MINUTES
STATE TRANSPORTATION BOARD

DEPARTMENT OF TRANSPORTATION
600 West Peachtree Street
Atlanta, Georgia 30308

February 18, 2010

9:00 a.m.

BOARD MEMBERS IN ATTENDANCE:

Bill Kuhlke, Jr., Chairman
Roy Herrington
Sam Wellborn
Robert L. Brown, Jr.
Johnny Floyd
Emory McClinton
Brandon Beach
Rudy Bowen
Steve Gooch
David Doss
Bobby Parham
Dana Lemon

BOARD MEMBERS ABSENT:

Sidney Ross

DOT STAFF IN ATTENDANCE:

Commissioner Vance Smith
Gerald Ross, Deputy Commissioner/Chief Engineer
Elizabeth Osmon
Kate Pfirman

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

Roy Herrington gave the invocation.

Chairman Kuhlke asked for a motion to approve the minutes from the January 2010 meetings. Johnny Floyd made a motion to approve the minutes from the January 2010 meetings, seconded by Roy Herrington and unanimously approved.*

Genetha Singleton, Program Control Administrator, presented the projects proposed for the March 2010 Letting for approval. Chairman Kuhlke asked for a motion to approve. Roy Herrington made a motion to approve the projects proposed for the February 2010 Letting, seconded by Johnny Floyd and unanimously approved.*

Sandra Burgess, General Counsel, gave a legal update, which included civil actions, tort actions; ante-litem notices and one personnel action. Sandra Burgess introduced Denise Whiting-Pack to give a summary of the constitutional and statutory powers of the Board.

Denise Whiting-Pack, Assistant Attorney General, presented the summary of the Constitutional and Statutory Provisions of the State Transportation Board, which included the Constitutional Provision, Article IV: Constitutional Board and Commissions, Section IV: State Transportation Board; Applicable Statutory Provisions; powers and duties of Board generally and excerpt from memorandum regarding the supremacy of the constitution over statutes and ordiances.*

Commissioner Vance Smith gave his monthly report, which included state fund collections; total employment figure ending January 31, 2010; major projects open to traffic; ARRA 2009 stimulus project update and special awards and recognitions. Commissioner Smith gave an update on Succession Planning and stated that 19 employees have been chosen to go through training for Succession Planning. Commissioner Smith also presented the Organization Chart for the Department of Transportation, effective December 22, 2009, which included changes resulting from Senate Bill 200.*

Commissioner Smith also requested approval of the following Comprehensive Zoning Resolution. Chairman Kuhlke asked for a motion 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:

CITY/COUNTY	COMPREHENSIVE ZONING	RECOMMENDATION
City of Hogansville	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 18th day of February, 2010.

Emory McClinton requested that Commissioner Vance Smith make some changes to the Organizational Chart and redefine some of the internal programs, such as rail and minority business participation. Chairman Kuhlke requested that these issues be worked through the Board's committee system and requested that Johnny Floyd, Chairman of Equal Access Committee, and Dana Lemon, Chair of the Intermodal Committee have a committee meeting next month to discuss these issues.

Rudy Bowen gave a report from the Finance Committee. Rudy Bowen stated that Earl Mahfuz, Assistant Treasurer, gave an update on funds from Right-of-Way De-authorizations. Earl Mahfuz stated that a total of $259.5 million has been de-authorized as of February 12, 2010. Rudy Bowen also stated that Kate Pfirman, Treasurer, gave an update on the FY 2010 Budget, which included fund sources, object class and budget program expenditures.* Kate Pfirman gave an update on the Federal Highway Program, which included an update on the Transportation Act SAFETEA-LU; the continuing appropriations resolution (2010) and the extensions for surface transportation programs and challenges and impacts.* Kate Pfirman also gave an update on the Audit Findings for FY 09, which included audit recommendations and status. Rudy Bowen stated that Kate Pfirman presented Policy 2H-1, Adjusting Projects & Contracts to Final cost, to the committee to recommend to the Administrative Committee to remain in the Board policies.*

Brandon Beach gave a report from the Legislative Committee. Brandon Beach stated Stephanie Carter presented the bills from the 2010 Legislative Session that the Department will be supporting and the status of the bills, which included Alternative Delivery Methods, SB 305 by Senator Jeff Mullis; Multiyear Construction Agreement, HB 1135 by Representative Jay Roberts, SR 821 by Senator David Shafer; Transportation Funding, HB 1077 by Representative Virgil Fludd, HB 1099 by Representative Dubose Porter; HB 1143 by Representative Ed Setzler; HB 1218 Representative Jim Cole; HR 1300 by Representative Dubose Porter; SB 366 and SR 972 by Senator Doug Stoner; Rural Transportation Coordination, SB 22 by Senator Doug Stoner. Stephanie Carter also presented two new bills that the Department will also be supporting for the 2010 Legislative Session, which included the P3 Ad Valorem Tax Exemption, HB 1186 by Representative Jay Roberts and "Housekeeping" Legislation, HB 1174 by

Representative Jon Burns. Brandon Beach stated the committee unanimously approved to support HB 1186 and HB 1174 and take to the full Board for approval. Brandon made a motion that Board support HB 1186 and HB 1174, seconded by Sam Wellborn and unanimously approved. Brandon Beach also stated that Dan Gentry, Congressional Liaison, gave an update on SAFETEA-LU Funds extension.

David Doss gave a report from the Public Private (P3) Committee. David Doss stated that Earl Mahfuz gave an update on Public Private Projects (P3), which included proposed P3 rules changes; West by Northwest update and environmental legal consultant procurement update.* David Doss stated that committee unanimously voted to take the P3 rule changes to the full Board for approval. David Doss made a motion to waive the 10 Day Rule to reopen the Rule Making Process to allow the three changes from the House and Senate Transportation Committee, seconded by Rudy Bowen and unanimously approved. David Doss made a motion to reopen the Rule Making Process to allow the changes from the House and Senate Transportation Committee, seconded by Roy Herrington and unanimously approved.*

Under New Business, Gerald Ross, Chief Engineer/Deputy Commissioner, gave an update on the Safe Routes to School Program. Gerald Ross stated that money will be obligated for one project in each Congressional District and the description of the project will be provided to each Board member.

There being no further business, Chairman Kuhlke asked for a motion to adjourn. Johnny Floyd 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.**