

Joint Transportation Review Committee

2009 Report of Candidate Qualifications

Date Initial Report Issued: Tuesday, June 9, 2009

Date and Time

Report Becomes Final*: Noon on Thursday, June 11, 2009

Delegation members are not free to pledge their votes until Thursday, June 11 at noon.

*Unless members are otherwise notified, report becomes final at noon on Thursday, June 11, 2009.

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INTRODUCTION

Act 114 of 2007 was enacted to restructure the South Carolina Department of Transportation and the Department of Transportation Commission. Reforms were written to make the department and commission more accountable to the public, more transparent in their operations, and more equitable in their delivery of services.

A key component of Act 114 was the formation of the Joint Transportation Review Committee. The JTRC's primary responsibility is to consider the qualifications of applicants for the Department of Transportation Commission and to determine whether the applicants meet the statutory criteria for commissioners.

This report contains the committee's initial findings regarding the qualifications of applicants for the Commission's Third District seat.

Committee Composition and Responsibilities

The JTRC is comprised of ten members, eight of whom are legislators and two of whom are appointed from the public at-large. To fulfill its mandate, the committee conducts an investigation of each applicant's professional, personal, and financial affairs, and holds a public hearing during which each applicant may be questioned on a wide variety of issues.

The committee expects each applicant to demonstrate a level of education and/or education commensurate with the duties and responsibilities of a commissioner and to exhibit strong ethical standards. The committee's investigation focuses on whether the applicant meets the qualifications for service on the commission as established in Section 57-1-310(C):

The qualifications that each commission member must possess, include, but are not limited to:

- (1) a baccalaureate or more advanced degree from:
 - (a) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;
 - (b) an institution of higher learning that has been accredited by a regional or national accrediting body; or
 - (c) an institution of higher learning chartered before 1962; or
- (2) a background of at least five years in any combination of the following fields of expertise:
 - (a) transportation;
 - (b) construction;
 - (c) finance;
 - (d) law;
 - (e) environmental issues;
 - (f) management; or
 - (g) engineering.

The JTRC's investigation includes (1) a State Law Enforcement Division background check, (2) a credit investigation, (3) a careful study of application materials, including a comprehensive personal data questionnaire, (4) a test of basic knowledge related to the Department of Transportation and the commission, (5) a personal interview with each candidate, and (6) further inquiry as the committee considers appropriate. The interview provides an applicant with the opportunity to discuss the specifics of his or her application and to amend application materials if needed. The interview also provides the JTRC with the opportunity to discuss routine questions related to ethical matters, the applicant's familiarity with the operations of the commission, the relationship between state, local, and regional transportation authorities, and general transportation issues

in South Carolina. The interview also allows the committee to gauge the applicant's depth of experience and temperament.

About the Report

Each member of the General Assembly residing in the Third Congressional District will be provided a copy of this report for review and consideration. The committee believes that this report will help each member make a more fully informed vote.

An applicant has 48 hours after the initial release of this report to request non-substantive corrections. **This report represents the JTRC's findings, pending any corrections. Corrections, if any, will be distributed immediately upon availability.**

The JTRC will then release the final report of all qualified candidates to resident members of the Third District. **No member of the congressional district delegation may pledge his or her vote to elect a candidate until after noon on Thursday, June 11, 2009.**

Upon release of this report, and any corrections, the JTRC's responsibilities related to candidate screening are completed.

Election of Commission Members

A candidate may withdraw at any stage of the proceedings. **Resident members of the Third District may meet to elect a commissioner to represent their district at any time after noon on Thursday, June 11, 2009.**

Pursuant to Section 57-1-325 congressional delegations must hold a duly called, public meeting to elect a Department of Transportation Commissioner. Signing a 'pledge-sheet' does not constitute a vote in favor of a candidate nor does it replace the statutory requirement for a meeting.

For purposes of electing a commission member:

- Legislators residing in the congressional district shall meet upon written call of a majority of the members of the delegation of each district, at a time and place to be designated in the call
- A majority present, either in person or by written proxy, of the delegation constitutes a quorum for purposes of electing a commissioner
- No person may be elected commissioner who fails to receive a majority of the vote of the members of the delegation
- When the election is completed, the chairman and secretary of the delegation shall immediately transmit the name of the elected person to the Secretary of State who will then issue a commission

Joint Transportation Review Committee

Senate Appointees:

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Suite 203, Gressette Building
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Columbia, S.C. 29201
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OVERVIEW

The Joint Transportation Review Committee investigated commission applicants for their suitability for service. On June 3, 2009, the committee screened applicants and found that the following individuals meet the qualifications prescribed by law:

Third District

Mr. Roy E. "Eddie" Adams

Mr. J. Phillip Bowers

Mr. Charles C. Eberhart

Mr. C. Douglas Finney

Mr. Edward H. "Ed" Martin

MR. ROY E. "EDDIE" ADAMS
CANDIDATE FOR COMMISSIONER
OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
THIRD DISTRICT

COMMITTEE FINDING: QUALIFIED

PERSONAL INFORMATION:

Mr. Adams is 41 and lives in Seneca. He is President of the Lowry Oil Company, which includes five retail gasoline locations. He is a member of the board of directors of the South Carolina Petroleum Marketers Association, and has real estate interests. Mr. Adams is also Chairman of the Oconee County Republican Party. He is married to Christina Theos Adams and has two sons.

QUALIFICATIONS:

Education: The Citadel, B.S., Business Administration, 1989.

Areas of expertise: Mr. Adams claims qualifying experience in the following statutory areas.

Transportation: Mr. Adams oversees the transport and distribution of petroleum products for his company, Lowry Oil. He has a commercial driver's license, drives company trucks and tankers on occasion, and has a general familiarity with the trucking industry.

Management: Mr. Adams employs and manages 29 people as president of Lowry Oil. He is a partner in Two Lake Dogs LLP, a real estate management company, and is a partner in Each LLP, a real estate development company. He also worked in a management position with Adams Oil Company from 1990-1991.

OTHER:

Mr. Adams demonstrated a general knowledge of transportation issues, particularly related to trucking. He reported a solid background in accounting and claimed to have a strong work ethic.

CHARACTER:

Mr. Adams seems to have handled his personal financial affairs responsibly. He answered most questions fully on the personal data questionnaire and gave sufficient responses when asked to elaborate on those questions and others during staff interviews.

PHYSICAL HEALTH:

Mr. Adams seems to be physically capable of performing duties of the office.

LETTERS OF RECOMMENDATION:

Mr. John H. Lummus - Tri-County Technical College, Pendleton
Ms. Jeanne L. Ward, R.N., Ed.D. - Oconee Medical Center, Seneca
Dr. Amon A. Martin, Jr. - Seneca
Mr. Rick Beasley - Carolina Bank & Trust Company, Darlington
The Honorable Gresham Barrett - Member of Congress, Westminster

ADDITIONAL INFORMATION:

Mr. Adams reported the need to identify long-term, stable sources of funding to meet SCDOT's needs, noting poor road conditions across the state and the resulting wear and tear on trucks and equipment. He reported he has no day-to-day interaction with the SCDOT or the Commission, and does not expect any

future interaction unless he was to build a new gas station that required permitting. Mr. Adams advised the committee that he owns a seven percent stake in a cement company that does not contract with, or sell to, the DOT. He stated he would recuse himself from voting in the event a conflict arose.

Mr. Adams testified he was aware of the statutory prohibition on members pledging votes until after the release of the Committee's final report. Mr. Adams testified he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

CONCLUSION:

The Committee finds Mr. Adams qualified and reports him to the resident members of the Third District delegation for consideration.

MR. JAMES PHILIP BOWERS
CANDIDATE FOR COMMISSIONER
OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
THIRD DISTRICT

COMMITTEE FINDING: QUALIFIED

PERSONAL INFORMATION:

Mr. Bowers is 48 and lives in Pickens. A Technical Support Supervisor for Duke Energy, he holds a master's degree in human resources. He has worked for the company since 1981 and currently is responsible for overseeing several large-scale construction projects. Mr. Bowers is married to Marsha Lynn Branham Bowers and has one son.

Mr. Bowers also represents the Thirteenth Judicial Circuit on the State Board of Education, a position he states he would resign if elected to the Commission.

QUALIFICATIONS:

Education: Tri-County Technical College, A.S. Industrial Maintenance, 2004; Limestone College, B.A., Human Resources, 2006; Southern Wesleyan University, B.S., Business Administration, 2006; Clemson University, Master's, Human Resources Development, 2008.

Areas of expertise: Mr. Bowers claims qualifying experience in the following statutory areas.

Transportation: Mr. Bowers was a member of the Greenville Pickens Area Transit Study (GPATS), representing the Pickens County Planning Commission. He noted that work done on the Commission related to the approval and planning of infrastructure projects. He serves on the GPATS 2025 Transit Study Committee.

Construction: In the 1980s Mr. Bowers worked for Southern Construction and Engineering and was involved in the construction of Lake Keowee's intake structure for the Greenville Water System. Currently, Mr. Bowers oversees a contract organization that does heavy construction for Duke Energy.

Management: Mr. Bowers assists in managing 24 direct-report contractors and 200 indirect contractors. He manages technical staff in support of three construction projects at the Oconee Nuclear Site that together total more than \$200 million.

Engineering: Mr. Bowers has worked in and around engineering organizations for over 20 years. He reports his duties included resolution of complex technical problems associated with operating large power generating facilities.

OTHER:

Mr. Bowers serves on the Industrial Maintenance Advisory Board of Tri County Technical College. He and his wife own various real estate interests. Mr. Bowers is President of the Six Mile Lions Club.

CHARACTER:

The Committee's investigation did not reveal anything to call Mr. Bowers' character into question. He seems to have handled his personal financial affairs responsibly. Mr. Bowers fully answered all questions asked, both on the personal data questionnaire and during staff interviews.

PHYSICAL HEALTH:

Mr. Bowers appears to be physically capable of performing duties of the office.

LETTERS OF RECOMMENDATION:

Dr. Stephen Holler – Grace United Methodist Church, Pickens.
Lt. Col. Rick Simmons – Pickens County Veterans Affairs Office, Pickens
Chief Butch Womack - City of Easley Fire Department, Easley
Dr. DeWitt Boyd Stone, Jr. - Pickens County Planning Commission
Mrs. Sheree L. Chapman- Pickens County Planning Commission

ADDITIONAL INFORMATION:

Mr. Bowers stated that he enjoys structured work and long-term planning, and suggested he would bring a measured, methodical work approach to the Commission if elected. He cited bridge safety as an issue that the state must address, and stated he had a general familiarity with mass transit proposals on a local level. He suggested the SCDOT needs improved long-range planning.

Mr. Bowers testified he was aware of the statutory prohibition on members pledging votes until after the release of the committee’s final report. He further testified he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

CONCLUSION:

The Committee finds Mr. Bowers qualified and reports him to the resident members of the Third District delegation for consideration.

MR. CHARLES CHRISTOPHER EBERHART
CANDIDATE FOR COMMISSIONER
OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
THIRD DISTRICT

COMMITTEE FINDING: QUALIFIED

PERSONAL INFORMATION:

Mr. Eberhart is 39 and lives in Belton. A civil engineer and registered land surveyor, he owns C.E. Property Solutions, LLC, a civil engineering and surveying firm employing five people in Belton. The company offers boundary, topographic, ALTA, GPS, wetland and natural resources surveys, construction staking, and other surveys. Engineering services include the design and permitting and construction management of private residential and mixed-use developments, as well as commercial and industrial projects.

Mr. Eberhart's company also designs water and sewer systems and construction management services for the projects the company designs. He is also a licensed real estate agent and licensed residential builder. He is married to Sharon Beck Eberhart and has one daughter.

QUALIFICATIONS:

Education: The Citadel, 1988; Clemson University, B.S., Engineering, 1994; USC Apogee Program, 1996.

Areas of expertise: Mr. Eberhart claims qualifying experience in the following statutory areas.

Transportation: Mr. Eberhart has previously been involved in planning, designing, and constructing public and private roads. He is also familiar with transportation studies and upgrades of roads and intersections as part of the permitting process.

Construction: Mr. Eberhart has been involved in the construction of roads, commercial, municipal and residential projects. His engineering and surveying work includes design, permitting and construction management.

Environmental: As a civil engineer, he reports experience in environmental site assessments as well as the acquisition of various types of environmental regulatory permits since 1994. Mr. Eberhart cites experience in the design of wastewater, stormwater, and drinking water infrastructure, as well as permitting and construction.

Management: Mr. Eberhart managed projects and design teams in the design and construction of various projects. He reports that he has responsibility for management of all aspects of C.E. Property Solutions.

Engineering: Mr. Eberhart reports experience with a civil engineering and surveying firm on private and municipal projects and further experience in transportation and water resources engineering, land planning and surveying.

OTHER:

Mr. Eberhart demonstrated a familiarity with the Council of Governments process as it relates to SCDOT, having worked with his local Appalachian COG in planning. His continuing education includes courses in construction lien law, stormwater management, FEMA elevation certificates, GPS, copyrights and surveyors, applied low impact development, real estate investment and taxation, and others. He was President of the Northwest Chapter of the S.C. Society of Professional Land Surveyors, and is a member of the American Society of Civil Engineers, the S.C. Association of Realtors, and other professional organizations.

CHARACTER:

The Committee’s investigation did not reveal anything to call Mr. Eberhart’s character into question. He seems to have handled his personal financial affairs responsibly. Mr. Eberhart fully answered all questions asked, both on the personal data questionnaire and during staff interviews.

PHYSICAL HEALTH: Mr. Eberhart appears to be physically capable of performing the duties of the office.

LETTERS OF RECOMMENDATION:

- Mr. Jack Shaw - Shaw Resources, Greenville
- Mr. Hugh Durham - Coldwell Banker Hugh Durham and Associates, Anderson
- Mr. T. Walter Brashier -T. Walter Brashier & Associates, Greenville
- Mr. Henry C. Harrison - American Services, Inc., Greenville
- Mr. R.D. Garrett - R.D. Garrett & Associates, Anderson

ADDITIONAL INFORMATION:

Mr. Eberhart demonstrated a general familiarity with state transportation issues. He stated that he would recuse himself from voting on the Commission should any potential conflict of interest arise related to his business.

Mr. Eberhart testified that he was aware of the statutory prohibition on members pledging votes until after the release of the Committee’s final report. He further testified that he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

CONCLUSION:

The Committee finds Mr. Eberhart qualified and reports him to the resident members of the Third District delegation for consideration.

MR. C. DOUGLAS FINNEY

**CANDIDATE FOR COMMISSIONER
OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION**

THIRD DISTRICT

COMMITTEE FINDING: QUALIFIED

PERSONAL INFORMATION:

Mr. Finney is 64 and lives in Pickens. He retired in 2000 as a Supervisory Readiness Analyst, USAR Readiness Command, Fort Jackson, where he was responsible for evaluating the readiness of US Army Reserve units to mobilize and deploy, performing analysis of personnel, logistics and training systems, and recommending proposals to enhance the readiness of high priority units. He reports he supervised both civilian and military personnel.

Mr. Finney served in the U.S. Army, transferring to the U.S. Army Reserve in 1969 and retiring as a lieutenant colonel in 1995. He has two grown children and is married to Margaret Owen Finney. Mr. Finney is active in the American Legion, serving as local post commander. He received the Legion of Merit award upon his retirement from the Reserve.

QUALIFICATIONS:

Education: Furman University, 1963-1966; Lander College, 1974-1977; University of South Carolina, B.S., Business, 1979; U.S. Army Officer School, commissioned second lieutenant, 1967; Command and General Staff College, 1981-1982.

Areas of expertise: Mr. Finney claims qualifying experience in the following statutory areas.

Finance: As Resource Management Officer for the 120th U.S. Army Reserve Command, he managed the overall command operating budget and Force Structure Program, which included mission and base operations funding. He provided budgeting and ensured internal control systems were developed, and supervised staff in budget analysis, accounting and pay administration.

Management: Supervisory duties as resource management officer included management analysis of force structure and force modernization. As supervisory readiness analyst, he assumed administrative duties related to work planning and prioritization of projects. His earlier administrative responsibilities for military also included management duties. Mr. Finney was employed by Alice Manufacturing Company from 1969 to 1973, where he oversaw various employees in the production and manufacturing of cloth.

OTHER:

As maintenance officer of a chemical group while in the Army, he stated he supervised operations that included construction of certain roads. Mr. Finney also is a member of the Pickens Rotary Club and the Ambler Elementary School Improvement Council in Pickens.

CHARACTER:

The Committee's investigation did not reveal anything to call Mr. Finney's character into question. He seems to have handled his personal financial affairs responsibly, and he fully answered all questions asked, both on the personal data questionnaire and during staff interviews.

PHYSICAL HEALTH:

Mr. Finney appears to be physically capable of performing the duties of the office.

LETTERS OF RECOMMENDATION:

- Ms. Brenda T. Brannock – Pickens
- Ms. Kathy Brazinski – A.R. Lewis Elementary School, Pickens
- Mr. Kenneth D. Acker – The Acker Firm, P.A., Pickens
- Mr. Marion Lawson – Pickens High School, Pickens
- Mr. Joseph W. Board – Pickens

ADDITIONAL INFORMATION:

Mr. Finney stated a desire to give back to his state and said he would invest a large portion of his time to the DOT Commission if elected. He stated his organizational skills, familiarity with personnel issues, and background in finance would be assets to the Commission.

Mr. Finney owns a number of rental and investment properties. He stated he had no current business-related interaction with the SCDOT, and that he would recuse himself should a conflict arise.

Mr. Finney testified that he was aware of the statutory prohibition on members pledging votes until after the release of the Committee’s final report. He further testified that he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

CONCLUSION:

The Committee finds Mr. Finney qualified and reports him to the resident members of the Third District delegation for consideration.

MR. EDWARD HENRY MARTIN
CANDIDATE FOR COMMISSIONER
OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
THIRD DISTRICT

COMMITTEE FINDING: QUALIFIED

PERSONAL INFORMATION:

Mr. Martin is 46 and lives in Central. He is President of MST Concrete Products, Inc. The 70-employee company manufactures pre-cast concrete products, including manholes, catch basins, wet wells, and utility vaults. He is Chairman of the Pickens County Transportation Committee (CTC), a position he said he would resign if elected to the Commission. Mr. Martin is married to Karen Galloway Alewine and has three children.

QUALIFICATIONS:

Education: Tri-County Technical College, Associate's Degree in Civil Engineering Technology, 1982.

Areas of Expertise: Mr. Martin claims qualifying experience in the following statutory areas.

Transportation: Mr. Martin is Chairman of the Pickens CTC and is a member of the Greenville-Pickens Area Transit Study. He holds a commercial driver's license.

Construction: Mr. Martin has a general contractor's license, and was active in construction from 1986-1996.

Management: As President and Managing Partner of MST Concrete, he manages employees who help run the company's daily operations.

Engineering: Mr. Martin was employed by Dravo-Groves as a field engineer. He also worked as part of a field engineering crew with Duke Power Company.

OTHER:

Mr. Martin has taken a number of continuing education courses during the past five years relating to his business as well as service on the Pickens CTC. He serves on the Clemson Area Chamber of Commerce Board of Directors and the Southern Wesleyan University Board of Visitors. He is active in various trade organizations and other civic, religious and fraternal organizations. Mr. Martin was a candidate for Pickens County Council in 2002 and 2006.

CHARACTER:

The Committee's investigation did not reveal anything to call Mr. Martin's character into question. He seems to have handled his personal financial affairs responsibly and he fully answered all questions asked, both on the personal data questionnaire and during staff interviews.

PHYSICAL HEALTH:

Mr. Martin appears to be physically capable of performing duties of the office.

LETTERS OF RECOMMENDATION:

Mr. Richard E. Cotton - City of Clemson

Mr. David J. Spittal, Ed.D. - Southern Wesleyan University, Central

Mr. Ronnie L. Booth, Ph.D - Tri County Technical College, Pendleton
Mr. John W. Ducworth III - First Citizens, Clemson
Mr. Benjamin G. Glunt - Florence & Hutcheson Inc., Greenville

ADDITIONAL INFORMATION:

Mr. Martin advised that his company's typical customers are private contractors and municipalities. While his products are approved for use by departments of transportation, he stated he does not have any state contracts and does not sell to the SCDOT. He reports that his company sells to contractors who may sometimes use his products in DOT projects.

Mr. Martin said his business background and planning abilities would be an asset to the Commission. He stated he would like to help foster better communication between county CTCs and SCDOT.

Mr. Martin testified that he was aware of the statutory prohibition on members pledging votes until after the release of the Committee's final report. He further testified that he has neither sought nor received the pledge of any legislator prior to screening; has neither sought nor been offered a conditional pledge of support by any legislator; and has not asked third persons to contact legislators in request of support prior to screening.

CONCLUSION:

The Committee finds Mr. Martin qualified and reports him to the resident members of the Third District delegation for consideration.