

**RICHMOND AREA**  
**METROPOLITAN PLANNING ORGANIZATION**

**MINUTES OF MEETING**

**March 12, 2009**

**MEMBERS PRESENT**

**REPRESENTING**

Kathy C. Graziano, <b>Chair</b> .....	City of Richmond
Patricia S. O'Bannon, <b>Vice Chair</b> .....	County of Henrico
Joseph Andrews, Jr. ....	County of Goochland
Viktoria W. Badger .....	City of Richmond
Malvern R. Butler .....	County of Goochland
Deborah B. Coats (Alternate) .....	County of Hanover
Douglas G. Conner (Alternate) .....	City of Richmond
Timothy W. Cotman .....	County of Charles City
Robert A. Crum, Jr. ....	RRPDC
Tammye Davis (Nonvoting) .....	FHWA
Marleen K. Durfee .....	County of Chesterfield
E. Todd Eure .....	County of Henrico
Thomas E. Flynn .....	City of Richmond
Lawrence A. Hagin (Alternate) .....	GRTC Transit System
Thomas A. Hawthorne .....	VDOT
Edward L. Henson, III .....	Town of Ashland
James M. Holland .....	County of Chesterfield
George M. Homewood .....	County of New Kent
Jean M. Moore .....	County of Henrico
Ellen F. Robertson .....	City of Richmond
Daniel E. Rudge (Nonvoting) .....	VDRPT
Robert R. Setliff .....	County of Hanover
Barbara K. Smith (Alternate) .....	County of Chesterfield
Frank J. Thornton .....	County of Henrico
Von Tisdale (Nonvoting) .....	RideFinders
Stran L. Trout .....	County of New Kent
Joseph E. Vidunas .....	County of Hanover
Joseph B. Walton .....	County of Powhatan

**MEMBERS ABSENT**

**REPRESENTING**

Virginia H. Axtell (Nonvoting) .....	CTAC
Robert M. Berry .....	RMA
Linda G. Broady-Myers (Nonvoting) .....	EDAC
Cliff Burnette (Nonvoting) .....	VDA
Karin Carmack .....	County of Powhatan
Tony Cho (Nonvoting) .....	FTA
Daniel A. Gecker .....	County of Chesterfield

**MEMBERS ABSENT (Cont.)**

**REPRESENTING**

John Gordon.....County of Hanover  
John M. Lewis.....GRTC Transit System  
John McCracken .....County of Chesterfield  
John Rutledge.....CRAC

**OTHERS PRESENT**

**REPRESENTING**

Daniel N. Lysy, **Secretary** (Alternate)..... RRPDC  
Nora D. Amos (Alternate).....Town of Ashland  
Jonathan Baliles .....City of Richmond  
John T. Benton ..... Citizen  
Tim Bowles..... Citizen  
Ralph J. Emerson (Alternate)..... County of Henrico  
Nancy Finch..... Chesterfield Business Council  
Joan Girone..... Chesterfield Business Council  
Walter Johnson..... VDOT  
Richard Lockwood..... VHB  
Jim Ponticello..... VDOT  
Mark Riblett (Alternate) ..... VDOT  
Mike Schnurman..... County of Henrico  
Dexter C. White (Alternate).....City of Richmond  
Anne Darby..... RRPDC  
Jo Evans ..... RRPDC  
Jin Lee..... RRPDC  
Barbara Nelson..... RRPDC  
Sharon Robeson ..... RRPDC  
Matt Weaver..... RRPDC  
Kathy Wright ..... RRPDC  
Lee Yolton ..... RRPDC

**CALL TO ORDER**

MPO Chairman Kathy C. Graziano called the March 12, 2009 meeting of the Richmond Area Metropolitan Planning Organization (MPO) to order at approximately 3:00 p.m. in the Board Room of the Richmond Regional Planning District Commission offices.

**I. ADMINISTRATION**

**A. Certification by MPO Secretary of Meeting Quorum –**

Dan Lysy reported that a quorum was present.

**B. Additions to MPO Agenda –**

There were no requests for additions to the agenda.

**C. Minutes of the February 12, 2009 MPO Meeting –**

Dan Lysy requested the following addition to the minutes: that the following sentence, “Chairman Graziano agreed and authorized TAC to act on behalf of the MPO to approve urgent amendments to the TIP,” be added on page four, under item G., after the third sentence. On motion of Viktoria W. Badger, seconded by James M. Holland, the Richmond Area Metropolitan Planning Organization (MPO) unanimously approved the minutes of the February 12, 2009 meeting as corrected.

**D. Open Public Comment Period –**

There were no requests to address the MPO, and Chairman Graziano closed the public comment period.

**E. MPO Chairman’s Report –**

**1. MPO and MPO Chairman’s Letter to Governor Kaine on Federal Economic Stimulus Program –**

Chairman Graziano said at the last MPO meeting, it was discussed to send a joint letter to Governor Kaine from the RRPDC/MPO chairs. She reported that the letter was sent and a response letter from Secretary Homer was received in the mail just after the MPO agenda package was put in the mail. Secretary Homer’s response was sent to the MPO the next day as an MPO agenda supplement.

**2. Presentation of Resolution of Appreciation –**

Mr. Jewell was not present to receive his resolution of appreciation and the resolution will be hand-delivered by Chairman Graziano.

**3. Other Business –**

No other business was brought forward for consideration.

**F. RRPDC Transportation Director’s Report –**

**1. Federal Certification Review of MPO Transportation Planning and Programming Process –**

Dan Lysy reminded that the Federal Certification Review for the MPO transportation planning and programming process will be held March

25 and 26. He noted that staff is answering an extensive list of questions and gathering documents to be submitted to FHWA representative Tammye Davis for the federal review team in preparation for the certification review. Mr. Lysy responded to several questions briefly reviewing the kinds of information presented in the federal review process and noting that the federal review team would provide a full report of findings. He also said that this review should not affect funding, but will let us know how well we are meeting federal regulations and requirements and whether any corrective actions are needed.

**2. Other Business –**

No other business was brought forward for consideration.

**II. OLD BUSINESS**

No old business was brought forward for consideration.

**III. NEW BUSINESS**

**A. VDOT Public Hearings on Proposed Service Changes –**

VDOT Richmond District Administrator Tom Hawthorne reported that a series of public meetings are scheduled statewide to discuss proposed service level changes, primarily in maintenance, and said the Richmond District meeting is scheduled for March 26, 6:00 p.m., at the VDOT Central Office Auditorium, 1221 East Broad Street in downtown Richmond. Mr. Hawthorne said the agenda covers many issues including proposed reductions or eliminations of certain safety rest areas in the state and consolidation of VDOT residency offices in the state from 44 to 29.

Stran Trout noted New Kent, Charles City and Henrico counties are all part of the Sandston Residency which is targeted for closure and the New Kent County Board of Supervisors passed a resolution requesting that the Sandston Residency be preserved. Mr. Trout said he prepared a resolution for MPO consideration, but is not sure it would have any long-term effect considering the state's financial situation. Mr. Hawthorne said VDOT and the CTB would listen to all comments, including any the MPO may wish to submit. In response to a question, Mr. Hawthorne reported the projected status of rest stops in the Richmond District including the closure of the Goochland rest stop and the retention of the New Kent rest stop, both on I-64.

Rudy Butler said he opposes closing the rest stops out of concern for safety and economic development. He predicted an increased number of lives will be lost without the rest stops and that travel and tourism in the state will suffer. Mr. Butler made a motion, seconded by Bob Setliff who concurred with Mr. Butler's concerns, that the MPO send a letter to the Commonwealth Transportation Board urging them not to close any rest stops in Virginia due to public safety and economic development considerations. Extensive discussion ensued with the following major points brought forward:

- Closing the rest stops is problematic for truckers to rest and refresh themselves as well as a safety concern; it also sends the wrong economic message that Virginia is shut down for business.
- The state projects it will save approximately \$12 million a year through proposed rest stop closures; to keep the rest stops open, \$12 million must be cut from another budget area in lieu of rest stops.
- In order to have a basis for the letter, the MPO needs additional information or data from the state on what is planned and how they arrived at their recommendation.
- Though one of the public meetings is being held in Richmond on March 26, the cutoff for public comment is April 15, six days after the April 9 MPO meeting.
- The safety rule of thumb for rest stop location is to build a rest area for about every hour of travel, every 50-60 miles.
- Even one life saved is worth the \$12 million saved in rest stop closures.

Marleen Durfee proposed and made a substitute motion to gather information on which rest stops are targeted for closing, cost attached to each facility, usage data, nearby alternative facilities and other pertinent data to consider before deciding to send a letter to the Commonwealth Transportation Board requesting that rest stops not be closed. Her substitute motion was seconded by James Holland. Additional discussion brought forward the following points:

- There are numerous privately owned and operated truck stops which may substitute for public rest stops; these may become overcrowded with the closing of public rest stops.
- Travel brochures are placed in state rest stops and the state could easily lose in economic development and tourism whatever money it saves by closing rest stops.

The question was called and Stran Trout advised that the substitute motion should be voted first under *Robert's Rules of Order*. The substitute motion was restated followed by restatement of the original motion.

By show of hands, the MPO voted on the substitute motion, with 13 votes in favor and 11 votes against.

The substitute motion carried and was then voted as the main motion. On motion by Marleen K. Durfee, seconded by James M. Holland, the MPO voted, with 17 votes in favor and 5 votes against, to gather information on which rest stops are targeted for closing, cost attached to each facility, usage data, nearby alternative facilities and other pertinent data to consider before deciding to send a letter to the Commonwealth Transportation Board requesting that no rest stops in Virginia be closed due to public safety and economic development considerations.

Stran Trout who said that rather than ask the MPO to consider the resolution he prepared on the closing of the Sandston Residency, as mentioned earlier in the meeting, he would request that VDOT provide New Kent County with a cost analysis for closing the residency that would address projections for time and travel costs of moving the residency further away for VDOT, the county, citizens and others who may be involved. Mr. Hawthorne said he would be happy to meet with New Kent representatives to provide more in-depth information about the reasons behind the closure of 30 percent of the residencies in the state, which does have some cost implications, but is also a matter of downsizing and restructuring the organization as well. He offered to explain the changing role of the residency for the future and how VDOT will still serve local needs. Mr. Trout said he would appreciate Mr. Hawthorne's meeting with New Kent representatives and hopes that can be scheduled within the next month.

George Homewood asked if it would be possible to have the sort of discussion that Mr. Hawthorne will have with New Kent officials on the next MPO meeting agenda, with potential MPO action, so that the MPO may hear the facts and decide whether VDOT's proposed closures make sense or whether this action saves VDOT money but shifts costs to the localities. Chairman Graziano said that could be done and requested that Mr. Hawthorne provide staff the appropriate information in advance of the next MPO meeting for preparation of a presentation. Mr. Hawthorne said he does not have that information at his disposal, but would do his best to get it from VDOT Central Office staff. Chairman Graziano thanked Mr. Hawthorne.

**B. American Recovery and Reinvestment Act of 2009 (ARRA) –**

Ms. Nelson noted information included under tab five of the agenda package on the American Recovery and Reinvestment Act (ARRA), which includes a summary of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) guidance as well as information on funding. She said she will provide an overview on the ARRA with a

focus on how the Richmond region can participate in directing the stimulus investment within our region.

Ms. Nelson began her four-part presentation with a review of the federal role in ARRA. She said staff recently received implementation guidance from FHWA and FTA and noted that funds were apportioned to the Commonwealth last week, which starts the timeline for obligating those funds. Ms. Nelson explained that 50 percent of the Virginia funds (not including suballocated funds) are under a “use or lose” schedule and must be obligated by June 29, 2009 with the balance being obligated by March 2010. She said the MPO funding timeline requires obligation within one year. FHWA representative Tammye Davis confirmed the dates as noted by Ms. Nelson.

Ms. Nelson next discussed the state role saying about \$700 million is coming to Virginia for highway projects of which \$245 million must be obligated prior to the end of June 2009. She said an additional \$12.4 million will go to GRTC. Ms. Nelson said all projects need to be ready to go and said that VDOT has identified their priorities for project selection as deficient pavement, structurally deficient bridges, projects associated with BRAC, projects cut from the state SYIP, and any other projects that may come from consultation with MPOs, planning district commissions, local governments, General Assembly and others. She said the Commonwealth Transportation Board (CTB) will meet on March 19 and it is anticipated they may begin to take action on the first tier of projects to begin letting the first obligations or allocations so those projects may begin to advance.

Ms. Nelson reviewed the MPO’s role saying there are two ways for the MPO to participate in the ARRA stimulus funding investment process. One is to influence the obligation of statewide stimulus funds by sharing our regional needs with VDOT, and the other is through funding that comes directly to the Richmond region. Ms. Nelson identified several opportunities for providing input to the CTB, VDOT and Virginia Department of Rail and Public Transportation (VDRPT) on “ready-to-go” projects in our region. She emphasized that the MPO has data to support an active list of ready-to-go projects and these projects have been communicated to VDOT. Ms. Nelson asked Tom Hawthorne and Mark Riblett if there is anything additional the MPO could do to be certain the Commonwealth is aware of the region’s needs. Tom Hawthorne suggested that the MPO focus narrowly on its highest priorities with a realistic list of projects that can be obligated by March 2010. He expressed concern about VDOT’s capacity to deliver a huge stimulus program statewide with about 1,000 jobs being cut, nearly half of those from the preconstruction and construction and delivery area. He said VDOT will make every effort to try to deliver high priority projects.

In response to questions, Mr. Hawthorne said the intent of the stimulus bill is to get projects to construction as quickly as possible and he made clear that VDOT must obligate the stimulus funds by March 2010, which he said is fairly difficult for projects in the early development stage. Mr. Lysy noted that in November 2008, the MPO named as its number one regional priority the restoration of funding to projects that had funding reduced or were pulled from the SYIP and that given their previous status as being programmed in the SYIP and shown as fully funded, these projects should mostly be ready to go. Mr. Hawthorne confirmed that some of those projects are being actively considered for funding under the state portion of stimulus funds. Ms. Nelson emphasized that preservation of funding for the seven fully funded priority projects listed in the current FY 09 – FY 14 TIP, STIP, and SYIP, some of which received cuts as part of the reductions to the SYIP, are all ready to advance and would be fully funded within the timelines of the ARRA. Ms. Nelson said staff can provide data to support advancing these projects to construction.

Lastly, Ms. Nelson addressed funds coming directly to the region. She said the Richmond Area MPO anticipate receiving about \$20 million in ARRA funds, but is waiting for confirmation on the specific sub-allocated amount of funds. She said the region will have one year to obligate those funds and that staff recommends following the adopted MPO process for selecting regional projects and allocating the new RSTP funds, with emphasis on project readiness and job creation and retention which is part of the language of the Reinvestment Act. She said the state is undergoing the selection process for the \$245 million in projects they must obligate by June 29 and that the MPO process will be to continue to coordinate and consult with our various partners and to advance the selection of projects for stimulus fund projects. She said the MPO will select projects over the next several months to allocate funds requesting VDOT to obligate them by October 2009, well in advance of the March deadline. Ms. Nelson offered to answer questions and asked if the MPO would want to reaffirm to the CTB the MPO's November 2008 list of regional priority projects and suggesting support for restoring funding to those projects that were cut or had funding reduced in the FY 09 SYIP. The following major points were made:

- Discussion on the technical meaning of the term “obligation of funds” clarified the meaning to be that when funds are classified as obligated, they are actually available to be spent.
- MPO staff anticipates that by moving ready-to-go projects forward that were previously included in the FY 09 SYIP and either cut or had funding reduced, it will reduce the work for VDOT, especially in light of their reduced staff levels in preconstruction due to job elimination.
- VDOT's emphasis right now is on making decisions at next week's CTB meeting to identify specific projects that can meet that 120-day June 29, 2009 deadline for obligation; this is also the most critical path

for the MPO to provide input, support and suggestions to VDOT for needs within our region.

- For this extremely competitive process, and given the short timeline, the region may best be served by screening the adopted regional priority project list beginning with number one and working down to find projects that qualify and put them forward.
- It appears that most areas are adopting a fix-it first strategy for the 120-day money putting it on maintenance, paving, projects that don't require a lot of right-of-way, and where there are existing contracts in place.
- Enhancement funds are subject to the 120-day rule, but they are only three percent of the \$694.5 million apportioned to the state and VDOT has some flexibility in deciding which of the funds are subject to the 120-day obligation requirement; this might be a good opportunity to resubmit enhancement projects not previously approved.
- The region's number one priority project has historically been RIC Access Improvements from Clarkson Road to Charles City Road, which was fully funded through FY 09 and ready for construction prior to cuts to the SYIP and is now in need of \$17 million to complete.

Barbara Nelson reviewed additional top projects under the region's number one transportation priority ranking and noted that in addition, there are numerous RSTP and CMAQ projects fully funded by FY 11 that have add dates ranging from FY 10 to FY 12 subject to contingency for receiving full funding for construction. She said these projects are in the system, have advanced through PE and right-of-way and are just waiting to accumulate all of the necessary funds and this is a good opportunity for both the region and the state to advance some of these long-standing projects in the SYIP, TIP and STIP to construction. Mr. Lysy pointed out that VDOT is in the best position to know which projects are ready to move forward, and he said he has every reason to believe that VDOT will do everything possible to program funds on those projects. He said VDOT has always done everything possible to get as much federal funding as they could and has a long track record for getting funds not allocated by other states redistributed to us. Mr. Lysy said the economic stimulus funds have stringent transparency requirements that will show exactly where the funds are spent. Mr. Lysy noted that 120 days is not a lot of time and unless the MPO has specific direction to provide VDOT, there is little else that can be accomplished through discussion today. In response to a question, Mr. Hawthorne said that the draft agenda for next week's CTB workshop shows a scheduled presentation to the CTB on the stimulus program, but does not have a stimulus item as an action item at this time.

Chairman Graziano thanked Mr. Hawthorne for the information he provided and thanked Barbara Nelson for her presentation. She said this is a very serious issue for all of the localities and to the MPO in general.

**IV. OTHER BUSINESS**

No other business was brought forward for MPO consideration.

**V. ADJOURNMENT**

Chairman Kathy Graziano adjourned the meeting at approximately 4:25 p.m.