



**NCARPO Business Meeting Minutes**  
**July, 2017, 11:00AM, Fontana Village, NC**

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**Attendees**

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| <input type="checkbox"/> Angela Welsh, Albemarle RPO                       | <input checked="" type="checkbox"/> Dana Stoogenke, Rocky River RPO        |
| <input checked="" type="checkbox"/> Allen Serkin, Cape Fear RPO            | <input checked="" type="checkbox"/> Rose Bauguess, South Western RPO       |
| <input checked="" type="checkbox"/> Patrick Flanagan, Down East RPO        | <input checked="" type="checkbox"/> Matt Day, Triangle Area RPO            |
| <input checked="" type="checkbox"/> Patrick Flanagan, Eastern Carolina RPO | <input checked="" type="checkbox"/> James Salmons, Upper Coastal Plain RPO |
| <input checked="" type="checkbox"/> David Graham, High Country RPO         |  |
| <input checked="" type="checkbox"/> Karyl Fuller, Isothermal RPO           | <input checked="" type="checkbox"/> Kerry Morrow, NCDOT TPB                |
| <input checked="" type="checkbox"/> Ann Stroobant, Kerr-Tar RPO            | <input checked="" type="checkbox"/> Jamal Alavi, NCDOT TPB                 |
| <input checked="" type="checkbox"/> Vicki Eastland, Land of Sky RPO        | <input checked="" type="checkbox"/> Kathi Cotney, NCDOT GIS Unit           |
| <input checked="" type="checkbox"/> Janet Robertson, Lumber River RPO      | George Hoops, FHWA   |
| <input type="checkbox"/> Mike Rutan, Mid-Carolina RPO                      | David Wasserman, Sarah Lee, Jason Schronce                                 |
| <input type="checkbox"/> Ben Rogers, Mid-East RPO                          | SPOT Office  |
| <input checked="" type="checkbox"/> Elizabeth Jernigan, Northwestern RPO   | Steve Williams, Division 14 Planning Engineer                              |
| <input checked="" type="checkbox"/> Kelly Larkins, Piedmont Triad RPO      |  |

**Action Items**

**Minutes from April 2017 Business Meeting**

Patrick Flanagan made a motion to approve the minutes as submitted, which was seconded by Karyl Fuller. The minutes were approved unanimously with no edits.

**Information and Discussion Items**

**TPB Update Jamal Alavi and Kerry Morrow:**

Kerry passed out MPO/RPO important dates and discussed changes.

Request CTP studies as needed, no more yearly call.

-PWP final amendments due June 30<sup>th</sup> going forward not May 31<sup>st</sup>.

**Environmental Justice/Title 6:**

Last year two RPO's and two MPO's underwent Title VI reviews. In August Jamal talked to Office of Civil Rights and asked them to develop a list, so a schedule can be sent to the RPO/MPO's. Jamal asked David Graham to share his comments on his review. David said there is lot we are not doing and we need a policy to address Title VI issues. They will be sending David a list of occurrences from the review and will tell him how to address these. The document will need TCC/TAC adoption. There was a discussion on who needs to be the Title VI officer, it was decided for the RPO that needs to be the RPO Directors. James Salmons asked if the LPA has a policy that covers the RPO? Jamal responded yes as long as it's comprehensive and covers all the aspects of our Civil Rights Office. Allen Serkin wants to see the lists of what comes from David's review. David said they said they will provide him the list of findings within 30 days of the review then he has 90 days to respond. Dana Stoogenke asked who was in charge of this at

DOT? Jamal said that it is Shantray Dickins in the Office of Civil Rights. As sub-recipients of FHWA funds all the RPOs are subject to this. Now that we have the Title VI maps that is a good start. Karyl has stripped out the data and will provide it to RPO's. George Hoops said the plan is to provide guidance to all MPO/RPO's. Currently our audits are only for TMA's. Most of the findings are Title VI related. It is the intent to bring all RPO's up to speed and it is the hope that this will help. The map package is too large to download. A further discussion of map issues followed.

Jamal Alavi apologized for confusion on set aside funds for SPR. The funds in the state budget meant to match SPR funds are for planning studies, not the RPO planning program. Dana explains that the language was confusing, and she asked Jamal to get clarification. Allen asked if this was for the corridor studies, Dana responded that no this was for additional transportation studies a county might ask for. Jamal said this is to help RPO's to get consultants to assist with studies, without having to have a large match. SPR funded studies in an RPO w/ a Tier 1 county would have a 5% local match, Tier 2 10% local match. -These could be Main Street studies, corridor studies etc...

Jamal said that funding for a Corridor Development Team is also in the budget to help RPO's develop corridors from the CTP's to help move projects along. This was approved and the original thought was it would be in TPB. It is currently uncertain what division will house the Corridor Development Team, but Jamal will let us know when he finds out. Patrick asked if there was a time table, Jamal said that it should be pretty soon. Allen mistakenly thought the SPR match was for the corridor studies, because it was in the same section. Dana and Rose commented that the State Legislators have been very receptive to RPO issues this spring. Jamal was asked when the call for projects for SPR funded studies will be held, as it is uncertain right now. Matt's understanding of the corridor workgroups is to further develop CTP projects to help fill the CTP to STI gap.

**RPO Annual Reviews:** Kerry Morrow said that RPO annual reviews will be more of a conversation between TPB, RPO and the LPA. Everyone should have received an email with an option to opt out if desired. So far, most RPO's want to have the reviews and use them as an opportunity to let your ED's know more about what you are doing. The reviews are planned for August and will possibly be organized according to region.

**Toll Policy Study:** Jamal shared that a work group has been formed to investigate toll policy for the state. If a project needs to be built, we may need to use toll funds. The Tolling Committee is composed of Dana, Jamal, Patrick Norman a few other DOT staffers, plus three consultants with the goal of trying to develop the best policy for the state. Jamal may try to make a connection between projects with toll funds and the fiscal realism piece in the CTP's. Patrick and Allen support the idea of linking tolling to fiscal realism. Dana shared that the Turnpike Authority is very interested in the CTP process. Projects with toll potential in an adopted CTP might benefit from alternative funding and communities need to have these early discussions. The process should only take a few months to complete.

**Statewide Plan:** Kerry Morrow said the RFP for statewide plan went out July 15<sup>th</sup>. This plan will be very inclusive of all modes. It will be a full update up to the horizon year of 2050. It is a policy based plan and will include considerations for mode integration, emerging technologies and STI. Scenario planning will include a long range vision as well as intermediate steps. Allen said the current plan does not address ways or policy to connect ports to inland facilities. Will there be more guiding policies to inform STC corridor process? Kerry Morrow said the 2040 Plan did inform STC process. This is one of the initiatives that came out of it. Kerry said that what we have talked about is a top hierarchy plan that informs other

modes and decision makers on their plans, containing matching terminology and language that feeds other plans.

Allen suggests including the Global Transpark and integrating freight/port routes. Jamal informs the group that the former Mayor of Greeneville is the Global Transpark Director. Patrick points out that position has been vacant for a year. Hopefully this hire will help to stabilize the Transpark.

**Strategic Transportation Corridor Master Plans:** Kerry said the next statewide initiative we will talk about is the STC Master Plans. We are putting together an implementation plan for that with Karyl as the Rep. for the RPO's and Chris Lukasina, CAMPO is the Rep. for the MPO's. This should be wrapping up next month, gathering data, developing profiles. We are trying to bundle the 25 corridors in a way that makes sense geographically and are working with four on-call consultants to develop the master plans. These will be end to end corridors, not real specific at that level but will identify segments for further study. This will identify sub-corridors for additional study. This effort should be finished in August. Matt said that they are now doing logical geographic bundling of corridors. There will be public involvement and RPO's will be included. Matt wants US 1 as late as possible. Patrick want to know if a sub-corridor study be like a feasibility study. No these are at planning level, the feasibility study will try to identify cost of a project. George recommends using these studies to identify non-starter alternatives for future corridor projects. Allen suggests linking all the statewide planning efforts together.

**FHWA Process Review:** Jamal shared that he just received the report from FHWA on the RPO review. He will forward it to the RPO's. He asked George Hoops, FHWA to discuss it with the group. There were six findings, (see report sent out by TPB) Observation 2 is mostly directed at NCDOT to request funds in a timely manner for reimbursement to avoid being on the inactive project list. TPB will develop an action plan (due to FHWA August 18<sup>th</sup>, 2017) The RPO manual will be updated. George Hoops said the finding is that NCDOT is in substantial compliance. Hoops recommended waiting on the report, so we don't need to try to write it all down now. AICP reimbursement will be authorized as will other professional fees, some statements made during field visits were discussed and left out of report.

**#1** NCDOT does not have documented procedures for the development of the SPR work program, end of year performance reports and expenditure reports.

Many responses that RPO's do have guidelines/SOP. George Hoops clarified that NCDOT does not have documentation on how they report to FHWA and this new guidance may indirectly affect RPO reporting.

**#2** NCDOT requests authorization of the entire work program at the beginning or the fiscal year. There have been instances when program and sub-recipients have had difficulty in expending the funds in a timely manner based on Federal requirements. These projects become inactive and are requested de-obligation by FHWA.

This applies to NCDOT not RPO's.

**#3** We found that some RPO's were reimbursed for the following planning activities:

Food for meetings/Lunches when not in overnight travel/International calls when on vacation/Non-transportation related travel for training and conference attendance/Employee parking.

Additional explanation of travel/training purposes, explain why this is transportation related for your RPO.

Patrick, we sent someone to Main Street conference with topic on Tiger Grant, this expense was pulled out as not transportation related. This is why we need clear guidance from FHWA to TBP on what is transportation related. George said there was additional internal discussion following the visits which may clear up some statements that were made in the field. Allen Serkin would like to see some

protections for TP so that they feel comfortable following the policy to alleviate knee jerk reactions. Jamal said now that we have the report, we will go back to RPO manual, implement these steps and make sure it is crystal clear, communicate and coordinate the changes to FHWA to make sure it is OK with them-then we will get this back out to the RPO's.

**# 4** Several RPOs claimed indirect costs with indirect cost rates and indirect cost allocation plans that were not approved by a cognizant Federal government agency or negotiated by NCDOT.

-As a pass-through entity, NCDOT should ensure that subrecipients have an indirect cost proposal that meets requirements of 2 CFR Subpart E and Appendix VII-One of three of the following:

-Indirect cost rate and indirect cost allocation plan.

-Indirect cost allocations not using rates (Narrative Cost Allocation Methodology)

-De Minimis rate of 10% of modified total costs.

-Discussion took place around the indirect cost reporting process to TPB. George Hoops said when TPB allocates funds based on invoices, they are approving the revision to the baseline cognizant agencies indirect costs. If an RPO is going to vary from the approved rate they should provide documentation explaining why. Discussion of potential cognizant agencies.

**#5** Many RPO programs are only staffed by one planner. During several site visits, several RPO planners indicated they are not working for the RPO 100% or their time. However, the total amount of the invoice for internet, office space, phone both cell and office, furniture, equipment and supplies were charged entirely to the RPO program as direct costs. These costs appear to benefit more than the RPO program and should not be claimed as indirect costs.

Karyl asked if it could be allocated as upfront capital costs split at time of purchase and can we just supply the documentation? Discussion took place on how to allocate indirect costs at organizations. Patrick recommended that TBP might want to meet with the COG finance directors at an upcoming meeting.

**#6** Indirect cost is not included in the RPO PWP as a category of cost or in the RPO budget of planning activities. For this reason, PWP estimates may not be reasonable. Expenditures are not accurately linked to the activities in the PWP and don't include a complete assessment of cost items.

Discussion took place on how to reflect indirect and direct costs on the PWP to accurately reflect direct cost, fringe and indirect.

The group had further discussion on above findings.

George Hoops pointed out that a number of the issues brought up here relate to the relationship between the recipient and the sub-recipient and there lies the travel policy and the agreements and whatever your relationship and what you agreed to as the working rules associated between you all is what you need to follow. These need to be at least at a minimum of what our requirements are. So if we use the IRS rate for mileage and they suggest IRS rate or something other than that if it is over the IRS rate it is an ineligible expense and they would not be able to get reimbursed for that, but if it is under that well it is not an issue to FHWA.

Dana released group to a short break before taking up the travel policy discussion.

After break George pointed out that in the fourth quarter, the bottom line number is the bottom line-don't try to adjust fringe and indirect rates to meet target, include overages. Rose, recommends a meeting with TPB and finance directors to get invoicing worked out.

### **Travel Policy and reimbursement:**

-Jamal began the discussion. We needed to implement a policy quickly for consistency in reimbursement for travel. We have the internal DOT policy that we are subject to so we put that in place. Allen asked what about the pass-through funding makes us subject to the NCDOT travel policy and not the GSA policy? George said that you are a sub-recipient and 2 CFR 200.331 A2 and A3 rules states (George reads from rule), *“Any additional requirements that a pass-through entity imposes on the subrecipient in order for the passthrough entity to meet its own responsibilities to the Federal awarding agency including identification of any required financial and performance reports.”* Jamal said that we looked at the CFR for guidance, we are not trying to make this hard, this is a first step. We will be flexible, send hotel exception requests to us with cause and we will be fair. Dana requests consistency between Travis and Earlene. Group discussed issues with charging rental cars on personal Credit Cards when LPA policy doesn't allow use of business cards. Discussed lack of rental car agencies in many of our RPO's, as well. Many members pointed out that this would cause inconsistency within our LPA's finance departments. Jamal realizes that mileage reimbursement rate is one of the biggest hurdles, for that reason he offered for now use IRS for first 100 miles of travel per day, and \$.40 per mile for each additional mile. There was much discussion about where the funds would come from to cover the gap, other programs in the COG's would not want to cover the difference. Dana asked how can the RPO's help TPB get the rate up to the IRS rate. Jamal responded to send him a letter and he would take it to management. The question was asked about who at DOT chose to put NCDOT travel policy in place for the RPO's: it was Chief Financial Officer of NCDOT, David Tyeryar. Ann asked if this would be retroactive. Jamal replied yes, all travel from July 1, 2017 is subject to this policy. The difficulty of tracking travel for different work programs was brought up. Patrick asked what is the authority that puts RPO's under DOT policy. Jamal responds it is the CFR and based on the inconsistencies brought up in the FHWA site visits. Patrick Flannagan said that he has a signed document between the LPA and NCDOT that specifies a different travel policy. Jamal asked if that is the original thing that was signed back in 2003? Patrick said yes. Jamal said that we are going to change those. Patrick then said that what I am asking is how are you implementing this policy before we sign the new agreements? Patrick reads, *“travel and transportation costs will be in conformance with Federal Aid Policy Guide Part 140 sub part G.”* Jamal says that he doesn't know what that says. Patrick says that he is unable to find the reference for that particular travel policy. The rule reference in LPA agreements no longer exists. George stated that he asked Dana if he could receive all the LPA agreements because we all are the sub-recipients and we all have a contract, but the contract is very old. George suggests it might be a good idea to update these agreements. Patrick said that these are the signed documents and they are still valid because these are the documents we have. George then says to Jamal that is a relevant issue. George suggests that maybe with the SOP FHWA includes the updates of the agreements on a more regular schedule. Discussion took place on what document replaced sub part G. Dana redirected the group, clearly, we do not have agreement, we need to continue this discussion whether it be with a sub-group, but it will not be resolved today. One of the big sticking issues for us is we don't really know who the decider is. Kerry Morrow, well I think George can tell you that. George, its NCDOT. Dana, what person at NCDOT. Jamal, that is David Tyeryar. Dana, we need to continue to work on this there are going to be growing pains but for now we need to move on. George said it sounds like the decision has been made to update all these agreements, there is the short term effect but there is the long term effect of your negotiation or discussion of what these rates are going to be in your next five or ten year agreements, whatever they are going to be because there is the long term effect. Vicki commented that LOSRPO follows the GSA policy, it is a little more realistic, it uses the IRS rate for mileage. She will share the link to the GSA travel per diem so TPB can take a look at it, it is the same policy that FHWA follows. George, interjected that

he is being reimbursed \$91.00 for lodging at this meeting and \$51 per day meals per diem. Allen asked George if NCDOT can have a policy that states that LPA's have a separate policy from the NCDOT employee policy. George, yes, the LPS's travel policy can be either the GSA policy, less than the GSA policy but it cannot exceed the GSA travel policy. Allen said that is consistent for all LPA's. Can the policy be that LPA's have a different reimbursement than NCDOT? Jamal said that all LPA's would have to change. Dana said if they all go to the GSA it would be consistent. Allen made the case that this policy could create inefficiencies in how RPO's approach travel. Jamal said that he understood, but that they observed inconsistency amongst all RPOs in the way they submit travel. In order to bring a sense of consistency the first thing we could do was to implement NCDOT travel policy which is why we are talking about it. We are going to discuss it and we are going to try to meet everyone's needs, but at this point we are not there yet, it is complicated, we have a policy, FHWA is telling us to bring consistency. What is he supposed to do when I get a \$500 bill for travel? Dana asked Jamal to email the \$.40 explanation, so she could provide it to our finance departments. Jamal said that even with the \$.40 mileage rate he is sticking his neck out. Dana conveyed NCARPO's appreciation to Jamal for that gesture and thanked him for having this conversation.

## **NCARPO Updates**

### **NCAMPO Update:** Kelly Larkins

No update at this time. Still working on next year's NCAMPO location and date.

### **NCARPO Survey Results Dana Stoogenke:**

Dana reviewed Executive Committee survey results-for the most part everyone likes the rotating meetings across the state practice. There is still a need for additional technical and GIS training, as well as facilitation. The Executive Committee will continue to work on this. George Hoops asked to be on next meeting agenda to discuss Performance Measures and state targets.

### **Committee Assignments:** Dana Stoogenke

-No changes

### **Future Meetings:**

A discussion regarding next meeting locations was held. Rose suggested that we change the meeting location for the January meeting to the Rural Center in Raleigh. Matt stated that this was the traditional practice, to have the January meeting in the Raleigh area. Dana requested a motion, Rose, motioned to change the January meeting to the Rural center, Allen seconded, all were in favor, the motion carried.

Fall (Oct 26-27, 2017) NCPRO Kernersville

Winter (January 25-26, 2017) Rural Center, Raleigh

Spring NCAMPO

Summer Boone

## **Break 10AM**

### **Special Committee Report:**

#### **CTP2.0 NCDOT Staff:**

-Kerry reported that the draft was sent out this week. Please provide comments, as the comment deadline has been extended one week. NCARPO will get together to set up a conference call to

discuss CTP draft and make comments for the third week of August. There will be 20-30 page document with a more technical analysis.

-Please send comments to Alena Cook, [alenacook@ncdot.gov](mailto:alenacook@ncdot.gov) or James Upchurch, [jhupchurch@ncdot.gov](mailto:jhupchurch@ncdot.gov)

**Legislative Committee:**

**Jason Grey, NC Rural Center**

-Jason Grey was unable to attend. Jamal said there is funding in the budget for all Divisions to have 2 DPE's, so there will be an additional DPE in each Division.

**Committee/Workgroup Reports:**

**Bike and Pedestrian Committee:**

Ann Stroobant, Vicki Eastland, Elizabeth Jernigan

-No updates

**Administrative Documents Committee:**

David Graham, HCRPO; Elizabeth Jernigan, NPRPO; Patrick Flanagan, DERPO; Janet Robertson, LRRPO, Kerry Morrow, TPB

-Back to the drawing board, will reassess after review of FHWA report.

**Federal Land Access Program:**

Rose Bauguess

-FFY 2019 – 2020 funds have been awarded. Shared with those that were selected, will share with group.

**Asset Management Plan:**

**Structures: Vicki Eastland**

Still waiting to hear back from NCDOT on next steps.

**Pavement: Ann Stroobant**

-Patrick Norman getting a consultant onboard in September to pick back up.

**GIS workgroup:**

Discussion about training coordination for Oct meeting. Allen shared that NCDOT GIS unit has put up a new roads layer with Shields.

**Other Business:**

NCDOT GIS Unit will send out a request for what RPO's would like to see at the GIS training in Oct. Matt and Elizabeth attended NADO Rural Transportation Conference and they will send out helpful links.

Elizabeth said that one of the most interesting things to her was a session on public outreach through story telling. **Potential Sources**-Orton Family Foundation/Heart and Soul, <https://www.orton.org/> lots of online suggestions and resources on building a plan from grass roots up not top down. Elizabeth will share. Liberty Mobility, [libertymobilitynow.com](http://libertymobilitynow.com). This is a rural Uber option. Group discussion about this. Patrick asked if you need seed money to start up the service?

Matt shared that three year ACS data is stopping. The next version of CTPP will be out in late 2018 which is based on data from 2012 -2016.The next national household travel survey will be out in 2018.

**Adjournment**

The meeting was adjourned at 12:35.