



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 MPO COUNCIL MINUTES OF NOVEMBER 5, 2014 MEETING

Dover/Kent MPO Council Members and /or Representatives thereof attending:

Brad Eaby, for Brooks Banta, President, Kent County Levy Court, Acting Chairman
Robin Christiansen, Mayor, City of Dover
Don Tinari, Mayor, Town of Cheswold, for Kent County Municipalities
John Sisson, Executive Director, Delaware Transit Corporation
Drew Boyce, for Shailen Bhatt, Secretary, Delaware Dept. of Transportation
Mary Ridgeway, Division Administrator, Federal Highway Admin. (FHWA)

Members not attending:

Terry Pepper, Dep. Dir., Safety & Homeland Security, for Governor Jack Markell, State of Delaware
Brigid Hynes-Cherin, Regional Administrator, Region III, Federal Transit Admin. (FTA)

Non-members attending:

State Senator David Lawson	Mayor William Glanden, Town of Frederica
Marc Dixon, FHWA	Richard Duran, FHWA
Matt Bittle, DE State News	Earle Timpson, DelDOT Finance
Bob Murphy, public	Michael Smith, public
Rich Vetter, MPO staff	James Galvin, MPO staff
Kate Layton, MPO staff	Chris Kirby, MPO staff

1. **Introduction of Members & Guests**
2. **Public Comments**

Mr. Michael Smith of Camden asked why the Camden Bypass project “fell off” the MPO Transportation Improvement Program (TIP) and DelDOT’s Capital Transportation Program (CTP). Mr. Boyce explained that the original CTP was based on projected revenue from the Governor’s proposed gas tax increase and additional borrowing. When that increase failed to pass the legislature, DelDOT’s budget was reduced and a number of projects were moved back. The number of projects DelDOT can do depends on revenue. It was noted that the Camden project is the highest on the MPO’s “aspirations list” (projects the MPO would like to see moved up first when funding is available).

Mayor Christiansen asked Senator Lawson if he had anything to say, but Senator Lawson said he was in attendance to observe and listen.

3. ***ACTION ITEM: Approval of Agenda***

It was requested that Items #8 and 9 be switched in order, putting all action items before the presentation.

MOTION By Mr. Sisson to approve the agenda with the requested change. Seconded by Mayor Tinari.
Motion carried.

4. ***ACTION ITEM: Approval of Minutes / September 3 and September 12, 2014***

MOTION By Mayor Christiansen that the minutes of both September meetings be approved. Seconded by Mr. Boyce. Motion carried.

5. ***ACTION ITEM: Annual Elections - MPO Staff***

Commissioner Eaby stepped down as Chair and MPO staff took over the meeting for annual elections.



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MOTION By Mayor Christiansen nominating Commissioner Eaby as Chair. Seconded by Mr. Sisson. Motion carried.

MOTION By Mayor Christiansen to close nominations. Seconded by Mr. Sisson. Motion carried.

Commissioner Eaby was elected Chair by acclamation.

MOTION By Mayor Christiansen nominating Mayor Tinari as Vice-Chair. Seconded by Commissioner Eaby. Motion carried.

MOTION By Mr. Boyce to close nominations. Seconded by Commissioner Eaby. Motion carried.

Mayor Tinari was elected Vice-Chair by acclamation.

6. ACTION ITEM: 2013 Delaware Population Consortium Projections Distribution

MPO Staff reviewed the methodology used to update the projections through 2040 using the 2013 Delaware Population Consortium numbers. It was noted that these numbers help refine the information input into the modeling program used by DelDOT Planning. Both the TAC and PAC recommended approval and adoption of the projections.

MOTION By Mayor Christiansen to approve and adopt the projections as presented in the materials prepared by staff. Seconded by Mr. Sisson. Motion carried.

7. ACTION ITEM: Conversion of Data & Demographics Subcommittee to a Working Group

MPO Staff reported that the Data & Demographics Subcommittee requested that the Subcommittee be changed to a Working Group. The request was prompted by the difficulty in making a quorum, and a working group would not be under the same requirement. It was noted that for all practical purposes, the procedure for public notice of the meeting and public involvement would be the same as for committees. While no official minutes would be taken, there would be notes from the working group meetings.

Mayor Christiansen had concerns and asked if a request for clarification could be made to the Attorney General's Office. Commissioner Eaby assured him that this was not a FOIA issue, because the working group would still make public notice of the meetings, which would be open to the public.

MOTION By Mayor Christiansen to approve conversion of the Data & Demographics Subcommittee to a working group. Seconded by Mr. Sisson. Motion Carried.

8. ACTION ITEM: Draft FY 2015 - 2018 Transportation Improvement Program (TIP) - Jim Galvin

Mr. Galvin referred Council to the summary page included in the materials distributed. He noted that there were several corrections to the TIP from previous drafts as requested by Marc Dixon (FHWA). The TIP now reflects DelDOT's current Capital Transportation Program (CTP).

Commissioner Eaby noted that, after many discussions concerning the reprioritization of projects, specifically the South Frederica/SR1 grade-separated intersection, DelDOT has been working with the private developer of the Sports Complex to move forward with an alternate solution for access to the Complex. Kent County Levy Court is satisfied that the solution developed and the phasing of the South Frederica project answers the concerns of both the developer and Kent County. He thanked DelDOT for being creative and working to achieve the goal of allowing the Sports Complex project to move forward. He further thanked Mr. Boyce for action "above and beyond the call of duty."

Mayor Christiansen asked if DelDOT could remove the Loockerman Street Roundabout project from the CTP. Mr. Boyce noted that it is scheduled for design in FY2018. He suggested that DelDOT could look at the accident data to



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see if there were any changes, because this project had been initiated through the Hazardous Elimination Program (HEP). He said DelDOT could work more closely with the City on this project, and if accidents have decreased, it was a possibility to remove the project.

MOTION By Mayor Christiansen to approve the TIP as presented. Seconded by Mr. Sisson. Motion carried.

9. PRESENTATION: DelDOT Project Prioritization Process - Drew Boyce

Mr. Boyce distributed folders containing information and a copy of his PowerPoint presentation. He noted that the Council asked for this presentation on Decision Lens and the priority process. His presentation included history and background on the previous subjective ranking developed by DelDOT and the Council on Transportation. The presentation noted that the process was subject to competing interests and political pressure. Secretary Bhatt directed his staff to find or develop a process that would take the politics out of the prioritization process. The criteria developed for input into Decision Lens came from throughout DelDOT. There is also guidance on the priority process in Title 29 Section 8417, long range transportation plans developed by WILMAPCO and the MPO and the federal legislation MAP21.

Mr. Boyce reviewed the multiple criteria that was developed by DelDOT. Criteria that could be quantified by data and hard numbers from a study or analysis were given preference.

Commissioner Eaby asked where the safety information came from; Mr. Boyce said that DelDOT's Traffic Safety Section, a federally mandated program, manages the data, but the data itself comes from another system. Mr. Boyce noted that economic revenue was a hard one to quantify, as the data was very limited except for freight information on goods and services. Projects in a Transportation Improvement District (TID) location were also given weight in the criteria; this is a new program in the state.

Qualitative criteria included were multi-modal aspects, environmental justice and environmental impact. He said that they also explored what would happen to the priority ranking if the criteria were changed as to which were most important.

Mr. Boyce said that DelDOT feels that Decision Lens provides more transparency to the priority process, and that it is very clearly explained on DelDOT's website. He also said that "whether or not we're using the right criteria could be a question to talk about as we refine the process." He added that DelDOT felt this was a good system with the limited revenues available, and it allows DelDOT to "use money for projects that bring the most value to the system."

Commissioner Eaby asked if the first time Decision Lens was used was for FY2015-2018, that it was not used for FY2014. Mr. Vetter said that it was first applied in the summer of 2013, and that he thought there were some things to improve on as DelDOT and the MPO move forward.

Commissioner Eaby noted that the criteria may be transparent, but the data used to get to those criteria was not so transparent. It was noted that MAP 21 separates crash data into serious and fatal, but DelDOT used all accidents at a location for the criteria.

The suggestion was made that it would be more helpful to have more involvement from other stakeholders outside of DelDOT to establish criteria for the program. Problems with the program should be addressed up front (before projects are prioritized) and not at the end (when it was too late to do anything about the list).

Mr. Boyce said that DelDOT would continue to communicate better regarding the process, and publicize information on their website. Unfortunately, safety data (HEP) ran into liability and privacy issues. He felt that questions could only be answered working with legal counsel. He reiterated that HEP was a federal mandated and audited program.

Commissioner Eaby had questions concerning applying Decision Lens to the FY2015-2018 TIP and the FY2016-2019 TIP; would Decision Lens be applied to all projects again? Mr. Boyce said yes; he said the data might not change, but



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existing conditions could change, and that could change the value assigned to a project. He said projects would have to be reconsidered every year.

There was further discussion concerning the South Frederica project and the lack of points for economic revenue. Mr. Boyce explained the TID program and why the project did not qualify for those points. Commissioner Eaby and Mayor Glanden were concerned, because the projections for the project estimate that it will generate between \$15M - \$20M in revenue for the area. Mr. Boyce said that the data used in Decision Lens for economic impact may not be the best, but that DelDOT did not have the ability to assess all the other projects in a like manner, so there was no other way to measure other than using known variables. He added that DelDOT is looking at software programs for specific economic return for roadway projects.

There was further discussion concerning de-coupling the Sports Complex project from the South Frederica project; DelDOT is working with the County to write a letter to the project lender.

Mayor Glanden initiated discussion concerning access to the town and businesses at the south east end of town. Mr. Boyce explained DelDOT's plans for the area.

Senator Lawson asked if Decision Lens is something that is recommended by the US government; Mr. Boyce said that FHWA does not specify how the projects should be prioritized, just that they are prioritized. Senator Lawson asked if there were no guidelines; Mr. Boyce explained that there had to be a process and criteria. Where funding goes is dictated based on criteria and performance level. He said that DelDOT works with a Decision Lens representative to refine the program, and is working on enhancements for the next "roll out." The program is performing as well as it was expected to do. DelDOT puts in the criteria, assessment and projects, the program does the math. Senator Lawson said that there was little to no transparency as to the data that goes into the program, it was like looking at something with one eye covered. He added that anything could be put in to the program to get a pre-determined result. He was not saying that was what DelDOT was doing, just that he wanted to know if DelDOT was looking at getting all the data available to use in the program.

Mr. Boyce said that DelDOT was trying to create a level playing field, and the DelDOT website explains it all in more depth.

Commissioner Eaby said that true transparency would have been relaying all this information prior to re-prioritizing the Sports Complex, that "hindsight is 20:20." Mr. Boyce said that DelDOT did not blindly come in and pull the project. He also noted that the Sports Complex developer was not really ready to go, and DelDOT did not want to build the South Frederica/SR1 intersection and have nothing happen. Mayor Glanden asked if only DelDOT staff worked on this; Mr. Boyce said that only DelDOT staff and the data were involved. There was discussion concerning congestion and accidents at traffic signals. Mr. Boyce admitted that signals can cause crashes; Mayor Glanden felt that the signals should be removed then. He also felt that would change the numbers in the accident data (that pushed the safety issues of Thompsonville Road ahead of South Frederica).

Commissioner Eaby said that the presentation was helpful to Council. He also felt that input concerning the economic development points was important, that other stakeholders may want a higher percentage than 7.2 value. He didn't think that DelDOT should make these decisions alone, and felt that there needed to be a more collaborative system for prioritizing projects and which data is going in to Decision Lens to make those decisions. He didn't want to be in the same place next year, being told "here are the numbers" and having to ask how DelDOT got there.

Mr. Boyce responded that the majority of Kent County projects came to the top in Decision Lens to a similar placement as before Decision Lens, although there were a couple of anomalies in Dover, where no existing problems were found.

Further discussion concerning brainstorming ideas, that if DelDOT revenue increased there would be more projects moving up, and that dialog should continue, data collection should be enhanced, and the economic development software should be pursued. Mr. Vetter reported that the MPO now had a copy of the Decision Lens software and would be using it, and could include different criteria. Commissioner Eaby asked if the MPO could do that, and was told that WILMAPCO not only had their own process, they had declined to use Decision Lens.



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There was also discussion concerning the federal regulations that the MPO TIP is supposed to be assumed into the CTP, but that in Delaware the process has the TIP reflecting DelDOT's CTP. Commissioner Eaby felt that there had to be a better way to mesh the two. It was suggested that someone from the MPO should be part of the decision –making body during DelDOT's prioritization process, particularly looking at criteria.

10. MUNICIPALITIES/KENT COUNTY REPORTS: City of Dover / Town of Cheswold / Kent County

Mayor Christiansen said that he was glad the TIP was adopted. He noted that Eden Hill was expanding to include a shopping center, and that the West Dover Connector was moving forward. He also referred to a recent shooting in Dover, saying that "Dover is not Dodge City."

Mayor Tinari reported that there is a new Family Dollar in Cheswold on Route 42. It is a new concept for the Family Dollar chain, and the sign on the store is reduced. There is also now a machine shop in town. Four homes have been sold – the first since 2008. He feels that traffic has picked up in town, due to large trucks, and thinks that a new traffic study may need to be done.

Commissioner Eaby reported that Kent County Levy Court set up a financial matching ordinance for downtown improvement projects. He also feels that the MPO should keep an eye on Route 8 traffic congestion by the new Dover High School.

11. TAC Report – Rich Vetter

12. PAC Report – Kate Layton

Ms. Layton reported that Ed Maron, a County PAC appointee, has resigned. Since Mr. Maron had been elected the PAC vice-chair, a new election would be held to fill the position. She also noted that DTC has appointed Anne Priestley as their representative. The MPO has been informed that Mike Gumrot is DelDOT's PAC representative, and staff is awaiting formal notification of that.

13. Staff Report –

13.1 Outreach Activities – Kate Layton

13.2 UPWP Progress & Financial Reports – Rich Vetter

Mr. Vetter reported that MPO staff observed the new HAWK signal on Route 8 near the new Dover High School. He said that there is heavy pedestrian use of the signal, but vehicle drivers have some confusion over the flashing red light that occurs after the pedestrians have crossed. That signal is like any other red flashing light, in which a vehicle may proceed with caution after stopping.

13.3 Other MPO Projects & Updates – Rich Vetter

Next Meeting: January 7, 2015

MOTION By Mr. Boyce to adjourn the meeting. Seconded by Mr. Sisson. Motion carried.