

1 TRANSPORTATION POLICY BOARD  
2 SHERMAN-DENISON MPO  
3 City of Sherman  
4 Council Chambers  
5 November 18, 2009 9:00 a.m.  
6

7 Members Present: Mayor Bill Magers (City of Sherman), Mayor Frank Budra (City of  
8 Pottsboro), Bobby Littlefield (TxDOT), Gene Short (Grayson County)  
9

10 Members Absent: Robert Brady (City of Sherman)  
11

12 Non-Voting

13 Members Present: Mike Shahan (North Texas Regional Airport)  
14

15 Staff Present: Robert Wood, Wally Johnson  
16

17 Guests Present: Jeff Miller (City of Sherman), Noel Paramanthanam (TxDOT), Kevin  
18 Farley (City of Pottsboro), Kathy Williams (Herald Democrat), Tom  
19 Speakman (City of Denison), Fred Marquez (TxDOT), Peggy Shelley  
20 (TCOG – 911), Chris Schmitt (TNP), Barbara Maley (FHWA), Jerdy Gary  
21 (GCRMA), Ruth Ann Collins (Mayor - City of VanAlstyne), Bill  
22 Harrington (VanAlstyne), David Dryden (TNP), David Selman (TxDOT),  
23 Don Keene (City of Sherman), Lorie Hart  
24

25 **I. Call to Order -**  
26

27 Chairman Bill Magers called the meeting to order at 9:05 a.m.  
28

29 **II. Acknowledgment of Quorum by Chairman -**  
30

31 Chairman Magers declared a quorum of the TPB present.  
32

33 *Before moving on to the next agenda item, Bobby Littlefield asked if he could introduce the new*  
34 *TxDOT Area Engineer - David Selman.*  
35

36 **III. Approval of Minutes –**  
37

38 Motion was mad by Bobby Littlefield, seconded by Gene Short to approve the August 6, 2009  
39 TPB minutes. Motion passed unanimously.  
40

41 **IV. Approval of the 2035 Metropolitan Transportation Plan –**  
42

43 Chairman Magers asked board members to turn to page 56 of the draft 2035 Metropolitan  
44 Transportation Plan (MTP) and invited Mr. Johnson to begin his presentation. Mr. Johnson  
45 started by saying that the destination in the process which began over 18 months ago was to be

1 reached at the meeting this morning. The process began with meetings including TxDOT, board  
2 members, other officials reviewing draft proposals and ultimately a draft MTP. The document  
3 is updated every five years in accordance with federal planning rules for attainment areas. It  
4 covers long and short range strategies. It was developed cooperatively with state and federal  
5 officials. The plan elements considered assumptions from the US Census Bureau, Texas State  
6 Data Center as well as other resources and staff input for demographic changes, employment,  
7 environmental issues, freight, air, public transportation as well as other areas. MPO worked  
8 cooperatively with TxDOT on system preservation information, fiscal constraint, project specific  
9 information, etc. Numerous meetings were held between February and August 2009. The final  
10 step will be for the board to approve it prior to December 1, 2009, the date the current MTP  
11 expires. Chairman Majers asked, "Is the reason the FM 691 project is not on the list because it  
12 has already been let?" Mr. Johnson responded affirmatively. At this point the chairman asked  
13 Mr. Littlefield about the funding for the first and second projects on the new MTP. Mr.  
14 Littlefield stated that on the ramp reversal project, the engineering is completed. TxDOT has  
15 backlog projects waiting for funding. Most of the stimulus projects have been let.  
16 Commissioner Short asked if the information provided by the airport director had been included  
17 in the draft document before them. Mr. Johnson stated that the update was in a separate handout  
18 the board had at their desk this morning. Chairman Short made a motion to approve the draft  
19 2035 MTP. The motion was seconded by Mayor Budra. Motion passed unanimously.

20  
21 *Chairman Magers asked if items V & VI could be combined since they are 'information items'*  
22 *and deal with the same subject. Mr. Johnson stated that it could be done.*  
23

24 **V. Presentation of the Annual Project Listing – VI. Environmental Justice Projects -**

25  
26 Mr. Johnson stated that the listing of projects is a SAFETEA-LU requirement which states that  
27 the list of projects should be submitted to TxDOT by December 31<sup>st</sup> of each year. It should  
28 include both highway and transit projects that received federal funding the previous year. The  
29 listing should be compiled in conjunction with the TxDOT District Office and Transit Providers.  
30 The purpose of this list is to update the public and everyone involved in the planning process on  
31 the projects that are being funded within the MPO study area. The list is to be posted on the  
32 mpo's web site.  
33

34 The breakdown of the project summary included:

35  
36 FHWA Total

37	• 1 Preventive Maintenance, 6 Structure (Bridges)	\$5,969,425
38	• 3 Urban Mobility 10 Miscellaneous	\$6,555,183
39	• 6 Structure (Bridges)	\$146,261
40	• 1 Preventive Maintenance	\$12,232,930
41	• Local	\$21,874,400
42	Total	\$46,778,199

43  
44  
45

46 FTA Total

- 1 • Planning \$32,937
- 2 • Operations \$550,168
- 3 • Capital \$166,907
- 4 Total \$750,012

5  
 6 Commissioner Short asked of the ‘Local’ category was SH 289. Mr. Johnson said it was and that  
 7 all projects were listed individually in the attached pages.

8  
 9 The Environmental Justice projects portion of the agenda is designed to promote equal treatment  
 10 for low-income and minority groups in the transportation planning process. The summary of this  
 11 list included: 8 projects of which two (25.0%) were in the Minority Block Groups, zero projects  
 12 in the Low-Income Block Groups, one project (12.5%) in the Block Group that are both Minority  
 13 and Low-Income. The total environmental justice projects were three or 37.5%. Mr. Johnson  
 14 explained that in the document matrix the projects do not equal the sum of all categories because  
 15 it is possible for a project to cross multiple block groups and be represented in two categories.

16  
 17 **VII. Enhancement Projects -**

18  
 19 Chairman Magers opened the item with an explanation to the audience on what the  
 20 ‘Enhancement Program’ covers. He stated that this program addresses non-traditional  
 21 transportation projects such as walking trails, biking trails, improvement of existing pedestrian  
 22 facilities. The packet would need a letter of support from the MPO stating that if approved, it  
 23 would be added to the Transportation Improvement Program (TIP). Mr. Johnson stated that if  
 24 more than one project is submitted, the MPO could rank these before February 15, 2010. The  
 25 Chairman commented that it would be more efficient if the MPO reviewed the projects for  
 26 approval. Mr. Johnson commented that the way the board would be involved is if there was  
 27 more than one project and rank them. After a few comments from board members, Mr. Wood  
 28 suggested he would write a letter asking for clarification. Mr. Paramantham commented that to  
 29 his “understanding of the project, it depends on the cost of the project and its relevance to public  
 30 transportation. The greater the relevance to public transportation the higher the chances it will be  
 31 selected.” The Chairman said he understood. However, the MPO being the planning body  
 32 should make those decisions. Mr. Littlefield commented that “these aren’t true mobility  
 33 projects”. Mr. Johnson stated that the information he was presenting to the board was based on  
 34 information provided by Austin. Mayor Budra commented that “it is their money, we are  
 35 submitting projects for their approval it would come back to us for information purposes more  
 36 than anything else.” Mr. Wood stated that he would write a letter. Chairman Magers again  
 37 commented “this board is the local planning organization...should rate the projects”. Mayor  
 38 Budra made a motion to include a letter of support from any entity requesting it. The motion  
 39 was seconded by Commissioner Short. Motion passed unanimously.

40  
 41 **VIII. Ethics By-Laws -**

42  
 43 Mr. Johnson began by stating that the 81<sup>st</sup> Legislature enacted S.B. 585 relating to standards of  
 44 conduct and ethics for metropolitan planning organizations. The code applies to both board  
 45 members and MPO employees. It requires that the MPO adopt an ethics policy by January 1,  
 46 2010.

1  
2 A draft amendment to the MPO bylaws under Article I was presented to the board as follows:  
3

4 **Code of Ethics**  
5

6 *The Sherman-Denison MPO Policy Board shall adopt an Ethics Policy applicable*  
7 *to the Sherman-Denison Policy Board and Technical Committee and employees*  
8 *representing the Sherman-Denison MPO. Each new employee or official*  
9 *representing the Sherman-Denison MPO shall receive a copy of the Ethics Policy*  
10 *no later than the third business day after the date the person begins employment*  
11 *or the person qualifies for office. Sherman-Denison staff shall keep a record of*  
12 *the Ethics Policy distribution method.*  
13

14 In addition to the amendment in the by-laws, all board members were asked to sign the ethics  
15 policy document before the end of the meeting.  
16

17 After a few questions for clarifications Chairman Magers asked for a motion to accept the  
18 amendment to the by-laws. Bobby Littlefield made a motion. It was seconded by Mayor Budra.  
19 Motion passed unanimously.  
20

21 **IX. NEPassit Contract -**  
22

23 Mr. Johnson began the presentation by explaining what NEPassit was. It is a web-based  
24 application that draws environmental data from EPA's GIS databases. It enables scoping notices  
25 sent to EPA for comment. It is a helpful tool used in reviewing projects for inclusion in planning  
26 documents. Since the web site contains sensitive data, it must be limited to authorized  
27 individuals thus the need for a contract which includes a resolution by the MPO. Bobby  
28 Littlefield made a motion to approve the resolution and the signing of the contract. It was  
29 seconded by Gene Short. Motion passed unanimously.  
30

31 **X. Pictometry -**  
32

33 Chairman Magers began the discussion by stating that as a board we should not be funding this  
34 but would listen to comments. At this point Mayor Budra presented his findings which he  
35 arrived at after some research. A number of the members are funding 'different things in  
36 different ways and it seems we are all funding the same thing in different things different ways.  
37 We are all paying some money to the appraisal district. The appraisal district is using some of  
38 our funds to pay for Pictometry. Originally there was some concern that we were funding that  
39 was in the five (*meant three*) county area which would be illegal under federal law. That has  
40 been taken care of. The end result of my investigation was cities shouldn't fund something that  
41 is already funded through another entity. It seems almost like double dipping. My conclusion is  
42 that we (cities) are already paying some monies in other ways toward Pictometry through our  
43 appraisal district.' Mr. Wood stated that he agreed with Mayor Budra's assessment. At that point  
44 he introduced Ms. Shelly, 911 program manager at TCOG. Ms. Shelly stated that the appraisal  
45 district was still in talks with Pictometry. There is still no talk as to whether the appraisal district  
46 will purchase any part of it. If they don't then the 911 program is in agreement to purchase the

1 entire region. If the appraisal district does enter into an agreement with Pictometry, what they  
2 purchase will be subtracted from TCOG's purchase so there is no duplication. Chairman Magers  
3 stated that it was 'silly at the end of the day for Grayson County, for Denison, for Pottsboro, for  
4 Sherman, for the COG and for the appraisal district not to be working together. Have one source  
5 for Pictometry and if the city of Sherman wants to (*whatever elevation*), I would just encourage  
6 the COG and the appraisal district or whoever to get together and figure this thing out to save the  
7 taxpayers' dollars. At the end of the day it is the taxpayers that are footing this bill. Ms. Shelly  
8 stated 'we do this now. We came to the MPO at the instruction of the TCOG 911 advisory  
9 committee who told us to seek contribution of funding from other resources such as the MPO. I  
10 will go back with your decision and hopefully not be instructed to come again next year.'  
11 Commissioner Short asked "We will have access for Pictometry for the whole county at no  
12 charge right? Ms. Shelly said yes. You will have a web based hosting option. You will have  
13 much more tools and resources. Chairman Magers asked Mayor Budra "we (cities) pay the  
14 appraisal district some sum for Pictometry?" Mayor Budra stated that they (appraisal district)  
15 needs it desperately. I don't see any way the appraisal district is not going to renew that  
16 contract." Commissioner Short stated that they (appraisal district) does not buy the whole  
17 county, they buy sections of the county. That portion that they buy, Peggy is not going to buy.  
18 We are going to be able to use that portion. We are not duplicating. He stated that the monies  
19 that are being spent for the TCOG 911 are coming from the state 911 funds. Ms. Shelly  
20 responded affirmatively. Out of Cook, Grayson and Fannin Counties excluding the cities of  
21 Sherman and Denison. Their 911 funds are not part of the TCOG 911 fund.

22  
23 Chairman Magers asked if there were more discussion to take action, Commissioner Short said  
24 there should be no action.

25  
26 That concluded the Pictometry discussion.

## 27 28 **XI. TxDOT's 2011 2015 Strategic Plan -**

29  
30 Mr. Littlefield took the floor and presented (PowerPoint) the board with the TxDOT Strategic  
31 Plan for 2011 – 2015. He stated that this was being done with both internal and external  
32 customers. The MPO being an external partner with TxDOT. He distributed a brochure and  
33 asked board members as well as MPO staff to fill out the form either via regular mail or via  
34 TxDOT's web site.

35  
36 TxDOT is undertaking a renewed strategic planning process to develop new, measurable and  
37 attainable goals for inclusion in its 2011-2015 Strategic Plan. Part of the process includes  
38 seeking internal and external feedback. TxDOT needs input from all users of Texas  
39 transportation.

40  
41 No action was taken on this item. It was for informational purposes only.

## 42 43 **XII. Metropolitan Planning (PL) Funding -**

44  
45 Mr. Wood took the floor and gave some history on the funding issues for the MPO. He briefly  
46 talked about the housing costs associated with being at TCOG. At that time the board asked the

1 staff at the possibility of looking at a different fiscal agent. At that time there were serious  
2 discussions with the Texoma Area Paratransit System (TAPS). However, TAPS ran into some  
3 financial difficulties and the decision was tabled at TxDOT's district engineer's request.  
4

5 Today, because of the rescission of funds in 2009, congress decided to operate via a continuing  
6 resolution through December 18, 2009. That funding level for planning is 30% less. Therefore,  
7 staff is requesting that it be reauthorized to continue to study options on a fiscal agent in order to  
8 save money for overhead for the MPO.  
9

10 We are spending between \$40,000 and \$45,500 now for overhead. TCOG is currently looking at  
11 their overhead rate because of some discussion as to how it is calculated. Commissioner Short  
12 commented that at the Thursday (11/12/09) night meeting at TCOG there is an agenda item to  
13 lower the overhead rate for everyone. Mr. Wood asked to be given permission to renegotiate  
14 rates with different agencies. Not being incorporated, the MPO has to belong to somebody for  
15 workers comp, salary, paying bills, etc. There would be a need for the fiscal agent to 'float these  
16 bills' being that the MPO is reimbursed for expenses incurred. It can be a city, a county or a  
17 college. The FHWA did request that it be a governmental agency because of auditing purposes.  
18

19 Commissioner Short reiterated that it does not hurt to look at other options. Chairman Magers  
20 asked for clarification for 'overhead'. He asked 'is this room and board and administrative  
21 support as well as the ability to float expenses?'. He also asked if since previously TAPS had  
22 been considered, did they have the ability to float these expenses. Mr. Wood stated that they  
23 (TAPS) thought they could. He said that he would dig deeper to make sure they can.  
24

25 Chairman Magers ask 'What kind of money are you spending now? What kind of savings are  
26 we talking about?' Mr. Wood stated that TCOG charges \$45,000; TAPS says they can do this  
27 for \$20,000. He stated that he canvassed other MPO's during a TEMPO meeting. Some of the  
28 MPOs get everything free. Other agencies handle their own. Some are independent. He stated  
29 that he has not seen an MPO that pays as much as we do on a percentage basis. Chairman Short  
30 asked if the designated recipient for FTA funds had been finally moved to TAPS. Mr. Wood  
31 stated that all that needs to be done to finalize the change is FTA's approval.  
32

33 The Chairman asked if Mr. Wood needed a motion. Mr. Wood stated that he needed  
34 authorization to start looking at options. He stated that if these continuing resolutions such as the  
35 one being proposed for 18 months continue with a reduction in funds, every penny is going to  
36 start counting.  
37

38 Chairman Short asked Mr. Wood to explain what all the costs are. Mr. Wood explained that  
39 TCOG breaks their cost down to indirect admin and indirect facilities. The facilities pays for our  
40 cubicles, electricity and heat. The MPO pays for its own internet, paper, printers, long distance,  
41 etc. The admin part pays workers comp, salaries. Health insurance is part of the benefits that is  
42 not part of the float. The Chairman said that the key issue is how much money is in float. Mr.  
43 Wood said we (MPO) need at least two months of float because there is always a delay.  
44 Chairman Short asked about the benefits. Mr. Wood stated that the benefits would change for  
45 the staff because we would become an employee of some other organization. Chairman Short  
46 asked "Is that a problem?" Mr. Wood said it would be a problem because the staff has been here

1 a while. We have accumulated sick leave and things like that. There would be some detriment  
2 in changing to another fiscal agent. We would lose sick leave as an example. We could have a  
3 short term health care until we have accumulated some leave at the new entity. Chairman Short  
4 stated that they (TCOG) have to carry health insurance on you and are they (TCOG) are charging  
5 us for health insurance for Mr. Wood while he (Mr. Wood) has health insurance somewhere  
6 else. Mr. Wood responded affirmatively. Is that an expense we don't need? How much are  
7 they charging? Chairman Short asked, 'is that an expense we don't need?' That is \$300 or \$400  
8 hundred per month.

9  
10 At that point Commissioner Short made a motion to authorize staff to at ways to lower the fixed  
11 costs so we can reduce the overhead expenses. The motion was seconded by Mayor Budra.  
12 Motion passed unanimously.

13  
14 **XII Public Comment –**

15  
16 Bobby Littlefield asked if he could recognize Fred Marquez, the new TxDOT rep replacing  
17 Diane Lann who retired in August. He also recognized Jerdy Gary, Chairman of the RMA.  
18 Commissioner Short said that SH 289 is coming along really fine and we should be able to open  
19 around the first of the month (December 1<sup>st</sup>).

20  
21 Commissioner Short asked how the advanced engineering coming on the tollway. Mr. Littlefield  
22 stated that TxDOT has put together at consultant selection team. There are twenty submittals.  
23 There is a short list of four and will be accepting formal proposals for the interview process over  
24 the next few weeks. There will probably be a consultant selected by February 1<sup>st</sup>, 2010.

25  
26 Bob Wood acknowledged the presence of our FHWA rep Ms. Barbara Maley.

27  
28 Chairman Magers adjourned the meeting at 10:11 am.