*COMET Board Meeting minutes are prepared and presented in* **summary form***, audio recordings of the meetings are on file at the COMET and are part of the approved minutes. If you would like to hear the recording from the meeting, please contact Missey Lawlor at* [*missy.lawlor@catchthecomet.org*](mailto:missy.lawlor@catchthecomet.org) *.*

**COMET BOARD MEETING MINUTES**

**August 23, 2017, 2017 -12:00pm**

**Members Present: Guests Present:**

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

Carolyn Gleaton Alan Bristol, Transdev

Burley Wilkins, Transdev

**Forest Acres** Andy Smith Chuck Statler, Derrick, Stubbs and Stith\*

Hampton Miller, Chernoff Newman

**Lexington County** Lill Mood Marsha Johnson, MTRA

Gloria Tanner, Consultant

**Richland County** Joyce Dickerson Jackie Bowers, Transdev

Jennifer Harding\* Darrell Campbell, Consultant

Roger Leaks Charles Gossett, MTRA

Rick Silver, Chernoff Newman

**Rich. Co. Leg. Dele.** John Furgess Walter Durst, Citizen

Robert Morris Leah Moody, Consultant

Leon Howard Derrick Breun, Transdev

Kimberly Tissot, Able, SC

Roosevelt Barnwell, USC

**Absent Board Members:** Hayes Mizell, TPAC

Skip Jenkins Chris Land, Transport Care

Derrick Huggins Amy Johnson Ely, Citizen

Debbie Summers Lee Patterson, Citizen

Cindi Hennigan Lexington County

\*Indicates participation by phone.

**COMET Staff Present**

Ann August, Interim Executive Director LeRoy Deschamps, Director of Administration

Missey Lawlor, Exec. Assistant/Board Liaison Virginia Goodson, Procurement/Special Projects

Michelle Ransom, Grants and Contracts Pamela Canty, Administrative Coordinator

Samuel Scheib, Transit Planner & Manager

Crystal Willis, Staff Accountant

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 Mr. Anderson and seconded by Mr. Furgess to adopt the agenda with one amendment to move item 15 Legal/Contractual/Personnel between items 7 and 8. Motion passed unanimously.**

1. APPROVAL OF JULY 26, 2017 BOARD MEETING MINUTES

**Motion:**

**A motion was made by Mr. Anderson and seconded by Dr. Morris to approve the July 26, 2017 meeting minutes as presented. Motion passed unanimously.**

1. THE COMET TRANSIT INSTITUTE PRESENTATION OF CERTIFICATES

Chairwoman Dickerson thanked everyone who participated. Ms. August presented the COMET Transit Institute participants with their certificates.

1. MIDLANDS TRANSIT RIDERS ASSOCIATION UPDATE

Marsha Johnson- Ms. Johnson thanked Mr. Wilkins for working with the MTRA and improving our situation. He has taken care of a lot things and hope that we can maintain the relationship with Mr. Bristol. Carolina Green has committed to providing 5 shade trees for shelters that do not have them. They will be coordinating with the city to have this completed in October. Ms. Johnson also stated that the MTRA is also going to provide some cleanup efforts at bus stops. Buses are continuing to come out and we are making progress, meeting with the staff of the COMET and working together.

1. COMMENTS FROM LOCAL RESIDENTS

* Comments must pertain to items **not** on the agenda
* Individuals wishing to address the Board must sign up prior to the Call to Order
* Comment time limit – 2 minutes per person

Walter Durst – Mr. Durst stated that a few weeks ago there was a gentleman that was running to catch the bus, and he made the driver aware that the gentleman was running and the driver said that she did not want to get fired for stopping before the next stop. Mr. Durst would like to know if this is something that the drivers have been told or is it a policy.

Ms. August stated that it is for safety.

7a. LEGAL/CONTRACTUAL/PERSONNEL

Ms. Heizer stated that the discussion of legal fees can be discussed in open session and the other matters will need to be in Executive Session.

* Total cost to date of legal fees and consultant fees pertaining to DBE’s since October 2016 – Ms. Heizer gave the total cost of legal fees pertaining to DBE –

$19,500 – Leah Moody

$21,990 – McNair

$26,646.95 – Comprehensive Business Consultants, LLC (Ms. Tanner)

Total Cost: $68,136.95

Ms. Heizer stated that these fees covered the period from October 2016 through July 31, 2017. She believes that the billing is current at this point.

* Posting of Contracts – Ms. Heizer stated that this was a request of a board member and that a revision would need to be made to the Bylaws to section 8.4 and that it will be on the agenda at the September 27, 2017 Board of Directors meeting.
* Monthly DBE Report – Ms. Heizer stated that this item is appropriate for Executive Session.

**Motion:**

**A motion was made by Mr. Anderson and seconded by Mr. Leaks to enter into Executive Session to discuss the following:**

* Contractual matters relating to Transdev (DBE and General Manager) (Executive Session Item)
* Personnel Matter (Executive Session Item)
* Monthly DBE Report

Discussion

**Substitute Motion:**

A motion was made by Dr. Morris and seconded by Mr. Anderson to discuss the Monthly DBE Report in open session. Motion passed.

Discussion

Entered into Executive Session.

**Motion:**

**A motion was made by Ms. Gleaton and seconded by Mr. Anderson to come out of Executive Session. Motion passed unanimously.**

**Motion:**

**A motion was made by Mr. Anderson and seconded by Ms. Mood that the board accepts the legal recommendation that the board receive the DBE Final report regarding Transdev’s prompt payment to DBE’s; the Board is to receive the legal team’s recommendation and explanation regarding compliance and/or non-compliance with Federal Regulation 49\_CFR\_26; and that the board will receive information for non-compliance and contractual remedies or a full report. This action will occur no later than the October 2017 Board of Directors meeting.**

Discussion

**Motion passed unanimously.**

**Motion:**

**A motion was made by Mr. Furgess and seconded by Dr. Morris that the instruction given to Attorney Heizer of the McNair Law Firm by a consensus of eight (8) board members during executive session on April 26, 2017, to reinstate and make whole Ms. Daphne Givens to become effective immediately.**

**Vote:**

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

**Opposed: Ms. Dickerson, Mr. Anderson, Mr. Leaks, Ms. Harding, Mr. Smith, Ms. Mood**

**Motion failed.**

**Motion:**

**A motion was made by Mr. Anderson and seconded by Ms. Mood to consider the matter tabled regarding status of Ms. Givens personnel issues unless or until the status changes to litigation.**

**Favor: Ms. Mood, Mr. Anderson, Ms. Dickerson, Mr. Leaks, Ms. Harding, Mr. Smith**

**Opposed: Mr. Furgess, Ms. Gleaton, Dr. Morris**

**Motion Passed.**

* Monthly DBE Report – Ms. Heizer stated that Ms. Tanner does not have a report, as 100% of her effort is on the contractual matter that was discussed in executive session. At the next board meeting there could be a report based on the paperwork supplied with the invoices. We could start to generate a monthly report.

Discussion

1. CHAIR OF THE BOARD REPORT

No report

1. INTERIM EXECUTIVE DIRECTOR REPORT

Ms. August stated that her report is in the Board materials on pages 13-21. If any questions to please let her know.

Mr. Bruen from Transdev introduced Ed Overn as the new Regional Vice president and Alan Bristol as the new General Manager. Thanked Burley Wilkins for his time here.

Ms. August stated that we had a great DBE workshop and materials are available if someone is interested.

1. REPORT FROM SERVICE COMMITTEE

No report

1. REPORT FROM FINANCE COMMITTEE, Chair – Andy Smith
   * Review of Financial Information –
2. OLD BUSINESS
   * Press Conference for Blythewood Express and Soda Cap Connector – Press conference will be held on September 1, 2017 at 10 am at Coble Plaza.
   * Production of Commercial – The production of the commercial will begin on Tuesday, August 29, 2017.
3. MOTIONS PERIOD/NEW BUSINESS (No action from the motions are permitted)

**Motion:**

A motion was made by Ms. Mood and seconded by Mr. Anderson to refer to the Service Committee

an exploration whether the COMET can play a role in replacing or working to sustain the Express bus that is now operated by Council on Aging from Newberry. Motion passed unanimously.

A motion was made by Mr. Anderson and seconded by Ms. Gleaton to recommend to the service committee to develop a goal for buses and shelters beginning FY 2018 that we would like to deploy in that fiscal year. Motion passed unanimously.

1. LEGAL/CONTRACTUAL/PERSONNEL (may require executive session)

**Moved to item 7a.**

1. INFORMATIONAL ITEMS (No Discussion Unless Specifically Requested)

* Ridership Data & Dashboard
* Contract Operator’s Report – Mr. Wilkins discussed the operator report.
  + Fuel Cost/Price Update

1. ADJOURN

**Motion:**

**A motion was made by Mr. Furgess and seconded by Ms. Gleaton to adjourn the meeting.**

**Motion passed unanimously.**

The meeting adjourned at 2:34 PM.