

BUTLER COUNTY TOWNSHIP ASSOCIATION
SEPTEMBER 10, 2009
OKI EXECUTIVE COMMITTEE MEETING REPORT

President's Report (Judge Pendery) – No Report

Executive Director's Report (Mark Policinski) –

Mr. Policinski presented information on the potential change of distribution of federal dollars by ODOT to the MPO's. Following the discussion, OKI Executive Committee Members UNANIMOUSLY approved Resolution OKI 2009-30. PLEASE SEE THE END OF THIS REPORT FOR THE INFORMATION SHARED AS WELL AS THE RESOLUTION.

Legislative Report (Brian Cunningham) –

Congressman Oberstar has introduced the federal Transportation Bill. There are provisions involving freight in this bill. Mr. Cunningham and a number of individuals have met with some of the Ohio Congressional Representatives to understand the importance of the Bill.

Item #2 - New OKI Home Page -

OKI's web site has a new look - more information and links - www.oki.org

Item #3 - Resolution Authorizing Establishment of a Bank Accountant for Processing Employee 125 Plan Transactions -

Resolution OKI 2009-27 - Motion Passed.

Item #4 - Resolution to Approve the Semi-Annual FY2009 Transportation Planning Final Progress Report (aka Performance and Expenditure Report) -

Resolution OKI 2009-28 - Motion Passed.

Item #5 - Consent Agenda -

Items approved as presented

Item #6 - Intermodal Coordinating Committee Report (Mark Paine) –

The prioritization process has a proposed revision and the information can be found on OKI's web site for review and comment

Resolution OKI 2009-29 – Amendment #19 of the FY 2008-2011 Transportation Improvement Program (TIP) – Involves 11 highway and 1 transit project in Ohio and 1 highway project in Indiana that are recommended for addition or revision in the current TIP. Motion Passed.

Other Business –

Jim, City of Wyoming, requested OKI staff provide the board with an update as to the financial consequences on the Uptown Project Allocations and the Passenger Rail (3C) project if the upcoming levy passes in the City of Cincinnati.

Next Meeting of OKI Board - Thursday, October 8, 2009 – 10:30 AM – OKI Board Room

If you have any questions, please let me know. See below for information and resolution mentioned in Executive Director's Report.

Respectfully submitted,
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Butler County Township Association OKI Representative
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Background and Information on Resolution OKI 2009-30

Ohio Department of Transportation (ODOT) staff has presented verbal information regarding possible redirection of MPO federal aid transportation funds, which may include discretionary Surface Transportation Program (STP) funds, Congestion Mitigation and Air Quality (CMAQ) funds and Transportation Enhancement (TE) funds.

This redirecting of federal aid funds may severely reduce the total federal funds coming to the region that are under the jurisdiction of the OKI Board of Directors and the project selection authority of the OKI Board of Directors.

ODOT should not reduce funding that is under the control of OKI's Board of Directors and should earnestly seek to establish a dialogue with all Ohio MPO's and COG's regarding financing of projects in the metropolitan regions of the state.

Other facts and concerns introduced/discussed -

1. OKI and other MPO's in Ohio were made aware of some information in July, 2009, but after discussions and concerns, it was thought that this issue was not moving forward. Then, last week, the MPO's were informed that this concept, indeed, was being moved forward for serious consideration.
2. OKI's discretionary funds received on a yearly basis through ODOT are estimated at \$2M STP; \$2M TE; and \$9M CMAQ
3. If the proposal goes into effect,
 - a. OKI could have veto power over ODOT projects,
 - b. OKI would no longer select the projects (currently they go through a prioritization process that is considered one of the Best Practices in the country)

- c. ODOT could not arbitrarily redistribute these discretionary funds using a percentage basis (i.e. 50% for transit; 50% for passenger rail) without a prioritization process as outlined in Title 23 of the Federal Code.
4. This action is viewed as a political play and as a test case. If it takes hold in Ohio, plans could be to move it forward in other states.
5. OKI will be providing the Board with the address for where to direct individual/group concerns on this issue. Please copy Governor Strickland on all correspondence. (I will pass this information on to you once I receive it)

**RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE
OKI REGIONAL COUNCIL OF GOVERNMENTS
CONCERNING THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FUNDING
PROPOSAL**

WHEREAS, the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) is the Metropolitan Planning Organization (MPO) for the counties of Butler, Clermont, Hamilton and Warren, in Ohio; Boone, Campbell, and Kenton, in Kentucky; and Dearborn County in Indiana; and

WHEREAS, ODOT staff has presented verbal information regarding possible redirection of MPO federal aid transportation funds, which may include discretionary Surface Transportation Program (STP) funds, Congestion Mitigation and Air Quality (CMAQ) funds and Transportation Enhancement (TE) funds; and

WHEREAS, this redirecting of federal aid funds may severely reduce the total federal funds coming to the region under the control of the Board of Directors of OKI and the project selection authority of the OKI Board of Directors; and

WHEREAS, OKI-selected federal aid projects already scheduled for future years could be negatively impacted by this draft proposal; and

WHEREAS, there was no advance coordination or communication with OKI prior to the ODOT announcement, and no written information provided since the announcement; and

WHEREAS, ODOT has sub allocated federal funds to MPOs in Ohio since the mid 1990's, the use of which has consistently followed the MPO continuing,

comprehensive, cooperative process required by 23 United States Code Section 134; and

WHEREAS, federal law requires that all projects planned for the OKI region must be selected in coordination with the OKI Board of Directors, which manages the federally approved metropolitan planning process; and

WHEREAS, ELLIS, the project management data base controlled by ODOT, is not the approved State Transportation Improvement Program (STIP), while the OKI Regional Transportation Plan and Transportation Improvement Program (TIP) are the approved documents for the expenditure of federal funds in the OKI region, and

WHEREAS, the OKI Board of Directors has instructed its Executive Director to make ODOT aware of these facts and to oppose any funding reductions: Now, therefore,

BE IT RESOLVED by the Board of Directors at its September 10, 2009 meeting, that the Ohio Department of Transportation (ODOT) should endeavor to improve communication with MPOs and consult with them prior to making any funding policy changes, including allowing sufficient time to review any written proposals. At minimum, any change in ODOT funding policy should be given a 90-day review period across the state to allow the MPOs to process the policy through public involvement and intergovernmental review and consultation; and

BE IT FURTHER RESOLVED that ODOT should present any such proposals in writing with clarity and detail, including providing the anticipated fiscal impacts to each MPO and the basis for calculating those impacts; and

BE IT FURTHER RESOLVED that OKI staff are directed to protect the existing MPO local decision-making process as outlined in federal law, and are directed to coordinate with the MPOs across Ohio as needed in response to any ODOT written proposal; and

BE IT FURTHER RESOLVED that the Board of Directors opposes any reduction of federal aid funds sub allocated to MPOs, as proposed in ODOT's presentations.

NOTE: This resolution (OKI 2009-30) passed unanimously on September 10, 2009