

JOHNSON CITY MTPO
Minutes of the Executive Board and Executive Staff Meeting
Wednesday, August 7, 2024 at 10:00 a.m.
Location: Johnson City Transit Center, Training Room

Executive Board Present

Randy Trivette for the Honorable Mayor Dr. Todd Fowler, City of Johnson City, Chairman
The Honorable Mayor Jeff Broyles, Town of Bluff City
Rich DesGroseilliers for the Honorable Mayor Curt Alexander, City of Elizabethton
Glenn Rosenoff for the Honorable Mayor Chuck Vest, Town of Jonesborough
Tyler Williams for the Honorable Mayor Kathy Bullen, Town of Unicoi
The Honorable Mayor Joe Grandy, Washington County
Troy Ebbert for the Honorable Governor Bill Lee, State of Tennessee
John Deakins, Jr., Tennessee County Highway Officials Association

Executive Board Not Present

The Honorable Mayor Patty Woodby, Carter County

Executive Staff Present

Randy Trivette for Cathy Ball, City of Johnson City, Chairman
The Honorable Mayor Jeff Broyles, Town of Bluff City
Matt Balough for Daniel Estes, City of Elizabethton
Kim Kreckow for Eldonna Janutolo, Johnson City Transit
Glenn Rosenoff, Town of Jonesborough
Tyler Williams, Town of Unicoi
Doug Jones for Washington County Highway Department
Troy Ebbert, Tennessee Department of Transportation (TDOT)

Executive Staff Not Present

Chase Milner, First Tennessee Development District
Shannon Burchett, Carter County Highway Department
Federal Highway Administration (FHWA)
Federal Transit Administration (FTA)

MTPO Staff Present

Glenn Berry, Johnson City MTPO

Others Attending

The Honorable Tim Hicks, State Representative
John Barrett, TDOT
Randy Busler, TDOT
Michelle Christian, TDOT OCT
Michael Dick, TDOT
James Rosen, TDOT District 17
Ronda Sawyer, TDOT OCT
Tracie Widner, TDOT
Jason Miles, City of Johnson City

Anthony Todd, City of Johnson City
Dustin Thompson, City of Johnson City
John Steadman, City of Johnson City
Tim Dougherty, NET Trans
John Dockery, TCHOA
Tyler Gillenwater, Bristol MPO
Nick Vaness, Mattern and Craig
Danny Sells, Citizen of Gray

Summary of Motions:

- **Approved** – Minutes from November 8, 2023 meeting;
- **Approved** – Resolution 2024-01 to self-certify the metropolitan transportation planning process for the Johnson City MTPO that must accompany an amendment to the Transportation Improvement Program (TIP);
- **Approved** – Resolution 2024-02 amending the Fiscal Years 2023-2026 Transportation Improvement Program (TIP) by amending the Old Gray Station Road Project to add a total of \$875,000, of which \$700,000 is Congressional Earmark DEMO funds and \$175,000 is local match, in Fiscal Year 2025 for the PE-N and PE-D phases, move the ROW phase to Fiscal Year 2025, move the CONST phase to Fiscal Year 2026, and reduce the scope;
- **Approved** – Resolution 2024-03 amending the Fiscal Years 2023-2026 Transportation Improvement Program (TIP) by adding the Knob Creek Road Extension – Section 1 project into the TIP and add \$850,000 (\$680,000 Federal and \$170,000 Local Match) to the PE-D phase in Fiscal Year 2024; and
- **Approved** – Resolution 2024-04 amending the Fiscal Years 2024-2025 Unified Planning Work Program (UPWP) to add a new Task IV for Special Studies, with a subtask for the State Route 75 Corridor Study.

Call to Order: Meeting called to order at 10:00 a.m. by the Chairman, Mr. Randy Trivette, representing the Honorable Mayor Dr. Todd Fowler.

Agenda Item 1: Chairman Mr. Trivette welcomed everyone to the meeting and asked if there was any input from the public. There were no comments from the public.

Agenda Item 2: Chairman Mr. Trivette moved to Item 2, to approve the minutes from the November 8, 2023 Meeting.

The Honorable Mayor Jeff Broyles made a motion for the board to approve the minutes of the November 8, 2023 Meeting. Mr. Troy Ebbert seconded the motion.

All approved. **Motion carried.**

Agenda Item 3: Chairman Mr. Trivette moved to Item 3, to consider approval of a resolution to self-certify the metropolitan transportation planning process for the Johnson City MTPO that must accompany an amendment to the Transportation Improvement Program (TIP).

Mr. Berry explained federal law allows small urban MPOs, with a population under 200,000 to “self-certify” that they meet all federal planning requirements and federal law in carrying out the MPO program. Whereas large urban area MPOs with a population of 200,000 and over go through a federal review process by FHWA and FTA.

Mr. Trivette asked if TDOT or anyone ever reviewed the self-certification process. Mr. Berry stated yes and that one had recently been completed before the current TIP was adopted. He stated the process is referred to as a Planning Status Review and is led by TDOT Office of Community Transportation (OCT) staff, with FHWA and FTA invited to attend. He went on to say the MPO is sent a set of questions from TDOT to answer beforehand, then TDOT, FHWA and FTA conduct an onsite interview with the MPO. He noted FHWA and FTA usually join by conference call. Mr. Ebbert stated they conducted the Planning Status Review approximately every 3 to 4 years.

Mr. Ebbert made a motion for the board to approve to self-certify the metropolitan transportation planning process for the Johnson City MTPO that must accompany an amendment to the Transportation Improvement Program (TIP). Mr. Glenn Rosenoff seconded the motion.

All approved. **Motion carried.**

Agenda Item 4: Chairman Mr. Trivette moved to Item 4, to consider approval of a resolution to amend the Fiscal Years 2023-2026 Transportation Improvement Program (TIP) by amending the Old Gray Station Road Project to add a total of \$875,000, of which \$700,000 is Congressional Earmark DEMO funds and \$175,000 is local match, in Fiscal Year 2025 for the PE-N and PE-D phases, move the ROW phase to Fiscal Year 2025, move the CONST phase to Fiscal Year 2026, and reduce the scope.

Mr. Berry explained there is a Congressional Earmark of \$700,000 for this project that needs to be amended into the TIP. Mr. Trivette asked about the other \$1 million that was also received in another earmark. Mr. Berry answered that earmark was for section 2 of Old Gray Station Road to Boones Creek Road. This earmark was awarded through HUD by the decision of Congressman Harshbarger’s office. Mr. Berry stated he did not find out about this until after it was awarded. He explained congressional

earmarks are for specific locations and projects and for that money to be used at another location would literally take an “Act of Congress.” Mr. Berry informed the member that a safety study was conducted by FHWA Washington D.C. for Washington County. In that study, section 2 of Old Gray Station Road was identified as needing safety improvement and this was the driving force behind the \$1 million congressional earmark for that section.

Mr. Berry went on to explain the estimates for section 1 of Old Gray Station Road Improvements had previously included additional work along SR 75 and the estimates were reaching almost \$18 million. He stated while the additional improvements on SR 75 would be nice, the MTPO did not have the funding. The project had to be scaled back to address the original problem of congestion, turning movements, access, and traffic signal issues on SR 75 to improve safety. Mr. Berry stated as this project moved through the engineering and right of way phase, a better construction estimate would be provided by Johnson City and the TIP could be amended if needed and add funds, if available.

Once this amendment is approved by TDOT and FHWA, the City of Johnson City will need to contact Local Programs to initiate the project and make it active.

Mr. Rosenoff made a motion for the board to amend the Fiscal Years 2023-2026 Transportation Improvement Program (TIP) the Old Gray Station Road Project to add a total of \$875,000, of which \$700,000 is Congressional Earmark DEMO funds and \$175,000 is local match, in Fiscal Year 2025 for the PE-N and PE-D phases, move the ROW phase to Fiscal Year 2025, move the CONST phase to Fiscal Year 2026, and reduce the scope. The Honorable Mayor Joe Grandy seconded the motion.

All approved. **Motion carried.**

Agenda Item 5: Chairman Mr. Trivette moved to Item 5, to consider approval of a resolution to amend the Fiscal Years 2023-2026 Transportation Improvement Program (TIP) by adding the Knob Creek Road Extension – Section 1 project into the TIP and add \$850,000 (\$680,000 Federal and \$170,000 Local Match) to the PE-D phase in Fiscal Year 2024.

Mr. Berry explained that TDOT staff requested additional PE-D funds to continue working with Johnson City to get this project ready for construction. These funds would be used to conduct work TDOT deemed necessary to review and update any necessary engineering tasks for the project to go to construction. The date to go to bid is targeted for December 2026.

He then turned over the discussion to Mr. John Barrett, TDOT Region I, who stated Mr. Berry had asked him and his staff to come up with an estimate for the additional work TDOT deemed necessary. Mr. Barrett stated he and Ms. Tracie Widner asked the various operational units at TDOT to come up with a cost estimate to complete the engineering. He further stated that while it is often referred to as “preliminary engineering,” the engineering process goes all the way through construction. After he received the cost estimate from his team members, he also checked with the Program and Operations Division at TDOT Headquarters to provide him with an estimate using a different methodology. Both estimates from the two different methods were very close and he felt the amount being added to the TIP would be adequate. He stated the reason for the estimate was, at this point in the project, more accurate estimates were needed to satisfy FHWA. And that we could not just add an arbitrary amount to the project. Mr. Berry concurred. Mr. Barrett stated this project is in stage 2 and even into stage 3, in TDOT’s IPD process and is comfortable with this amount that is being amended into the TIP.

The state plans to eventually continue the improvements on Knob Creek Road all the way to Boones Creek Road, but this section was not included in the 10-Year Plan, but it is in the State of Tennessee's IMPROVE Act. This project could potentially be move forward if funding becomes available. Mr. Berry noted this section does have a congressional earmark in the amount of \$2,000,000 to the state of Tennessee.

Mayor Grandy made a motion for the board to approve the resolution to amend the Fiscal Years 2023-2026 Transportation Improvement Program (TIP) by adding the Knob Creek Road Extension – Section 1 project into the TIP and add \$850,000 (\$680,000 Federal and \$170,000 Local Match) to the PE-D phase in Fiscal Year 2024. Mr. John Deakins Jr. seconded the motion.

All approved. **Motion carried.**

Agenda Item 6: Chairman Mr. Trivette moved to Item 6, to consider approval of a resolution to amend the Fiscal Years 2024-2025 Unified Planning Work Program to add a new Task IV for Special Studies, with a subtask for the State Route 75 Corridor Study.

Mr. Berry went over the changes that are proposed to the Unified Planning Work Program (UPWP). He stated that many of the members know Johnson City applied for a transportation planning grant for the SR 75 Corridor in Gray but did not receive it. He pointed out the City of Elizabethton did receive a grant from this round. He asked Mr. Rich DesGroseilliers about the grant award. He stated the grant was for a traffic system management and operations study along the corridor of US 321 and US 19, Elk Avenue and Broad Street, then down Veterans Parkway, and for traffic signal optimization.

Mr. Berry then stated that since Johnson City did not receive the grant, the MTPO would be conducting the study. This study will cover the State Route 75 Corridor from I-26 to Hugh Cox Road. He stated it is vital to conduct this study now for the future of anticipated growth. He pointed out that this study does not replace the traffic signal warrant studies that have been conducted by Johnson City at specific intersections. This study will take a longer term look at that area and lay the groundwork for future improvements needed. Mr. Berry noted this is one of the larger growth areas of Washington County / Johnson City and the entire MTPO region. Mr. Berry said current improvements are in the works for known issues, while the study will identify other improvements that are needed. Mr. Deakins asked how long the study will take and Mr. Berry answered about a year. Mr. Berry said the MTPO would be hiring a consultant to assist in the development of the study. He stated the amendment to the UPWP had been reviewed by TDOT and FHWA prior to presenting it to the Board for consideration. Mr. Ebbert asked if the MTPO would be using TDOT's on call consultant. Mr. Berry stated they would not and the MTPO would be doing the solicitation through their process as they have with other studies or plans.

Mr. Deakins made a motion for the board to approve the resolution to amend the Fiscal Years 2024-2025 Unified Planning Work Program to add a new Task IV for Special Studies, with a subtask for the State Route 75 Corridor Study. Mr. Ebbert seconded the motion.

All approved. **Motion carried.**

Agenda Item 7: Chairman Mr. Trivette moved to Item 7, discussion on using Surface Transportation Block Grant funds (STBG)-L funds for paving projects.

Board Member Mayor Jeff Broyles requested this item to be on the agenda and he wanted to discuss with the Board to potentially use STBG funds for repaving projects. Mr. Berry invited Mr. Randy Busler with

TDOT, who is an expert on resurfacing for the state, to attend the meeting and provide advice and guidance. Mr. Busler stated such projects will need to be locally managed, since they are not on state routes. This would mean the project would go through the Local Programs process at TDOT.

Mayor Broyles then proceeded to described three major roads of concern in Bluff City – Lakeview Drive, Weaver Branch Road, and Old Elizabethton Hwy. The roads around Bluff City Elementary School are also in need of improvement, but he realized those around the school would not be eligible for federal funds.

Mr. Trivette asked Mr. Berry what was the history surrounding a vote on not using funds for repaving. Mr. Berry explained that in the past, the Board chose to use their funds for major capital projects, primarily Knob Creek Road, but also traffic signals which were funded at 100% federal. Mr. Berry said he and Mayor Broyles asked Local Programs for guidance but they didn't really have any answers for him. He did note that Local Programs is undergoing a major reorganization and many of the staff were not engineers and were new. That is why he asked Mr. Busler to attend the meeting. Mr. Busler listed several items to keep in mind when using federal funds. There is a need for NEPA approvals, permitting, and processing. Using Federal dollars comes with more requirements, such as upgrades to meet the ADA. There is also the right-of-way process that can take 6 to 8 months. Costs will be much more than a city doing a general repaving project.

Mr. Trivette stated he thought the MTPO should consider the use of the funds for repaving projects. He asked what was the match on resurfacing. Mr. Berry stated it was 20%. Only signals and roundabouts are 100%. Mr. Trivette also asked Mayor Broyles if the proposed projects could be spread out over time, as the MTPO only has so much money. Mayor Broyles said yes, that the immediate need is the area around the school.

Mr. Deakins asked if the installation of sidewalks is required for repaving projects. Mr. Busler said if a sidewalk is already present, then the ramps will need to be upgraded. If there is no sidewalk present, then there is no requirement to add one.

Mr. Trivette requested that Mayor Broyles come back to the board after he prepared an estimate that included all phases of the project, including engineering. Mr. Ebbert stated Bluff City may be required to have an Engineer on staff at Bluff City to manage this project. He stated Mayor Broyles should check with Local Programs for their decision. Mr. Berry agreed this was a good approach.

Agenda Item 8: Chairman Mr. Trivette moved to Item 8, an update on projects.

Mr. Berry gave a presentation on the status of TDOT and its current status as it implements its Empowering People Improving Culture (EPIC) reorganization process for Local Programs. During the presentation he stated many of the jurisdictions, elected local officials, and state officials had been asking for improvements to Local Programs. He recalled the first sign of the changes was noted this time last year when Deputy Commissioner Preston Elliot stated "big changes were coming to Local Programs, but I can't give you the details now." Finally, a year later, TDOT has identified the structure of those changes.

The Local Programs office as we knew it is gone. It is now the Division of Local Programs and Community Investments, under the Direction of Mr. Steve Allen. Mr. Berry went on to note Director Allen has been with TDOT for 47 years and has a reputation of getting projects done. He strongly supports his staff and expects them to deliver. Mr. Berry noted he has had several discussions with Mr. Allen. Mr. Allen has stated he wants to identify issues, fix them, and move on. At this time, Steve has only been in his new

role for a little over 7 weeks and does not have a full staff just yet. He has positions, just not all of these are filled. Some of his staff will be coming from his old office of Strategic Investments, some will be from existing Local Program staff, but there are a lot of positions to fill. There will also be engineers added to the roster of Local Programs. Mr. Berry ended the section on reorganization of Local Programs and Community Investments by saying for the first time in over 15 years he feels optimistic about Local Programs, but it will take time.

Next Mr. Berry also gave an update on each of the projects that are currently in the TIP. He noted the projects that did not have TDOT Project Identification Numbers or "PINS" had not been initiated by the local jurisdictions. He also noted the MTPo lost over \$600,000 in federal funds due to the fact that these funds could not be federally obligated and during a previous budget agreement at the Congressional Level any unobligated Highway Infrastructure Programs - Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (HIP-CRRSAA) were rescinded. He noted Elizabethton had also lost old Transportation Enhancement funds due to a project dating back 20 plus years. He stated Mr. Rich DesGroseilliers has just taken the position of Planning Director for Elizabethton and is working hard to get the older projects in Elizabethton completed and off the books, which includes an old Safe Routes to School grant and Elizabethton's ADA Transition Plan.

Next Mr. Berry noted a potential project the Town of Jonesborough was considering, a roundabout at the intersection of SR 354 (Boones Creek Road) and Parsons Circle. Mr. Glenn Rosenoff stated the town of Jonesborough is looking at providing better access to their new school by constructing a new road that would tie in and improve Parsons Circle and potentially install a roundabout at the intersection of SR 354. He informed the board the town was coordinating with TDOT Region 1 on the potential roundabout. Mr. Berry thanked Mr. Rosenoff for coordinating with TDOT on the front end of this potential project to see if it was feasible. Mr. Rosenoff said once the feasibility / warrant analysis was approved, the town would be coming back to the MTPo for funding of the roundabout. The planning estimate for the roundabout is currently just over \$2 million using 2024 as the base year for the estimate. As time goes on this price could increase.

That brought Mr. Berry to his next point of clarification to the Board members. Mr. Berry stated having federal funds in the Transportation Improvement Program (TIP) does not protect them. It is only the first step. Federal funds are not protected until they are federally obligated by FHWA at the request of TDOT. And that request is done by the phases that are in the TIP.

Next Mr. Berry stated a larger issue facing all states with federal transportation funds is a discrepancy has been identified with in two systems used to track transportation funds at the U.S. Department of Transportation, FMIS and DELPHI. FMIS is used by FHWA to track federal obligations. It is not an accounting program and not audited. DELPHI is the overall accounting system for U.S. Department of Transportation and is audited. The discrepancy between the two systems is a little over \$1 billion. Depending upon the outcome of resolving this issue all states could lose funding.

And finally, Mr. Berry informed the Board members about a recent call from the leadership at TDOT which included Deputy Governor Butch Eley, Chief of Staff Steve Townsend, Deputy Commissioner Joe Galbato, Deputy Commissioner Will Reid, Deputy Commissioner Preston Elliot, and all MPOs Directors. He stated in his entire career there has never been a call like this. He along with others were informed on the call the state of Tennessee is at the top of the list for unobligated federal funds for transportation, which is not a good place to be. TDOT is in the process of asking for additional highway transportation funds for the state during what is called the "August Redistribution." When the State approached FHWA for

additional federal funds for the August redistribution from FHWA in Washington D. C., FHWA stated Tennessee's chance of receiving additional funds was low since they had such a high balance of unobligated funds. The state was basically told before asking for additional funds you need to spend down your balances. Due to this situation, the state is working with the large MPOs with high balances of Surface Transportation Block Grant (STBG) funds to get a portion of those funds federally obligated. TDOT will be approaching the "Big Four" Nashville, Memphis, Knoxville, Chattanooga first, but they will be coming to the small MPOs in the future to address issues of unobligated balances. Due to the state's high balance of unobligated STBG funds, they are reaching a point where they can no longer protect older STBG funds allocated to the MPOs. While the state is not there yet, they do see it on the horizon in the next few years and that it is imperative we all work together to have these funds obligated.

With all of this said, Mr. Berry offered suggestions for the members to consider when it relates to projects.

- Make sure you have the staff and the time to dedicate to these projects;
- If you are using an outside consultant, make sure these are a PRIORITY with them. Keep them moving; and
- If you have an issue with Local Programs & Community Investments and they have not responded to you in a week on a major question, send Director Steve Allen an email to let him know.

Agenda Item 9: Chairman Mr. Trivette moved to Item 9, Other Business.

Mr. Berry revealed to the Board a new website that was redesigned for the Johnson City MTPO and is operational. He let the Board members know this was a project managed by Ms. Mary Butler. Over the past 10 plus years, Ms. Butler had re-designed and maintained the MTPO's website by herself. However, due to the ever-changing technology and increasing technical knowledge needed to administer the website the MTPO needed technical support. As such the MTPO procured a firm to redesign and maintain the technical aspects of the website under the direction of Ms. Butler. The MTPO staff has the capabilities to update the content of the website, but the technical and hosting support will be done by the vendor. Mr. Berry stated he was very pleased with the final product and it would go live on Friday, August 9, 2024.

Next Mr. Ebbert announced the next round for the Statewide Partnership Program has been released and that the deadline to submit an application to the program is August 30, 2024. If a project intersects with a state route and local money has been spent on it, it would be a good potential project. Mr. Ebbert suggested submitting one potential project, the Old Gray Station Road project, if they need additional funds.

Mayor Grandy asked if they could submit the Knob Creek Road, Section 2 that was not currently in the TMA. Mr. Berry stated yes but to keep in mind that section is currently a state project and that this is a cost sharing program. As such TDOT would expect the local jurisdiction to provide funding in a partnership with the state of Tennessee. Mr. Berry asked if a project is in the IMPROVE Act, how does that relate to the 10-Year Plan. Mr. Ebbert said it is still a priority with the state, it just hasn't yet been funded. Mr. Ebbert suggested that if local money were put in, that can help it make it into the 10-Year Plan. Mr. Berry stated other federal grant funds could also be pursued.

The Honorable Tim Hicks stated that there is a big push to work on roadways in Tennessee, but people understand that Tennessee does not have enough money to fund everything. He stated they were trying to come up with additional funds in any way possible.

Adjourn: There being no further business, Chairman Mr. Trivette thanked everyone for attending the meeting. Meeting adjourned at 12:04 p.m.