

**DAGWould?
Board Meeting Minutes
September 17, 2020**

Location: Remote/via Zoom

Members in Attendance:

Anna Bass, Chair
Mark Brogan, Assistant Chair
Shazi Ahmad, Secretary
Sandy Booher
Nancy Brown
Stanley Taylor
April Tomlin

Others in Attendance:

Cindy Pionke, Strategic Facilities Engineer/ADA 504 Coordinator for Knox County
Myers Morton, Knox County Law Department
Doug Burton, Knoxville Area Transportation Planning Organization

Call to Order: 3:05 (EST)

WELCOME AND INTRODUCTIONS

-Cindy called the meeting to order and recognized members in attendance.
-Anna welcomed all members to the Zoom meeting. She had DAGWould? members introduce themselves to the guest speakers.

APPROVAL OF SEPTEMBER MINUTES

-Anna submitted written minutes from the June 18, 2020 meeting.
-Shazi asked if there were any issues with the minutes; with none noted, she asked for a motion to approve the June minutes. A motion to approve was made by Nancy and seconded by Mark. A vote to approve the June minutes was held and the motion carried.

KNOX COUNTY SUNSHINE LAW (Presented by Myers Morton)

-Myers Morton, from the Knox County Law Department, introduced himself and started the discussion with the purpose of the Knox County Sunshine Laws. He said this is to make sure that every decision or recommendation made which deals with policy is open.

-The first basis for this is the Tennessee Constitution, Article I, Sec. 19, The Freedom of Speech and Press is where openness starts. In addition, there are T.C.A. sections, 844-101, where the General Assembly declared it to be the policy of the state of Tennessee that the formation of public policy and the decisions are public business and shall never be conducted in secret.

-Mr. Myers said one question that comes up is what is a public body that is subject to the Sunshine Laws? He said that a public body is basically any agency, committee, commission, or anything that gets its life from legislative action. For example, the Knox County Commission passing an ordinance during committee. He said that since DAGWOULD? was formed by the Knox County Commission ordinance, it is subject to the open Sunshine Laws and Open Meetings Act.

-Mr. Morton said its important to comply because if you don't, a citizen can file a lawsuit and get a court to issue an injunction, telling said committee they have to do certain things and/or have penalties imposed upon it. Furthermore, noncompliance with Sunshine Laws leaves the actions of the committee null.

-Mr. Morton told the committee another requirement of Sunshine Laws is the committee must give adequate public notice of meetings. You must advertise when and where meetings are to be held-and that the notice must be adequate under the circumstances.

-Mr. Morton noted that The Sunshine Laws have been relaxed by the Governor's executive orders due to the pandemic. For example, a couple of these executive orders suspend that a quorum has to be present at the meeting's location.

-Exceptions to the Sunshine Laws if there is no quorum present (even if there is no executive order suspending the quorum requirement in place):

1. Participation by Face Time, phone, and other electronic means is allowed. There is a procedure to go through where upon starting the meeting, the committee should have a discussion and a determination that the situation is such that you can't have a quorum. The minutes should show that it is impossible to have a quorum present and they must give a reason why a physical quorum is not possible at the meeting's location. Once this is done, within 2 days of the meeting, the committee must file that determination with the minutes of the meeting with the Secretary of State.

2. Ask for permission ahead of time of why and how the committee plans to hold their meeting with the open records counsel.

-Cindy noted that the committee is not allowed to discuss DAGWOULD? business outside of an official meeting. She can send emails of information to the group, but official business cannot take place via this communication. Mr. Myers confirmed this to be true and used the example of "Black Monday," where County Commissioners ran into trouble with this issue.

-April asked whether this is just for public meetings like Commission or for all government meetings. Mr. Morton said it goes for any meeting the Sunshine Law applies to, including the DAGWOULD? Committee.

-Mr. Morton said that according to the Tennessee Supreme Court, the definition of a "public body" that is subject to the Sunshine Law is:

It is clear that from the purpose of this Act, the legislature intended to include any board, commission, committee, agency, authority, or any other body by whatever name, whose origin of authority may be traced to state, city, or county legislative action; and, whose members have authority to make decisions or recommendations on policy or administration affecting the conduct of the business of the people of the governmental sector."

-Nancy asked Mr. Morton about information provided to committees or commissions prior to the meeting. If it doesn't involve any discussion amongst the group, does this information also have to be made available to the public? Mr. Morton said that if the information is going to be part of the agenda and discussed that the topic has to be part of a notice to all committee members.

-Anna asked Mr. Morton about the timeline for the application to the open records council. She asked if this has to be submitted meeting by meeting and how far in advance of the meeting it needs to be submitted? Mr. Morton said that it can be planned for several meetings at least 30 days before the next meeting. He said that Open Council has to give an answer within 30 days of receipt of the plan.

-Anna asked whether this committee should go ahead and fill out the paperwork for the Open Records Council, or whether it should wait to see if the Governor extends the executive order beyond the current one? Mr. Morton replied that he is prepared to help the committee draw up a plan to submit to the Open Records Council.

-Anna asked if committee members had any other questions regarding the Sunshine Law. She then asked Shazi whether the committee had made a motion at the last meeting around Option 1. Looking at the minutes from the prior meeting, Shazi replied that there was no official motion made to proceed with Option 1. Cindy agreed.

-Cindy said that at the committee's last meeting, everyone agreed the next meeting would take place in November. She has set up a physical meeting location at the City's Public Works building for that meeting since she was still unsure how the next meeting will take place.

-Mr. Morton said he can be available to prepare the next DAGWould? meeting for Option 1 if the governor doesn't renew the executive order.

-Nancy motioned that Mr. Morton go ahead and prepare the paperwork that the committee doesn't anticipate having in-person meetings over the next several months. Shazi seconded the motion. Anna asked if there was any further discussion. She then asked for an individual voice vote with all committee members in favor of the motion.

-Anna thanked Mr. Morton for his assistance and asked him to go ahead and submit the paperwork to the Open Records Council for the November and January DAGWould? meetings to be conducted via Zoom on the third Thursday of the month at 3:00pm. Mr. Morton confirmed he will take care of it and it will be ready the following week.

HUMAN SERVICES TRANSPORTATION COORDINATION PLAN (Presented by Doug Burton)

-Doug Burton, from the Knoxville Area Transportation Planning Organization, joined the meeting to discuss the Knox County Human Services Transportation Coordination Plan. He told the committee that organizations such as his exist in cities across the country with populations of 50,000 or more, also referred to as Metropolitan Planning Organizations. Knox County changed theirs to add "Transportation" to the name because people are often confused by what Metropolitan Planning Organizations do.

-Knox Planning covers Knox County, but the TPO covers Knox, Anderson, Blount, Loudon, Sevier, and Roane Counties, so they have a bigger footprint.

-Mr. Burton said one of the more important products they do is a long range transportation plan that goes out 20 years. It covers all types of mobility including roadways, transit, biking, and pedestrian issues such as greenways, sidewalks, etc.

-They also have a grant program that comes from the Federal Transit Administration where they can award agencies that help with transportation for seniors, people who are disabled, and people of low income. They get about \$500,000 in federal funding for this (with a caveat that the project being funded has to be a part of the human services transportation coordination plan). Mr. Burton said the grant program tries to identify the missing gaps. The gaps can be project specific (a sidewalk is needed between

road A and road B) or they can be listed as a general strategy (our area needs more sidewalks). He said they lean more towards the general strategy plans.

-Mr. Burton said their first plan was in 2007, with an update in 2013. He said they had planned on doing an update in 2022-when the new census data is to come out. However, during a federal review (that occurs every three years), they were told that waiting until 2022 was probably too long. They want this to roll into their next long-term plan that they are currently updating, which only gives him a couple of months to do. This had been difficult because getting public involvement during a pandemic isn't easy-especially from those most vulnerable.

-Mr. Burton said one thing they did was a survey that they sent out to various organizations they work with. They received 102 responses back.

-Mr. Burton told the committee that with the 2013 Plan, they got an actual grant from Easter Seals to do a one-year process with a group of individuals, that included Sandy and Katherine. Mr. Burton believes that most of the information in the 2013 Plan is still relevant so they will retain a lot of it. Their plan is to update the data and provide some new strategies. For example, in 2013 no one had heard of Uber or Lyft, so the update will reflect changes such as these.

SURVEY

-As for the 102 survey responses, 60% of the people who took the survey worked at places that render services to people who are disabled (CAC, Disability Resource Center); 22% responded they are disabled; 4% responded they were a caregiver; and 15% said they were on a related committee or board. Some people checked more than one box.

-If the individual had a disability, they asked what type they had and they got responses with all different types of disabilities. Most were of the visual variety, followed by hearing, ambulatory, cognitive, and dependent living and self care. Once again, there were people who checked more than one box.

-The survey also asked where participants lived and every county they cover were represented.

-They asked what the individuals/clients used for transportation: most responded they ride with family and/or friends, some drove their own automobiles, some used ETHRA or KAT, and some used church or nonprofit volunteer driver programs while 9.9% said they have no means of transportation.

-They asked what the main purpose of the trips were for those who use public transportation and most were for medical services, work, followed by shopping, and personal errands.

-The survey asked participants about ride share services such as Uber and Lyft, but most had never heard of these. Those who had used them said they didn't like using them due to lack of availability, lack of comfort in reliability, cost, or access to a smartphone.

-Participants noted the lack of transportation options prevent them from accessing the following: personal errands, medical services, social trips, and shopping. He said it was interesting how these correlate directly to the reasons people use public transit.

-Participants were asked what type of pedestrian/biking improvements they would like to see. The most common responses were requests for improvements to roadside designs that took into account all users, including pedestrians, wheelchairs, bike riders, etc. They asked the focus not just be on cars. Other common responses included requests for more ramps, better access to sidewalks with proper curb cutouts, benches/shelters along bus routes, and more sidewalks in general.

-Mr. Burton said one of the most important things was the 2013 Plan's list of 25 Strategies where they determined what projects to fund. The 2013 group kept very open strategies and they wanted the Plan to be more important than just funding projects. They wanted to make a statement that some of the things are very expensive and they knew they could not accomplish them with the grant funding they had. However, they wanted to put them out there as a statement that these are things that are needed to help improve the transportation system.

-Mr. Burton told the committee that through the grant program, nonprofits and human service agencies are given grants so they can buy their own vans, thus freeing up spots on public transit system.

-Mr. Burton didn't go over all 25 strategies/requests in the survey, but mentioned the following:

- He said people want to maintain that fares remain affordable;
- He said people want shorter wait times;
- He said people requested a centralized source of information for the different agencies;
- To make people more aware of the volunteer driver program where people will pick people up and take them where they need to go;
- To have programs to help new riders learn to navigate the transit system;
- To have more frequent service on the public transit system;

- To have better coordination between the three providers;
- To design roadways that would take into account all frequent users;
- The need for transportation at all hours because work isn't just 9-5 anymore-as well as weekend service;
- To have more transit coverage area (KAT system);
- To have more day of service so you don't have to schedule service days in advance;
- To advance technology perhaps with an App to reserve or track service;
- to make available large print information for those who need it.

-Mr. Burton said the next steps in the process are to do key interviews, where he reached out to people to find individuals with good, strong opinions on particular areas. After that, he hopes to have the draft plan by October for public review. Then, everything in this plan will roll up into the 20-year plan.

-Mr. Burton asked for any questions and asked if board members have any transportation issues.

-April, who is in charge of all Knox County Senior Centers, responded that she is aware of a lot of transportation issues that seniors have getting to and from senior centers, as many rely on public transportation. She also said the timeframe waits are a big issue, which then results in Senior Center staff members having to stay late as well. She said that she would love to have Mr. Burton visit the Senior Centers when they are able to reopen to talk to and get feedback from the seniors. Mr. Burton said the current plan may be past including them, but they always have things going on-as the long range plan-that he would be happy to include them on.

-Mr. Burton said that once ready, the draft plan will be available on the website and he can make it available for Cindy to send to the rest of the committee.

-Anna said that all of the feedback Mr. Burton laid out above with regards to improving the public transportation system is right on par with a lot of the feedback that she hears from clients. The most common she hears are areas that are underserved and waiting timeframes.

-Sandy said that transportation is her number one problem. Now that she has moved back to town she encounters a lot of trouble with sidewalks. She also said she has heard a lot of complaints of CAC taking hours to pick them up. Mr. Burton said he is aware of this issue and is working with them on ways to make service more efficient, perhaps through an app.

-Nancy said she had thought that it would be great if public transit could partner with one of the private services, such as Uber or Lyft, to have them

available and/or have some more stringent standards. She said wait times are a major issue and she can echo what Anna said ten times over.

-Anna noted that there are just very limited accessible means to navigate- especially for wheelchair users, both within the community and those who travel to Knoxville, Oak Ridge, or surrounding areas for business.

-Mark said transportation issues also arise for those with epilepsy since they often lose driving privileges for six months at a time-even if they have just one seizure. He said he experienced this when he lived just outside of the Cedar Bluff area. Had the service been allowed to come just a little further out, it would have been tremendously beneficial for him. He said he imagines there are a lot of people underreporting this and he wondered how many people out there with a similar diagnosis encountered this same problem. Mr. Burton said he had not thought about this and thanked Mark for the input. Mark said that in Tennessee, they don't actually take your license away and that it is more of an honor system.

-Anna noted that it can take several of those six month time periods to figure out the public transportation system if someone has never utilized it. Mr. Burton said this is where having one number to call for information would be very helpful. He said individual services do a pretty good job to try and help, but it can get pretty complex if you are able to drive one day and then all of a sudden can't. The same is true if you are trying to find quick transportation for a family member. Shazi said that she would not know where to start.

-Anna asked the committee if they had any final thoughts or comments for Mr. Burton and thanked him for his presentation. She noted that it is always nice to know there is an advocate within various organizations that have the population the committee is serving in the back of their mind.

BYLAWS

-Anna said that Cindy had mentioned a couple of items to address: the committee has to vote on whether to cancel the October meeting and to discuss some membership issues that have come up.

-Before the meeting officially began, the committee was informed by one of their guest speakers of the unexpected death of their fellow committee member, Tim Adams. Cindy mentioned that they would need to work on finding someone to fill his spot.

-Cindy also told the committee that Sandy had expressed a desire to resign from the group.

-Cindy said that according to the bylaws, if a vacancy arises that it should be filled in the same manner as the original appointment for the remaining unexpired portion of the term.

-Cindy said that when she and Anna met, they realized that in February 2021, the 2-year terms expire. She noted that the committee was set up with 2 year (that are eligible to serve 2 more full terms) and 4 year terms (that are eligible to serve 1 more full term) to ensure that as people rotated off, that experienced members always remained on the committee.

-Cindy said committee members on 2-year terms are: Tim, Mark, Nancy, and April. She asked whether Mark, Nancy, and April would like to continue serving. April and Mark agreed to stay on. Nancy said she has been struggling with health issues, but will stay on as well, especially if committee meetings continue to take place via Zoom.

-Cindy said that once we make it through the pandemic, as long as there is a quorum present, that she would be willing to hold meetings in person and have a computer screen set up for those unable to make the meetings.

-Sandy said that she was really interested in the current meeting-particularly transportation issues-and would be willing to stay on to help if she can participate via Zoom. Cindy said she had not forwarded Sandy's email to anyone other than Anna at that point, so it would be fine with her. Sandy apologized for going back and forth but said that transportation is a major issue for her but feels she needs to help work on it. Anna acknowledged there is a lot going on in the world that Sandy has to consider and thanked her for agreeing to stay on. Cindy also thanked Sandy for agreeing to stay on board.

-Cindy asked the group for suggestions to fill Tim's spot. Reading from the bio she was given on Tim at his appointment, she said he was on a 2-year term, he was a senior citizen with macular degeneration. He wanted to serve on DAGWould? because he had served the citizens of Knox County over the last 31 years. He had worked with senior citizens, children, and folks with a variety of disabilities and helped to make life in Knoxville more accessible and to help enhance their experiences in the community.

-April said that she has some people in mind and will submit some recommendations to Cindy.

-Cindy said that she would like to get the replacement recommendation by the November meeting so she can then forward the information to County Commission for them to consider at their December or January meeting. The new addition's first meeting will be in April.

-Cindy asked members to forward any recommendations to her and said the procedure would be the same as current members experienced. She said that once she gets a recommendation, she will follow up with the person and have them answer a few questions as to why they would like to serve and how they can help the community at large.

-Nancy asked whether it would be worthwhile, or even possible, to include someone from an agency, such as the Public Building Authority, to become an integral part of the committee who could then be a sort of watchdog? In short, can public officials be appointed? Cindy read from the bylaws and recommended the person not be a public official.

-Anna suggested the group add someone from the deaf and/or blind community because their feedback would be nice to add. She said they make up a large population in our community and the committee doesn't currently have representation. She said she would reach out to a few people.

NEW BUSINESS

-Going back to Nancy's comment about having some type of liaison in regards to the buildings or transportation, Cindy recommended inviting someone to join the committee's next meeting to discuss things they are doing that are related to ADA, new and/or retrofitting construction. She asked if this would be helpful. Anna and April said this would be nice so they know the committee exists as well.

-Cindy asked the committee to let her know of anyone they would like to hear from at upcoming meetings and she would reach out to them.

-Anna reiterated that what she is hearing is that the committee would like to move to a structure where visitors give information about various county and ancillary services. The committee would also like to have a point person or subcommittee to make sure this happens. Cindy confirmed. April said she would be happy to make a schedule for this if committee members would like to submit names to her.

-Anna asked April to gather a slate of potential speakers from committee members to be presented at the next meeting. Cindy asked the group if they had potential speakers for the November meeting. Anna said that she needed Mark to take over the meeting if that discussion continues due to the time as she had another meeting. Mark agreed.

-Cindy asked the committee about the meeting schedule going forward. April made a motion for quarterly meetings; Stanley seconded this motion. A voice vote was held with all members in favor and the motion was carried.

-April asked with regards to the speaker structure, if the group should want to focus on a particular speaker for a meeting, if a special meeting could be called. Cindy said yes. Cindy also reminded April that the meetings will be on the third Thursday of the month.

-Cindy said she would email committee members with dates for the 2021 schedule.

-April asked if the committee would like for the guest speaker to speak at the beginning of the meeting with questions to follow. The committee agreed.

-April noted that when she speaks at different events that the community often doesn't realized what is available. Often times, they are unaware that there are 6 senior centers in the county. She thinks that making the community aware of DAGW? is important.

-Cindy asked if there was anything else on this particular topic that the group wanted to cover. With nothing else, she said the other topic she wanted to cover was with the news of Tim's passing if the group wanted to do something like send a card to his family and asked Mark to lead this discussion.

-Mark said this would be a great idea, to maybe send flowers and/or a condolence to Tim's family. All committee members agreed. Shazi asked about his contact information and Cindy said she has it from when he applied to be part of the committee and would send it to everyone. Shazi said she would take charge of this and send something on the group's behalf. The committee thanked her.

-Cindy asked the group if anyone had any other official business the group would like to discuss before they break to catch up with each other.

-Mr. Morton voiced his regret for not attending the committee's last meeting and assured the group he is available for future assistance.

ADJOURNMENT

-With no other business to discuss, the meeting was adjourned at 4:50 PM.