



## EVANSVILLE METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE MINUTES

Regular meeting held at 4:00 p.m. in Room 301  
Civic Center Complex – Administration Building  
Evansville, Indiana

November 3, 2016

The following are minutes and not intended to be a verbatim transcript. An audio version of the proceedings can be heard or viewed on our website at [www.evansvillempo.com](http://www.evansvillempo.com).

### ROLL CALL

#### Members Present (voting):

Jack Corn, Mayor Lloyd Winnecke, Stephen Melcher, Barry Russell, Angela Koehler Lindsey, William Hubiak, Russell Sights, Christy Powell, Rusty Fowler, Wade Clements

#### Members Absent (voting):

Dr. H. Dan Adams, Todd Robertson, Richard Reid

#### Members Present (non-voting):

Sam Sarvis, Antonio Johnson, Thomas Witt

#### Members Absent (non-voting):

Brandye Hendrickson, Jermaine Hannon, Shawn Seals, Marisol Simon, Susan Orona, Thomas Nelson, Jr., Bernadette Dupont, Greg Thomas, John Moore, Leslie Poff

#### Evansville MPO Staff Present:

Seyed Shokouhzadeh, Pam Drach, Laura Lamb, Erin Schriefer, Craig Luebke, Matt Schriefer, Kari Akin, Vishu Lingala

#### Others Present:

Don Gibbs, Kevin McClearn, Larry Ordner

Jack Corn directed the meeting.

### 1. APPROVAL OF MINUTES

*Barry Russell made a motion for approval and Christy Powell seconded the motion; motion carried.*

## **2. OLD BUSINESS**

### **A. Project Update- presented by Pam Drach**

#### **CITY OF EVANSVILLE**

Weinbach Avenue Road Diet: The request for right-of-way funding is being processed by INDOT.

#### Evansville-Vanderburgh Sign Inventory and Replacement:

- Phase 1: Construction is complete.
- Phase 2: The project was awarded to Ragle Inc. for the low bid amount of \$448,760.39.

#### **VANDERBURGH COUNTY**

Columbia-Delaware Bridge over Pigeon Creek: Three design exceptions were submitted to the Commissioners for approval at the November 1, 2016 meeting; the exceptions were approved.

Green River Road, Kansas Road to Boonville New Harmony Road: Appraisals are complete for 13 parcels and the request to make offers was made at the November 1, 2016 Commissioners meeting; the request was approved.

#### **WARRICK COUNTY**

Oak Grove Road-Phase 2: Project construction is estimated at 95% complete.

*This item was informational and did not require a committee action.*

## **3. NEW BUSINESS**

### **A. I-69 Ohio River Crossing Amendment to the Metropolitan Transportation Plan 2040 and FY 2016-2019 Transportation Improvement Program – presented by Pam Drach**

The Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet (KYTC) are requesting amendments to the *Metropolitan Transportation Plan (MTP) 2040* and the *FY 2016-2019 Transportation Improvement Program (TIP)*. INDOT and KYTC requested the amendment to the *MTP 2040* to include the I-69 Ohio River Crossing (ORC): Henderson, KY to Evansville, IN project as a committed project and confirm fiscal constraint of the *MTP 2040*. The *FY 2016-2019 TIP* amendment will reflect funding for the preliminary engineering and NEPA process as well as KYTC funding amounts for right-of-way and utilities in FY 2017-2019 of the TIP.

#### Overview

In January 2014, the Evansville MPO completed the *Metropolitan Transportation Plan (MTP) 2040*, the vision for transportation investment in Vanderburgh and Warrick Counties in Indiana and Henderson County in Kentucky through 2040.

Under current regulations, the financial plan included in the *MTP 2040* must be fiscally constrained, which is intended to ensure that the MTP reflects realistic assumptions about future revenues, and that those revenues are “reasonably expected to be available” to implement the MTP. This means that the MTP can recommend only projects that can be constructed given the total funding reasonably expected to be available through 2040. Projects outside of this fiscal constraint can be included in the MTP, but only as illustrative projects for consideration against future funding sources. Because the resources projected during the 2014 development of the *MTP 2040* plan could not be shown to support the construction of the I-69 ORC, the project was included in the illustrative project listing.

The implementation of *Fixing America’s Surface Transportation Act* (FAST Act) in 2015 increased the States federal apportionment and also introduced new federal grant programs. Provisions within Kentucky Revised Statutes (KRS) 175B and Indiana Code (IC) 8-15.7 allow each state to pursue Public Private Partnerships as a financial strategy for project development.

On June 30, 2016, Indiana Governor Mike Pence and Kentucky Governor Matt Bevin signed a memorandum of agreement (MOA) directing both states to take the next steps in the advancement of the I-69 ORC project development. One initial step in proceeding with the directive is to add the ORC to the fiscally constrained *MTP 2040* and *FY 2016-2019 TIP*. The proposed *MTP 2040* amendment will move the project from the *Illustrative Needs Project* list to the *2023-2035 Proposed Non-Exempt Project list*, MTP ID # 35-ORC in the fiscally constrained list of projects and add fiscal constraint discussion for the ORC to the MTP.

ORC Project Level Fiscal Constraint

The total estimated cost to complete the project in year of expenditure dollars (estimated for 2022-2025) is between \$1.2 billion and \$1.6 billion. This cost range to complete comes from the *I-69 Feasibility Study* for the I-69 ORC, prepared in January 2014. The costs have been updated from the 2013 estimates in the study to the estimated year of expenditure utilizing a 3% annual construction inflation index. The cost estimates have taken into consideration and include the potential operating and maintenance costs for the crossings.

While the source of funding for the project is subject to change as the project progresses through the NEPA process, the *MTP 2040* amendment request from INDOT and KYTC indicates the intention to consider advancing the project as a public-private partnership (P3). Additional financial resources available for use by INDOT and KYTC for the ORC project includes, but is not limited to, normal Federal Aid formula funds, State funding, federal discretionary programs, federal grant programs, GARVEE bonds, and toll supported financing. The State of Indiana and the Commonwealth of Kentucky will continue to investigate all avenues of funding and financing opportunities through the preliminary phase of the project.

**Table : Ohio River Crossing Project Financial Demonstration  
 (In year of expenditure \$, Millions)**

Project Information	2023-2035
<b>Reasonably Anticipated Project Development and Construction Funding Needs</b>	
Project Development, Construction, Maintenance and Operation Costs	\$1,200 - \$1,600
<b>Committed, Available, and Reasonably Expected to be Available Funding Sources</b>	
Federal-Aid, P3, State *	\$1,200 - \$1,600

\*The State of Indiana and the Commonwealth of Kentucky through the preliminary phase will be investigating various funding and financing opportunities. The States have a history of working together to find financial solutions that deliver mega-projects. The States have utilized combinations of federal-aid formula funding, state funding, federal discretionary programs, federal grant programs, GARVEE Bonds, and toll supported financing in the past to address transportation needs

Indiana and Kentucky have approved a 50-50 agreement to pay \$17,000,000 for preliminary engineering and environmental review for the project with Kentucky providing an additional \$320,000 for staff charges toward this effort. The proposed *FY 2016-2019 TIP* amendment includes adding the funding to support the ORC environmental impact study in FY2017 through

FY2019. In addition, Kentucky has designated \$35,000,000 of National Highway Performance Program (NHPP) funding for the Right of Way and Utility phases of the project in the outer years of the TIP. INDOT will provide a 20% state match, while KYTC match will utilize Kentucky Toll Credits. Funding distribution for the TIP amendment is as follows:

Phase	All amounts in thousands				Federal Share	State Share
	2016	2017	2018	2019		
PL - IN					\$ -	\$ -
PL - KY		\$2,820			\$2,820	\$ -
PE - IN		\$2,500	\$5,000	\$1,000	\$6,800	\$1,700
PE - KY		\$6,000			\$6,000	\$ -
RW - IN					\$ -	\$ -
RW - KY			\$20,000		\$20,000	\$ -
UT - IN					\$ -	\$ -
UT - KY				\$15,000	\$15,000	\$ -

The cost to complete the project is estimated to be between \$1.2 billion and \$1.6 billion. As discussed above with the *MTP 2040* amendment, KYTC and INDOT will be addressing the specifics of financing opportunities for future phases of the project through the preliminary phase of project development.

Air Quality Conformity

Pursuant to final rules published August 24, 2016 (40 CF Parts 50, 51 and 93) EPA has revoked the 1997 primary annual standard for areas designated attainment for that standard because the EPA revised the primary annual standard in 2012. This final rule became effective on October 24, 2016. As such, it is no longer required that the MTP and TIP demonstrate conformity to the annual fine particulate matter (PM<sub>2.5</sub>) standards specified by EPA.

Public Involvement

A public review and comment period for the *MTP 2040* amendment was publicized for October 13th to October 28th, 2016. No comments were received. The *FY 2016-2019 TIP* amendment comment period was publicized for October 17th to November 2nd, 2016. No comments were received.

*Mayor Lloyd Winnecke expressed his appreciation to the Governors of Indiana and Kentucky for moving this project forward.*

*Mayor Lloyd Winnecke made a motion for approval and Russell Sights seconded the motion; motion carried.*

**B. FY 2016-2019 TIP Amendments – presented by Craig Luebke**

The Evansville MPO is seeking approval of the following amendments to the 2016-2019 Transportation Improvement Program (TIP). A public review and comment period was publicized from October 19<sup>th</sup> to November 2<sup>nd</sup>. The Interagency Consultation Group was consulted regarding the proposed amendments. No air quality conformity determination was deemed necessary. Additionally, pursuant to final rules published August 24, 2016 (40 CF Parts 50, 51 and 93), the federal Environmental Protection Agency (EPA) has revoked the 1997 primary annual standard for areas designated attainment for that standard because the EPA revised the primary annual standard in 2012. This final rule will become effective on October 24, 2016. As such, it will no longer be required that the Evansville MPO Transportation Plan and TIP demonstrate conformity to the annual fine particulate matter (PM<sub>2.5</sub>) standards specified by the EPA. Fiscal constraint for state projects is established with each state’s STIP. The changes are summarized below.

INDOT requested the following amendments:

Des# 1601737: US 4: State Police additional patrols for “Fix For 41” bridge rehabilitation/replacement and pavement rehabilitation project. Add project for construction phase during fiscal year 2017 (\$100,000), 2018 (\$280,000), and 2019

(\$130,000). Project costs will be funded with 80% federal National Highway Performance Program (NHPP) funds and a 20% INDOT match.

Des# 9620260: US 41: Bridges and pavement rehabilitation from I-69 interchange to the Ohio River Bridges (Fix For 41). Combine with Des# 1298275 project listing to reflect one contract. Vietnam Gold Star Bridge over Ohio River: Bridge deck overlay, southbound. Bridge deck overlay/replacement of six additional bridges. Includes pavement rehabilitation between bridge structures. Revise project cost to reflect all elements and latest cost estimates. Kentucky payment of \$13,650,000 towards project costs associated with seven project bridges. Revised project costs are as follows:

PE: FY 2016 - \$246,770                      FY 2017 - \$64,110  
CN: FY 2017 - \$30,658,970

Project PE is funded with \$248,704 IN NHPP funds and a \$62,176 INDOT match.

Project CN is funded with \$13,650,000 in KY NHPP funds (a soft match provided with Kentucky Toll Credits), \$13,607,176 in IN NHPP funds and a \$3,401,794 INDOT match.

KYTC requested the following amendment:

Item# 02-2091.00: US 41: Bridges and pavement rehabilitation from I-69 interchange to the Ohio River Bridges (Fix For 41). Vietnam Gold Star Bridge over Ohio River: Bridge deck overlay, southbound. Bridge deck overlay/replacement of six additional bridges. Includes pavement rehabilitation between bridge structures. Revise project description and cost to reflect all elements and latest cost estimates. Kentucky payment of \$13,650,000 towards project costs associated with seven project bridges. Kentucky will not participate in costs associated with the rehabilitation of the main line US 41 pavement.

*William Hubiak made a motion for approval and Barry Russell seconded the motion; motion carried.*

#### **4. OTHER BUSINESS**

##### **A. Approval of Bills**

*Mayor Lloyd Winnecke made a motion for approval and Stephen Melcher seconded the motion; motion carried.*

#### **5. PUBLIC COMMENTS**

None.

Meeting adjourned.