



**POLICY COMMITTEE MEETING  
SUMMARY MINUTES**

**Friday, June 24, 2011 - 12:00 p.m. (NOON)  
Manchester Meadows Conference Room**

**COMMITTEE MEMBERS PRESENT:** Danny Funderburk; Wes Hayes; Jim Reno; David Bowman; George Sheppard; Ralph Norman; Sarah Nuckles; Kathy Pender; and Britt Blackwell

**ADMINISTRATIVE/TECHNICAL/MANAGEMENT STAFF PRESENT:**  
Brenda Perryman (SCDOT); Kevin Sheppard (SCDOT); Brian Klauk (SCDOT); Jessica Hekter (FHWA); John McCarter (SCDOT); Joe Cronin (Fort Mill); Wendy Bell (CRCOG); Jim Baker (York County); Phil Leazer (York County); Tobe Holmes (York County); Stephen Allen (York County); Susan Britt (Tega Cay); Church Chorak (CRH); Frances Thomas (CRH); David Hooper (CRH); and Leigh Welch (CRH).

**CITIZENS/VISITORS PRESENT:** Frank Myers (CAC); Sheri Williamson (STV/RWA); Richard Capps (STV/RWA); Hisham Abdelaziz (HDR); Theron Pickens (LandDesign); Amy Massey (Kimley-Horn); Tony Chapman (URS); and Mike Fry (CAMPCO)

**1. CALL TO ORDER:**

- A. Welcome** – Chairman Funderburk called the meeting to order at 12:20 P.M.
- B. Citizen Comment Period** – Chairman Funderburk invited visitors and/or citizens who had comments to address the Policy Committee at this time. There were no comments.

**2. REVIEW/APPROVAL OF MINUTES:**

Chairman Funderburk asked if there were any changes, deletions or comments to the minutes of the May 27, 2011 meeting. Hearing no comments, Mr. G. Sheppard made a motion to approve the minutes as presented. Mr. Blackwell seconded and the minutes were unanimously approved.

- A. York County One Cents Sales Tax Program** – Mr. Leazer presented the Committee with a report on the 1997 and 2003 Pennies for Progress programs. Specifically, Mr. Leazer noted the final 1997 project costs are \$208,083,898.00 with the following three projects still active:

- Cherry Road – Final surface course to be applied in July 2011
- SC Highway 5 Bypass – 58% complete; estimated completion August 2012
- SC 72 / Albright Road – Funding agreement pending with SCDOT

Mr. Leazer then noted the 2003 program tax collection will terminate September 2011 with 27 of the 38 projects funded through the 2003 program; the remainder will be carried over to the 3<sup>rd</sup> Pennies for Progress program. Of the 27 funded projects, 20 are currently under

construction or have been completed; 7 projects are still under various phases of design, permitting and ROW acquisition. Mr. Leazer also provided an update on 2003 projects within the RFATS area. Specifically, updates on the following projects:

- Mt. Gallant Road – 42% complete
- Fort Mill Southern Bypass – Phase 1A scheduled for completion July; Phase 1B final construction plans under review by SCDOT; Phase 1C ROW currently underway; Phase II ROW currently under review by SCDOT
- SC 274 Intersection Corridor – 42% complete
- Adnah Church Road & SC 161 – 42% complete
- Adnah Church Road/Hwy 5/Eastview Road – Construction on realignment complete; signal installation scheduled within the next few months
- Eastview Road/Falls Road/SC 322 – 40% complete
- White Street Realignment & Railroad Crossing – Partnership between City of Rock Hill and YC; Phase I currently under ROW acquisition and Phase II under design
- McConnells Highway – Currently under design
- Ebinport Road – Currently under design

Of the remaining 11 projects, it should also be noted that 7 projects will be carried over to the 3<sup>rd</sup> Pennies for Progress program due to insufficient funding; 4 projects have received funding from other sources or have been modified per public comment.

**B. CATS Express Bus Services Quarterly Report** – Mr. Hooper presented an update on the CATS Express Bus Services. Specifically, Mr. Hooper stated the 82X quarterly ridership totaled 10,700 which reflects a 5% increase from the previous year's quarter. Mr. Hooper then stated that the 78X route will terminate July 1, 2011 due to continued low ridership; all federal and state requirements were completed in notifying the public of the discontinuation of this route.

**C. SCDOT Report** – Mr. Klauk presented an update on several SCDOT managed projects in the RFATS area. Beginning with an update on two current bridge projects in the area, Mr. Klauk stated that the US 21 bridge substructure is complete; work is continuing and scheduled for completion in late 2012. The SC5 bridge foundation is underway with completion scheduled for late 2013.

Mr. Klauk then stated that the traffic analysis and preliminary design is complete on the Springhill Farm Road project with ROW and letting scheduled for the first quarter of 2012; preliminary design is underway for the SC 160 / Gold Hill / Zoar Road and the SC 160 / US 21 projects with a ROW acquisition beginning in Fall 2011 and letting in Summer 2012. Mr. Klauk will review the possibility of expediting the SC 160 / Gold Hill / Zoar Rd project as requested by Commissioner Nuckles.

#### **4. REPORTS AND PRESENTATIONS:**

**A. Congestion Management Process Update** - Mr. Hooper presented a report on the Congestion Management Process (CMP) update. Mr. Hooper explained the CMP; the federal requirements related to the process; and the role of the CMP as part of the broader Metropolitan Planning Process in addressing congestion management.

Mr. Hooper went on to note the involvement of the RFATS Technical Team and consultant assistance in updating the process. Also noted were key milestones in the process such as

identifying congested locations and a monitoring network in addition to the development of an operations and policy matrix. In response to a question from Commissioner Nuckles, Mr. Hooper stated that an access management component was included in the process.

## **5. PROPOSED POLICY COMMITTEE ACTION ITEMS:**

- A. TIP Amendment** – Mr. Hooper requested final approval to amend the FY 09-15 TIP for the reallocation of \$1,136,000 in FY 06-07 CMAQ funds to the side track extension project. No public comments were received.

Mr. Blackwell made a motion to amend the FY 09-15 TIP to reflect the reallocation of \$1,136,000 in FY 06-07 CMAQ funds to the side track extension project. Ms. Pender seconded and the motion passed unanimously.

- B. TIP Amendment** – Mr. Hooper requested final approval of amendment to the FY 09-15 TIP for the following three TEP applications totaling \$245,600:

- York County – Exit 90 Gateway Project - \$70,000
- York County – Sutton Place Sidewalk Project - \$40,000
- City of Rock Hill – Sidney Street Improvement Project - \$146,800

Mr. Hooper also noted no public comments were received. Mr. Bowman made a motion to amend the FY 09-15 TIP to reallocate \$245,600 in federal funds for the three TEP projects. Mr. G. Sheppard seconded and the motion passed unanimously.

- C. TIP Amendment** – Ms. Thomas presented a request for final approval to amend the FY 09-15 TIP to add the federal earmark funding in the amount of \$666,900 to the Tega Cay-Gold Hill Road Connector project. Ms. Thomas also noted USDOT and EPA's approval of the amendment and stated no public comments were received.

Commissioner Nuckles inquired as to the origin of the earmark. In response, Mr. G. Sheppard stated that former Congressman John Spratt earmarked the funds and then made a motion to amend the FY 09-15 TIP to add the federal earmark funding in the amount of \$666,900 to the Tega Cay- Gold Hill Road Connector project. Ms. Pender seconded and the motion passed unanimously.

- D. TIP Amendment** – Ms. Thomas presented a request for final approval to amend the FY 09-15 TIP to add Federal Transit Administration funds (Section 5316) in the amount of \$28,800 awarded to York Technical College. No public comments were received.

Ms. Pender made a motion to amend the TIP to add FTA Section 5316 funds in the amount of \$28,800. Commissioner Nuckles seconded and the motion passed unanimously.

- E. TIP Amendment** – Mr. Hooper presented a request for final approval, contingent on a 15 day-public comment period, to amend the FY 09-15 TIP to add \$1,382,600 in FY 11-12 CMAQ funds to the following projects:

- East White Street / SC 72 intersection: \$582,600
- Mt. Gallant / Celanese Roads intersection: \$400,000
- Riverview / Riverchase Roads intersections: \$400,000

Mr. Norman commented on the bidding process. Commissioner Nuckles commented on project management. Mr. Reno then made a motion to amend the FY 09-15 TIP, contingent upon a 15-day public comment period, to add \$1,382,600 in FY 11-12 CMAQ funds to the projects. Ms. Pender seconded and the motion passed unanimously.

- F. TIP Amendment** – Ms. Thomas presented a request for approval to amend the FY 09-15 TIP, contingent on a 15-day public comment period, to add \$1,500,000 in FY 11 & 12 Guideshare funds to SC 121 / Albright Road widening improvements (1997 Pennies for Progress project). Ms. Thomas stated that SCDOT is in favor of advancing the FY 11&12 Guideshare funds to RFATS. Commissioner Nuckles commented on the federal match program. Mr. Leazer stated this project did qualify for the federal match program and in combination with the Guideshare funds, the project will be able to move forward.

Sen. Hayes made a motion to amend the FY 09-15 TIP, contingent on a 15-day public comment period, to add \$1,500,000 in FY 11 & 12 Guideshare funds to the SC 121 / Albright Road widening improvements. Commissioner Nuckles seconded and the motion passed unanimously.

- G. New Catawba River Crossing Feasibility Study** – Ms. Thomas presented a report detailing the consultant selection (qualifications based) process. Specifically, Ms. Thomas noted the review of the draft scope of services by the RFATS Study Team, Policy Committee and SCDOT staff. Following the review and revision with comments incorporated, staff moved forward in creating a Request for Qualifications (RFQ) as required in both State and Federal procurement laws for professional engineering services. The RFQ was then reviewed by the City of Rock Hill and SCDOT Procurement Offices and posted to various websites and publications as required. Ms. Thomas then stated that six responses were received by the May 20, 2011 deadline. Following the evaluation process and interviews, three firms were selected and ranked as the top three based on statements of qualifications as follows: 1) STV; 2) URS; and 3) CAMPCO.

Ms. Thomas went on to outline the next steps. Specifically, negotiation of services contract, fee and contract execution. Ms. Thomas then noted that oversight of the negotiation of the services contract is provided by RFATS staff, Study Team; the City of Rock Hill Purchasing Agent and City Attorney; as well as the SCDOT Planning and Procurement Offices. Finally, as Rock Hill serves as the Administrative Agent for RFATS, the execution of the contract will be completed by the Rock Hill City Manager.

As a follow-up to previous discussions regarding the RFQ process, Ms. Thomas then presented the following three options for consideration:

- I. Authorize RFATS staff to move ahead with contract negotiations and execution of contract by City Manager
- II. Policy Committee review and approve contract at called meeting in July
- III. Authorize RFATS chairman to review and sign-off on contract prior to execution

Mr. Norman then commented on the qualifications based process and inquired about requesting bids for the feasibility study. Ms. Thomas reviewed the qualifications process; Commissioner Nuckles then commented on the design-build process versus the qualifications based process. In response, Mr. Klauk cited the Brooks Act and noted federal law prohibits

price as a factor in the selection process. Mr. Bowman inquired about the state law; the discussion of dollar amounts prior to the issuance of the RFQ; and whether or not the RFQ requires a pricing component. Ms. Thomas noted that the funds to be utilized on the study are a matter of public record as listed in the TIP and STIP, and again explained the process of negotiation of services. Both Mr. Chorak and Mr. Klauk added that the state limits salaries and extraordinary costs and went on to state that the negotiation phase allows RFATS to determine if the costs are indeed fair and reasonable based on independent estimates. The selected firm can be rejected if negotiations are not successful thereby allowing the next qualified firm to be contacted for negotiation of services.

Mr. Norman then inquired if there have been previous projects where costs have come in under the estimated costs. Mr. K. Sheppard responded in the affirmative. Mr. Reno also commented on the sealed bid process and inquired if a firm, once rejected, can be contacted again for the same project. Mr. K. Sheppard indicated this is not allowed. Mr. Norman then inquired about remaining funds. Mr. K. Sheppard advised that the remaining guideshare funds are available for use by RFATS. Commissioner Nuckles inquired if change orders are allowed. Mr. Klauk responded change orders are allowed only in changes of scope.

Sen. Hayes made a motion to authorize staff to complete negotiations and execute the contract for the feasibility study; Ms. Pender seconded. Chairman Funderburk called for discussion. Mr. Reno questioned which option was being authorized and was in favor of option 2) Policy Committee review and approve contract at a called meeting in July. Sen. Hayes then modified the motion to review and approve the contract at a called meeting in July; Commissioner Nuckles seconded. Mr. G. Sheppard then inquired if electronic voting is allowed. Ms. Thomas stated there is no indication of electronic voting allowed in the RFATS by-laws. With no further discussion, the motion passed unanimously.

- H. 2011 York County One Cents Sales Tax Referendum** – Ms. Thomas presented a resolution of support for the 2011 York County One Cents Sales Tax referendum. Commissioner Nuckles made a motion to support the 2011 York County One Cents Sales Tax referendum. Ms. Pender seconded and the motion passed unanimously.

## **6. Other Business:**

- A. Public Participation Plan Review** – Ms. Thomas presented information on the Public Participation Plan review currently underway and requested comments / suggestions by August / September. Ms. Thomas also noted a survey currently on the RFATS website regarding the PPP.
- B. Transportation Reauthorization Legislation** – Ms. Thomas commented on the SAFETEA-LU reauthorization and potential negative impacts on small MPOs such as RFATS. Ms. Thomas then stated that the APA has advised MPOs to contact the SC Congressional Delegation regarding the role of MPO; and the potentially adverse impact consolidation with a larger MPO could / would represent for RFATS. Correspondence has been drafted and is included in your packet for your use.

Commissioner Nuckles spoke in support of the correspondence. Sen. Hayes made a motion to authorize the Chairman to send the letter on RFATS' behalf. Ms. Pender seconded and the motion passed unanimously. Ms. Britt added a meeting is scheduled with Sen. Graham and DeMint's offices and the APA regarding its opposition to the consolidation of MPOs.

- C. Ms. Thomas announced her retirement from the City of Rock Hill and noted this meeting would be her last RFATS meeting. Ms. Thomas then noted it was an honor and privilege to work with staff and members over the years. Mr. Funderburk thanked Ms. Thomas for her 12 years of service to RFATS. All applauded and thanked Ms. Thomas for her work.
- D. Next regular meeting – September 23, 2011. Ms. Thomas noted that meeting dates will be emailed for consideration for the called meeting over the summer.

**7. Adjournment:**

Being no further business, the meeting was adjourned at 1:30 P.M.