



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, July 24, 2020 at 3:15 P.M.

**The Central Midlands Regional Transit Authority
Special Board of Directors Meeting Minutes
Wednesday, July 29, 2020 at 12:00 P.M.**

3613 Lucius Road, Columbia, SC 29201 - Conference Room A

Members Present:

Ron Anderson, Chair
Stephen Cain*
Joyce Dickerson*
John V. Furgess, Sr.*
Carolyn Gleaton*
Mike Green*
Representative Leon Howard*
Derrick Huggins*
Skip Jenkins*
Al Koon*
Col. (R) Roger Leaks, Jr.*
Lill Mood*
Dr. Robert Morris*
Andy Smith*
Debbie Summers
Allison Terracio*
B.J. Unthank*
Barry Walker*

Guests Present:

Pam Baker, Attorney, Burr & Forman Law Firm*
Katherine Cason, Grant Assistant, Lexington County
Frannie Heizer, Attorney, Burr & Forman Law Firm*
Rick Morgan, Attorney, Burr & Forman Law Firm*
Rob Tyson, Robinson Gray Stepp & Laffitte, LLC

**Indicates participation by phone.*



Absent Board Members:

Geraldine Robinson

The COMET Staff Present

John Andoh, Executive Director/CEO

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 12:01 P.M. and determined there was a quorum.

2. ADOPTION OF THE AGENDA

A motion was made by Ms. Mood and seconded by Mr. Anderson to adopt the agenda with the removal of Item 7F and defer Item 7G.

An amended motion was made by Mr. Furgess and seconded by Dr. Morris to move the Election of Officers to the end of the Consent Calendar.

Mr. Anderson restated the amended motion by moving the Election of Officers, Item 7G immediately after the Consent Agenda, effectively Item 7A.

Ms. Mood asked when the newly elected officers would take office? Attorney Heizer confirmed that the new officers would take over at the end of the meeting. Dr. Morris didn't agree. Col. Leaks suggested the new officers take over after the end of the meeting. Attorney Heizer explained the will of the body and suggested after the officers are elected, the Board vote on when to take over.

Ms. Gleaton joined the call 12:07 P.M.

Ayes: Furgess*, Howard*, Huggins*, Gleaton*, Leaks*, Morris*

Nays: Anderson, Dickerson*, Mood*, Smith*, Terracio*,

Absent: None

Voice Vote:

Anderson - Nay

Dickerson - Nay*

Furgess - Aye*

Gleaton - Aye*

Howard - Aye*

Huggins - Aye*

Leaks - Aye*

Mood - Nay*



Morris - Aye*
Smith - Aye*
Terracio - Nay*
Motion passed.

Motion:

A motion was made by Ms. Mood and seconded by Mr. Anderson to adopt the agenda with the removal of Item 7F and the amendment bylaw portion 7G.

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

Nays: None

Absent: None

Voice Vote:

Anderson - Aye
Dickerson - Aye*
Furgess - Aye*
Gleaton - Aye*
Howard - Aye*
Huggins - Aye*
Leaks - Aye*
Mond - Aye*
Morris - Aye*
Smith - Aye*
Terracio - Aye*
Motion passed.

3. MIDLANDS TRANSIT RIDERS ASSOCIATION UPDATE

None

4. CALL TO THE PUBLIC

- 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 FOR MAY & JUNE 2020



Mr. Andoh referred to Page 6 regarding the Employee of the Month for Transdev and Transport Care Services.

Transdev Employee of the Month for May 2020: Tyronne Gambrell, Supervisor

Transdev Employee of the Month for June 2020: Jerry Bowers, Facility Technician

Transport Care Services Employee of the Month for May 2020: William Tyler, Bus Driver

Transport Care Services Employee of the Month for June 2020: Rachel Hingleton, Transit Care Operator.

Mr. Andoh confirmed that RATP Dev will present their nominations at the next meeting.

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 MAY 27, 2020 MEETING MINUTES

B. APPROVAL OF THE JUNE 3, 2020 SPECIAL MEETING MINUTES

C. APPROVAL OF THE JUNE 5, 2020 SPECIAL MEETING MINUTES

D. APPROVAL OF THE JUNE 19, 2020 SPECIAL MEETING MINUTES

E. APPROVAL OF THE JULY 17, 2020 SPECIAL MEETING MINUTES

F. APPROVAL OF THE INVOICE PAYMENT SELECTION LISTING ENDING JULY 31, 2020

G. FINANCE COMMITTEE ACTION ITEMS

I. UPDATE POLICIES & PROCEDURES MANUAL BASED ON SCDOT COMMENTS

II. AWARD HVAC REPLACEMENT CONTRACT

Motion:

A motion was made by Dr. Morris and seconded by Mr. Smith to approve the Consent Calendar.

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

Nays: None

Absent: None

Voice Vote:

Anderson - Aye*

Dickerson - Aye*

Furgess - Aye*

Gleaton - Aye*

Howard - Aye*



Huggins - Aye*
Leaks - Aye*
Mood - Aye*
Morris - Aye*
Smith - Aye*
Terracio - Aye*
Motion passed.

7. OTHER DISCUSSION & ACTION ITEMS

G. ELECTION OF OFFICERS AND AMEND BYLAWS TO REFLECT CURRENT RTA LAW

Discussion ensued concerning the question posed by Ms. Mood regarding the time that the new officers will take over, mid meeting or next meeting.

Motion:

A motion was made by Ms. Mood and seconded by Mr. Anderson that the newly elected officers assume their responsibilities at the close of this meeting.

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

Nays: None

Absent: None

Voice Vote:

Anderson - Aye

Dickerson - Aye*

Furgess - Aye*

Gleaton - Aye*

Howard - Aye*

Huggins - Aye*

Leaks - Aye*

Mood - Aye*

Morris - Aye*

Smith - Aye*

Terracio - Aye*

Motion passed.

Mr. Furgess nominated Col. Leaks for the Chair position for the CMRTA. Mr. Anderson reminded the Board that the Chair and Vice Chair position must be a resident of Richland County. He added that the Chair and Vice Chair can not be from the same two bodies in Richland County.



Col. Leaks accepted the nomination. Mr. Anderson nominated Ms. Dickerson for the Chair position. Ms. Dickerson accepted that nomination. There were no other suggestions for the Chair position.

Mr. Huggins expressed respect and admiration to Ms. Dickerson, but he stated that he has committed his vote to Col. Leaks.

Voice Vote:

Anderson - Dickerson

Dickerson - Dickerson*

Furgess - Leaks*

Gleaton - Leaks*

Howard - Leaks*

Huggins - Leaks*

Leaks - Leaks*

Mood - Dickerson*

Morris - Leaks*

Smith - Dickerson*

Terracio - Dickerson*

Mr. Anderson congratulated Col. Leaks and explained the process for the appointment of the Vice Chair seat.

Ms. Mood nominated Ms. Gleaton for the Vice Chair position. Ms. Gleaton respectfully declined. Mr. Huggins and Dr. Morris also declined as they are eligible for appointment. Representative Howard also declined.

Mr. Huggins stated that he would accept the nomination for Vice Chair with the Board Chair's understanding that due to unforeseen circumstances he may not be able to attend all meetings. Mr. Anderson nominated Mr. Huggins as Vice Chair. Mr. Furgess moved to close the nomination.

Mr. Huggins became Vice Chair of the CMRTA Board of Directors.

Mr. Anderson and Mr. Furgess both nominated Mr. Smith for Treasurer. Mr. Huggins agreed. Mr. Anderson closed the nomination. Mr. Smith accepted.

Mr. Smith became Treasurer for the CMRTA Board of Directors.

Mr. Anderson nominated Ms. Terracio as Secretary. Mr. Anderson closed the nomination. Ms. Terracio accepted.

Ms. Terracio became Secretary of the CMRTA Board of Directors.



A. AMEND SECTION 8.1 OF THE BYLAWS TO COMPLY WITH STATE LAW
Attorney Heizer referred to Page 105 in the packet. She stated the changes are to make the bylaws consistent with the Regional Transit Authority Law. She explained the language revision proposed in 8.1 and 8. 2. Attorney Heizer did state that these changes were discussed in an earlier meeting. She then opened the floor to questions.

Dr. Morris requested a more specific explanation of the changes from Attorney Heizer. Attorney Heizer explained the changes to the Board referenced below.

Section 8.1. Executive Director and Other Personnel.

a. The Board may employ or contract with ~~such agents and~~ an Executive Director as provided in Section 58-25-40(6) of the Regional Transportation Authority Law.

b. The Executive Director may employ any employees as ~~it may require~~ may be necessary for the proper administration of the duties and functions of the Authority and may determine the qualifications of the person. The Board shall develop or cause the development of appropriate policies and procedures for the employment of personnel. to be hired by the Executive Director. The Board shall adopt compensation plans for employees.

c. The Executive Director and any other fiscal personnel shall be bonded for such amounts as may be determined from time to time by the Board.

Section 8.2. Duties of Executive Director. The ~~Board may employ an~~ Executive Director ~~who~~ will be responsible for the administration of the Authority under an ~~approved~~ annual budget ~~approved~~ by the Board. Any obligations outside the budget shall be made only upon Board approval. The Executive Director shall continue to hold such position at the discretion of the Board. The Board shall conduct an annual review of the performance of the Executive Director. The employment or dismissal of the Executive Director shall require an affirmative vote of a simple majority of the total voting membership of the Board. All other staff shall be employed by and be responsible to the Executive Director.

Attorney Heizer explained that in 8.2, few changes were made and in 8.1 simply was divided to read more clearly.

Motion:

A motion was made by Dr. Morris and seconded by Mr. Anderson to approve proposed amendment to the bylaws with non-substantive changes.

Ayes: Anderson, Mood*, Smith*, Terracio*

Nays: Dickerson*, Furgess*, Gleaton* Huggins*, Howard*, Leaks*, Morris*



Absent: None

Voice Vote:

Anderson - Aye*

Dickerson - Nay*

Furgess - Nay*

Gleaton - Nay*

Howard - Nay*

Huggins - Nay*

Leaks - Nay*

Mood - Aye*

Morris - Nay*

Smith - Aye*

Terracio - Aye*

Motion failed.

B. AMEND CODE OF CONDUCT POLICY

Attorney Heizer referred to Page 112 of the packet, the extensive revision. She added that this is to make the policy consistent with the SC Ethics Act to have in place by triennial review. Attorney Heizer reminded this was discussed at length at the Board workshop. She did suggest tabling this issue instead of voting down.

Attorney Heizer reviewed the document and added that each Board member and employee will receive and need to sign to this document. Mr. Green added that he would challenge all the Board members to file a Statement of Economic Interest.

Motion:

A motion was made by Ms. Mood and seconded by Ms. Terracio to approve policy as presented.

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

Nays: None

Absent: None

Voice Vote:

Anderson - Aye

Dickerson - Aye*

Furgess - Aye*

Gleaton - Aye*

Howard - Aye*

Huggins - Aye*

Leaks - Aye*

Mood - Aye*



Morris – Aye*
Smith – Aye*
Terracio – Aye*
Motion passed.

C. AMEND COMMUNICATION POLICY #6

Mr. Anderson commented that he has had a lot of complaints regarding the number of emails and communications. He stated that he requested this item be added to the agenda.

Attorney Heizer stated this is a policy that was adopted a few years ago and to change the method of communication regarding emails being copied to all Board members. She added that all the email communications could be sent to a drop box or virtual destination that is more convenient than the emails going back and forth.

Dr. Morris asked if this would impact the delivery of the packets? Attorney Heizer confirmed that it would not. Dr. Morris requested making it clear in the communication policy. She responded that it could and if the motion passes, this could be included in said motion. Discussion ensued regarding the communication between the Board.

Motion:

A motion was made by Mr. Smith and seconded by Mr. Anderson to adopt the policy.

Ayes: Anderson, Smith*, Terracio*

Nays: Furgess*, Gleaton*, Howard*, Huggins*, Leaks*, Mood*, Morris*

No response: Dickerson*

Absent: None

Voice Vote:

Anderson – Aye

Dickerson – No response

Furgess – Nay*

Gleaton – Nay*

Howard – Nay*

Huggins – Nay*

Leaks – Nay*

Mood – Nay*

Morris – Nay*

Smith – Aye*

Terracio – Aye*

Motion failed.



D. INTERGOVERNMENTAL AGREEMENT REVISIONS

Attorney Heizer referred to Page 133 in the packet. There was confusion over the page numbers on the agenda aligning with the actual packet. Dr. Morris commented on Page 126 referring to the changes of Policy No. 6 - Communications.

Attorney Heizer stated that the Intergovernmental Agreement, on Page 133 was discussed in executive session. She reminded the board that the last Intergovernmental Agreement was approved in 2013 when the penny was passed. She added that the federal law has changed, and federal money is available based on the population of Richland and Lexington County. She mentioned that now federal money can be used for operations. She continued that due to those funds being available, more service is being offered in Lexington County, including West Columbia, Cayce, Springdale, Irmo, Batesburg/Leesville, and Town of Chapin. She informed that each of those entities have requested through a letter to become a member of the Authority.

Discussion ensued regarding the recruitment of these entities and the process of approval through the committees.

Attorney Heizer explained that the most recent version of the Intergovernmental Agreement, includes changes that were not discussed at the Executive Committee meeting.

1. Each of Richland and the City of Columbia would get one (1) additional vote on the Board.
2. For the entity to have a membership, they must have had transit service for two (2) complete years.

Dr. Morris asked about the number of members per the counties. He added that one of the counties only contributes 1% of the funds and Richland County donates \$18 million. He stressed the unfairness of the relative contribution to voting power. Attorney Heizer confirmed that the unfairness of the contribution is not a legal decision, but rather a policy decision. She added that the contribution is not a factor anymore.

Attorney Heizer stated that per law, if a political subdivision becomes a member, they must at least have one (1) vote. She further stated that there are some financial reasons as federal money that will become available because of the population of the urbanized area. These funds are matched with legally available funds.

Attorney Heizer explained the process of becoming a member of the Authority. She explained that we have an activated Authority. She read Section 58.25-30(3) and summarized.

The following steps must be taken:



The majority of the Authority Board must approve their request for membership. A plan of service must be prepared. The plan must be consistent with any locally adopted transportation plans for the area to be served. Must include but not limited to the following items: area to be served, the procedures to be used to serve the area, the estimated capital cost by year for the first five (5) years of operation, the mechanism used to raise local funds, the source and the amount of funds to be available to finance the first year's operating costs.

Attorney Heizer explained that there is nothing in Regional Transit Authority law requiring an application nor is there a procedure required to apply. Discussion ensued regarding procedures for becoming members and the regional transit system.

Mr. Huggins suggested tabling this topic.

Motion:

A motion was made by Mr. Huggins and seconded by Col. Leaks to table the Intergovernmental Agreement discussion.

The motion was amended by Mr. Furgess and stated as below:

A motion was made by Mr. Furgess to call the question.

Mr. Green called Point of Order,

Motion:

A motion was made by Mr. Furgess and seconded by Dr. Morris to call the question.

Ayes: Furgess*,

Nays: Anderson, Dickerson* Howard*, Huggins*, Leaks*, Mood*, Smith*, Terracio*

Abstain: Gleaton*, Morris*

No vote: Howard

Absent: None

Voice Vote:

Anderson - Nay

Dickerson - Nay*

Furgess - Yay*

Gleaton - Abstain*

Howard - Nay*

Huggins - Nay*

Leaks - Nay*

Mood - Nay*

Morris - Abstain*



Smith – Aye*
Terracio – Nay*
Motion failed.

Mr. Huggins stated that he wants to allow further discussion. The Committee discussed the action of tabling.

Motion:

A motion was made by Representative Howard and seconded by Ms. Dickerson to adjourn. Ms. Heizer explained that this is a privileged motion, so this clears the table.

Ayes: Dickerson*, Furgess*, Howard *, Huggins*, Leaks*, Morris*, Terracio*
Nays: Andersuri, Mood*, Smith*
Absent: None

Voice Vote:

Anderson – No
Dickerson – Aye*
Furgess – Aye*
Gleaton – No response
Howard – Aye*
Huggins – No response
Leaks – Aye*
Mood – Nay*
Morris – Aye*
Smith – Nay*
Terracio – Aye*
Motion passed.

Meeting adjourned at 2:08 P.M.

CENTRAL MIDLANDS REGIONAL TRANSIT AUTHORITY

Adopted this August, 2020, Agenda Item _____

Prepared by:


Paige Jernigan, Administrative & Customer Service Specialist

Approved by:



Allison Terracio

Allison Terracio, Board Secretary

