



**TAPS PUBLIC TRANSIT
BOARD OF DIRECTORS
REGULAR MEETING
April 18, 2016**

MEMBERS PRESENT: Ken Brawley, Spanky Carter, J. D. Clark, Leon Klement, Rick Lewis, Kenneth Liggitt, Bill Magers, and Terrence Steele.

MEMBERS ABSENT: H. L. Compton and Steve Terrell

STAFF PRESENT: Scott McClellan, Karen Kemp, Joe Penson and Josh Walker

The TAPS Board of Directors met at the TAPS Administrative offices, located at 3400 Texoma Parkway, Sherman, TX 75090 for a regular board meeting.

- I. **CALL TO ORDER:** Chairman Spanky Carter welcomed guests and declared a quorum, calling the meeting to order at 2:33 pm. An invocation was given by Board Member Terrence Steele.
- II. **PUBLIC HEARINGS:** Citizens may speak on items listed on the agenda as Public Hearings. A "Request to Speak Card" should be completed and returned to the Board Secretary before the Board considers the item listed under Public Hearings. Citizen comments on public hearings are limited to three (3) minutes. Chairman Spanky Carter opened the floor and called upon the individuals who submitted a Request to Speak Card.

Nancy Knapp, a concerned citizen, addressed the Board and presented a Public Information Request in which she request the names of the current employees, their salaries and wages and any benefits they are receiving.

Richard Hose, a concerned citizen, stated on April 4th, he submitted an open records request and a portion of the information he requested has been provided to him by Board Vice Chairman Bill Magers, but he is still waiting for additional information.



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Chairman Spanky Carter noted that later on the agenda, the Board will be discussing appointing someone as the Public Information Officer for TAPS, so that Public Information Requests are addressed timely.

Leon Klement arrived at the meeting at 2:36 p.m.

- III. EXECUTIVE SESSION: Pursuant to Chapter 551 of the *Texas Government Code*, to discuss the following subjects and reconvene to take any action resulting from the Executive Session (the board reserves the right to convene into executive session throughout the meeting):
1. Consult with attorney regarding contemplated litigation. Section 551.071
 2. Discuss the appointment, employment, evaluation, reassignment of duties, discipline, or dismissal of or to hear a complaint against a public officer or employee. Section 551.074

Following the closed Executive Session, the Board of Directors will reconvene in open and public session and take any such action as may be desirable or necessary as a result of the closed deliberations.

Motion was made by Board Member Bill Magers to convene in Executive Session. Board Member J. D. Clark seconded the motion. Motion carried unanimously and the TAPS Board of Directors entered Executive Session at 2:38 pm.

At 4:28 pm, Motion was made by Board Member Ken Brawley to reconvene in open session. Board Member Kenneth Liggitt seconded the motion. Motion carried unanimously.

Vice Chairman Bill Magers assumed the Chairman seat during the temporary absence of Chairman Spanky Carter and reported while in Executive Session, the Board discussed executing a forbearance agreement with Landmark Bank. Board Member J.D. Clark made a motion authorizing the Board Chairman, Spanky Carter, to execute a forbearance



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agreement with Landmark Bank. Board Member Rick Lewis seconded the motion. Motion carried unanimously.

- IV. TAPS ORGANIZATIONAL UPDATE: Scott McClellan reported as of 6:00 a.m. this morning, TAPS is back in the transit business with over 100 trips booked for the first day. He stated he wanted to recognize several staff for their tireless work to make today happen. He thanked Josh Walker and Karen Kemp, as well as Joe Penson, the Maintenance Manager, who with his staff, have worked hard to get the fleet ready for today. He also thanked Shelly White for all her efforts in working with the consulting staff, to shed light on many complicated issues.

Vice Chairman Bill Magers expressed appreciation to TransDev for their hard work and candidness over the past several weeks.

- V. APPROVAL OF MINUTES: Vice Chairman Bill Magers presented the minutes from the March 7, 2016, March 21, 2016 and April 4, 2016 Board meetings for approval. Board Member J. D. Clark made a motion to approve the minutes as presented. Board Member Kenneth Liggitt seconded the motion. Motion carried unanimously.

VI. OTHER BUSINESS:

- a. North Central Texas Council of Government (NCTCOG) – Scott McClellan reported as a follow up to the last Board meeting, NCTCOG has expressed a desire for TAPS to dispose of certain vehicles and return the funds to them. Scott provided history on how TAPS obtained these vehicles and provided the initial asset transfer agreements for review. He stated these vehicles are either inoperable at this time or not in good condition and not being used. He noted after speaking with NCTCOG and obtaining history, he has no concern with TAPS staff working with NCTCOG to dispose of these and provide any funds obtained back to NCTCOG, who intends to move proceeds back into urbanized grants. Scott noted he does not feel this will be very time consuming.



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Board Member Magers stated as long as we have the manpower, he does not see a concern either. Board Member Liggitt noted this will eliminate these vehicles from the insurance overhead costs as well. Board Member J. D. Clark made a motion to approve of the disposal of the designated NCTCOG vehicles. Board Member Leon Klement seconded the motion. Motion carried unanimously.

- b. Denton County Transit Authority transfer of assets – Vice Chairman Bill Magers stated on April 8, 2016, the Federal Transit Administration formally notified TAPS it approved the transfer of assets between TAPS and Denton County Transportation Authority. The Board was presented a copy of the approval letter from FTA for their review and the proposed Interlocal Agreement between TAPS and DCTA. Vice Chairman Magers also took the opportunity to thank Scott McClellan and Josh Walker for their efforts with the transfer of assets. Board Member Leon Klement made a motion to authorize the Chairman to execute the Interlocal agreement pending legal review of the proposed agreement and the transfer of assets. Board Member Kenneth Liggitt seconded the motion. Motion carried unanimously.

- c. Public Information Officer – Vice Chairman Bill Magers thanked Mark Ewig and Richard Hose for their patience with recent Public Information Requests they have submitted. He noted with lack of staff to provide information, he was willing to accept the temporary assigned as Public Information Officer (PIO) for TAPS and would work with Craig Price In the Grayson County District Attorney’s office to process the requests as timely as possible. He noted this would be on an interim basis until additional TAPS staff are in place. Board Member Terrence Steele made a motion to appoint Vice Chairman Bill Mager as PIO for TAPS. Board Member Leon Klement seconded the motion. Motion carried unanimously.

Chairman Spanky Carter returned to meeting at 4:40 p.m.



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- VII. SCHEDULE NEXT BOARD MEETING: Chairman Spanky Carter announced the next Board meeting will be held on Monday, May 2nd, 2016 at 2:30 p.m. He noted at this time, the Board will continue to meet every other week, but will at some point resume to monthly meetings.
- VIII. ADJOURNMENT: Motion was made by Board Member Kenneth Liggitt to adjourn the meeting. Board Member Bill Magers seconded the motion. Motion carried and the meeting was adjourned at 4:42 p.m.

Passed, Approved and Adopted at Board meeting held on May 2, 2016.