

Go Triangle Board of Trustees

Meeting Minutes

September 23, 2015

Board Room, The Plaza, 4600 Emperor Blvd., Suite 100
Durham, NC

Board Members Present:

Will Allen III

Mary-Ann Baldwin (arr. 1:27 pm)

Fred Day IV (arr. 1:34 pm)

Fred Foster Jr. (arr. 1:04 pm)

Ed Harrison (arr. 1:05 pm)

Vivian Jones

Ellen Reckhow

Jennifer Robinson

Jeff Sheehan (left 2:25 p.m.)

Board Members Absent:

William V. "Bill" Bell (excused)

Jim Crawford (excused)

Bernadette Pelissier (excused)

Vice Chair Jennifer Robinson called the meeting to order at 1:01 p.m. (A quorum was not present.)

II. Recognition

A. Introduction of Other New Hires

General Manager Mann announced the hiring of James Lewis and Frankie McKoy, Bus Operator I.

B. Announcement of Promotions

General Manager Mann announced the following promotions: Mohamed Elsharkawy, Service Attendant to Parts & Inventory Assistant; Sylvia Exum, Paratransit Operator to Customer Information Associate I; Jennifer Green, Transit Service Planner to Capital Projects Planner; Patricia Hill, Paratransit Operator III to Paratransit Dispatcher; Randy McCarty, Bus Operator II to Bus Operator III and Liston Peoples, Public Outreach Associate to Transit Amenities Specialist.

VI. Other Business

D. Board Member Reports

i. CAMPO Executive Board Representative

Will Allen III reported that CAMPO also discussed the Wake County Transit Investment Strategy process. He said the 5-year MOU for how 5307 transit money is allocated within CAMPO comes due in October.

ii. DCHC MPO Board Representative

Ellen Reckhow reported that DCHC received a presentation and public comments on the DEIS for the DOLRT project.

Foster and Harrison arrived. A quorum is now present.

She said there was a sizable turnout, with the majority of the speakers expressing concern about project, particularly the ROMF. She added that a good-sized minority spoke in favor of the project. Reckhow noted that several spoke about the need for the transit system to enhance equity and allow people who are disadvantaged access to jobs in the region. She stated that the MPO would vote on the DEIS at its November meeting and thanked Go Triangle staff for agreeing to provide draft comments received to MPO members in advance of their November meeting.

iii. Regional Transportation Alliance (RTA) Representative

Will Allen III said there have been no events, but he has been in regular contact with Joe Milazzo.

I. Adoption of Agenda

Action: On motion by Allen and second by Jones the agenda was adopted. The motion was carried unanimously.

III. Public Comment

No comments.

IV. Consent Agenda

Action: On motion by Reckhow and second by Allen the consent agenda was approved. The motion was carried unanimously.

The following consent agenda items were approved:

- August 26, 2015 – Work Session Minutes;
- August 26, 2015 – Regular Session Minutes;
- August 26, 2015 – Closed Session Minutes; and
- August 26, 2015 – Nominating Committee Minutes.

V. General Business Agenda

A. Items Removed from Consent Agenda

None.

B. Nominating Committee Report

Ellen Reckhow offered the slate of officers on behalf of the Nominating Committee. She stated that the Committee unanimously recommends that the current officers serve another term with the hiring of a new General Manager.

Chair	Bill Bell (Durham)
Vice Chair	Jennifer Robinson (Cary)
Secretary	Bernadette Pelissier (Orange County)
Treasurer	Will Allen III (Raleigh)

i. Election of Board Officers

Action: On motion by Jones and second by Reckhow the Board approved the current officers to an additional one-year term as recommended. The motion was carried unanimously.

C. Operations & Finance Committee Report

Committee Chair Allen stated that the principal agenda item was FY16 staffing needs for the DOLRT project. He said no action was requested at the time, but today a budget amendment is provided for consideration.

i. Durham-Orange Light Rail Transit FY16 Staffing Needs & Budget Amendment

General Manager Mann said this budget amendment would allow Go Triangle to move forward with a staffing plan to prepare for entering the engineering phase of the DOLRT project.

Reckhow asked why the positions need to be authorized today as opposed to next month. Mann responded that in order to meet the timeline of preparing and submitted the New Starts application and entering the engineering phase in February, it is critical we move forward and have the Board authorize us to begin the process of searching and hiring these positions. He noted that the State's budget provision limiting light rail spending to \$500,000 in State money obviously would impact the project, but Go Triangle is working with its supporters to seek a remedy during this Legislative session. He said staff will continue to evaluate other financing options. Mann added that it is important to stay on the hiring timeframe but staff will come back to the Board before hiring occurs.

Action: On motion by Allen and second by Jones the Board adopted *Ordinance 2015 0028 Go Triangle Fiscal Year 2016 Western Triangle Tax District Fund Ordinance Amendment*. The motion was carried unanimously.

D. Personnel Committee Report

i. General Manager Work Plan

Committee Chair Jennifer Robinson reported that the General Manager presented a draft work plan for the coming year, to which the Committee made slight revisions.

Reckhow suggested under outreach an update to the communications plan. She also requested that any communication going out to a large number of citizens in the community be copied to Board members and elected officials in that community.

Baldwin arrived.

Foster suggested adding succession planning under workforce development.

Robinson asked that these changes be incorporated and brought back next month.

E. New Business

i. Preliminary Engineering Reimbursement Agreement for Hillsborough Train Station

General Counsel Ross explained that NCDOT will be preparing the environmental plan for the Town of Hillsborough train station, which is part of the bus and rail investment plan for Orange and Durham counties. Go Triangle will pay up to \$116,000 of the estimated \$150,000. She requested approval for the General Manager to execute an agreement once the final details regarding reimbursement are worked out. She added that the NCDOT Board could approve this in early October.

Action: On motion by Jones and second by Reckhow the Board authorized the General Manager to enter into a Reimbursement Agreement with the North Department of Transportation (NCDOT) and the Town of Hillsborough for preparation of the environmental and/or planning document for the Hillsborough train station, in accordance with the National Environmental Policy Act (NEPA) in an amount not to exceed \$116,000. The motion was carried unanimously.

VI. Other Business

A. General Manager's Report

General Manager Jeff Mann highlighted the following items from his written report:

- The 45-day public comment period has begun for the DOLRT project. He reminded the Board of two upcoming public hearings. He shared some

template responses to comments with common themes, which are attached and hereby made a part of these minutes.

Day arrived.

- Mann announced that bus operations director Scott Lansing has accepted a position in Las Vegas. Tellis Chandler has been named interim director of bus operations.
- He noted some additional performance data included in the written report. He said the complaints number is not verified, but are largely related to Wi-Fi issues. He said that 4G routers are being installed in the fleet to address this issue. He also noted significant mechanical problems with the buses leased for the Fortify service and said that contract has been cancelled. Mann said similar information would be included on the performance dashboard that he is working to establish.
- Over 30 employees participated in the First Aid/CPR/AED training offered. He said automated external defibrillators (AEDs) are located in this building and at Nelson Road.
- Mann announced the award of a \$1.7 million grant from FTA for the DOLRT Transit Oriented Development Planning and Implementation Framework. He recognized Patrick McDonough for his work on the grant application.
- Mann noted four contracts executed by the General Manager in August for \$125,500.

i. I-40/440 Fortify Update

No report.

ii. Triangle Regional Transit Program Update

Meghan Makoid updated the Board on the 45-day public comment period for the DOLRT. She said that any questions received are being responded to on the website, www.ourtransitfuture.com/FAQ, so that everyone has the same access to the same information. She said about 46% of the comments received to date would be considered positive/neutral and 53% negative. She said the close of the comment period is October 13.

Reckhow stated her appreciation for this update and the responses to questions. She asked if the timeframe is sufficient to address any concerns that are deemed valid and might require mitigation. Makoid responded that the DEIS covers mitigation measures being proposed, some very specific and more generally to develop a visually aesthetic plan with the community to address any concerns about visual effects. She said this will allow at a later

stage in the project the ability to work with the community to develop what they feel is best for their community.

iii. Legislative Update

General Manager Mann noted the provision in the State's final budget that would limit the spending of State money to \$500K for any light rail transit project. He said this would have a large impact on the DOLRT and is concerning; however, he reminded Board members that the project scored well under the new STIP process and was allocated \$138 million. He said he is working with supporters to seek a remedy during this Legislative session. Mann added that the FTA readiness checklist to enter engineering only requires 30% of the non-federal share of the project. He said Go Triangle has more than that.

General Counsel Ross added that a sales tax provision of the budget expands the base to include certain installation repair services, and those will be taxed under the ½ cent sales tax in place.

B. General Counsel's Report

General Counsel Deborah Ross noted the following items:

- Reimbursement agreements with both NCRRT and Norfolk Southern have been finalized for our 30% engineering reviews. We are working on the same with NCDOT.
- We are responding to questions from the FRA about the alignment.
- She is working on the governance portion of the Wake County Transit Plan.
- Received a determination on the last employment case which was a win for Go Triangle.
- Karen has finalized our joint bus procurement with the Town of Chapel Hill and the City of Durham. Brian Fahey assisted with this.
- Go Triangle has several potential small claims actions against someone who vacated our property owing rent in the range of \$3,000-\$5,000 and another person who has abused the Emergency Ride home (ERH) program. Ross said that demand letters have been sent to these folks and staff is discussing what to do about it now. She added that staff has researched it and small claims action is an option if the Board is in agreement.

Action: On motion Baldwin and second by Allen the Board authorized the General Counsel to make a determination about and to move forward with litigation on these two instances. The motion was carried unanimously.

C. Chair's Report

No report.

VII. Closed Session – Personnel

Pursuant to NCGS 143-318.11 (i) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Action: On motion by Jones and second by Allen the Board adjourned into closed session for the purpose of and pursuant to the General Statute listed above at 2:24 p.m.

Action: The Board returned to open session at 2:50 pm.

Board members offered their respect and appreciation for Ross's contributions.

Action: On motion by Allen and second by Reckhow the Board accepted the resignation of General Counsel Deborah Ross effective October 2, 2015. The motion was carried unanimously.

Action: On motion by Reckhow and second by Day the Board waived the 60-days notice requirement for the General Counsel and authorized the Vice Chair to sign a letter, which is attached and hereby made a part of these minutes. The motion was carried unanimously.

Action: On motion Allen by and second by Harrison the Board appointed Karen Porter Interim General Counsel effective October 2, 2015. The motion was carried unanimously.


VIII. Adjournment

Action: Vice Chair Robinson adjourned the meeting at 2:55 p.m.



William V. "Bill" Bell, Chair

Attest:



Michelle C. Dawson, CMC
Clerk to the Board