*COMET Board Meeting minutes are prepared and presented in summary form, audio recordings of the meetings are on file at the COMET.*

**COMET BOARD MEETING MINUTES**

**October 26, 2016 -12:00pm**

**Members Present: Guests Present:**

**City of Columbia**  Ron Anderson Frannie Heizer, McNair Law Firm

Carolyn Gleaton Marsha Johnson, MTRA

Derrick Huggins Burley Wilkins, Transdev

Jackie Bowers, Transdev

**Forest Acres** Andy Smith Rebecca Conway, Lexington County

Walter Durst, Citizen

**Lexington County** Lill Mood Rick Silver, Chernoff Newman

Martha Thomas, Citizen

**Richland County** Joyce Dickerson Chuck Statler, Derrick, Stubbs and Stith

Charles Gossett, MTRA

**Rich. Co. Leg. Dele.** John Furgess

Robert Morris

**Absent Board Members:** **COMET Staff Present**

Skip Jenkins Robert Schneider, Executive Director

Debbie Summers LeRoy DesChamps, Transit Development

Joel Neal Samuel Scheib, Transit Planner & Manager

Jennifer Harding Daphne Givens, Finance Manager

Mac Bennett Missey Lawlor, Administrative Coordinator

Brittany Higgins, Travel Trainer

1. **CALL TO ORDER**

Chairwoman Dickerson called the meeting to order at 12:00 PM.

1. **DETERMINATION OF QUORUM**

A quorum was present at the opening of the meeting.

1. **ADOPTION OF AGENDA**

**Motion:**

**A motion was made by Ms. Mood and seconded by Mr. Anderson to adopt the agenda as presented. Motion passed unanimously.**

1. **APPROVAL OF SEPTEMBER 28, 2016 BOARD MEETING MINUTES**

**A motion was made by Mr. Anderson and seconded by Ms. Mood to approve the July 27, 2016 minutes with the correction of Andy Smith being listed as absent and not present. Motion passed unanimously.**

Dr. Morris asked if we intentionally omitted the Introduction of Attendees from the agenda.

Chairwoman Dickerson stated yes, we did, in order to preserve time.

1. **CHAIR OF BOARD REPORT**

Chairwoman Dickerson stated that she sent out an email to ask if anyone would like to serve as Chair of the Service Committee, and no one responded to that request and she is going to ask that Mr. Huggins will take the chair position of the Service Committee and move Mr. Joe Neal to the Finance Committee.

Mr. Furgess asked if the email went out for interest and Chairwoman Dickerson made the appointment and no one responded, if anyone that she asked turned it down.

Chairwoman Dickerson stated that no one responded to the request.

Mr. Furgess asked if Chairwoman Dickerson asked anyone.

Chairman Dickerson stated that she is asking Mr. Huggins at this time.

1. **EXECUTIVE DIRECTOR’S REPORT**
   * Update of Activities – Dr. Schneider stated that we have been in contact with the Federal Transit Administration, and they will be conducting our Triennial Review in May 2017. Just to refresh, the Triennial review is every three years and includes our activities conducted by the Federal Transit Administration. They will come in and look at all the required programs and items that we must adhere to in exchange for receiving federal money. It takes several months of paperwork and information that we prepare and submit documents in advance, then they will come on site and perform and formal review which happens over a two to three day period.

Dr. Schneider also stated that November 2nd is the rescheduled date for the Transit Center Site Location Study. It will be held at the main library downtown from 5pm-7pm.

Dr. Schneider stated that there will also be a COMET update with the City of Columbia on November 10th and they have asked that key staff members and City of Columbia appointees attend this meeting.

* + Downtown Circulator

Dr. Schneider stated that this was discussed at the most recent Service Committee and also discussed previously in the spring and the questions was, what would it take to put in a circulator. In April/May we hit a wall because we were out of money and buses and now that we have added the expansion vehicles, we have the potential to make the changes there. Since the committee had previously reported to the board, we would like to get direction from the board and request a motion that the Service Committee take that project back on.

A motion was made by Ms. Mood and seconded by Mr. Anderson to send the Downtown Circulator back to the Service Committee to be vetted.

Dr. Morris asked if we are alluding to the three that we have talked about or just one.

Dr. Schneider stated that we are not specifying anything, that it will left up to the Service Committee and Board of Directors.

**A substitute motion was made by Mr. Furgess and seconded by Dr. Morris that we stay with the three that was already discussed with Service Standards and the Board and to develop that.**

Discussion:

Ms. Mood stated that her only concern is that she does not want us to limit ourselves in any way, in terms of not knowing what we are looking at overall and that we would rule out something that could be a better alternative or modification.

Vote:

Favor: Mr. Furgess, Dr. Morris and Ms. Gleaton

Oppossed: Ms. Mood, Mr. Anderson, Ms. Dickerson and Mr. Smith

Chairwoman Dickerson stated that the motion failed and that brings us back to original motion.

**A motion was made by Ron Anderson and seconded by Lill Mood to move to send to Service Committee a study of a downtown circulator.**

Discussion:

Mr. Furgess stated that we passed maybe two years ago procedures on Service Standards that what has been done is to come to the Board, and then the Board sends it to Service Standards, and that we don’t send anything to Service Standards and have them to develop it.

Mr. Anderson stated that is not correct, that we sent parameters to Service Standards for the staff, and Service Standards to develop a specific plan and then they bring the specific plan back to the board.

Dr. Morris stated that it was his understanding that the Service Committee cannot pass anything and whatever is developed in that committee must be brought back to the board.

Vote for motion:

Favor: Ms. Mood, Dr. Morris, Mr. Smith, Ms. Gleaton and Mr. Anderson

Opposed: Mr. Furgess

Abstain: Mr. Huggins

Motion: Passed

Chairwoman Dickerson stated under her report that she is going to remove Mr. Huggins from the Finance Committee and appoint to Chair of the Service Committee and move Dr. Neal to the Finance Committee.

* + 2016 Meeting Calendar Adjustments

Dr. Schneider stated that at the last meeting we discussed a revised calendar due to the holidays at Thanksgiving and Christmas. Previous years we have modified the calendar based with the work that was before the board. In addition to the changes, the Chair of the Finance Committee, Mr. Bennett has a work related commitment and has asked that the Finance Committee meet at 8:00am on Wednesday, November 9th. The Service Committee will meet as normal, no board meeting in November, and instead the board will meet in December on committee day, December 14th. Normal calendar will resume in January.

Dr. Morris stated that he does not have a problem working with the Chair of the Finance Committee, but he also needs to be considerate of all the members on the committee, and to communicate with us.

**A motion was made by Dr. Morris and seconded by Mr. Anderson to approve the calendar as presented. Motion passed unanimously.**

1. **PROPOSED BYLAW AMENDMENTS**

Ms. Heizer stated that on page 26 of the board packet, we have two proposed Bylaw amendments that clarify or make more definite the number of Board members acting in order to have a special meeting or to have items added to the agenda. For the special meeting the recommendations is to eliminate the 40% requirement and to substitute upon written requests of 4 or more voting members for a special meeting. For an item to be added to the agenda instead of 20% of voting members, it will be 4 voting members.

**A motion was made by Mr. Anderson and seconded by Mr. Huggins to approve the two Bylaw amendments as presented. Motion passed unanimously.**

Discussion:

Mr. Smith stated that we are lowering the bar.

Mr. Heizer stated that we are.

1. **REPORT FROM SERVICE COMMITTEE**

Mr. Anderson stated that the Service Committee did not have a quorum, but the committee was given a report, and gave Mr. Scheib some feedback on the metrics.

Mr. Scheib presented the ridership data and dashboard.

1. **REPORT FROM FINANCE COMMITTEE**

Dr. Schneider stated that on behalf on the Chair of the Finance Committee, the committee did not meet.

Ms. Givens gave an overview of the financial documents included in the Board packet.

1. **MIDLANDS TRANSIT RIDERS ASSOCIATION UPDATE**

Chairwoman Dickerson has asked that Ms. Johnson please have her update to the board before the board so that we can review prior to the meeting.

Marsha Johnson – Ms. Johnson stated that we use the comment forms prepared by the COMET that we get from the riders and we will share that information with you. She stated that she has not shared them with the board. The most pressing issue now is the 401 and 45. That split has been a pain and it did not come out/roll out cleanly and it has been a big disappointment to Lower Richland. The last thing that happened was that the 45 broke down, and when riders called, were told that we don’t have a spare bus. Ms. Johnson stated that she has approached the COMET and has asked that they combine the 45 and 401and make it one route until we have our act together. The area is growing and we have the riders to accommodate to “old” plan with ½ hour service.

One other thing, is that she never heard the 63 or the 601 goes directly the fairground. We missed a lot of opportunity to get more people on the bus.

1. **COMMENTS FROM LOCAL RESIDENTS**

Martha Thomas – Ms. Thomas concern is the route 11 and she rode the entire route in and when the bus goes into Lincolnshire it is a lot of turn and twist and she believes that is why the bus is never on time. Ms. Thomas also stated that when you call into the transit station it takes a very long time to be able to talk to someone.

Walter Durst – Mr. Durst stated that we need to talk to MERCI about how to ride the bus. It is an untapped market and would benefit them. On a personal note when he arrived at the transit center on Sunday a gentleman hugged him and said thank you for letting him ride the bus on Sundays.

Charles Gossett – Mr. Gossett stated that he has been attending the I-20/I-26 meeting to mainly represent transit, but he also owns a house nearby and they have extended the public comment period. He has been encouraging people to comment that they include a transit option. They have extended it until November 1st, but due to the hurricane they have extended until November 18th. He wants to make sure that transit’s voice is heard.

1. **INFORMATIONAL ITEMS**

There was no discussion required for the informational item.

1. **LEGAL/CONTRACTUAL/PERSONNEL**

* Update on outstanding Title VI Complaints- Ms. Heizer stated that George Johnson is working on two Title VI complaints and his final report will be available next week. Also we have Charles Boykin investigating a Title VI complaint and since our last meeting this complaint has also been filed with the FTA and SCDOT and they have contacted Ms. Heizer to inquire about an ongoing investigation and she has referred them to Mr. Boykin since he is the independent investigator. Mr. Boykin will have his report available within the 60 days.
* Legal briefing on SCDOR audit and lawsuit involving Richland County – There has really been no movement on the lawsuit. As mentioned at the last meeting, SCDOR had a proposed regulation that would effectively require all the transportation penny money be spent on capital. The specifics on which capitalization definition and plan would be used was the subject of a public hearing on yesterday. Richland County was well represented, we had representation from the Sowell Gray Law Firm, we also had Chuck Statler there as our expert witness, and Bob Schneider also testified. The record has been made that the DOR proposed regulation really frustrates the purpose of the statue. We think that the statue is intended to allow the penny to be used as operations for the CMRTA and also for administrative expenses by Richland County. The idea that Richland County never intended the tax payer to absorb the overhead cost associated with the program. The judge has left the record open until October 31st so that additional comments can be received. The Administrative Law Judge will then make a recommendation or a report and DOR can change its proposed regulation or go forward to the legislature. One thing that came up yesterday was that DOR was willing to amend the proposed regulation to exempt the CMRTA.

There were discussions of how you make an exemption of one system and not others.

Ms. Heizer stated that Mr. Anderson reached out to the Appleseed foundation and they are going to help. We had a number of people that and we thank everyone that participated.

Chairwoman Dickerson asked Ms. Heizer if she will be working with Richland County.

Ms. Heizer stated that she absolutely will be working with them, that Richland County actually took the lead on yesterday. They had two expert witnesses, which did a very effective job of pointing out weaknesses. We have worked very closely with the county and will continue.

Dr. Morris asked on the Title VI complaint, if we have given minutes and audio information to Mr. Boykin.

Mr. Heizer stated that she did prepare a package for him, and he has a complete set of minutes for the past year.

Mr. Smith asked that on the DOR lawsuits, we had a hearing that had a ruling, was this the next step?

Ms. Heizer stated that the hearing that occurred yesterday is a parallel situation but thinks the DOR is now trying to handle things through the proposed regulations. The judge did rule that the DOR cannot withhold the penny sales tax and clarified that his ruling is indefinite. It is our position that DOR does not have the statutory authority to conduct this review or to oversee the county expenditures.

1. **OLD BUSINESS**

Dr. Morris asked since Ms. Justice spoke at the last meeting, he would like to have information on that. He said that as he travels through the city he hears negative comments. He stated that he hears that 80% of the riders are African American and they cannot get to work on time. Dr. Morris asked if staff is riding the buses, in particular routes 401 and 23.

Dr. Schneider stated that he can answer both of those questions. First the availability of drivers, Mr. Wilkins spoke with Ms. Justice.

Mr. Wilkins stated that they are hiring more drivers to cover the challenges that they are having. As far as someone not running the service, our supervisors or dispatchers will go out and drive that route. As of now we have 8 drivers in training and are due to hire 4 more operators.

Dr. Morris stated that we are supposed to have a monthly report and we have not been getting that information.

Dr. Morris stated that we all want a very effective system but not to hand to those who are paying for the system.

Dr. Schneider stated that he would like to reference to page 35 and 36 of the packet. This is the operator report on a routine bases. The other question that you asked, is if staff rides the bus. Yes, staff rides the bus, not every day but we have the equipment to be able to track issues.

Mr. Wilkins stated that he just got the AVL (Automated Vehicle Locator) working and updated and right now, it is running and can tell us if the bus is on time or running late. There are some issues that we are working through right now, and as this information is updated we will have more information to give.

Dr. Morris stated that we can’t forget about the human element and we can have whatever equipment we want to determine if the bus is on time. We need to make sure they can get to work on time.

Ms. Gleaton, gave an experience on route 12 and stated that the new driver made a wrong turn, before these drivers get out on the route, they need to read the information that they are given before going out on that route.

* + **Discussion of Staff Attendance at Board Meetings**

**A motion was made by Mr. Huggins and seconded by Ms. Gleaton to table item 14, Discussion of Staff Attendance at Board Meetings. Motion passed unanimously.**

1. **MOTIONS PERIOD/NEW BUSINESS**

**No motions.**

Mr. Huggins wanted to compliment Chairwoman Dickerson on a very well ran meeting today.

Dr. Morris also wanted to commend Mr. Bennett on his Urban League (United Way) with the victims of the flood and the great job that he is doing.

1. **ADJOURN**

**Motion:**

**A motion was made by Mr. Anderson and seconded by Mr. Huggins to adjourn the meeting.**

**Motion passed unanimously.**

The meeting adjourned at 1:05 PM.