



South Carolina Department of Transportation

COMMISSION MINUTES

September 15, 1994

DAVID BOWERS

MINUTES

Department of Transportation Commission

Meeting of

September 15, 1994

MINUTES
DEPARTMENT OF TRANSPORTATION COMMISSION
September 15, 1994

Table of Contents

	<u>Page</u>
Roll Call	
Section 1 Minutes for August 18, 1994 Approved, With Correction	1
Section 2 B. K. Jones, Appointed Director	2
Section 3 Revised County Transportation Plan for Georgetown County, Approved	2
Section 4 Revised County Transportation Plan for Lexington County, Approved	2
Section 5 Revised County Transportation Plan for Charleston County, Approved	2
Section 6 Allocations, Statewide Mass Transit Fund, Revised	2
Section 7 Agreement, Federal Transit Administration, Authorized	2
Section 8 Intercity Bus Transportation Plan, Authorized	2
Section 9 Agreement, Wilbur Smith and Associates, Extended	2
Section 10 Agreement, MGT of America, Authorized	2
Section 11 Construction Contracts, Extended	2
Section 12 State Highway System, Description Corrected of Action Rescinded	3
Section 13 State Highway System, Description Corrected	3
Section 14 State Highway System, Road Removal	4
Section 15 State Highway System, Additions	4
Section 16 State Secondary "C" Construction, Correction of Description	6
Section 17 State Secondary "C" Construction Program, Amended	6
Section 18 Resolution, P. Bradley Morrah Jr., Adopted	16
Section 19 RFP for Privatization of Specific Service Signing of "Logos", Authorized	17

Section 20	Bylaws, Adopted with Amendments	17
Section 21	Adjournment	17

MINUTES
DEPARTMENT OF TRANSPORTATION COMMISSION
OF
SOUTH CAROLINA

September 15, 1994

The regular monthly meeting of the Department of Transportation Commission was held at the offices of the State Department of Transportation in Columbia, South Carolina, at three o'clock on September 15, 1994. In compliance with the "Freedom of Information Act" the news media was advised in writing of the time, date and place of this meeting.

Present

H. B. "Buck" Limehouse, Chairman Presiding
Joseph Jefferson
Gary M. Loftus
B. Bayles Mack
Jack E. Mullinax
S. Lyman Whitehead
Frances L. Willis

Also Present: B. K. Jones, Director

SECTION 1: The Minutes for the meeting of August 18, 1994, copies of which had been previously mailed to each member of the Commission, were approved with the following correction:

"SECTION 13: On motion of Commissioner Loftus, seconded by Commissioner Mack, the Commission unanimously passed a motion authorizing the Department of Transportation to prepare and advertise, by September 1, 1994, a Request for Proposal for the public-private partnership agreement to accelerate completion of the Conway Bypass and passed a further motion that the South Carolina Department of Transportation provide to interested applicants, at a Department cost not to exceed \$2,500.00, a project package of all relevant information about the Conway Bypass to include preliminary plans studies, reports, a details summary of all project activities undertaken and completed to date (including the status of all approving processes for location and design, environmental clearances and permit requirements) and information concerning work in progress, said package to be as complete as possible to minimize the amount of additional information that qualified private responders may need in order to submit a responsive proposal".

SECTION 2: On motion of Commissioner Mullinax, duly seconded the Commission unanimously passed a motion appointing B. K. Jones as Director of the South Carolina Department of Transportation in accordance with Section 57-1-410 of the South Carolina Code of Laws.

SECTION 3: The Commission unanimously passed a motion revising the county transportation plan for Georgetown County, as shown in detail in the Appendix.

SECTION 4: The Commission unanimously passed a motion revising the county transportation plan for Lexington County, as shown in detail in the Appendix.

SECTION 5: The Commission unanimously passed a motion revising the county transportation plan for Charleston County, as shown in detail in the Appendix.

SECTION 6: The Commission unanimously passed a motion revising the June 7, 1994 allocation of Federal and State Mass Transit Project Funds, as shown in detail in the Appendix.

SECTION 7: The Commission unanimously passed a motion authorizing the Department to enter into an agreement with the Federal Transit Administration to develop and coordinate a general mass transit program and policy for the State at an estimated cost of \$820,828.00, as shown in detail in the Appendix.

SECTION 8: The Commission unanimously passed a motion authorizing the Department to carry out a program for development and support of intercity bus transportation plan, as shown in detail in the Appendix.

SECTION 9: The Commission unanimously passed a motion authorizing the Department to amend an existing agreement with Wilbur Smith and Associates which provides a transportation assessment of Daufuskie Island in Beaufort County by expanding the existing scope of work to include St. Helena Island and increasing the budget by \$10,000.00, as shown in detail in the Appendix.

SECTION 10: The Commission unanimously passed a motion authorizing the Department to enter into an agreement with MGT of America, Inc. of Tallahassee, Florida to perform a Croson Decision Disparty study at an estimated cost of \$350,000.00, as shown in detail in the Appendix.

SECTION 11: The Commission unanimously passed a motion approving the action of the Department in extending existing construction contracts to include additional resurfacing work, as shown in the Appendix.

SECTION 12: The Commission unanimously passed a motion correcting the description of rescinding its action on the dates indicated in adding sections of roads, as shown, to the State Highway System:

Addition
Number

Horry County

1363 ✓

Typel
4

Pine Island Road extending from US Route 17 Bypass to Road S-600 - approximately 0.72 mile

Designated S-1363

Added to System 6/18/92

Removed 8/18/94

Note: This revision is recommended to correct the description of section of road removed from the System.

SECTION 13: The Commission unanimously passed a motion correcting the description of the following sections of state highways previously added to the State Highway System to read as follows:

Addition
Number

Greenville County

420 ✓

4

Patton Street adjacent to Greenville from Road S-419 easterly to Road S-993 - approximately 0.08 mile (Designated S-420), St. Francis Drive from Road S-420 southerly to Road S-1006 - approximately 0.07 mile (Designated S-993)

Kirk Boulevard from Road S-993 westerly to Road S-419 - approximately 0.08 mile (Designated S-1006) - 0.23 mile

Added to System 7/20/61

Note: This revision is recommended due to the re-numbering of secondary roads.

Richland County

3029 ✓

4

Riverside Circle from Omarest Drive (Road S-1377) northerly to deadend - approximately 0.25 mile Designated S-3029


Added to System 11/18/93

Note: This revision is recommended to change Omarest Drive from Road S-1378 to Road S-1377.

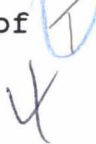
SECTION 14: Pursuant to Code Section 57-5-80, the Commission unanimously passed a motion removing the following described road sections from the State Highway System:

Addition
Number

Greenwood County

Portion of 365 ✓  DuPont Circle adjacent to Greenwood from Oakwood Drive easterly to Fulton Street - approximately 0.04 mile
Designated S-365
Added to System 9/20/62
Note: This removal is recommended since this road is being closed to the traveling public by Harris Baptist Church.


Lexington County

Portion of 43 ✓  Maiden Lane in Lexington from SC Route 6 (Lake Drive) northwesterly to Road S-91 - approximately - 0.15 mile
Designated S-747
Added to System 2/1/41
Note: This removal is recommended by the CTC to transfer maintenance jurisdiction of this road to the county.


SECTION 15: Pursuant to Code Section 57-5-70, the Commission unanimously passed a motion adding the following roads to the State Highway System, maintenance jurisdiction by the Department of such roads to become effective when construction to State Highway standards shall have started:


Addition
Number

Bamberg County

650 ✓  Dirt street at Bamberg-Erhardt Primary School in the Town of Bamberg from Road S-195 (Zeigler Street) southeasterly to school with loop at end approximately 0.35 mile
To be designated S-650

Georgetown County

1047 ✓  Westfield Drive from Road S-22-867 northerly 0.5 mile to intersection with Arcadia Road - approximately 0.5 mile
To be designated S-1047

1048 ✓  Arcadia Road from Road S-22-805 southwesterly 0.6 mile to deadend - approximately 0.6 mile
To be designated S-1048

Addition
NumberGreenville County

1147

St. Francis Drive Adjacent to Greenville from Road S-420 (Patton Street)) northerly to US Route 123 approximately 0.1 mile
Designated S-993

Note: This addition is recommended since it is already being maintained by the Department after construction by File 23.274A.

Richland County

3032

Pringlwood from Hallwood Road (Road S-1286) to Hickory Road (Road S-514) easterly to Town of Eastover - approximately 0.1 mile
To be designated S-3032

Williamsburg County

836

County road extending from Road S-42 southeasterly approximately 1.2 miles
To be designated S-836

837

County road extending from Road S-500 northwesterly to Road S-502 approximately 0.1 mile
To be designated S-837

838

County road extending from Road S-81 easterly to deadend - approximately 0.2 mile
To be designated S-838

839

County loop road extending from SC Route 521 to SC Route 521 - approximately 0.5 mile
To be designated S-839

840

County road extending from SC Route 521 to deadend approximately 0.4 mile
To be designated S-840

841

County road extending from Road S-21 westerly - approximately 0.5 mile
To be designated S-841

842

County road extending from SC Route 521 southerly to deadend - approximately 0.35 mile
To be designated S-842

Addition
NumberWilliamsburg County, continued

- 843 County road extending from Road S-756 easterly to deadend - approximately 0.3 mile
To be designated S-843
- 844 County road extending from US Route 52 easterly - approximately 0.6 mile
To be designated S-844

SECTION 16: The Commission unanimously passed a motion correcting the description of a section of road deleted from the State Secondary "C" Construction Program as follows:

Item No.Horry CountyDeletion

- 201774 Road S-1363 (Addition 1363) - Pine Island Road extending from US Route 17 Bypass to Road S-600 - 0.72 mile
Project abandoned - amount reduced to actual cost of engineering only - removed at request of CTC
Note: This correction is recommended to change Road S-1364 (Addition 1364) to Road S-1363 (Addition 1363).

SECTION 17: The Commission unanimously passed a motion amending the State Secondary "C" Construction Program to include construction of roads and/or bridges based on current estimates, engineering contingencies, and administration cost excluding cost of right-of-way as follows:

Item No.Aiken CountyDeletion

- 201581 Construction of turn lanes along Road S-202 (Pine Street) extending from SC Route 421 southerly and making necessary drainage - 0.05 mile
Project abandoned - amount reduced to actual cost of engineering only.

Anderson CountyRevisions

- 202178 Construction and/or resurfacing of roads in the Town of Piedmont to be selected by the Town at a later date - \$ 22 384 00
Description unchanged - amount decreased from \$75,000.00 to \$22,384.00.

Item No.Anderson County, continuedRevisions, continued

202174 Construction and/or resurfacing of roads in the City of Anderson to be designated at a later date including the resurfacing of Road S-110 (Kingsley Road) near Anderson College, resurfacing along East Market Street, East Hampton Road and West Hampton Road - \$ 103 413 72
Description revised - amount increased from \$100,000.00 to \$103,413.72.

Additions

202346 Local Paving Program - Paving and/or improving Roper Road (C-02-83) and Wren School Road (C-02-73) in Anderson County - \$ 52 616 00
Note: This project is to be accomplished by Anderson County.

202347 Local Paving Program - Paving and/or improving Sam McGee Road (C-10-142) in Anderson County - \$ 60 796 00
Note: This project is to be accomplished by Anderson County.

Bamberg CountyAdditions

202348 Widening with turn lanes at the intersection of North Church Avenue (Road S-53) and US Route 78 at Denmark-Olmar High School including bus storage area - \$ 54 000 00

202349 Road S-650 (Addition 650) - Dirt street at Bamberg-Erhardt Primary School in the Town of Bamberg from Road S-195 (Zeigler Street) southeasterly to school with loop at end - 0.35 mile - \$ 80 000 00

Berkeley CountyAddition

202376 Allocation of funds for Berkeley County Transportation Committee Administrative Fees - \$ 1 000 00

Item No.Charleston CountyRevision

201735 Resurfacing along 66 roads in Charleston County
including Roads S-1189, S-9, S-914, S-1344,
S-1345 and S-102 (Attaway Street) \$ 1 200 000 00
Description revised - amount unchanged

Addition

202350 Allocation of funds for Charleston County
Transportation Committee administrative
fees - \$ 1 000 00

Chesterfield CountyAddition

202351 Allocation of funds for Chesterfield County
Transportation Committee Administrative
Fees - \$ 1 000 00

Fairfield CountyAddition

202377 Allocation of funds for Fairfield County
Transportation Committee Administrative
Fees - \$ 1 000 00

Florence CountyAdditions

202352 Reimbursement for dedication cost of naming bridge
on US Route 301 over Big Pee Dee River the "David
Walker Harwell Bridge" - \$ 500 00

202353 Intersection improvements at US Route 76 (West
Palmetto Street) and Road S-21-743 (Parker Drive)
adjacent to the City of Florence - \$ 49 431 00

202354 Widening turn lanes on Ebenezer Road at Sneed
Middle School including drainage - \$ 50 000 00
Note: This construction to be accomplished by
encroachment permit with Florence County.

Item No.Florence County, continuedAdditions, continued

- 202355 Local Paving Program - Installation of bridge on connector road to new Florence Civic Center between Dave McLeod Boulevard and Radio Road (S-1060) - \$ 185 000 00
Note: This project is to be accomplished by Florence County.
- 202378 Resurfacing along Roads S-1213, S-839, S-1189, S-338, S-900, S-365, S-1083, S-353, S-1215, S-186, S-523, and S-1290 in the City of Florence; along Roads S-48, S-32, S-453, S-631, S-219, S-261 and S-273 in the City of Lake City; along Road S-326 in the Town of Scranton; along Roads S-820, S-190 and S-168 in the Town of Olanta; along Road S-1512 in the Town of Quinby; along Roads S-950 and S-951 in the Town of Coward; along Roads S-310, S-80 (Part 1) and S-80 (Part 2) in the Town of Pamplico and along Road S-214 in the Town of Timmonsville - \$ 406 000 00
- 202379 Construction of sidewalk in the Town of Johnsonville along Road S-134 (Marion Street) from Road S-1595 to Road S-124 - 0.1 mile - \$ 12 500 00
- 202380 Construction of sidewalk in the City of Lake City along Road S-278 (Matthews Road) from US Route 378 Business from end of existing sidewalk - 0.05 mile - \$ 5 290 00
- 202381 Local Paving Program - Paving and/or improving Springfield, Perth Street, Suffolk Place, and Guilford Circle in Springfield Subdivision in Florence County - \$ 70 000 00
Note: This project is to be performed by Florence County.

Georgetown CountyAdditions

- 202356 Road S-1047 (Addition 1047) - Westfield Drive from Road S-22-867 northerly 0.5 mile to intersection with Arcadia Road - 0.5 mile \$ 143 000 00
- 202357 Road S-1048 (Addition 1048) - Arcadia Road from Road S-22-805 southwesterly to deadend - 0.6 mile \$ 161 000 00

Item No.Greenville CountyAddition

202358 Local Paving Program - Paving and/or improving in
Maco Terrace in the City of
Greenville - \$ 187 000 00
Note: This project is to be accomplished by the
City of Greenville.

Kershaw CountyAddition

202359 Preliminary engineering on Jeffers Circle in
Elgin on Highway Church Road - \$ 8 000 00

Marlboro CountyAddition

202383 Allocation of funds for Marlboro County
Transportation Committee Administrative
Fees - \$ 1 000 00

Newberry CountyRevision

202279 Road S-66 - Construction of an entrance road into
Whitmire Elementary School along Road S-66 in
Newberry County - \$ 52 000 00
Description revised - amount increased from
\$5,000.00 to \$52,000.00

Oconee CountyDeletions

201987 Roads S-63 (Fourth Street) and S-488 (Belt Line
Drive) - Construction of turn lanes at the
intersection of Roads S-63 and S-488 in the Town
of Seneca -
Project abandoned - amount reduced to actual cost
of engineering - removed at request of CTC.

202001 Local Paving Program - Paving and/or improving
city roads to be designated at a later date by the
City of Walhalla -
Project abandoned - removed at request of CTC.

Item No.Oconee County, continuedDeletions, continued

- 202203 Paving and/or improving roads in the Town of Westminster to be selected at a later date - Project abandoned - amount reduced to actual cost of engineering only - removed at request of CTC.
- 202204 Paving and/or improving roads in the Town of Walhalla to be selected by the town at a later date - Project abandoned - amount reduced to actual cost of engineering only - removed at request of CTC.
- 202206 Paving and/or improving roads in Oconee County to be designated at a later date - Project abandoned - amount reduced to actual cost of engineering only - removed at request of CTC.
- 202207 Resurfacing of roads in the State Highway System to be designated at later date - Project abandoned - amount reduced to actual cost of engineering only - removed at request of CTC.
- 202224 Sidewalk improvements and resurfacing along Road S-288 (Poplar Street), S-165 (Pine Street), S-303 (Oak Street) S-164 (North Broad) S-332 (John Street) and repair of sidewalks along East Main Street, North Church Street, and West Main Street - 2.0 miles
Project abandoned - amount reduced to actual cost of engineering only - removed at request of CTC.

Additions

- 202360 Local Paving Program - Paving and/or improving 24 roads in Oconee County identified as Duck Pond Road, Cody Road, Minake Drive, Tamassees Knob Road, Lake Cherokee, Nuthatch, Hill Road, Shadberry Creek Road, Elaine Drive, Madison Drive, South Graggmore Drive, Blue Iris Drive, Vissage Road, Logan Hill Road, Alexander Road, Stanton Drive, Singleton Road, Vickery Road, Anderson Street, Sonlit Way, Beaver Lake Drive, Mountain Laurel Lane, Perry Davis Road, Buck Kelley Road and Hetrick Street - \$ 300 000 00
Note: This project is to be accomplished by Oconee County.

Item No.Oconee County, continuedAdditions, continued

202361 Local Paving Program - Paving and/or improving
roads in the City of Seneca - \$ 160 787 00
Note: This project is to be accomplished by the
City of Seneca.

Pickens CountyAddition

202362 SC Route 186 - Installation of a flashing light
at the Dacusville Fire Department along SC Route
186 - \$ 7 000 00

Richland CountyRevisions

202239 Road S-3029 (Addition 3029) - Riverside Circle
from Omarest (S-1377) northerly to deadend -
0.25 mile \$ 28 000 00
Description revised - amount unchanged

202084 Construction of sidewalk along 10 Roads in the
City of Columbia identified as Byron Road,
Rockwood Road, Gadsden Street, Park Street, Walker
Street, Surrey Street, Willow Street, Shaw Street,
Page Street and Wildcat Road - \$ 280 000 00
Description revised - amount decreased from
\$296,000.00 to \$280,000.00.

202249 Resurfacing of Road S-1130 (Benedict), S-163
(George), S-1738 (Surrey), S-807 (Water) S-942
(Magnolia), S-118 (Pinemont), S-1503 (Muller),
S-1722 (Edgewater), and S-1145 (Spring Lake
Road) - \$ 76 810 00
Description revised - amount increased from
\$55,000.00 to \$76,810.00.

Additions

202384 Road S-3032 (Addition 3032) - Pringlewood from
Hallwood Road (Road S-1286) to Hickory Hill Road
(S-514) easterly to Town of
Eastover - 0.1 mile \$ 17 500 00

Item No.Richland County, continuedAdditions, continued

- 202385 Local Paving Program - Intersection improvements
at Nates Road/Barbara Drive
(CR-1-25) - \$ 251 000 00
Note: This project is to be accomplished by
Richland County.
- 202386 Local Paving Program - Bridge repair on Whitehouse
Road (CR-3-407) over Gill Creek - \$ 150 000 00
Note: This project is to be accomplished by
Richland County.
- 202387 Resurfacing along Road S-2176 (Dunnagan Road) from
Road S-930 (Newham Road) to Road S-1279 (Wade
Street) - \$ 7 249 00
- 202388 Construction of curb and gutter along Road S-91
(Poinsettia Street) from Devine to
Stevens - \$ 4 500 00
Note: This work is to be accomplished by the City
of Columbia by encroachment permit.

Saluda CountyDeletions

- 201399 Road S-27 - Relocation of a section of Road S-27
inside the property of Emory Church between Road
S-165 and Road S-137 - 0.2 mile
Project abandoned - amount reduced to actual cost
of engineering only - removed at request of CTC.
- 202341 Construction of bridge on County Road 363 over Big
Creek at Road S-41-450 -
Project abandoned - amount reduced to actual cost
of engineering only - removed at request of CTC.

Additions

- 202363 Allocation of funds for Saluda County
Transportation Committee Administrative
Fees - \$ 1 000 00
- 202364 Local Paving Program - Construction of bridge on
County Road 363 over Big Creek at
Road S-41-450 - \$ 76 616 00
Note: This project is to be accomplished by
Saluda County in conjunction with the
South Carolina National Guard.

Item No.Sumter CountyAddition

202365	Allocation of funds for Sumter County Transportation Committee Administrative Fees -	\$	1 000 00
--------	--------------------------------------------------------------------------------------------	----	----------

Union CountyAddition

202389	Allocation of funds for Union County Transportation Committee Administrative Fees -	\$	1 000 00
--------	-------------------------------------------------------------------------------------------	----	----------

Williamsburg CountyAdditions

202366	Installation of drainage pipe along Roads S-531, S-510, S-28 and S-26 -	\$	5 200 00
202367	Road S-836 (Addition 836) - County road extending from Road S-42 southeasterly - 1.2 miles -	\$	300 000 00
202368	Road S-837 (Addition 837) - County road extending from Road S-500 northwesterly to Road S-502 - 0.1 mile -	\$	25 000 00
202369	Road S-838 (Addition 838) - County road extending from Road S-81 easterly to deadend - 0.2 mile -	\$	50 000 00
202370	Road S-839 (Addition 839) - County loop road extending from SC Route 521 to SC Route 521 - 0.5 mile -	\$	125 000 00
202371	Road S-840 (Addition 840) - County road extending from SC Route 521 to deadend - 0.4 mile -	\$	100 000 00
202372	Road S-841 (Addition 841) - County road extending from Road S-21 westerly - 0.5 mile -	\$	125 000 00
202373	Road S-842 (Addition 842) - County road extending from SC Route 521 southerly to deadend - 0.35 mile -	\$	87 500 00

Item No.Williamsburg County, continuedAdditions, continued

202374	Road S-843 (Addition 843) - County road extending from Road S-756 easterly to deadend - 0.3 mile -	\$ 75 000 00
202375	Road S-844 (Addition 844) - County road extending from US Route 52 easterly - 0.6 mile -	\$ 150 000 00

York CountyRevision

201715	Road S-35 (Addition 1710) - Extension of Galilean Road (Road S-35) in the City of York from end of state maintenance approximately 400 feet north of Valley Road (Road S-1264) extending to Road S-309 to include necessary valley gutter and 400 feet of guardrail - 0.3 mile Description unchanged - amount increased from \$15,000.00 to \$28,000.00.	\$ 28 000 00
--------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

SECTION 18: On motion of Commissioner Mullinax, seconded by Commissioner Willis, the Commission unanimously passed a motion adopting the following Resolution:

RESOLUTION

WHEREAS, P. Bradley Morrah Jr., of Greenville, lived a life in service to the people of Greenville County, the State of South Carolina, and the United States of America; and

WHEREAS, he was elected to the South Carolina House of Representatives in 1941, but resigned in December of that year to enter the armed forces; and

WHEREAS, he rose to the rank of major and was awarded the Bronze Star and seven battle stars for his service during World War II; and

WHEREAS, he returned to South Carolina politics, and from 1953 to 1966 he represented Greenville County in the South Carolina Senate, serving the longest continuous term of any former single-county senator; and

WHEREAS, he served as chairman of the House Ways and Means Committee and on the Judiciary Committee of the Senate; and

WHEREAS, he was responsible for helping to bring key road projects to Greenville County, including the Church Street overpass; and

WHEREAS, he served as chairman of the South Carolina American Revolution Bicentennial Committee and the U. S. Constitution Bicentennial Commission of South Carolina; and

WHEREAS, he also was a member of the Board of Visitors of the Citadel and was a member of the Clarks Hill-Russell Authority of South Carolina; was former president of Greenville Little Theater, a former member of the board of trustees of the Greenville County School System, a member of the Council of Colonies and a former member of the State Parks, Recreation and Tourism Commission; and

WHEREAS, Mayor W. D. Workman III of the City of Greenville, has asked that the South Carolina Department of Transportation authorize the naming of I-385 overpass at Halton Road in his honor;

NOW, THEREFORE, BE IT RESOLVED by the South Carolina Transportation Commission, that authorization be given to the City of Greenville to name the I-385 Greenville overpass at Halton Road in honor of the late South Carolina Senator P. Bradley Morrah, Jr.

SECTION 19: The Commission unanimously passed a motion authorizing the Department to prepare and advertise an RFP for the privatization of Specific Service Signing "logo" with optional methods of implementation including reviewing the current regulations to bring in compliance with the federal regulations.

SECTION 20: The Commission unanimously passed a motion adopting bylaws as presented by the legal staff and shown in the Appendix, with the following amendments:

(1) Section 101, "Chairman, Vice-Chairman and Secretary", is changed to provide for the election of two vice-chairmen, rather than only one vice-chairman.

(2) Section 108, "Proxy Voting", is to be deleted.

(3) Section 109, "Compensation", is amended to provide a definition of "official meetings".

(4) Sections 107, 108 and 109 are to be renumbered.

SECTION 21: There being no further business to come before the Commission the meeting was adjourned at 5:00 p.m.

Larry C. Duke
Secretary

H. B. "Buck" Limehouse
Chairman

APPENDIX

Department of Transportation Commission

Meeting of

September 15, 1994

Recommendation: 9/15/94

Item Nos.: DMT-482, DMT-620
and DMT-621

Amended Allocation of Federal Mass Transit Funds

It is recommended that the Commission revise the June 7, 1994 allocation of Federal and State Mass Transit Project Funds to include the projects contained in the attached schedule.

-Schedule Next-

REVISED STATEWIDE MASS TRANSIT FUND
 ALLOCATIONS FOR FISCAL YEARS 1993-94 AND 1994-95, AS AMENDED
 (IN DOLLARS)

Implementing Agency	Program Sponsor(s)	Project Description	Project Area	Net Project Cost		
				Total Project Cost	SCDOT'S	Share
					Federal	State
Anderson-Oconee Council on Aging	PTA Section 16	15-Passenger Van (ADA)	Anderson County	\$28,200	\$22,560	\$0
PTA SECTION 16				TOTALS:	\$28,200	\$22,560 \$0
South Carolina Department of Transportation	PTA/RTAP	Implement the Rural Transit Assistance Program	Statewide	\$95,266	\$95,266	\$0
South Carolina Department of Transportation	State Highway Fund	Implement the Urban Transit Assistance Program	Statewide	\$22,730	\$0	\$22,730
PTA/RTAP & SHF				TOTALS:	\$117,996	\$95,266 \$22,730

Recommendation - 9/15/94

Request for Commission Authorization to enter into an Agreement with the
Federal Transit Administration for FTA Section 16 Funds

Code Section 57-3-40 (A) and (B) of Act No. 181, Acts of 1993 (Restructuring of State Government Act 1993-94) authorizes the Department's Division of Mass Transit (DMT) to "develop and coordinate a general mass transit program and policy for the State", and directs the DMT "to apply for and to receive state, federal, or other funds" for the purposes of developing such program and providing mass transit services. Accordingly, the DMT has developed and submitted a detailed program budget through the Department for state, federal and other funds, and in particular, has made a formal application to the Federal Transit Administration (FTA) under the FTA's Section 16 program to assist the special transportation needs of elderly persons and persons with disabilities in the State of South Carolina.

It is, therefore, requested that the Transportation Commission authorize the Department to enter into a written agreement with the FTA for the Department's receipt of \$820,828 in federal assistance to carry out the FTA Section 16 program's goals and objectives.

Recommendation: . 9/15/94

RECOMMENDED RURAL INTERCITY BUS TRANSPORTATION POLICY

Under the Federal Transit Administration's (FTA) Section 18(i) program, which was authorized by the ISTEA, states are required to spend a portion of their Section 18 apportionment "to carry out a program for the development and support of intercity bus transportation". The percentage required by the federal statute is phased in from not less than 5% in FFY 1992 and not less than 10% in FFY 1993, to not less than 15% in FFY 1994 and thereafter. This requirement is effective unless the Governor certifies to the FTA that the intercity bus service needs of the state are being adequately met.

In order to assist the Department in assessing the intercity bus service needs of South Carolina, the Division of Mass Transit (DMT) engaged the professional services of a transportation consulting firm (CGA Consulting Services, Inc.) to perform a comprehensive study and analysis of South Carolina intercity bus transportation services. In addition, DMT established a project steering committee, which was comprised of representatives from the Department, Governor's Office, other appropriate S.C. State Government Agencies, S. C. Municipal Association, and local transportation agencies. Based on the results of the study findings, it is the consultant's recommendation, and the consensus of the project steering committee, that the State of South Carolina should not expend any Section 18(i) funds. The consultant's report concludes, "Relative to other rural transit needs, the State's intercity bus service needs are being met (adequately) and therefore no funds should be allocated to Section 18(i)."

In view of the above, the Division of Mass Transit recommends concurrence by the Commission of the Consultant's report and action of the Project Steering Committee.

RECOMMENDATION
9/15/94

Item No.: PT-293 (amended)

AMENDMENT TO CONTRACT WITH WILBUR SMITH AND ASSOCIATES

The Department has a contract in effect through November 4, 1994, with Wilbur Smith and Associates to conduct an assessment of transportation adequacy for Daufuskie Island in Beaufort County. In addition the study effort calls for the development of short and long plans to address current and future transportation needs of the public to/from Daufuskie Island to the Beaufort County mainland, and on Daufuskie Island. In the course of the study, implications surfaced regarding St. Helena Island (a neighboring island in Beaufort County). Residents on St. Helena appear to have similar transportation needs, which could be studied within the same contract period, if approved by the SCDOT Commission.

The Department respectfully requests to amend the existing agreement with Wilbur Smith and Associates to expand the existing scope of work to include St. Helena Island. An assessment of transportation needs and plans to address them would be covered by the scope of work. Additionally, it is recommended that the budget be increased by \$10,100.00 to pay for the expanded work. The source of funding for the added cost would be existing State Transportation Assistance Program (STAP 2) planning funds. The total project cost would be changed to \$35,100.

CROSON DECISION DISPARITY STUDY

Proviso 124.29 of the 1993-94 State Appropriations Act directed the South Carolina Department of Transportation (SCDOT) to have a Croson Decision Disparity Study performed to determine if a statistical disparity exists between the number of available, qualified minority and women-owned contractors willing and able to perform highway construction contracts and the number of such contractors actually engaged by SCDOT and its contractors. The General Assembly authorized \$250,000 from the Highway Fund to be spent for the study and directed that it be completed and submitted to the General Assembly by April 15, 1994.

After examining the requirements for a Croson Decision Disparity Study, it became apparent to SCDOT that the study could not be completed by April 15, 1994, and that it would cost more than \$250,000 to perform a complete study. A Croson Decision Disparity Study requires the collection and analysis of not only statistical data, but also historical and anecdotal data. The collection of anecdotal data will require a public hearing, numerous interviews and an evaluation of SCDOT's contracting policies and procedures. SCDOT has advised the Legislative Black Caucus that it will take an additional year to complete the study. Last month the Joint Legislative Appropriations Review Committee (JARC), upon recommendation of the Governor's Office, approved SCDOT's expenditure of \$350,000 for a study to be completed and submitted to the General Assembly by April 15, 1995. The \$350,000 is a part of the Highway Fund made available by the State Appropriations Act for technical assistance to the Disadvantaged Business Enterprises Program.

The Office of General Services has now completed the process of soliciting a consultant to perform the study. An Evaluation Panel has recommended MGT of America, Inc. of Tallahassee, Florida to perform the study at a cost of \$349,991. SCDOT recommends that the Commission approve the award of this contract by the Office of General Services, in accordance with State procurement procedures.

Recommendations 9/15/94

REVISION OF COUNTY TRANSPORTATION PLAN

The S. C. Department of Transportation recommends the approval of the revised County Transportation Plan listed below.

- Georgetown County (revised)

**GEORGETOWN
COUNTY
SOUTH
CAROLINA**

Post Office Drawer 1270
715 Prince Street
Georgetown, South Carolina 29442
Telephone (803) 546-4189
Fax (803) 546-4730

August 19, 1994

Mr. B. K. Jones
Engineering Division - DOT
Post Office Box 191
Columbia, SC 29202

Dear B.K.,

Enclosed is a copy of the revised Georgetown County
Transportation Plan, adopted August 8, 1994.

If you need additional information please let me know.

Sincerely,

Gordon W. Hartwig
County Administrator

GWH:kl

Enclosure as stated

GEORGETOWN COUNTY TRANSPORTATION PLAN

1. OVERVIEW - The Georgetown County Transportation Committee (CTC) is composed of 9 members appointed by the Georgetown County Legislative Delegation. The members of the CTC are appointed from and represent all sections of the County.

It is the intention of the CTC to cooperate and work closely with the appropriate Georgetown County administrative staff, the County Council, and City Councils to improve as many roads and other transportation facilities as possible with the funds allocated.

The CTC will also cooperate with the local Area Transportation Study Committee as it pursues its mission of prioritizing primary road needs in order to see that the primary and secondary road system of Georgetown County is coordinated and best serves the public.

This County-wide transportation plan, as adopted by the CTC, is submitted to the South Carolina Department of Transportation (SCDOT) for its approval in accordance with the provisions of S. C. Code 12-27-400 as passed by the 1993 General Assembly.

2. ADMINISTRATION - The Georgetown CTC elects and requests the SCDOT to receive and administer funds that accrue to Georgetown County as may be directed by the CTC. The CTC will designate the expenditures of all funds.

The SCDOT, through its Road, Bridges, and Engineering Departments, will provide the following services for each project administered by the SCDOT:

- (A) Design engineering.
- (B) Acquisition of right-of-way.
- (C) Procurement of construction contracts.
- (D) Projects supervision.
- (E) Compliance with minority and women-owned business requirements under S. C. Code 12-27-1320.

The SCDOT may upon request assist the CTC with projects that are to be administered by the CTC.

3. PRIORITIES - The goal of the CTC will be to cooperate with the SCDOT in improving existing secondary roads in Georgetown County and to improve as many unpaved roads as practical. Projects will be prioritized based upon a rating sheet prepared in cooperation with the SCDOT, Georgetown County Public Works Department and after all pertinent information has been reviewed by the CTC.

4. PROJECTS PROGRAMMED BUT NOT LET TO CONTRACT - The CTC is in the process of reviewing all projects listed by the CTC in this category. Projects funded and approved prior to July 1, 1993, are hereby approved and should be advanced to completion as programmed. Projects funded and approved after July 1, 1993, will be considered for implementation and prioritization with all other projects by the CTC.
5. PRIORITIZING PROJECTS - The CTC may use information from the SCDOT, the Georgetown County Public Works Department, and from the municipalities concerning the condition of secondary roads and bridges within the State system. The CTC, with the Georgetown Public Works Department, will rate and evaluate all local roads not within the State system and will solicit recommendations and input from local officials and citizens.
6. EQUAL CONSIDERATION - A goal of the CTC is to meet the Transportation needs of the entire county, including municipalities. Consideration will be given to the distribution of projects throughout the entire county.
7. RESURFACE AND REPAIR - Georgetown County will allocate funds in accordance with Code Section 12-27-400 as amended, which requires that at least 25% of the funds be expended on the State Highway System for construction, improvements, maintenance, and up to 75% for "Local Paving" or improvements.
8. REVISIONS TO PLAN - The CTC will, from time to time, review and revise the County Transportation Plan, make changes, additions, or deletions which will be forwarded to SCDOT for approval.
9. GOAL - The Georgetown County Transportation Committee's goal will be to provide the citizens of Georgetown County with the best and safest roads and bridges possible for which we are responsible.
10. In the event the Legislature elects to modify the existing law to provide for funding of "Local Paving" projects, the CTC reserves the right to allocate a portion of funds for qualifying projects.
11. In the event the CTC expends funds on projects not subject to supervision by the SCDOT, the CTC agrees to provide an annual report detailing its compliance with the 10% set aside program for minority business and enterprises.

Adopted

Allen Tison
August 8th, 1994

Chairman, Georgetown County
Transportation Committee

REVISION OF COUNTY TRANSPORTATION PLAN

The S. C. Department of Transportation recommends the approval of the revised County Transportation Plan listed below.

- Lexington County (revised)



County of Lexington

September 7, 1994

County Administrator
212 South Lake Drive
Lexington, South Carolina 29072
Telephone (803) 359-8000
FAX (803) 359-0023

Mr. B. K. Jones
Interim Executive Director
S.C. Department of Transportation
P.O. Box 191
Columbia, S.C. 29202

Reference: Amendment to County-Wide Transportation Plan

Dear B.K.:

Please find attached an updated County-wide Transportation Plan. In the old plan we requested that the S.C.D.O.T. administer the funds. By virtue of the Local Paving Program being re-instated and funds distributed to the C.T.C. on a quarterly basis, the C.T.C. requests that the uncommitted funds be distributed to us. We have coordinated this with Mr. Larry Duke of your office.

As we understand the process, the projects in which we would like for the D.O.T. to administer the funds can be done on a preliminary engineering and right-of-way basis first, then a decision could be made whether or not the project would go to contract. The process in which this will happen needs to be spelled out to us.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, reading "Bruce E. Rucker".

Bruce E. Rucker, Chairman
Lexington County Transportation Committee

BER/bs

attachment:

LEXINGTON COUNTY TRANSPORTATION COMMITTEE

County-wide Transportation Plan:

Lexington County has approximately 2,500 miles of publicly maintained roads. The S. C. Department of Transportation has about 1,500 miles of this, including Interstates and about 55 miles of dirt roads. Lexington County Department of Public Works maintains about 1,000 miles of roads, with 220 miles being paved and 780 miles being dirt.

The basic concept behind the establishment of the "C" Fund gasoline and fuel tax was to pave dirt roads enabling farmers to carry their products to the appropriate market. This was the reason they have been called farm-to-market roads. In addition to the farming interests, the population of Lexington County has increased considerably with the rural areas growing rapidly as well as the urban areas. In 1970 Lexington County had a population of 89,000; 1980 it had 140,000; and 1990, 168,000. Projections show that by the year 2,000 the population will be over 210,000.

For at least six years the Lexington County Public Works Department has worked closely with the Legislative Delegation in providing a "Priority Ranking System" which rates all public maintained petitioned dirt roads from a technical standpoint. An overview of how the system works is attached but there are four basic criteria that are used to "weigh" each road. Annual maintenance costs, number of homes on the petitioned section, traffic counts and whether or not it is a school bus route determine the numerical rating. This system is updated on an annual basis.

Lexington County Transportation Committee proposes using this system in the majority of funds provided through "C" Fund Program. On a case by case basis other "Special Projects" will be evaluated as to need and availability of funds. These projects will be used to make improvements on public roads. At this time, without a Local Paving Program, special projects will be limited to State maintained roads.

It is the opinion of the S. C. Department of Transportation that the new law prohibits the Local Paving Program. This needs to be addressed in the next legislative year. Lexington County has participated in this with a very high level of success. Some of these short petitioned roads can be paved with less "C" Fund money and also faster than going through the S.C.D.O.T. All Local Paving Program projects must be approved by Lexington County Council. The C.T.C. does have the capability to do the work required on these roads, including engineering, right-of-way acquisition, contract administration, etc., through the Public Works Department.

Attached also is a sample of Lexington County Public Works Department's Priority Ranking System. This system allows for a road paving schedule based on need with the primary weight on cost of maintenance. This cost is reported by each maintenance crew weekly and entered into the computer to be evaluated on an annual and per mile basis. Number of homes is determined whenever a traffic count is taken (approximately every three years) and school bus routes are determined annually through the school districts.

Lexington County Council, also the CTC for Lexington County, has delegated all operations of the CTC to the Public Works Department. The "Priority Ranking System" will be used on a county-wide basis, and all special projects will be evaluated and recommendations made to the CTC (County Council) for a vote. Due to the change in allocating "C" Fund money, a master list of projects will be submitted (no less than once annually) with cost estimates and priority of funding by the CTC with the Public Works Department monitoring the monthly changes.

The County Transportation Committee elects to receive the uncommitted funds directly with payments made to the County of Lexington. The County Transportation Committee may contract with the Department of Transportation on a project by project basis. All projects presently programmed will proceed as set forth in the original plan.

The Director of Public Works will be the primary contact with the S C Department of Transportation as to "day-to-day" questions.

The County Transportation Committee will review and vote on all prior commitments made by the Legislative Delegation not yet let to contract.

Recommendations - 9/15/94

REVISION OF COUNTY TRANSPORTATION PLAN

It is recommended the Commission approve a revision to the Charleston County Transportation Plan as requested on the attached letter.

Charleston County requests that the SCDOT administer the funds with the CTC responsibility being the entity directing or programming the projects and assigning specific funding to each project.

Program Coordination

James C. Hutto, Projects Manager
County of Charleston
Department of Public Works
4350 Azalea Avenue
Charleston, South Carolina 29405-7492

(803) 745-2207
FAX (803) 744-8348

County Transportation Committee

Charleston County, South Carolina

Johnny Kinloch, Chairman

Members-At-Large

Robert H. Dunlap, Jr.
Gabriel Magwood
William Swails, Sr.

Technical Members

Howard R. Chapman
City of Charleston

Joel P. Ford
Town of Mt. Pleasant

William B. Gore
City of N. Charleston

James C. Hutto
James C. Rogers
County of Charleston

September 1, 1994

Mr. Larry Duke
Director of Finance and Administration
South Carolina Department of Transportation
Post Office Box 191
Columbia, South Carolina 29202

RE: ADMINISTRATION OF "C" FUND PROGRAM
CHARLESTON COUNTY TRANSPORTATION COMMITTEE

Dear Mr. Duke:

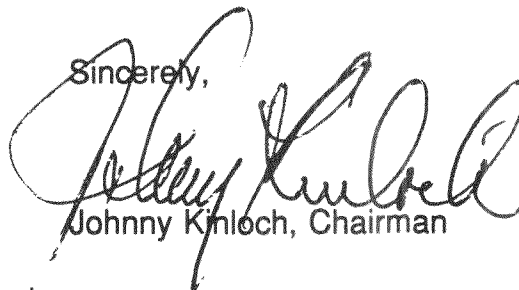
I would like to clarify our County Transportation Committee's (CTC) intention on the administration of funds for Charleston County's program. Perhaps there is some confusion on our part with the terminology of "administering the program."

Given the early stage of development of our program, the CTC would request that the SCDOT administer the funds with the CTC responsibility being the entity directing or "programming" the projects and assigning specific funding to each project.

As it has in the past, the CTC will still depend on the SCDOT to provide monthly program financial reports, etc. The CTC, through its managing agency, Charleston County Public Works, will forward project invoices to the SCDOT for processing and payment to Charleston County.

I hope this will clarify our position; but, should you have any questions, please contact me.

Sincerely,



Johnny Kinloch, Chairman

c: B. K. Jones, SCDOT
James C. Rogers, Charleston County
Public Works Director
Jim Hutto, Projects Manager

JCH:cmc
LD0901.jch

Recommendations 09/15/94

EXTENSION OF CONSTRUCTION CONTRACT

It is recommended that the Commission approve the action of the Department in extending an existing construction contract to include additional resurfacing work, as follows:

Charleston County:

Contract of Ballenger Paving Company Inc. - File No. 10.983 - Extended to include an additional section of Project FAP IM-26-4(106) (File No. 10.983) consisting of the lifting, leveling, and sealing of concrete roadway slabs on Interstate Route 26 at the Norfolk and Southern Railroad Underpass near Interstate Route 526.

Estimated Cost of Extension

\$67,865.12

This extension was authorized by the Department prior to formal approval by the Commission since the adjacent work had reached such a stage of completion that the contractor involved could not accept the additional work unless it was authorized without delay.

Discussion Draft I

BYLAWS

	Page
Article I: Name.....	A.1
Article II: Offices.....	A.1
Article III: The Commission.....	A.1-2
Article IV: Meetings.	A.2-5
Article V: Officers.....	A.5-7
Article VI: Committees, Study Groups and Task Forces...	A.7-8
Article VII: Ammendment of Bylaws.....	A.8

BYLAWS OF THE SOUTH CAROLINA
DEPARTMENT OF TRANSPORTATION COMMISSION

Article I

Name

The composition and election of the South Carolina Department of Transportation Commission (hereinafter "Commission") is generally prescribed by Code of Laws of South Carolina, §57-1-310, et seq. It is authorized to adopt its own rules and procedures by Code §57-1-350.

NOW, THEREFORE, in order to effectively manage the affairs of the Commission, the following bylaws are adopted.

Article II

Offices

The principal office of the Commission shall be located at the Silas Pearman Building, 955 Park Street. City of Columbia, County of Richland, State of South Carolina.

Article III

The Commission

Section 100. General Powers

The affairs of the Commission shall be managed under the direction of its members. It shall be a general policy making body for the various functions and purposes of the South Carolina Department of Transportation as prescribed by law. It and the Director shall govern the South Carolina Department of Transportation by the Commission defining policies which are to be administered by the Director. All other personnel of the Department shall be appointed, promoted, disciplined or removed by the Director under a Merit System of Personnel Administration, job classifications and pay grades in accordance with the State Personnel and Classification Plan and the State Employee Grievance Procedures; except that Code §57-1-450 provides that the Deputy Directors for each division serve at the pleasure of the Director

and may receive compensation as established under the provisions of Code §8-11-64 and for which funds have been authorized in the general appropriations act. The Director shall conduct, execute and manage the day to day affairs of the Department and shall have all of the powers of the Commission when it is not in session.

Section 101. Chairman, Vice-Chairman and Secretary:

As provided in Code §57-1-330(A), the at-large Commission member, upon confirmation, shall serve as chairman of the Commission. The Commission shall annually elect from its membership a Vice-Chairman. There shall also be a non-member Secretary, who shall be the Department's Deputy Director of Finance and Administration. The Secretary shall be responsible for the prompt and correct recording of all proceedings of the Commission and any standing or executive committees, and for the maintenance of minutes and records of the Commission and committees. The Secretary is empowered to affix the official seal of the Commission to official documents of the Commission and to certify official records of the Commission.

Article IV

Meetings

Section 102. Regular Meetings:

(a) Regular meetings of the Commission shall be on the third Thursday of each month. The Commission shall give written public notice of the regular scheduled meetings at the beginning of each calendar year. The notices shall include the dates, times and places of such meetings. Agenda, if any, for regularly scheduled meetings shall be posted on a bulletin board at the meeting place of the Commission at least twenty-four (24) hours prior to such meetings. The Commission shall post on such bulletin board public notice for any called, special or rescheduled meetings. Such notice shall be posted not later than twenty-four (24) hours before the meeting. The notice shall include the agenda, date, time and place of the meeting. This requirement shall not apply to emergency meetings of the Commission.

(b) The Commission shall make an effort to notify local news media, or such other news media as may request notification, of the times, dates, places and agenda of all public meetings, whether scheduled, rescheduled or called, and the efforts made to comply with this requirement shall be noted in the minutes of the meetings.

(c) Notice of the regular meetings of the Commission shall be given in the following format:

"Notice is hereby given that the regular Thursday meeting of the members of the Department of Transportation Commission is hereby called to be held at _____, City of _____, State of South Carolina, on _____, 19____, at _____ o'clock _____.m., which meeting shall be for the purpose of considering the following agenda:

Section 103. Special Meetings:

(a) Special meetings of the Commission may be held from time to time in addition to the regular meetings scheduled. The Commission shall give written public notice of any special meeting as provided for in Section 102 (a), if possible. The Commission shall make an effort to notify the news media of any special meeting as provided for in Section 102 (b), if possible.

(b) A special meeting may be called by the Chairman, the Director, or not less than one-third (1/3) of the members of the Commission upon reasonable notice to the members of the Commission.

Section 104. Executive Session:

(a) Members of the Commission may meet in an executive session closed to the public. Prior to going into such executive session, the Commission shall vote on the question in a regular or special public meeting and when such vote is favorable, the Chairman shall announce the purpose of the executive session. No formal action may be taken in the executive session. Formal action means a recorded vote committing the body to a specific course of action. No vote may be taken in executive session. The purposes for which an executive session may be closed to the public under this Section are as follows:

1. Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, or the appointment of a person to the Department.
2. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice, settlement of legal claims, or the position of the Commission in other

adversary situations involving the assertion against the Department of a claim or Departmental claims against others.

3. Discussion regarding the development of security personnel or devices.
4. Investigative proceedings regarding allegations of criminal misconduct.
5. Discussion of matters relating to the proposed location expansion, or the provision of services encouraging location or expansion of industries or other businesses in the state.

Section 105. Conduct of Proceedings and Order of Business

(a) The Chairman, or in his absence, the Vice-Chairman, shall preside over meetings of the Commission. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Commission in all cases they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Commission may adopt. At each monthly meeting or special meeting the order of business shall be as follows:

1. Calling the roll, determining and announcing the members present, determination of a quorum;
2. A reading and disposition of unapproved minutes from prior meetings;
3. Report and recommendations of the Director;
4. Report of standing committees of the Commission;
5. Disposition of unfinished business;
6. A presentation and disposition of new business on agenda; and,
7. Adjournment.

(b) When, as a part of the disposition of business, the Commission is considering the acceptance of roads and streets into the State highway secondary system, the members may receive recommendations from interested parties and vote thereon. Decisions to accept roads and streets into the State highway secondary system shall be in accord with Section 107 hereof.

Section 107. Commission Decisions:

The act of the majority of the members of the Commission present at a meeting at which a quorum is present shall be the cast of the Commission, unless the act of a greater number is required by law or by these bylaws. All adopted policy decisions, directions, and instructions are to be conveyed on behalf of the Commission by the Commission's Chairman or, in his absence by the Vice-Chairman, to the Director.

Section 108. Proxy Voting:

There shall be no proxy voting under these bylaws.

Section 109. Compensation:

Members of the Commission shall be allowed the usual per diem, mileage and subsistence as provided by law for members of other boards, committees and commissions for attendance at its official meetings.

Article V

Officers of the Department

Section 110. Powers and Duties of the Director:

As provided in Code §57-1-410, the Director shall be appointed by the Commission and shall serve at the pleasure of the Commission. The Director shall receive such compensation as may be authorized under the provisions of §8-11-160 and for which funds have been authorized in the general appropriations act.

The Director shall be the executive and administrative head of the Department. The Director shall carry out the policies defined by the Commission and shall administer and supervise the internal operations and management of the Department. When the Commission shall not be in session, the Director shall have and may exercise all powers belonging to the Commission. The Director shall have the following powers and duties:

1. As provided by Code §57-1-450, the Director shall appoint a Deputy Director for each division of the Department, who shall serve at the pleasure of the Director.
2. The Director shall preside at all executive staff meetings at which he is present.

3. The Director shall be responsible for the administration of State personnel policies and general personnel policies which are approved by the Commission.
4. The Director shall have the sole authority to employ and discharge Department employees, subject to such applicable laws, applicable personnel policies and funding available for that purpose.
5. The Director shall have the responsibility of executing policies, directives, and actions of the Commission, either personally or by issuing appropriate directives to Department employees.
6. The Director shall have general supervision over and direction of all other officers and employees of the Department and to see that their respective duties are properly performed.
7. The Director shall operate and conduct the day to day business and affairs of the Department according to the overall policy as set forth in the orders and resolutions of the Commission, and according to the Director's own discretion, whenever and wherever it is not expressly limited by such orders and resolutions.
8. The Director shall execute agreements and contracts in the ordinary course of the Department's business on behalf of the Commission.

Section 111. Deputy Director for Finance and Administration:

The Deputy Director for Finance and Administration shall be appointed by the Director and shall serve at the pleasure of the Director. The Deputy Director for Finance and Administration may receive compensation as established under the provisions of Code §8-11-160 and for which funds have been authorized in the general appropriations act. The responsibilities and duties of the Deputy Director for Finance and Administration must include, but not be limited to, the following:

- (a) Financial planning and management;
- (b) Accounting systems necessary to comply with all federal and/or state laws and/or regulations as well as all policies established by the comptroller general;
- (c) Administrative functions, including recording proceedings of the Commission and developing policy and procedures to insure compliance with these policies and procedures.

Section 112. Deputy Director for Construction, Engineering, and Planning:

The Deputy Director for Construction, Engineering and Planning shall be appointed by the Director and shall serve at the pleasure of the Director. The Deputy Director for Construction, Engineering and Planning may receive compensation as established under the provisions of Code §8-11-160 and for which funds have been authorized in the general appropriations act. The responsibilities and duties of the Deputy Director for Construction, Engineering and Planning must include, but not limited to, the following:

- (a) The development of statewide strategic highway plans; and
- (b) Directs highway engineering activities, including construction, design, construction oversight, and maintenance of state highways.

Section 113. Deputy Director of Mass Transit:

The Deputy Director of Mass Transit shall be appointed by the Director and shall serve at the pleasure of the Director. The Deputy Director of Mass Transit may receive compensation as established under the provisions of Code §8-11-160 and for which funds have been authorized in the general appropriations act. The responsibilities and duties of the Deputy Director of Mass Transit shall include, but not be limited to, the following:

- (a) Development of statewide mass transit systems;
- (b) Coordinate the preservation and revitalization of existing rail corridors; and
- (c) Perform in accordance with the provisions of Code §57-3-40, which sets out the powers and duties of the Division of Mass Transit.

Section 114. Divisions of the Department

The Department of Transportation must be divided into such divisions as the Commission may prescribe, but must consist of the following principle divisions:

Finance and Administration; Construction, Engineering, and Planning; and Mass Transit. The Commission may establish other divisions, or auxiliary or service divisions as may be necessary for the efficient and economic operation of the division and to carry out the functions and purposes of the division.

Article VI

Committees, Study Groups, and Task Forces

Section 115. Committees of the Commission

(a) The only purpose of the various committees of the Commission is to make recommendations and give advice to the full Commission on identified issues of concern.

(b) The Commission, by resolution adopted by a majority of its members present, may designate one or more committees, each of which shall consist of two or more members, which committees, to the extent provided in such resolution, shall advise and make recommendations to the full Commission, but the designation of such committees and the delegation thereto of authority shall not operate to relieve the entire Commission members, or any individual Commission member, of any responsibility imposed on it or him by law. The Committees are hereby authorized to create such subcommittees as are necessary, which such membership as the Committee deems appropriate.

(c) Proceedings in committee meetings shall be governed by Robert's Rules of Order Newly Revised. A majority of the members of a committee shall constitute a quorum for the transaction of business at any committee meeting.

(d) Committee meetings will be scheduled as needed. The Commission shall give written public notice of any scheduled committee meeting at least twenty-four (24) hours prior to such meeting. Such notice shall contain the date, time, and place of such meetings and the agenda, if any. The Commission shall make an effort to notify the news media in advance of any scheduled committee meeting.

Section 116. Study Groups and Task Forces:

The Commission, by resolution adopted by a majority of its members, may establish and appoint members to a study group or task force to examine and report to the Commission on issues which would most appropriately be addressed by a number of organizations and interest groups rather than solely by Commission or Department staff.

Article VII

Amendment of Bylaws

These bylaws may be amended at any regular meeting of the Commission by a two-thirds (2/3) vote, provided that the amendment has been submitted in writing at the previous regular meeting.

M E M O R A N D U M

TO: H. B. Limehouse
Chairman, SCDOT Commission

Gary Loftus, SCDOT Commissioner
First Congressional District

S. Lyman Whitehead, SCDOT Commissioner
Second Congressional District

Francis L. Willis, SCDOT Commissioner
Third Congressional District

Jack E. Mullinax, SCDOT Commissioner
Fourth Congressional District

B. Bayles Mack, SCDOT Commissioner
Fifth Congressional District

Joe Jefferson, SCDOT Commissioner
Sixth Congressional District

B. K. Jones
Interim Director

FROM: Elizabeth S. Mabry
Deputy Chief Counsel

RE: Proposed Bylaws of the South Carolina Department of
Transportation Commission

DATE: September 7, 1994

I am enclosing for discussion for the September Commission Meeting a draft of proposed Commission Bylaws. This is simply a starting point. I would appreciate your reviewing this draft and noting any changes or additions you may want to make.

ESM:dm
Enclosure

RECEIVED
SEP 26 1994
PLANNING



South Carolina Department of Transportation

COMMISSION MINUTES

September 29, 1994

DAVID BOWERS

MINUTES

DEPARTMENT OF TRANSPORTATION COMMISSION

MEETING OF

September 29, 1994

MINUTES
DEPARTMENT OF TRANSPORTATION COMMISSION
September 29, 1994

	Roll Call	<u>Page</u>
Section 1	Minutes for Meeting of September 15, 1994, Approved	1
Section 2	State Secondary "C" Construction Program, Amended	1
Section 3	1995-96 Budget Estimates, Approved	2
Section 4	Transfer of Funds from Statewide Enhancement to Myrtle Beach Corridor Beautification Project, Approved	2
Section 5	Vegetation Maintenance Policy, Adopted	2
Section 6	Section 108 of Commission Bylaws, Amended	2
Section 7	Commission Bylaws, Adopted	3
Section 8	Adjournment	3

MINUTES
DEPARTMENT OF TRANSPORTATION COMMISSION
OF
SOUTH CAROLINA

September 29, 1994

A meeting of the Department of Transportation Commission was held at the Greenville Square in Greenville, South Carolina at 11:00 a. m. on September 29, 1994. In compliance with the "Freedom of Information Act" the news media was advised in writing of the time, date and place of this meeting.

Present

H. B. "Buck" Limehouse, Chairman Presiding
Joseph Jefferson
Gary M. Loftus
B. Bayles Mack
Jack E. Mullinax
S. Lyman Whitehead
Frances L. Willis

Also Present: B. K. Jones, Director

SECTION 1: The Minutes for the meeting of September 15, 1994 copies of which had been previously mailed to each member of the Commission, were approved.

SECTION 2: The Commission unanimously passed a motion amending the State Secondary "C" Construction Program to include construction of roads and/or bridges based on current estimates, engineering contingencies, and administration cost excluding cost of right-of-way as follows:

<u>Item No.</u>	<u>Newberry County</u>
-----------------	------------------------

Deletion

202202	Resurfacing along 31 roads in Newberry County to be designated at a later date - Project abandoned - amount reduced to actual cost of engineering only - removed at request of CTC.
--------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

9/29/94

SECTION 3: The Commission unanimously passed a motion approving the 1995-96 budget estimates as presented by Larry C. Duke, Deputy Director of Finance and Administration, and shown in detail in the Appendix. Mr. Duke advised the Commission that the operating budget would be presented to the Commission upon completion by the Department staff.

SECTION 4: On motion of Commissioner Loftus, duly seconded the Commission unanimously passed a motion to add \$175,000.00 from Statewide Enhancement funds to the Myrtle Beach Highway 501 corridor beautification project.

SECTION 5: On motion of Commissioner Whitehead, duly seconded, the Commission unanimously passed a motion adopting the Vegetation Maintenance Policy as recommended by the Task Force on Vegetation Maintenance and shown in the Appendix.

SECTION 6: On motion of Commissioner Whitehead, seconded by Commissioner Loftus, the Commission passed a motion to amend Section 108, of the Commission Bylaws adopted at the September 15, 1994 meeting. Commissioners Mack, Mullinax and Willis voted against this motion. Section 108 is amended to read as follows:

SECTION 108 PROXY VOTING

Proxy voting shall be allowed only under the following conditions:

- (a) two-thirds of the members must be present in person, and
- (b) the proxy shall be in writing, shall identify the specific issue for which the proxy is given, and shall specify the vote that is to be cast.

9/29/94

SECTION 7: On motion of Commissioner Mack, the Commission unanimously passed a motion to adopt Commission Bylaws, as amended, and shown in detail in the Appendix.

SECTION 8: There being no further business to come before the Commission the meeting was adjourned at 12:40 p.m.

Larry C. Duke
Secretary

H. B. "Buck" Limehouse
Chairman

APPENDIX

Department of Transportation Commission

Meeting of

September 29, 1994

S. C. DEPARTMENT OF TRANSPORTATION
BUDGET ESTIMATES
FY 1995-96

	1993-94 Actual	% of Rev.	1994-95 Budget	% of Rev.	1995-96 Budget	% of Rev.
<u>RECEIPTS</u>						
REVENUES						
MOTOR FUEL TAXES & REG FEES	\$284,292,231	52.9%	\$285,899,000	51.0%	\$291,991,999	47.8%
MISCELLANEOUS	3,150,226	0.6%	\$7,972,340	1.4%	9,319,040	1.5%
TRANSFER TO GENERAL FUND	(11,848,788)	-2.2%	(14,309,335)	-2.6%	(14,309,335)	-2.3%
TRANSFER TO CNTY TRANS FUND	(9,500,000)	-1.8%	(9,500,000)	-1.7%	(9,500,000)	-1.6%
SUBTOTAL	\$266,093,669	49.6%	\$270,062,005	48.2%	\$277,501,704	45.4%
GRANTS-IN-AID & OTHER						
FEDERAL AID - CONSTRUCTION	\$231,728,289	43.2%	\$208,082,019	37.1%	\$272,189,698	44.5%
FEDERAL AID - MASS TRANSIT	3,221,008	0.6%	4,852,449	0.9%	5,380,443	0.9%
CTC FUNDS	35,223,943	6.6%	76,852,184	13.7%	55,396,653	9.1%
COUNTY & MUNICIPAL	154,150	0.0%	0		0	
GENERAL FUND APPROPRIATION	\$592,040	0.1%	585,976	0.1%	585,976	0.1%
SUBTOTAL	\$270,919,430	50.4%	\$290,372,628	51.8%	\$333,552,770	54.6%
TOTAL RECEIPTS	\$537,013,099	100.0%	\$560,434,633	100.0%	\$611,054,474	100.0%
<u>EXPENDITURES</u>						
GENERAL	\$17,597,498	3.3%	\$25,599,066	4.6%	\$19,729,249	3.2%
ENGINEERING	14,247,012	2.7%	16,904,239	3.0%	18,261,483	3.0%
LAND & BUILDINGS	1,877,775	0.3%	3,993,500	0.7%	3,944,022	0.6%
WORKERS COMPENSATION	3,109,550	0.6%	4,541,600	0.8%	3,026,600	0.5%
DAMAGE CLAIMS	339,314	0.1%	400,400	0.1%	408,900	0.1%
SERVICE & EQUIP DEPOTS	4,443,705	0.8%	5,347,862	1.0%	5,126,486	0.8%
SUBTOTAL	41,614,854	7.7%	56,786,667	10.1%	50,496,740	8.3%
INTERNAL CHARGES TO CONSTR	(10,807,905)	-2.0%	(10,000,000)	-1.8%	(10,000,000)	-1.6%
TOTAL SUPPORT OPERATIONS	\$30,806,949	5.7%	\$46,786,667	8.3%	\$40,496,740	6.6%
MASS TRANSIT	4,668,136	0.9%	6,712,154	1.2%	10,637,500	1.7%
HIGHWAY MAINTENANCE	\$184,264,799	34.3%	\$187,669,749	33.5%	\$196,156,696	32.1%
HIGHWAY CONSTRUCTION-HWY FD	338,041,479	62.9%	273,076,946	48.7%	356,497,019	58.3%
HIGHWAY CONSTRUCTION-CTC FD	35,223,943	6.6%	76,852,184	13.7%	55,396,653	9.1%
TOTAL	\$562,198,357	104.7%	\$544,311,033	97.1%	\$618,687,868	101.2%
TOTAL EXPENDITURES	\$593,005,307	110.4%	\$591,097,700	105.5%	\$659,184,608	107.9%
EXCESS OF RECEIPTS OVER EXPENDITURES	(\$55,992,207)	-10.4%	(\$30,663,067)	-5.5%	(\$48,130,134)	-7.9%
PROJECTED HWY FUND CASH BAL	\$105,191,356		\$74,528,289		\$26,398,155	

Vegetation Maintenance

The Task Force on Vegetation Maintenance recommends that the Commission adopt the following policies regarding vegetation control within the State.

1. The Department of Transportation revise its roadside maintenance policy so as not to mow outside the thirty foot (30') clear zone along interstate highways except in areas critical to drainage or as may be beneficial to the DOT. Also, limit the use of herbicides where possible in order to reduce possible damage to the environment.
2. Allow native vegetation to regenerate where possible and replant native species in suitable areas when plantings are undertaken.
3. Seek assistance from the State Forestry Commission and the South Carolina Department of Agriculture regarding the proper management of merchantable timber within the DOT right-of-way to include development of guidelines for planting of harvestable crops that may be advantageous and profitable within the Department's right-of-way.
4. Encourage the establishment and beautification of vistas along the interstate routes at entrance points into cities and towns through a cooperative effort of the DOT, the cities, towns, counties, garden clubs, environmental groups, and other interested organizations through the use of wildflower funds and funds generated through a cooperative effort with the outdoor advertising companies in maintaining visibility of outdoor advertising signs along interstate and controlled access facilities.
5. Amend the vegetation maintenance policy relating to outdoor advertising signs so as to establish, on a trial basis, the removal of vegetation within a three hundred foot (300') window of legally constructed outdoor advertising signs along a corridor to be selected by the Director. If procedure proves to be beneficial, Director may extend the scope of project statewide. All advertisers within the corridor will be required to participate by clearing and removing all vegetation currently in place at the direction of the Department of Transportation. Additionally, the advertiser will be required to pay \$200 per sign per year to the DOT with funds dedicated toward the creation of vistas

and other beautification projects. The Outdoor Advertising Section shall develop guidelines for the implementation of this program to be approved by the Director.

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
COMMISSION

BYLAWS

	Page
Article I: Name.....	A.1
Article II: Offices.....	A.1
Article III: The Commission.....	A.1-2
Article IV: Meetings.	A.2-5
Article V: Officers.....	A.5-8
Article VI: Committees, Study Groups and Task Forces...	A.8-9
Article VII: Amendment of Bylaws.....	A.9

Adopted 9/29/94

BYLAWS OF THE SOUTH CAROLINA
DEPARTMENT OF TRANSPORTATION COMMISSION

Article I

Name

The composition and election of the South Carolina Department of Transportation Commission (hereinafter "Commission") is generally prescribed by Code of Laws of South Carolina, §57-1-310, et seq. It is authorized to adopt its own rules and procedures by Code §57-1-350.

NOW, THEREFORE, in order to effectively manage the affairs of the Commission, the following bylaws are adopted.

Article II

Offices

The principal office of the Commission shall be located at the Silas Pearman Building, 955 Park Street. City of Columbia, County of Richland, State of South Carolina.

Article III

The Commission

Section 100. General Powers

The affairs of the Commission shall be managed under the direction of its members. It shall be a general policy making body for the various functions and purposes of the South Carolina Department of Transportation as prescribed by law. It and the Director shall govern the South Carolina Department of Transportation by the Commission defining policies which are to be administered by the Director. All other personnel of the Department shall be appointed, promoted, disciplined or removed by the Director under a Merit System of Personnel Administration, job classifications and pay grades in accordance with the State Personnel and Classification Plan and the State Employee Grievance Procedures; except that Code §57-1-450 provides that the Deputy Directors for each division serve at the pleasure of the Director

and may receive compensation as established under the provisions of Code §8-11-64 and for which funds have been authorized in the general appropriations act. The Director shall conduct, execute and manage the day to day affairs of the Department and shall have all of the powers of the Commission when it is not in session.

Section 101. Chairman, Vice-Chairmen and Secretary:

As provided in Code §57-1-330(A), the at-large Commission member, upon confirmation, shall serve as chairman of the Commission. The Commission shall annually elect from its membership two Vice-Chairmen. There shall also be a non-member Secretary, who shall be the Department's Deputy Director of Finance and Administration. The Secretary shall be responsible for the prompt and correct recording of all proceedings of the Commission and any standing or executive committees, and for the maintenance of minutes and records of the Commission and committees. The Secretary is empowered to affix the official seal of the Commission to official documents of the Commission and to certify official records of the Commission.

Article IV

Meetings

Section 102. Regular Meetings:

(a) Regular meetings of the Commission shall be on the third Thursday of each month. The Commission shall give written public notice of the regular scheduled meetings at the beginning of each calendar year. The notices shall include the dates, times and places of such meetings. Agenda, if any, for regularly scheduled meetings shall be posted on a bulletin board at the meeting place of the Commission at least twenty-four (24) hours prior to such meetings. The Commission shall post on such bulletin board public notice for any called, special or rescheduled meetings. Such notice shall be posted not later than twenty-four (24) hours before the meeting. The notice shall include the agenda, date, time and place of the meeting. This requirement shall not apply to emergency meetings of the Commission.

(b) The Commission shall make an effort to notify local news media, or such other news media as may request notification, of the times, dates, places and agenda of all public meetings, whether scheduled, rescheduled or called, and the efforts made to comply with this requirement shall be noted in the minutes of the meetings.

(c) Notice of the regular meetings of the Commission shall be given in the following format:

"Notice is hereby given that the regular Thursday meeting of the members of the Department of Transportation Commission is hereby called to be held at _____, City of _____, State of South Carolina, on _____, 19____, at _____ o'clock ____ .m., which meeting shall be for the purpose of considering the following agenda:

Section 103. Special Meetings:

(a) Special meetings of the Commission may be held from time to time in addition to the regular meetings scheduled. The Commission shall give written public notice of any special meeting as provided for in Section 102 (a), if possible. The Commission shall make an effort to notify the news media of any special meeting as provided for in Section 102 (b), if possible.

(b) A special meeting may be called by the Chairman, the Director, or a majority of the members of the Commission upon twenty-four hours notice to the members of the Commission.

Section 104. Executive Session:

(a) Members of the Commission may meet in an executive session closed to the public. Prior to going into such executive session, the Commission shall vote on the question in a regular or special public meeting and when such vote is favorable, the Chairman shall announce the purpose of the executive session. No formal action may be taken in the executive session. Formal action means a recorded vote committing the body to a specific course of action. No vote may be taken in executive session. The purposes for which an executive session may be closed to the public under this Section are as follows:

1. Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, or the appointment of a person to the Department.
2. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice, settlement of legal claims, or the position of the Commission in other

adversary situations involving the assertion against the Department of a claim or Departmental claims against others.

3. Discussion regarding the development of security personnel or devices.
4. Investigative proceedings regarding allegations of criminal misconduct.
5. Discussion of matters relating to the proposed location expansion, or the provision of services encouraging location or expansion of industries or other businesses in the state.

Section 105. Quorum

A majority of the members of the Commission shall constitute a quorum for the transaction of business at any meeting of the Commission; but, if less than a majority is present at any meeting, a majority of the members present may fix the time in which to adjourn, recess, or take measures to obtain a quorum.

Section 106. Conduct of Proceedings and Order of Business

(a) The Chairman, or in his absence, the Vice-Chairman, shall preside over meetings of the Commission. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Commission in all cases they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Commission may adopt. At each monthly meeting or special meeting the order of business shall be as follows:

1. Calling the roll, determining and announcing the members present, determination of a quorum;
2. A reading and disposition of unapproved minutes from prior meetings;
3. Report and recommendations of the Director;
4. Report of standing committees of the Commission;
5. Disposition of unfinished business;
6. A presentation and disposition of new business on agenda; and,
7. Adjournment.

(b) When, as a part of the disposition of business, the Commission is considering the acceptance of roads and streets into the State highway secondary system, the members may receive recommendations from interested parties and vote thereon. Decisions to accept roads and streets into the State highway secondary system shall be in accord with Section 107 hereof.

Section 107. Commission Decisions:

The act of the majority of the members of the Commission present at a meeting at which a quorum is present shall be the cast of the Commission, unless the act of a greater number is required by law or by these bylaws. All adopted policy decisions, directions, and instructions are to be conveyed on behalf of the Commission by the Commission's Chairman or, in his absence by the Vice-Chairman, to the Director.

Section 108. Proxy Voting:

Proxy voting shall be allowed only under the following conditions:

- (a) two-thirds of the members must be present in person, and
- (b) the proxy shall be in writing, shall identify the specific issue for which the proxy is given, and shall specify the vote that is to be cast.

Section 109. Compensation:

Members of the Commission shall be allowed the usual per diem, mileage and subsistence as provided by law for members of other boards, committees and commissions for attendance at its official meetings. Official meetings shall include all regular and special meetings as defined in Sections 102 and 103, respectively.

Article V

Officers of the Department

Section 110. Powers and Duties of the Director:

As provided in Code §57-1-410, the Director shall be appointed by the Commission and shall serve at the pleasure of the Commission. The Director shall receive such compensation as may be authorized under the provisions of §8-11-160 and for which funds have been authorized in the general appropriations act.

The Director shall be the executive and administrative head of the Department. The Director shall carry out the policies defined by the Commission and shall administer and supervise the internal operations and management of the Department. When the Commission shall not be in session, the Director shall have and may exercise all powers belonging to the Commission. The Director shall have the following powers and duties:

1. As provided by Code §57-1-450, the Director shall appoint a Deputy Director for each division of the Department, who shall serve at the pleasure of the Director.
2. The Director shall preside at all executive staff meetings at which he is present.
3. The Director shall be responsible for the administration of State personnel policies and general personnel policies which are approved by the Commission.
4. The Director shall have the sole authority to employ and discharge Department employees, subject to such applicable laws, applicable personnel policies and funding available for that purpose.
5. The Director shall have the responsibility of executing policies, directives, and actions of the Commission, either personally or by issuing appropriate directives to Department employees.
6. The Director shall have general supervision over and direction of all other officers and employees of the Department and to see that their respective duties are properly performed.
7. The Director shall operate and conduct the day to day business and affairs of the Department according to the overall policy as set forth in the orders and resolutions of the Commission, and according to the Director's own discretion, whenever and wherever it is not expressly limited by such orders and resolutions.
8. The Director shall execute agreements and contracts in the ordinary course of the Department's business on behalf of the Commission.

Section 111. Deputy Director for Finance and Administration:

The Deputy Director for Finance and Administration shall be appointed by the Director and shall serve at the pleasure of the Director. The Deputy Director for Finance and Administration may

receive compensation as established under the provisions of Code §8-11-160 and for which funds have been authorized in the general appropriations act. The responsibilities and duties of the Deputy Director for Finance and Administration must include, but not be limited to, the following:

- (a) Financial planning and management;
- (b) Accounting systems necessary to comply with all federal and/or state laws and/or regulations as well as all policies established by the comptroller general;
- (c) Administrative functions, including recording proceedings of the Commission and developing policy and procedures to insure compliance with these policies and procedures.

Section 112. Deputy Director for Construction, Engineering, and Planning:

The Deputy Director for Construction, Engineering and Planning shall be appointed by the Director and shall serve at the pleasure of the Director. The Deputy Director for Construction, Engineering and Planning may receive compensation as established under the provisions of Code §8-11-160 and for which funds have been authorized in the general appropriations act. The responsibilities and duties of the Deputy Director for Construction, Engineering and Planning must include, but not limited to, the following:

- (a) The development of statewide strategic highway plans; and
- (b) Directs highway engineering activities, including construction, design, construction oversight, and maintenance of state highways.

Section 113. Deputy Director of Mass Transit:

The Deputy Director of Mass Transit shall be appointed by the Director and shall serve at the pleasure of the Director. The Deputy Director of Mass Transit may receive compensation as established under the provisions of Code §8-11-160 and for which funds have been authorized in the general appropriations act. The responsibilities and duties of the Deputy Director of Mass Transit shall include, but not be limited to, the following:

- (a) Development of statewide mass transit systems;
- (b) Coordinate the preservation and revitalization of existing rail corridors; and

- (c) Perform in accordance with the provisions of Code §57-3-40, which sets out the powers and duties of the Division of Mass Transit.

Section 114. Divisions of the Department

The Department of Transportation must be divided into such divisions as the Commission may prescribe, but must consist of the following principal divisions:

Finance and Administration; Construction, Engineering, and Planning; and Mass Transit. The Commission may establish other divisions, or ancillary or service divisions as may be necessary for the efficient and economic operation of the division and to carry out the functions and purposes of the division.

Article VI

Committees, Study Groups, and Task Forces

Section 115. Committees of the Commission

(a) The only purpose of the various committees of the Commission is to make recommendations and give advice to the full Commission on identified issues of concern.

(b) The Commission, by resolution adopted by a majority of its members present, may designate one or more committees, each of which shall consist of two or more members, which committees, to the extent provided in such resolution, shall advise and make recommendations to the full Commission, but the designation of such committees and the delegation thereto of authority shall not operate to relieve the entire Commission members, or any individual Commission member, of any responsibility imposed on it or him by law. The Committees are hereby authorized to create such subcommittees as are necessary, which such membership as the Committee deems appropriate.

(c) Proceedings in committee meetings shall be governed by Robert's Rules of Order Newly Revised. A majority of the members of a committee shall constitute a quorum for the transaction of business at any committee meeting.

(d) Committee meetings will be scheduled as needed. The Commission shall give written public notice of any scheduled committee meeting at least twenty-four (24) hours prior to such meeting. Such notice shall contain the date, time, and place of

such meetings and the agenda, if any. The Commission shall make an effort to notify the news media in advance of any scheduled committee meeting.

Section 116. Study Groups and Task Forces:

The Commission, by resolution adopted by a majority of its members, may establish and appoint members to a study group or task force to examine and report to the Commission on issues which would most appropriately be addressed by a number of organizations and interest groups rather than solely by Commission or Department staff.

Article VII

Amendment of Bylaws

These bylaws may be amended at any regular meeting of the Commission by a two-thirds (2/3) vote, provided that the amendment has been submitted in writing at the previous regular meeting.

72 10 11 1994

OCT 17 1994

PLANNING