



**TUG 2009: Omaha, Nebraska
Business Meeting
September 30, 2009**

Business Meeting: 1:30 p.m. – 4:30 p.m.

Call the meeting to order: Sheri Meyerhoff, TUG Chair

The meeting was called to order at 1:40pm.

Official Roll Call of Agencies: Kathy James, TUG Secretary/Treasurer

Alabama Department of Transportation	Deborah Hornsby
Arkansas State Highway & Transportation Department	Bill Bradberry
Delaware Department of Transportation	Marlene Degennaro (Proxy)
Florida Department of Transportation	Juanita Moore
Indiana Department of Transportation	Mike Jenkins
Iowa Department of Transportation	Roger Bierbaum
Kansas Department of Transportation	LouAnn Hughes
Kentucky Department of Transportation	Bob Lewis
Louisiana Department of Transportation and Development	Sarah Collins
Maine Department of Transportation	Scott Bickord (Proxy)
Michigan Department of Transportation	Cliff Farr
Minnesota Department of Transportation	Todd Bergland
Mississippi Department of Transportation	Don Grayson
Missouri Department of Transportation	Dennis Glascock (Proxy)
Montana Department of Transportation	Kathy James (Proxy)
Nebraska Department of Roads	Jim Ferguson
New Brunswick Department of Transportation	Melanie Douglass
New Jersey Department of Transportation	Joe Weber
New Mexico Department of Transportation	Kristina Fernandez
North Carolina Department of Transportation	David Mincey (Proxy)
Nova Scotia Department of Transportation	Phillip MacKinnon
Oklahoma Department of Transportation	Andy Penney
South Carolina Department of Transportation	Tim Lindberg (Proxy)
Tennessee Department of Transportation	Vonda Kellett
Texas Department of Transportation	Stewart DeWitt
Vermont Agency of Transportation	Stephen Gilbert
Virginia Department of Transportation	Marcita Wade
Wisconsin Department of Transportation	David Castleberg

Review of 2008 TUG Business Meeting Minutes: Juanita Moore, TUG Vice-Chair

There were no corrections to the 2008 TUG Business Meeting Minutes.

Roger Bierbaum made a motion to accept the 2008 TUG Business Meeting Minutes as presented and Mike Jenkins seconded the motion. The motion passed unanimously.

Review of the 2007 Treasurer's Report: Kathy James, TUG Secretary Treasurer

Kathy reported that there were revisions to the 2007 TEA-TUG Financial Statement as follows:

1. TEA/TUG Inc. taxes were split out from the TUG Chairman Expenses and the prorated expense was allocated to each group.
2. An additional registration was added to the Income From 2007 Conference, prorated accordingly and allocated to each group. The TEA/TUG Inc Account after 2007

conference and NET INCOME values increased by the amount of the additional registration.

3. Conference Income allocation for joint TEA-TUG Attendees was revised. The original proration was TEA – 48% and TUG – 52%. The proration percentage was revised based on a percentage of the TEA/TUG registration costs as shown below.

TEA	\$250.00	42%	\$ 9,660.00
TUG	\$350.00	58%	\$13,340.00
	\$600.00	100%	\$23,000.00

4. Expense allocations were revised to the following proration based on income by group. Original proration was TEA - 24.1% and TUG – 75.9%.

TEA Income	21,115.00	22.5%
TUG Income	72,744.01	77.5%
	93,859.01	100.0%

5. Hotel expenses were revised and allocated based on attendance dates for each group and AV expenses were allocated based on percentage of joint expenses (TEA – 22.5% and TUG – 77.5%).

There were no changes to the revisions.

Roger Bierbaum made a motion to accept the revisions and approve the revised 2007 TEA-TUG Financial Statement presented and Juanita Moore seconded the motion. The motion passed unanimously.

Review of the 2008 Treasurer’s Report: Kathy James, TUG Secretary Treasurer

Kathy reported that the 2008 TEA-TUG Financial Statement was prorated based on the following:

1. Conference Income allocation percentage for joint TEA-TUG Attendees was based on a percentage of the TEA/TUG registration costs as shown below.

TEA	\$300.00	46%	\$ 6578.00
TUG	\$350.00	54%	\$ 7,722.00
	\$650.00	100%	\$14,300.00

2. Expense allocation percentages were based on income by group (TEA - 24.9% and TUG – 75.1%).

TEA Income	\$18,000.00	24.9%
TUG Income	\$54,272.00	75.1%
	\$72,272.00	100.0%

There were no changes to the report.

Dennis Glascock made a motion to accept and approve the 2008 TEA-TUG Financial Statement as presented and Joe Weber seconded the motion. The motion passed unanimously.

Review of Resolutions from 2008 with TTF and ITI responses: Sheri Meyerhoff, TUG Chair

Resolution

“Whereas, there is an identified need to share data beyond the confines of geographical boundaries;
And whereas, the various Technical Review Teams and TAGs solicited agree that this need could be facilitated via minor modifications to the web Trns•Port database:
And whereas, these modifications can be leveraged in the long-term for yet to be identified purposes;
Let it hereby be resolved that the Trns•Port Task Force and product specific Technical Review Teams determine the appropriate method of collecting and housing shared data across geographical boundaries.”

- Mike Jenkins – Resolution presenter, Roger Bierbaum – Preconstruction TAG Coordinator, Todd Bergland – TTF and Kathy Yelle – InfoTech met to discuss the 2008 Resolution pertaining to the appropriate method of collecting and housing shared data across geographical boundaries.
- It was determined that sharing information across geographical boundaries could be accomplished with the addition of 6 new fields to the Reference Item table and the addition of two additional code tables
- The TTF responded on August 19, 2009 supporting this concept.
- The Task Force has asked InfoTech Inc. for an estimate for adding the additional fields and code tables in web Trns•Port.
- Prior to incorporating this enhancement into the generic product the Task Force will seek input from agencies on the definitions to be used in the code tables for the classification of work types and work items.
 - Per the TUG chair’s request, Roger Bierbaum and Mike Jenkins presented the resolution information to the Preconstruction TAG, Cost Estimation TAG and Contract Monitoring TAG.

Ballot Item Discussion/TAG Report: Sheri Meyerhoff, TUG Chair

Civil Rights and Labor Management System (CRLMS) TAG – Jim Ferguson

The following was reported:

- There were 21 in attendance.
- No changes were made to the mission statement.
- Short-term and long-term goals were changed to add trademarks for AASHTO products.
- Jim is still TAG Coordinator and Charles Groshens is still the Assistant Coordinator.
- A current status of CRLMS implementation activities was given including updates from various agencies.
 - NJDOT – Started analysis in February 2009.
 - SCDOT – Started analysis in May 2009.
 - TNDOT – Started in July with training, kickoff in September.
 - MNDOT – Planning to implement by January 2010.
 - MODOT – Actively implementing Preconstruction and CRLMS.
- 3 TMR’s were removed from the ballot list and will be included with the new UI under the .NET upgrade: 11733, 11199,10320.
- 3 TMR’s were endorsed by the CRLMS TAG: 11242, 11349, 11428. These are actually in a proposal with MNDOT but have been left on the ballot.
 - 11349 – External access for contractors to submit Bidders / Quoters data
 - 11242 – Bidders / Quoters Report
 - 11428 – Conformance issues with specific project level

- There were a few ballot items not endorsed but just discussed: 10310, 10390, 10303, 10405.

Construction Management TAG – Tom De La Portilla

The following was reported:

- There were 39 in attendance.
- The only changes made to the mission statement, long and short-term goals was to add the trademark for AASHTO products.
- No election of officers this year. Tom will remain the Coordinator and Bob Lewis will remain the Assistant Coordinator.
- 1 TMR was endorsed by the TAG: 2118 – Spell Check would help eliminate errors when preparing Change Orders
- 16 TMR's were deleted. TMR's 3975 and 9150 were removed from ballot but not obsolete.
- New ballot items: 2 new ballot items were presented by Joe Bouchey, VADOT and were endorsed. 1 of the items may be pulled pending further investigation.
- No resolutions

Contract Monitoring TAG – Turner Bond

The following was reported:

- There were 15 in attendance, only 2 actual TAG members.
- Voted to keep mission statement, long & short term goals as is.
- Election of officers – Turner Bond will remain as Coordinator and there is no Assistant Coordinator at this time.
- Topics covered – 2008 National Survey of Bidding and Competition; Missouri Price-Trend Project; Creating Yahoo Maps with AASHTO Trns•Port Data.
- Awards for 2009 National SAS Programming Competition - David Mincey – 2nd place
- Topics discussed before the TAG: National DSS Utilization Survey – encourage to fill out in agencies; Strategic planning; Best Practices.
- Ballot items – submitted to members prior to conference; Discuss the importance for TAG members to get involved in ballot items, etc.
- 3 TMR's were deleted: 1355, 7384, 10640.
- 3 TMR's were added to the ballot: 11684, 11705, 11706.

Cost Estimation TAG – Mike Jenkins

The following was reported:

- There were 22 in attendance, only 2 actual TAG members
- Accepted priorities on ballot items set by the CE TRT. Did not review TMR's because of that.
- No changes were made to the mission statement, long-term or short-term goals.
- Pitched for solicitation for membership.
- Reviewed the resolution.

Field Management TAG – Janet Wastenev

The following was reported:

- There were 10 in attendance.

- There was a pre-conference TAG conference call to discuss ballot items, mission statement, goals and they were accepted during that meeting.
- A new TAG Coordinator was elected, David Castleberg and a new Assistant Coordinator was elected, Guy Berthiaume.
- Correction – Melanie is not a TAG member and should be listed under Other Attendees.
- TMR's removed from the ballot: 7312, 9483, 10083, 10149, 10202, 10212.
- TMR's endorsed: 10034, 10144, 11652, 11686, 11694, 11697

Information Technology TAG – Thane Mitchell

The following was reported:

- There were 22 in attendance, 9 Members and 13 other attendees.
- No changes were made to the mission statement.
- Short-term goals - there was small provision that the copy on the TUG website match the actual goal.
- Long-term goals - made a small change and combined the two sentences.
- Minutes were approved.
- Clarification that there did not need to be election of officers this year. Thane Mitchell will remain Coordinator and Marcita Wade will remain as Assistant Coordinator.
- TMR's endorsed: 10818, 10333, 10843, 11290, 11080, 10674, 10782.
- There was some discussion on 10902, 10577, 10644.
- No resolutions.

Materials TAG - Mark Higdon

The following was reported:

- There were 32 in attendance, 13 members
- No changes to mission statement, goals or meeting minutes.
- No resolutions.
- No election of officers.
- TMR's endorsed: 10108, 10377, 10442, 10445, 10527, 11482.
- TMR's removed from the ballot: 10233.

Preconstruction TAG - Roger Bierbaum

The following was reported:

- 32 in attendance, 11 TAG members
- 11 conference calls, every month except October. 10 of those were setup by InfoTech. Demoed the web Trns•Port Preconstruction software. 11th conference call was to discuss pre-TUG items.
- No changes to mission statement or long-term goals.
- Minor wording changes were made to the short-term goals.
- Election of Officers – Roger Bierbaum agreed to continue as Coordinator and Mike Jenkins was elected as the Assistant Coordinator.
- TMR's endorsed: 9954, 10333, 10341, 10364, 10714, 10778.
- TMR's deleted: 7852, 8892.
- 2009 resolution (See Resolutions in the following section below).
- There was some discussion on the 2008 TUG Resolution and Preconstruction workflow needed to implement CRLMS.
- Presentations were given by LADOTD and InfoTech.

Resolutions: Sheri Meyerhoff, TUG Chair

Roger Bierbaum presented the resolution from the Preconstruction TAG.

During the pre-TAG conference call, there was an item that came up that was existing functionality in client/server PES/LAS that has not been incorporated into wT Preconstruction.

“Whereas the users of Client/Server PES/LAS have existing functionality which they have become accustomed to using.
Whereas the Trns•port Task Force has indicated that all existing preconstruction functionality would be incorporated into web Trns•port.
Whereas Trns•port Preconstruction was released in November 2008 without all of the existing preconstruction functionality.
Therefore be it resolved that the Trns•port Task Force is being asked to provide the Trns•port User Group a list of preconstruction functionality that exists in Client/Server PES/LAS that does not currently exist in Trns•port Preconstruction, and the plans for when this functionality will be incorporated in web Trns•port.”

Sheri asked for any questions or discussion on the resolution.

There was one change proposed in the 1st sentence to change the word ‘accustom’ to ‘accustomed’.

Final wording of resolution:

“Whereas the users of Client/Server PES/LAS have existing functionality which they have become accustomed to using.
Whereas the Trns•port Task Force has indicated that all existing preconstruction functionality would be incorporated into web Trns•port.
Whereas Trns•port Preconstruction was released in November 2008 without all of the existing preconstruction functionality.
Therefore be it resolved that the Trns•port Task Force is being asked to provide the Trns•port User Group a list of preconstruction functionality that exists in Client/Server PES/LAS that does not currently exist in Trns•port Preconstruction, and the plans for when this functionality will be incorporated in web Trns•port.”

Sheri asked for a motion to accept the resolution as amended. Mike Jenkins made the motion and Dennis Glascock seconded the motion. The motion passed unanimously.

Member Issues: Sheri Meyerhoff, TUG Chair

Proposed Amendment changes to the Trns•port User Group Constitution

Sheri reported on the following Proposed Amendments:

- 0.4.1 Vice-Chair Definition amendment change
- 0.4.2 TUG Member and Associate definition amendment changes

There was a discussion held September 1 – 8, 2009 via email. Final wording was set on September 8th with the intent that no wording changes would be made after that due to an Absentee Ballot being sent out.

Absentee ballots were sent out September 10th asking members to return if they were not going to be in attendance at the Business Meeting.

Sheri reiterated the wording changes in the proposed changes to the TUG Constitution amendments as follows:

PROPOSED AMENDMENT #1: Update the reporting requirement (ARTICLE V – BOARD OF DIRECTORS)

Section 11 The Vice Chair

The Vice Chair, in addition to the normal duties of the office, shall, upon taking office, audit the accounts and furnish a confidential report to the Chair for approval and submission to the AASHTO ~~Program Director, Project Manager~~ ~~the Chairman of the AASHTO Joint Development Task Force~~ and the Chairman of the AASHTO TRNS•PORT Task Force within 60 days of the annual Users Group Meeting. Any discrepancies in the accounts reported shall be brought to the attention of the members by the Chair for appropriate legal action. If the Vice Chair was the Secretary-Treasurer in the previous term, the Chair shall appoint an Official Representative to audit the accounts and furnish a confidential report to the Chair.

PROPOSED AMENDMENT #2: Update the TUG Member and Associate definitions (ARTICLE IV – MEMBERSHIP)

Section 1 MEMBER

A MEMBER may be ~~any organization,~~ ~~a state or national level government agency~~ which licenses the product, or products from AASHTO, Inc. ~~either directly or via an AASHTO Inc. approved sublicense.~~ Failure to renew the annual license will result in forfeiture of membership in the Users Group and removal from the mailing list.

Section 5 Associate

Associate membership (ASSOCIATE) shall be open to any organization who is interested in and supports the products ~~or an agency, other than a state or national level government agency,~~ ~~which licenses the product, or products from AASHTO, Inc. either directly or via an AASHTO Inc. approved sublicense.~~ Application for ASSOCIATE membership shall be approved or denied by a simple majority vote of the Board of Directors. (ASSOCIATES have no voting rights, nor are they eligible for any offices of the Users Group).

Discussion

Scott Bickford asked where provinces fall into the scope of the wording. Sheri clarified that they would be a 'state level' agency.

Jim Ferguson noted that if a county licenses the product, they would not be a voting member, but would still have input.

Sheri asked Marcita Wade and Mike Jenkins to help collect and tally ballot votes. Hard copy ballots were handed out to each voting member and collected.

Sheri reported that Proposed Amendment #1 and Proposed Amendment #2 passed.

TUG website – Intellectual property concern

There has been a concern brought forth from Tony Bianchi, AASHTO, that there could be intellectual property on the TUG website. Those areas would be meeting minutes, presentations, and ListServe archives.

Options:

1. Put those portions behind a Cloverleaf userid and password
2. Put the whole TUG website behind a Cloverleaf userid and password.

Anyone from an agency that licenses from AASHTO can get a userid and password.

TUG is a separate entity from AASHTO. There was a request to have Tony explain where the information exists on the website and what those concerns are.

Tony reported that he contacted Sheri a few months ago about a concern of intellectual property exposed. Meeting minutes, and ListServe archives(functionality which includes current TRT work). Tony does not represent the task force but AASHTO. Tony asked Sheri to bring this to the TUG user community and place the TUG website behind a login. All agencies sign license agreements on an annual basis with AASHTO and agree to protect intellectual property. They do not wish to limit anyone's access. At this time he doesn't have specific examples, but the intent is to protect the intellectual property of the group. They are currently looking into patenting information in AASHTO Trns•port modules.

Thane Mitchell asked how manageable would it be to identify those specifics and put just those behind a userid and password. Tony thought that would be an unreasonable task.

Gus asked where the Freedom of Information Act plays into this with state agencies. Tony states that there is a license agreement and that includes protecting intellectual property.

There was a suggestion of letting the TUG Board check to see if the information is appropriate to pass on to the public if requested.

Jim Ferguson asked what is on the List serve that would be considered intellectual property. TRT's ask question about functionality on the ListServe. Jim asked if it is a requirement for a person to be a Trns•port member to be on the ListServe. Sheri stated that it is her understanding that the intent is that a person on the ListServe must be a member of the TUG.

Dennis Glascock asked about agencies that have information about the Trns•port product on their website. Tony replied that AASHTO is not in the business to police websites, but the requirement of the agency to protect the intellectual property is still there.

Sheri reported that if an agency is no longer a TUG member, they are removed from the ListServe. There is nothing stating a requirement for getting on the ListServe.

Gus stated that is it not implied that if you are removed from the ListServe when no longer a member, that you would have to be a member to be on the ListServe.

Scott Bickford stated that it would be a shame if the TUG community was gated, but might have to give up some for security reasons.

Deborah Hornsby asked who's responsibility would it be to 'police' the ListServe.

Jim Ferguson stated that the TUG website is hosted by Cloverleaf (InfoTech).

Mike Jenkins stated that the EUD is the person that ok's the Cloverleaf access. The ListServe is not done this way, any Trns•port user can be on the ListServe. If the ListServe is put behind a userid and password, it would change the function of the ListServe.

Sheri stated that there would be 100-120 presentations to look at. AASHTO should be able to go through those presentations and tell us what is intellectual property. We could put those presentations behind a userid and password. Then presentations after the conference would need to be reviewed before posting to the website.

Mike Jenkins stated that we wouldn't have to worry about reviewing if we put the whole website behind a userid and password. But without a clarification of what intellectual property is an agency might still give out information unknowing. Contractor reports probably should be intellectual property and not posted.

Kevin (IA) asked how long do intellectual property rights last...is there a limitation?

Tony stated reminded that AASHTO is trying to protect the investment of the member agencies.

Dennis G stated that they are fighting within the agency to not post SiteManager manuals on the external web. Screenshots of SiteManager, etc. would be intellectual property. Or we can declare we are a government agency and declare that our information is all public.

Gus stated that there is a process if someone wants the information. If everything is put behind the userid and password and they want information, let them file a Freedom of Information Act request and let the lawyers figure out what is and isn't intellectual property.

Scott Bickford stated that might deter others trying to get information off Cloverleaf.

Phillip MacKinnon stated that he was searching on the TUG website and was able to pull up code from a ListServe archive. He did not have to login to get to it. This code may mean something to a competitor.

The following options were discussed for a TUG reps/proxy vote:

1. Do nothing.
2. Put the whole TUG website behind a userid and password.
3. Put the 3 areas discussed (presentations, ListServe archives, meeting minutes) behind a userid and password.
4. Put everything behind userid and password until a group can review it.

Bob Lewis made a motion to put the TUG website behind a Cloverleaf userid and password until a committee could develop a policy to handle intellectual property. Mike Jenkins seconded the motion.

Votes FOR was 15. With 28 voting members present, the motion passed.

Joe Bouchey asked when this would become effective. Sheri stated that it would take some time to setup then a notification could be sent to the user group.

Volunteers were requested for the committee. The following individuals agreed to be part of the review committee: Sarah Collins, Mike Jenkins, Deborah Hornsby, Thane Mitchell, Jim Ferguson, Juanita Moore.

Dennis G made a motion that the committee has authority to make a decision and take action based on their best analysis of the situation. Scott Bickford seconded the motion.

Votes FOR was 13. Votes AGAINST was 10. 3 abstained from voting. The motion passed.

Juanita Moore will appoint a chair of the committee.

Additional Member Issue(s)

Mike Jenkins brought up a discussion of creating a Data Warehouse TAG. 4 members interested in formulating a TAG. This discussion came out of the Contract Monitoring TAG that this new TAG would look at functional areas of estimating, preconstruction, construction and materials.

Data Warehouse (Data mart) TAG
Mission Statement:

There is an identified need to share data beyond the confines of multiple functional areas within the agencies and various customers; and the various Technical Review Teams and TAGs

solicited agree that a need could be facilitated via modifications to the DSS data and database; and these modifications can be leveraged in the long-term for yet to be identified functional areas; to make the data available in a interactive user friendly method. This TAG would work closely with the various other TAGS and TRT to ensure that the most effective use of the data collected by the Suite of Trns•Port (r) products via BAMS/DSS is appropriately collected and housed for shared data across multiple functional areas and maintain.

Several applications were submitted to be TAG members and Sheri established the Data Warehouse TAG.

Invitation to the 2010 TUG Conference: Juanita Moore, TUG Vice-Chair and Louisiana Department of Transportation and Development representatives

Beth Roberts gave a presentation for the 2010 Conference in Baton Rouge, LA.

Conference dates: October 20-28, 2010

Offers to host 2011 TUG Conference: Juanita Moore, TUG Vice-Chair

Juanita asked if anyone would like to entertain to host the 2011 TUG Conference.

No one made an offer to host but the following states are looking into hosting 2011: Tim Lindberg (SC); Todd Bergland (MN); Kathy James (MT)

Election of Officers: Juanita Moore, TUG Vice-Chair

Vice Chair nominations:

Mike Jenkins nominated Joe Bouchey, VA
Jim Ferguson nominated Gus Wagner, MN
Joe Weber nominated David Castleberg , WI – David did not accept

Dennis Glascock made a motion to close nominations and Mike Jenkins seconded the motion. The motion passed unanimously. Nominations were closed. Marcita and Kathy Yelle assisted in collecting and tallying ballots.

Gus Wagner was elected as Vice-Chair.

Secretary/Treasurer nominations:

Roger nominated Janet Wasteney, IA
Jim Ferguson nominated Kathy James, MT

Dennis made a motion to close the nominations and Deborah Hornsby seconded the motion. The motion passed unanimously. Nominations were closed. Marcita and Kathy Yelle assisted in collecting and tallying ballots.

Kathy James was elected as Secretary/Treasurer.

Dennis Glascock made a motion to destroy the election ballots and Thane Mitchell seconded the motion. The motion passed unanimously. The ballots were destroyed.

2010 TUG Board Members:

Juanita Moore – TUG Chair
Gus Wagner – TUG Vice Chair
2009 TUG Business Meeting Agenda

Kathy James – TUG Secretary/Treasurer
Sheri Meyerhoff – TUG Past Chair

Closing Business

Jim Ferguson made a motion to close the business meeting and Dennis Glascock seconded the motion. The motion passed unanimously.

Meeting adjourned.