



French Broad River Metropolitan Planning Organization
Virtual Meeting via the Zoom Platform
Minutes from the Governing Board meeting on February 25, 2021

February 25, 2021: Remote Attendance via Zoom

Chair Larry Haris (Town of Black Mountain)
Tristan Winkler (FBRMPO)
Nick Kroncke (FBRMPO)
Emily Scott-Cruz (FBRMPO)
John Ridout (LOSRC-TDM)
Matt Wechtel (Madison Commission)
Daniel Sellers (NCDOT TPD)
Amna Cameron (NCDOT)
Kevin Ensley (Haywood Commission)
Brian Caskey (Town of Mills River)
Daniel Metcalf (Rural Transit Representative)
Rebecca McCall (Henderson Commission)
Steve Williams (NCDOT Division 14)
Susan Russo-Klein (Roberts & Stevens, PA)
Anne Coletta (Village of Flat Rock)
Anthony Sutton (Town of Waynesville)
Brownie Newman (Buncombe Commission)
Stephen Sparks (NCDOT Division 14)
Jeff McKenna (Town of Weaverville)
Bob Davy (Town of Fletcher)
David Wasserman (NCDOT STIP Unit-Western Region)

Erica Anderson (LOSRC)
George Banta (Town of Laurel Park)
Gwen Wisler (City of Asheville)
Jennifer Hensley (City of Hendersonville)
Kim Roney (City of Asheville)
Mark Gibbs (NCDOT Division 13)
Michael Dawson (FHWA)
Parker Sloan (Buncombe Commission)
Wanda Austin (NCDOT Division 14)
William High (Buncombe County)
Brendan Merithew (NCDOT Division 13)
Hannah Cook (NCDOT Division 13)
Troy Wilson (NCDOT Division 14)
Tom Widmer (Town of Montreat)
Autumn Radcliff (Henderson County)
Chuck McGrady (NCBOT Division 14)
John Fargher
Ed Evans
Nick Tuttle

February 25, 2021: In-Person Attendance at the Land of Sky Office

Zia Rifkin (Minutes)

WELCOME & INTRODUCTIONS, ROLL CALL, APPROVAL OF AGENDA

Chair Larry Harris called the meeting to order at approximately 1:00pm and welcomed everyone to the meeting. The roll was called and quorum established.

PUBLIC COMMENT

No public comments received.

CONSENT AGENDA

Anthony Sutton moved to approve the consent agenda consisting of the January 28, 2021 meeting minutes and the agenda as presented. Bob Davy seconded, and the motion carried unanimously upon a roll call vote, and without further discussion.

MPO Board Member Conflict of Interest Presentation

Susan Russo-Klein, an attorney at Roberts & Stevens and counsel to Land of Sky Regional Council provided a presentation on Conflict of Interest, as it pertains to voting members of the MPO Board, including conflicts of interest that may arise for Board members during their time on the MPO and situations which would require a Board member to abstain from voting. She also reviewed laws in place regarding conflicts of interest for MPO Board members.

Discussion occurred regarding potential conflicts of interest and it was noted by Counsel Russ-Klein that just owning land in a municipality, that has transportation projects under consideration is not enough of a connection to constitute a conflict of interest.

No action required.

Chair Harris read the Ethics Statement and inquired if there were any conflicts of interest to note for today’s meeting. No conflicts were noted.

NEW BUSINESS

FTA Job Access Reverse Commute (JARC) Project Selection

JARC (Jobs Access Reverse Commute) is a competitive pot of funds set aside from Section 5307 Urban Transit Formula funds to encourage regional connectivity, to fund the development and maintenance of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment. The FBRMPO holds a call for projects for federal funding, and the City of Asheville is the Designated Recipient for these funds. The application process for JARC (Winter 2020) ran from November 20th to December 31st, 2020. Additional information about the program is available at: <http://frenchbroadrivermpo.org/5310-and-jarc/>.

FBRMPO Winter 2020 Jobs Access Reverse Commute (JARC) Call for Projects Funding Available	
Regional JARC Allocation utilizing FY 2020 at 10% of FTA 5307 Amount allocated to the Asheville Urbanized Area	\$324,509*
Regional JARC-10% Administration	\$32,681
Total Regional Jobs Access Reverse Commute (JARC) – FY2020 funding, after subtracting administration costs	\$291,828

*This funding includes \$23,019 funding leftover from Spring 2020 JARC Call for Projects. 10% of that \$23,019 was added to administrative costs and the remainder was added to the total FY20 available competitive funding.

The MPO received 2 applications.

Applicant	Project Title	Project Description	Funding Requested

City of Asheville	Route 170 Transit Operations	Fixed route service for route 170 to Black Mountain (8 trips per day, Monday through Saturday from 5:30am to 9:30pm)	\$231,558
Buncombe County	Black Mountain Trailblazer	Deviated-fixed route to Black Mountain and Swannanoa (M-Sat; 5:30am-7:30pm)	\$81,704

Prioritization scored both projects, and after both projects were scored, recommended that the TCC and Board approve Alternative 2 for funding. Both projects were very competitive, and ultimately, the difference in scoring arose because of the benefits that were perceived in deviated-fixed route service that the County provides.

The table below shows the various alternatives for funding, highlighting **Alternative 2**, which Prioritization recommended for approval by the TCC and Board.

	Project	Period of Performance	Score (out of 100)	Recommended Funding	Funding Level	Requested Funding
Alternative 2	City of Asheville -- Route 170	7/1/21-6/30/22	97.3	\$210,124	90.74%	\$231,558
	Buncombe County -- Black Mountain Trailblazer	7/1/21-6/30/22	100	\$81,704	100%	\$81,704

The alternatives that were not selected were as follows:

- Alternative 1:
 - Fund Buncombe County (Black Mountain Trailblazer) at 100% and fund the City of Asheville (Route 170 Transit Operations) at 93.1%
- Alternative 3:
 - Fund the City of Asheville (Route 170 Transit Operations) at 100% and fund Buncombe County (Black Mountain Trailblazer) at 73.7%

Discussion occurred regarding ART Route 170 projects, which does go outside the City of Asheville and the City may need to revisit how equitable it is for the city's residents to be paying for transit services outside of the city limits. The City, the County and the Town were all willing to look at this issue.

A motion was made and seconded to approve funding recommendation Alternative #2 for the JARC project submittals. The motion carried upon a roll call vote and without further discussion.

Safety Performance Targets

As part of MAP-21 requirements in 2012, safety performance measures became a requirement for MPOs and DOTs. Beginning in 2017, as part of the FAST Act, states established annual targets in the Highway Safety Improvement Program (HSIP) report. Safety targets are established annually, based on the calendar year, are set for all five performance measure based on five year rolling averages of data, and require coordination between state DOTs and MPOs. The five performance measures include: 1) number of fatalities, 2) rate of fatalities per 100 Million VMT, 3) number of serious injuries, 4) rate of serious injuries per 100 Million VMT and, 5) number of non-motorized fatalities and non-motorized serious injuries.

In early 2020, FHWA completed an assessment of the target achievement for NCDOT's calendar year 2018 safety targets and determined North Carolina has not met or made significant progress toward achieving its targets. As a result, NCDOT must ensure all HSIP safety funds are obligated, and must develop an HSIP Implementation Plan that describes actions the State will take to meet these goals. These targets were based off the goal outlined in the original 2014 State Highway Safety Plan to reduce fatalities and serious injuries by half by 2030.

NCDOT has submitted statewide safety performance measure targets in August 2020 to FHWA. French Broad River MPO has 180 days (until February 27, 2021) to establish safety targets by either (1) agreeing to plan and program projects so that they contribute toward the accomplishment of NCDOT's safety target for that performance measure; or (2) by committing to a different set of quantifiable targets for safety performance measures for the MPO region. NCDOT's 2021 safety targets that were provided to FHWA in the 2020 HSIP report are listed below:

Highway Safety Improvement Program (HSIP) (per year % reduction)

- For the 2021 Highway Safety Improvement Plan (HSIP), the goal is to **reduce total fatalities by 4.20 percent each year** from 1,427.2 (2015-2019 average) to 1,309.9 (2017-2021 average) by December 31, 2021.
- For the 2021 Highway Safety Improvement Plan (HSIP), the goal is to **reduce the fatality rate by 4.35 percent each year** from 1.208 (2015-2019 average) to 1.105 (2017-2021 average) by December 31, 2021.
- For the 2021 Highway Safety Improvement Plan (HSIP), the goal is to **reduce total serious injuries by 3.24 percent each year** from 3,905.0 (2015-2019 average) to 3,656.1 (2017-2021 average) by December 31, 2021.
- For the 2021 Highway Safety Improvement Plan (HSIP), the goal is to **reduce the serious injury rate by 3.35 percent each year** from 3.281 (2015-2019 average) to 3.065 (2017-2021 average) by December 31, 2021.
- For the 2021 Highway Safety Improvement Plan (HSIP), the goal is to **reduce the total non-motorized fatalities and serious injuries by 3.65 percent each year** from 543.4 (2015-2019 average) to 504.4 (2017-2021 average) by December 31, 2021.

MPO staff provided a presentation on the safety performance measures and targets for the region. Additional safety and crash data is available here: <https://connect.ncdot.gov/resources/safety/Pages/Crash-Data.aspx>

Discussion occurred regarding the NCDOT data that is passed on to the MPO and how that factors into decisions made regarding what to put into the SPOT process. In addition, discussion occurred regarding why option #2 was not under consideration and MPO staff shared that NCDOT would need to agree to quantifiable targets developed by the MPO, and how those targets would contribute to NCDOT's goals. TW noted that overall, these are federally-required metrics and the MPO does keep additional metrics in-house that are used for prioritization. Also, at the local and statewide level, if targets are not being met, how does that play into the prioritization process and how points are used on projects? The benefits at this point, is not ideal for the MPO to develop and commit to quantifiable targets for the MPO region. Additionally, MPO staff shared that the region does not have a Vision Zero resolution, but NCDOT has a number of initiatives that work towards the safety targets. The goal is the reduction of roadway fatalities. Discussion occurred regarding whether an analysis has been done during the time (2013) when there were less bike/ped fatalities and how the metrics account for that dip. MPO noted that fatalities might have been under-reported or there may have been other factors that caused the dip.

Bob Davy moved to approve the resolution adopting the NCDOT Safety Target Measures. Anne Coletta seconded and the motion carried upon a roll call vote and without further discussion.

Draft FY 22 Unified Planning Work Program (UPWP)

The French Broad River MPO is required to develop a Unified Planning Work Program (UPWP) and present a draft in February with the final version approved and provided to NCDOT by May 31.

The UPWP is a federally mandated document for MPO's to produce that serves as the MPO's budget. This includes line items of work for MPO staff, planning work planned by the region's designated recipient for FTA 5303 Metropolitan Planning Funds (City of Asheville), as well as studies being carried out using federal planning funds.

The Draft UPWP is due at the end of February. The Final UPWP is due May 31st but has been requested to be approved sooner, if possible. MPO staff anticipates bringing the Final UPWP back at the April meeting.

Major changes to the UPWP includes more emphasis is being put on data, modeling, and travelers' behavior to reflect anticipated work to build the region's base-year socio-economic dataset for the 2050 MTP. This includes

further work on updating the region's land use layer; more funding is being put towards TIP Development/Prioritization to go along with anticipated work tasks for P 6.0; less funding is being put towards Special Study Coordination with the Regional Transit Study and Corridor Studies expected to be completed; and more funding is being put towards Regional Planning with work beginning to ramp up for the 2050 Metropolitan Transportation Plan, the 5307 Suballocation Formula being discussed/reconsidered, and work to begin.

Bob Davy moved to approve the Draft FY22 Unified Planning Work Program (UPWP). Tom Widmer seconded and the motion carried upon a roll call vote and without further discussion.

Amendments to the 2020-2029 Transportation Improvement Program (TIP)

The Transportation Improvement Program (TIP) is our region's document that reflects planned transportation investments over a ten-year period and is required to be in conformity with North Carolina's State Transportation Improvement Program (STIP). The TIP describes each project, a schedule for implementation, funding sources, and estimated costs.

This round of amendments includes a large number of project delays and cost increases, in part due to the reduced financial capacity of NCDOT. Given the significance of these project delays, a summary table and maps of major highway project delays are provided for reference. There are also a number of transit amendments that reflect added coronavirus relief funding (CARES Act) in the region, in addition to the removal of completed transit projects to align the TIP with the STIP.

The amendments have been posted on the [TIP page](#) of the MPO website.

Tristan Winkler reviewed the purpose of the prioritization process and how that flows into the TIP and the State Transportation Improvement Program (STIP). He noted the issues that led to NCDOT's cash flow issues (pre-COVID storm response costs, legal settlements, COVID-related revenue reduction and HB 77, which mandated STIP related changes) and he shared about the issue of rising construction costs for projects.

Additionally, MPO staff introduced a resolution to request additional collaboration in creating a process, involving MPOs and local governments, and providing additional public involvement opportunities for major changes to the TIP/STIP that involve the prioritization of projects in the region.

Kim Roney shared that she would be voting no on the resolution and the TIP amendments.

George Banta moved to approve the resolution to request additional collaboration for creating a process that would include local governments and the MPO, and allowing additional public involvement opportunities for major changes to the TIP/STIP, that involve the prioritization of projects in the region. Anne Coletta seconded the motion carried upon a roll call vote.

Anne Coletta stated that she would be voting no on the TIP amendments as per the consensus of the Flat Rock Village Council.

Tristan Winkler shared that federal funding and state law requires that the MPO's TIP align with the STIP. Should the TIP not align, federal funding would be lost and have wide-ranging implications and impacts.

Anthony Sutton moved to approve the Amendments to the 2020-2029 Transportation Improvement Program (TIP). Brian Caskey seconded and the motion carried upon a roll call vote and without further discussion.

Presentation on NC First Commission Recommendations

The NC First Commission was established in March 2019. Comprised of 13 members of diverse backgrounds, with expertise in finance, business, and public policy; one of which was Henderson County Commissioner and former FBRMPO Chair William Lapsley, P.E.

The committee was tasked with evaluating North Carolina's current and future transportation investment needs and advising the Secretary of Transportation on new or better options to ensure financial resources are available in the future. With increased fuel efficiency and the projected increase in electric and hybrid vehicles, the committee looked for solutions to declines in the fuel tax and other transportation revenues. This included researching emerging trends, the impacts of new technologies and how changing demographics would have on NC's current funding model.

The final report was released on January 8th, 2021 and includes an identified need for an additional \$20 billion needed over the next ten years to maintain and improve existing infrastructure. To address this funding short fall, the report includes long-range transportation funding recommendations to provide more sustainable transportation funding to North Carolina in the future.

The final report and summary presentation are available here: <https://www.ncdot.gov/about-us/how-we-operate/finance-budget/nc-first/Pages/final-report.aspx>

Amna Cameron, Deputy Director of NCDOT's Office of Strategic Initiatives and Program Support provided a presentation to the RPO TCC on the report's recommendations and key considerations moving forward.

Ms. Cameron shared information about the NC First Commission, which was formed in March 2019 to develop recommendations for sustainable transportation revenue sources. Their final report was released in January 2021. She shared that a CRAFTS tool has been included on the NC First Commission's website: www.ncdot.gov/ncfirst. Key findings from the study include the finding that NCDOT is underfunded and costs for transportation projects have seen incredible increases. Currently, the State would need to invest an additional \$7.4 billion per year to bring its spending to the national per-mile average. Currently, 29 years is the average between resurfacings for NCDOT supported roadways. Other Commission findings include that residents of the State pay \$3.4 Billion in higher vehicle operating costs annually due to poor transportation conditions; this includes additional vehicle operating costs, and costs due to congestion and safety. In Asheville, that cost breaks down to \$1,280 annually. By increasing the gas tax, these conditions might be alleviated.

Ms. Cameron noted that revenues are higher, but the tax base is going down due in part to increasing numbers of hybrid vehicles and increased vehicle fuel efficiency of gas-powered vehicles. The Commission also found that fuel economy standards will continue to erode the tax base. The only way vehicle manufacturers can further increase fuel economy is to focus on the production of electric and hybrid vehicles. The Commission also found through a survey of residents in the State that roads and infrastructure are a high priority, including that transportation is a higher priority in the Eastern and Western regions of the State. Investment recommendations to achieve a good infrastructure rating in the immediate term include increasing the level of investment by at least \$20 billion over the next ten years through an increase in the Highway Use Tax (HUT) from 3% to 5%; eliminating the net-of-trade exemption, and by recapturing proceeds from alternative HUT on short-term vehicle rentals, vehicle subscription services, and car sharing. Estimated revenues for transportation over the next ten years is more than \$7.6 Billion.

The study also proposes increasing the sales tax rate by 0.5% to 0.75%; increasing DMV fees, increasing the electric vehicle fee, and adopting a new plug-in hybrid fee, among other options. Another option for consideration includes a mileage-based user fee to fully replace the Motor Fuels Tax by 2030; however, this option would lead to no net change in estimated revenues for transportation over the next 10 years. Other options include expanding broadband, increasing debt capacity for NCDOT and appointing a Chief Innovation Officer.

The Commission found that this is an opportune moment. Next steps include spreading the word by increasing public outreach and education, meeting with the region's legislative delegations, participating in a mileage-based user fee pilot in fall 2021, and joining the NC Chamber's Destination 2030.

Discussion occurred regarding moving away from the gas tax and incentivizing core public policies that support fairness for electric vehicles to pay the same amount in taxes as gas-fueled vehicles.

No action required.

REGULAR UPDATES

- Divisions 13 and 14 provided updates.
- A Transportation Planning Division Update was provided.
- An FHWA/FTA Update was provided
- FBRMPO Committee & Workgroup Updates:
 - Prioritization – Met February 2; next meeting on March 2.
 - Transit Operators Workgroup – Next meeting TBD.
 - Citizens’ Advisory Committee – Next meeting TBD (April?).
 - Regional Transit Study –Second round of public engagement in the spring (end of March-end of April).
 - Corridor Studies – Hendersonville Road Public Meetings on February 10. Tunnel Road moving towards public meetings phase late March.
- Legislative Updates – North Carolina General Assembly: HB 100 focuses on increasing penalties for littering. SB-99 provides penalties for catalytic converters. Additionally, from FHWA, a Notice of Funding Opportunity (NOFO) for environmental justice- applications accepted through March 19.

ANNOUNCEMENTS, NEWS, FUTURE TOPICS AND SPECIAL UPDATES

MPO Orientation planned for Friday, March 26, beginning at 9am- Everyone can attend.

5310 Funding Projects Programming coming back in April, along with presentations regarding ongoing local studies

PUBLIC COMMENT

No public comments received.

ADJOURNMENT

Chair Harris adjourned the meeting, as there was no further business.