

NEW BERN AREA METROPOLITAN PLANNING ORGANIZATION MEETING MINUTES

April 25, 2013

The New Bern Area Metropolitan Planning Organization held its first meeting on Thursday, April 25, 2013 at 10:00 AM in the City Hall Courtroom, 2nd floor, 300 Pollock Street.

Members Present:

Mr. Jeff Ruggieri
Mr. Mike Bruff
Ms. Sue Powell
Mr. Patrick Flanagan
Mr. Behshad Norowzi
Mr. Ivo Dermev
Mr. Jeff Cabaniss
Mr. Don Baumgardner
Mr. Drew Havens
Mr. John Kirkland
Mr. Tom Braaten
Mr. John Chittick
Mr. Steve Hamilton
Mr. Jordan Hughes
Mr. Mike Epperson
Ms. Jill Stark

Mr. Jack Veit
Mr. Terry Jordan
Ms. Kelly Walker
Mr. Neil Lassiter

Mr. Gene Hodges
Mr. Reed Smith
Mr. Chuck Tyson

Members Excused:

Members Absent:

Staff Present: Mr. Jeff Ruggieri

New Business:

- A. Call to Order:** Mr. Jeff Ruggieri called the meeting to order. Mr. Ruggieri requested introductions be made by all attendees.
- B. Cancelled** – Mr. Tennyson was not able to attend.
- C. Presentation:** MPO 101 Orientation, including Ethics Overview – Jill Stark

Ms. Jill Stark used a PowerPoint presentation, providing an overview of the Metropolitan Planning Organization (MPO) process. The presentation pinpointed the specific MPO areas, explained the partnership between the Technical Coordinating Committee (TCC) & Transportation Advisory Committee (TAC) members as well as the role they will each play.

The TCC members consist of City and County Planners, Technical experts, North Carolina Department of Transportation (NCDOT) MPO Coordinator, and the NCDOT Division Planning Engineer. Their focus is to collect, maintain and analyze data for transportation planning, evaluate recommendations made by the planning staff and make recommendations to the TAC.

The TAC members are the decision makers representing each MPO member government. They consist of Mayors, County Commissioners and North Carolina Board of Transportation (NCBOT) members. Their focus is to prepare the MTP and oversee the planning and programs as well as evaluate transportation system improvements and recommend changes.

The Federal Partners ensure that Federal regulations have been met through Oversight, provide guidance and interpret policy, meaning filter ideas from headquarters and try to make suggestions reasonable for the areas, provide national examples to help find the best practice for the area and represent the MPOs' State and Federal Tribes' views to the National level.

A voting flow chart was provided. The TCC presents a document to the TAC for approval. The advisory committee evaluates the proposal and will call for a public comment period, usually 30-45 days. The TAC and TCC will review comments and implement if necessary. The TAC then passes a resolution if in support of proposed document and sends the approved resolution to NCDOT who then sends to the FHWA. This process will take an average of 3 months.

Planning Documents were discussed. The CTP – Comprehensive Transportation Plan or 'bucket list' is everything that can be perceived. The MTP – Metropolitan Transportation Plan is the 25 year federally required fiscally restrained document so the public knows with the best financial assumptions, what can be expected to be funded in these areas. The STIP – Statewide document which has 3 different versions, 5, 7 and 10 year docs to find the best way to financially constrain up to 10 years. FHWA works within a 4 year STIP. The TIP is the metropolitan side of this, and is a conglomeration of all TIP's in the state plus rural projects. The UPWP is the Planning Work Program (PWP), feasibility study and will be broken down year by year.

The CTP and MTP are long range visions. The CTP is state required, not fiscally constrained while the MTP is fiscally constrained.

The PWP is the annual list of work items for Metropolitan Planning. It is a federally required annual list of work, special studies and planning activities. This is funded out of federal planning funds.

The federal fund allocations were provided in graph form breaking down each allocation.

The Planning Funds were discussed. There is an 80:20 match (80% Federal, 20% Local). The funds need to be used within the fiscal year plus 3 years before they are put back into a national pot. All Federal Funds are reimbursable upon meeting Federal requirements. The money is not advanced due to this. The Federal Fiscal Year begins October 1. Therefore Planning Funds are available on October 1 for programming in the next state fiscal year. The state is not on the Federal fiscal year, as most state fiscal years begin July 1st.

Eligibility for Planning Funds were discussed.

Next steps were discussed; Maps (completed September, 2012), Governor's Designation (completed April, 2013) and MOA Bylaws, which will be discussed and adopted today; PWP, Project Prioritization to be decided by December, 2013 and the TIP/MTP for a 4-year project list by March, 2016.

North Carolina State Ethics were discussed, establishing a code of conduct for certain elected and appointed public officials and employees. There is a requirement to submit personal and spousal financial information of appointed officials, as well as ethics education, prohibiting certain conduct.

The Ethics training is required by any voting member of the TCC and TAC, including alternates. Compliance begins January 1, 2013 with a deadline by April 15, 2013. For new MPO's to the state, these MPO's are still working with the state ethics committee for final due dates. Training will be provided and completed by June 30, 2013. These dates do not apply as of now due to the timing of the creation of this MPO.

D. Action: Draft By-laws: Mr. Ruggieri requested skipping this temporarily to move onto item 5;

E. Action: Selection of Chair and Vice-Chair: Mr. Ruggieri asked Mr. Drew Havens, TCC representative from Riverbend, if they have formally appointed a TAC member. Mr. Havens advised they have not. Mr. Ruggieri advised due to this, there isn't a quorum for the TAC members, therefore By-Laws cannot be approved, nor can a chair be selected for the TAC at this time, but options can be discussed.

Mr. Mike Epperson questioned if attendees know which group they are a part of, TCC or TAC. Mr. Ruggieri and Mr. Bruff advised there is a list and it will be provided to all members with

meeting minutes.

Mr. Ruggieri advised there is a quorum for the TCC, therefore selection of a Chair and Vice-Chair can proceed.

Mr. Jordan Hughes nominated Mr. Jeff Ruggieri to be the Chair of the TCC. Motion was seconded by Don Baumgardner. Motion was passed unanimously.

A nomination was made for Gene Hodges to be considered as the Vice-Chair. Motion was seconded. Motion was passed unanimously.

Mr. Epperson advised Mr. Ruggieri that Mr. Chuck Tyson showed up late, questioning if that would help the TAC reach a quorum. Mr. Ruggieri advised it would help, as 4 of the 5 members are present. The TAC could now vote on a Chair and Vice-Chair, but Riverbend would not be able to cast a vote, as their position is currently vacant.

D. Action: Draft By-Laws: Mr. Ruggieri advised the By-Laws are provided in each individual's packet.

The TCC By-Laws were first. He briefly went over what the By-Laws consist of.

Motion was made to approve the By-Laws. Motion was seconded. Motion passed unanimously.

There was some discussion about who was able to vote from the TAC as well as the TCC. John Chittick, representing Bridgeton, noted he voted from both committees as he is a member of both. It was agreed this was not against the rules based on the size of the town, but was suggested an alternate be appointed.

Mr. Chuck Tyson, Trent Woods representative, had a few questions about the responsibilities of being Chair of the TAC, as was previously suggested.

Motion was made to approve the TAC By-Laws. Motion was seconded. After suggestions and agreement, an amendment to add the statement: The meetings of TAC shall be administered with general adherence to Roberts Rules of Order, was agreed upon. Motion passed unanimously.

F. Action: Planning Work Program (PWP) and Prospectus: Ivo Dernev presented this information.

Mr. Dernev explained what the MPO will accomplish, noting its 5 major functions; establish effective regional planning, identify and evaluate transportation, develop an MPO plan, which is a long range area plan, develop the TIV, and provide the public forum for general public participation. In order to meet all these requirements, funding will be required, which is where the FHWA funding grants come into play. These grants are given to each MPO in the state on an annual basis. Requirements that have to be met include the PWP.

The NCDOT has an administrative responsibility to carry out a valid transportation plan process and to ensure the funds are used wisely. The MPO must prepare a package that includes resolution from TAC, funding table of tasks, description of each task and 5-year calendar of long-term projects, and self-certification that the MPO certifies the process is being carried out in accordance with federal and state laws.

There are two categories; planning funds and administration. The PWP requires a Prospectus, which is a reference document, noting who is responsible for specific tasks. The Prospectus can be amended if necessary.

Mr. Ruggieri advised the budget is included in each individual packet. Mr. Bruff advised the planning funds are to carry out planning activities as described in the Prospectus. Each year a budget will be created to carry out these activities. The Federal dollars equal \$160,000. They require a 20% match which usually is distributed based on the population of each member jurisdiction. The Federal funds are separate from the project funds.

Mr. Bruff noted there are three documents that make up the MPO operations; MOU that brings all jurisdictions together, the work program that sets up the annual budget for the MPO that the TAC & TCC will review and update annually, and a funding agreement between the lead planning agency (City of New Bern) and the other jurisdictions that allows funding to be passed through to the city. Individual agreements will be decided on how to receive the matching funds. Everything is on a reimbursable basis. The lead planning agency, City of New Bern, will carry out the planning activities of the MPO. They will then invoice the DOT, who will reimburse their 80% responsibility. The additional 20% will be reimbursed through the partnering jurisdictions.

Mr. John Chittick, Bridgeton, questioned how the 20% reimbursement is broken down, based on the size of the jurisdiction. Mr. Bruff advised the 20% is based upon the population of each jurisdiction, and is denoted in the Memorandum of Understanding.

G. Presentation: Public Transit Funding: Ms. Cheryl Leonard was unable to attend. Ms. Sue Powell was presenting in her place.

Ms. Powell advised the DOT is the funding source for Federal and State funds that funnel through to the MPO funding. There will be a Transportation system (CARTS) that will be providing transportation needs for the city. The funds may come through the 5307, which is the FTA as well as capturing state funds. The 5311, Community Transportation Program, the 5310, The Elderly Individual & Individuals with Disabilities, are Urban funds that will be available. In September 2013 the State will have projects that will enable systems to apply for the grants.

Mr. Epperson questioned if we needed to designate who the recipient is from the transit fund. The TAC is responsible for this designation. This item will be included on the next agenda. Ms. Stark advised waiting until the next meeting is acceptable, or call for an adjustment to the current agenda if the item is time sensitive. Designated Transit Recipient is what's in question. Mr.

Bruff advised the May meeting is sufficient time to determine this.

H. Action: Calendar of TAC & TCC Meetings for 2013: Mr. Ruggieri discussed scheduling meetings going forward.

Monthly meetings are required at this point due to processes that need to be established. Jeff suggested the 4th Thursday of each month, have a back to back TCC/TAC meeting, suggesting 10am and 11am consecutively. Mr. Mike Bruff suggested allowing more time for each meeting, perhaps allotting 1.5 hours. He advised the chair of the TAC, Mr. Steve Tyson, that planning the meetings for the TAC would be up to him. Mr. Tyson suggested 11am on the 4th Thursday of each month, leaving the TCC to meet from 10-11am on the 4th Thursday of each month.

Motion was made to accept meeting schedule as presented for the TAC meeting, 4th Thursday of each month at 11am, New Bern City Hall Courtroom. Motion was seconded. Motion passed unanimously.

Motion was made to accept meeting schedule as presented for the TCC meeting, 4th Thursday of each month at 10am, New Bern City Hall Courtroom. Motion was seconded. Motion passed unanimously.

I. Other Business:

a. Project Updates: Mr. Jeff Cabaniss provided updates in Mr. Neil Lassiter's absence. A handout was provided and projects discussed.

Mr. Bruff advised when looking at the MPO Boundary, this is the area the MPO and the board is responsible for, as well as prioritizing projects. Anything outside of that is the responsibility of the RPO. The MPO and RPO may work closely together as needed. From a priority standpoint, focus within the MPO boundary is necessary.

b. NCAMPO Conference – Mr. Ruggieri noted this upcoming conference, being held in Winston-Salem, NC from May 15-17, 2013.

c. Additional MPO Tasks – Mr. Bruff advised a presentation on privatization process and development of the Transportation Improvement Program from a statewide perspective. A draft program will be submitted later in the fall. The MPO will need to assess priorities as part of the RPO process to pull out previously noted projects that are within the MPO area and prioritize. Mr. Patrick Flanagan will present as this is a process he worked on.

d. Member Updates – Mr. Don Baumgardner questioned if the jurisdictions had been advised of the amount of funding they would each be required to provide. Mr. Jeff Ruggieri advised that information has previously been provided, but will be supplied again for all participating areas.

With no further discussion, meeting adjourned.

Jeffrey Ruggieri, Chairman

Kim Langley, Secretary