

## Governing Board

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# Item 5A:

## September 26, 2019 Minutes

French Broad River Metropolitan Planning Organization  
Minutes from the Board meeting on September 26, 2019

### Attendees:

Michael D. Farlow  
George Banta  
Steve Williams  
Troy Wilson  
Joel Setzer  
Autumn Radcliff  
Hannah Cook  
Michael Dawson  
Tom Widmer  
LeRoy Robertson  
Anne Coletta

John Dockendorf  
George Webb  
Stephen Sparks  
Daniel Sellers  
William Lapsley  
Tristan Winkler  
Nick Kroncke  
Emily Scott-Cruz  
Brownie Newman  
Kevin Ensley  
Matt Wechtel

Amanda Edwards  
Larry Harris  
Vicki Eastland  
Brian Burgess  
Ritchie Rozzelle  
Brian Caskey  
Gwen Wisler  
Jeff McKenna  
Bob Davy

### WELCOME AND HOUSEKEEPING

William Lapsley called the meeting to order, welcomed attendees, and requested introductions. He read the Ethics Statement and requested if there were any conflicts which would preclude TAC members from voting on business items, to state such for the record, and to refrain from participating in the matter.

**Matt Wechtel motioned to approve the agenda as presented. Larry Harris seconded and the motion carried without further discussion.**

### PUBLIC COMMENT

No public comment at this time.

### CONSENT AGENDA

Bob Davy moved to approve the consent agenda. Jeff McKenna seconded the motion, carried without further discussion.

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### **5310 Project Selection**

Emily Scott-Cruz presented information regarding 5310 project selection. The projects that were reviewed to guarantee eligibility for funding were confirmed as eligible. Currently, the MPO will fund 5310 projects included in the agenda packet at 66% of requested funding. The MPO is in the process of revising the Call for Applications and creating a quantitative scoring mechanism for the next round of funding. This will include considering how to best prioritize projects, will create a more uniform format for budget submittal and data reporting requirements. Emily SC asked the board to vote to approve funding for the 5310 projects.

**Brownie Newman motions to approve 5310 Project Selection and Brian Caskey seconded motion. Motion approved.**

### **Amendments to the 2018-2027 TIP**

Nick Kroncke introduced the amendments to the TIP. Highlighted were amendments on four different highway projects and two bike/ped projects after delays to ROW and construction. Mr. Kroncke encouraged the board to review and sought recommendation for Board to pass those amendments.

**Larry Harris motions to approve the TIP amendments as presented and Amanda Edwards seconded.**

Questions arose about whether funding would become available would those projects be funded again. Brownie Newman wanted more context as far as DOT funding goes. Tristan presented that the current fiscal environment is one of a cash balance shortfall, causing delays and halting of projects. This is round two or three of delays at the state level because of financial shortfall.

William Lapsley asked if it would be appropriate to amend the motion and add the request that NCDOT recognize the concern that the Board has with funding.

### **Draft 2020-2029 TIP**

Nick Kroncke presented a summary of transportation project planning and construction. The STIP was approved earlier in September and included 1700 projects across the state, the TIP is the subset of that document maintained by the MPO in accordance with NCDOT and must align with the STIP. The TIP is a planning level document without design details—only general improvements and route. There are 150 programmed projects, 88 highway, 22 bike/ped, and 43 other. If the TIP does not align with state's STIP the project may not move forward, nor any project in the TIP. Mr. Winkler noted the historical perspective—TIPs were created to check states and local governments and make sure they were staying close to the same page.

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William Lapsley asked if a local board could just request projects be removed from the STIP and not take it before the MPO. Mr. Winkler said that's not the case- the MPO would still be required to remove the project from the TIP. In other MPOs, disagreements have occurred where state says no to removal or MPO says no and the other says yes. When that happens, all projects in the region are impacted. This happens with clear disagreements- not just administrative errors.

Mr. Kroncke covered the highlights of the SPOT 5.0 projects that made it into the TIP. Including I-25 project, Swannanoa River Rd (Modernization), NC 280 (Access Management), US 23/74 in Haywood County (Modernization), US 276/Jonathan Creek R-5921 (Modernization), Russ Ave, North RAD Greenway, Mills Gap, US 23/74, Grove Street Sidewalks, etc. Further discussed the process of TIP/STIP and directed Board to the public input opportunities (hearing at October Board meeting). Nick showed the GIS map that displays and provides information regarding projects in the region.

**Informational at this point, no motion needed.**

### **SPOT Updates & Project Suspensions**

Mr. Winkler presented on the NCDOT delays that moved most of milestones for prioritization back several months. Project submissions are scheduled now for March and April 2020. This pushes back a lot of milestones and alters overall planning schedule. SPOT scores are now pushed back to January 2021—not summer 2020. Funding shortfalls caused by a number of factors such as natural disasters, MAP Act lawsuits, and cost overruns across our region and the entire state led to these delays.

SPOT 6.0 was supposed to develop the 2022 to 2031 STIP; however, that is now changed to 2023 to 2032 STIP to allow more time to work through express designs and get better cost estimates, but also if you add another year as part of prioritization process, that's another year of funding made available.

Steve Williams explained how DOT is required to have a cash balance of no-less than \$300 million, and a few months ago notified that they were fast approaching the cash floor, which resulted in suspension of contracts and projects and letting temporary employees go. The result was that projects not on 12 month let lists or with federal funding were suspended. No more development could take place. Prior to 2016, average emergency storm expenditures were \$65 million, but since 2016 it's jumped up to \$222 million dollars per years, and NCDOT gets reimbursed but it takes about a decade to get those reimbursements. The MAP Act lawsuit and subsequent ruling as unconstitutional led to state payouts to property owners, which led to about \$300 million paid so far, and NCDOT anticipates it could go up to \$1 billion dollars paying property owners.

Recently, a second year of NC Build Bond money became available and will be applied to some of the suspended projects. Now in Henderson and Haywood County, only the projects in 2020-2029 STIP will not

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be underway. Bonds are officially released now though. This deals with our current funding balance, not projected balance.

**Informational only, no motion needed.**

### **NCDOT Complete Streets Updates**

Mr. Winkler explained that NCDOT has been working on Complete Streets updates for a little over a year and recently passed an updated policy statement and description. This is for Complete Streets projects built on roadways. The most important aspects of the policy being the cost share and construction of bicycle, ped, and transit facilities in conjunction with highway projects. If your jurisdiction has a local, regional, or state adopted plan that identifies a bike/ped/transit project and falls on a funded highway corridor, it'll be constructed and paid for in full by NCDOT. If it is not in a plan but is deemed necessary, it can be constructed in that process but will have a local cost share. This is important because we need to make sure that the complete streets elements that you want are reflected in your documents. This also affects betterments, NCDOT will pay up to their requirements and additional "betterments" will be cost shared with local funds. Every complete streets policy has exceptions, but this policy is taking more of an opt out approach—if you say "don't have complete streets elements as this project" then you have to justify why not as opposed to justifying the need for complete streets elements. If not including Complete Streets element is requested by local government (rather than the engineers) then it is granted however.

The MPO is required to have projects funded in region to be included in long range plan along with expectations from that project. Even if it's not in a local plan, we still have to develop local concept to send to DOT for design.

**Informational only, no motion needed.**

### **NCDOT Division 13 and 14 updates**

Hannah Cook presented NCDOT Division 13 updates. Ms. Cook mentioned she is developing a map that should be available to show projects and information related to projects sometime soon.

Steve Williams provided updates about the ongoing projects in Division 14.

A project can go all the way to the let date and still be killed—question arising from political campaign that is built on ending a certain project. However, that project would still need to be removed from the TIP by the MPO.

**Informational only, no motion needed.**

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### **Transportation Planning Branch**

Project suspensions affect forecast, so currently forecasting work is suspended.

NC Moves 2050 has been a huge outreach effort. NCDOT is doing more public outreach and seeks input and advice for ideas of where NCDOT can pitch their NC Moves efforts

Next section of public involvement is focused on scenario planning.

### **FHWA/FTA Updates**

FHWA is worried by cash balance issues and have been working with real estate folks to make sure that we maintain federal funding for projects that were affected by MAP Act. Trying to maintain as much as we can. It is the end of our fiscal year and they'll be back up and operating first week of October. Not sure what happens in November.

### **Subcommittee/Workgroup Reports, Staff Updates, and Housekeeping**

Prioritization met in September to discuss MTP, land use studies, etc. We'll be meeting on October 1<sup>st</sup> to do an MTP workshop, drawing on maps and prioritizing goals.

The Regional Trail Work group met in August and next meeting will cover a draft document that covers the regional trail map. Hellbender Regional Trail Network is the officially recommended title of the trail

Transit Operators Group met and discussed 5310 and the regional transit feasibility study coming later this year (met on September 13<sup>th</sup>)

### **Legislative Updates**

There is a draft transportation bill in the senate known as the Drive Act. Overall, it does add funding across the board and for resiliency, but the sticker on that one is that it does not show where the funds are coming from. Daniel thinks it is just to extend reauthorization of funding past the expiration date in 2021.

### **ANNOUNCEMENTS, NEWS, SPECIAL UPDATES**

William Lapsley – in April, the board was told that funds not committed would be distributed. Came to Henderson's attention that some funds could go towards ped/greenway projects. So groups put together the abandoned railroad track in Hendersonville to Brevard to convert it into a greenway, called the Ecusta Trail, and through the efforts of a number of groups and municipal governments, the board of transportation at August meeting approved a grant of 6.4 million dollars to Conserving Carolina to act as agent to acquire rights to railroad track, which would be a bulk of funding for the track and additional funds would become available to begin construction of major greenway from Hendersonville to Brevard.

### **PUBLIC COMMENT**

No public comment.

**Motion to adjourn by Larry Harris and Brian Caskey seconded it. Meeting adjourned.**