

**TRANSPORTATION ADVISORY COMMITTEE**  
**MAY 16, 2007**  
**MINUTES**

The Transportation Advisory Committee met on Wednesday, May 16, 2007 at 4:00 p.m. at Wake County Commons, 4012 Cary Drive, Raleigh, NC with the following present:

**Members**

Chairman Bryan, presiding  
Robert Ahlert  
Lynnwood Buffaloe  
Don Bumgarner  
Bill Connolly  
Frank Eagles  
Jenny Edwards  
R. H. Ellington  
Jan Faulkner  
Anne Franklin  
Hubert Gooch  
Vivian Jones  
Buck Kennedy  
Ernie McAlister  
Charles Meeker  
Dick Sears  
Nina Szlosberg  
Keith Weatherly  
Ronnie Williams

**Representing**

Wake County  
Clayton  
Franklin County  
Zebulon  
Wendell  
Rolesville  
Franklinton  
Angier  
Morrisville  
TTA  
Granville County  
Wake Forest  
Garner  
Cary  
Raleigh  
Holly Springs  
NCDOT  
Apex  
Garner

**Staff**

John Burris  
Ed Johnson  
Jake Petrosky  
Chip Russell  
Diane Wilson  
Kenneth Withrow

**Representing**

CAMPO Staff  
CAMPO Director  
CAMPO Staff  
TCC Chairman  
CAMPO Staff  
CAMPO Staff

Chairman Bryan called the meeting to order. The following items were discussed with actions taken as shown.

**ADJUSTMENTS TO AGENDA – AGENDA APPROVED AS AMENDED**

Chairman Bryan indicated it would be necessary to discuss the Turnpike Authority item upon arrival of Turnpike representatives. Mayor Sears moved approval of the agenda as amended. His motion was seconded by Mayor Pro Tem Ahlert, unanimously passed. Chairman Bryan ruled the motion adopted.

**PUBLIC COMMENTS –RECEIVED**

Chairman Bryan noted this was an opportunity for comments by those in attendance.

David McDowell stated he is a Raleigh native and hoped that members make the right decision for drivers in this area.

**MINUTES – APRIL 18, 2007 – APROVED AS PRESENTED**

Members received a copy of the April 18, 2007 minutes at the meeting. Mayor Meeker moved approval of the minutes as presented. His motion was seconded by Mayor Sears, unanimously passed. Chairman Bryan ruled the motion adopted.

**NC TURNPIKE AUTHORITY AND THE CAPITAL AREA MPO –  
MEMORANDUM OF UNDERSTANDING – APROVED AS AMENDED**

The agenda noted at the September 20, 2006 TAC meeting, development of a Memorandum of Understanding (MOU) between the NC Turnpike Authority and CAMPO was discussed and creation of an MOU was requested. During the May 11, 2007 special TAC work session, principles to be incorporated into the MOU were agreed upon. Members received a copy of the principles agreed upon at the work session included in their agenda packets as well as a draft MOU incorporating those principles. It was noted the Turnpike Authority met on May 15 and 16, 2007 to consider approving the MOU and incorporating these principles and would provide a report at this meeting.

Chairman Bryan reported a work session was held the previous Friday and Memorandum of Understanding principles were developed and action was taken.

Mayor Meeker reviewed Draft No. 9 of the Memorandum of Understanding (MOU) in detail. He explained the MOU is not a contract or something a lawsuit could be filed against and is different than a formal contract. He noted some principles had been added as a result of the work session. He noted one point relating to the exact project is the overpass and Cary will construct the interchange. He explained Morrisville Parkway Extension is included in the LRTP and has been partly built by Cary and is a part of their overall transportation network. Mayor Meeker indicated there had been a lot of coordination with NCDOT and they agreed to accommodate in the Environmental Impact Statement that Cary would build the interchange but NCDOT would build the bridges and have it set up so the interchanges can be accommodated. Cary has the same understanding with NCDOT on the Transportation Plan. The interchange would be completed by Cary at Cary's expense and NCDOT is showing this as one of the access points. He referred to Section 5, Page 5 which state: "Any sale of this project after its construction, regardless of whether tolls are still being collected, shall be subject to consultation with the MPO and subject to the above four principles."

Perry Safran, representing the Turnpike Authority, reported the authority did discuss the MOU at their meeting today and he was directed to report back to CAMPO that the authority believes the principles as outlined are fairly stated and that Mayor Meeker's commentary was accurate on the history of this MOU. He reported the authority supports CAMPO in any action taken to approve this MOU.

Ms. Franklin stated at the work session it was agreed to add an addendum relating to the Transit Authority as included in the letter dated May 9, 2007. Mr. Johnson indicated he understood the Transit Authority item was to be included in the record. He explained this related to the section on the design making specific reference to medians being sufficient to include future improvements for transit and high occupancy vehicles. Ms. Franklin indicated she could see no reference to this in the MOU and emphasized it should be included as a part of this document. Mayor Meeker indicated that is an agreement between the Turnpike Authority and the Transit Authority but did not see any harm in attaching this to the MOU. Chairman Bryan recommended this letter should be included as an attachment to the MOU. Mr. Safran noted he could see no problem noting the letter is already included in the record. Mayor Meeker suggested adding the Transit Authority item as Exhibit A in Section 4.

Chairman Bryan moved approval of the MOU as amended by adding the May 9, 2007 Transit Authority letter as Exhibit A in Section 4. His motion was seconded by Mayor McAlister, unanimously passed. Chairman Bryan ruled the motion adopted.

Chairman Bryan thanked those that had been involved noting this provides the opportunity to move forward with this project. Mayor Sears indicated hard work should go into completing the loop noting "a loop isn't a loop until it goes all the way around".

#### **DETERMINATION OF LRTP AND 2007-2013 MTIP CONFORMITY WITH STATE IMPLEMENTATION PLAN – APPROVED**

Prior to adoption of any Lang-Range Transportation Plan (LRTP) or Metropolitan Transportation Improvement Plan (MTIP), or significant amendments to either that may affect air quality, a transportation conformity determination is required. Conformity applies to transportation plans, transportation improvement programs (TIPs), and projects funded or approved by the Federal Highway Administration (FHWA) or the Federal Transit Administration (ETA) in areas that do not meet (or previously have not met) air quality standards for ozone, carbon monoxide, particulate matter, or nitrogen dioxide. Attachment 6A is a copy of the Air Quality Conformity Determination for the 2030 LRTP, based on the proposed amendments presented in item 7 below, and the 2007-2013 MTIP, presented as item 8 below. The Air Quality Conformity Determination was advertised for public review and comment and a hearing was held at the April 18, 2007 TAC meeting. The public comment period was extended and the hearing was continued until this meeting.

Chairman Bryan indicated the hearing was still open and the TAC would continue to receive comments.

Mayor Meeker indicated in 2003 we were not in compliance with the 8-hour standard and questioned if we are now in compliance. Mr. Johnson indicated we are in compliance with the 8-hour standard. He noted the 1-hour standard is under development for a statewide implementation plan.

No one else asked to be heard; thus, the hearing was closed.

Mr. Johnson explained it is a requirement that any changes to the LRTP must be consistent with the State plan for improving air quality and that is a very technical exercise. Triangle J-Cog has been involved in this. If there are changes to be made to either the LRTP or TIP the air quality conformity could be rendered invalid. He noted this depends on how the next two agenda items go. Assuming the LRTP and TIP are approved, then air quality conformity has been demonstrated. Mayor Meeker moved approval of the Air Quality Conformity Determination for the 2030 Long Range Transportation Plan and the 2007-2013 MTIP. His motion was seconded by Mr. Ahlert, unanimously passed. Chairman Bryan ruled the motion adopted.

#### **CAPITAL AREA MPO 2030 LONG-RANGE TRANSPORTATION PLAN (LRTP) AMENDMENTS – APPROVED**

On September 15, 2004, the Capital Area MPO adopted the 2030 Long-Range Transportation Plan (LRTP). In September 2006, the TAC approved the Town of Wendell's requested amendment to the 2030 Long Range Transportation Plan, subject to passing an air quality conformity determination. Additionally, the Western Wake Expressway and a portion of the Triangle Parkway, contained in the 2030 LRTP, have been designated for construction using toll financing, thus accelerating their construction schedules. Several other projects listed in the 2007-2013 STIP have modified project scopes and completion dates that may not coincide with the adopted 2030 LRTP. It is therefore necessary to amend the 2030 LRTP to reflect these changes. Attachment 7A provided a table showing the amendments needed to address these issues. These amendments were advertised for public review and comment for a 30-day period and a hearing was conducted at the April 18, 2007 TAC meeting. The public comment period was extended and the hearing continued until this meeting.

Mr. Safran reported the Turnpike Authority did act to recommend naming the turnpike facility Triangle Expressway. Chairman Bryan indicated the 6 mayors in the western part of the county initiated the discussions on the turnpike noting a number of meetings had been held and understood there are many questions to be answered. He noted the item is on this agenda to receive public comment and for discussion by this body.

Chairman Bryan declared the hearing open.

No one asked to be heard; thus, the hearing was closed.

Mayor Sears moved approval of the 2039 Long-Range Transportation Plan Amendments. His motion was seconded by Mayor McAlister.

Mayor Weatherly complimented the Turnpike Authority representatives noting they faithfully carried out the charge of the N. C. General Assembly in bringing this item to this body. He stated they had exercised good faith in bringing the best information they have and the most recent Memorandum of Understanding and the best substantive information about the issue that had been received. He noted; however, on behalf of the citizens in Apex, although this was not the unanimous opinion on the Apex community, based on discussions among his Council and the community, he would vote no. He stated this was not to be misconstrued in any disagreement. He felt the Outer Loop is one project and to break it up into the toll part is a lack of faith. He explained the first time he heard the Outer Loop is not going to be built was simultaneously with the Outer Loop being a toll road. This project has been on the Thoroughfare Plan for a long time. He felt there are too many uncertainties involved and the timing is not right to vote for the toll road. He stressed the need to wait for the gap funding issue to be resolved by the Legislature. He felt principle dictates standing by the LRTP of this organization and that this be a project and in turn will see completion of the project. He stated on behalf of Apex he would vote no on the motion.

Mayor Meeker noted he had sympathy for Mayor Weatherly's comments. He stated the Northwest Freeway was built without tolls and we are talking about tolls in this area. NCDOT has abandoned Wake and other CAMPO counties. He indicated the City of Raleigh has passed four bond issues and 8% of Raleigh's taxes pay the debt on State roads. He emphasized this is an unfair situation but was not caused by this body. He stated all constituents pay these taxes. He stated either this facility will be built as a toll road or it will not be built. Mayor Meeker indicated citizens could either pay tolls or could use NC 55 and given the existing situation, this gives citizens in that area an option. He indicated he would support the Memorandum of Understanding.

Mayor Sears indicated he respects Mayor Weatherly but the only other alternative is DOT building the road in 2032. He indicated he wants the road to be built now.

Chairman Bryan indicated a lot of work has been done on this project and it will be the first toll road in North Carolina if it passes. He agreed there are genuine issues on both sides. He indicated the road could be built 25-30 years earlier if it is a toll road. He spoke to the huge funding shortfall for projects of this magnitude. He noted it is either the road will be built or will not be built for 25-30 years. He agreed this is a hard issue and was not something anyone at this table takes lightly and due diligence had been put into this decision.

Discussion took place relating to the possibility of going back and making sections previously built toll facilities. Mayor Meeker indicated there is no legislative authority to toll roads currently built and the public would not accept that.

Mayor Kennedy indicated if we want roads, local government is going to have to fund them and should think about building them now. He felt to wait will result in increased prices and any benefits would be lost. He noted the real answer is the distribution of dollars in this state.

Mayor McAlister indicated Cary is drastically affected by this decision in a favorable way noting the road skirts through areas in Cary that are being developed. He spoke in favor of this item. He indicated the question is not whether to toll but whether we get the road built in a reasonable time. He indicated the road is needed now and supported the motion.

A vote on the motion was taken with all members voting in the affirmative with the exception of Mayor Weatherly who voted in opposition. Chairman Bryan ruled the motion adopted.

#### **CAPITAL AREA METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) FOR FEDERAL FISCAL YEARS 2007-2013 – APPROVED**

On Thursday, March 1, 2007 the North Carolina Board of Transportation adopted the 2007-2013 State Transportation Improvement Program (STIP). The 2007-2013 Metropolitan Transportation Improvement Plan (MTIP) must be a subset of the adopted/conforming 2030 Long-Range Transportation Plan in order to be consistent with the STIP during the first three years, and be compliant with the National Ambient Air Quality Standards (NMQS). After review of the adopted STIP, the MPO's position is that (a) the widening of 1-40 (project 1-4744) should be accelerated; and, (b) options for STP-DA funds for 2013 be shown. In the past, NCDOT programmed STP-DA funds for the Capital Area MPO however; the MPO has expressed a desire to make the decision on where these funds could best be used. At this time, no information has been received relative to the 2013 STP-DA funds issue. A meeting was held on March 29, 2007 between staff of the Capital Area MPO, NCDOT, FHWA, and the consulting firm of HNTB to discuss 1-40 (project 1-4744). Discussions included the need to accelerate the project, environmental concerns and funding. It was decided that, following a six-month traffic analysis, NCDOT would pursue a categorical exclusion for environmental issues; and, if received, the project could be accelerated, provided that adequate funding could be identified. The Capital Area MPO's Metropolitan Transportation Improvement Program (MTIP) for FY 2007-2013 and the companion Air Quality Conformity Determination (AQCD) Report were released for a public comment period of at least 30 days, and a public hearing was conducted at the April 18, 2007 TAC meeting. The public comment period was extended and the hearing continued until this meeting. At the time of distribution of this agenda, no comments had been received. Attachment 8A provided a spreadsheet showing the schedule for 1-4744 shown in the adopted 2007-2013 STIP and the accelerated schedule recommended by the Capital Area MPO. Attachment 8B was distributed at the meeting which was a copy of the 2007-2013 MTIP with the acceleration of 1-4744 included.

Chairman Bryan indicated the hearing would be continued.

Mr. Johnson explained attachment 8A shows very specifically what was proposed to be adopted that is different from what is in the current TIP. Construction of Project I-4744 (I-40 from Wade Avenue to US 1) would begin in FY 2009 and conclude in 2011. He reported this had been discussed with NCDOT and there is a need to wait until July for funding close outs before DOT makes this funding commitment. He indicated staff was so confident in this funding they would recommend including this in the TIP just to take care of our part of it and hoped DOT would concur.

Joe Milazzo, RTA, spoke in support of the proposal to accelerate I-40 between Wade Avenue and US 1.

Chairman Bryan declared the hearing closed.

In response to questioning, Mr. Johnson indicated it was his understanding this July the update of all funding will include an update on STP-DA funds and 2009-2015 TIP will be the appropriate time to make those considerations. Mayor Meeker indicated this body should be sure to keep an eye on the next round and wanted to be sure those funds are allocated by the CAMPO.

Mayor Meeker moved approval of the MTIP for Federal Fiscal Years 2007-2013. Hit motion was seconded by Mayor Ahlert, unanimously passed. Chairman Bryan ruled the motion adopted.

#### **NCDOT REPORT – RECEIVED**

Mr. Bowman reported the next section of I-540 would be opened to NC 55 by the end of June.

Ms. Szlosberg stated it is important to remember it wasn't that long ago that the 64 Bypass that cost \$200 million was opened. She noted hundreds of millions of dollars had been allocated to this region in the last 5-6 years. She indicated everyone knows it is not enough and she could understand the frustrations but hoped there is recognition of some of the good projects DOT has put on the ground in this region.

#### **COMMENTS FROM THE CHAIRMAN – RECEIVED**

Chairman Bryan reported he, Mr. Johnson and Ms. Szlosberg recently went to a bridge dedication. The bridge was named after the last coroner in Wake County (Marshall B. Burnette. He reported speakers painted a picture of this man that wore a hat, worked tirelessly, would shake everyone's hand at the scene and led a life of public service. He stated people tend to get caught up in the infrastructure and not recognize the human impact of decisions being made.

Transportation Advisory Committee  
May 16, 2007

**ADJOURNMENT**

There being no further business, the meeting adjourned at 4:40 p.m.

Respectfully submitted,

Brenda Hunt