

**Highway Simplification Study
Policy Working Group**

**Thursday, September 16, 2010
Maine Municipal Association**

Attendees:

Policy Working Group Members

Michelle Beal, Ellsworth
Bob Belz, Auburn
David Bernhardt, MaineDOT
David Cole, Gorham
Greg Dore, Skowhegan
Gerry James, Presque Isle
Jim Hanley, Pike Industries
John Johnson, Jay
Rob Kenerson, BACTS
Galen Larrabee, Knox
Glen Ridley, Litchfield
John Sylvester, Alfred
Bruce Van Note, MaineDOT (Co-chair)

Policy Working Group Staff

Peter Coughlan, MaineDOT
Kate Dufour, MMA

Guests

Denny Keschl, Belgrade
Jim McNaughton, Leeds

Absent

Elwood Beal, Lisbon
Clint Deschene, Hermon (Co-chair)

Co-chair Bruce Van Note convened the meeting at 1:15 p.m. During its three hour meeting, the Policy Working Group (PWG) discussed and took actions on the following issues:

Item 1: Revisions to Agenda

None.

Item 2: Subcommittee and Subgroup Updates

A. Standards and Cost Subcommittee. MaineDOT's David Bernhardt provided information on the Standards and Cost Subcommittee's recommendation to create a state-level "Review Board" for resolving conflicts that could arise in the process of determining the level of improvements made to a minor collector roads.

Motion 1: A motion was made by Greg Dore and seconded by John Sylvester to adopt the Standards and Cost Subcommittee's Review Board recommendation, with three amendments:

1. Replace the term "state representative" with "MaineDOT representative";

2. Strike from the list of Board tasks conflict resolution authority over road classifications, as this issue will be addressed by the Appeals Board; and
3. Clarify that the Review Board process is available to help resolve level-of-improvement conflicts on collector and arterial roads in compact areas.

Motion prevailed by a vote of 13-0.

The PWG also reviewed and fleshed-out the Subcommittee's assignments, which include:

1) Developing examples of municipal and state maintenance responsibilities in compact areas;

2) Developing an appealable process allowing municipalities to petition the state to provide winter service on non-compact major collector and arterial roads, developing a model maintenance standard contract; and developing a winter maintenance reimbursement rates schedule; and

3) Reviewing the adopted 10-year minor collector road improvement standard for applicability to minor collector roads in compact areas and estimating the cost to the state for improving compact minor collector roads.

B. Appeals Committee. Bruce Van Note reported that more time was needed to finalize the recommendation.

C. Motor Vehicle Excise Tax Question. Bruce Van Note reported that the question had been drafted and was going to be provided to MaineDOT's and MMA's legal staff.

Item 3: To Do List

The PWG worked through eleven "to do" list items and decided:

1. To include as part of the final proposal an ongoing progress report process. The PWG recommended that a group of municipal, state and industry representatives be convened at least once every four years to ensure that among other issues, state aid reimbursements rates are sufficient, minor collector roads continue to receive some level of maintenance pre "fix and swap" implementation, and that the state has the resources necessary to meet its new major collector road winter maintenance responsibilities, etc.
2. That the current "9.6% share of MaineDOT highway-related funding" URIP revenue model is not appropriate for the "fix and swap" proposal. Instead, the PWG recommends that the state aid provided to municipalities is based on the per

mile reimbursement rate, calculated annually and dedicated to the municipal reimbursement program.

3. To develop the fiscal note and provide the Legislature with a menu of options for funding the “fix and swap” proposal. A majority of the PWG members believe that it is the responsibility of the Legislature, and not the PWG, to determine how to fund the proposal. However, these members believe it is appropriate to provide options. The Fiscal Subgroup has been tasked with developing the funding options menu.
4. Not to include a “claw back” provision in the PWG’s final proposal. The “claw back” provision would have reimbursed municipalities for past investments in minor collector roads.
5. To move forward with MaineDOT’s existing list of reclassification reviews of several “clearly misclassified” roads, but to prohibit future reclassifications for a period of ten years post-adoption of the “fix and swap” proposal. (Note: Clarification on PWG position is needed.)
6. Standard for condition of compact state roads transferred to the state (Note: Further PWG discussion necessary.)
7. To direct the Fiscal Subgroup to choreograph the October 7th Sounding Board meeting.

Item 4: Other

1. PWG voted to move the October 7th Sounding Board meeting time from its originally scheduled afternoon time slot (1:00 p.m. to 4:30 pm.) to the morning (9:00 a.m. to 1:00 p.m.).
2. Future Meetings.
 - a. Fiscal Subgroup – September 27th @ MMA from 8:00 – 10:30 a.m.
 - b. Standards/Cost Subcommittee – September 30th @ MMA from 9:00 a.m. to noon.
 - c. Urban Issues Subcommittee – October 5th @ MMA from noon to 3:00 p.m.
 - d. Sounding Board Meeting – October 7th @ MMA from 9:00 a.m. to 1:00 p.m.

Item 5: Adjournment

The meeting was adjourned at 4:05 p.m.