

**MINUTES  
STATE TRANSPORTATION BOARD**

**DEPARTMENT OF TRANSPORTATION  
600 West Peachtree Street  
Atlanta, Georgia 30308**

**September 18, 2008**

**9:00 a.m.**

**BOARD MEMBERS IN ATTENDANCE:**

Bill Kuhlke, Chairman  
Larry Walker, Vice Chairman  
Roy Herrington  
Johnny Floyd  
Sam Wellborn  
Robert L. Brown, Jr.  
Emory McClinton  
Brandon Beach  
Rudy Bowen  
Steve Farrow  
David Doss  
Raybon Anderson  
Dana Lemon

**BOARD MEMBERS ABSENT:**

**DOT STAFF IN ATTENDANCE:**

Commissioner Gena Abraham  
Kevin Clark, COO  
Buddy Gratton, Deputy Commissioner  
Elizabeth Osmon  
Earl Mahfuz  
Gerald Ross  
Jo Ann Chance  
Sandra Burgess  
Mike Thomas  
Richard Sawyer  
Michael Cooper  
Ericka Davis

Chairman Bill Kuhlke opened the meeting at 9:00 a.m.

Raybon Anderson gave the invocation.

Chairman Kuhlke asked for a motion to approve the minutes from the August 2008 meetings. Larry Walker made a motion to approve the minutes from the August 2008 meetings, seconded by Sam Wellborn and unanimously approved.\*

Genetha Singleton, Assistant Director of Preconstruction, presented the projects proposed for the October 2008 Letting for approval. Chairman Kuhlke asked for a motion to approve. Sam Wellborn made a motion to approve the projects proposed for the October 2008 Letting, seconded by Roy Herrington and unanimously approved.\*

Mike Thomas, Director of Planning, Data & Intermodal Development, presented the revisions proposed for the Construction Work Program for October 2008.\*

Buddy Gratton, Deputy Commissioner, gave a presentation on the Prequalification Policy for Contractors. Buddy Gratton requested that the Board open the rules regarding Governing the Prequalification of Prospective Bidders. There was some discussion regarding the proposed rules. Sam Wellborn made a motion to waive the 10 Day Rule to open the rules Governing the Prequalification of Prospective Bidders, seconded by Raybon Anderson and unanimously approved. Dana Lemon made a motion to open the rules Governing the Prequalification of Prospective Bidders, seconded by Roy Herrington, Emory McClinton voted no and the motion passed with 11 yeas.\*

Gerald Ross, Chief Engineer, gave a Commuter Rail Update, which included the status of the commuter rail implementation plan; commuter rail action steps and next action steps.\* Gerald Ross stated that the commuter rail implementation plan is on schedule for completion October 17, 2008. There was some discussion regarding purchasing equipment and price comparison on new and old equipment. Gerald Ross also stated that the Department will request local governments to assist with identifying and securing sites for station locations.\*

Commissioner Evans requested that the Board defer the presentation on the Memorandum of Understanding (MOU) between DOT and SRTA until the September 26, 2008, Board meeting.

Chris Tomlinson, General Counsel, gave a Legal Update, which included litigation regarding Douglas Asphalt case and one law suit regarding personnel issues.

Earl Mahfuz, Assistant Treasurer, gave a presentation on Congressional District Balancing, which included the history of congressional district balancing; the Georgia Code on congressional district balancing and hurdles to successful balancing by congressional districts; SB 57 funding by 11 congressional districts; HB 1553 funding by 11 and 13 congressional districts and SB 4 funding by 13 congressional districts. Earl Mahfuz also stated that congressional district balancing has been practiced since 1999 and does not work.\*

Chris Tomlinson, General Counsel, gave a presentation on Congressional District Balancing Statutory Waiver Provisions, which included various waivers regarding congressional balancing.\* There was some discussion regarding waivers. Chairman Kuhlke stated that the Board will not be taking any action regarding congressional balancing at this time.

Commissioner Gena Evans gave her monthly report, which included and an update on payment issues and comments from her meeting with Mary Peters, Secretary of Transportation. Commissioner Evans stated that she delivered the letter to Mary Peters regarding the resolution passed by the Board last month

requesting funds of \$45 million supporting the Mag Lev Study. Commissioner Evans also stated she discussed the Statewide Transportation Plan; Project Prioritization; Public/Private Initiatives and commuter rail with Mary Peters. Commissioner Evans stated that projects will have to come off the books and she discussed payback issues with Mary Peters on projects that may be cancelled. Commissioner Evans stated that she presented the HOV to HOT proposal to Mary Peters also. Commissioner Evans stated she liked the holistic approach, but there is still a lot of work to be done on the HOV to HOT proposal. Commissioner Evans also stated the Feds are asking questions regarding the proposal and plan to have answers to the Feds by Friday.

There was some discussion regarding Right-of-Way Acquisition being stopped in each Board member's District. Commissioner Evans stated if the Board members had a problem with the list to let her know. Chairman Kuhlke requested that the Board members review their list and if they have concerns, let the Commissioner know by next Thursday.

Commissioner Evans also gave an update on the TRIP Program and presented the Listening Tour presentation on Investing in Tomorrow's Transportation Today (IT3), which will be presented at each session as they travel throughout the state.\*

Commissioner Evans requested that the Board to approve the following Comprehensive Zoning Resolution. Sam Wellborn made a motion to approve the following Comprehensive Zoning Resolution, seconded by Robert Brown and unanimously approved.

#### **Resolution**

WHEREAS, the State Transportation Board did, in regular session on November, 18, 1971 adopt a policy on outdoor advertising; and

WHEREAS, said policy adopted by the State Transportation Board contained a Schedule "A" pertaining to cities and counties in Georgia which maintained comprehensive zoning plans; and

WHEREAS, that State Transportation Board has directed its staff to make necessary recommendations in order that Schedule "A" of the said Outdoor Advertising Policy may be kept current with changing conditions in cities and counties regarding comprehensive zoning plans; and

WHEREAS, the State Transportation Board did, in regular session on December, 18, 1975, adopt a resolution that said that the Board would review all comprehensive zoning plans submitted for initial approval, to ascertain and determine if said zoning plans can be certified for purposes of outdoor advertising consistent with the State and Federal Law or the Federal/State Agreement; and

WHEREAS, the Department of Transportation has determined that the following recommendation is appropriate regarding comprehensive zoning plans:

<u>CITY/COUNTY</u>	<u>COMPREHENSIVE ZONING</u>	<u>RECOMMENDATION</u>
City of West Point	Amendment to Comprehensive Zoning Plan, 5 <sup>th</sup> Land District Land Lot #99, 100, 101, 124, & 125	Approve

NOW, THEREFORE, be resolved that the State Transportation Board, in regular session this date does hereby amend Schedule "A" of the Department of Transportation Outdoor Advertising Policy by including the above recommendations.

Resolved this 18<sup>TH</sup> day of September, 2008.

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Commissioner Evans requested that the Board to approve the following Comprehensive Zoning Resolution. Roy Herrington made a motion to approve the following Comprehensive Zoning Resolution, seconded by Rudy Bowen and unanimously approved.

**Resolution**

WHEREAS, the State Transportation Board did, in regular session on November, 18, 1971 adopt a policy on outdoor advertising; and

WHEREAS, said policy adopted by the State Transportation Board contained a Schedule "A" pertaining to cities and counties in Georgia which maintained comprehensive zoning plans; and

WHEREAS, that State Transportation Board has directed its staff to make necessary recommendations in order that Schedule "A" of the said Outdoor Advertising Policy may be kept current with changing conditions in cities and counties regarding comprehensive zoning plans; and

WHEREAS, the State Transportation Board did, in regular session on December, 18, 1975, adopt a resolution that said that the Board would review all comprehensive zoning plans submitted for initial approval, to ascertain and determine if said zoning plans can be certified for purposes of outdoor advertising consistent with the State and Federal Law or the Federal/State Agreement; and

WHEREAS, the Department of Transportation has determined that the following recommendation is appropriate regarding comprehensive zoning plans:

<u>CITY/COUNTY</u>	<u>COMPREHENSIVE ZONING</u>	<u>RECOMMENDATION</u>
Floyd County	Amendment to Comprehensive Map K 12Z-Parcel 029	Deny

NOW, THEREFORE, be resolved that the State Transportation Board, in regular session this date does hereby amend Schedule "A" of the Department of Transportation Outdoor Advertising Policy by including the above recommendations.

Resolved this 18<sup>TH</sup> day of September, 2008.

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Commissioner Abraham requested that the Board to approve the following Comprehensive Zoning Resolution. There was some discussion regarding the resolution. Larry Walker made a motion to table the following comprehensive zoning resolution until the next meeting, seconded by Roy Herrington and unanimously approved.

**Resolution**

WHEREAS, the State Transportation Board did, in regular session on November, 18, 1971 adopt a policy on outdoor advertising; and

WHEREAS, said policy adopted by the State Transportation Board contained a Schedule "A" pertaining to cities and counties in Georgia which maintained comprehensive zoning plans; and

WHEREAS, that State Transportation Board has directed its staff to make necessary recommendations in order that Schedule "A" of the said Outdoor Advertising Policy may be kept current with changing conditions in cities and counties regarding comprehensive zoning plans; and

WHEREAS, the State Transportation Board did, in regular session on December, 18, 1975, adopt a resolution that said that the Board would review all comprehensive zoning plans submitted for initial approval, to ascertain and determine if said zoning plans can be certified for purposes of outdoor advertising consistent with the State and Federal Law or the Federal/State Agreement; and

WHEREAS, the Department of Transportation has determined that the following recommendation is appropriate regarding comprehensive zoning plans:

<u>CITY/COUNTY</u>	<u>COMPREHENSIVE ZONING</u>	<u>RECOMMENDATION</u>
Glynn County	Amendment to Comprehensive Parcel No. 03-21081 & 03-19254	Deny

NOW, THEREFORE, be resolved that the State Transportation Board, in regular session this date does hereby amend Schedule "A" of the Department of Transportation Outdoor Advertising Policy by including the above recommendations.

Resolved this 18<sup>TH</sup> day of September, 2008.

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Johnny Floyd gave a report from the Equal Access Committee. Johnny Floyd stated that the purpose of the meeting was to receive public comments regarding the 2009 DBE Goals. Buddy Gratton, Deputy Commissioner, requested the committee open the rules for a 30 day comment period for pre-qualification and registration of subcontractors and contractors. Johnny Floyd stated no action was taken at the committee meeting.

David Doss gave a report from the Alternative Finance Committee. David Doss stated that the committee had a brief meeting to follow up on the resolution encouraging the evaluation committee to meet encouraging a favorable passage of the GA 400 proposal. Kevin Clark, COO gave an update on the

GA 400 project scope. Chairman Doss also stated the Rep. Vance Smith, Chairman, Evaluation Committee and Chairman of the House Transportation Committee, stated there is meeting tentatively scheduled for October 20, 2008, to meet regarding the GA 400 project.

Robert Brown gave a report from the Program Delivery Committee. Robert Brown stated that Gerald Ross, Chief Engineer, gave a presentation on the Project Prioritization Process. Gerald Ross provided the recommendations from the Board members regarding the business rules for project prioritization. Robert Brown also stated that the Board needs to make a decision regarding project prioritization, because of the impact it will have on the Fiscal Year 2009 Budget and the 2011-2014 STIP. Robert Brown also stated that the Program Delivery Committee will meet before the October 2008 Board meeting to discuss implementation of project prioritization.

Raybon Anderson gave a report from the Statewide Transportation Plan Committee. Raybon Anderson stated that Carrie Thompson of the McKinsey Group gave a presentation on the Statewide Transportation Plan, which included proposed investment scenarios for metro Atlanta; discussion from the previous meeting; review "resource to improve" objectives and scenario design principles; examine scenario strategies to test for accomplishing key objectives and presented the topics to be discussed at the October 7, 2008 meeting.

Emory McClinton gave a report from the Transportation Agency Partners Committee. Emory McClinton stated that he requested that the committee invite agencies to the next committee meeting to discuss funding solutions for transportation. Emory McClinton also stated that Dr. Beverly Scott, General Manager, MARTA, gave a presentation on their roles and responsibilities. Larry Walker requested that the Intermodal Committee and the Transportation Agency Partners Committee have a joint meeting with MARTA at their office to discuss working together on transportation programs.

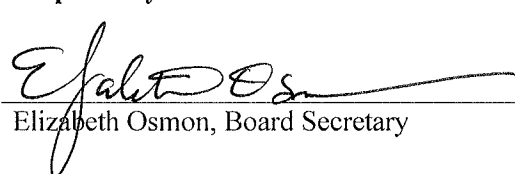
Sam Wellborn gave a report from the Finance Committee. Sam Wellborn stated that two audit reports were presented to the committee. Sam Wellborn stated that David Arner, Department of Audits and Accounts, presented the Right-of-Way Performance Audit to assess the effectiveness and efficiency of the Office of Right-of-Way's efforts in acquiring and managing the property necessary for construction of Georgia's public roads. Sam Wellborn stated that John Thornton, Senior Director, Department of Audits & Accounts, gave a presentation on the Financial Audit of the Department. Sam Wellborn stated that John Thornton stated that DOT has a bottom line deficit of \$456,219,590.73. Sam Wellborn stated that the Board will discuss solutions for the deficit at the Special Called Board Meeting on September 26, 2008.

There being no further business, Chairman Kuhlke asked for a motion to adjourn. Raybon Anderson made a motion to adjourn, seconded by Roy Herrington and unanimously approved.

Approved:

  
Bill Kuhlke, Chairman

Respectfully submitted:

  
Elizabeth Osmon, Board Secretary

\*Denotes documentation in file.