

**North Carolina Department of Transportation  
Secondary Roads Construction Program**

**Buncombe County**

FY 2011-2012 Anticipated Allocation

Highway Fund	\$ 842,096
Trust Fund	\$ 686,386
Unexpended Balance	\$ 148,060
<b>Total</b>	<b>\$1,676,542</b>

**I. Paving Unpaved Roads**

**Programmed Paving Goal: 2.61 Miles**

**A. Rural Paving Priority ( None Available – Rural Program Completed )**

**B. Subdivision Paving Priority**

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
1F	3482	0.36	Ferry Road From EOP to EOM	\$189,000
2F	1292	0.26	Brookshire #2 From SR-1004 to EOM	\$143,000
3F	2131	0.26	Britten's Cove From SR-2130 to EOM	\$143,000
4F	1820	0.15	Cole Road From SR-1733 to EOM	\$82,500
5F	2120	0.15	Anderson Cove From SR-2199 to EOM	\$82,500
6F	1630	0.50	Snelson Cemetery From SR-1607 to EOM	\$275,000
7F	1817	0.20	Mareldo Road From SR-1768 to EOM	\$110,000
8F	2136	0.13	Riddle Road From SR-2134 to EOM	\$71,500
9F	2176	0.30	Houston Road From SR-2175 to EOM	\$165,000
10F	3228	0.30	Fox Branch Road From SR-3141 to EOM	\$165,000

Total Miles 2.61

Subtotal \$1,419,500

**Subdivision Paving Alternates**

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
11	2463	0.10	Durham Place	\$55,000
12	2185	0.14	Carter Road	\$77,000
13	2751	0.10	Lyda Road	\$55,000
14	2708	0.17	Shumate road	\$93,500
15	2156	0.30	Cheek Road	\$165,000
16	2166	0.25	Riddle Road	\$137,500
17	2132	0.20	Brigman Road	\$110,000
18	3194	0.05	Park Court	\$27,500
19	1495	0.10	Georges Branch	\$55,000
20	1204	0.23	Hillcrest Connector	\$126,500

\* In the event that any roads in priority have to be placed on the "Hold List" due to unavailable right of way or environmental review, or if additional funding becomes available, funds will be applied to the roads listed in priority order in the paving alternate list.

**C. Paving of Constructed Roads**

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
	2119	0.75	Phoenix Cove Rd.	\$27,000
	1121	0.25	Musterground Hill Rd.	\$10,000
	1395	0.96	Willow Cove Rd.	\$35,000
	1748	0.55	Lone Pine Rd.	\$20,000

Subtotal     \$ 92,000

**II. General Secondary Road Improvements**

**A. Paved Road Improvements**

<u>SR No</u>	<u>Project Description</u>	<u>Estimated Cost</u>
Various	Paved Road Improvements	\$65,041
	Subtotal	\$65,041

**III. Funds reserved for surveying, right of way acquisition, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.**     Subtotal     \$100,000

**GRAND TOTAL     \$1,676,541**

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GRAND TOTAL     \$1,676,541



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

July 15, 2011

The Honorable David Gantt, Chairman  
Buncombe County Board of Commissioners  
205 College Street, Suite 200  
Asheville, North Carolina 28801

SUBJECT: Secondary Roads Improvement Program  
Buncombe County  
Fiscal Year 2011 - 2012

Dear Chairman Gantt:

This public hearing is being held in compliance with General Statute 136-44.8 and in accordance with directives established by the North Carolina Board of Transportation. The attached proposals consider overall county needs and outline the expenditure of estimated Secondary Roads Improvement Funds for Buncombe County for the period of July 1, 2011 through June 30, 2012.

We wish to point out the available funds for Secondary Roads Improvements are anticipated funds only. The program as presented is dependent upon actual amounts received. Final funds could result in adjustments up or down in the program. You will receive an annual statement showing actual expenditure of funds in accordance with General Statute 136-44.9.

Also, the amount used in the cost of each of these priorities is an estimate and is subject to variations due to inflation, cost of materials, equipment rate changes, etc. In addition, the improvement of each road on the program is subject to the continuing availability of funding, right of way, and environmental review.

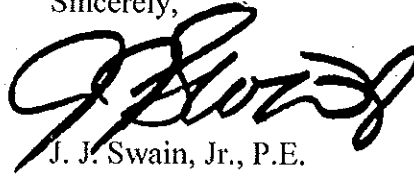
In the event right of way for any of the roads listed is not available, it is our plan to proceed with the next priority. You have previously been provided the ratings of all the unpaved roads, which will be followed in the order shown until right of way is acquired and allocated funds are expended.

The Honorable David Gantt  
Page Two  
July 15, 2011

We appreciate the opportunity to meet with you, the Board and the public to present this program. Recommended deviations from this submission by the Board of Commissioners must be in compliance with General Statue 136-44.8. We are attaching a copy of this General Statue and General Statue 136-44.7 for your ready reference.

If we can provide further information or assistance please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "J. J. Swain, Jr.", written in a cursive style.

J. J. Swain, Jr., P.E.  
Division Engineer

JJS/pl

Attachments

## NC GENERAL STATUTES

### § 136-44.7. Secondary roads; annual work program.

(a) The Department of Transportation shall be responsible for developing criteria for improvements and maintenance of secondary roads. The criteria shall be adopted by the Board of Transportation before it shall become effective. The Department of Transportation shall be responsible for developing annual work programs for both construction and maintenance of secondary roads in each county in accordance with criteria developed. It shall reflect the long-range and immediate goals of the Department of Transportation. Projects on the annual construction program for each county shall be rated according to their priority based upon the secondary road criteria and standards which shall be uniform throughout the State. Tentative construction projects and estimated funding shall also be listed in accordance to priority. The annual construction program shall be adopted by the Board of Transportation before it shall become effective.

(b) When a secondary road in a county is listed in the first 10 secondary roads to be paved during a year on a priority list issued by the Department of Transportation under this section, the secondary road cannot be removed from the top 10 of that list or any subsequent list until it is paved. All secondary roads in a county shall be paved, insofar as possible, in the priority order of the list. When a secondary road in the top 10 of that list is removed from the list because it has been paved, the next secondary road on the priority list shall be moved up to the top 10 of that list and shall remain there until it is paved.

(c) When it is necessary for the Department of Transportation to acquire a right-of-way in accordance with (a) and (b) of this section in order to pave a secondary road or undertake a maintenance project, the Department shall negotiate the acquisition of the right-of-way for a period of up to six months. At the end of that period, if one or more property owners have not dedicated the necessary right-of-way and at least seventy-five percent (75%) of the property owners adjacent to the project and the owners of the majority of the road frontage adjacent to the project have dedicated the necessary property for the right-of-way and have provided funds required by Department rule to the Department to cover the costs of condemning the remaining property, the Department shall initiate condemnation proceedings pursuant to Article 9 of this Chapter to acquire the remaining property necessary for the project. (1973, c. 507, s. 3; 1975, c. 716, s. 7; 1977, c. 464, s. 8; 1989, c. 692, s. 1.9; 1991 (Reg. Sess., 1992), c. 900, s. 99; 2001-501, s. 2; 2002-86, s. 1.)

### § 136-44.7A. Submission of secondary roads construction programs to State agencies.

When the Department of Transportation proposes to pave an unpaved secondary road that crosses land controlled by a State agency, the Department of Transportation shall obtain the approval of that State agency before paving that secondary road. (1996, 2nd Ex. Sess., c. 18, s. 19.7.)

### § 136-44.8. Submission of secondary roads construction programs to the Boards of County Commissioners.

(a) The Department of Transportation shall post in the county courthouse a county map showing tentative secondary road paving projects rated according to the priority of each project in accordance with the criteria and standards adopted by the Board of Transportation. The map shall be posted at least two weeks prior to the public meeting of the county commissioners at which the Department of Transportation representatives are to meet and discuss the proposed secondary road construction program for the county as provided in subsection (c).

(b) The Department of Transportation shall provide a notice to the public of the public meeting of the board of county commissioners at which the annual secondary road construction program for the county proposed by the Department is to be presented to the board and other citizens of the county as provided in subsection (c). The notice shall be published in a newspaper published in the county or having a general circulation in the county once a week for two succeeding weeks prior to the meeting. The notice shall also advise that a county map is posted in the courthouse showing tentative secondary road paving projects rated according to the priority of each project.

(c) Representatives of the Department of Transportation shall meet with the board of county commissioners at a regular or special public meeting of the board of county commissioners for each county and present to and discuss with the board of county commissioners and other citizens present, the proposed secondary road construction program for the county. The presentation and discussion shall specifically include the priority rating of each tentative secondary road paving project included in the proposed construction program, according to the criteria and standards adopted by the Board of Transportation.

At the same meeting after the presentation and discussion of the annual secondary road construction program for the county or at a later meeting, the board of county commissioners may (i) concur in the construction program as proposed, or (ii) take no action, or (iii) make recommendations for deviations in the proposed construction program, except as to paving projects and the priority of paving projects for which the board in order to make recommendations for deviations, must vote to consider the matter at a later public meeting as provided in subsection (d).

(d) The board of county commissioners may recommend deviations in the paving projects and the priority of paving projects included in the proposed secondary road construction program only at a public meeting after notice to the public that the board will consider making recommendations for deviations in paving projects and the priority of paving projects included in the proposed annual secondary road construction program. Notice of the public meeting shall be published by the board of county commissioners in a newspaper published in the county or having a general circulation in the county. After discussion by the members of the board of county commissioners and comments and information presented by other citizens of the county, the board of county commissioners may recommend deviations in the paving projects and in the paving priority of secondary road projects included in the proposed secondary road construction program. Any recommendation made by the board of county commissioners for a deviation in the paving projects or in the priority for paving projects in the proposed secondary road construction program shall state the specific reason for each such deviation recommended.

(e) The Board of Transportation shall adopt the annual secondary construction program for each county after having given the board of county commissioners of each county an opportunity to review the proposed construction program and to make recommendations as provided in this section. The Board of Transportation shall consider such recommendations insofar as they are compatible with its general plans, standards, criteria and available funds, but having due regard to development plans of the county and to the maintenance and improvement needs of all existing roads in the county. However, no consideration shall be given to any recommendation by the board of county commissioners for a deviation in the paving projects or in the priority for paving secondary road projects in the proposed construction program that is not made in accordance with subsection (d).



(f) The secondary road construction program adopted by the Board of Transportation shall be followed by the Department of Transportation unless changes are approved by the Board of Transportation and notice of any changes is given the board of county commissioners. The Department of Transportation shall post a copy of the adopted program, including a map showing the secondary road paving projects rated according to the approved priority of each project, at the courthouse, within 10 days of its adoption by the Board of Transportation. The board of county commissioners may petition the Board of Transportation for review of any changes to which it does not consent and the determination of the Board of Transportation shall be final. Upon request, the most recent secondary road construction programs adopted shall be submitted to any member of the General Assembly. The Department of Transportation shall make the annual construction program for each county available to the newspapers having a general circulation in the county. (1973, c. 507, s. 3; 1975, c. 716, s. 7; 1977, c. 464, s. 9; 1981, c. 536.)

#### § 136-44.9. Secondary roads; annual statements.

The Department of Transportation shall, before the end of the calendar year, prepare and file with the board of county commissioners a statement setting forth (i) each secondary highway designated by number, located in the county upon which the paving or improvement was made during the calendar year; (ii) the amount expended for improvements of each such secondary highway during the calendar year; and (iii) the nature of such improvements. The Department of Transportation, in its annual report, shall report on each secondary road construction project including the stage of completion and funds expended. The pertinent portion of these reports for each county shall be made available to the board of county commissioners. (1973, c. 507, s. 3; 1975, c. 615; c. 716, s. 7.)

#### § 136-44.10. Additions to secondary road system.

The Board of Transportation shall adopt uniform statewide or regional standards and criteria which the Department of Transportation shall follow for additions to the secondary road system. These standards and criteria shall be promulgated and copies made available for free distribution. (1973, c. 507, s. 3; 1975, c. 716, s. 7; 1977, c. 464, ss. 8, 21.)

#### § 136-44.11. Right-of-way acquisitions; preliminary engineering annual report.

(a) The Department of Transportation shall include in its annual report projects for which preliminary engineering has been performed more than two years but where there has been no right-of-way acquisition, projects where right-of-way has been acquired more than two years but construction contracts have not been let. The report shall include the year or years in which the preliminary engineering was performed and the cost incurred, the number of right-of-way acquisitions for each project, the dates of the first and last acquisition and the total expenditure for right-of-way acquisition. The report shall include the status of the construction project for which the preliminary engineering was performed or the right-of-way acquired and the reasons for delay, if any.

(b) Requests to the Board of Transportation for allocation of funds for the purchase of right-of-way shall include an estimated time schedule to complete all necessary right-of-way purchases related to a specific project, and a proposed date to award construction contracts for that project. If the anticipated construction contract date is more than two years beyond the estimated completion of the related right-of-way purchases, the approval of both the Board of Transportation and the Director of the Budget is required. (1973, c. 507, s. 3; 1975, c. 716, s. 7; 1981, c. 859, s. 69.)

## SECONDARY ROAD PAVING PRIORITY SYSTEM

- In accordance with GS 136-44.2A and 136-176(b)(4), funds are allocated from the State Highway Fund and the Highway Trust Fund for Secondary Road construction. This program provides for paving the unpaved roads on the state secondary system.
- GS 136-44.7 stipulates that the Department of Transportation shall be responsible for developing criteria for prioritizing unpaved secondary roads to be used statewide.
- The current system of rating unpaved roads for paving was formulated in early 1977.
- Attachments 1 & 2 are rating sheets used in the ranking system for each county statewide. Each county has an independent paving priority using this rating sheet.
- Each unpaved road is reviewed every two or three years depending upon the desire of the Board of Transportation. All of the characteristics of an unpaved road are noted on the rating sheet. Each characteristic is assigned the points shown. The points and the traffic count are added together. The road with the most points is paving priority number one.
- The ranking is following unless right of way is not available. If the right of way is not available, at no cost to the Department of Transportation, the funds are used on the next road in priority.
- Under our current system, the rating system is divided into two (2) road system categories: (1) Rural and (2) Subdivision/Residential. The paving priority for rural roads is established by dividing the land use and public service characteristics by the roadway length if greater than one mile in length and by one if less than a mile in length. If the actual length were used, those unpaved rural secondary roads less than one mile in length would increase in priority with the shorter roads showing the greatest gain in priority and paving potential.
- The Subdivision/Residential rating system already uses the above-described system whereby the actual length is used thereby giving the shorter roadways (less than one mile in length) a higher paving priority. This system does give a high emphasis on trying to pave those roads with the higher density development (homes per length roadway) which we consider a desirable objective.

BOARD OF TRANSPORTATION  
RATING SHEET FOR UNPAVED SECONDARY ROADS

RURAL

DEPARTMENT OF TRANSPORTATION – DIVISION OF HIGHWAYS

\_\_\_\_\_ COUNTY

SR No. \_\_\_\_\_ From Road No. \_\_\_\_\_ to Road No. \_\_\_\_\_ Length \_\_\_\_\_ (Miles)

Local Name \_\_\_\_\_

I.

LAND USE AND PUBLIC SERVICE CHARACTERISTICS

- |   |       |
|---|-------|
| 1. Homes (6 pts. per home – seasonal homes 3 pts.)                          | _____ |
| 2. Schools (10 pts. per school)   | _____ |
| 3. Churches (10 pts. per church)  | _____ |
| 4. Businesses (10 pts. per business)  | _____ |
| 5. Industries (10 pts. per industry)  | _____ |
| 6. Recreational Facilities (Public and/or Non-Profit) (5 pts. per facility) | _____ |
| 7. Sub-Total  | _____ |
| 8. Sub-Total divided by the length if greater than one mile                 | _____ |

II.

TRAFFIC CHARACTERISTICS

- |   |       |
|---|-------|
| 9. School Bus Route (10 pts.)             | _____ |
| 10. Average Annual 24-Hour Traffic Volume | _____ |
| 11. TOTAL                                 | _____ |

III.

GENERAL ROUTE CHARACTERISTICS

- |  |       |
|--|-------|
| 12. The value of the road as a County Thoroughfare Route (10 pts.) | _____ |
|--|-------|

- |   |       |
|---|-------|
| 13. TOTAL RATING (Item 8 + Item 11 + Item 12) | _____ |
|---|-------|

BOARD OF TRANSPORTATION  
RATING SHEET FOR UNPAVED SECONDARY ROADS

RESIDENTIAL-SUBDIVISION

DEPARTMENT OF TRANSPORTATION - DIVISION OF HIGHWAYS

\_\_\_\_\_  
COUNTY

SR No. \_\_\_\_\_ From Road No. \_\_\_\_\_ to Road No. \_\_\_\_\_ Length \_\_\_\_\_ (Miles)

Local Name \_\_\_\_\_

I.

LAND USE AND PUBLIC SERVICE CHARACTERISTICS

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| 6. Recreational Facilities (Public and/or Non-Profit) (5 pts. per facility) | _____ |
| 7. Sub-Total  | _____ |
| 8. Sub-Total divided by a length  | _____ |

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| 9. School Bus Route (10 pts.)             | _____ |
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| 11. TOTAL                                 | _____ |

III.

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- |  |       |
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| 12. The value of the road as a County Thoroughfare Route (10 pts.) | _____ |
|--|-------|

- |   |       |
|---|-------|
| 13. TOTAL RATING (Item 8 + Item 11 + Item 12) | _____ |
|---|-------|