



MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION DIVISION OF TRANSPORTATION ENGINEERING



PUBLIC MEETING

DEDICATED BUT UNMAINTAINED (DBU) COUNTY ROADS

CIP NO. 501117

September 22 & October 12, 2010



County Team

■ Department of Transportation (DOT)

Division of Transportation Engineering

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Division of Highway Services

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■ Department of Permitting Services (DPS)

Division of Land Development

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Definition of DBU Road

A DBU road is a road that

- is dedicated for public use,
- provides public access to multiple private properties,
- was not constructed to County standards,
- was never accepted for maintenance by the County under Executive Order, and
- is not maintained by County forces.



DBU Roads





Purpose of DBU Program

To respond to and assist the property owners on DBU roads that are interested in modifying the roads in compliance to the County's current design standards and specifications which then the County would allow a transfer of the responsibility of maintenance of the roads from the property owners to the County.



Definition of Affected Property Owner

Affected Property Owner (APO): An owner of property abutting or having their only access provided by a DBU Road.



DBU Roads





Background of DBU Policy

- The Council appropriated funds in FY 2008 Capital Budget for developing DBU policy.
- July 2007-June 2008 (FY 2008)-Community stakeholders and representative from the County developed the policy.
- September, 2009-Executive transmitted a draft policy to the Council.



Background of DBU Policy (Cont'd)

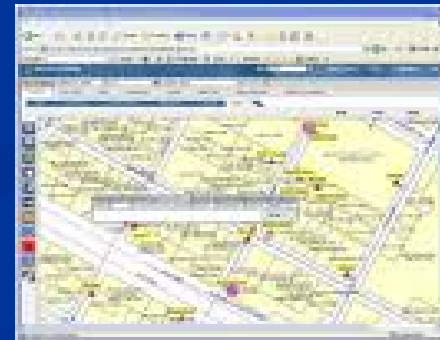
- October, 2009 - Council (T&E) Committee reviewed and commented on the draft policy.
- December, 2009-DBU Policy was adopted.
- January, 2010-The County Executive recommended the CIP budget for the DBU program.
- May, 2010-The Council approved CIP for DBU.



Inventory of DBU Roads

DBU roads from a report by Montgomery County Civic Federation and the County's Road Inventory were verified utilizing the following:

- MAARS Report dated 2010;
- GIS Map/Aerial Photo dated 2008;
- Existing Subdivision Plats;
- Existing Deeds and;
- Status of County maintenance by County Depots.





Alternatives to DBU Road Improvement

1. Self Build/Self Maintain
2. Self Build/County Maintain
3. County Build/County Maintain
4. No Build





DBU Roads





1. Self Build/Self Maintain

Requires Affected Property Owners to do the following:

1. Petition for abandonment of Right-of-Way.
2. Hire an engineer to design improvements .
3. Obtain design permits from the County (DPS).
4. Hire a contractor to construct the improvements.
5. County recommends that a contract of responsibilities and financial obligations be developed and signed by APOs.



2. Self Build/County Maintain

Requires Affected Property Owners to do the following :

1. Hire an engineer to design improvements.
2. Obtain design permits from the County (DPS).
3. Hire a contractor to construct the improvements.

County Responsibilities :

1. DPS certification of road to County standards.
2. County legally accepts based on Executive Order.
3. County maintains the road.



DBU Roads





3. County Build/County Maintain

Requires Affected Property Owners to do the following:

1. Submit an application of request of CIP funds to the County.
2. Reimburse 90% of total project cost to the County via Tax Assessment.

The County will design and construct the road improvements through a County Funded Capital Improvement Program (CIP). The County's participation will be capped at 10% of the total project costs.



County Build/County Maintain Process

1. Submit application



2. DOT Evaluation



3. DOT distributes the report



Community Support $\geq 60\%$

4. APO cast **First Ballot.**

Community Support $< 60\%$

5A. DOT develops priority ranking and request funding.

5B. DOT stops process.

Community Support $\geq 60\%$

6. County Executive Recommends.

Approves

7. Council reviews.

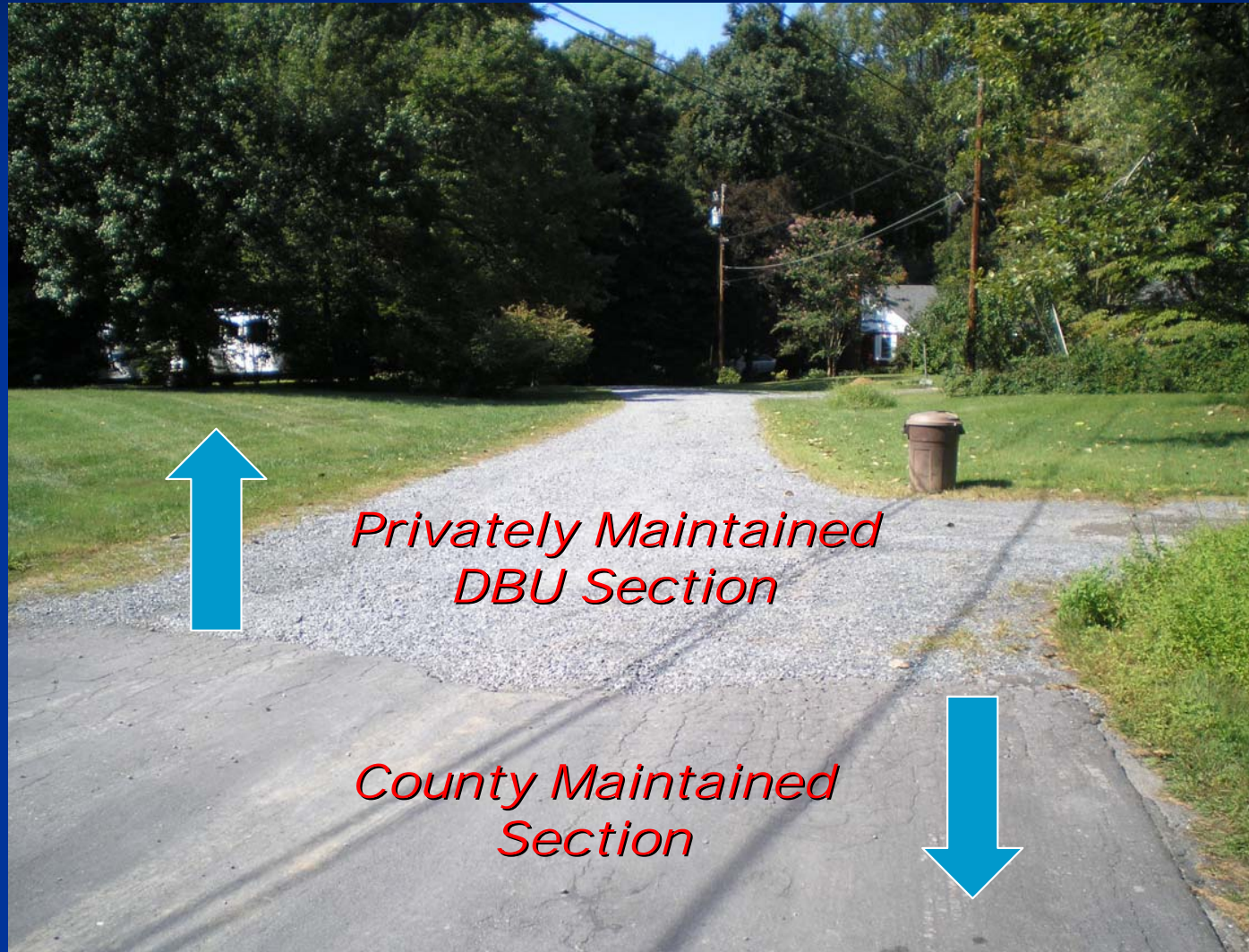
Does Not Approve

8A. Project is approved for design and construction.

8B. Project competes for next Budget Cycle. APO cast **Second Ballot.**



DBU Roads





1. Submit application to DOT.

Application is a petition with the following information:

- 1) Signatures with at least 60% of total affected property owners (1 signature per household).
- 2) Statement acknowledging financial obligation for repayment to the County.
- 3) Statement of any particular issues and problems that need to be addressed in design and construction of the road.

A sample petition form titled "PETITION" is shown. It contains a table with columns for "Name", "Address", "City", "State", "Zip", and "Signature". The table is filled with handwritten signatures and addresses, demonstrating the format for submitting a petition.



1. Submit application to DOT. (Cont'd)

4. Applications must be submitted to the Director of DOT by December 31, 2010 in order to be considered for selection in the FY13 to FY18 capital budget.





2. DOT Evaluation

- 1) DOT staff will conduct an assessment and evaluation for the following information:
 - a) Background and History;
 - b) Any issues of public safety as noted in the petition;
 - c) Physical Parameters;
 - Topography, drainage characteristics, environmental features, right-of-way, utilities, etc.
 - d) Easements of right-of-way needed, if any;
 - e) Traffic Volumes and Pedestrian Activity;



2. DOT Evaluation (Cont'd)

- f) Number of Affected Property Owners associated with the subject DBU road;
- g) Description of the proposed improvements and;
- h) Order of Magnitude Cost Estimate for the improvements and estimated individual responsibility.

2) DOT prepares a summary report based on the above outlined information.



DBU Roads





3. DOT distributes report

- 1) DOT distributes the summary report to each Affected Property Owner.
- 2) DOT meets with Affected Property Owners to review
 - application;
 - conceptual improvements;
 - order of magnitude cost estimate and;
 - funding options.

Note: Order of magnitude cost estimates are preliminary and may change based on final design.



4. First Ballot



- 1) Affected Property Owners vote on:
 - Proceed with Design and Construction of Improvements
 - Accept the financial responsibilities
- 2) Secret Ballot
- 3) One vote per Affected Property Owner household
- 4) Non participating Affected Property Owner is considered a "*no*" vote.
- 5) Occurs within a year of the submission of the biennial CIP Budget.



5A. Priority ranking and funding

- 1) Results of First Ballot:
 - Community Support \geq 60%
- 2) DOT develops Priority Rankings of all applications based on Five Factors.
- 3) DOT requests Funding for design and construction in the next biennial CIP budget.



5B. Insufficient Support

- 1) Results of First Ballot:
 - Community Support < 60%
- 2) Concludes DOT's involvement.



Priority Ranking

Factors considered in Assessment

- 1) Community Support (CS)
- 2) Public Safety Issues (PSI)
- 3) Number of Affected Property Owners (NAPO)
- 4) Cost per Affected Property Owner (C/APO)
- 5) Complexity of Implementation (CI)



DBU Roads





Priority Ranking (Cont'd)

1) Community Support (CS)

- Consensus of Affected Property Owners
- Maximum Score: 30





Priority Ranking (Cont'd)

Scoring Factors for CS

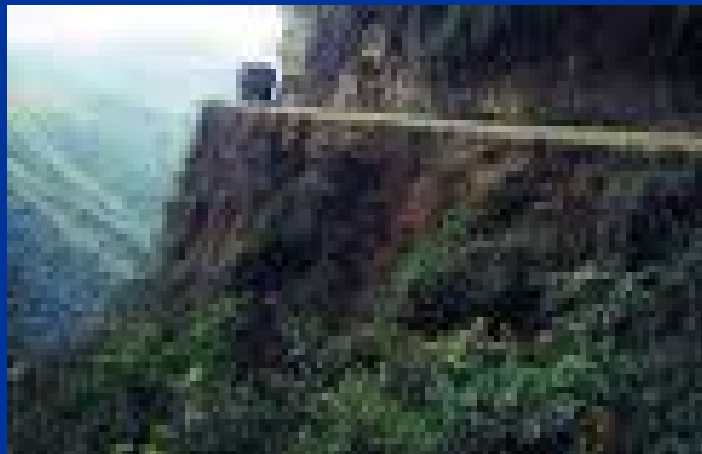
% Property Owners in Support	CS
<60%	0
60% to <67%	5
67% to 74%	10
74% to 81%	15
81% to 88%	20
88% to <95%	25
95% to 100%	30



Priority Ranking (Cont'd)

2) Public Safety Issues (PSI)

- Urgency of Public Safety Need
- Maximum Score: 25





Priority Ranking (Cont'd)

Scoring Factors for PSI

Urgency of Public Safety Issue	PSI
Critical	25
Urgent	18
Important	10
None	0



Priority Ranking (Cont'd)

3) Number of Affected Property Owners (NAPO)

- Benefit the greatest number of tax payers
- Maximum Score: 20





Priority Ranking (Cont'd)

Scoring Factors for NAPO

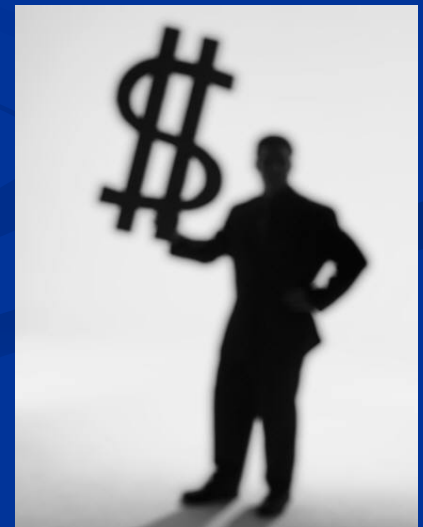
<u>Number of Affected Property Owners</u>	<u>NAPO</u>
<2	0
2-5	5
6-12	10
13-20	15
>20	20



Priority Ranking (Cont'd)

4) Cost per Affected Property Owners (C/APO)

- Lower costs for each affected property owner are more favorable
- Maximum Score: 15





Priority Ranking (Cont'd)

Scoring Factors for C/APO

Cost per Affected Property Owner	C/APO
<\$20,000	15
\$20,000 to <\$30,000	10
\$30,000 to \$40,000	5
>\$40,000	0



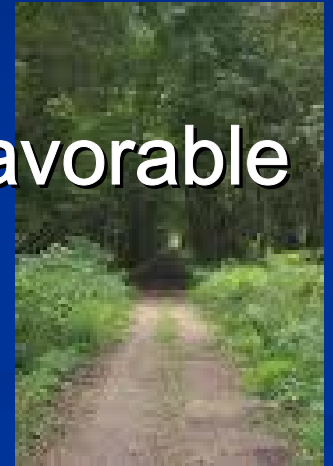
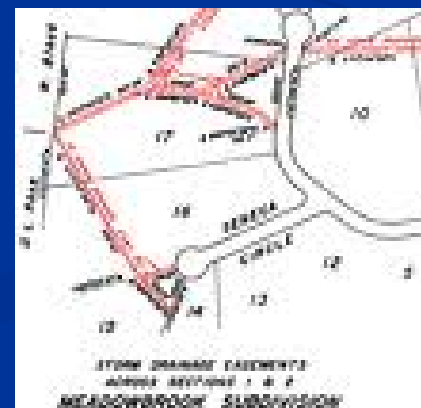
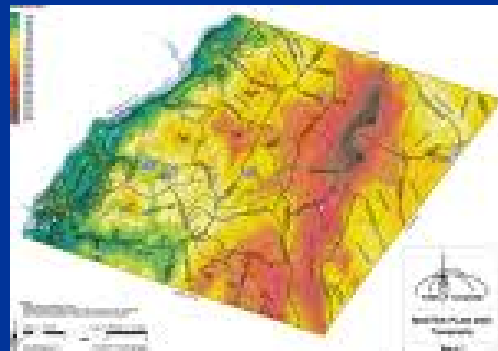
Priority Ranking (Cont'd)

5) Complexity of Implementation (CI)

- Less complex to implement is more favorable

- Environmental Sensitivity of Area
- Topography
- Public Control of Full R-O-W and All Easements
- Existence and location of Utilities

- Maximum Score: 10





Priority Ranking (Cont'd)

Scoring Factors for CI

Complexity

CI

Very complex

0

Somewhat complex

5

Simple

10



Priority Ranking (Cont'd)

Total Score (TS)

- Maximum Score: 100

$$TS = CS + PSI + NAPO + C/APO + CI$$

Each application will be ranked based on TS.



6. Recommendation

- 1) County Executive reviews and considers recommendation of the project to the Council in the budget.
- 2) Recommended budget is published on January 15.

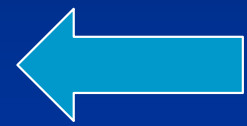


7. County Council

- 1) Projects will be funded based on available budget.
- 2) The County Council decision occurs in May.



DBU Roads



*County Maintained
Section*

*Privately
Maintained
DBU Section*





8A. Approval



- 1) The funding is available on July 1st.
- 2) DOT proceeds with design and construction of the improvements.



8B. Funding Not Approved Second Ballot

- 1) The Council does not approve funding.
- 2) APO cast second ballot prior to the next budget submission
- 3) Project is put in the next biennial CIP budget cycle.
 - Due to significant time lapse after first ballot
 - Turnover in the community
 - changes in financial situations of APO
 - Occurs within a year of the submission of the biennial CIP budget.



8B. Funding Not Approved Second Ballot (Cont'd)

1) Results of Second Ballot

Community Support $\geq 60\%$

- Proceed with Step 5A: DOT updates priority ranking, total project cost and individual cost and requests funding.
- Competes with other projects funding on equal basis.

Community Support $< 60\%$

- Concludes DOT's involvement.



Other General Rule

Any DBU road where the Affected Property Owners reject participation in the program after preliminary engineering work begins, will be excluded from re-applying to the program for six years.



Funding



- County will initially fund improvements through Capital Improvement Program.
- Owners must pay the County the total project cost excluding the County's funding participation cost.
- County's participation is capped at 10% of the total project cost.



Funding (Cont'd)

Cost Participation of the Property Owners

- Assessed on property tax of each property
- Tax assessment based on a 20-yr period
- Interest rate same as the bond rate for CIP
- A one time lump sum payment is an option
- Equal payment by each APO regardless of property size.



Design and Construction



Self Build/Self Maintain or Self Build/County Maintain

- Project treated as private construction projects
- Applicants needs to obtain plan approval and all the necessary permits from Department of Permitting Services (DPS) and other agencies.

County Build/County Maintain

- Follow established County procedures for Capital Improvement Projects.



Design Standards

- Applicable to all scenarios
- Standard pavement width=20'
- Clear Zone=20' in cases of waiver on width
- Minimum pavement thickness specified in the County's Road Standards (6" pavement)
- Sidewalks will be considered on a case-by-case basis and with the specific request of APOs.





Design Standards (Cont'd)

- Streetlights will be considered in the same manner as sidewalks.
- Drainage design of street and tributary areas according to the current County, State and Federal standards and regulations.
- Review of approval of drainage and Stormwater Management Design from DPS
- Drainage easements may be required if the drainage structures are outside right-of-way.



Important Deadline

- Application Deadline:
December 31, 2010
- Earliest start date for County design:
July 1, 2012





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