MINUTES
Rural Transportation Advisory Committee (RTAC)

Toquerville City Hall
212 N Toquer Blvd
Toquerville, Utah

Thursday, September 27, 2012 at 1:30 pm

RTAC MEMBERS IN ATTENDANCE:	**REPRESENTING:**
Mr. Arthur LeBaron	Hurricane City
Mr. Daren Cottam	Toquerville City
Mr. Todd Edwards	Washington County

RTAC MEMBERS ABSENT:	**REPRESENTING**
Mr. Derek Imlay	LaVerkin City
Mayor Alan Roberts	Leeds Town
Mr. Dana Meier	Utah Dept. of Transportation

OTHERS IN ATTENDANCE:	**REPRESENTING:**
Mr. Drake Howell	S2N Development/Grapevine
Mr. Myron Lee	Five County Assoc. of Governments
Mr. Dave Demas	Five County Assoc. of Governments

I. **CALL TO ORDER AND QUORUM DECLARATION**

Mr. Arthur LeBaron, Chair, welcomed all in attendance. He declared there was NOT a quorum present.

II. **APPROVAL OF MINUTES FOR JULY 26 AND AUGUST 9, 2012**

The Minutes could not be voted on because there was not a quorum present.

III. **CAPACITY PROJECTS DISCUSSION**

Mr. Dave Demas provided a spreadsheet of the Eastern Washington County Rural Planning Organization (RPO) project prioritization sheet used in the past to determine which transportation projects the RPO would most like the Utah Department of Transportation (UDOT) to place on the Statewide Transportation Improvement Program (STIP).

It was noted that some of the projects may be listed in more than one location on the sheet and the list needs to be cleaned up to eliminate redundancy. The projects are generally on SR-9. Also, some projects are already on the STIP or already in process. Can these be taken off the list?

Mr. Arthur LeBaron, engineer from Hurricane City and Chair of the Rural Transportation Advisory Committee (RTAC), will meet with Mr. Dave Demas of the Five County Association of Governments (Five County AOG) Transportation Planning Office (TPO) to determine what to include on the list, and what to take off to eliminate redundancy.

Mr. Myron Lee of the Five County AOG TPO Dixie Metropolitan Planning Organization (DMPO) suggested taking the list to the engineering firm, Horrocks Engineers, with whom the DMPO has an on-call contract, and obtain traffic modeling information on level-of-service to help in determining priority projects. The DMPO has already done modeling for many of the roads being discussed for expected traffic counts for years 2010, 2020, and 2030.

Mr. Daren Cottam asked that the SR-17 widening be considered in concert with the Toquerville Bypass.

Taking the time to do the modeling may push the submission of the Capacity Projects Prioritized Projects list to UDOT to December rather than September and probably require an additional RTAC and/or RTEC meeting.

IV. **VOTE ON CAPACITY PROJECTS**

Unable to vote due to lack of a quorum.

V. **COG PROJECTS PRIORITY LIST**

A. Timing and How to Submit

Mr. Todd Edwards read a statement of policy produced at the last Council of Governments (COG) meeting regarding the collection and prioritizing of proposed corridor preservation projects -

"The Dixie Metropolitan Planning Organization (DMPO) prepares and maintains an inventory of corridor preservation needs related to the DMPO Regional Transportation Plan."

"The Eastern Washington County RPO (EWCRPO) keeps a list of corridors of importance and the Washington County Public Works keeps a list of corridors for the rest of the County related to their Master Plan. From these inventories an annual master prioritized corridor preservation projects list will be created and submitted for endorsement to the Washington County Council of Government *(sic)* (COG). Upon endorsement, the list will be submitted to the Washington County Commission for approval by majority vote."

Mr. Edwards interpreted this to mean that each organization (DMPO, RPO, and County) create a list of projects comprised of corridors they want to preserve, then prioritize that list and submit it to the County. It used to be that Mr. Edwards and Mr. Ron Whitehead, Washington County Public Works Director, made a request of all entities in Washington County. Mr. Edwards stated that this policy seems to indicate that the County will only make requests of those areas outside of the DMPO and RPO. Then the County Public Works staff will get together with some members of the MPO and RPO to prioritize all the projects submitted, then send them on to the COG.

Mr. Lee stated that he thought the submitted lists were not prioritized until they reached the COG and inquired regarding a set of standards for prioritization.

Mr. Edwards said he also used to believe this. But the Policy developed by the COG requests that the submitted lists be prioritized before coming before the Council and no more than one such list may be submitted or authorized per calendar year. Any project considered for funding must be present on the approved prioritized master project list.

The Policy lists prioritization considerations for the Master Projects list.

For specifics, see the attached document which is to be considered a part of these Minutes: *'Dixie Metropolitan Planning Organization, East (sic) Washington County RPO, and the Washington County Public Works Department Acting For and in Behalf of Washington County Council of Governments, Transportation Corridor Preservation Fund Policies'*

Mr. LeBaron stated that he believes it doesn't matter how the projects are prioritized, because each will be considered on its merits and when an opportunity arises to apply for funding for that acquisition. The goal is to acquire property before it becomes prohibitively expensive to get. Mr Lee added that the rules regarding the use of that money require a willing seller.

Mr. Edwards quoted again from the new policy –

"Once this master list has been approved, applications for funds from project sponsors may be accepted. These applications will be further prioritized for funding according to the following: The DMPO, EWCRPO, and WashCo Staff will review all applications for consistency with the Utah Code and the COG's prioritization master list, and make recommendations for funding to the Washington County Council of Government *(sic)* (COG) based on the following prioritization considerations:" (see attached document).

Mr. Edwards provided an application form based on the DMPO concept report. He presented an application completed by Mr. LaBaron as a positive example.

It was suggested that the application should be consistent despite what entity was submitting it. Mr. Edwards added that the application must meet certain standards, per State Code. The specifics are included in the new Policy (see attached document).

Mr. LeBaron reminded Mr. Lee of a meeting held between himself, Commission James Eardley, Mr. Lee, Mr. Whitehead, and Lawyer Eric Clark from the Washington County Attorney's Office. Mr. Clark stated that the County would make a formal call for project lists. This meeting was held within the past four months.

Based on the new Policy requirements, Mr. Edwards stated that he would re-work the project submittal application he had and send it as a formal request to the DMPO, EWCRPO, and other entities within the County. If this could be created and provided quickly, then potential applicants would try and have their submissions prepared by the November 15th RTAC meeting. The COG will be having their meeting during the first part of next year.

Mr. Edwards reinforced that the COG can only meet once a year to consider prioritizations. The can meet multiple times to determine use of the funding when applications are submitted.

Mr. Edwards went on to ask how much representation from the DMPO and the RPO should be part of the group to determine which projects qualify for the Master List and how they should be ranked? Mr. Edwards recommended one representative from each organization to keep it simple. Two out of three members would be needed to reach agreement.

Mr. Edwards reminded the RPO Committee that this is a recommendation which must be still be endorsed by the COG and approved by the County Commission.

Mr. Demas inquired about and Mr. LaBaron responded that the COG Project list will be different from the STIP/UDOT prioritization list. Each RPO member needs to be given the current COG project list and the revised Project Submittal form.

Mr. Edwards mentioned that UDOT also figures into the mix of which projects are accepted and how they are prioritized. The new COG policy states that:

"Both local government and state highway projects may be funded, though local projects should receive a higher priority, *with the exception of the Southern Parkway which has a Corridor Preservation Agreement which requires a portion of the fee to go towards assisting in the R of W needs of this high priority project, as agreed by the signing partners.*"

Mr. Lee inquired as to who might have a copy of this Corridor Preservation Agreement between UDOT and the 'signing partners'. Mr. LaBaron believes he has copy of this agreement. Mr. Lee requested a copy.

The Chair thanked Mr. Edwards for this important report.

VI. **INCLUSION OF RPO INTO MPO**

A. Thoughts to date

Mr. Demas clarified that this is an item that will continue to be on RTAC Agendas as the decision making processl unfolds. Mr. Lee and Mr. LaBaron both had reports to share:

i. Mr. LeBaron

Mr. LeBaron explained that he recently made an extensive presentation to the Hurricane City Council on the role of the RPO, the DMPO, and ways to obtain highway funding. There had been concerns and misconceptions among Council Members and the public about big government forcing issues onto the smaller governments. The presentation was well received. The Hurricane Council is now supportive oft the RPO joining the DMPO. The Dixie Transportation Advisory Council (DTAC) must advise the Dixie Transportation Executive Council (DTEC) on this subject before the DTEC will formally vote on inclusion of the RPO into the DMPO.

ii. Mr. Lee

Mr. Lee provided a small spread sheet comparing MPO's in Utah and a few outside of Utah. They are all quite different from each other in governance and vote allocation. Mr. Lee reviewed the spreadsheet and explained the history of MPO funding decisions.

Mr Lee emphasized that if the RPO wants to join the DMPO, then the RPO should be prepared to make their desires known. Mr. Lee will push for how votes will be divided at next DTAC meeting, with support for the policy of each enitity having at least one full vote.

The Federal Highways directive is fairly straight forward in its requirement that both parties resolve to complete the transition process by June 30, 2013.

Mr. Demas added that the change requires new maps, paperwork, and more, so there is lots of preparation to be done.

Mr. Lee added that federal changes with the new MAP 21 directive have affected how projects will be funded.

iii. Mr. Demas

Mr. Demas shared that he pursued the possibility of including the Zion Corridor communities of Virgin, Rockville, and Springdale into the urbanized boundary. Mr. Demas and Mr. Hutchings met with Mayor Grow of Virgin Town to discuss his general thoughts. Mayor Grow was not initially opposed to inclusion if it made sense. After reviewing the inclusion of these three communities, Mr. Demas felt it is very difficult to justify at this point. None of the communities would reach the criteria of at least a population of 2,500 with a density of 1,000 people per square mile. However, these communities could still be included as ex-officio members to make them aware of transportation issues that could affect them.

Mr. Demas added that since the possibility of these RPO neighbor communities becoming urban clusters or urbanized areas within the next 20 years seems pretty remote, Mr. Demas will probably not pursue this issue any further. It was noted that the Town of Virgin does have a Joint Highways project funded that being the realignment of Kolob Road.

Mr. Lee clarified that the federal regulations do not disallow bringing in others that might not become 'urbanized' within 20 years, but the general feeling of the group is that those communities will not grow quickly.

Mr. Cottam noted the substantial growth of Toquerville within a 10 year period. He said Mayor LeFevre is in favor of joining the DMPO. Mayor LeFevre feels strongly that each RPO entity, including Toquerville, ought to have one full vote since they are continuing to grow and will eventually become urbanized.

Mr. Lee responded to the issue of MS-4 rules and which communities they will apply to. He stated that according to what he has been told, the MS-4 rules apply to urbanized areas, according to a 10 year census. Hurricane is currently not urbanized, but part of an urban cluster. There are indications that the State does not regulate Urban Clusters. However, Hurricane will probably have the population and density to qualify as urbanized by the next 10-year census, and it would be advantageous for them to prepare for MS-4 rules before that time arrives..

VII. **OTHER BUSINESS**

Mr. Demas provided those present with a list of projects exclusive of the safety and capacity projects. These include Studies, Traffic, and Trails. They will need to be voted on at the next RTAC meeting. The Studies include the RPO Feasibility Study already underway. Some projects are already completed. Mr. Demas and Mr. LaBaron will review this list for finished or redundant projects when they meet to discuss the Capacity List.

VIII. **OTHER/FUTURE TOPICS**

A. Next RTAC meeting Nov. 15, 2012 at 1:30 pm in Leeds Town Hall

IX. **ADJOURNMENT**

The Chair adjourned the meeting.

Dixie Metropolitan Planning Organization, East Washington County RPO, and the Washington County Public Works Department Acting For and in Behalf of Washington County Council of Governments

Transportation Corridor Preservation Fund Policies

This document lays out policies regarding use of the Local Transportation Corridor Preservation Fund, as authorized by Utah Code, Title 72-2-117.5, as amended.

Corridor Preservation – Definition

Corridor Preservation is the identification and acquisition of land for a highway corridor sufficiently in advance of actual roadway construction to:

1. Assure that land will be available for roadway construction by protection of potential highway corridors from incompatible development; and
2. Secure land at significantly reduced costs versus those typically encountered when funded highway projects seek needed rights of way.

Corridor Preservation is therefore a tool of long-range transportation planning rather than a strategy for meeting present highway project needs. Consequently, Corridor Preservation Funds will have a 4 to 30 year outlook; funded highway projects in the current 4-year Transportation Improvement Program (TIP), and projects anticipated to be constructed beyond the statutory limit of 30 years, are ineligible.

Highway Corridor Preservation Projects – Planning and Prioritization

The Dixie Metropolitan Planning Organization (DMPO) prepares and maintains an inventory of corridor preservation needs related to the DMPO Regional Transportation Plan. The Eastern Washington County RPO(EWCRPO) keeps a list of corridors of importance and the Washington County Public Works keeps a list of corridors for the rest of the County related to their Master Plan. From these inventories an annual master prioritized corridor preservation projects list will be created and submitted for endorsement to the Washington County Council of Government (COG). Upon endorsement, the list will be submitted to the Washington County Commission for approval by majority vote. UDOT's corridors of interest (made available through the MPO planning process and their own Rural Long Range Plan) will be made available to the COG.

No more than one such list may be submitted or authorized per calendar year. Any project considered for funding must be present on the approved prioritized master project list.

Prioritization Considerations for Master Projects List

- Areas with rapidly expanding population, considerations may include;
    - Annual Growth Rate for areas served by proposed corridors, by population forecast, trends, etc.
    - Current vs. projected uses within corridors
        - Open vs. developed land
        - Anticipated changes in intensity of use

- *Consistent with the Dixie MPO Regional Transportation Plan (RTP); Consistent with the Eastern Washington County RPO Needs List; and Consistent with the Washington County Master Plan*
    - Currently listed on the RTP, RPO Plan, and Washington County Master Plan.
    - *Amended into the RTP, RPO, and WashCo. Plan by vote of appropriate advisory committees.*
    - Projects within the corridors to be built within the 4 to 30 year planning horizon.
    - No projects listed on the current Transportation Improvement Programs (TIP/STIP) are eligible. Project funds should be used for any property acquisitions.

- Highway Classification Requirements – Projects will be limited to Minor Arterials and/or Major Collectors and above on both the state and local systems.

Prioritization for Allocation of Funds

Once this master list has been approved, applications for funds from projects sponsors may be accepted. These applications will be further prioritized for funding according to the following:

The DMPO, EWCRPO, and WashCo Staff will review all applications for consistency with the Utah Code and the COG's prioritization master list, and make recommendations for funding to the Washington County Council of Government (COG) based on the following prioritization considerations:

- The willingness of applicant to complete studies and impact statements that meet UDOT standards.

- The applicant's preservation of corridor rights-of-way by the use of local planning and zoning powers:
    - Developer dedication
    - Zoning ordinance
    - Transfer of development rights
    - Annexation agreements

- Corridor is part of applicant's official master plan.
- The availability of other public and private matching funds for a project.

- No minimum cash match is required, although projects with relatively higher cash match may receive more favorable consideration.

- The cost effectiveness of the preservation project.

- Long and short-term maintenance costs for property acquired.
  - Maintenance costs will be the responsibility of the applicant.

Projects endorsed by the Washington County COG shall be submitted to the Washington County Commission for review and final approval.

Approved project applications will be submitted to the Utah Department of Transportation (UDOT) for expenditure of fund monies.

General Policy Requirements

Application for Funds

- Any municipal, county, or state highway authority within Washington County may make application to the Local Transportation Corridor Preservation Fund.
- Application may be considered on an as-need basis.
- Application materials will be maintained and distributed by the Washington County staff. Completed applications must be submitted to the DMPO, EWCRPO, and WashCo Staff.

Willing Sellers

- Fund monies may *not* be used to acquire property or interest in property through eminent domain.

Local and State Projects

- Both local government and state highway projects may be funded, though local projects should receive a higher priority, *with the exception of the Southern Parkway which has a Corridor Preservation Agreement which requires a portion of the fee to go towards assisting in the R of W needs of this high priority project, as agreed by the signing partners.*

Disposal of Excess Property

- Property purchased with fund monies in excess of what is needed for the highway project will be subdivided and sold by the applicant, and all proceeds returned to the Local Transportation Corridor Preservation Fund. The excess property shall list both the applicant and Washington County COG as owners.

Rental of Property

- Homes purchased in a hardship situation will be held in ownership by the applicant and may be leased to the current resident or to a local housing authority until such time as the property is needed for the corridor. Rents may be used for reasonable maintenance costs. Any excess rents will be returned to the fund.

Local Government Acquisition for State Highway Projects

Local highway authorities may use Corridor Preservation Funds for state highway corridors, though UDOT should be encouraged to make application instead.

An application seeking to acquire property for a state highway corridor must first have:

- A transportation corridor property acquisition policy or ordinance that meets UDOT and Federal standards for real property acquisition; and

- An access management policy or ordinance consistent with the following:
  - Be for the purpose of balancing the need for reasonable access to land uses with the need to preserve the smooth flow of traffic on the highway system in terms of safety, capacity, and speed; and

- Includes provisions:
  (A) limiting the number of conflict point at driveway locations;
  (B) separating conflict areas;
  (C) reducing the interference of through traffic;
  (D) spacing at-grade signalized intersections; and
  (E) providing for adequate on-site circulation and storage

- An executed Cooperative Agreement with UDOT covering the right-of-way functions (e.g. appraisal, acquisition, relocation) performed by the local agency are determined by mutual agreement with UDOT. This is true for any type of acquisition, including donation.

Commission Chair

2-8-12
Date