

Bay Bridge Reconstruction Advisory Group (BBRAG)
Wednesday, January 10, 2018
Scheduled 6:00 – 7:30 p.m.

Members Present

Jack Broderick
Nick Deoudes
Barbara Hitchings
Pat Lynch
Tracy Schulz
Barbara Obert
Nancy Wright

MDTA & MDOT SHA Staff

Melissa Williams
Michele Gross
Melissa Bogdan
Kim Millender
Richard Jaramillo
Captain David Greene
Lt. Jason Pulliam
John Schofield
TJ Busse
Bob Rager
Teri Moss

Other Attendees

Gary Vito
Michael Waal
Elizabeth Watson
Jim Moran
Steve Cohoon
Janet Lewis

Media

N/A

Handouts

- Agenda
- November 1, 2017 Meeting Minutes (to BBRAG members)
- Open Meeting Act Overview
- Traffic Counts
- Truck Traffic Counts

Welcome and Review of Meeting Minutes – 6:07 p.m.

Mr. Broderick began the meeting and welcomed attendees. Members and attendees introduced themselves.

Mr. Broderick welcomed Melissa Bodgan. Melissa is the new Community Relations Project Manager and BBAG intermediary. Mr. Broderick stated the minutes from last meeting were thorough and thanked Ms. Moss and the team for their efforts.

Mr. Broderick:

The new format is working. Members of the public are welcome, we encourage comments Queen Anne's and Kent counties and private citizens and hope exchange will be constructive. There are different approaches to how to handle Bay Bridge issues; BBAG focuses on the present. We look forward to learning about the study and being part of the process – but it isn't the primary goal. We are here to work with and support the MDTA as they put together the plan. Mr. Broderick advocates the MDTA and SHA make themselves available to county governments. He is receiving feedback that this is happening and applauded the State's efforts.

November 1, 2017 minutes were reviewed. Mr. Waal asked that the statement made by Ms. Lynch at last meeting about overturning Statute 4-407 are included in the minutes. BBAG agreed.

6:13 p.m. minutes were accepted. Ms. Gross stated minutes will be available to members of the public and posted on line by next week.

Open Meetings Act Compliance – 6:15 p.m.

Ms. Millender provided overview of the open meeting law and provided a handout.

Ms. Millender:

The purpose of OMA is to provide an open setting. Key – the public has right to observe (not a public meeting) – observation not participation. OMA is a state law that applies to “public bodies”. Any group with at least two people created by Maryland law, regulation, executive order or resolution is a public body. The MDTA's Authority Board, Finance and Capital Committees and BBAG are public bodies. Whenever there is a quorum (a majority), the Open Meetings Act applies. Everything this group discusses can be considered public business. Meetings can be face to face and electronic.

Mr. Broderick asked about soliciting support via email. Response – it is not a “meeting” unless it's a conversational mode where there is a quorum. Back and forth emails could be counted as a “meeting”, so be cautious of the content and interaction.

Ms. Millender:

A public body must publish notice including date, time and location. The location must be adequate to meet the needs of the public. Reasonable advance notice must be given. Must publish an agenda and keep minutes.

Open vs. closed meeting – during a closed meeting/session, the public is asked to leave. The chairman must read a statement including why the session is closed and the topics to be discussed. The public body must vote, actions must be ratified in next open session and minutes must be taken. Minutes are sealed and confidential unless group agrees to release them.

Ms. Millender provided examples of when a closed session is warranted. Refer to page 6 of the handout.

Mr. Broderick stated that at county commissioner meetings, closed sessions were held to discuss personnel, property acquisition and contract issues. He asked what topic could warrant a closed session when BBRAG meets. Ms. Millender responded that it is a limited list, but a discussion with counsel may be a topic.

Ms. Millender stated that one member of the body must be trained. She talked about the open meetings compliance board. There are penalties for willful violations of the law and civil penalties. An OMA manual is on the OAG website.

Ms. Lynch asked to define public body. Response – there must be more than two people in the group and it must have been created by state law, recommendation or resolution. Staff meetings do not constitute a public body.

Mr. Waal asked for a better definition of draft minutes in open meeting. Response – drafts aren't subject to exposure. Final minutes are part of the public record. Ms. Millender recommended the request to revise the minutes be directed to the public body verbally, or to submit an official letter or email.

Mr. Deoudes stated that the public can review the minutes and the body can review the minutes.

Mr. Broderick asked if he can notify BBRAG if someone brings up a concern. Ms. Millender stated that it should be discussed at the next meeting, but in the meantime, he could send an email to the group.

Ms. Millender stated that minutes are a summary and not a transcript. If the public comments, it could be noted “public comment”.

Ms. Lynch asked if there is a constraint on draft minutes. Response – we don’t typically release draft minutes.

Mr. Waal asked about the process regarding bringing up a topic and wanting to be quoted in the minutes. Response – not required in the public meeting act, but the body can decide.

Mr. Broderick stated we want to be clear and make sure topics are included in the minutes. He relayed his experience with releasing minutes.

Mr. Broderick acknowledged Jim Moran, Queen Anne’s County Commissioner who entered the meeting after introductions.

Bay Crossing Tier 1 NEPA Update – 6:37 p.m.

Melissa Williams provided update on progress since last meeting.

Ms. Williams:

Heather Lowe is the NEPA study project manager. She is a previous SHA employee with over 18 years of experience and has worked on large scale-NEPA projects. She is the best person to work on the project in this role. She is working with environmental resources and is concerned about the Bay and will be providing updates to the group moving forward.

First public meeting was held on November 15. There was a minor technical issue with the video. It ran at 7:34 p.m. We posted the delay on Facebook and Twitter. There were six viewing locations (not meetings) throughout the study area. The locations were meant for people without access to internet. As anticipated, attendance was low. Since then, we’ve had more than 1,000 views of the video and more than 400 public comments. This is the most we’ve seen for a scoping project.

The team is working on summarizing the comments – looking for themes. In February we will post the Scoping Report that summarizes comments. The Project Coordination plan was uploaded to website. It explains how/when we will work with agencies.

The next public meeting will be held in spring 2018. We will hold another in the winter and a hearing in fall 2019. The project team is available to meet with groups to receive comments.

Ms. Span-Obert asked if they will public meeting or information session. Ms. Williams advised we use the terms “meeting” at “hearing”. We will hold at least two meetings and one hearing (people provide testimony). The hearing will be at several locations.

Mr. Broderick asked if the information meeting video is still available. Response – yes. The comment period is 30 days but other comments are just as valid, just not part of the scoping effort.

Mr. Waal asked if 1,000 views is all inclusive. Response – yes.

Ms. Williams noted that we expanded advertisement and provided the list of advertisement efforts. Mr. Waal suggested for the future meetings/infomercials, MDTA should expand the reach to include the audience from Baltimore, DC and Virginia.

Ms. Span-Obert requested MDTA change the terminology from “meeting” based on citizen feedback. The public associates “meeting” with interaction with the project team. A motion to officially request change/clarify the terminology was passed.

Mr. Waal stated there was no advertisement in Southern Maryland. Hurricane evacuations use bridge. He suggested/presumed the lack of attendance in Worton in Kent County was based on location hard to get to and suggested MDTA utilize libraries.

Ms. Lynch stated considering the time of year, it went well.

Ms. Williams stated we will examine advertising differently.

Mr. Broderick asked about the task force study 10 years ago. How is it being factored in? Ms. Williams responded, at that time we looked at six zones and focused on four final zones. This study is examining proposed corridors that are one-mile wide swaths. The map helps people formulate comments. The next step will look at screening criteria to weigh corridors (cost, impacts, etc.). We will share that at the spring 2018 meeting.

Mr. Waal asked when the MDTA will initiate Statute 4-407. Ms. Williams answered that we will address it, but we don’t know when.

4-407: A State agency, including the Maryland Transportation Authority, may not construct any toll road, toll highway, or toll bridge in the counties in this section without the express consent of a majority of the governments of the affected counties. (Caroline, Cecil, Dorchester, Kent, Queen Anne’s, Somerset, Talbot, Wicomico, Worcester)

Mr. Wall asked if MDTA will get input from the counties. Ms. Williams responded that we don't know at this time.

Bay Bridge System Preservation Updates – 7:01 p.m.

Mr. Jaramillo provided the following system preservation updates:

Cleaning & Painting Phase 4:

Timeline modification cleaning painting of gantries moved from fall 2018 to spring 2018.

BB Structural Repairs:

Now 96 % complete, 1 ½ months remaining.

WB Suspension Span Cables:

Majority of work by boat & stair tower. Change – a lot more activity on cables in the next several months as the cables arrive and installation begins. There will be large visual impacts. MDTA will notify the public and media. Sister cables will be next to existing cables from tower to tower. Strands are 3 ½ inches in diameter.

Lane use signal modification project:

Installation of new lane signals that would allow five lanes in one direction for safety and security.

Mr. Broderick inquired about traffic. Based off AADT, May-August there is about 2% increase. Ms. Lynch asked for a sheet with the percentages compared to the previous year. Ms. Span-Obert stated that truck crossing is equivalent to wear & tear of a large number of cars. Increase of truck is ½ percentage points – increase of 6,000 trucks passage, can we revisit any steps to encourage trucks to go around or use other means. The increase in trucks is an indicator that wear/tear on bridge is going to continue to escalate.

Mr. Broderick stated the Middletown Bypass will add to increases.

Mr. Jaramillo clarified the numbers are eastbound.

A member of the public stated the purpose of the 301 Bypass NEPA study is to detour trucks from 95 and down 301. Mr. Jaramillo pointed out that there are two choices – Bay Bridge or go around. There are many contributing factors – weather, accidents, etc.- that could be misleading. It isn't a linear comparison.

Mr. Waal asked for westbound numbers. Mr. Jaramillo state he will look into it.

It was noted that some of the numbers are the same for different dates.

Lt. Pulliam expressed concern about information in the minutes being security sensitive and if the information can be restricted. Ms. Millender stated if there is a concern about safety issues, the group should discuss it. Mr. Jaramillo stated this is the reason we provide generic information; however, the information was previously disseminated and was not seen as security sensitive. BBRAD agreed the need to know vs security must be balanced.

Mr. Broderick asked Mr. Jaramillo to discuss challenges – weather, etc. Response - everything that involved operations is a full effort involving police as well as other areas within MDTA. Wind/weather is a factor for traffic and projects. Lt. Pulliam stated there are not many times he and Mr. Jaramillo don't communicate. He spoke about the coordination during the tornado. This summer, there were no major incidents that restricted the bridge. There is seamless communications.

Mr. Broderick observation – keep working to update BAYSPAN accurately. Ms. Span-Obert noted the good work, but agreed about BAYSPAN and mentioned one instance that the message stated a three-hour delay, go around the Bay; the delay was only 15 minutes.

Mr. Broderick stated the MDTA can't do enough to use media for to relay what goes into making the Bay Bridge work. He suggested utilizing media to making public aware of operation.

Lt. Pulliam asked if BAYSPAN is better than Twitter. Minimal discussion.

Mr. Broderick asked about the run. Discussion – we used the same model as in previous year and it worked. It was a success with no issues regarding safety and security. The event was a group effort. Despite the numbers being down, the event was a huge success. Mr. Broderick mentioned Christ Church could get in and out with ease. He congratulated Mr. Jaramillo and Captain Greene thanked everyone on the county and private side.

MDOT SHA System Preservation Updates – 7:34 p.m.

District 2 - Bob Rager

There has been a change in the paving program. We won't be paving eastbound US 50 on Kent Island this year. We paved westbound last year; eastbound is in better shape and we're going to concentrate this year on two US 301 projects.

- Paving four miles of northbound US 301 from Greenspring Rd. to MD 213 in Spring 2018. A \$2.1 million contract has been awarded to David A. Bramble for this work.
- Resurfacing southbound US 301 in the Millington area.
- Recent priority has been to fix the 69 structurally deficient bridges throughout the state. We're keeping an eye on other bridges particularly on US 301 that need repairs but aren't currently on the structurally deficient list. Increased traffic from the US 301 Middletown Bypass opening may accelerate bridge repair needs.
- On Kent Island the US 50 over Kent Narrows drainage trough replacement continues. We'll need 4 -6 more weeks to finish.
- MD 404 is now two lanes in each direction from 50 to Denton. We still need to put final surface in some areas. We have removed work zone speed restriction – back to 55 mph.
- Salisbury Bypass – the project to rehabilitate 11 bridges is on schedule and will be done by Memorial Day.

Mr. Deoudes asked why 301 is (bumpy). Mr. Rager responded that this is common on the northbound lanes of US 301 since this was the original highway alignment and there is concrete underneath the asphalt. Over time the concrete joints produce bumps in the asphalt. This will be fixed with resurfacing.

Mr. Waal inquired if there will be widening on Rt 90. Mr. Rager will research. It may be part of the needs assessment. UPDATE: Subsequent to the meeting a check of the Highway Needs Inventory (HNI) for Worcester County showed that MD 90 from US 50 to MD 528 (11.4 miles) is listed as a freeway reconstruction candidate. You can access the HNI at <http://www.roads.maryland.gov/Index.aspx?PageId=509>.

A member of the public asked if there has been any coordination with Delaware regarding traffic using the Middletown Bypass. Response – we're monitoring DelDot's progress and will continue to monitor traffic when the Bypass opens later this year. Right now, we just don't know who ultimately will use it. At-grade intersections may be a problem, but we don't know where the traffic is going to go. We may need to look at overpasses or service roads, but again we just don't know at this point. Possible development in the area could also play a role in any highway improvement decisions.

District 5 – TJ Busse for Ashely Ross

- Severn River Bridge – traffic patterns are the same. No increase in accidents w/ the reduction in lane reductions. Completion date on schedule. Work on top of the bridge is being done at night and work underneath the bridge is being done during daytime hours.

- Mr. Broderick asked if there have been traffic impacts from narrow lanes.
 - Mr. Deoudes stated he has experienced westbound delays in the morning. Response – it could be the speed enforcement issues.
 - Bio-retention ponds have been installed and are working. They are located behind the retaining walls where they can't be seen by the public.
 - Demolition of existing median barrier walls stated, approach slabs have started
 - Over the next few weeks, demolition of the bridge deck and approach slabs will continue. Deck pans will be installed.
- Guardrail contract on 50 began in September and is scheduled for completion on March 17. Project is just east of the MD 2 interchange and continues to the Oceanic exit.

Ms. Lynch noticed several street lights between the Bay Bridge and Severn River Bridge. SHA is aware and will correct in a few months.

Mr. Shulz asked if there was a project to replace lights. Mr. Schofield responded that SHA is looking to replace lights. Mr. Busse will be attending meetings going forward.

Mr. Broderick stated he hopes that reducing lanes will work.

Mr. Shofield stated the final lane configurations will be dashed.

Ms. Hitchings thanked Ms. Bogdan for assisting with her concern about street lights on Oceanic Drive.

Announcements/Concerns/Updates – 7:51

Ms. Lynch stated there are two sections on the traffic report that have the same number, one in October 2016 and one in June 2017.

Mr. Broderick thanked the group for attending, and for their cooperation and input.

Mr. Jaramillo stated the police building will be ready by next meeting.

Meeting Adjourned – 7:54 p.m.