



Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 387-6030 FAX: (302) 387-6032

<http://doverkentmpo.org>

DOVER/KENT COUNTY MPO TECHNICAL ADVISORY COMMITTEE

MINUTES OF APRIL 13, 2011 - 10 AM – 12 NOON

Technical Advisory Committee Representatives attending:

David Edgell, Office of State Planning (Vice-chair)

Tim Riley, Kent Conservation District

Anne Marie Townshend, City of Dover, Planning & Insp.

Sarah Keifer, Kent County Planning

Tricia Faust, Dover Air Force Base

Marc Dixon, Federal Highway Administration

Mayor Tinari for Cheswold, Mun. Rep

Terry Reilly, Transp. Mgmt. Assoc. DE

Greg Oliver, DelDOT Planning

Cathy Smith, Delaware Transit Corporation

Byard O'Neal, DE Motor Transport Assoc.

Those not attending:

Scott Koenig, City of Dover/Public Works (Chair)

Dave Hugg, Town of Smyrna

Rick Crawford, Norfolk Southern

Joe Zilcosky, DE Economic Dev. Office

Milton Melendez, DE Dept. of Agriculture

Phil Wheeler, DNREC

Ryan Long, Federal Transit Admin.

Gary Norris, City of Milford

Non-members attending:

Juanita Wiczoreck, MPO Staff

Kate Layton, MPO Staff

James Galvin, MPO Staff

Catherine Samardza, MPO Staff

Mr. Edgell chaired the meeting in Mr. Koenig's absence.

- 1) **Introduction of Members & Guests**
- 2) **Public Comments**
- 3) ***ACTION ITEM: Approval of Agenda***

Mr. Edgell asked that Item 6.5, information dissemination, be added to the agenda.

MOTION By Mr. Edgell to approve the agenda with the addition. Seconded by Mr. Riley. Motion carried.

- 4) ***ACTION ITEM: Approval of Minutes – February 9, 2011***

MOTION By Ms. Townshend to approve the minutes. Seconded by Mr. Oliver. Motion carried.

- 5) ***ACTION ITEM: Draft FY 2012 Unified Planning Work Program – J Wiczoreck***

Ms. Wiczoreck reviewed the projects in the draft 2012 UPWP, explaining any changes and additions to current projects. She noted that she has had no confirmation from DelDOT finance on the amount of funding available, and so is unable to finalize the document. She also noted that addition of a planning technician to the staff to increase the in-house capabilities. Ms. Wiczoreck also reported on the 2% Federal rescission of FHWA funds that may affect the UPWP. In discussing the financial aspect of the UPWP, it was noted that DelDOT could not provide in-kind services for their portion of the match. The MPO has applied for a Community Services Grant from Kent County Levy Court; last year Levy Court awarded the MPO \$800. There was further discussion of projects; some members were looking for more project detail than has historically been provided in the UPWP.

Ms. Wiczoreck explained that the UPWP was scheduled to go to the Council in May for approval. She apologized for the TAC receiving it so late, and asked if they would be more comfortable if she brought it back in June for TAC approval.

TAC members discussed the different possibilities of recommending conditional approval of the UPWP. Mr. Oliver said he felt it was a conservative document and it could be amended later when the funding was known. Mr. Edgell agreed, noted that it was not programmed to the maximum funding expected, leaving a buffer for the new executive director. TAC members agreed with this evaluation.



Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 387-6030 FAX: (302) 387-6032

<http://doverkentmpo.org>

MOTION By Ms. Faust recommending Council approve the UPWP pending final funding information, and asking that next year more detail be provided to the TAC sooner in the process. Seconded by Ms. Smith. Motion carried.

6) **ACTION ITEM: Draft FY 2012-2015 Transportation Improvement Program – J. Galvin**

Mr. Galvin reported that the draft document sent to the TAC was based on the FY11 Capital Transportation Program (CTP). DelDOT has not provided the MPO with a draft FY12 CTP yet; the staff and leadership turnover at DelDOT has delayed the process. Typically the MPO receives a draft in January or February and creates the TIP. After the TAC & PAC endorse the TIP it goes to the Council for approval in May. Any amendments to the CTP are done after the Bond Bill is passed, and are incorporated into the TIP for approval in August and September.

MOTION By Mr. Oliver to recommend Council approve the TIP and revise it when the Bond Bill is passed. Seconded by Ms. Faust.

The motion was open for discussion. Mr. Edgell expressed general concerns that the TIP was 92 pages and he had not received it in time to review before the TAC meeting. He was not comfortable voting on the TIP. Mr. Galvin explained that he based the TIP on the FY11 CTP, a 6 year document. He took the FY 2012 expenditures in the document and incorporated that into the draft FY12 TIP. Mr. Edgell expressed concerns that using last year's document, there are no new projects in the TIP, and the 2012 funding is not known. Mr. Oliver said that funding would likely be reduced. Mr. Galvin reported that there was one new project – the Court Street/US13/US113 sidewalk improvements. There was discussion concerning existing sidewalks, current projects under construction that might fill in the gaps, and potential cost and ways to get the sidewalks completed. This project is the only change in the TIP. Ms. Townshend expressed frustration over the fact that the TIP is supposed to drive the CTP, but the CTP is driving the TIP. She noted that the new high school on Route 8 is scheduled for construction and was rated Dover's #3 priority, but the necessary road construction and improvements would not be completed before the school opened. Mr. Galvin explained that the owners of the farm impacted by the proposed road were vehemently opposed to the project. There was further discussion concerning how the project could move forward despite the owner's objections; Ms. Wieczoreck reminded the TAC that the MPO does not have program authority, and that DelDOT takes projects from the MPO's priority project list. DelDOT also takes regional priorities into consideration. There was discussion concerning the legislature and how decisions are made, and the need to pass a TIP that could be changed because of those decisions.

There was discussion exploring the possibility of not adopting a TIP; it was mentioned that WILMAPCO had done that in a previous year. Ms. Wieczoreck reminded the TAC that in order for DelDOT to use federal funds, there must be a TIP adopted by the MPO. If the MPO does not adopt a TIP, DelDOT cannot use federal funds, because the TIP and the CTP have to be the same.. Mr. Oliver said that not passing a TIP would "shut the whole State down."

Mr. Edgell suggested the possibility of not acting on this today, asking what the result would be. Ms. Wieczoreck said that the TIP is good for four years that is actually in effect until October 1 (in accordance with the federal fiscal year). In some years the MPO does new documents, but from 2006-2009 (when funding was cut from \$96M to \$1.7M) the MPO just amended the TIP because nothing new was going in. The TAC could just wait until the Bond Bill is adopted and see what amendments needed to be made. She said that the MPO is just trying to keep to the schedule that was established in the past that some of the MPO partners are having trouble keeping.

MOTION By Ms. Faust to amend the original motion recommending approval, to add that, in future, the TAC should receive the document with enough time to review thoroughly prior to the TAC meeting. Seconded by Ms. Townshend. Motion carried with 5 in favor, 2 against and 2 abstentions.

Ms. Townshend stated for the record that she voted against this motion because moving forward without acknowledging the traffic issues with the new high school does not adequately represent what needs to be done. Ms. Smith asked who the legislators of that district were; Ms. Townshend said they were Brian Bushweller and Darryl Scott.

Mr. Edgell felt that the TAC's role was to provide guidance and leadership for the legislators. Ms. Smith felt legislators should come to the MPO, but Mr. Edgell noted that the "tail wags the dog." He also felt that the TAC was not giving a strong statement of what the priorities are and an explanation as to why they are priorities. He said that he was interested in further discussion on how, as the technical advisory committee, the TAC could remove itself from business as usual and find ways to provide leadership and technical information to assist those who make decisions. Mr. Riley said that was why he voted against



Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 387-6030 FAX: (302) 387-6032

<http://doverkentmpo.org>

the motion. He felt it was short-sighted to allow the high school be built without all the elements in place. There was further discussion concerning how legislators get involved in projects and change priorities, and the need for change. Ms. Faust felt all the points made were valid, but said changing it could not be done in a two-hour meeting. She asked about sub-committees, noting that as we move forward, with a "changing of the guard," to resolve the issue of technical discussion, since the regular TAC meetings were not enough time. She noted that everyone brought a lot of technical expertise to the meetings, but not everyone was familiar with each project. Mr. Edgell suggested continuing the conversation. Ms. Faust suggested an action item for the next meeting. Ms. Townshend felt the TAC should revisit the projects in a meaningful way; they were last prioritized when the economy was different, and projections for when things were completed were very different than what they are now. Mr. Edgell told the committee about Sussex County's process for reviewing projects every year, and how he felt it worked well. He felt the TAC needed to be more clear on how projects ranked in priority.

There was more discussion concerning the priority process. Ms. Townshend felt the process should have some flexibility and noted that Dover prioritizes transportation projects; she asked if Kent County did. Ms. Kiefer said that the County did not. Ms. Townshend said that the new road for the high school was a priority for Dover, but the City couldn't go to the legislators and ask for it to be put into the bond bill without trying at the MPO level first. She felt that if other municipalities did ranking as well, it would be good information to have at the TAC meetings, because these were the things that drive the MPO. Mr. Galvin said that the first draft of the CTP is in January, and that may be the time frame the TAC members should look at, particularly with the working group the TAC is forming to review priorities.

Ms. Wieczorek reported that the last time the MPO reviewed priorities was for the Regional Transportation Plan. Federal requirements were that the first four years of the RTP be the TIP. The high priorities in the RTP became the TIP, and that was dictated by what the MPO was told will be funded. Mr. Oliver said that in reality, the State continues to push projects back, so new projects fall behind. Ms. Wieczorek said that new projects have been added, but nothing is moving forward. Everything was driven by DelDOT's CTP.

MOTION By Ms. Faust to have as an action item on the next agenda to discuss the TIP documents and how the TAC will operate to ensure a good technical review of those documents. Seconded by Ms. Townshend.
Motion carried.

6.5) Dissemination of materials

Mr. Edgell said that, while he appreciated the MPO Staff's work in preparing materials for meetings, as a TAC member he did not feel comfortable voting on material he does not receive until the meeting, or just before the meeting. He asked that staff apply all efforts to compile documents for the meetings in a timely manner. He suggested a subcommittee to work with staff to figure out a way to improve the information flow. Ms. Wieczorek apologized for the lack of review time for materials for this meeting. She said she understood the problem, and it is MPO policy to send the materials out two weeks in advance, but when staff doesn't get the information in advance, it is hard to send it out on time. She also noted that in the past she had been asked not send materials separately, so staff held up this mailing until the UPWP was ready. Mr. Edgell agreed that piece-meal was a problem, and felt that if the materials are not ready two weeks prior to the meeting, it should not go on the agenda. Several TAC members reminded him that for time-sensitive items requiring action, leaving them off the agenda was a problem. Ms. Townshend felt that one week prior to a meeting was sufficient. She also asked that the e-mail accompanying the materials explain what's in the package, including, if something would be coming under separate cover. She also agreed with Mr. Edgell that, in some cases, an item should be taken off the agenda if the materials were not ready. Mr. Edgell said he liked the two weeks prior to have time to review documents. Ms. Wieczorek noted that staff hoped to have the website functioning again very soon, and would publish the materials there, similar to how the City of Dover handles meeting materials. Mr. Edgell said that he understood the problems, but for him the goal would be to have everything in one packet. Ms. Wieczorek reminded TAC members that the size of an electronic package is sometimes a problem; many agency servers have limits on how large a document can be sent or received. The website would allow larger documents to be available than general e-mail. Mr. Edgell suggested an e-mail that included a link to the packets. Ms. Wieczorek again apologized, but reminded the TAC members that in April and June the MPO is dependent upon other agencies for information and cannot generate certain documents without that information. There was discussion of FOIA requirements, and a question as to how to proceed; consensus was that staff should continue with the current policy, with more diligence in adhering to the time requirements.



Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 387-6030 FAX: (302) 387-6032

<http://doverkentmpo.org>

7) Member Agency Reports:

City of Dover: Planning – Ms. Townshend announced that the new library is now under construction. The Kent County Courthouse is nearing completion; the transit center and Wesley College streetscape would be under construction soon.

Public Works – NO REPORT

Kent County: Planning – NO REPORT

Soil Conservation – Mr. Riley reported that WalMart broke ground. He said WalMart's people have been good to work with, and have knowledge of sediment issues. Their deadline for finishing construction is in September.

Milford; Smyrna – NO REPORTS

Other Municipalities – Cheswold – Mayor Tinari reported that the Town of Cheswold elected 3 new council members and a new mayor last month. Although he is retired, he volunteered to help out and will be Cheswold's representative to the TAC again.

Dover Air Force Base – Ms. Faust reported that the South Gate is closed and will be for at least another month. She expressed appreciation for the 5 message boards provided by DelDOT to manage traffic during this time. The base is still working with DART on bus stops, and will be taking the lead on this project. The Base received parts of the World Trade Center Towers for a memorial at the Museum. They hope to have things arranged in time for a 9/11 tenth anniversary event.

TMA DE; Delaware Motor Transport Association; Federal Highway Administration – NO REPORTS

Federal Transit Administration; Norfolk Southern – NO REPORTS

State of Delaware: DelDOT Planning – Mr. Oliver announced that Karen Brittingham is the new Pipeline project manager, and would be replacing him as the MPO TAC member. He reported that this is due to a reorganization of duties at DelDOT. He felt this would be a positive change, as the TAC would have someone directly involved in the pipeline process. He noted that DelDOT is in a time of change and that hopefully everything would work better when the empty management positions are filled. He also distributed the 2009 Customer Satisfaction Survey and DelDOT Fact Books.

DTC – Ms. Smith announced that there would be statewide service changes implemented on May 22 and 23. She reported on what those changes were at the February meeting. Some of the changes in Wilmington were controversial, affecting union issues. If the proposed schedule is changed, it will delay the New Castle County changes. Ms. Smith did not think the schedule would be changed, but DTC would be waiting for complaints. The resort bus would begin service on May 26, before Memorial Day. Mr. Galvin asked about progress on the transit center building; Ms. Smith said there were three proposals being considered; Ms. Townshend said that an RFP was pending.

DNREC; Agriculture; DEDO – NO REPORTS

Statewide Planning – Mr. Edgell reported that the Governor signed the Executive Order implementing the State Strategies for Spending. He also gave kudos to Mr. Galvin and the MPO for the Dover Transit Neighborhood study and the resulting pattern book.

8) Staff Report –

8.1 Outreach Activities – K. Layton

Ms. Layton reported that the website is being converted to WordPress, a web based program similar to Microsoft Word. After the existing MPO materials are migrated to the new program, staff will be trained on how to use it. The new format will save the MPO money, since staff will be able to edit and change the text in-house.

Ms. Layton also reported that the spring is her busiest time, as she represents the MPO at many events. In addition to the TIP Tour, she has also already participated in the 55+ Expo, where she shared a booth with the Dept. of Motor Vehicles and AARP. Other events include the DSWA Earth Day, with the Ozone Action Partnership kicking off the ozone season, Milford's Bug and Bud Festival, Dover Days, and Safe Summer Day, where she will partner with the Nemours institute in a health and safety trail at Brecknock Park.

8.2 Transportation Studies – J. Galvin

Mr. Galvin reported that the Data and Demographics Committee is making progress redistributing population based on numbers from the Population Consortium. The committee is also working with the Census on creating TADs (Traffic Analysis Districts), which are larger than TAZs. The TAZs are aggregated into the TADs to a population of 20,000.

Mr. Galvin hopes to start meeting next month with those TAC members who volunteered to work on the project prioritization process.



Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 387-6030 FAX: (302) 387-6032

<http://doverkentmpo.org>

Two studies are planned, one for Cheswold and one for the central Kent County area. The MPO is working with Cheswold and DelDOT is working in-house on the central Kent County study. Mr. Edgell asked that Mr. Galvin keep him informed regarding these studies; another project in Smyrna is planned, and all three projects should be coordinated.

8.3 Regional Bicycle Plan – J. Wieczoreck

Ms. Wieczoreck reported that the consultant is drafting chapters of the plan. The plan will include projects sorted by categories, policies, guidelines, existing routes, and proposed routes to fill in missing sections.

8.4 UPWP Progress & Financial Reports – J. Wieczoreck

8.5 Correspondence & Publications/Reports – J. Wieczoreck

Ms. Wieczoreck also reported that the Form Based Codes Workshop was filmed by staff. Unfortunately, the very end of the workshop was lost, as the tape was only 60 minutes. It has not yet been downloaded from the recorder to the computer. Mr. Edgell asked about the Power Point presentation; Ms. Wieczoreck said it was available in PDF.

Ms. Layton distributed blinking safety lights with the MPO logo on them. They were purchased to distribute at the events the MPO participates in this spring and summer.

9. Next Meeting: June 8, 2011

Ms. Wieczoreck announced that the June agenda would include a presentation by Bobbie Geier on the DelDOT Rail Plan, an update on the priority process and the Regional Bicycle Plan, and any amendments necessary to the UPWP due to any funding changes.

The meeting was adjourned without a formal action.