

**TRANSPORTATION ADVISORY COMMITTEE  
JANUARY 20, 2010  
MINUTES**

The Transportation Advisory Committee met on Wednesday, January 20, 2010 at 4:00 p.m. at the Professional Building, 127 W. Hargett Street, Suite 800, Raleigh, NC with the following present:

**Members**

Joe Bryan, Chairman  
Dan Andrews  
Harold Broadwell  
Don Bumgarner  
John Byrne  
Frank Eagles  
R. H. Ellington  
Hubert Gooch  
Jackie Holcombe  
Vivian Jones  
Nina Szlosberg-Landis  
Jody McLeod  
Charles Meeker  
Jeff Merritt  
Darryl Moss  
Julie Robison  
Elic Senter  
Jill Stark  
Gus Tulloss  
Keith Weatherly  
Ronnie Williams

**Representing**

Wake County  
Harnett County  
Wendell  
Zebulon  
Fuquay-Varina  
Rolesville  
Angier  
Granville County  
Morrisville  
Wake Forest  
NCDOT  
Clayton  
Raleigh  
Triangle Transit  
Creedmoor  
Cary  
Franklinton  
FHWA  
Transportation Board  
Apex  
Garner

**Staff**

Ed Johnson  
Gerald Daniel  
Richard Epps  
Robert McCain  
Shelby Powell  
Kyle Ward  
Brandon Watson  
Diane Wilson  
Kenneth Withrow

**Representing**

CAMPO Director  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff

**Others**

Wally Bowman  
Chip Russell  
Emma Stewart

**Representing**

NCDOT  
TCC Chair  
Louisburg

The meeting was called to order by Chairman Bryan with discussion and actions taken as shown.

**PUBLIC COMMENTS - NONE RECEIVED**

Chairman Bryan announced this was an opportunity for comments from those in attendance. No one asked to be heard.

**MINUTES - OCTOBER 21, 2009 - APPROVED AS AMENDED**

Minutes of the October 21, 2009 meeting were provided in the agenda packets. It was pointed out Harold Broadwell was left off the attendance list. Mr. Meeker moved approval of the minutes with the addition of Mr. Broadwell to the attendance list. His motion was seconded by Mr. Eagles, unanimously passed. Chairman Bryan ruled the motion adopted.

**OFFICER ELECTION - JOE BRYAN ELECTED CHAIRMAN - VIVIAN JONES ELECTED VICE-CHAIR**

Election of officers occurs at the first meeting of the calendar year with the chair and vice-chair serving a one year term from January-December, 2020. Members received a copy of the current Bylaws in their packets.

Mr. Johnson took the chair and opened the floor for nominations for chairman. Ms. Jones nominated Joe Bryan as chairman. No other nominations were made. Ms. Jones moved the appointment of Joe Bryan as chairman by acclamation. Her motion was seconded by Mr. Gooch, unanimously passed. Mr. Johnson ruled the motion adopted.

The chair was returned to Chairman Bryan. He opened the floor for nominations for vice-chair. Mr. Weatherly nominated Vivian Jones as vice-chair. No other nominations were made. Mr. Weatherly moved that Ms. Jones be appointed by acclamation. His motion was seconded by Mr. Byrne, unanimously passed. Chairman Bryan ruled the motion adopted.

Chairman Bryan expressed his appreciation for the votes received noting this would be his ninth year as chair. He stated it was his hope that next year this board will move other people into that leadership position. He reported he met with Governor Perdue recently which is the first time a governor has taken time to talk to local government representatives about transportation since he had been in government. He noted the fact the governor is interested in transportation is important.

Mr. Weatherly suggested a review of the bylaws to determine if they need to be updated. Mr. Meeker indicated the funding formulas are complicated and it would be good to have the CAMPO budget for review telling where funding comes from.

Mr. Broadwell suggested having an orientation for new members to this board noting when he became a member the technical information and myriads of acronyms were daunting.

Mr. Eagles indicated he would like to see a change that the chairs of the TCC and TAC not be from the same area and suggested the election for the TCC officers not take place until the TAC elects its chair.

### CONSENT AGENDA

All items on the consent agenda are considered to be routine and may be enacted by one motion. If a member requests discussion on an item, the item will be removed from the consent agenda and considered separately. Mr. Williams moved approval of the Consent Agenda. His motion was seconded by Mr. Broadwell, unanimously passed. Chairman Bryan ruled the motion adopted.

The following items were on the Consent Agenda:

#### **MTIP AMENDMENT #2: I-5141 - I-85 DIAMOND GRINDING IN GRANVILLE COUNTY - RELEASED FOR 30 DAY COMMENT PERIOD**

The agenda outlined points relating to this item. Action Requested: Release for 30 day comment period. Consent Agenda Approval: Williams/Broadwell - unanimous.

#### **MTIP AMENDMENT #3 - U-4716 - HOPSON ROAD AND CHURCH STREET - MTIP AMENDMENT AND CONFORMITY REPORT RELEASED FOR 30 DAY COMMENT PERIOD**

The agenda outlined points relating to this item that involves Hopson Road and Church Street, railroad realignment to match scope in STIP. Air Quality Conformity Report Updated. Action Requested: Both MTIP Amendment and Conformity Report to be released for 30 day public comment period. Consent Agenda Approval: Williams/Broadwell - unanimous.

#### **SECTION 5307 TRANSIT DISTRIBUTION MOU - APPROVED**

The agenda outlined points relating to this item that involved Section 5307 Transit Distribution MOU between the City of Raleigh (CAT), the Town of Cary and Triangle Transit. Action Requested: Approval. Consent Agenda Approval: Williams/Broadwell - unanimous.

### END OF CONSENT AGENDA

#### **BICYCLE/PEDESTRIAN PLANNING GRANT APPLICATIONS - RESOLUTION OF ENDORSEMENT - RESOLUTION TO BE PLACED ON FEBRUARY AGENDA**

This item was included in the Consent Agenda; however, it was noted that the Town of Angier should be included. The agenda outlined points relating to this item involving the Bicycle/Pedestrian Planning Grant Application endorsement for Creedmoor, Holly Springs, Raleigh, Rolesville and Wendell. Action Requested: Approval of Resolution of Endorsement for Bicycle/Pedestrian Planning Grant Applications. Without objection, staff was directed to include the amended Resolution in the packet for endorsement at the February meeting.

## TCC RETREAT RECOMMENDATIONS - VARIOUS ACTIONS TAKEN

Mr. Johnson reported the TCC Planning Retreat was held in lieu of the regular January meeting with the goal to be the development of the FY 2011 UPWP. Major ideas discussed included CAMPO CTP, Policy & Procedures Manual Creation, Possible Studies, Organizational Study Update, STP-DA Allocation Procedures and Rescission Impacts. He indicated he would present ideas from the TCC to determine if they are on target. He noted at least by March a draft UPWP will be presented that will have funding commitments by source. Mr. Johnson made a PowerPoint Presentation outlining issues discussed.

The CAMPO Comprehensive Transportation Plan (CTP) was discussed which is underway in Franklin, Harnett and Johnston Counties. Granville County adopted their CTP in 2009. The TCC highest priority for FY 2011 is completion of CAMPO-wide CTP. Geographical sub-area groups will begin meeting on task-oriented CTP basis. Potential focus areas were discussed. Mr. Johnson reviewed the purpose for a CTP noting it includes all travel modes. He reviewed the challenges involved in producing the plan and spoke to the need to be careful to have a sensitive process. Mr. Johnson explained the need and process involved with holding subarea meetings. Gerald Daniel presented the Regional Comprehensive Transportation Highway map dated 1/19/2010 and a map showing an example of what each area will end up with after this work has been done. Mr. Johnson indicated one of the questions he would address in the next agenda item is whether it would help to have a special study focused on some of these issues. He questioned if the TAC considers the CTP a high priority. Discussion followed regarding the need to have a land use plan as well as the CTP. Mr. Johnson indicated he did not know where land use fits into this other than we will have a transit plan where growth will be encouraged in the right areas and discouraged in areas where growth is not needed. Ms. Szlosberg-Landis indicated a process proposal might be that planning directors get connected into the CTP process at some point to be sure they know what this organization is thinking in terms of large infrastructure projects. Mr. Johnson indicated this is a good topic to discuss at the subarea meeting level noting it is an important issue.

Possible studies to include in the FY 2011 UPWP were reviewed by Mr. Johnson as recommended by the TCC. He explained other ideas will be considered during the sub area TCC meetings. The Southwestern Wake County/Northwestern Harnett County Mobility Study including NC 55 from Harnett County to RTP, the Franklinton Bypass, NC 54 through Morrisville, Cary and into Durham (possibly participate via staff support of funding only) and Gorman Street-Cary Parkway Extension Feasibility Study were reviewed by Mr. Johnson. Mr. Meeker indicated there is no funding for any project in the foreseeable future and felt funds should be spent on projects and then do the studies when the projects are 3-5 years away. He indicated studies are done and projects prioritized but there is simply no funding in the 7 year TIP. Mr. Johnson indicated the US 1 Corridor north of Raleigh has no funding currently but we now have a plan that we are using as a negotiation tool with developments to be sure the viability of that plan remains. Mr. Hopkins indicated US 1 is NCDOT's highest priority corridor. Ms. Jones agreed more money is needed but felt planning is very important pointing out these study items were brought forward from the staff people in the TCC. She indicated TCC members were asked if there were projects or studies they felt

should be done and this list resulted from their input. She felt planning is important and if we are not prepared when the money becomes available, then cannot take advantage of those funds. Ms. Jones felt a couple of studies like this are important to be done annually.

Ms. Szlosberg-Landis referred to the Gorman Street-Cary Parkway Extension Feasibility Study noting this would go through a horse farm and NCSU's research farm area and felt that should be removed from the study list.

Ms. Robison discussed the NC 54/RTP to Morrisville study noting she was not sure what kind of money might be out there but agreed with the need to plan. She noted this project is one that stands to be in good stead. Cary has widened the road from Raleigh to Downtown Cary and there is a lot that potentially has been planned that could be piggy backed. She stated that project has had substantial investment already and is one where with perhaps a study could go a longer way. Mr. Johnson noted this would be in the magnitude of \$200,000 - \$500,000 range. Mr. Meeker stated the purpose for a plan is to reserve the right-of-way and should try to have plans where development is occurring and felt the funds should be used on something that has real value.

Chairman Bryan directed that this item be taken back to the TCC with comments made recognizing the TAC wants to continue the planning process and planning corridors where there is a short term or intermediate need to do that planning.

Mr. Senter spoke to the Franklinton study noting improvements to NC 56 and US 1 are needed noting traffic backs up past the railroad tracks. Mr. Holcomb spoke to the Cary project noting there are 2 possibilities including from Maynard to I-540 or start at Cary Parkway and go to I-540 which are both viable and both areas have made some improvements. The study would determine what else can be done.

Ms. Szlosberg-Landis suggested requesting feedback on removing the Gorman Street Study permanently. Mr. Meeker indicated a draft CTP will come to the TAC in the summer or fall that will or will not have that project and that would be appropriate time to exercise that removal if necessary. Ms. Robison stated there is also slated the Northwest Cary transit stop at the intersection of Cary Parkway and NC 54 and any plan done in that area will benefit the plan moving forward with either a high speed or light rail system.

Mr. Johnson indicated he would take these comments back to the TCC.

CAMPO Policy Documents were discussed with Mr. Johnson reporting the TCC recommends development of CAMPO Policy Guidance Document. This would involve the review of sample policy guidance documents from other regions. Mr. Johnson indicated the TCC has a subcommittee chaired by Ray Boylston working on this which would take 4-6 months. He indicated preferences for topics to be included in a similar document for CAMPO use could include project/fund tracking, CMAQ project prioritization, LRTP/MTIP Amendment procedures, STP-DA allocation procedures, information technology component, member education component and others. The TCC is reviewing samples from other MPOs across the country to determine suitable

content and format. Methodology for creating the document was discussed with Mr. Johnson explaining the TCC recommends contracted service developed via the subcommittee's guidance.

Mr. Eagles moved that the TCC go forward with the development of the Policy Guidance Document. His motion was seconded by Ms. Jones, unanimously passed. Chairman Bryan ruled the motion adopted.

Mr. Johnson then reviewed the CAMPO Organization Study Update that was endorsed by the TCC. He explained the history, benefits/outcome of previous organizational studies. The TCC requests guidance from the TAC on how/if to proceed with this study. This also relates to the issue of how much local governments pay to support CAMPO. He noted this item could be reviewed at the next meeting if desired. Chairman Bryan indicated information provided should include how much this will cost, the scope, what is expected to accomplish and whether it is needed. Mr. Russell spoke to the possible need of convening a small committee of interested TCC and TAC members noting some new members are not aware of the new organizational study that was done. He indicated the study could determine if a new study is needed and if it is, whether it is targeted in certain areas. Mr. Byrne suggested keeping this as simple as possible. Mr. Johnson indicated an executive committee may be needed and could be something sensitive enough that the TAC does not want the professional staff doing it but would rather have a consultant.

Chairman Bryan appointed an ad hoc committee to work on this item to be chaired by Ms. Jones with Mr. Byrne, Mr. Eagles and Mr. Williams as members. He requested that Mr. Russell appoint representatives from the TCC and that the group bring back a recommendation as to whether a study is needed and if so, the scope.

STP-DA Allocation Procedures was explained with Mr. Johnson stating the TAC voted in 2007 to use STP-DA funds to create a bike/ped/transit account for each member and to conduct an annual competitive grant process for these projects. TIP Project EL-5100 was created to house these projects in the STIP. The Competitive Grant process resulted in 4 awards. The creation of Local Programs Management Office in NCDOT will make projects flow more efficiently. Mr. Johnson explained the TCC recommendation relating to this procedure includes the following parts:

1. Proceed with awards previously funded through STP-DA competitive award process
2. Initiate call for 2006-2011 projects
3. All members should submit applicable projects for use with 2006-2011 individual allocation funds (non-competitive awards)
4. The TCC should establish a standing committee to review projects and maintain process schedules
5. The previously created MOU between local governments, CAMPO and NCDOT is no longer a necessity since the creation of the Local Programs Management Office at NCDOT.

It was pointed out CAMPO staff will create a funding table showing distribution of EL-5100 funds for submittal to NCDOT after projects are submitted to CAMPO and NCDOT will then initiate local agreements.

Mr. Meeker moved approval of the procedure as outlined. His motion was seconded by Mr. Williams, unanimously passed. Chairman Bryan ruled the motion adopted.

Federal Rescission Impacts was discussed by Mr. Johnson. He stated CAMPO lost \$13.142 million in unobligated STP-DA funds due to the recent federal rescission. The TCC recommendation is approval of MTIP Amendment #4. The amendment would reduce funding for U-5118 by \$13,142,000 and would require release of the amendment for a 30 day public comment period. Mr. Johnson indicated U-5118 was created as a project placeholder for funds directed toward congestion and operational improvement strategies, but no projects were developed to utilize funds, leaving them vulnerable to rescission. Removing funds from U-5118 will ensure other projects are not impacted by the August 2009 federal rescission. Funds will remain in U-5118 in later TIP years 2010, 2014 and 2015. A TCC Committee charged with development of a policy document will develop a procedure/policy for using U-5118 funds. Mr. Johnson indicated the TCC reviewed the program for everything committee for STP-DA funds and recommends lowering the amount of money dedicated to Congestion Mitigation by that amount and that will leave \$9.2 million in that program. Mr. Meeker referred to the table provided of projects that were in U-5118, one of which was Falls of Neuse project. He indicated Falls of Neuse was an obligated project and those funds should not be rescinded. Mr. Meeker contended the Falls of Neuse project was a project we were told by NCDOT that we would receive the funds and there was an existing municipal agreement for the project. Mr. Johnson explained the TIP Project U-5118 was set up as the congestion mitigation program the MPO was going to run and would go to smaller projects to improve safety and congestion. Mr. Meeker expressed concern that 2 months ago it was indicated the Falls of Neuse project is different, then he was told it is funded and now was being told something different. Discussion following regarding the Falls of Neuse project's funding history. Mr. Johnson indicated DOT allowed us to cash flow money through their bank mechanism and it can be said we lost \$13 million of that 6 year allocation. He indicated a true statement is it was utilizing funds we had not yet received. Mr. Meeker indicated the TAC should know the facts and find out if this was a lawful action. Chairman Bryan indicated FHWA and NCDOT representatives were present at the previous meeting and a written response was requested so the action can be challenged if necessary to the Attorney General. Ms. Stark stated the question with Falls of Neuse was whether or not the agreements had been done before the rescission noting the money was obligated but not programmed. She stated NCDOT reviewed the process for programming the funds at the previous meeting. Ms. Stark indicated she would provide any information NCDOT has to the TAC and would be glad to answer any additional questions. Mr. Meeker indicated the agenda indicates unobligated and now Ms. Stark was referring to unprogrammed. Mr. Johnson reviewed funding for Falls of Neuse totaled \$20 million - \$1 million for design; \$4 million for right-of-way acquisition and \$15 million for construction. He explained FHWA says there is \$20 million to spend but none was protected from rescission until permission is requested for each portion. He further reviewed how FHWA requires approval of each step of the projects and once that is done, then and only then are the funds protected.

Mr. Meeker indicated a written explanation was requested that would members would be able to understand setting out the facts of what happened, when the funds were allocated, when the design occurred, what was allocated and what are the facts here as it relates to what occurred so everyone can understand. Mr. Johnson questioned whether the TAC members felt they could move forward with the 30 day public comment period of the MTIP amendment as outlined in the agenda.

Mr. Meeker moved that the TAC determine what actually happened before any further action is taken. His motion was seconded by Mr. Williams.

Ms. Jones reviewed what she thought had occurred. Mr. Meeker indicated he still questions if the rescission was proper. Ms. Jones felt the MTIP amendment could go forward and at the same time check into Mr. Meeker's concerns. Ms. Stark explained the rescission was a congressional mandate. Mr. Meeker again stated he still questioned if these funds were obligated and contended he felt they were already obligated. He stressed the TAC wants to see the facts showing the Falls of Neuse project could be defunded noting so far he had not been provided those facts.

Mr. Hopkins noted NCDOT is moving forward with Timber Drive and Falls of Neuse and needed direction they can continue moving forward with awarding that project in March and letting Timber Drive in May. He indicated if there is not a decision by this body to show where the funds are rescinded, he was not sure this can move forward. Mr. Meeker expressed concern that now we are getting a threat. Ms. Jones stated the NCDOT is saying Falls of Neuse will go forward because of this MTIP amendment action being requested. Mr. Johnson indicated all we was suggestion was approval of a comment period which has to be done for an MTIP amendment and the facts requested could still be brought to the next meeting. Mr. Meeker did not agree with going forward with anything at this time until the information he requested is provided. Lengthy discussion followed regarding rescission effects on other areas. Mr. Meeker questioned if it is determined our projects were obligated, would DOT be required to take funds from elsewhere with Ms. Stark responding if all the money was obligated and there were no unobligated balances, yes they would have to take funds from elsewhere.

Chairman Bryan indicated the TAC should take another look at this item at the next meeting; however, it does appear the amendment should go forward noting this is not a final decision if the amendment is released for a 30 day comment period and so moved. His motion was seconded by Mr. Williams. Mr. Meeker contended members should stand up and fight out what happened before anything else is done and indicated he was opposed to moving forward. A vote on the motion was taken and passed unanimously. Chairman Bryan ruled the motion adopted.

Ms. Szlosberg-Landis requested that FHWA provide information about what percentage of the total unobligated funds the \$13 million represents.

#### **CAMPO PROJECT TRACKING UPDATE - RECEIVED AS INFORMATION**

Richard Epps presented this item and reviewed the new reporting requirements. The "leftover" ARRA funding was discussed and the TAC was updated on a potential next round of stimulus ARRA funding. It was noted the TCC will discuss a potential list of projects for second ARRA round at their February meeting. Mr. Epps reported there were 17 stimulus projects requested totaling \$14.6 million with the current revised funding totaling \$13.2 million. Bids have been received on 13 projects with 12 bids coming in under estimate and 1 over estimate. One project was cancelled because the bid was significantly higher than the estimate. Three projects are still pending. Mr. Hopkins reported bids were received for Old Raleigh Road today with a low bid of \$586,000. Mr. Epps reported depending on the results on the last 2 projects, there may be some funds available from the first round of stimulus projects. In response to questioning, Mr. Hopkins indicated the estimates for the projects were very preliminary and some scopes changed over time and estimates were already lower taking the low bids into consideration.

Mr. Johnson reported staff had heard there is the potential for a second round of stimulus funding which was passed by the House in December. The Senate has not acted on it yet. He explained there could be an even tighter schedule for the next round. The TCC has a back up list and wants to be ready to roll when we hear if there is a second round. Members had a back up list of projects included in their agenda packets. Mr. Hopkins indicated the first round had stringent timelines and the current House version has half the time. He expressed concern whether the work could be done under that timeline. Ms. Stark indicated FHWA has also been opposed to the 90 day timeline.

Ms. Robison questioned the process for allocating any of the remaining funds from the first round. Mr. Hopkins indicated the stimulus funds will not be lost be must be sure all the funds are spent on other projects.

Mr. Johnson explained Mr. Epps has been working closely with NCDOT's fiscal department noting they have fiscal management software available where every dollar is shown and its status. He stated staff asked for access to that system and NCDOT has agreed to provide a monthly report beginning next month. Mr. Johnson explained everyone is committed to bring forward a much better system over the coming months. Mr. Broadwell indicated there are a number of different accounting procedures by different agencies and seeing the procedures on paper would be helpful.

Mr. Johnson indicated FTA works directly with local governments and the federal system lets the City of Raleigh directly work on their accounting system on a grant oriented format. FHWA does not have that and DOT is our banker for that money but are not our financial advisor. He explained DOT took care to get its money obligated and left only our money to be taken and they could have given us better advice. He stressed this will be fixed in the future.

#### **CAMPO STAFF REPORT - RECEIVED**

Transportation Advisory Committee  
January 20, 2010

Mr. Johnson explained NCDOT SPOT adjustments to CAMPO's Priority Project List. Information was included as Attachment 8A in the agenda packet. He reviewed the projects that had been cut back noting he provided this information to be sure it was understood by members. This was received as information.

Chairman Bryan reported he, Mr. Johnson, Ms. Jones and Ms. Wilson attended a meeting and requested that a report of the meeting be held as the first item at the next meeting.

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 5:45 p.m.

Respectfully submitted,

Brenda Hunt