

**French Broad River MPO Prioritization
Subcommittee
Meeting Minutes
March 6th, 2024**

**ATTENDANCE in Person or Remote
Voting Members**

William High, Buncombe County
Autumn Radcliff, Henderson County
Archie Pertiller, Town of Black Mountain
Jessica Morris, City of Asheville
Elizabeth Teague, Town of Waynesville
Anthony Sutton, Town of Waynesville
Catherine Cordell, Town of Weaverville

Non-Voting Members

Tristan Winkler, FBRMPO	Stephan Sparks, NCDOT Div 13
Hannah Bagli, FBRMPO	Lucy Crown, City of Asheville
Michael Malecek, Town of Mills River	Vicki Eastland- LOSRPO
Steve Williams, NCDOT Div 14	Daniel Sellers, NCDOT – TPD
Jon Barsanti, FBRMPO	Asha Rado LOSRC, Minutes
Suzette Morales, FHWA	Logan DiGiacomo, FBRMPO
Hannah Smith, NCDOT Div 13	

WELCOME AND INTRODUCTIONS

Elizabeth Teague started the meeting at 9:31 AM with introductions. A quorum was announced, and roll was called.

PUBLIC COMMENT

Elizabeth Teague opened the floor for public comment. No comments were heard.

APPROVAL OF FEBRUARY 2024 MINUTES AND AGENDA

Anthony Sutton moved to approve the February 2024 meeting minutes and the agenda. Autumn Radcliff seconded the motion which passed unanimously upon a roll call vote.

BUSINESS

4A. Memorandum of Understanding (MOU) Survey

After updating the MPO's Planning Area, the MPO is required to update its Memorandum of Understanding. Several updates are required, either to update language to current federal law or to change committee and Board designations for members who may or may not apply any longer. After a Draft MOU is established it is required to be approved by EVERY JURISDICTION IN THE MPO.

Proposed Timeline:

Date	Event
October, 2023	Introduce MOU
November, 2023	Develop Survey for MPO Representatives
January, 2024	Discuss Survey Results
February, 2023	Draft MOU Discussion
March, 2023	Draft MOU Consideration
April, 2023 - ?	Local Government Council Consideration

Items to Consider Within the MOU:

1. MPO Membership
 - a. MPO members to be removed in the updated MOU
 - i. Transylvania County (non-voting) (TCC and Board)
 - ii. State Bicycle Committee Representative for Divisions 13 & 14 (TCC only)- group has been defunct for some time
 - b. MPO members to add
 - i. Transit representative were added via amendment, would be included in the updated list
2. Quorum
 - a. Currently defines quorum for "active" members, inactive members are those that have not attended the previous two meetings, don't count towards quorum
3. Voting Power
 - a. Distribution of Votes
 - b. Veto Votes
 - c. Weighted Voting
4. MPO Roles and Responsibilities

French Broad River Metropolitan Planning Organization

In Buncombe County, Haywood County, Henderson County, Madison County, ~~AND~~
~~Transylvania County~~, North Carolina

Memorandum of Understanding

Adopted by the Board
~~**February 28, 2013**~~

**MEMORANDUM OF UNDERSTANDING
FOR**

COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING

AMONG

THE GOVERNOR OF THE STATE OF NORTH CAROLINA,
THE CITY OF ASHEVILLE, TOWN OF BILTMORE FOREST, TOWN OF BLACK MOUNTAIN,
BUNCOMBE COUNTY, TOWN OF CANTON, TOWN OF CLYDE, VILLAGE OF FLAT ROCK,
TOWN OF FLETCHER, HAYWOOD COUNTY, HENDERSON COUNTY, CITY OF HENDERSONVILLE,
TOWN OF LAUREL PARK, MADISON COUNTY, TOWN OF MARS HILL, TOWN OF MILLS RIVER,
TOWN OF MAGGIE VALLEY, TOWN OF MONTREAT, TOWN OF WAYNESVILLE, TOWN OF
WEAVERVILLE, TOWN OF WOODFIN, ~~TRANSYLVANIA COUNTY~~
(Hereinafter referred to as the Municipalities, the Counties, and the State)

IN COOPERATION WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION

WITNESSETH

WHEREAS, Each MPO is required to develop a comprehensive transportation plan in cooperation with NCDOT and in accordance with 23 U.S.C., Section 134, any subsequent amendments to that statute, and any implementing regulations; and Chapter 136, Article 3A, Section 136-66.2(a) of the General Statutes of North Carolina,

WHEREAS, the said Chapter 136, Article 3A, Section 136-66.2(b) provides that:

“After completion and analysis of the plan, the plan shall be adopted by both the governing body of the municipality or MPO and the Department of Transportation as the basis for future transportation improvements in and around the municipality or within the MPO. The governing body of the municipality and the Department of Transportation shall reach agreement as to which of the existing and proposed streets and highways included in the adopted plan will be a part of the State highway system and which streets will be a part of the municipal street system. As used in this Article, the State highway system shall mean both the primary highway system of the State and the secondary road system of the State within municipalities;” and,

WHEREAS, the said Chapter 136, Article 3A, Section 136.66.2(d) provides that:

“For MPOs, either the MPO or the Department of Transportation may propose changes in the plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the MPO;” and

WHEREAS, a transportation planning process includes the operational procedures and working arrangements by which short and long-range transportation plans are soundly conceived and developed and continuously evaluated in a manner that will:

1. Assist governing bodies and official agencies in determining courses of action and in formulating attainable capital improvement programs in anticipation of community needs; and,

2. Guide private individuals and groups in planning their decisions which can be important factors in the pattern of future development and redevelopment of the area; and,

WHEREAS, it is the desire of these agencies that a previously established continuing, comprehensive, cooperative transportation planning process as set forth in a Memorandum of Understanding dated ~~February 28, 2013~~ ~~August 21, 2003~~ be revised and updated to comply with 23 U.S.C. 134; any subsequent amendments to that statute, and any implementing regulations;

NOW THEREFORE BE IT RESOLVED by the French Broad River Metropolitan Planning Organization that the following Memorandum of Understanding (MOU) is made:

:

SECTION 1. It is hereby agreed that the municipalities of Asheville, Biltmore Forest, Black Mountain, Canton, Clyde, Flat Rock, Fletcher, Hendersonville, Laurel Park, Maggie Valley, Mars Hill, Mills River, Montreat, Waynesville, Weaverville, Woodfin, and municipalities added to the MPO, the Counties of Buncombe, Haywood, Henderson, ~~and~~ Madison, ~~and~~ ~~Transylvania~~, and the North Carolina Department of Transportation, in cooperation with the United States Department of Transportation, will participate in a continuing, coordinated, comprehensive transportation planning process with the responsibilities and undertakings as outlined in the following paragraphs:

- A. The area involved - the French Broad River Metropolitan Planning Organization - will consist of the Asheville Urbanized Area as defined by the United States Department of Commerce, Bureau of the Census, in addition to that area beyond the existing urbanized area boundary that is expected to become urban within a twenty-year planning period. This area is hereinafter referred to as the Metropolitan Planning Area.
- B. The French Broad River Metropolitan Planning Organization, hereinafter referred to as the French Broad River MPO, shall include the local governments of the Municipalities and the Counties, the North Carolina Department of Transportation, a Board hereinafter defined, a Technical Coordinating Committee hereinafter defined, and the various agencies and units of local and State government participating in the transportation planning for the area.
- C. The continuing transportation planning process will be a cooperative one, and all planning discussions will be reflective of and responsible to the comprehensive plans for growth and development of the Metropolitan Planning Area.
- D. The continuing transportation planning process will be conducted in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.
- E. The Urbanized Area Boundary and the Metropolitan Planning Area shall be periodically reviewed and revised in light of new developments and basic data projections.
- F. Transportation plans, programs and data collection will be coordinated with the Lead Planning Agency for the adjacent Rural Planning Organization and shall be conducted according to applicable interagency agreements.
- G. French Broad River Metropolitan Planning Organization Board Established**

A French Broad River Metropolitan Planning Organization Board [hereinafter referred to as "Board" or "the Board"] is hereby established with the responsibility for cooperative

transportation planning decision making for the French Broad River MPO. The Board shall have the responsibility for keeping the policy boards of the participating local governments informed of the status and requirements of the transportation planning process; for assisting in the dissemination and clarification of the decisions and policies of the policy boards; and for providing opportunities for citizen participation in the transportation planning process.

The Board, in cooperation with the State, and in cooperation with publicly owned operators of mass transportation services, shall be responsible for carrying out the urban transportation planning process specified in the U. S. Department of Transportation Program Manuals and shall develop the planning work program, Metropolitan Transportation Plan, and Transportation Improvement Program as specified in such manuals.

This shall be the forum for cooperative decision-making by elected officials of the member General Purpose Local Governments. However, this shall not limit the Board's local responsibility for (1) insuring that the transportation planning process and the plans and improvement projects which emerge from that process are consistent with the policies and desires of local government; nor, (2) serving as a forum for the resolution of conflicts which arise during the course of developing the Metropolitan Transportation Plan and the Transportation Improvement Program.

H. Board Membership

The FBRMPO Board will consist of the Chief Elected or other elected representative(s) from the following Boards of General Purpose Local Government as well as the appointed member from the North Carolina Board of Transportation and the Division Administrator, or his designee, from the Federal Highway Administration. Each agency will have a single representative except as indicated below:

1. Asheville City Council (two representatives)
2. Biltmore Forest Board of Commissioners
3. Black Mountain Board of Aldermen
4. Buncombe County Board of Commissioners (two representatives)
5. Canton Board of Aldermen
6. Clyde Board of Aldermen
7. Flat Rock Village Council
8. Fletcher Town Council
9. Haywood County Board of Commissioners (two representatives)
10. Henderson County Board of Commissioners (two representatives)
11. Hendersonville City Council
12. Laurel Park Town Council
13. Madison County Board of Commissioners
14. Maggie Valley Board of Aldermen
15. Mars Hill Board of Aldermen
16. Mills River Town Council
17. Montreat Board of Commissioners
18. ~~Transylvania County (Advisory, non-voting)~~
- ~~19.~~18. Waynesville Board of Aldermen
- ~~20.~~19. Weaverville Town Council
- ~~21.~~20. Woodfin Board of Aldermen
- ~~22.~~21. North Carolina Board of Transportation – Division 13
- ~~23.~~22. North Carolina Board of Transportation – Division 14
23. Federal Highway Administration (Advisory, non-voting)
24. Federal Transit Administration (Advisory, non-voting)

25. Urban Transit Representative (to be appointed in two year terms with appointment power rotated through jurisdictions receiving Urban Transit funds)
26. Rural Transit Representative (to be appointed in two year terms with appointment power rotated through jurisdictions receiving Rural Transit funds)
27. Housing Representative (Advisory, non-voting; to be appointed by the direct recipient of HUD funds)
28. Vulnerable Road Users Representative (Advisory, non-voting)
29. Rail Representative (Advisory, non-voting)

24.—

Each of the above member agencies may also appoint an alternate, in accordance with the rules contained within the French Broad River MPO Bylaws. If alternates attend meetings where the primary representative is present, only the primary representative(s) shall be counted for voting purposes as specified in the Bylaws.

At the invitation of the Board, other local, regional, State, or Federal agencies impacting transportation within the Planning Area may serve as advisory, non-voting members of the Board. A member of the staff of the Lead Planning Agency will serve as secretary to the Board.

I. Board Duties.

The duties and responsibilities of the Board are as follows:

1. Establish **goals and objectives** for the transportation planning process reflective of and responsive to comprehensive plans for growth and development in the Metropolitan Planning Area adopted by Boards of General Purpose Local Government.
2. Review and approve a **Prospectus** for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process.
3. Review and approve changes to the **Urbanized Area Boundary** and the **Metropolitan Planning Area** as well as review and recommend changes to the **National Highway System** and the Federal Functional Classification System in conformance with Federal regulations.
4. Review and approve the transportation **Unified Planning Work Program**.
5. Review and approve the **Metropolitan Transportation Plan** and adopt the **Comprehensive Transportation Plan** pursuant to G.S. 136-66.2. The Comprehensive Transportation Plan shall be mutually adopted by the Board and the State of North Carolina.
6. Develop and Approve the **Metropolitan Transportation Improvement Program (MTIP)**. The MTIP shall be developed according to the special provisions outlined in Section K below.
7. Develop prioritized list for transportation improvements in conjunction with development of the MTIP. This list represents candidate projects for inclusion in the MTIP. The

Board will develop the list according to the provisions set forth in section L below.

8. Review and approve related **air quality planning** in conformance with Federal regulations.
9. Distribute funds distributed directly to MPO's under the provisions of ~~MAP-21~~IIJA and any subsequent re-authorization of ~~MAP-21~~IIJA.

10. Develop, approve, and implement a **Public Involvement Policy**.
11. Develop and approve committee **Bylaws** governing operating policies and procedures. Through the Bylaws, the Board may establish subcommittees and may delegate duties of planning and analysis to these subcommittees as outlined in Section M. below.
12. **Self-Certify** the Long-Range Planning Process.
13. Conduct any other duties identified as necessary to further facilitate the transportation planning process.

J. Board Voting Policy

1. Voting representatives of the Municipalities and the Counties shall be designated by their respective governing boards. A quorum is required for the transaction of all business, including conducting meetings or hearings, participation in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of fifty-one percent (51%) of the voting members of the Board, plus as many additional members as may be required to ensure that fifty-one percent (51%) of the total optional weighted votes are present.
2. If a Board member does not attend or does not send his or her designated alternate to two (2) consecutive meetings of the Board, the member will be considered inactive. Following the designation as inactive, if the member or his or her alternate is not in attendance at a subsequent Board meeting, he or she will not be counted for quorum purposes. The member will be automatically reinstated and counted for quorum purposes by attending or sending his or her designated alternate to a Board meeting.
2. A simple majority shall determine all issues, except as provided in Section K below, where optional weighted voting may be invoked during adoption of the Draft MTIP or Final MTIP.

K. Metropolitan Transportation Improvement Program (MTIP) Development

1. The ~~Metropolitan~~ Metropolitan Transportation Improvement Program (~~M~~MTIP) shall be adopted in accordance with adoption schedules for the State Transportation Improvement Program (STIP). The ~~M~~MTIP shall include all information typically contained in the STIP, including, but not limited to route number, project I.D. number, project limits, project description, proposed implementation schedule, funding source, and projected cost. The ~~M~~MTIP is intended to represent local priorities for transportation improvements. Once it is adopted, any discrepancies between the ~~M~~MTIP and the STIP will be negotiated through established State and Federal processes.
2. For adoption of the Draft ~~M~~MTIP, ~~or~~ Final ~~M~~MTIP, or proposed TIP Amendments any member of the Board may call for the use of veto power or a weighted vote under the following circumstances:

Veto Power

When any project is on a road that does not carry an Interstate route designation, is not located on a limited-access highway, or is not a designated Strategic Highway Corridor, any member of the Board shall be allowed to call for a veto vote to determine whether a selected project will be excluded from the MTIP. In a veto vote, members from jurisdictions that are “directly impacted” by the project may vote to exclude a project from the MTIP, provided that every

Board member from the “directly impacted” jurisdictions must be present, and must unanimously vote for the veto. The call for a veto vote can only take place at a duly advertised meeting of the Board in which a quorum is present.

Weighted Vote

When any project is on an Interstate route, a limited-access highway, or is on a designated Strategic Highway Corridor, any member of the Board may call for a weighted vote regarding project-specific decisions related to the MTIP. The weighted vote must take place at a duly advertised meeting of the Board in which a quorum is present. In a weighed vote, votes of Board members from “directly impacted” jurisdictions will be weighted according to the following table:

Votes per Representative – Weighted Vote

Votes per Representative – Weighted Vote

<u>Jurisdiction</u>	<u>Not “Directly Impacted”</u>	<u>“Directly Impacted”</u>
Asheville (2 representatives)	1	3
Biltmore Forest	1	3
Black Mountain	1	3
Buncombe County (2 representatives)	1	3
Canton	1	3
Clyde	1	3
Flat Rock	1	3
Fletcher	1	3
Haywood County (2 representatives)	1	3
Henderson County (2 representatives)	1	3
Hendersonville	1	3
Laurel Park	1	3
Madison County	1	3
Mars Hill	1	3
Maggie Valley	1	3
Mills River	1	3
Montreat	1	3
Waynesville	1	3
Weaverville	1	3
Woodfin	1	3
NCDOT BOT Division 13	1	1
NCDOT BOT Division 14	1	1
<u>Urban Transit Representative</u>	<u>1</u>	<u>1</u>
<u>Rural Transit Representative</u>	<u>1</u>	<u>1</u>

“Directly Impacted” Defined. “Directly impacted” jurisdictions shall include Municipalities where any portion of the project is within the Municipality’s corporate limits or sphere of influence, and shall include Counties where any portion of the project is within the County’s unincorporated area and outside the sphere of influence of any municipality. Sphere of influence shall include extraterritorial jurisdiction, pending annexation areas, or areas covered by a Resolution of Intent to annex.

3. For the purpose of implementing its transportation priorities, the Board may develop a supplement to the MTIP containing descriptions of project design. Design information for a particular project will be

included in the supplement on an as needed basis at the request of member jurisdictions. For roadway projects, the information may include the preferred alignment, the number of lanes, the inclusion of medians, and the extent and location of pedestrian and bicycle facilities. Other design information will be included in the supplement as needed to establish the general parameters of project design. The supplement shall serve as a planning document to guide ~~M~~TIP development, and shall be amended as needed. Generally, project design information will not be included in the supplement until a project has completed the NEPA process, design public hearing process, or any other required public involvement process.

L. Project Prioritization

The Board shall develop a list of projects for transportation improvements in conjunction with the NCDOT prioritization process as codified in NCGS § 136-18.42. This entails preparing a list of projects for staff to evaluate against NCDOT's quantitative measures, then choosing a subset of projects. The subset of projects chosen will be assigned points by the Board based on locally and regionally developed criteria and submitted to NCDOT and the FBRMPO Board to compete for available funding in the STIP and ~~M~~TIP, respectively.

The Board shall also develop processes to program FTA 5310, FTA 5307, Surface Transportation Block Grant- Direct Allotment (STBGDA), Transportation Alternatives Program Direct Allotment (TAPDA), Carbon Reduction Program Direct Allotment (CRPDA), and any other transportation funds that require regional consideration and programming. The Board will approve processes and the outcomes of those process for programming in the TIP.

M. Board Subcommittees

The Board may establish subcommittees and advisory groups through its bylaws or through a vote at a regularly scheduled meeting. The subcommittees may consist of existing members of the Board, the Technical Coordinating Committee, and other officials and citizens as appropriate to achieve the objectives of the subcommittee. Subcommittees may include, but are not limited to the following groups: Henderson County Transportation Committee, Haywood County Committee, Buncombe County Transportation Committee, Bicycle and Pedestrian Transportation Committee, Transit Committee, Citizen Advisory Transportation Committee, Prioritization Subcommittee, Hellbender Trail Workgroup, 5307 Subrecipients Workgroup. Further, the French Broad River Board shall allow these groups to establish their own bylaws, meeting schedule, and elected officers. The purpose of the subcommittees will be to provide analysis and recommendations to the Board .

N. Transit Planning and Programming

The French Broad River MPO will coordinate transit planning and programming within the Metropolitan Planning Area. The duties and responsibilities of the Board with regard to transit planning and programming are as follows:

1. Establish policies for distribution of federal mass transit funds that are provided directly to the Metropolitan Planning Organization. These policies will be reviewed and approved annually by the Board
2. Develop and approve a list of prioritized projects for transit improvements.
3. Program transit improvements in the Metropolitan Transportation Improvement Program (~~M~~TIP).

In developing transit plans, programs, and funding formulas, the Board shall consider the following factors: federal mass transit funding formulas, State Maintenance Assistance Program formulas, population served by the transit system, ridership, and present and future demand for transit service.

O. Technical Coordinating Committee Established

A Technical Coordinating Committee, hereinafter referred to as the TCC, shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the Metropolitan Planning Area and with the responsibility for making recommendations to the respective local and State governmental agencies and the Board regarding any necessary actions relating to the continuing transportation planning process. The TCC shall be responsible for development, review, and recommendation for approval of goals and objectives, the Prospectus, Unified Planning Work Program (UPWP), Urbanized Area Boundary, Metropolitan Planning Area, National Highway System, Metropolitan Transportation Plan, Comprehensive Transportation Plan, Metropolitan Transportation Improvement Program (MTIP), Priority Needs List (PNL), air quality planning, distribution of directly allocated funds, public involvement, and any other duties identified as necessary to facilitate the transportation planning process.

Membership of the TCC shall include technical representation from all local and State governmental agencies directly related to and concerned with the transportation planning process for the planning area. Membership to the TCC may be altered on the basis of a majority vote of its membership, provided that any party may appeal decisions regarding TCC membership changes to the Board . The initial TCC voting membership shall include, but not be limited to the following:

1. City of Asheville
2. Town of Biltmore Forest
3. Town of Black Mountain
4. Buncombe County
5. Town of Canton
6. Town of Clyde
7. Village of Flat Rock
8. Town of Fletcher
9. Haywood County
10. Henderson County
11. City of Hendersonville
12. Town of Laurel Park
13. Madison County
14. Town of Maggie Valley
15. Town of Mars Hill
16. Town of Mills River
17. Town of Montreat
18. ~~Transylvania County (as advisory, non-voting)~~
- ~~19-18.~~ 18. Town of Waynesville
- ~~20-19.~~ 19. Town of Weaverville
- ~~21-20.~~ 20. Town of Woodfin
- ~~22-21.~~ 21. NCDOT, Division 13
- ~~23-22.~~ 22. NCDOT, Division 14

24.23. NCDOT, Transportation Planning Branch

25. NCDOT, ~~Public Transportation Division~~ Integrated Mobility Division

24.

- ~~26-25.~~ City of Asheville Transit
- ~~27-26.~~ Henderson County Apple Country Transportation
- ~~28-27.~~ Buncombe County Mountain Mobility
- ~~29-28.~~ Haywood County Transportation
- ~~30.~~ ~~State Bicycle Committee Representative, Division 13 and 14~~
- ~~29.~~ FHWA, MPO Contact (as advisory, non-voting)
- ~~31-30.~~ FTA, MPO Contact (as advisory, non-voting)
- ~~32-31.~~ Land of Sky Regional Council (as advisory, non-voting)
- ~~33-32.~~ Land of Sky Rural Planning Organization
- ~~34-33.~~ Asheville Regional Airport (as advisory, non-voting)
- ~~35-34.~~ WNC Regional Air Quality Agency (as advisory, non-voting)
- ~~35.~~ NCDOT Regional ~~Safety Traffic~~ Engineer (as advisory, non-voting)
- ~~36.~~ ~~NCDOT Freight Representative (as advisory, non-voting)~~

Representatives of the municipalities and counties shall be the chief administrative officers (town manager or county manager) or their designees. Other entities may be represented by their chief administrative officer or their designee. Each TCC member shall have one vote. Through its bylaws, the TCC may designate other local agencies, organizations, or individuals as voting and non-voting members of the TCC.

A quorum is required for the transaction of all business, including conducting meetings, participation in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of fifty-one percent (51%) of the voting members of the TCC.

If a TCC member does not attend or does not send his or her designated alternate to two (2) consecutive meetings of the TCC, the member will be considered inactive. Following the designation as inactive, if the member or his or her alternate is not in attendance at a subsequent TCC meeting, he or she will not be counted for quorum purposes. The member will be automatically reinstated and counted for quorum purposes by attending or sending his or her designated alternate to a TCC meeting.

The TCC shall operate as determined by its adopted bylaws. Any agency not listed above which wishes representation on the TCC may request such representation for consideration under the TCC adopted bylaws.

SECTION II. It is further agreed that the subscribing agencies will have the following responsibilities:

The Municipalities, Counties, and Council of Governments

The Municipalities and the Counties will assist in the transportation planning process by providing assistance, data and inventories in accordance with the Prospectus. The Municipalities and the Counties shall be responsible for any zoning and subdivision approvals that are impacted by the adopted Transportation Plan. The Land of Sky Regional Council will serve as the Lead Planning Agency for the French Broad River Metropolitan Planning Organization.

North Carolina Department of Transportation

The Department will assist in the transportation planning process by providing planning assistance, data and inventories in accordance with the Prospectus.

SECTION III. Subscribing agencies to this Memorandum of Understanding may terminate their participation in the French Broad River MPO by giving 30 days written notice to the Board Chair prior to the date of termination. When annexation occurs and member municipality boundaries extend

beyond the adopted urbanized area boundary, the new boundaries will automatically become part of the urbanized area. If any party should terminate participation, this memorandum of understanding shall remain in force and the French Broad MPO shall continue to operate as long as 75% or more of population within the Metropolitan Planning Area is represented by the remaining members.

SECTION IV. In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate officials to sign the same, the City of Asheville by its Mayor, the Town of Biltmore Forest by its Mayor, the Town of Black Mountain by its Mayor, Buncombe County by the Chair of its Board of Commissioners, the Town of Canton by its Mayor, the Town of Clyde by its Mayor, the Village of Flat Rock by its Mayor, the Town of Fletcher by its Mayor, Haywood County by the Chair of its Board of Commissioners, Henderson County by the Chair of its Board of Commissioners, the City of Hendersonville by its Mayor, the Town of Laurel Park by its Mayor, Madison County by the Chair of its Board of Commissioners, the Town of Maggie Valley by its Mayor, the Town of Mars Hill by its Mayor, the Town of Mills River by its Mayor, the Town of Montreat by its Mayor, the Town of Waynesville by its Mayor, the Town of Weaverville by its Mayor, and the Town of Woodfin by its Mayor, and by the Secretary of Transportation on behalf of the Governor of the State of North Carolina and North Carolina Department of Transportation as of the _____

A discussion occurred about motorcycle outreach. Being aware of vulnerable road users. Discussion of who this person would be and where they would be from. Subcommittee consensus is to accept the MOU as a draft and send it onto to TCC.

4B. P 7.0 Local Input Point Methodology

As part of the Statewide Prioritization Process, determined by the [Strategic Transportation Investments Act](#), MPOs, RPOs, and Divisions have local input points that play a major role in prioritizing projects at the Regional Impact and Division Needs levels. Local input points are utilized to help priority projects have a better chance of being funded.

Funding Tier	Statewide Mobility	Regional Impact	Division Needs
Quantitative Score	100%	70%	50%
MPO Score	0%	15%	25%
Division Score	0%	15%	25%
Amount of All Funding	40%	30%	30%
Distribution	All Projects Compete Against Each Other	Split Between Seven Regions, Projects Compete Within Each Region	Split Between 14 Divisions, Projects Compete Within Division
Funding	One Big Pot of Funds	Split to Each Region Based on Population	Split Equally Between 14 Divisions

How local input points are applied is not . . .intuitive. Each MPO, RPO, and Division receive a set number of points they may assign to projects. Projects may receive up to 100 local input points from each MPO, RPO, or Division. However, 100 local input points on a projects boosts a Regional Impact project by 15 points, a Division Needs projects by 25 points.

For MPOs, RPOs, and Divisions, a methodology must be developed and approved to assign local input points to projects. These methodologies must include at least one quantitative criterion and at least one qualitative criterion.

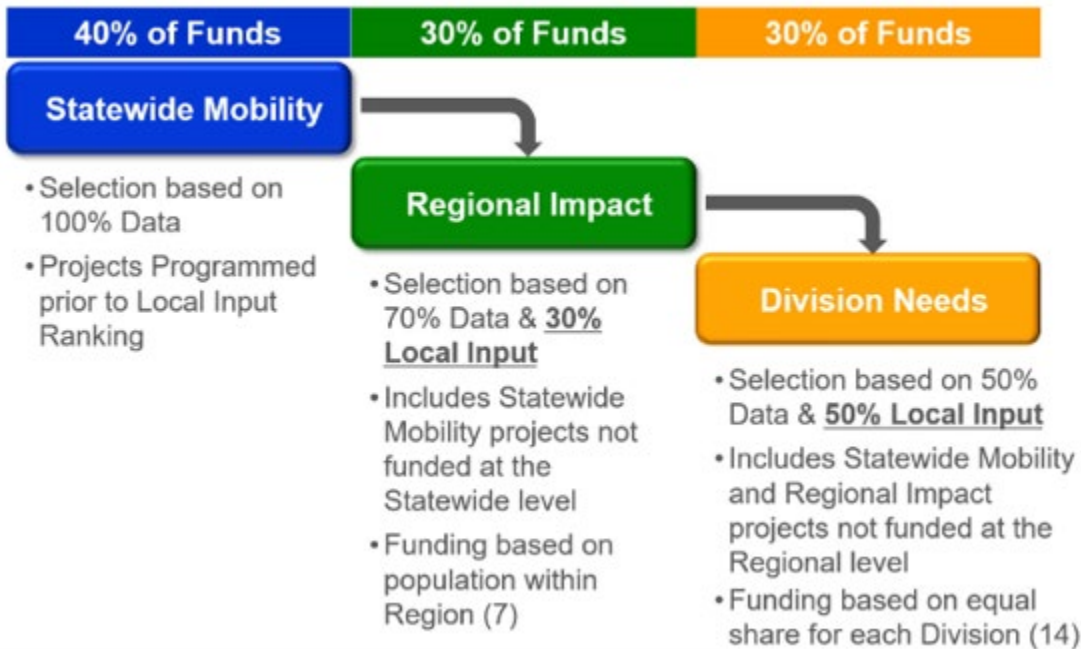
Below is the methodology approved by the MPO Board for P 6.0 with modification to adjust funding considerations, non-highway points, and updated terminology.

DRAFT 2020 MPO P 76.0 (SPOT) METHODOLOGY

INTRODUCTION

The Strategic Transportation Investments (STI) law governs the process in which the State of North Carolina prioritizes transportation projects. The law was passed in 2013 with the intent of creating a data-driven, collaborative process between NCDOT, planning organizations, local governments, and the public to efficiently utilize funding for transportation improvements across the state.

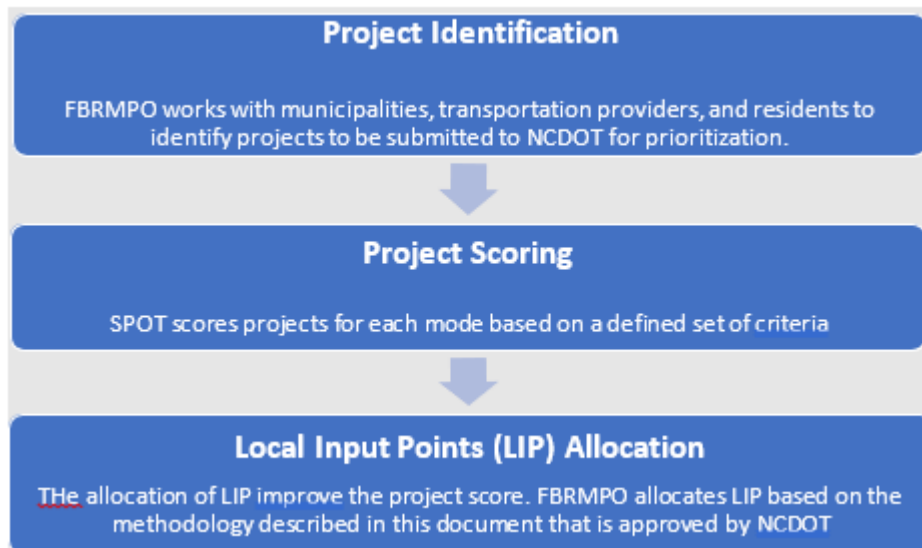
As part of the prioritization process, projects are solicited from planning organizations and NCDOT Divisions. Projects submitted into the prioritization process are placed into three different funding categories based on facility and project types: Statewide Mobility, Regional Impact, and Division Needs. Project scoring for the Statewide Mobility funding category is based solely on quantitative data developed by the Prioritization Workgroup. Metropolitan Planning Organizations (MPOs), Rural Planning Organizations (RPOs), and Division Engineers assign local input points to projects in the Regional Impact and Division Needs funding categories. These points are applied in the calculation of the final project scores for Prioritization 5.0 to determine which projects are funded at the Regional Impact and Division Needs funding categories.



Project eligibility for each STI category, as defined in law, are shown below:

STI Project Eligibility			
Mode	Statewide Mobility	Regional Impact	Division Needs
Highway	<ul style="list-style-type: none"> • Interstates (existing & future) • NHS Routes • STRAHNET Routes • ADHS Routes • Not Completed Intrastate projects • Designated Toll Facilities 	Other US and NC Routes	All County (SR) Routes
Aviation	Large Commercial Service Airports (\$500,000 Cap)	Other Commercial Service Airports not in Statewide (\$300,000 cap)	All airports without Commercial Service (\$18.5M cap)
Bicycle-Pedestrian	N/A	N/A	All Projects (\$0 State funds)
Public Transportation	N/A	N/A	All other service including terminals, stations, facilities, etc.
Rail	Freight Capacity Service on Class 1 Railroad Corridors	Rail service spanning two or more counties not Statewide	Rail Service not included on Statewide or Regional

To ensure local input points are being applied through a process that is transparent, MPOs and RPOs are required to develop a methodology that outlines how they will determine which projects will have local input points applied. This local input methodology for the French Broad River MPO has been developed to meet the requirements of Session Law 2012-84 which requires that MPOs and RPOs have a process that includes at least two criteria (with at least one being qualitative), for determining project prioritization.



FRENCH BROAD RIVER MPO PRIORITIZATION TASKS

The French Broad River MPO engages in the prioritization process in the following ways:

1. Selection of transportation projects to be considered in the prioritization process
2. Apply local input points to projects in the Regional Impact and Division Needs funding categories using a process that follows the MPO's local input methodology
3. Involve the public in the MPO's tasks during the prioritization process
4. Consider/Adopt the ~~2020-2029~~ 2026-2033 Transportation Improvement Program (TIP)

As stipulated by the STI legislation, local points may be assigned to projects in the Regional Impact and Division Needs categories, but not the Statewide Mobility category. The French Broad River Metropolitan Planning Organization (FBRMPO) may allocate the following number of local points for projects in the eligible categories:

- 1900 points – Regional Impact projects
- 1900 points – Division Needs projects

A committee of TCC and MPO Board members was created to develop a local input point methodology. The contents of this memorandum describe the methodology developed by the committee, which the FBRMPO proposes to use to allocate its local input points. NCDOT requires that the methodology include the following:

- Two criteria (at least one must be qualitative) Public involvement (on the proposed methodology, and the preliminary assignment of local input points to projects based on the approved methodology)
- Dissemination of methodology, local points and public input on FBRMPO's website (www.frenchbroadrivermpo.org)

POINT ASSIGNMENT PROCESS

OVERVIEW AND GUIDING PRINCIPLES

The following principles will be used for the allocation of FBRMPO's local points.

Cascading Projects

During the prioritization process, projects are allowed to “cascade” from one funding category into another. For example, if a project in the Statewide Mobility funding category is unsuccessful at being funded, the project may cascade into the Regional Impact and/or Division Needs funding categories to be funded. The same may be applied to Regional Impact projects which may cascade to the Division Needs funding category. Projects may not cascade in the opposite direction (i.e. Division Needs to Regional Impact or Statewide Mobility).

MPO Cascading Policy: The MPO will- by default- **not** assign points to any cascading project, but reserves the right to address cascading projects on a case-by-case basis, and will provide written explanation and justification for any cascading project that justifies an exception.

Bicycle, Pedestrian, and Transit Projects Non-Highway Projects

~~Bicycle, Pedestrian, and Transit projects in the FBRMPO planning area are only eligible for funding in the Division Needs funding category. These projects require a local match from local governments or transit operators in order to be successfully implemented.~~ **Regional Impact Non-Highway**

Policy: The MPO will reserve 200 points in the Regional Impact tier that will be prioritized for non-highway modes, but may be used towards highway projects if the Board finds insufficient warrant for the application of points towards these modes.

MPO Bicycle, Pedestrian, and Transit Prioritization Division Needs Non-Highway Policy: The MPO will reserve 500700 points for Division Needs that will be prioritized for ~~bicycle, pedestrian, and transit~~non-highway modes, but may be used towards highway projects if the Board finds insufficient warrant for the application of points towards these modes.

General Application and Deviations from Methodology Scoring

Projects with the highest MPO Scores will be given the maximum number of points allowable within their funding category until the MPO points are expended **or** 150% of the estimated amount of funding available within that funding category is expended. If no funding is projected to be available

in this round of prioritization in a funding tier, the MPO will consider putting points on a minimum of three projects as way to state regional priorities. projects up to a sum of \$50,000,000 for that tier.

The MPO Board can adjust projects receiving points or adjust the number of points given to a project based on their discretion, recommendations from the TCC and other MPO committees, and/or public input. Any exceptions will require written explanation to be provided to NCDOT and be part of an open, public process that complies with Chapter 143, Article 33C of the North Carolina General Statutes.

Point Sharing Among Planning Organizations

Assignment of local points to a project that crosses MPO boundaries may be based on a proportionate share of project mileage within FBRMPO and after confirmation from adjacent RPO that they will assign proportionate points to project.

MPO/RPO	Project Miles	% of Project in MPO	Max. Points per PO
FBRMPO	3.52	55%	55
LOSRPO	2.88	45%	45
TOTAL	6.4	100%	100

Local Input Point Flexing Policy

The FBRMPO has the option to apply the Local Input Point Flexing Policy. This means that up to 500 LIP can be transferred from one category to the other. If the organization utilizes flex LIP, the FBRMPO will provide written documentation to the SPOT office prior to assigning Regional Impact Local Input Points.

NCDOT Division 13 and 14 Coordination

Coordination with NCDOT Division 13 and 14 staffs will occur as FBRMPO's LIP are being allocated in an effort to ensure that mutual assignment of local points can be considered.

Final point assignments submitted to the NCDOT Strategic Prioritization Office (via SPOT On!ine) must be adopted by FBRMPO Board.

TOTAL SCORE AND PROJECT RANKING APPROACH

STATEWIDE MOBILITY

Modes Considered: Highway and Aviation

Projects considered for funding in the Statewide Mobility funding category will be programmed based solely on the quantitative scoring developed by NCDOT and the P 76.0 workgroup. The MPO methodology for local input points does not apply to determining funding at this funding category.

However, please note the MPO's Cascading Policy for projects that are eligible for Statewide Mobility but may cascade to other funding categories.

REGIONAL IMPACT

Modes Considered: Highway and Aviation

Projects considered for funding in the Regional Impact funding category will be subject to scoring through the MPO's methodology. The following (sometimes overlapping) steps will be taken to determine what projects are assigned local input points from the MPO:

- Unfunded Statewide Mobility projects will be considered for cascading on a case-by-case basis
- Highway and Aviation projects will be scored based on the methodology detailed below
- Draft Local Input points will be applied to the highest scoring projects until MPO local input points or ~~300%~~150% of estimated funding available is exhausted. If no funding is available, the MPO will consider putting points on a minimum of three projects as a way of stating priorities.
- Public Input will be solicited on the Draft Point Assignment
- Discussion/Approval of Local Point Assignment from the MPO Prioritization Subcommittee, TCC, and Board

DIVISION NEEDS

Modes Considered: Highway, Bicycle/Pedestrian, Transit, and Aviation

Projects considered for funding in the Division Needs funding category will be subject to scoring through the MPO's methodology. The following (sometimes overlapping) steps will be taken to determine what projects are assigned local input points from the MPO:

- Unfunded Statewide Mobility and Regional Impact projects will be considered for cascading on a case-by-case basis
- Bicycle, Pedestrian, and Transit projects will be scored based on the methodology detailed below and compete for 500 local input points reserved for these modes
- Highway and Aviation projects will be scored based on the methodology detailed below
- Draft Local Input points will be applied to the highest scoring projects until MPO local input points or ~~300%~~150% of estimated funding available is exhausted. If no funding is available, the MPO will consider putting points on a minimum of three projects as a way of stating priorities.
- Public Input will be solicited on the Draft Point Assignment
- Discussion/Approval of Local Point Assignment from the MPO Prioritization Subcommittee, TCC, and Board

DESCRIPTION OF CRITERIA AND WEIGHTS

Projects will be scored based on the transportation mode. These include: Highway, Aviation, Bicycle/Pedestrian, and Transit. There are no Rail or Ferry projects within the FBRMPO planning area.

HIGHWAY

There are overarching criteria that link back to goals in the MTP (shown in blue in the table). The sub criteria under each criterion describe the data points that the FBRMPO use to measure the merits of a particular highway project. Criteria for the other modes follow the remainder of the narrative.

Maximum Points	Minimal Need	Low Need	Moderate Need	High Need
Improve Safety on Surface Streets and Highways				
NCDOT P 76.0 Safety Score				
24	Projects scoring below the 25th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the 25 th - 49.9 th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the 50 th - 74.9 th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the top 25th percentile of all projects in the MPO Planning Area considered in each respective category
	0 Points	8 Points	16 Points	24 Points
Address Congestion and Bottlenecks				
NCDOT P 76.0 Congestion Score				
17	Projects scoring below the 25th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the 25 th - 49.9 th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the 50 th - 74.9 th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the top 25th percentile of all projects in the MPO Planning Area considered in each respective category
	0 Points	6 Points	12 Points	17 Points

Improve Non-Motorized Transportation Options				
	Bicycle and Pedestrian Average Risk Score			
12	Projects scoring below the 25th percentile of all projects in the MPO Planning Area considered in <u>each</u> respective category	Projects scoring within the 25 th - 49.9 th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the 50 th – 74.9 th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the top 25th percentile of all projects in the MPO Planning Area considered in <u>each</u> respective category
	0 Points	3 Points	6 Points	9 Points
	Proposed Complete Streets Treatment			
	No Complete Streets Recommendations	Bikeable Shoulder	Sidewalks and/or On-Street Bike Lanes	Multi-Use Path and/or Protected Bike Facilities
	0 Points	1 Point	2 Points	3 Points
Maintain and Improve Safe Freight Movement				
	NCDOT P 76.0 Freight Score			
10	Projects scoring below the 25th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the 25 th - 49.9 th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the 50 th – 74.9 th percentile of all projects in the MPO Planning Area considered in each respective category	Projects scoring within the top 25th percentile of all projects in the MPO Planning Area considered in each respective category
	0 Points	3 Points	7 Points	10 Points
Planning Process				
	Is the Project in the FBRMPO Metropolitan Transportation Plan (MTP) or a Locally Adopted Plan?			
10	Project not adopted in the FBRMPO MTP or Locally Adopted Plan		Project is adopted in the FBRMPO MTP or Locally Adopted Plan	
	0 Points		10 Points	

Ensure Changes Respect Our Unique Places and Environments	
	Is the project located within an area of existing public utility service area?
7	Partially or Completely Outside Existing Public Water/Sewer Service Area 0 Points
	Completely Inside Existing Public Water/Sewer Service Area 5 Points
	Does the project use a non-widening strategy from the MPO's Congestion Management Process (CMP) to address congestion?
	The project does not use a non-widening strategy from the CMP to address congestion 0 Points
	The Project uses a non-widening strategy from the CMP to address congestion on a CMP Corridor 2 Points
Resiliency	
	Does the project overlap with identified environmental threats to the transportation network?
5	Project does not overlap with documented 100-year floodplain, historic landslide location, or identified wildlife corridor 0 points
	Project overlaps with documented 100-year floodplain, historic landslide location, or identified wildlife corridor 5 points
Local Priorities	
15	Local Priority points will be distributed based on county-level meetings with TCC and/or MPO Board members or Local TAC. County groups including local government representation will pick priority projects for each tier. Each priority project will receive an additional 15 points in this methodology. Each county group will receive the following number of priority projects to pick, loosely based on proportion of population: Buncombe- 5 projects Henderson- 3 projects Haywood- 2 projects
	Madison- 1 project

NON-HIGHWAY MODES

AVIATION

- Aviation projects must be requested to cascade to Regional Impact and/or Division Needs categories, per the MPO's cascading policy outlined in this methodology. Aviation projects will use the P [76.0](#) score and local priority points to score the project at the Regional Impact or Division Needs level. This score (out of 100) will be used to compete with other modes at that funding category.

Preliminary Quantitative P.76.0 Score				
75	P 76.0 Score Assigned Based on Rank within FBRMPO Percentile (from the corresponding funding category)			
	Projects scoring below the 25th percentile of all projects in the region	Projects scoring within the 25 th - 49.9 th percentile of all projects in the region	Projects scoring within the 50 th – 74.9 th percentile of all projects in the region	Projects scoring within the top 25th percentile of all projects in the region
	0 Points	25 Points	50 Points	75 Points
Planning Process				
	Is the Project in the FBRMPO Metropolitan Transportation Plan (MTP) or a Locally Adopted Plan?			
10	Project not adopted in the FBRMPO MTP or Locally Adopted Plan		Project is adopted in the FBRMPO MTP or Locally Adopted Plan	
	0 Points		10 Points	
LOCAL PRIORITIES				
15	See the Highway Methodology for Local Priorities. All modes will compete for the same set of points.			

RAIL, BICYCLE, PEDESTRIAN, AND TRANSIT

- Bicycle and Pedestrian projects will not receive local input points from the MPO without written affirmation of required local match from a sponsoring local government representative as well as the use of local priority points from the MPO’s methodology.
- Bicycle and Pedestrian projects will be scored based on the P 76.0 score, [planning background](#), and local priority points. These projects will compete for the Division Needs points reserved for [rail](#), bicycle, pedestrian, and transit projects.
- Transit projects will be scored based on the P 76.0 score and local priority points. These projects will compete for the Division Needs points reserved for [rail](#), bicycle, pedestrian, and transit projects.
- [Rail projects may compete at the Regional Impact or Division Needs tiers and will be scored based on the P 7.0 Quantitative Score, planning background, and local priorities. These projects will compete for points reserved for rail, bicycle, pedestrian, and transit projects.](#)

Preliminary Quantitative P 76.0 Score				
75	P 75.0 Score Assigned Based on Rank within FBRMPO Percentile (from the corresponding funding category)			
	Projects scoring below the 25th percentile of all projects in the region	Projects scoring within the 25 th - 49.9 th percentile of all projects in the region	Projects scoring within the 50 th – 74.9 th percentile of all projects in the region	Projects scoring within the top 25th percentile of all projects in the region
	0 Points	25 Points	50 Points	75 Points
Planning Process				
	Is the Project in the FBRMPO Metropolitan Transportation Plan (MTP) or a Locally Adopted Plan?			

10	Project not adopted in the FBRMPO MTP or Locally Adopted Plan	Project is adopted in the FBRMPO MTP or Locally Adopted Plan
	0 Points	10 Points
LOCAL PRIORITIES		
15	See the Highway Methodology for Local Priorities. All modes will compete for the same set of points.	

SCHEDULE AND PUBLIC OUTREACH

PUBLIC INVOLVEMENT PROCESS

At a minimum, the FBRMPO will follow its Public Involvement Process for the Prioritization List will include the following steps based on the FBRMPO's adopted **Public Involvement Plan**, section V.C. on page 16:

- After consideration and preliminary adoption by the MPO Board, the draft Prioritization List will be published for a minimum two-week (14-day) public comment period and the notice will be advertised using our media resources provided in Appendix C of the Plan.
- The notices for the public comment period and the public hearing will include an announcement stating that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions as requested). The Prioritization List will be on file for review at the Land-of-Sky Regional Council Office, and available in a PDF format for downloading from the FBRMPO website. Written comments will be received during the comment period and will be directed to the FBRMPO. The FBRMPO's contact person, phone number and e-mail address will be included in the public notice. The FBRMPO will assemble all comments and forward comments to the MPO Board.
- The Board will hold a public hearing on the draft Prioritization List. The public hearing will be held at a location which is accessible to persons with disabilities. The Board will approve a final Prioritization List after considering the public comments received. The Prioritization List shall be submitted to the NCDOT at or before the NCDOT public hearings for input into the STIP. The MPO Board may elect to open a dialogue with the State on specific project priorities.

The Effect of MPO Local Input Points on Project Prioritization

The MPO's allocation of local input points on projects in the Regional Impact and Division Needs funding categories plays a part in determining the project's overall score in the state's prioritization process. For each funding category the MPO's allocation of local input points accounts for the following percentage of a project's P 5.0 score:

Regional Impact Funding

Category – 15% Division

Needs Funding Category –

25%

PRIORITIZATION SCHEDULE

Date	Event
June 1 st	Prioritization Subcommittee approves methodology
June 2 nd	Methodology open for public comment
June 10 th	TCC approves methodology
June 24 th	MPO Board approves methodology
August	NCDOT programs Statewide Mobility funding category projects
September	MPO staff holds county level meetings with TCC or elected officials (depending on the presence of a county level TAC) to determine Local Priorities points
October	MPO advertises for public comment on placement of local input points
November 18 th	TCC approves local input points for Regional Impact projects
November 18 th	MPO Board approves local input points for Regional Impact projects
January, 2022	NCDOT programs Regional Impact funding category projects, Division Needs funding category window for local input points
February, 2022	MPO staff holds county level meetings with TCC or elected officials (depending on the presence of a county level TAC) to determine Local Priorities points
March, 2022	MPO advertises for public comment on placement of local input points
April 14 th , 2022	TCC approves local input points for Division Needs projects
April 28 th , 2022	MPO Board approves local input points for Division Needs projects
August, 2022	NCDOT releases Draft STIP

MATERIAL SHARING

The FBRMPO plans to maintain complete transparency through the local input scoring process. All relevant materials will be posted on the FBRMPO website in accordance with the MPO's Public Involvement Policy and will remain available until after the adoption of the TIP and STIP by the MPO Board, and NC Board of Transportation, respectively.

The FBRMPO plans to maintain the following resources on its website:

- A link to NCDOT's Prioritization homepage
- The FBRMPO prioritization methodology
- A schedule of the local input process
- Draft and final local input point scores and records of deviations

Anthony Sutton motioned to approve 7.0 methodology. Catherine Cordell seconded the motion and it passed unanimously upon a roll call vote.

News and Updates:

Jon Barsanti presented a small STRIVE update. Autumn Radcliff updated the group on the Greenway project.

PUBLIC COMMENT

Elizabeth Teague opened the floor for public comment. No comments were heard.

ADJOURNMENT

Elizabeth Teague adjourned the meeting at 10: 09AM.

Anthony Sutton moved to adjourn and Jessica Morris seconded the motion which passed unanimously upon a roll call vote.

