1. Law Enforcement Committee Roll Off Schedule

Debora Meise, Program Director, and Jessica Eubanks, Executive Assistant, IFTA, Inc. completed a review and revision of the Law Enforcement Committee (LEC) roll off schedule. The roll off schedule was changed to be sure that terms were staggered. The Board Liaisons to the LEC reviewed the schedule.

Motion: Mr. Shepherd moved to approve the Law Enforcement Committee Roll Off Schedule to allow for staggered terms. Mrs. Platt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on August 14 through August 24. The Motion passed.

2. Agreement Procedures Committee

On August 19, 2009, Mr. Greenawalt sent an email to the Board regarding the chair of the Agreement Procedures Committee (APC). The current APC Vice Chair, Ron Hester (ON), was elected to the Board and would begin his term on January 1, 2010. This left the APC with no one to move into the Chair position following completion of the term of Bill Kron (MS).

Motion: Mrs. Platt moved that Bill Kron (MS) serve an additional year as chair of the Agreement Procedures Committee. Mr. Bryer seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on August 21 through August 26. The Motion passed.

SEPTEMBER 2009

1. Audit Committee

On September 2, 2009, Mr. Turner sent an email to IFTA, Inc. containing a Motion regarding the Audit Committee. Ms. Turner forwarded the Motion to the Board.

Motion: Mr. Turner moved to approve the Audit Committee recommendation to add Dave Nicholson (OK) as an at large member of the Committee. Mrs. Platt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on September 9 through September 15. Mr. Greenawalt abstained. The Motion passed.

2. 2010 Funds Netting Calendar - Revision

On August 27, 2009, Ms. Turner posted on the Board's secure Board Message Board. The post included a revised 2010 Funds Netting Calendar. Ms. Turner explained that the revisions did not change any dates for Funds Netting. She explained that the Clearinghouse Advisory Committee (CAC) was asked to add more information for non-participating jurisdictions as P1040 was revised to say that non-participating jurisdictions must comply with the Funds Netting Calendar. Ms. Turner explained that the CAC was recommending the revised 2010 Funds Netting Calendar for approval by the Board.

Motion: Mrs. Platt moved to approve the revised Funds Netting Calendar. Ms. Hussey seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on September 9 through September 15. The Motion passed.

3. IFTA, Inc. Board of Trustees - Canadian Region Representative

On August 20, 2009, Mr. Foster sent an email tendering his resignation from the Board. Mr. Foster was the only Canadian Region representative on the Board. Per the Bylaws of IFTA, Inc., on August 20, Ms. Turner contacted the member jurisdictions of the Canadian Region seeking nominations to complete Mr. Foster's term on the Board. On August 20, R. Bruce Mitchell (ON), nominated Ron Hester (ON), to complete Mr. Foster's term. The 20-day nomination period ended on September 9, 2009. No other nominations were received.

On September 10, 2009, Ms. Turner contacted the Board regarding the nomination of Mr. Hester. The Bylaws of IFTA, Inc. provide that if only one nomination is received, the Board may approve the nomination by acclamation.

Motion: Mr. Shepherd moved that the Board approve by acclamation the nomination of Ron Hester (ON) to complete the term of Andrew Foster (NB). Mrs. Platt seconded the Motion. Votes were submitted via the Board's secure page on IFTA, Inc.'s website on September 10 through September 15. The Motion passed unanimously.