



September 26th, 2013

10:00 AM

Eastern Carolina Council

233 Middle Street, 2nd Floor Conference Room, O. Marks Building, New Bern, NC

Transportation Advisory Committee (TAC) Agenda

1. Call to Order – Trace Cooper, Chair TAC

2. Public Comment Period

3. Meeting Schedule

2013 Upcoming Meetings: November 21, 2013

4. May 30, 2013 & June 25, 2013 Minutes

Minutes of the May 30th, 2013 and June 25th, 2013 meeting are attached and presented for approval.

ACTION: Approval of TAC meeting minutes

DERPO Staff Report

5. Standing Committee, Commission, and Association Reports

Reviews of area committees and commissions that affect our area such as the Highway 17 Association and the Highway 70 Commission.

6. Strategic Mobility Formula Update

This is the latest information regarding the new system for evaluating and funding NCDOT projects.

7. NCDOT Maps of Statewide/Regional/Division Facilities

Here are the maps of which facilities start out in any given tier. We will review these maps for any oversights or reclassifications. They can be found online at:

<https://connect.ncdot.gov/projects/planning/Pages/ResourcesMPO-RPO.aspx>

8. Ferry Tolling Legislation

There is new ferry tolling legislation. We will discuss this new policy and how it affects RPOs.

NCDOT Staff Reports

Division 2: Jeff Cabaniss

ACTION Items

9. Local Input Points Policy

New legislation requires MPOs and RPOs to submit the process by which they assign Local Input Points to NCDOT for review and approval. We will discuss and amend our policy to adhere to this requirement.

ACTION: Adopt or amend the presented policy

10. Other Business

11. Adjournment



Technical Coordinating Committee (TCC) Minutes

June 25, 2013 Specially Called Meeting

11:00 a.m.

2nd Floor Conference Room

O'Marks Building

233 Middle St.

New Bern, NC

TAC Members in Attendance:

Hugh Overholt, Division 2 Board Member

Trace Cooper, Mayor of Atlantic Beach

Johnnie Sampson, Craven County Commissioner

Chad Braxton, Mayor of Vanceboro (on the phone)

Lionell Midgett, Onslow County Commissioner (on the phone)

Christine Mele, Pamlico County Commissioner

Staff in Attendance:

Patrick Flanagan, ECC Planning Director

Lauren Tuttle, ECC Community Planner

Jodi Laird, ECC Administration

NCDOT:

Patrick Riddle, Division 3 Planning Engineer

Jeff Cabaniss, Division 2 Planning Engineer

Saeed Mohamed, Transportation Planning Branch

1. Call to Order

Trace Cooper, Technical Advisory Committee (TAC) Chair called the meeting to order at 11:02 a.m. It was determined there was a quorum with Lionel Midgett and Chad Braxton via teleconference.

Mr. Cooper read aloud the ethics statement. Patrick Flanagan pointed out that new legislation has passed stating that TAC members will still have to file Statement of Economics Interest forms but are not required to do ethics training. TCC members are exempt from any ethics training requirements; however the ethics statement still has to be read aloud prior to each meeting.

2. Public Comment Period

There were no public comments.

3. Action: Strategic Mobility Formula

Patrick Flanagan provided a PowerPoint for discussion and review.

- There is a new Strategic Mobility Formula legislation and this is how all transportation projects are going to be evaluated and funded in the state (all modes). We are looking to come up with formulas on how our highway projects will be graded for our area.
- State Formulas for three buckets: State, Regional, and Divisional
 - State wide bucket (interstate routes, natural highways, major roads, etc.)
 - Regional bucket (US highways, NC Routes not included in state wide bucket)
 - Divisional bucket (is everything else that is not a US or NC highway)
 - ***A project that starts out as a state wide level and goes through the data process and doesn't do well enough to get funded drops down to regional bucket and gets rescored based on the regional criteria and competes for that money and if it still doesn't do well enough it drops down to divisional and rescored on divisional criteria and can be funded from all buckets. Projects cannot move up- only cascade down so this important when determining a formula for evaluation.
- State workgroup has come up with default formulas for all three buckets to determine how all projects in the state will be evaluated by the criteria and the percentage by which those criteria will count towards the total score.
- We were given the opportunity to use the same criteria to come up with our own formula (only for the regional and divisional levels.) We can pick what criteria and what weight we want to count towards the total score. However all MPO/RPO in the region must unanimously agree on the regional formula and every MPR/RPO must unanimously agree on the divisional formula. Deadline in July 1, 2013.

HIGHWAY- State Default		Statewide	Regional	Divisional
Criteria	Weight	Weight	Weight	Weight
Benefit/Cost	30%	30%		20%
Congestion	30%	30%		20%
Economic Competiveness	10%			
Safety	10%		10%	10%
Multimodal (Freight & military)	20%		* Other 30% is local input points	* Other 30% is local input points

- Benefit/Cost- takes travel time savings which will be improved by building this project. Calculation of freight movement and normal traffic with the time they are saving and plug it into a monetary value and divide by cost.
Congestion is the current volume over the built capacity of the road.
Economic Competiveness is 50% of the jobs added over 30 years and 50% of the \$ value added to the economy. (Long term jobs not construction of project)
Safety is calculated by crash density and severity- given all factors.
Multimodal is combination of 25% the volume and capacity on the STRAHNET network that are not interstate.
- Planning staff from all MPO/RPO in Region B (division 2&3) got together to come up with alternate formula for our region (Greenville down to Wilmington). Want to keep short list of criteria so we can put a bigger percentage on the weight.

HIGHWAY- Our Proposed Formula	Region B	Division 2	Division 3
Criteria	Weight	Weight	Weight
Benefit/Cost	20%		
Congestion		20%	20%
Economic Competitiveness			
Safety	25%	20%	20%
Multimodal (Freight & military)	25%	10%	10%

*Other 50% for local input points
*Placed a lot of weight on Multimodal because we are the only one with STRAHNET maps, military bases, and ports.

- The state default criteria were designed to be set up in a way that if a statewide project was dropped then it would still score well on a regional level and funded. As a region, do not want to pay for big ticket projects out of regional bucket, which is 34 million annually. Built formula where statewide projects would not be scored well if dropped to regional level.
- The divisional formula agreed on the same formula. Congestion was used in the division level versus the regional level so that projects like Trent Road would be addressed on a divisional level. Economic Competitiveness was written out of bill for regional and divisional levels. * Neil Lassiter recommends looking at the shoulder width and lane width.
- This bucket is where the majority of funding for other modes: ferries, public transit, airports, bike/ped., etc. The funding is \$34 million annually for the divisional bucket.
- Looking at the numbers from SPOT 2.0 and things do not look good (default or our formulas), but this is the best option at this point.
- There is no new revenue but rather build confidence back into DOT to pick projects fairly.

Patrick Riddle commented how things have happened so fast and we are just trying to react as quickly as possible.

Mr. Riddle asked if you could use state funds for bike/ped. projects. Patrick Flanagan replied that you cannot use state money for federal matched to fund these projects so you will have to either use your power bill or find other grants.

Throughout the state, you have to spend no less than 85% and no more than 98% on highway projects across the state in the regional and divisional levels.

Trace Cooper made a motion to approve the alternative formulas by DE RPO TAC for NCDOT funding Region B and NCDOT Divisions 2&3, seconded by Hugh Overholt, and unanimously approved.

4. Other Business

Trace Cooper mentioned that the TAC meetings used to be every other month which brought attendance down. Moving forward we are looking to meet only once a quarter so each meeting is meaningful, unless of course, like today we are voting on an issue that is urgent and needed.

The next TCC Meeting is July 23 and the following one is September 24, 2013.

The next TAC is scheduled for September 26, 2013 for the DE RPO.

Hugh Overholt asked how we are communicating with all of the other MPO/RPO involved. Patrick Flanagan replied that he was the point of contact in communicating with the area MPO/RPOs.

5. Adjournment

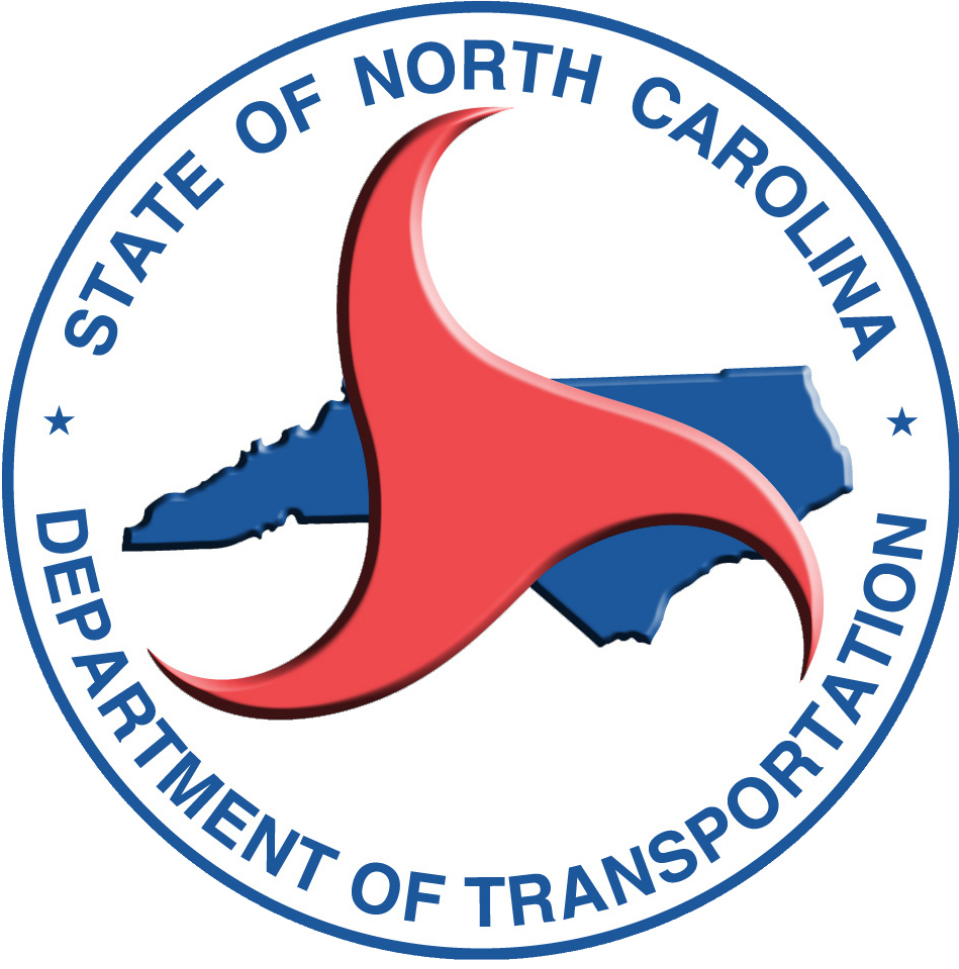
It was established that there was no further business, Trace Cooper adjourned the meeting.

Respectfully submitted,

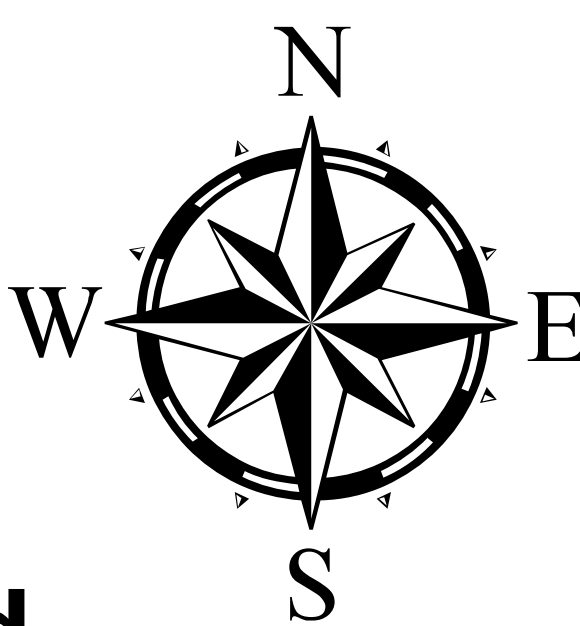
Trace Cooper, DERPO TAC Chair

Patrick Flanagan, DERPO Secretary

Division Two



Strategic Transportation Investment Facilities



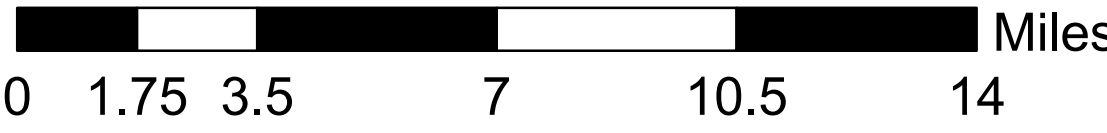
Legend

- Statewide STI Airports
- Regional Impact STI_Airports
- Division Needs STI_Airports
- Future Statewide STI Routes
- Existing Statewide STI Routes
- Regional Impact STI Routes
- Division Need STI Routes
- Ferry Routes Regional Impact STI
- Class I Railroads Statewide STI
- GreenvilleMPO
- New Bern MPO
- NC Military Bases
- County Boundary
- DOT Division Boundary
- Water Features

DIVISION NEEDS FUNDING CATEGORY

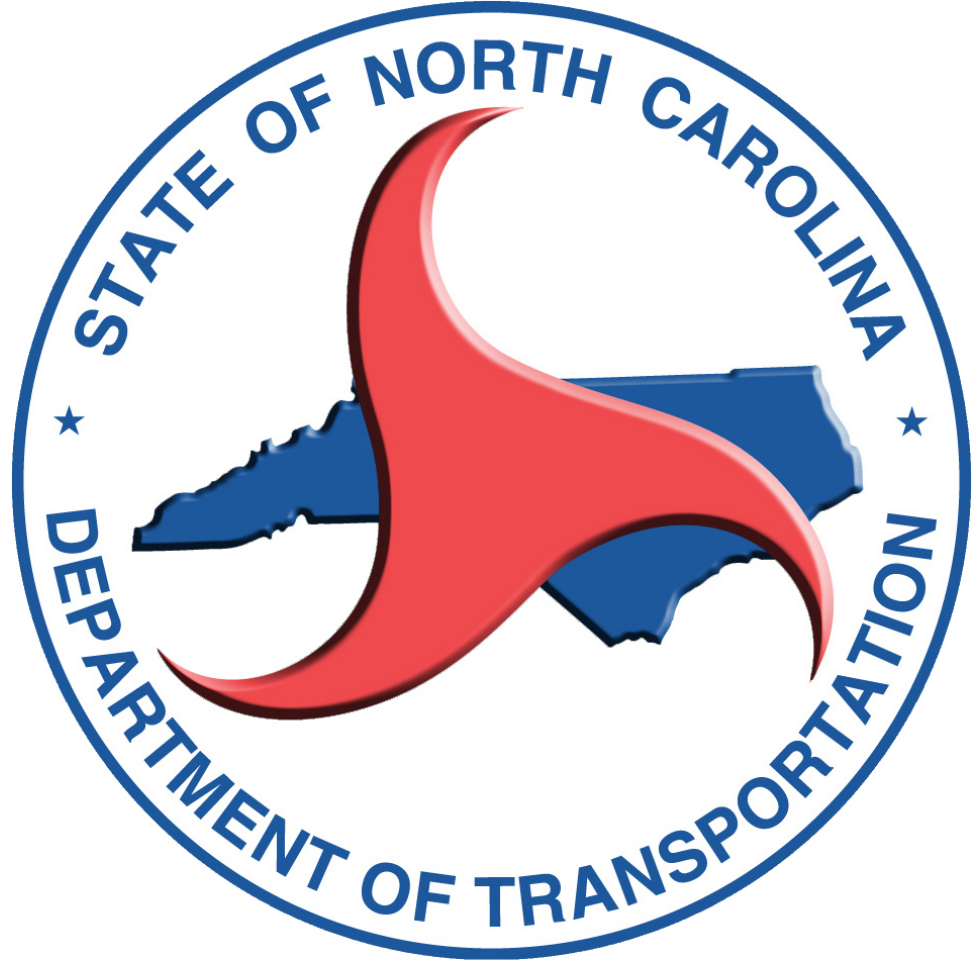
- All facilities eligible for Statewide Mobility Funding
- All facilities eligible for Regional Impact Funding
- All other State maintained roads not in Statewide or Regional
- All other Airports not in Statewide or Regional
- All other Rail lines not in Statewide or Regional
- All other Public Transportation Services not in Statewide or Regional
- Multimodal Terminals and Stations that serve passenger transit systems
- Federally funded independent bicycle or pedestrian improvements
- Replacement of State-maintained ferry vessels
- Federally funded municipal road projects

LEGEND



Prepared By:
The North Carolina Department of Transportation
Program Development Branch
Map Date: July 1, 2013

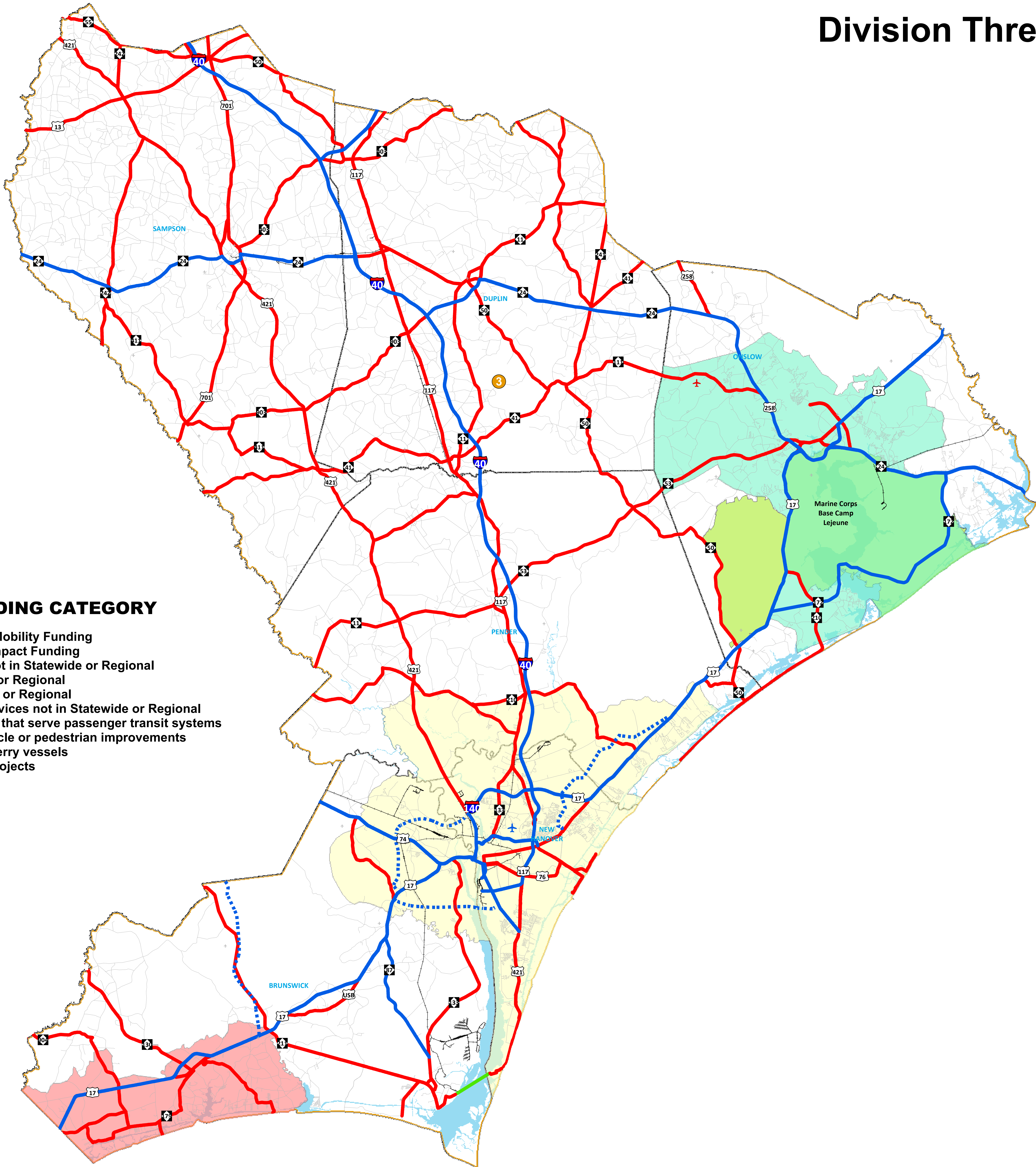
Division Three



Strategic Transportation Investment Facilities

DIVISION NEEDS FUNDING CATEGORY

- All facilities eligible for Statewide Mobility Funding
- All facilities eligible for Regional Impact Funding
- All other State maintained roads not in Statewide or Regional
- All other Airports not in Statewide or Regional
- All other Rail lines not in Statewide or Regional
- All other Public Transportation Services not in Statewide or Regional
- Multimodal Terminals and Stations that serve passenger transit systems
- Federally funded independent bicycle or pedestrian improvements
- Replacement of State-maintained ferry vessels
- Federally funded municipal road projects



Legend

- Statewide STI Airports
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- Division Need STI Routes
- Ferry Routes Regional Impact STI
- Class I Railroads Statewide STI
- Grand Strand MPO
- Jacksonville MPO
- Wilmington MPO
- NC Military Bases
- County Boundary
- DOT Division Boundary
- Water Features

LEGEND

Prepared By:
The North Carolina Department of Transportation
Program Development Branch

Map Date: July 1, 2013



SPOT Methodology

Created DERPO Prioritization Sub-committee where at least one TCC member from each of the five counties participated

Sub-committee reviewed all previous priority listings to determine what has been important to the DERPO in the past

Sub-committee identified important corridors to the RPO. They were US 17 and US 70. Any project on these corridors was considered a priority.

Identified projects that spanned the DERPO boundaries into neighboring RPOs and MPOs we wanted to support and shared points with those neighboring entities

Remaining points were distributed to counties in the DERPO where the majority of the points had not been previously allocated

These recommendations were given to the TAC for final approval

DRAFT priorities were listed on the Eastern Carolina Council of Governments DERPO webpage for public comment in the 30 days leading up to the DERPO meeting where priorities were adopted.

All RPO meetings are open to the public who are encouraged to comment when they attend.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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**SENATE BILL 402
Appropriations/Base Budget Committee Substitute Adopted 5/21/13
Finance Committee Substitute Adopted 5/21/13
Third Edition Engrossed 5/23/13
House Committee Substitute Favorable 6/11/13
Fifth Edition Engrossed 6/13/13
Proposed Conference Committee Substitute S402-PCCS85270-LEx-4**

Short Title: Appropriations Act of 2013.

(Public)

Sponsors:

Referred to:

March 26, 2013

A BILL TO BE ENTITLED
AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS
OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER
PURPOSES.

The General Assembly of North Carolina enacts:

PART I. INTRODUCTION AND TITLE OF ACT

TITLE

SECTION 1.1. This act shall be known as the "Current Operations and Capital
Improvements Appropriations Act of 2013."

INTRODUCTION

SECTION 1.2. The appropriations made in this act are for maximum amounts
necessary to provide the services and accomplish the purposes described in the budget. Savings
shall be effected where the total amounts appropriated are not required to perform these
services and accomplish these purposes and, except as allowed by the State Budget Act or this
act, the savings shall revert to the appropriate fund at the end of each fiscal year.

PART II. CURRENT OPERATIONS AND EXPANSION GENERAL FUND

CURRENT OPERATIONS AND EXPANSION/GENERAL FUND

SECTION 2.1. Appropriations from the General Fund of the State for the
maintenance of the State departments, institutions, and agencies, and for other purposes as
enumerated, are made for the fiscal biennium ending June 30, 2015, according to the following
schedule:

Current Operations – General Fund

2013-2014

2014-2015



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31 of each even-numbered year, and copies shall be made available to any member of the General Assembly upon request."

REPEAL INTERMODAL CONTINUING APPROPRIATIONS

SECTION 34.9. The following statutes are repealed:

- (1) G.S. 136-16.4.
- (2) G.S. 136-16.5.
- (3) G.S. 136-16.7.
- (4) G.S. 136-16.8.
- (5) G.S. 136-16.9.

FLEXIBLE USE OF FUNDS TO LEVERAGE FEDERAL FUNDS FOR RURAL AND HUMAN SERVICE PUBLIC TRANSPORTATION

SECTION 34.10. In order to ensure maximum funding and to facilitate the use of funds available to the Department, the Department of Transportation, Public Transportation Division, shall have the flexibility to redistribute funding from the "rural capital" grant program and within the "urban technology, human service transportation management, and rural general public" grant program in order to leverage all eligible federal funds for operating assistance to rural and human service transportation systems. The distribution of funds to these systems shall be based on assessed system needs. This section applies only to the 2013-2015 fiscal biennium.

MAXIMIZE LEVERAGE OF FEDERAL PUBLIC TRANSPORTATION OPERATING AND CAPITAL FUNDS FOR LOCAL PUBLIC TRANSPORTATION SYSTEMS

SECTION 34.11. The Department of Transportation, Public Transportation Division, shall provide local public transportation systems with maximum flexibility to use State operating funds from the "urban and regional maintenance" and "urban technology, human service transportation management, and rural general public" grant programs to leverage all eligible federal transit operating assistance funds. This section applies only to the 2013-2015 fiscal biennium.

GRANT FLEXIBILITY FOR BICYCLE AND PEDESTRIAN IMPROVEMENTS

SECTION 34.12. The Department of Transportation, Division of Bicycle and Pedestrian Transportation, may redistribute funds appropriated to the Regional Bicycle Planning Grant program to the Municipal Planning Grant program to award grants to municipalities based on assessed need and the extent to which the Division finds that the municipality's application for grant funding fulfills applicable selection criteria.

FERRY TOLLING

SECTION 34.13.(a) Notwithstanding the date set forth in Section 24.18(b) of S.L. 2012-142, as rewritten by Section 6.2 of S.L. 2012-145, by which the Department of Transportation is required to collect tolls based on the proposed March 2012 amendment to 19 NCAC 02D .0532, the Department shall collect tolls as set forth in this section.

SECTION 34.13.(b) G.S. 136-82 reads as rewritten:

"§ 136-82. Department of Transportation to establish and maintain ferries.

(a) Powers of Department. – The Department of Transportation is vested with authority to provide for the establishment and maintenance of ferries connecting the parts of the State highway system, whenever in its discretion the public good may ~~so require, require,~~ and shall ~~prescribe and collect tolls, tolls on the ferry routes~~ as established by the Board of Transportation, ~~on the ferry routes. The Board of Transportation shall establish tolls for all ferry routes, except for the Ocracoke/Hatteras Ferry and the Knotts Island Ferry. Transportation~~ following the procedures set forth in this section.

(b) Establishment of Tolling. – The Board of Transportation may establish tolls on any untolled ferry route as set forth in this subsection. Prior to establishing tolls on an untolled ferry route, the Board of Transportation must receive a resolution approved by the Transportation Advisory Committee of each affected local transportation planning organization requesting tolls on that route. No later than March 1, 2014, the Department shall hold a separate public hearing in the geographic area of each untolled ferry route and invite each affected local transportation planning organization. At the public hearing, the Department shall present an explanation of the toll setting methodology, the impact of tolling on the availability of funding for other local transportation priorities, and the minimum and maximum toll rates. After the public hearing, an affected local transportation planning organization may consider and adopt a ferry tolling resolution. The Board of Transportation shall adopt the toll at its next regularly scheduled meeting after receipt of the ferry tolling resolutions required by this subsection. The Department shall collect the toll as soon as is feasible following its adoption, but in no case more than 180 days after adoption of the toll. The establishment of tolls by the Board of Transportation pursuant to the authority granted in this section shall be exempt from the provisions of Chapter 150B of the General Statutes. For purposes of this section, "affected local transportation planning organization" means any Metropolitan Planning Organization or Rural Transportation Planning Organization with geographic jurisdiction over any part of an untolled ferry route, and "untolled ferry route" means any ferry route for which no tolls were in effect as of June 30, 2013.

(c) Revisions of Tolls. – The Department of Transportation shall report to the Fiscal Research Division, the Joint Legislative Transportation Oversight Committee, and all affected local transportation planning organizations 30 days prior to any change in toll rates or change in the toll setting methodology by the Board of Transportation.

(d) Use of Toll Proceeds. – The Department of Transportation shall credit the proceeds from tolls collected on North Carolina Ferry System routes and receipts generated under subsection (e) of this section to reserve accounts within the Highway Fund for each of the Highway Divisions in which system terminals are located and fares are earned. For the purposes of this subsection, fares are earned based on the terminals from which a passenger trip originates and terminates. Commuter pass receipts shall be credited proportionately to each reserve account based on the distribution of trips originating and terminating in each Highway Division. The proceeds credited to each reserve account shall be used exclusively for prioritized North Carolina Ferry System ferry passenger vessel replacement projects in the Division in which the proceeds are earned. Proceeds may be used to fund ferry passenger vessel replacement projects or supplement funds allocated for ferry passenger vessel replacement projects approved in the Transportation Improvement Program.

(e) Powers of Department. – ~~To accomplish the purpose of this section said section, the~~ Department of Transportation is authorized to acquire, own, lease, charter or otherwise control all necessary vessels, boats, terminals or other facilities required for the proper operation of ~~such the~~ ferries or to enter into contracts with persons, firms or corporations for the operation thereof and to pay ~~therefor such the~~ reasonable sums ~~as may that~~ in the opinion of ~~said the~~ Department of Transportation represent the fair value of the public service rendered.

(f) Authority to Generate Certain Receipts. – The Department of Transportation, notwithstanding any other provision of law, may ~~operate, operate~~ or contract for the following receipt-generating activities and use the proceeds for ferry passenger vessel replacement projects in the manner set forth in subsection (c) of this section:

- (1) ~~operation~~–Operation of, concessions on the ferries and at ferry facilities to provide to passengers on the ferries food, drink, and other refreshments, personal comfort items, Internet access, and souvenirs publicizing the ferry system.
- (2) The sale of naming rights to any ferry vessel, ferry route, or ferry facility.

(3) Advertising on or within any ferry vessel, including display advertising and advertising delivered to passengers through the use of video monitors, public address systems installed in passenger areas, and other electronic media.

(4) Any other receipt-generating activity not otherwise forbidden by applicable law pertaining to public health or safety.

(g) Confidentiality of Personal Information. – Identifying information obtained by the Department related to operation of the ferry system is not a public record under Chapter 132 of the General Statutes and is subject to the disclosure limitations in 18 U.S.C. § 2721 of the federal Driver's Privacy Protection Act. The Department shall maintain the confidentiality of all information required to be kept confidential under 18 U.S.C. § 2721(a), as well as any financial information, transaction history, and information related to the collection of a toll or user fee from a person, including, but not limited to, photographs or other recorded images or automatic vehicle identification or driver account information generated by radio-frequency identification or other electronic means. The Department may use identifying information only for purposes of collecting and enforcing tolls. Nothing in this section is intended to limit the right of any person to examine that person's own account information, or the right of any party, by authority of a proper court order, to inspect and examine identifying information."

SECTION 34.13.(c) No later than January 1, 2014, the Board shall adopt a methodology and expected minimum and maximum tolls for use in establishing tolls for ferry routes under G.S. 136-82, as amended by this section. The Board of Transportation shall consider the needs of commuters and other frequent passengers in its adoption of toll rates and the toll rate methodology.

SECTION 34.13.(d) The Department of Transportation shall continue to collect tolls on all ferry routes for which tolls were in effect as of June 30, 2013.

NORTH CAROLINA RAILROAD COMPANY REPORTING AND DIVIDENDS

SECTION 34.14.(a) Reporting and Oversight. – G.S. 124-1 reads as rewritten:

"§ 124-1. Control of internal improvements.

The Governor and Council of State shall have charge of all the State's interest in all railroads, canals and other works of internal improvements. The Board of Directors of a State-owned railroad company shall be responsible for managing its affairs and for reporting as set forth in ~~G.S. 124-3~~ G.S. 124-17."

SECTION 34.14.(b) Article 2 of Chapter 124 of the General Statutes is amended by adding a new section, G.S. 124-15. G.S. 124-6(b), as amended by Section 3.3(a) of S.L. 1999-431, is recodified as G.S. 124-15(a). G.S. 124-5(b) is recodified as G.S. 124-15(b). G.S. 124-15, as enacted and amended by this subsection, reads as rewritten:

"§ 124-15. Board of directors; appointment and approval of encumbrances.

(a) Notwithstanding subsection (a) of ~~this section~~ G.S. 124-6, for any State-owned railroad company ~~organized as a corporation in which the State is the owner of all the voting stock and which~~ that has trackage in more than two counties, seven of the members of the Board of Directors shall be appointed by the Governor, three of the members of the Board of Directors shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121, and three of the members of the Board of Directors shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121. The Board of Directors shall consist of 13 members. Of the Governor's seven appointments, one shall be from the appointees to the Board of Transportation and one shall be the Secretary of Commerce or the Secretary's designee. Of the initial members appointed by the Governor, three shall be appointed for terms of four years and four shall be appointed for terms of two years. Of the initial members recommended to the General Assembly by the Speaker of the House of Representatives, two shall be appointed for terms of four years and one shall be appointed for a