

**TWIN CITY AREA TRANSPORTATION AUTHORITY  
Board Meeting**

**July 23, 2024**

**I. Call to Order:** The regular meeting of the Twin City Area Transportation Authority Board of Directors was held at the Benton Harbor City Hall Building, 200 E. Wall Street, Benton Harbor, MI 49022, on Tuesday, July 23, 2024.

**II. Roll Call of Persons Present:**

Ron Singleton, Chair  
Spencer Nesbitt, Vice Chair  
Cora Robinson, Board Secretary

Daryl Jackson, Member  
Virgil Hatcher, Member

A quorum was established, and Board Chair Ron Singleton called the meeting to order at 5:36 p.m.

**III. Approval of Agenda:** Board Secretary Cora Robinson made a motion to approve the agenda, Vice Chair Spencer Nesbitt seconded the motion, and the Board unanimously approved the agenda.

**1. Finance Committee Report:** Zoom presentation of financial report by Kevyn Kozumplik, Lead manager from Hungerford on TCATA account, CTA and CTFM. Working on account since December of 2023. Ten years of auditing experience with transit authorities. Brief overview of June 30, 2024 financial statements:

- Balance Sheet and Profit and Loss
- Outstanding Invoice Listing
- Purchase by vendor details

Chair Ron Singleton asked if credit cards are listed under a bank or credit card company. Kevyn said that credit card liabilities are reconciled by them monthly; stated the showing balance amount as of June 30<sup>th</sup>. Asked if there's a summary, or breakdown, showing when and where purchases were made. Kevyn said that's not part of this report but is something he could provide via email the following day if that's something the Board would like. All Board members agreed. Kevyn further explains the reason for there always being a balance at months end is due to timing.

Zoom presentation by Mark Epps, Grants and Procurement manager for TCATA. Work with MTA and MDOT to assure compliance. Responsible for purchasing items, such as, the new roof, HVAC replacement, vehicle, infrastructure. Currently working to redo outside steps and stairways and replace trenches.

Interim Executive Director Todd Shurn asked Mark Epps to wait till later to address Procurement Policy Review.

**2. Human Resource Committee Report:** - No report

Interim Executive Director Todd Shurn shared that Richard Lee resigned; his last day will be this Friday. I thank him for his service. If anyone has questions for Richard, please contact him between now and Friday--contact me or Tressa and we'll try and get the answer from Richard for you.

Board Secretary Cora Robinson asked question of Ms. Tornita Meridy-Brooks, Human Resource. Request updates on training she's attended. Ms. Tornita Meridy-Brooks said on June 23<sup>rd</sup> she attended a conference in Chicago. Training centered around networking. Had to choose a topic of interest. She did learn a few things and made some connections. Became a member of the network so that if I have any questions, I can just call their headquarters and they will assist me. Board Secretary Cora Robinson asked if she had any additional training scheduled. Ms. Tornita Meridy-Brooks said she doesn't. This last conference was a bit expensive so that's something she could do annually versus trying to attend every 90 days or whenever. Currently looking for something in the Grand Rapids area.

Interim Executive Director Todd Shurn informs Ms. Tornita Meridy-Brooks that moving forward, she'll be the new Drug and Alcohol Coordinator because Mr. Lee's departure makes that position critical; so, combined with her Human Resource duties will be this program. There are questions concerning that program, and Mr. Lee does have answers, so we will collect that and share with MTA going forward.

Chair Ron Singleton advised that there may be other agencies like this one that may also be helpful. Any other questions for personnel? No other questions.

- 3. Approval of Minutes:** Vice Chair Spencer Nesbitt made a motion to approve the June minutes. June minutes have not yet been made available. Board Secretary Cora Robinson made a motion to table the June minutes, Vice Chair Spencer Nesbitt seconded the motion, and the Board unanimously approved to table the June minutes.

#### **IV. Director Updates:**

- 1. Triennial Review Process:** Presented by Interim Executive Director Todd Shurn and Mr. Oliver Linsey.

Interim Executive Director Todd Shurn said they're intensively preparing for the Triennial review being conducted on September 17-18, 2024; meeting tomorrow with FTA where they will, for the first time, share their expectations; have had no interaction with FTA since being in this position. Tried to work with MDOT first to make sure synced with MDOT. And we are. On Monday MDOT will be at the facility and will be conducting a mock review to prepare us for triennial review.

Mr. Oliver Linsey concurred with Interim Executive Director Todd Shurn. Added that they're trying to correct potential findings in advance if we know of something, and hopefully, with Kevyn from MDOT, he'll find some other things. The actions we've taken so far to implement corrective actions, shown later in the agenda, are the procurement policy and the financial policy. They were noted in the annual audit finding passed out earlier. So, we've updated the policies. The federal government finds new clauses and stipulations every year to add to the policies. Once the Board reviews it, we'll present it to the auditors, and they'll say, 'we have a new policy here' and ask, have we been following it, and that's when confirmation will be made. And that's the same for the financial document, and that's also in the finding in the blue book. We did receive a slap on the hand for the omission of travel expenses. That's some of the preparation type work we're doing. A spreadsheet was prepared by Tressa and Interim Executive Director Todd Shurn for activities of findings in '21, to assure that anything that happened in '21 doesn't happen again. MDOT is actually holding our 2024 money at this point to see what the outcome of the Triennial review is.

We're gonna do all these corrective actions; anything that we know about, we're correcting, crossing fingers because it's going to be a really big factor with the funding sources in the way that the Feds and the State treats TCATA after that late September review. Preparation for that has been my focus. Previously our quarterly reports had not been done on time. I think we're pretty much on time now.

Vice Chair Spencer Nesbitt asked what if we do internal audits ourselves against problem documents. Mr. Oliver Linsey said we do not have staff with auditing skills. Kevyn is an auditor doing our financial management. He's, in a sense, auditing TCATA reports for accuracy. The State audits every year and the Federal audits every three years. We need to just stay abreast of any changes that occur. MDOT puts out express newsletters advising of major changes.

Board Secretary Cora Robinson asked if there's some way, we can create a template or a spreadsheet of a list of things from the past. Mr. Oliver Linsey said that young lady right there, Tressa, yes, that she could pull it up and share a list of things (errors) from the last review. (Tressa shares screen and explains spreadsheet).

Chair Ron Singleton asked, out of the 27 things, how many do you think can be addressed. Mr. Oliver Linsey said that some of them have been addressed, 'cause this is from '21. Ms. Tressa Greschak said, number wise, she's not sure how many. Three of the four can be addressed. Hungerford has addressed a number of them. Mr. Oliver Linsey said that he's going with the Baker's dozen. Ms. Tressa Greschak said to her, as well.

Chair Ron Singleton asked if the goal would be to try to get down to 7 or below. Ms. Tressa Greschak said yeah. Mr. Oliver Linsey points out hinderances with turnovers, at all levels.

Vice Chair Spencer Nesbitt asked if we keep records of the corrected items by a corrective action plan, do we keep records of those to make sure they don't recur. Ms. Tressa Greschak said that it depends on what it is. Most important one is making sure that records are maintained.

Vice Chair Spencer Nesbitt asked about the procedures: we don't have to rewrite the whole procedure, just make an amendment to the area that needs to be changed. Ms. Tressa Greschak said yeah. Mr. Oliver Linsey said absolutely. He thinks the main thing is stabilization and implementation. Ms. Tressa Greschak said that this document will be in TCATA's files.

Board Secretary Cora Robinson asked if this plan is going to be the map to get where we need to go. Ms. Tressa Greschak said yes; this is our checklist. Board Secretary Cora Robinson asked is that the director, who would be responsible for following or will there be someone, like a watchdog, checking this to make sure; how does that work. Mr. Oliver Linsey said that we're going to have a new list after September. Board Secretary Cora Robinson said she's talking about this one here now. It doesn't do anything unless someone's checking it consistently. Is there a plan to maybe have a staff or somebody that can be zeroing in on this. Interim Executive Director Todd Shurn said this is an internal document we've prepared, and this is what we're working from to address issues. Don't think we'll get down as low as zero but will try to get as low as possible; and then you'll see what the resolution is--you'll see the deficiency and dates that we addressed it, and what the resolution is. Some will be updated by website, policies, and others will not be because there's no singular resolution - like, financial upkeep is ongoing. Ms. Tressa Greschak said that it'll say that we have a process in place. Interim Executive Director Todd Shurn said that it will be management's

responsibility to make sure that these processes are executed.

Board Secretary Cora Robinson asked if plans can be added to in addition to others that come. Interim Executive Director Todd Shurn said yes.

Board Secretary Cora Robinson asked whose responsibility will it be, the director, when a new director is appointed. Mr. Oliver Linsey said yes. He or she could delegate it also.

Chair Ron Singleton asked if we should add in the policy that every four months, six months, whatever, that there's some type of check being done to make sure that we're still on track. Mr. Oliver Linsey said that could be in the executive director's report to the Board each month. Mr. Nick Fort said it should be done quarterly.

## **2. Union Contract Updates:**

Interim Executive Director Todd Shurn said should have received a union contract. Board Secretary Cora Robinson said that she did not receive the contract in her email. Ms. Tressa Greschak said will verify email address. Interim Executive Director Todd Shurn says that the contract needs to be ratified. Chair Ron Singleton said that there's no action for us to take. Interim Executive Director Todd Shurn sent to Board because 1) the current contract has expired, now working on continuance based on a contract that expired September 30, 2023. Regarding the contract, there needs to be further clarification on expectations on the part of the employees, in areas where things are not clear, employees are taking advantage of that, i.e. the length of bathroom breaks needs to be clarified. Policy is not clear on certain issues. Talked to the attorney today and he recommended a couple things about the policy. I will make a note of what I send to the Board just so you know it's in progress. But just note, they need to ratify it first. Will not send to the Board. Chair Ron Singleton said that he will accept the update as "tentative approval".

## **3. EV Shelter Presentation:**

Interim Executive Director Todd Shurn said we have three electric vehicles. Looking to house charging area under a separate structure to protect vehicles and batteries to get range that's needed. Batteries do not perform well when cold. These are prototypes and there still is a potential for them to explode and/or catch on fire when charging.

Chair Ron Singleton asked if it would affect insurance if housed inside? Ms. Tressa Greschak said don't think it's allowed to have it inside the building. Mr. Nick Fort said no, the insurance doesn't want them inside the building.

Interim Executive Director Todd Shurn added that we do not have a number in terms of the cost. Just letting you know that is in process. Trying to make this happen prior to winter.

## **4. Grants/Capital Improvements Update:**

Interim Executive Director Todd Shurn advised that Mark might want to add to this too. Ms. Tressa Greschak said they're turning the Zoom on.

Mr. Nick Fort said concerning capital improvements, we're trying to do the steps, and fix the drain, in the building, and after that we're supposed to try to remodel the bathrooms. And that's pretty much it that they have.

Mr. Mark Epps said work is on hold until we get this procurement policy approved. Regarding grants update, he's in the final stages of amending some funds into a grant, roughly about \$580,000. Some will go into capital, some into preventative maintenance, and some into operations. That's all he has on that.

Mr. Oliver Linsey said that's our old money from '23 that we're trying to get into a grant. So, we have a million dollars of '24 money sitting up at MDOT that we'll see what the Triennial does, whether they decide to release it. And Mark's also working with MDOT trying to get about \$80,000 in match money that they can't figure out how to get through the system. We don't wanna do any more procurements till the Board approves this 'cause we have a finding on it. So, we're holding off on rebidding the concrete jobs. We haven't even made a bid on bathrooms. Then, we have to bid shelters. Need to do the executive search piece if we still wanna pursue; whatever the thoughts of the Board is that's still gonna need procurement. We have A&E firm under contract. And it's this old grant money from 2018 and the Feds are hard for them to spend it. So, the bathroom, the steps, and the floor drains have been engineered. We have bid specs for those. In the process of engineering the parking lot. It's kind of a perfect timing for Todd's shelter structure idea, not that we can afford all those things at once, but we have engineered drawings of the parking lot, and shelters are easier than reengineering the parking lot because that's gonna be a big process. If the electric work out, we'll need more charging stations; this will go under the A&E covering.

Mr. Nick Fort asked if they're going to upgrade power. Mr. Oliver Linsey said that's up to engineers.

Ron Singleton asked what kind of range are you getting on those now? Mr. Nick Fort said that they lasted a whole day. They last an 8-hour shift. Didn't think they would. Automatic braking, which doesn't drain battery. Driving with heat on will drain battery more than AC. Hoping will work out this winter, need them.

## **5. Vehicle updates:**

Mr. Nick Fort reported had three EV vehicles, down to two. One was in an accident; being repaired, waiting for the appraiser to take a look at it. Three more gas vehicles came in last week but not tagged so, not ready to go out. Hoping to get out next week sometime. They're chauffeur vans, like EV vans, looks like them. Vehicles much needed. Most of the vehicles are back and forth with AC. Do have three more vehicles coming in September, gas vans. Mr. Oliver Linsey said there is more grant money for vehicles. In 2018 the manager at that time bought a lot of vehicles, had a lot of money to buy vehicles, which made sense at the time. But there's no rotation plan there. So now in 2025 we've got all these '18s that are worn out and eligible for replacement. If you replace a couple a year, you don't get hit all at once with saying, "I need a million and a half" to replace 10, 15 vehicles that were bought in 2018. So now you're trying to do a fleet rotation plan. Nick and management realize that CDL drivers are a challenge. So, reducing seating capacity in new purchases so can be chauffer license drivers. So, there is a method to this rotation madness.

Board Secretary Cora Robinson asked for elaboration on vehicle accident. Mr. Nick Fort said the driver was driving and had a medical condition where he veered off the road and sideswiped a tree with two passengers in the vehicle. All of them went to the hospital with minor injuries.

Board Secretary Cora Robinson asked if vehicles were chauffer licensed? Nick said Yes. Under 16 passengers. Asked if know what kind of medical condition; it wasn't disclosed when hired? Mr. Nick Fort said he does not want to speculate. He did take a physical when hired. He's a CDL driver.

Mr. Virgil Hatcher asked if an incident report required notation of any feedback of condition? Mr. Nick Fort said, still waiting, he was supposed to bring in information. Ms. Tornita Meridy-Brooks said he was asked to provide medical report, however, it appears he's not being straightforward after reading the report. No paperwork about condition.

Ms. Tressa Greschak mentioned that this is the driver's personal medical information; this is not the venue to discuss details. We can say: it was a medical issue; he didn't test positive for drugs or alcohol in his system, nothing like that; and we're dealing with this as we have unsure information.

**6. Ridership for June:** Tressa asked if we did one for June. Interim Executive Director Todd Shurn said no.

**7. Fuel Report:**

Interim Executive Director Todd Shurn advised that the Board should consider tracking. Fuel bills are going up astronomically. Watching receipts come through and amazed they're rising this fast.

Board Secretary Cora Robinson asked if the fuel is here. Interim Executive Director Todd Shurn said yes. Contracted, though. They bring it in. It's listed in bills. Can see it's a big number: \$28some thousand dollars. For gas and propane. Ms. Tressa Greschak said the good news is that even with the EV, if the range is shorter, it's cost-saving. Mr. Oliver Linsey said industry-wise the three biggest expenses are labor, fuel, and insurance.

Interim Executive Director Todd Shurn said good segway getting into insurance issue we face. Michigan transit pool sent letters; they said that they met with you; they spoke with us today; and the terms so serious that they're looking to review whether or not continuing our coverage next month after the triennial review. If coverage declined, would have to look for other carrier which would almost be impossible. New carriers will ask why previous carrier discontinued, and, based on their research, will likely decline. In addition to that issue, there are some safety issues that need addressing. The letter mentioned some things but there are ongoing issues, there are some ongoing checks that... i.e. sometimes a report, a response to an email. MDOTs/FTA's perception is that TCATA is not diligent with safety practices as needed and that's one of the reasons why safety claims have been so high. That's the reason for reconsidering coverage - due to claims. Need to do better. Not just safety policy, but safety practices.

Chair Ron Singleton asked how do we best deal with that? Mr. Oliver Linsey said hire another safety manager to replace Richard Lee. Resources are limited. There's a challenge in all this. We can write a beautiful policy but if its not implemented then it's gonna... Heard we lost a couple drivers besides the accident driver; lost them this week. So, when we rehire, have to make sure they go through training, watch videos, constantly checking not only pre-intact of driver's motor vehicle records, but quarterly check of all of them, because if they're not driving safely in their private automobile, that's a risk for the organization as well. And even the pool guys want criminal histories checked. Fighting three battles on every front: FTA not knowing what they're going to do, MDOT holding money, and insurance company threatening to terminate.

Mr. Virgil Hatcher asked what kind of claims the insurance company is concerned with. Mr. Oliver Linsey said the biggest ones are the employees suing the Board; not only collisions, but people hurt in the accidents, i.e. back injuries. Claims could be forthcoming. Interim Executive Director Todd Shurn said what they've already done is raised liability deductible from \$10,000 to \$75,000 - put in

place December 1, 2023. Oliver Linsey said the first \$75,000 is on operation budget; you get a couple of those... Ms. Tressa Greschak said the frequency of claims is part of what they're concerned about, we were allowed up to three, where at three they get concerned, within a 5-year timeframe, and we have five. Interim Executive Director Todd Shurn said other transit agencies in the pool, are not happy because after claims reach a certain amount, they're gonna kick Benton Harbor out.

Vice Chair Spencer Nesbitt asked now that we've addressed this, what is our approach? Mr. Oliver Linsey said that we have a letter from the safety pool, we need to approve the safety plan, do the checks that we talked about, need to have someone fully focused on safety. Know these two are kind of splitting some of Richard's orders, so kind of need another person in the office. Interim Executive Director Todd Shurn said that Nick is also now the new chief safety officer so... Mr. Oliver Linsey said chief operations officer, and chief maintenance officer, and chief cook and auto washer officer... Acting Executive Director Todd Shurn said that Nick and Tornita are splitting Richard's responsibilities. Both walking into the triennial review without having the background - as do all of us. And you can imagine the position I'm in when I have to absorb these things, you know, holding me responsible for correcting these deficiencies.

Chair Ron Singleton asked if there's anyone from another agency/department we can send some of our people to train with. Interim Executive Director Todd Shurn said, yeah, there are some proposals they have put on the table, i.e. they've recommended training videos, mostly around HR type things, liabilities, but that's where some of the lawsuits have originated. There's that. Also seeking training for drivers to continue to be abreast of safe practices and also reporting. Most important are drivers reporting; drivers, dispatchers, administrators, if you see something, say something.

Mr. Virgil Hatcher said that we were at some point warned that insurance was going to be an issue. Asked since we got rid of another director, is that a part of resigning? Mr. Oliver Linsey said no, but it did not help. Interim Executive Director Todd Shurn said that issue was raised because the number of directors, over a short timeframe, has really raised doubts in the minds of both Federal and State officials about insurance - right, about our ability to properly manage this agency. All three, yes.

Chair Ron Singleton asked if anybody had any other questions. Ms. Tressa Greschak said the safety policy they're working on currently, that should be available for the next Board meeting to be approved. Chief Ron Singleton said yes. Ms. Tressa Greschak said that the ADA policy, we were hopeful to get that to the Board by this week; have been working diligently with Ms. Kim Gallinger to make sure that is what it needs to be. She's been very helpful, by the way. But we do have the procurement policy to review. So... Interim Executive Director Todd Shurn said yeah, Kevyn will do that at a later meeting. For those of you who don't know, Tressa is still on U of M's payroll through August. On September 1, we'll have to move her over. But we can talk about that going forward.

## **8. Procurement Review:**

Interim Executive Director Todd Shurn asked Mr. Mark Epps and Mr. Oliver Linsey if they had received the procurement policy; any notes we should be aware of. Feel free to answer any questions.

Mr. Oliver Linsey said he can explain why we're doing this. So, earlier eluded to when Mr. Little was here that he wrote a policy in 2021 that was acceptable, passed mustard, none of them knew about it. I know the procurement guidelines very well. The twist that was in Mr. Little's policy – not blaming him, it was a good policy - said "with every procurement there are forms which MDOT creates, i.e. Appendix A, price..., how do you know the potential value... There are forms for everything. So, we didn't know that we had a policy that said that we had to use forms. So, the auditor for this asked where's all the forms? I replied, what do you mean, forms? I filed the federal regulations. I don't have any disbar vendors, didn't have..., got competitive quotes... Everything was done. The auditor said, yeah, I can see that, but you didn't fill out the forms according to the policy. I looked at Mark. He said that he had never seen the policy either. So, we got find for not filling out the forms. So, we've eliminated the form requirement which was the primary thing and updated anything that was outdated.

(Ms. Tressa Greschak is trying to pull it up on screen.)

Chair Ron Singleton said, not having the form, it's not a requirement for them, but if you have one... Mr. Oliver Linsey said it's a 2020 form and you're not gonna get it right every time, so that's why you get fined. Now eliminated. Interim Executive Director Todd Shurn said that's one of the things we want to make sure that we don't do with the safety plan. We wanna make sure that we have a plan that's effective, but we don't wanna put things in the plan that we know that we won't adhere to so they can't say, you said in your safety plan that you're gonna do this, where is it.

(Tressa shows policy on screen.)

Mr. Oliver Linsey asked what's the red ink? Ms. Tressa Greschak said red ink is changes from the 2021 version of policy. Language is clear in appendixes for auditors as we reestablish what TCATA's management looks like. Mr. Oliver Linsey said it's good to have a backup plan. Ms. Tressa Greschak said the next change is on page 5 of policy. Mr. Oliver Linsey said includes a 5-year plan, done at FTA's request, which the Board has never seen 5-year plans. Ms. Tressa Greschak said Page 9 shows Board member disclosure of conflict-of-interest practice. Mr. Oliver Linsey said we've put a form in there too. Improvements not there last time. Interim Executive Director Todd Shurn said that we're going to adhere to this while executing procurements. Ms. Tressa Greschak said there's a section on page 12 about credit card purchases.

Board Secretary Cora Robinson said that as she reads the policy, people aren't carrying cards with them; they have to get cards from somebody to make purchases. Mr. Nick Fort said the cards are in our pockets that we were given by the previous executive director. Debit cards, when used, you have to upload the receipt with every purchase, which has a base amount on the card.

Mr. Virgil Hatcher asked what happens when you make a purchase beyond your limit. Mr. Nick Fort said it will decline. You will need to have more money loaded to the card to make the purchase. Mr. Virgil Hatcher said seems like a check-and-balance. Mr. Nick Fort said it is. Always have had it. Ms. Tornita Meridby-Brooks confirms that more funds would have to be uploaded if needed.

Chair Ron Singleton asked who okays requests? Mr. Nick Fort said executive director does. Acting Executive Director Todd Shurn said that he does not have a card, trying to cut down expenses, no director car... Since been in this job have seen so many things, i.e., Orkin extermination every month.



Amazon subscriptions (prime/music) – what is that about. Mr. Nick Fort said Ring doorbell system under previous administration, have now stopped payment as of today from Huntington Bank. Acting Executive Director Todd Shurn said there are a number of things floating around and trying to put an end to that, getting in way of our preparation for what's next. Trying to prepare a recommendation for what's next. Swimming on operational type issues every day. Do not want to downplay accidents and insurance issues.

Board Secretary Cora Robinson asked if there's a certain thing called self-insured? Mr. Oliver Linsey said yeah. We do not have resources for it. You have to have a couple million in the bank. Some municipalities do have it and transit falls under it but do not know if Benton Harbor has self-insurance. Mr. Virgil Hatcher said you're saying it would be almost impossible for us to get insurance if the insurance company drops us. Mr. Oliver Linsey said Lloyds of London would probably insure us – Mr. Virgil Hatcher said but it would cost us a lot of money – but they'd take all your money so you wouldn't be able to operate the bus system. Someone will sell it to you but at what cost, what are you willing to give up.

Chair Ron Singleton asked if there were any further questions. Mr. Oliver Linsey has a comment. Said that Mark and I are in a holding pattern on all these projects, everything. Interim Executive Director Todd Shurn is trying to deal with different guidance you've given him. So, what you don't like, let us know so we can do the change in an open forum like this. This is a financial or procurement policy. This is financial policy. Kevyn, as auditor, reviewed it for me. I authored after '21, Kevyn reviewed it, added to it, that's where some of Kevyn's writing came in. If you don't have the procurement policy, I guess it wasn't emailed.

Board Secretary Cora Robinson said that we have a procurement policy. She knows that she sent the procurement and financial policies via email. Chair Ron Singleton suggests making a motion to adjourn.

Board Secretary Cora Robinson makes a motion to approve the updated Transportation Authority Procurement Guidelines and the Financial and Grant Management Procedure Compacity, Vice Chair Spencer Nesbitt seconded the motion, and the Board unanimously approved the motion.

**9. Chair's Report:** No chair's report.

Ask for any comments from the Board.

Board Secretary Cora Robinson said that she has a lot of comments but will hold them.

Interim Executive Director Todd Shurn asked if we could schedule a Board meeting the week of August 12<sup>th</sup>, I believe. Sometime during the week. Can be a Tuesday. August 13<sup>th</sup> is a Tuesday. Board Secretary Cora Robinson asked if it's a full Board meeting. Interim Executive Director Todd Shurn said yes. Because he wants to discuss transition plans. Mr. Virgil Hatcher asked will it be at 5:30. Interim Executive Director Todd Shurn said yes. Chair Ron Singleton asked Board Secretary Cora Robinson to notify clerk regarding the special meeting on August 13<sup>th</sup>. Board Secretary Cora Robinson said yes. Interim Executive Director Todd Shurn said this will be in lieu of the 20<sup>th</sup>, 4<sup>th</sup> Tuesday meeting.

Chair Ron Singleton asked if there were any other comments. Mr. Virgil Hatcher said he's sort of

agonizing, as an agency, over insurance issue which we knew was coming that will make us or break us. Mr. Oliver Linsey said he's advocating real hard, if we can get the – if we need to start looking for an insurance carrier now. Don't know about that. Think if we could have an action plan moving forward, either with an executive director, I think that would do a lot for the three pillars – we're on a three-legged stool and we don't want to be yanked out. If we have an action plan at Todd's direction and advice, that would go a long way. It's the unknown that scares insurance guys more than anybody but our friends in Chicago and Lansing aren't they're not scared they're just... Mr. Virgil Hatcher asked How negotiable would it be if the insurance company wanted to release us? Mr. Oliver Linsey said they would have to give you their version of rights letter, i.e. that says, they're not gonna cover any more of the whistleblower, inner personal litigation from employees against the organization. They haven't taken away your vehicular insurance at this point but they've raised that deductible to \$75,000. So, what's our new plan of action to pitch. Vice Chair Spencer Nesbitt agrees with all that's been said. Just think we need some type of plan to show improvements and how we're gonna get there, if we don't have that, we're dead in the water.

Chair Ron Singleton said that it's got to be noted that we can't do anything too much about the past, but we do know a lot of the issues – we're trying to correct – yes, we inherited as a Board, management did inherit some of it, and some of the actions that some of the previous board had taken that sort of got us into this thing too. I will be meeting with some of the commissioners, and the mayor. The mayor appoints, the commission confirms the appointments. And my discussions with them will be that they really have to be careful when appointing boards, especially when some of their actions could have some lasting effects. Incumbent on commission to think about all this. Mr. Hatcher said be careful about who they appoint. Chair Ron Singleton said yes, bottom line. So, those are some of the things I'll be dealing with as Chair with the members of the commission. Interim Executive Director Todd Shurn said that something he'd like you to share with them is that the city of Benton Harbor is, because of them appointing membership to the Board, that they have some liability here. If one of these lawsuits come through, it could easily take out TCATA, and the next person on the list is the city. So, the city is on the hook big time. Mr. Linsay said so: just deal with your executive director, don't deal with staff, and it will insulate you greatly against any liability.

Mr. Oliver Linsey said that he didn't know the stenographer's name but that it's nice to have this action here, because that was another, not technically a finding, but we haven't had minutes forever and I think we might have some professionally done minutes now. Chair Ron Singleton said that it's incumbent on us to introduce her to those that don't know her. Board Secretary Cora Robinson introduced the Recorder, Vivian Burton. Comments.

**10. Public Comments:** Chair Ron Singleton opened the floor for public comments. No public comments.

**11. Adjournment:** With no further business, Board Secretary Cora Robinson made a motion to adjourn the meeting. Vice Chair Spencer Nesbitt seconded the motion, and the meeting was adjourned at 7:16 p.m.

**Attested:**

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Ron Singleton  
Chair

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Cora Robinson  
Secretary