

CHATTANOOGA-HAMILTON COUNTY/NORTH GEORGIA
TRANSPORTATION PLANNING ORGANIZATION (TPO)
EXECUTIVE BOARD MEETING

February 2, 2010, 1:30 PM

MINUTES

The meeting was called to order by Chairman Peter Hetzler.

Item #1: Approval of the Executive Board meeting minutes of November 17, 2009. Motion to approve was made by Mr. Steve Leach and seconded by Councilman Manny Rico. The motion carried.

Item #2: Approval of the ARRA Contingency Resolution for Tennessee.

Ms. Melissa Taylor said that everyone received status reports on ARRA projects via email over the past couple of weeks and the packet contained the latest report for the Tennessee portion of ARRA funding as of 2/2/10. We received word about 2-1/2 weeks ago that we were about \$3.M shy of getting all of the ARRA projects to the point of requesting Federal Highway Administration obligation. In the past two weeks, we have gotten all of the ARRA projects to the point of requesting obligation from the Federal Highway Administration. She said congratulations were in order to all jurisdictions for making sure that all projects got to TDOT and to the point where TDOT can request the Federal Highway Administration obligation. The Resolution is only if, once the projects are sent to the Federal Highway Administration and if for some reason there is an issue with a project in receiving obligation that within a very short period of time TDOT could then use the money for projects within our area. Everyone had previously received a list of potential TDOT projects within our area (highlighted on the list in the packet), and the money would go to those funds in our area. Ms. Taylor said the full list of obligated projects (spread by bucket) is available. Ms. Honna Rogers asked for clarification regarding the resolution wording "all funding not obligated." Technically, all projects are not currently federally obligated, and should the wording be revised to say "requested obligation?" Mr. Paul Degges, Chief Engineer, Tennessee Department of Transportation thanked everyone for their efforts and gave a snapshot of the process. TDOT asked for all packages to be submitted to them so that they can request Federal Highway Administration obligation. As these funds come through the Federal Highway Administration to the State of Tennessee, TDOT is required to act on behalf of the Federal Highway Administration and certify to the Federal Highway Administration that all these packages are complete and in accordance with the law. Looking at the estimated \$8.4M of ARRA funds that came through the MPO {CHCNGA}, TDOT has requested and the Federal Highway Administration has obligated to date {2/2/10} about \$1.9M; with about \$6.5M in all of the packages that are into TDOT. They are going through the process of requesting obligation of the funds. Ms. Nancy Sartor and the Local Programs Office have been working with all MPO's plus TDOT projects (non-ARRA). The \$6.5M in projects (yet to be obligated) is now being reviewed and then TDOT will request Federal Highway Administration obligation. At this point, Mr. Degges said that he does not see any issues as far as any of our projects not making it {being obligated}. However, he needs a contingency plan in case there is a problem with a particular project(s) that can't be worked out, and the Federal Highway Administration says that the project(s) cannot be obligated. Mr. Degges then needs a backup and referred to a list of TDOT projects in the packet which are going to be done anyway with other funds

{Substitute TDOT Projects}. TDOT felt that a good contingency plan would be to have those projects {on the list} available so that, if at the last minute TDOT needs to make a switch in fund sources, they would be able to do so. Without a contingency plan in place and if something {unobligated ARRA funds} happens, then these funds will be thrown into a "pot" that is redistributed nationwide. In addition, if that happens, the State of Tennessee cannot stand in line for the redistributed funds. TDOT wants to do two things to make sure Tennessee has projects that are ready to make sure that no money leaves the State of Tennessee (have a zero balance in this program on March 2, 2010). Secondly, if other states across the nation return money, the State of Tennessee wants to be able to stand in line and hopefully bring more of these dollars into Tennessee for transportation needs across the state. Mr. Degges said that, in working with the Local Programs Office, they feel very confident that the Chattanooga projects in particular are straight forward and they do not see anything that might be a problem for obligation. However, at the last minute in another MPO for an engineering phase, TDOT was advised that a project was deemed ineligible for obligation by FHWA because construction could not be shown within two years. Mr. Degges said that, if TDOT gets word from FHWA that there is a problem on any of our local projects (do not have everything needed into FHWA), TDOT will work with the community to try and make sure the problem can be worked out. However, he wants to make sure he has an ability to have a known condition to make sure that all projects can be delivered and no money leaves the State of Tennessee. He said our communities worked very hard to get everything into TDOT and he hopes that by Friday {2/5/10}, that all MPO's across the State of Tennessee will be obligated. He will then write a letter to the MPO's saying congratulations, we have obligated all the money, and then he wants to make sure everything gets under contract. The goal right now is to get the money spent. In response to Mr. Steve Leach's question about the priority of the TDOT projects list, Mr. Degges said projects are in no order by priority (the list is alpha order by County). He stated that TDOT will do those projects anyway even if ARRA money is not available. There's about \$32M in TDOT projects lined up with about \$1M that might become available across the state (but Chattanooga MPO should not have this issue). These are projects he feels TDOT can get obligated by 3/2/10 if ARRA money becomes available and then be able to deliver to construction. If it looks like ARRA money is not going to be available, he might have to delay several projects a few months, because his staff accelerated these projects to get them ready to go. We will see these projects done in these communities (regardless of the availability of ARRA funds). Mr. Degges pointed out that the Federal Highway Administration obligates projects (not TDOT). TDOT requests the obligation from Federal Highway Administration and Friday 1/29/10 was TDOT's deadline for all complete packages to be into TDOT. All of the Chattanooga TPO {MPO} packages were into TDOT by Friday 1/29/10 (despite issues with weather). This week, TDOT is working to get the actual request for obligation into the Federal Highway Administration and, hopefully, they will be very pleased. Everything is getting into the computer system now and he hopes for obligation by the end of this week {Friday 2/5/10}. County Mayor Claude Ramsey inquired about the resolution wording (5th paragraph) regarding "all funding not obligated by February 2nd, 2010" and this is now incorrect based on Mr. Degges comments (we are not turning the funding over to TDOT today 2/2/10). Per Mr. Degges, this was based on the possibility that communities would not get their packages to TDOT in time, and following further discussion, Mr. Chris Dorsey made a **motion to amend the Tennessee resolution (paragraph #5) by striking "not obligated by February 2nd, 2010" and replace it with "projects that cannot have ARRA funding obligated."** And, in the last paragraph (NOW, THEREFORE, BE IT RESOLVED THAT), strike "the unobligated ARRA will be immediately returned to TDOT" and replace it with "funding for projects which cannot have ARRA funding obligated be returned to TDOT." The proposed amendment was acceptable to TDOT per Mr. Degges. **The motion to amend the resolution was seconded by Councilman Manny Rico. The motion carried.** **Mr. William Whitson made a motion to approve the amended Tennessee resolution which was seconded by Mr. Steve Leach. The motion carried.** Mr. Whitson asked

Ms. Sartor to accept recognition and appreciation from the Board and Ms. Sartor thanked the Board and the jurisdictions in particular for their efforts during a less than easy process. Mr. Degges reiterated that, should there be a question or issue with a project identified by the Federal Highway Administration during the request for obligation process, TDOT will work closely with the jurisdiction to resolve. Getting this program taken care of is TDOT's priority between now and 3/2/10, and then they will work with everyone on contracts and reporting process.

Item #3: Approval of the ARRA Contingency Resolution for Georgia.

The resolution was opened for discussion. Mr. Ulysses Mitchell (GDOT) said it is agreeable to amend the Georgia resolution to mirror the Tennessee (TDOT) resolution. Mr. Chris Dorsey made a **motion to amend the Georgia resolution to mirror the TDOT version of the resolution which was seconded by Mr. Steve Leach. The motion carried. There being no further discussion on the resolution, motion to approve was made by Mr. Chris Dorsey and seconded by Councilman Manny Rico. The motion carried.**

Mr. Barry Bennett, Executive Director, Chattanooga-Hamilton County Regional Planning Agency, said that he would like to acknowledge the tremendous amount of work, effort and dedication that have gone into the ARRA process by Ms. Melissa Taylor and her staff, particularly during the last several weeks. He commended Ms. Taylor and her staff for the job done and for staying on top of things. Appreciation was also shown by the Board.

Item #4: Participation Plan Provisions: Special Call Meetings.

Ms. Melissa Taylor said that she would have liked to have held this Special Call Meeting a little earlier based on TDOT's letter requesting the status reports and unobligation of funds by Friday, 1/29/10. However, due to the way our Participation Plan is written, we were unable to call a meeting earlier. Our staff has also identified several other things that need to be changed since we have added new staff and changed the name of our Technical Coordinating Committee (TCC) (formerly TPO Executive Staff). We are revising the Participation Plan and will have some suggested language for the Board's review in the future.

Item #5: Public Comments and Other Items of Importance:

Next TPO Executive Board meeting is February 16, 2010 and next Technical Coordinating Committee (TCC) (formerly known as the TPO Executive Staff) Meeting is March 2, 2010. **Motion was made to adjourn by Mr. Steve Leach and seconded by Councilman Manny Rico. Adjourn.**