



The 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 Paige Jernigan at pjernigan@thecometsc.org.

Per SC Code of Laws, Title 30, Chapter 4, Section 30-4-80 - All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings. The COMET complied with the notification of this meeting on Friday, April 17, 2020 at 3:15 P.M.

**The Central Midlands Regional Transit Authority
Board of Directors Meeting Minutes
Wednesday, April 22, 2020 at 12:00 P.M.
3613 Lucius Road, Columbia, SC 29201 - Conference Room A**

Members Present:

Ron Anderson, Chair*
Joyce Dickerson*
Carolyn Gleaton*
John V. Furgess, Sr.*
Representative Leon Howard*
Derrick Huggins*
Skip Jenkins*
Al Koon*
Col. (R) Roger Leaks, Jr.*
Lill Mood*
Dr. Robert Morris*
Geraldine Robinson*
Andy Smith*
Debbie Summers*
William "B.J." Unthank
**Indicates participation by phone.*

Guests Present:

Pam Baker, Burr Foreman McNair, Attorney*
Frannie Heizer, Burr Foreman McNair, Attorney*

Absent Board Members:

Tem Miles

The COMET Staff Present

John Andoh, Executive Director/CEO



Rosalyn Andrews, Director of Finance/CFO
Pamela Bynoe-Reed, Marketing & Public Information Manger
LeRoy DesChamps, Director of Administration & Operations/COO
Eric Harris, Planning & Development Specialist
Paige Jernigan, Administrative & Customer Service Specialist
Michelle Ransom, Grants & Regional Coordination Manager

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Mr. Anderson called the meeting to order at 12:00 P.M.
A quorum was determined at the beginning of the meeting.

2. ADOPTION OF THE AGENDA

A motion was made by Ms. Gleaton and seconded by Ms. Dickerson to adopt the agenda with the removal of the March 23, 2020 Board meeting minutes being deferred to the next meeting.

Ayes: Anderson, Dickerson, Gleaton, Furgess, Huggins, Leaks, Mood, Morris, Smith

Nays: None

Absent: Howard

Discussion ensued regarding the minutes being deferred and the action items included in the minutes.

Voice Vote:

Anderson - Aye

Dickerson - Aye

Gleaton - Aye

Furgess - Aye

Howard - Absent

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye

Motion passed.

3. MIDLANDS TRANSIT RIDERS ASSOCIATION UPDATE

No representation

4. CALL TO THE PUBLIC

- 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 - TWO (2) MINUTES PER PERSON.

None

5. PRESENTATIONS

A. EMPLOYEE OF THE MONTH FOR TRANSDEV AND TRANSPORT CARE SERVICES

Mr. Andoh summarized the Employee of the Month for Transdev and Transport Care Services.

Mr. Andoh explained that the Transdev Services employee of the month for April 2020 is Mrs. Betty Robinson. Mrs. Robinson had been working in the transit industry for over 20 years before fulfilling a position as the Safety and Training Manager in 2010. Mrs. Robinson's dedication, leadership and service makes her an OUTSTANDING co-worker and employee. She always has a smile on her face and goes above and beyond to help everyone out!

Mr. Andoh noted the Transport Care Services employee of the month for April 2020 is Ms. Shawana Anderson. Ms. Anderson began her career with Transport Care Services/DART on September 21, 2015 and has been a paratransit operator since. Today she is also one of our Driver Trainers. She is always ready to help when the need arises, and she never quits. She is a reliable team player, acknowledged not only by her fellow workers, but by the people we serve.

He stated that all the Employees of the Month will come before the Board for presentation.

6. CONSENT CALENDAR: THE FOLLOWING ITEMS LISTED UNDER THE CONSENT CALENDAR WILL BE CONSIDERED AS A GROUP AND ACTED UPON BY ONE MOTION WITH NO SEPARATE DISCUSSION, UNLESS A BOARD MEMBER SO REQUESTS. IN THAT EVENT, THE ITEM WILL BE REMOVED FOR SEPARATE DISCUSSION AND ACTION.

A. APPROVAL OF THE MARCH 25, 2020 MEETING MINUTES

B. APPROVAL OF THE MARCH 31, 2020 SPECIAL MEETING MINUTES

C. APPROVAL OF THE APRIL 13, 2020 SPECIAL MEETING MINUTES

D. APPROVAL OF THE INVOICE PAYMENT SELECTION LISTING ENDING APRIL 30, 2020

E. FINANCE COMMITTEE ACTION ITEMS

I. AUTHORIZE NEGOTIATIONS WITH BROWNSTONE/DAVIS & FLOYD FOR
ENGINEERING AND DESIGN SERVICES

F. SERVICE COMMITTEE ACTION ITEMS

G. INTERMODAL AD-HOC COMMITTEE ACTION ITEMS

H. EXECUTIVE COMMITTEE ACTION ITEMS

I. EXECUTIVE DIRECTOR AD-HOC EVALUATION COMMITTEE ACTION ITEMS

J. TRANSIT OPERATIONS REQUEST FOR PROPOSALS AD-HOC COMMITTEE ACTION
ITEMS

I. APPROVAL OF JANUARY 8, 2020 MEETING MINUTES

II. APPROVAL OF MARCH 27, 2020 MEETING MINUTES

III. APPROVAL OF MARCH 30, 2020, MEETING MINUTES



K. COVID-19 AD-HOC COMMITTEE ACTION ITEMS

Dr. Morris requested that Item J be removed from the Consent Calendar.

J. TRANSIT OPERATIONS REQUEST FOR PROPOSALS AD-HOC COMMITTEE ACTION ITEMS

- I. APPROVAL OF JANUARY 8, 2020 MEETING MINUTES
- II. APPROVAL OF MARCH 27, 2020 MEETING MINUTES
- III. APPROVAL OF MARCH 30, 2020, MEETING MINUTES

Dr. Morris was referring to Item J on the previous agenda, not the updated one. As result, it was suggested that the previous agenda item would be discussed later in the meeting: EXECUTIVE DIRECTOR AD-HOC EVALUATION COMMITTEE ACTION ITEMS. Mr. Andoh stated that there is no action and the Committee would need to meet then present to the Board. Ms. Mood asked if it could be addressed on Item 9. Mr. Anderson confirmed that addressing in Item 9 on the Agenda would be fine.

Motion:

A motion was made by Ms. Mood and seconded by Mr. Smith to approve Transit Operations Request for Proposals Ad-Hoc Committee Action Items.

Ayes: Anderson, Dickerson, Gleaton, Furgess, Huggins, Leaks, Mood, Morris, Smith

Nays: None

Absent: Howard

Voice Vote:

Anderson - Aye

Dickerson - Aye

Gleaton - Aye

Furgess - Aye

Howard - Absent

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye

7. OTHER DISCUSSION & ACTION ITEMS

- A. PUBLIC HEARING FOR APPLYING FOR FTA SECTION 5310 FUNDS AND CERTIFYING TO THE GOVERNOR THAT THERE IS NO NON-PROFIT PROVIDER TO PROVIDE TRANSPORTATION SERVICES IN RURAL RICHLAND AND LEXINGTON COUNTIES FOR SENIORS AND PERSONS WITH DISABILITIES (MICHELLE RANSOM)



Ms. Ransom explained that The COMET applied for FTA Section 5310 funding in the amount of \$50,000 to be used to provide a Taxi Voucher Program and a Volunteer Driver Reimbursement Program in rural areas of Richland County and Lexington County that are not located within the Columbia Urbanized Area. Ms. Ransom stated that The COMET advertised a notice allowing for the request of a public hearing for this proposal from anyone interested.

Mr. Anderson opened the Public Hearing on the FTA application for Section 5310 funds at 12:20 P.M.

Mr. Howard joined the call at 12:20 P.M.

Mr. Anderson closed the Public Hearing on the FTA application for Section 5310 funds at 12:21 P.M.

Motion:

A motion was made by Mr. Furgess and seconded by Ms. Dickerson to approve a resolution to authorize the staff to apply for Section 5310 funds.

Ayes: Anderson, Dickerson, Gleaton, Furgess, Huggins, Leaks, Mood, Morris, Smith

Nays: None

No Response: Howard

Absent: None

Motion:

Voice Vote:

Anderson - Aye

Dickerson - Aye

Gleaton - Aye

Furgess - Aye

Howard - No Response

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye

- B. AMEND THE WORKSHOP AGENDA TO INCLUDE A DISCUSSION ON THE EXPANSION OF PUBLIC TRANSIT SERVICES IN SEPTEMBER 2020 AND TO DELAY THE WORKSHOP TO WEDNESDAY, JUNE 3, 2020 AS DEFINED IN THE COVID-19 (FRANNIE HEZIER)

Mr. Furgess expressed concern regarding the Workshop and the Executive Session content not being named. Mr. Anderson suggested deferring this item until after the Executive Session.

Motion:

A motion was made by Mr. Furgess and seconded by Dr. Morris to defer this item until after Executive Session.



Ayes: Anderson, Dickerson, Gleaton, Furgess, Leaks, Mood, Morris, Smith

Nays: None

No Response: Howard

Recuse: Huggins

Absent: None

Voice Vote:

Anderson - Aye

Dickerson - Aye

Gleaton - Aye

Furgess - Aye

Howard - No Response

Huggins - Recuse

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye

C. DISCUSSION OF BOARD POLICY NO. 1 – BOARD ORIENTATION AND NEW BOARD MEMBERS WHO HAVE SERVED LESS THAN SIX MONTHS GO THROUGH TRAINING TO BECOME KNOWLEDGEABLE AND EFFECTIVE COMET BOARD MEMBERS (FRANNIE HEZIER)

Mr. Andoh explained that Dr. Morris and Mr. Furgess has requested to have placed on the agenda a discussion about "New Board Members who have served less than six months go through training to become knowledgeable and effective COMET Board Members."

Mr. Andoh stated that this is already a policy and requested more feedback. Dr. Morris explained that he wants to ensure that the new Board members don't criticize or speak negatively of existing Board members.

Ms. Summers stated her opinion about the Board from the Advisory Board Member perspective. Discussion continued.

D. DISCUSSION OF ADVISORY BOARD MEMBERS (FRANNIE HEZIER – NO STAFF REPORT)

Attorney Heizer clarified that the bylaws provide that Advisory Board Members are not limited or restricted to make comments, suggestions, advice, etc. She added they can do anything a Board Member can do except for voting.

It was discussed that during the Workshop, the Board should discuss the balance of representing the constituents and the fiduciary responsibility to the Authority.

E. THE AUTHORIZATION FOR AND RETAINING OF ATTORNEYS FOR SERVICE OF THE



CMRTA BOARD (FRANNIE HEZIER)

Mr. Furgess expressed his concern regarding the Executive Director's authority in engaging the legal counsel. Attorney Heizer stated that the legal team represents the "entity," which is governed by its Board of Directors and acts through the Executive Director/CEO and/or other staff. She referred to Page 71 regarding scope of service for the Request for Proposals contract section that states:

The firm will act as General Counsel to The COMET staff and Board of Directors. General Counsel will provide advice and interpretation of Local, State and Federal law with a focus on the areas of transportation, contract, government, employment, and procurement law. General Counsel will report to the Executive Director/CEO and provide support to the Board of Directors. The Board of Directors may also contact the General Counsel with their own inquiries and Counsel is as well authorized to respond to those inquiries.

Discussion continued.

8. MOTION PERIODS (NO ACTION WOULD BE TAKEN ON THE MOTIONS REQUESTED)
A. FROM THE FINANCE COMMITTEE

Representative Howard left the meeting at 1:04 P.M.

Motion:

A motion was made by Dr. Morris and seconded by Mr. Furgess move that any item for Executive Session be discussed with the appropriate chair before including on the agenda.

Ayes: Leaks, Gleaton, Morris, Furgess

Nays: Anderson, Mood, Smith

Abstain: Dickerson, Huggins

Absent: Howard

Mr. Andoh confirmed that this is already policy, #3. Dr. Morris referred to the expansion discussed in the Finance Committee. Mr. Anderson explained that due to the contractual constraints the specifics were not divulged in the public meeting, only in Executive Session.

Voice Vote:

Anderson: Nay

Leaks: Aye

Mood: Nay

Gleaton: Aye

Huggins: Abstain

Howard: Absent

Smith: Nay



Morris: Aye
Furgess: Aye
Dickerson: Abstain
Motion carried.

- B. FROM THE SERVICE COMMITTEE
None
- C. FROM THE EXECUTIVE COMMITTEE
None
- D. FROM BOARD MEMBERS

Motion:

A motion was made by Mr. Furgess and seconded by Dr. Morris to prepare an audit to the CMRT for compliance to the Penny tax referendum of 2012.

Mr. Furgess confirmed the audit would be completed by a third party. Ms. Dickerson expressed her concern regarding the audit.

Mr. Furgess withdrew his motion.

Motion:

A motion was made by Mr. Furgess and seconded by Dr. Morris that any expansion of service whether public or private be approved by the CMRT Board before staff can engage in any proceedings to offer such service.

Ayes: Leaks, Gleaton, Morris, Furgess
Nays: Anderson, Mood, Smith, Dickerson
No Response: Huggins
Absent: Howard

Discussion ensued.

Voice Vote:

Anderson: Nay
Leaks: Aye
Mood: Nay
Gleaton: Aye
Huggins: No Response
Howard: Absent
Smith: Nay
Morris: Aye
Furgess: Aye



Dickerson: Nay
Motion failed due to tie.

Motion:

A motion was made and moved by Mr. Furgess and seconded by Dr. Morris that all attorneys retained by the CMRT be hired by the CMRT Board with an explanation to the members what services are being rendered.

Ayes: Leaks, Gleaton, Morris, Furgess
Nays: Anderson, Mood, Smith, Dickerson
Abstain: Huggins
Absent: Howard

Voice Vote:

Anderson: Nay
Leaks: Aye
Mood: Nay
Gleaton: Aye
Huggins: Abstain
Howard: Absent
Smith: Nay
Morris: Aye
Furgess: Aye
Dickerson: Nay
Motion failed due to tie.

Motion:

A motion was made by Mr. Furgess and seconded by Dr. Morris that any and all motions approved by CMRT Board becomes final unless stated in the motion to send to a Committee.

Mr. Furgess withdrew the motion.

9. PROGRESS REPORTS - INFORMATIONAL ONLY

THE FOLLOWING ITEMS LISTED UNDER PROGRESS REPORTS WILL BE CONSIDERED AS A GROUP UNLESS A BOARD MEMBER REQUESTS FOR SEPARATE DISCUSSION.

- A. CHAIR REPORT (RON ANDERSON, VERBAL)
- B. COMMITTEE CHAIRS UPDATE
 - I. FINANCE COMMITTEE UPDATE
 - II. SERVICE COMMITTEE UPDATE
 - III. INTERMODAL AD-HOC COMMITTEE UPDATES
 - IV. EXECUTIVE COMMITTEE UPDATES
 - V. EXECUTIVE DIRECTOR AD-HOC EVALUATION COMMITTEE UPDATE



Dr. Morris suggested that the ratings/assessment from the Board Members for the Executive Director Evaluation be extended until April 29, 2020 to allow time for completion by all Board Members.

VI. TRANSIT OPERATOR REQUEST FOR PROPOSALS AD-HOC COMMITTEE

- C. EXECUTIVE DIRECTOR/CEO REPORT
- D. REVIEW OF BOARD MOTIONS FROM JAN 2017 TO PRESENT
- E. TRANSIT OPERATIONS/SAFETY REPORT
- F. DISADVANTAGED BUSINESS ENTERPRISE REPORT
- G. FINANCIAL REPORTS
- H. PROFESSIONAL SERVICES AND REVENUE CONTRACTS
- I. RIDERSHIP REPORT

10. LEGAL/CONTRACTUAL/PERSONNEL (MAY REQUIRE EXECUTIVE SESSION)

- A. SECTION 30-4-70 (A) (2) - THE RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM – DEPARTMENT OF REVENUE LAWSUIT.

Motion:

A motion was made by Ms. Mood and seconded by Ms. Gleaton to enter Executive Session.

Approved: Anderson, Dickerson, Gleaton, Furgess, Huggins, Leaks, Mood, Morris, Smith

Absent: Howard

The Board entered Executive Session at 1:48 P.M.

Mr. Huggins left the meeting at 1:48 P.M.

Motion:

A motion was made by Ms. Dickerson and seconded by Ms. Gleaton to exit Executive Session.

Ayes: Anderson, Dickerson, Gleaton, Furgess, Leaks, Mood, Morris, Smith

Nays: None

Absent: Howard, Huggins

The Board exited Executive Session at 2:16 P.M.

Voice Vote:

Anderson - Aye

Dickerson - Aye

Gleaton - Aye



Furgess - Aye
Howard - Absent
Huggins - Absent
Leaks - Aye
Mood - Aye
Morris - Aye
Smith - Aye
Motion passed.

Mr. Anderson confirmed that no action was taken.

Motion:

A motion was made by Dr. Morris and seconded by Ms. Dickerson that expansion of service be forwarded to a workshop and a representative from the named school be present to discuss our concerns.

Ayes: Anderson, Dickerson, Gleaton, Furgess, Leaks, Mood, Morris, Smith

Nays: None

Absent: Howard, Huggins

Voice Vote:

Anderson - Aye
Dickerson - Aye
Gleaton - Aye
Furgess - Aye
Howard - Absent
Huggins - Absent
Leaks - Aye
Mood - Aye
Morris - Aye
Smith - Aye
Motion passed.

11. ADJOURN

Motion:

A motion was made by Ms. Mood and seconded by Ms. Dickerson to adjourn.

Ayes: Anderson, Dickerson, Gleaton, Furgess, Leaks, Mood, Morris, Smith

Nays: None

Absent: Howard, Huggins

Motion passed.

Voice Vote:



Anderson - Aye
Dickerson - Aye
Gleaton - Aye
Furgess - Aye
Howard - Absent
Huggins - Absent
Leaks - Aye
Mood - Aye
Morris - Aye
Smith - Aye
Motion passed.

Meeting adjourned at 2:20 P.M.

CENTRAL MIDLANDS REGIONAL TRANSIT AUTHORITY

Adopted this May, 2020, Agenda Item _____

Prepared by:


A handwritten signature in black ink, appearing to be 'Paige Jernigan', written over a horizontal line.

Paige Jernigan, Administrative & Customer Service Specialist

Approved by:


A handwritten signature in black ink, appearing to be 'Andy Smith', written over a horizontal line.

Andy Smith, Board Secretary