



**TAPS PUBLIC TRANSIT
BOARD OF DIRECTORS
SPECIAL CALLED MEETING
January 6, 2016**

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

MEMBERS ABSENT: Leon Klement and Steve Terrell

STAFF PRESENT: Tim Patton, Leah Campbell, Troy Frazer, Josh Walker, Grace Odum and Cathy Perkins.

GUESTS PRESENT: Mark Ewig, Syreeta Hall, Richard Hanna, Sunil John, Dick Alexander, Rick Puhid, Nancy Ward, Richard Hose, David Riner, Jeannie Slape, Tina Tomlinson, Allen, Rich, Matt Hunt, Max Calder, Todd Rumsey, Valerie Wigglesworth, Richard Berry, Fred Meyer, Nancy Knapp, Mavis Duncan, Michele Daniel and Kyle Roberts.

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

- I. **CALL TO ORDER:** Chairman Spanky Carter welcomed guests and declared a quorum, calling the meeting to order at 2:25 pm.
- II. **INVOCATION:** The invocation was given by Board Member Terrence Steele.
- III. **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.

David Riner, former TMS Driver, requested payment of his final pay check from services rendered in November.



**TAPS PUBLIC TRANSIT
BOARD OF DIRECTORS
SPECIAL CALLED MEETING
January 6, 2016**

Mark Ewig, former TMS Driver and Union Steward, requested the Union receive a monthly bank statement from First Transit to ensure only payments to employees are occurring.

Tina Tomlinson, former Access Call Center Supervisor, addressed the Board voicing her discontent with Board Members and noting the former Access employees need their final pay checks and need closure.

Nancy Ward, former Access Call Center Agent, also voiced her discontent with Board Members, explaining the financial hardship she has endured by not receiving her final payroll owed since November and requested payment.

Syreeta Hall, former TAPS Office Manager in the McKinney location, addressed the Board noting the 2014 W2s received last year were incorrect and not received timely. She appealed to the Board asking they ensure all employees receive their 2015 W2s timely and accurately.

IV. 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



**TAPS PUBLIC TRANSIT
BOARD OF DIRECTORS
SPECIAL CALLED MEETING
January 6, 2016**

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 Ken Brawley to convene in Executive Session. Board Member Bill Magers seconded the motion. Motion carried unanimously and the TAPS Board of Directors entered Executive Session at 2:35 pm.

At 4:30 pm, Motion was made by Board Member Bill Magers to reconvene in open session. Board Member Kenneth Liggett seconded the motion. Motion carried unanimously.

V. ACTION ITEMS:

1. Consider changes to operations and/or continuation of service – Chairman Spanky Carter read the following Resolution:
 1. Effective as soon as possible and no later than Monday January 18th, 2016, suspend all services in the current TAPS RTD – Clay, Montague, Wise, Cooke, Grayson, and Fannin Counties including the urbanized area of Sherman. This service suspension will be in effect up to, but no more than, 90 days.
 2. Direct the Texas Dept. Of Transportation to allocate sufficient funds from the current TAPS grant program balances to adjacent Rural Transit Districts for the purposes of providing emergency service coverage beginning ASAP thru the suspended time frame. Service levels and trips provided with these services will be consistent with the Board’s current direction on this.



**TAPS PUBLIC TRANSIT
BOARD OF DIRECTORS
SPECIAL CALLED MEETING
January 6, 2016**

3. The CEO of TAPS is directed to facilitate a seamless transition to these emergency services including, but not limited to, transfer of fleet, communications with customers, and other assistance or information as necessary.
4. TAPS personnel are directed to focus their entire efforts on the following mission critical tasks:
 - a. Investigate, find, and deliver by January 11, 2016 all documentation available to support the approximately \$930,000 of undocumented reimbursements associated with the findings in the TXDOT Audit Report.
 - b. Prepare a Recovery Plan meeting the requirements of the Federal Transit Administration and finalize an agreement with the IRS that is acceptable to the FTA.
5. Direct the CEO to prepare and implement for board approval start-up activities to coincide with the end of the suspension period. These activities include, but are not limited to:
 - a. Organization, service and asset plans consistent with a sustainable transit program for the 6 county areas including the urbanized area of Sherman.
 - b. Appropriate Financial and Management Oversight procedures and controls.
 - c. As this restructuring creates a material change in scope requiring a new procurement of management and operation services. (this should begin now because of the time required)
6. Engage consultant services during this period to direct and/or assist these efforts.
7. Establish a subcommittee of this Board to oversee this effort, make decisions as needed to act on the above items.
8. Board will meet on a bi-weekly basis or more often as needed during this period to hear progress reports from the subcommittee and take action on any and all items necessary to result in a successful recovery.



**TAPS PUBLIC TRANSIT
BOARD OF DIRECTORS
SPECIAL CALLED MEETING
January 6, 2016**

Chairman Spanky Carter stated with regards to establishing a subcommittee of the Board to oversee the suspension efforts (Item 7 of the Resolution), the Officers of the Board will serve as the subcommittee. He will serve as Chair, Board Member Bill Magers will serve as Vice Chair and Board Member Terrence Steele will serve as Secretary.

Motion was made by Board Member Bill Magers to approve the Resolution as presented and appoint the subcommittee as defined. Board Member H. L. Compton seconded the motion. Motion open for discussion.

Board Member Bill Magers noted the only way to get past the current financial situation, is to take this step and allow administrative staff to focus solely on pulling in the monies owed to the agency. He stated this is a prudent move and the only way TAPS may survive. Board Member J. D. Clark noted this is an operational suspension for TAPS, but not a suspension for the citizens. Service will be provided by other agencies and this is the only way to make progress.

Interim CEO, Tim Patton noted this action contains many steps, but should result in very little, to no change in current service. Service will be provided by TAPS vehicles, most likely by the same TAPS drivers, during this 90 day operational suspension. Customers will call an 800 number, reach a phone tree option for the county they are requesting service in and the call will be directed to the proper agency. Service will continue to be delivered at the same or better service level. This is being viewed favorably and as a positive measure by TXDOT and other funding agencies.

Board Member Kenneth Liggett noted the drivers would not be employed by TXDOT, but possibly by the agencies covering during this suspension period.

Chairman Spanky Carter noted this is the first step in turning this around, catching up on things and getting previous employees paid.

Motion carried will all in favor.



**TAPS PUBLIC TRANSIT
BOARD OF DIRECTORS
SPECIAL CALLED MEETING
January 6, 2016**

- VI. SCHEDULE NEXT BOARD MEETING: Chairman Spanky Carter announced the next Board meeting will be held on Wednesday, January 20, 2016 at 2:00 pm.
- VII. ADJOURNMENT: Motion was made by Board Member Bill Magers to adjourn the meeting. Board Member Rick Lewis seconded the motion. Motion carried and the meeting was adjourned at 4:40 p.m.

Passed, Approved and Adopted at Board Meeting held on January 20, 2016.