



**POLICY COMMITTEE MEETING
SUMMARY MINUTES**

**Friday, May 25, 2012 - 12:00 p.m. (NOON)
Room 132 – Rock Hill Operations Center**

COMMITTEE MEMBERS PRESENT: Danny Funderburk; Kathy Pender; David Bowman; Jim Reno; Ralph Norman; Bill Harris; George Sheppard; Doug Echols; Wes Hayes (also proxy for Sarah Nuckles); and Britt Blackwell.

ADMINISTRATIVE/TECHNICAL/MANAGEMENT STAFF PRESENT:

Jessica Hekter (FHWA) ; Brian Klauk (SCDOT); Joy Shealy (SCDOT); Vic Edwards (SCDOT); Mark Lester (SCDOT); Kevin Sheppard (SCDOT); Elizabeth Harris (CIN); David Vebaun (CRH); Jimmy Bagley (CRH); Joe Cronin (Fort Mill); Bill Meyer (CRH); Jim Baker (York County); Phil Leazer (York County); Susan Britt (Tega Cay); Patrick Hamilton (York County); Allison Love (York County); Wendy Bell (CRCOG); David Hooper (REATS); Leigh Welch (REATS); and Felicia Boulware (CRH).

CITIZENS/VISITORS PRESENT: Sheri Williamson (STV); Susan Paschal (STV); Frank Myers (CAC); Debbie Hayworth (CAC); Larry Huntley (FM Town Council); Curwood Chappell (YC Council); Donald Rodgers (Citizen); Mr. & Mrs. Bill Branche (Citizens); Leo Yakitus (Citizen); and Steven Himler (Citizen)

1. CALL TO ORDER:

A. Welcome – Chairman Sheppard called the meeting to order at 12:05 P.M.

B. Citizen Comment Period – Chairman Sheppard invited visitors and/or citizens who had comments to address the Policy Committee at this time. Mr. Yakitus addressed the Committee and expressed his concern regarding the New Catawba River Crossing Feasibility Study and the recommended alignment. Mr. Yakitus stated that the proposed alignment would cross two designated archaeological sites and one possible epidemic (small pox) grave yard of the Catawba Indian Nation. Mr. Yakitus emphasized the cultural and archaeological significance of this area and requested that this area not be disturbed.

Chairman Sheppard called for additional comments; none were received; and the public comment period was closed.

2. REVIEW/APPROVAL OF MINUTES:

Chairman Sheppard asked if there were any changes, deletions or comments to the minutes of the March 23, 2012 meeting. Hearing no comments, Mr. Funderburk made a motion to approve the minutes as presented. Mr. Blackwell seconded and the minutes were unanimously approved.

3. UPDATE ON CURRENT PROJECTS:

- A. York County One Cents Sales Tax Program Update** – Mr. Leazer provided a comprehensive report of the Pennies for Progress program to each of the members and then presented an update of projects within the RFATS area. Specifically, Mr. Leazer stated that the contract was awarded for the Hwy 321 / Albright Rd project - the last 1997 Pennies for Progress project - and construction has begun; the Hwy 324 / Cameron / Gordon Rd project is under construction; and the utilities relocation for the Mt. Gallant Rd project has been completed. Mr. Leazer also noted that the Fort Mill Southern Bypass project – Phase 1B construction is underway; Phase 1C bids have been received and will be presented to York County Council on June 4 for consideration; and Phase II ROW is 60% complete and is expected to be under bid by the end of 2012.

Lastly, Mr. Leazer stated that the project enhancements to the new US 21 bridge are underway and provided a photo showing a mock-up of the proposed wall and railings.

4. REPORTS AND PRESENTATIONS:

- A. 2010 Census** – Mr. Hooper provided a summary on the recent release of the new urbanized area boundary information – a byproduct of the 2010 Census. Specifically, Mr. Hooper explained the basis of the urbanized area designation and its importance to the Metropolitan Transportation Planning Process. In particular, Mr. Hooper noted that the UZA designation is the basis for originally establishing an MPO as well as the primary basis for periodically adjusting the boundary of an existing MPO.

Mr. Hooper went on to summarize trends among identified urban areas within the Metrolina Region (as RFATS is a member of the Charlotte Regional Alliance for Transportation), and then focused in on the continued expansion of the Charlotte NC-SC Urbanized Area into South Carolina. In particular, Mr. Hooper highlighted that the panhandle of Lancaster County has been drawn into the Charlotte UZA. Additionally, Mr. Hooper noted that a small expansion of the Gaston Urbanized Area has crossed into South Carolina as well just north of Clover. Mr. Hooper emphasized that these two designations will be important decision points in the months ahead as RFATS considers how to evaluate potential adjustments to its boundary – given that once an area is designated as an “urbanized area,” then those areas must be represented by an MPO.

Mr. Hooper also noted that the Rock Hill Urbanized Area has expanded as well pushing closer to York and northwest towards Clover. The continuing designation of both the City of York and the Town of Clover as Urban Clusters was then discussed. Mr. Hooper then summarized two points: (1) that newly designated urbanized areas adjacent to an existing MPO will need to be incorporated; and (2) that MPOs are asked to consider adjusting their boundary to include those areas reasonably expected to become urban within the next 20 years. With this in mind, Mr. Hooper noted that the panhandle of Lancaster will either have to become part of MUMPO or receive an invitation to join RFATS; and that, discussions with York and Clover should occur as well to assess whether the western side of RFATS should be extended.

Mr. Hooper then presented information regarding additional planning factors associated with an expansion of the MPO’s boundary – such as impacts to funding, the composition of the Policy Committee, voting structure and related bylaw changes. Mr. Funderburk then asked if the small portion of western York County that is included within the Gaston UZA – would the decisions and related funding for this area be determined by the Gaston MPO? Mr.

Hooper confirmed that if the Gaston MPO does not cede planning responsibility at the state line, then they would be responsible for both planning and funding decisions for that area; otherwise, a bi-state agreement will be needed for RFATS to assume this role.

Mr. Echols then inquired about the process for determining a new RFATS boundary. Mr. Hooper stated that staff would present information about potential boundary changes and ask for direction from the Policy Committee. Once this action is taken, staff would then submit a proposed, revised boundary to SCDOT so that they can consider the underlying rationale of the new boundary and assess any funding implications. Mr. Bowman then asked if an invitation could be extended to York and Clover off cycle between the decennial census or whether it must be completed now? In response, Mr. Lester indicated that it is permissible to adjust the boundary at any time, but that funding changes will be calculated based on any MPO changes being considered now, not at a later point.

Mr. Reno asked about whether or not the bi-state agreement with MUMPO would have to be amended if Lancaster County is included in the RFATS boundary. Mr. Hooper stated that the agreement would need to be updated to reflect this change. Mayor Echols then inquired about the potential negative aspects of including Clover and York. Mr. Hooper identified funding and the non-attainment designation as possible negative aspects with the inclusion of Clover and York within the RFATS boundary. Ms. Bell added that the Catawba COG and the SCDHEC Bureau of Air Quality are in discussion with EPA regarding future non-attainment designations and the inclusion of all areas within the RFATS boundary.

Discussion ended and Mr. Blackwell made a motion to move to item 5C. Mr. Norman seconded and the motion passed unanimously.

5. PROPOSED POLICY COMMITTEE ACTION ITEMS:

- A. MPO Bylaws** – Mr. Bowman introduced a proposed amendment to RFATS’ bylaws regarding the composition and voting structure on the Policy Committee. Discussion then followed regarding the amendment and the information that Mr. Hooper had covered earlier regarding newly designated urban areas and urban clusters and how that process will involve a thorough evaluation of the latest urbanized area population data and how this information logically connects to both membership and the distribution of voting on the Policy Committee.

Mr. Bowman asked whether the Policy Committee should consider establishing a sub-committee to begin looking at some of the issues associated with representation and next steps. Mr. Echols then asked staff for their input of how the Policy Committee should proceed in evaluating the composition of the board and any potential adjustments that may be related to an expansion in the MPO boundary – noting that MPOs are established on behalf of local governments and not state representation – and that the funding for MPOs is primarily a function of the urban area population and is not a result of some sort of state allocation.

In response, Mr. Hooper noted that staff would like to provide information on the intent and structure of MPOs, the steps involved in considering the addition of new members, and in particular, to discuss some important distinctions in the federal regulations affecting MPOs regarding the central role of local governments and the coordinative participation of state representatives. Additionally, Mr. Lester then added that although there is a need to consider additional representation once MPO boundaries are expanded, he did indicate that SCDOT will review any proposed changes to see whether they collectively constitute such as

substantial change that it might trigger a re-designation – which is obviously an involved process.

Mr. Funderburk and Mr. Reno both recognized the need to review the process at this time and that there is a lot of relevant information to consider. With this in mind, the Policy Committee tabled any action at this time; staff will be presenting a proposed revised boundary at the June meeting.

- B. TIP Update 2013-18** – Mr. Hooper presented a request for preliminary approval to update the planning period covered by the Transportation Improvement Program from FY 09-15 to FY 13-18 and to authorize a 30-day public comment period.

Mr. Funderburk made a motion to grant preliminary approval to update the planning period of the Transportation Improvement Program to FY 13-18 and authorize a 30-day public comment period. Mr. Echols seconded and the motion passed unanimously.

- C. New Catawba River Bridge Feasibility Study** – Mr. Hooper summarized work completed to date on the New Catawba River Bridge Feasibility Study; in reviewing this work, Mr. Hooper emphasized that the purpose of the feasibility study is to provide us with an opportunity to more fully evaluate the project financially, to consider its impact to the regional transportation network as well as to undertake a comprehensive evaluation of environmental, planning and design issues within the identified Focus Area.

Additionally, Mr. Hooper specifically noted that over the course of the study, the consultant team selected to lead this effort (STV Incorporated), has assembled information on existing conditions, environmental constraints, location of archaeological sites and cultural resources, as well as traffic data, potential neighborhood impacts, and many other important variables. Also mentioned was that the feasibility study included an alternatives analysis that resulted in the development of four conceptual alignment options and the identification of a recommended alignment.

As a part of this process, Mr. Hooper noted that a series of public meetings occurred during each stage of the study, with approximately 66% of the public input received indicating support for alignment option #1 – that would extend from the Mt Gallant / India Hook area most directly across the river to the Sutton Road interchange; Mr. Hooper also noted that the other three options all received levels of support between 9% and 12%. With this in mind, Mr. Hooper then stated that the draft final report has been assembled and requested authorization for a 30-day public comment period.

Mr. Norman then requested an opportunity to make a presentation; Chairman Sheppard approved. Prior to Mr. Norman's presentation, Dr. Blackwell asked a few clarifying questions about the process of refining the four alternative alignment options to a recommended alignment option. Mr. Hooper briefly reviewed portions of the presentation from the February 7th public meeting where the four conceptual alignment options were presented and explained that all the public input received was then reviewed and ranked so that this information could be incorporated into the larger study process of assessing existing conditions, environmental constraints, traffic data, and engineering / design information. Mr. Hooper then summarized that consideration of all of these sources of information as well as others, resulted in the identification of a recommended alignment option.

Mr. Norman then expressed his concern over roadway funding and stated his opposition to the New Catawba River Crossing project. Specifically, Mr. Norman questioned the project's

cost and stated his objection to the long-term funding commitment for this project. Mr. Norman then presented a cost comparison between this project and the Fort Mill Southern Bypass - noting a significant difference in the cost per linear foot. Mr. Norman then presented the following motion:

“I move to permanently suspend any and all future funding and on going expenditures for the Catawba River Bridge Roadway project. A committee as selected by Chairman George Sheppard is to be formed to consider and evaluate all options and alternatives to address the traffic issues at I-77 Celanese Road interchange consisting of but not limited to the following representatives:

DOT Officials, COG Members, County Council Members, City Council Members, RFATS Members

The final committee selection shall be approved by the voting members of RFATS during the regularly schedule meeting in June. The committee shall report back to the full RFATS board on or before November 30, 2012 with recommendations for alternate solutions.” Lastly, Mr. Norman requested “any future projects – before we [the Policy Committee] expend consultant money, any money of any type, must include a cost / benefit analysis prior to consideration of the project.”

Mr. Norman then requested a recorded vote by each member and stated Sen. Hayes has Commissioner Nuckles’ proxy. At that time, Chairman Sheppard called for discussion on the motion prior to consideration. Mr. Echols noted the agenda item calls for a motion to authorize a 30-day public comment period and expressed his concern about whether the motion can be entertained at this time. Mr. Echols then asked if Mr. Norman’s cost comparison of this project and the Fort Mill Southern Bypass project excludes the cost of the actual bridge construction; in making this observation, Mr. Echols noted the cost differences naturally associated with the construction of a bridge versus the construction of a roadway.

Mr. Norman responded that the total project cost of \$60 million was divided by the total linear feet from the beginning point of the project to the Sutton Road interchange to determine the cost per linear foot. Mr. Echols then suggested that if we’re going to do a comparison of the linear foot of a highway, then wouldn’t it be more appropriate to subtract out the cost of the bridge in order to more fairly do a cost comparison with the Fort Mill Southern Bypass and the highway sections associated with the proposed new bridge? Mr. Norman responded that this could be done and then noted that the Fort Mill Southern Bypass was used as it represented the most recent cost estimate for a major project.

Mr. Echols then outlined the history of the RFATS Policy Committee’s action related to the New Catawba River Crossing project in 2002 and 2005 – and again most recently in 2009 when the RFATS Policy Committee voted to reaffirm the identification of this project as the top priority project in the RFATS Study Area. That said, Mr. Echols noted his disagreement with the motion to suspend any and all future funding for this project while acknowledging the need for RFATS to continue to identify and prioritize projects in the area. Mr. Echols noted no opposition to the formation of the subcommittee and again stated that the agenda item is a request to authorize a 30-day public comment period. Mr. Norman again stated his concern with the long-term funding commitment for only one project; specifically, Mr. Norman stated his opposition to funding a project that would lock the MPO down for the next 20 to 30 years – and that this action is not something that he can agree with.

Ms. Pender then noted the importance of the public comment period and requested that the Policy Committee follow through with the agenda item to authorize a 30-day public comment

period. Ms. Pender also stated that the cost comparisons presented by Mr. Norman were not available prior to the meeting; and given the importance of the motion and the long term implications of such a vote, stated that more time is needed to review the cost information and the specifics of the proposal. Ms. Pender then again reemphasized the important role that public participation has in the transportation planning process; and that the prospect of eliminating a scheduled public comment period is unacceptable. In response, Mr. Norman responded that his main concern about this project is cost, which will not change during a 30-day public comment period, and explained that the cost estimates were only recently received.

Mr. Hayes added that the timing on the vote is not as essential as the decision on whether or not to move forward on one project with a long-term funding commitment or to review other projects for funding consideration. Mr. Hayes also noted his strong support for Mr. Norman's motion – notwithstanding the planning basis of the bridge project. Mr. Hayes went on to raise a broader question of how the Policy Committee perceives the role of RFATS over the next 20 to 30 years, noting that RFATS has only done a large bonding project one time; and that, the possibility of bringing Lancaster County, Clover and/or York into a planning agency with nothing substantial to do, if the majority of RFATS money has already been spent on one project. Lastly, Mr. Hayes suggested that the larger question is whether RFATS should do one big project every 20 to 30 years or rather, should RFATS not shepherd its money and stay with smaller projects throughout the RFATS Study Area.

Dr. Blackwell then asked if Mr. Norman would withdraw his motion or move for a second. Mr. Norman declined to withdraw the motion; Dr. Blackwell seconded. Chairman Sheppard called for discussion. Dr. Blackwell then expressed his concern against the use of the majority of funds for one project as well as area congestion and archaeological concerns within the area of the recommended alignment option; but fundamentally, that he wasn't comfortable with committing up to two-thirds of RFATS' money for one project.

Mr. Reno thanked Mr. Norman and staff for the information presented and stated that while he is in favor of the formation of the subcommittee, he is not in favor of suspending the 30-day public comment period. That said, Mr. Reno requested a review period of 30 days for the information presented followed by discussion at the next meeting.

Mr. Echols agreed with Mr. Reno's position and reiterated the need to conduct RFATS meetings in an orderly fashion, i.e. a vote on the 30-day public comment period at this meeting followed by Mr. Norman's motion at the June meeting. Mr. Norman again responded that cost is his concern and added that he does not want to mislead the public. Mr. Echols cited Roberts Rules of Order and the relation to agenda items and went on to state that while the cost of the project will not change in the next 30 days, the 30-day public comment period would follow the appropriate order sequence.

Mr. Leazer then mentioned the Long Range Transportation Plan update and explained that the concerns expressed today will be evaluated during the update process. Also, no action other than the completion of the 30-day public comment period and finalizing the feasibility study is being requested today. Mr. Hooper reiterated this point by adding that there is no vote on the bridge project – the Policy Committee is not required to vote, nor expected to vote. The completion of the feasibility study does not involve a vote, it is simply the completion of the study. Mr. Hooper then went on to discuss the broader process of incorporating the information generated from the feasibility study into the LRTP update process – so that when this comprehensive evaluation of the transportation network is

complete, the Policy Committee could then decide on which next steps they may wish to pursue.

Ms. Pender again commented on the importance of the public comment period and requested clarification of the language in the motion regarding the permanent suspension of the project. Mr. Norman responded that if the motion is defeated, the project can move forward. The motion stops the process of this project. Ms. Pender stated no other money would be spent following the 30-day public comment period unless the Policy Committee directs such action. Ms. Pender also requested additional information related to the roadway projects referred to as other options by Mr. Norman and Dr. Blackwell. Mr. Norman again stated his motion is to stop the Catawba River crossing project. Ms. Pender requested Mr. Norman withdraw the motion in order to complete the process.

Mr. Hayes commented that future committees can not be bound by the actions of another; this observation was directed at clarifying the language in Mr. Norman's motion to permanently suspend action on the project. Mr. Hayes noted that if voting support emerged at some later point, and the Policy Committee wanted to look back at this project again, then they certainly could pursue such an action at that time. Dr. Blackwell then called the question on the motion. Chairman Sheppard recognized Mr. Bowman who noted his concern with the wording of the motion while acknowledging the fact that based on the information presented today, no additional money would be spent at this time. He then expressed his concern regarding the possible relocation of congestion from Rock Hill to Fort Mill; noted his agreement with the formation of a subcommittee, and stated that the Committee should move forward with the 30-day public comment period.

Chairman Sheppard put the question; Mr. Norman requested a vote by a show of hands. Chairman Sheppard called for a vote – Mr. Norman, Mr. Hayes, Chairman Sheppard, Mr. Harris, Mr. Funderburk, Commissioner Nuckles (by proxy) and Dr. Blackwell voted in favor of the motion. Mr. Echols, Ms. Pender, Mr. Reno and Mr. Bowman opposed. The motion carried. Let the record reflect that Mr. Echols stated that the agenda item was a request for a 30-day public comment period and the motion voted on was out of order.

At this time, Mr. Norman, Dr. Blackwell and Mr. Hayes exited the meeting.

- D. FY 12-13 Unified Planning Work Program (UPWP)** – Mr. Hooper highlighted major tasks to be accomplished in the next fiscal year, specifically the LRTP update and a federal certification review. That said, Mr. Hooper then presented a request for preliminary approval of the draft FY 12-13 UPWP and authorization of a 30-day public comment period.

Mr. Reno inquired if there would be any changes / impacts based on the actions related to the New Catawba River Crossing project. Mr. Hooper responded that the plan can be amended to reflect minor changes. Mr. Reno then moved to grant preliminary approval of the FY 12-13 UPWP and authorize a 30-day public comment period. Mr. Funderburk seconded and the motion passed unanimously.

- E. 2012 Long Range Transportation Plan** – Mr. Hooper briefly reviewed the LRTP update process – the major evaluation points, working timeline and milestones. Mr. Hooper then requested the Policy Committee's endorsement of the LRTP update schedule and supporting public participation activities. Ms. Pender then commented on the need (given the earlier discussion about committing funding to one large project versus undertaking a number of smaller scale projects), to have further discussions about the continuing need to plan cooperatively and to maintain the MPO's focus on those projects that will keep traffic

moving from a regional perspective within the RFATS Study Area, rather than shifting our focus towards smaller scale projects.

Mr. Hooper then commented on both planning and procedural requirements that will necessitate that the MPO maintain a planning perspective that is regional in focus and that will support the ability of the transportation network to function as an integrated regional system – the congestion management and transportation modeling processes being referenced. Ms. Hekter then reiterated this point by stressing the role of Act 114 – the statewide project ranking process and how when projects are developed that they have to go through a technical evaluation and be rated prior to projects receiving funding.

Mr. Hooper and Mr. Leazer then jointly expanded on the LRTP update process and noted that projects will be considered from all municipalities and areas and from that, decisions on which projects to move forward will be brought before the Policy Committee for consideration and approval. Mr. Reno inquired if additional public participation activities will be done once the RFATS boundary is expanded. Mr. Hooper responded affirmatively that outreach will be made to those areas that are included within the new expanded boundary.

Mr. Echols made a motion to endorse the LRTP schedule and public participation activities. Mr. Funderburk seconded and the motion passed unanimously.

- F. TIP Amendment** – Mr. Hooper presented a request for final approval to amend the FY 09-15 TIP to add \$161, 359 in FY 12-13 federal Transportation Enhancement Funds and authorization to submit to SCDOT for processing. Mr. Hooper added that no public comments were received.

Mr. Echols made a motion to grant final approval to amend the FY 09-15 TIP to add \$161,359 in TEP funds and to authorize the submission to SCDOT. Mr. Funderburk seconded and the motion passed unanimously.

- G. CONNECT Consortium Agreement** – Ms. Bell stated that the Centralina and Catawba COGs were awarded a HUD regional planning grant and then submitted a request for RFATS’ participation as a Consortium member to guide the planning process and support work activities. Ms. Bell added that there is no direct financial cost to participation, only the need to appoint staff and a Policy Committee member to attend meetings and offer input to the process.

Mr. Echols made a motion for RFATS to participate in the CONNECT Consortium. Mr. Bowman seconded and the motion passed unanimously.

6. OTHER BUSINESS:

- A. EPA releases new non-attainment designations** – Mr. Hooper updated the Committee about EPA’s new non-attainment designation. Specifically, EPA will not allow RFATS to be de-linked from the Charlotte area; however, the Catawba Indian Nation has been excluded from the RFATS non-attainment area.
- B.** Next regular meeting – June 22, 2012.

7. ADJOURNMENT

With no further business, the meeting was adjourned at 2:25 P.M.