

**MINUTES  
STATE TRANSPORTATION BOARD**

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

**April 16, 2009**

**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  
Dana Lemon

**BOARD MEMBERS ABSENT:**

**DOT STAFF IN ATTENDANCE:**

Gerald Ross, Commissioner  
Elizabeth Osmon  
Earl Mahfuz  
Jo Ann Chance  
Sandra Burgess  
Mike Thomas

Chairman Bill Kuhlke opened the meeting at 9:05 a.m.

Johnny Floyd gave the invocation.

Chairman Kuhlke asked for a motion to approve the minutes from the March 2009 meetings. Sam Wellborn made a motion to approve the minutes from the March 2009 meetings, seconded by Johnny Floyd and unanimously approved.\*

Genetha Singleton, Assistant Director of Preconstruction, presented the projects proposed for the May 2009 Letting for approval. Chairman Kuhlke asked for a motion to approve. Roy Herrington made a motion to approve the projects proposed for the May 2009 Letting, seconded by Johnny Floyd and unanimously approved.\*

Angela Alexander, Director of Planning & Data, stated there were no proposed revisions to the Construction Work Program for April 2009.

Angela Alexander also presented the proposed revisions to the Construction Work Program for May 2009.

Chris Tomlinson gave an overview of Senate Bill 200 Agency Analysis, which included the governing authority of DOT; Board per diem; powers and duties; progress reports; public-private initiatives and open issues. There was some discussion regarding Senate Bill 200. Johnny Floyd made a motion that the Board write a letter to Governor Perdue under Chairman Kuhlke's signature requesting that he veto Senate Bill 200, with supporting documentation, on the financial impact SB 200 will have on the Department, seconded by Brandon Beach and unanimously approved.\*

Chris Tomlinson also gave an overview of the 2009 Legislative Session, which included transportation related bills that passed and transportation related bills that will carry over to next session.\*

Chris Tomlinson also gave a Legal Update. There was some discussion regarding legal issues. Chairman Kuhlke asked for a motion to go into Executive Session to discuss legal issues. David Doss made a motion to go into executive session to discuss legal issues, seconded by Robert Brown and unanimously approved.

Chairman Kuhlke called the Board meeting back to order and stated there was no action taken in Executive Session. Chairman Kuhlke asked for a motion to resume the Board meeting. Roy Herrington made a motion to resume the Board meeting, seconded by David Doss and unanimously approved.

Ben Rabun, Assistant Chief Engineer, gave a presentation on the HOV2 to HOT3 agency analysis, which included the reason to move to HOT3; public information open house dates; who will be affected; travel time/speed comparison and HOT lane systems currently operation in USA.\* There was some discussion regarding HOV2 to HOT3 lanes. Ben Rabun requested that Board approve the following resolution to move from HOV2 to HOT3. Larry Walker made a motion to waive the 10 Day Rule to approve the following resolution to move from HOV2 to HOT3, seconded by Sam Wellborn and unanimously approved. Robert Brown made a motion to approve the following resolution to move from HOV2 to HOT3, seconded by Larry Walker and unanimously approved.

### **Resolution**

**WHEREAS**, Section 32-9-4 (a) of the Official Code of Georgia Annotated authorizes the Georgia Department of Transportation to designate travel lanes in each direction of travel on any road in the state highway system for the exclusive or preferential use of certain vehicles as determined by the Department; and

**WHEREAS**, Section 32-9-4 (c) of the Official Code of Georgia Annotated requires that the State Transportation Board approve any such designation; and

**WHEREAS**, congestion in and around the 21 county Metropolitan Atlanta Region continues to increase and it is recognized that the implementation of a broad network of congestion-priced lanes, including (i) the conversion of certain existing High Occupancy Vehicle (HOV) lanes to High Occupancy Toll (HOT) lanes and (ii) the construction of new HOT lanes can lessen congestion; and

**WHEREAS**, the Georgia Department of Transportation, in conjunction with the State Road and Tollway Authority and the Georgia Regional Transportation Authority has entered into a Congestion Reduction Agreement with the U.S. Department of Transportation (USDOT) to provide up to \$110 Million dollars in federal funding for the initial implementation of a network of congestion-priced toll lanes in the Metropolitan Atlanta Region; and

**WHEREAS**, the Board desires to have the entire system operate as consistently and efficiently as possible and in order for that to occur travel lanes designated as HOT lanes must have a preferential class of vehicle types that will facilitate the efficient flow of traffic in such lanes.

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to the provisions of O.C.G.A. Section 32-9-4 (a), 32-9-4 (c) and 40-6-54 (d) and in accordance with the Board's desire to have the entire system operate as consistently as possible the Board approves the Department's determination that the following registered vehicle types shall have preferential use, as defined below, of HOT lanes:

- (1) Over the Road Buses;
- (2) Motorcycles;
- (3) Vehicles bearing alternative fueled vehicle license plates issued under Code Section 40-2-76;
- (4) On-call emergency vehicles; and,
- (5) Passenger vehicles occupied by three persons or more.

**BE IT FURTHER RESOLVED THAT**, in cooperation with the State Road and Tollway Authority, such preferential use shall consist of the registered vehicles designated above being allowed to use designated HOT lanes, at any time, without incurring a toll charge.

**Adopted this 16<sup>th</sup> day of April, 2009.**

Commissioner Gerald Ross gave his monthly report, which included state fund collections; total employment figure ending March 31, 2009; major projects open to traffic; 2009 stimulus activities; 511 system; legislative and topics of interest.\*

Steve Henry requested that the Board approve the following comprehensive zoning resolution. Roy Herrington made a motion to approve the following Comprehensive Zoning Resolution, seconded by Johnny Floyd 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>
Tift County	Amend Comprehensive Zoning Plan	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 16<sup>TH</sup> day of April, 2009.

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Steve Henry requested that the Board approve the following comprehensive zoning resolution. Larry Walker made a motion to approve the following Comprehensive Zoning Resolution, 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>
Catoosa County	Amend Comprehensive Zoning Plan	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 16<sup>TH</sup> day of April, 2009.

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Larry Walker gave a report from the Intermodal Committee. Larry Walker stated Bruce Drennan, Executive Director, Cordele-Crisp County Industrial Development Council and Jonathan Lafevers, Director of Commercial Relations at Atlantic Western Transportation, gave a presentation on the proposed Cordele Intermodal Center. Larry Walker stated that committee unanimously approved to recommend to the full Board to support the efforts of the Cordele Intermodal Center. There was some discussion regarding the proposed center. Johnny Floyd made a motion that Board endorses the proposed Cordele Intermodal Center, seconded by Roy Herrington and unanimously approved.

Sam Wellborn gave a report from the Finance Committee. Sam Wellborn stated that Earl Mahfuz, Assistant Treasurer, gave an update on the Right-of-Way De-authorization; Kate Pfirman gave an update on audit findings and the FY 09 financial status and Chris Jones gave an overview of the FY 2010 Budget, which included recommendations to the Board to balance the budget. There was some discussion regarding the budget. Sam Wellborn made a motion that the Department let only stimulus projects in May 2009, July and August 2009 and employees continue furloughs through FY 2010 as needed up to two days a month, seconded by Robert Brown and unanimously approved.

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

**Approved:**

  
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Bill Kuhlke, Chairman

**Respectfully submitted:**

  
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Elizabeth Osmon, Board Secretary

**\*Denotes documentation in file.**