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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 Wednesday, May 8, 2020 at 3:15 P.M.

The Central Midlands Regional Transit Authority  
Special Board of Directors Meeting Minutes  
Friday, May 15, 2020 at 11:00 A.M.  
3613 Lucius Road, Columbia, SC 29201 - Teleconference

Members Present:

Ron Anderson, Chair\*  
Joyce Dickerson\*  
John V. Furgess, Sr.\*  
Representative Leon Howard\*  
Carolyn Gleaton\*  
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

Guests Present:

Jackie Bowers, Operations Manager, Transdev\*  
Pam Baker, Burr and Foreman, Attorney\*  
Frannie Heizer, Burr and Foreman, Attorney\*

*\*Indicates participation by phone.*

Absent Board Members:

Tem Miles



The COMET Staff Present

John Andoh, Executive Director/CEO

Rosalyn Andrews, Director of Finance/CFD

Pamela Byone-Reed, Marketing and Public Information Manager

Leroy DesChamps, Director of Administration & Operations/COO

Alexis Feliciano, Transit Traffic Checker

Kristen Forbus, Intern

Eric Harris, Planning & Development Specialist

Paige Jernigan, Administrative & Customer Service Specialist

Arlene Prince, Director of Regulatory Compliance & Civil Rights Officer

Michelle Ransom, Grants and Regional Coordination Manger

Crystal Willis, Financial Accountant

**1. CALL TO ORDER AND DETERMINATION OF QUORUM**

Mr. Anderson called the meeting to order at 11:04 A.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. Mood to adopt the agenda.

**Approved:** Anderson, Furgess, Gleaton, Huggins, Leaks, Mood, Morris

**Absent:** Dickerson, Howard

Dr. Morris requested moving Item #6 up to #3.

Motion:

A motion was made by Ms. Gleaton and seconded by Ms. Mood to adopt the agenda with the modification.

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

**Absent:** Dickerson, Howard

**Voice Vote:**

Anderson - Aye

Dickerson - Absent

Gleaton - Aye

Furgess - Aye

Howard - Absent

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye



Smith - Aye  
Motion passed.

Item 6

AWARD THE TRANSIT OPERATIONS AND MAINTENANCE CONTRACT, TO COMMENCE NO SOONER THAN MAY 15, 2020, TO AUTHORIZE THE EXECUTIVE DIRECTOR/CEO TO EXECUTE THE AGREEMENT CONTINGENT UPON FINAL REVIEW BY GENERAL COUNSEL, TO COMMENCE TRANSITION ACTIVITIES AND TO APPOINT A PROCUREMENT APPEALS PANEL IN CASE A PROTEST IS RECEIVED

Motion:

A motion was made by Mr. Furgess and seconded by Ms. Mood to accept/render.

*Representative Howard joined the call at 11:09 A.M.*

Col. Leaks asked if this included the appeals panel? He added the appeals panel needs to be approved by the Board. He inquired about the people that are currently being proposed for the appeal panel.

Motion:

A motion was made by Mr. Furgess and seconded by Ms. Mood to withdraw the motion until we resolve the question.

Mr. Andoh explained that the Staff has identified five (5) people that could serve on this panel, which includes two staff members from The COMET and three (3) external members of the public representing Lexington County, an attorney (Attorney Laney) office and University of South Carolina.

Attorney Heizer stated that Attorney Laney would not be a member of the panel he would serve as legal advisor for the panel that will not vote. Representative Howard asked for the make-up of the panel. Mr. Andoh explained that he would have to get a fifth person to take the place of Attorney Laney. Attorney Heizer agreed. It was discussed to come back next week for a recommendation.

Mr. Huggins recused himself from the appeals panel vote.

Ms. Mood has concerns with the revision to Section 9 and the timing of the end of the Transdev contract. She stated that she feels we are creating extra work. She continued that what we are seeming to do is step in and take over personnel management decisions that belong with the Executive Director.



Discussion ensued regarding the appeals panel and member appointment. Mr. Anderson explained that Mr. Andoh will come back next week with recommendation for the appeals panel.

**Motion:**

A motion was made by Mr. Furgess and seconded by Ms. Mood to approve the recommendation of the contract without the appeals panel appointment with the revised personnel position in Section 9.

Mr. Smith asked for clarification and a clearer stated motion.

The motion was restated:

**Motion:**

A motion was made by Mr. Furgess and seconded by Ms. Gleaton to approve Item 6 with the revision to Section 9 and the deletion of the appointment of the appeals panel.

Attorney Baker verified that if the first negotiation does not end with a successful contract then the Executive Director can begin negotiations with the second-best offer and so on.

Attorney Heizer added the change in the definition of Internal Procedures.

Approved: Anderson, Furgess, Gleaton, Howard, Huggins, Leaks, Mood, Morris

Absent: Dickerson

**Voice Vote:**

Anderson - Aye

Dickerson - Absent

Gleaton - Aye

Furgess - Aye

Howard - Aye

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye

Motion passed.

**3. ADOPT THE FTA CARES ACT SPENDING PLAN DEPENDANT ON FINANCE COMMITTEE ACTION**

**Motion:**

A motion was made by Mr. Furgess and seconded by Dr. Morris to adopt the FTA Cares Act dependent on Finance Committee action.



Approved: Anderson, Furgess, Howard, Huggins, Leaks, Mood, Morris, Smith

Absent: Dickerson

Voice Vote:

Anderson - Aye

Dickerson - Absent

Gleaton - Yes

Furgess - Aye

Howard - Aye

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye

Motion passed.

4. AUTHORIZE EXECUTION OF TRAPEZE AMENDMENT #3 FOR PARATRANSIT SOFTWARE AND ASSOCIATED EQUIPMENT DEPENDANT ON FINANCE COMMITTEE ACTION

Motion:

A motion was made by Ms. Mood and seconded by Mr. Furgess authorize execution of Trapeze Amendment #3 for paratransit software and associated equipment dependent on Finance Committee action.

Approved: Anderson, Furgess, Howard, Huggins, Leaks, Mood, Morris, Smith

Absent: Dickerson

Voice Vote:

Anderson - Aye

Dickerson - Absent

Gleaton - Yes

Furgess - Aye

Howard - Aye

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye

Motion passed.

5. REVIEW PROCESS FOR APPOINTMENT OF CONTRACTOR KEY PERSONNEL

Mr. Andoh explained that the current procedures do not reconcile with the current contract. Discussion ensued regarding the redundancy of this section.



Attorney Heizer stated that the policy the Board previously adopted specifically related to Transdev's contract. The new version that was sent out last night, specifically relates to the new vendor/new contractor/new contract. She added that this is broader because it applies to *any* key personnel. She confirmed that the only substantive change is adding of the section based on "Immediate Removal of Contract Personnel." She explained this would be the case if contract personnel would need to be instantly removed due to reasons listed in Section 9.

Discussion continued regarding to the similarity and inconsistencies in Transdev's contract and the proposed changes in the new contract.

*Ms. Dickerson joined the line at 12:03 P.M.*

Attorney Heizer reminded that the verbiage could be revised if the Board wishes. Ms. Mood asked if we added "pending investigation," would help? Ms. Dickerson agreed.

**Motion:**

A motion was made by Ms. Mood and seconded by Ms. Dickerson that we add the words to Section 3 of the Internal Policy documents to say at the end of the sentence "pending an investigation."

Attorney Heizer restated Section 3 changes.

Ms. Baker suggested a change in the motion. Ms. Mood and Dickerson agreed to the change.

**Motion:**

A motion was made by Ms. Mood and seconded by Ms. Dickerson to adopt the policy with that revision.

**Approved:** Anderson, Furgess, Howard, Huggins, Leaks, Mood, Morris, Smith

**Absent:** None

**Voice Vote:**

Anderson - Aye

Dickerson - Absent

Gleaton - Yes

Furgess - Aye

Howard - Aye

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye



Motion passed.

6. Moved to Item 3

Mr. Furgess thanked the Attorney's for their hard work.

Ms. Dickerson expressed frustration to being sent the wrong time posted on the Agenda and asked that the motions be reread for voting purposes. Ms. Dickerson went on record voting affirmative on all previously discussed motions.

7. AUTHORIZE IMPLEMENTING AN ENHANCED SATURDAY SCHEDULE BASED ON PASSENGER DEMAND

Motion:

A motion was made by Mr. Furgess and seconded by Mr. Huggins to implement an enhanced Saturday schedule based on passenger demand.

**Approved:** Anderson, Dickerson, Furgess, Howard, Huggins, Leaks, Mood, Morris, Smith

**Absent:** None

**Voice Vote:**

Anderson - Aye

Dickerson - Aye

Gleaton - Aye

Furgess - Aye

Howard - Aye

Huggins - Aye

Leaks - Aye

Mood - Aye

Morris - Aye

Smith - Aye

Motion passed.

8. ADJOURN

Motion:

A motion was made by Dr. Morris and seconded by Mr. Huggins to adjourn.

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

**Absent:** None

**Voice Vote:**

Anderson - Aye

Dickerson - Aye



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

*Meeting adjourned at 12:18 P.M.*


CENTRAL MIDLANDS REGIONAL TRANSIT AUTHORITY

Adopted this June, 2020, Agenda Item \_\_\_\_\_

Prepared by:

  
Paige Jernigan, Administrative & Customer Service Specialist

Approved by:

  
Andy Smith, Board Secretary