

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: December 2, 2024

SUBJECT: Temporary Transit Service Extension and Fare Change

PRESENTER: Janna Bianculli, Senior Planner

ATTACHMENTS:

1. Cost of Service Table
2. ACPT Contract Addendum

SUMMARY OF REQUEST:

Apple Country Public Transit (ACPT) is the only fixed-route transit system in the county. Many people depend on the system for their daily commute and as a primary transportation method. Hurricane Helene caused many Henderson County residents to lose their vehicles, increasing dependence on the transit system. In response to the federally declared natural disaster, the Planning Department proposes two temporary alleviation measures.

Currently, ACPT operates Monday – Friday, 6:30 AM to 6:30 PM. Working within the confines of our contractor’s capacity, the Department suggests expanding service by one hour daily, ending at 7:30 PM. Additionally, to assist our struggling community, the Department proposes to remove transit fares from the fee schedule effective December 3, 2024. The extended service will begin when WNCSource has sufficient capacity (expected at the beginning of 2025) and will run through the end of the fiscal year, barring any issues that would be cause for early termination. Both measures will be temporary to comply with Federal Transit Administration regulations. The Board may decide during their FY2026 budget meetings whether they wish to continue these measures.

BOARD ACTION REQUESTED:

The Board is requested to approve temporary service expansion and the temporary waiver of transit fares effective December 3, 2024, through June 30, 2024.

Suggested Motion:

I move to approve the temporary service expansion and the temporary waiver of transit fares effective December 3, 2024, through June 30, 2024.

Cost of Additional Service Hour

*Temporary service between January 2, 2025 and June 30, 2025
Reduction of fares between December 3, 2024 and June 30, 2025*

Fixed Route Service

Hourly Rate: \$72.34

3 routes per day: \$217.02

125 service days between January 2nd and June 30th: **\$27,127.50**

Paratransit Service

Hourly Rate: \$82.15

1 vehicle per day

125 service days between January 2nd and June 30th: **\$10,268.75**

Total Cost for Both Service Modes & Fare Reduction

Cost of Both Modes: \$37,396.25

*Loss of Fare Revenue: -\$20,000.00 Between December 3, 2024 and June 30, 2025

Total Cost: \$57,396.25

Grant Funding Breakdown for Entire Contract Cost

New FY25 Contract Total: \$824,702.00

FTA Grant Portion: \$537,643.00

State Grant Portion: \$162,794.00

Previous Farebox Revenue: \$13,322.00

Municipal Contribution: \$99,128.00

County's Responsibility: \$11,815.00

*Fares fluctuate and are difficult to estimate. This estimation is on the high end. The fares shown as revenue are fares the system has already received

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**CONTRACT ADDENDUM
HENDERSON COUNTY TRANSIT CONTRACT APPLE COUNTRY PUBLIC TRANSIT**

This Agreement made and entered this the ____ of _____, 2024, by and between **Henderson County**, a body politic and corporate under the laws of the State of North Carolina (hereinafter the “COUNTY”) and **Western Carolina Community Action** (hereinafter the “SERVICE PROVIDER”), a nonprofit organization doing business as WNCSource, is an addendum to the original agreement signed on May 18, 2022 by the Parties.

Witnesseth

WHEREAS Hurricane Helene hit Henderson County on September 27, 2024, and the Henderson County Board of Commissioners seeks to alleviate burdensome costs and wishes to expand access to those affected; and

WHEREAS the County and the Service Provider have had an agreement for transit services since 18th May, 2022; and

WHEREAS the Federal Transit Administration grants Henderson County the authority to temporarily amend contracts without following major service change procedures; and

WHEREAS the previous agreement allows the County and the Service Provider to amend and create addendum to the agreement; and

WHEREAS the County is to amend the current agreement; and

WHEREAS this addendum is for the purposes of temporary changes only to take effect from January 2, 2025 through June 30, 2025;

NOW THEREFORE, for valuable consideration and mutual promises, the adequacy and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. AMENDMENT:

- a. The SERVICE PROVIDER will temporarily extend all three Fixed-Route service routes by 1 (one) hour each for the period from January 2, 2025, to June 30, 2025, for a maximum total of 375 additional service hours.
- b. The SERVICE PROVIDER will temporarily extend Paratransit services by 1 (one) hour for the period from January 2, 2025, to June 30, 2025, for a maximum total of 125 additional service hours.
- c. Both Fixed-Route and Paratransit services will temporarily operate fare-free for all riders for the period from December 3, 2024, to June 30, 2025.

- d. The SERVICE PROVIDER shall not charge greater than the “not to exceed” amount for Fixed-Route service listed in the Table in ATTACHMENT 1, “Cost of Additional Service Hour.”
 - e. The SERVICE PROVIDER shall not charge greater than the “not to exceed” amount for Paratransit service listed in the Table in ATTACHMENT 1, “Cost of Additional Service Hour.”
2. ORIGINAL TERMS: Apart from the revisions outlined in the “Amendments” section, all remaining terms, conditions, clauses, and provisions in the Original Agreement remain unaltered and in full force for the duration of this Agreement, including all federal requirements from the Federal Transit Administration.

IN WITNESS WHEREOF, each party has caused this extension to be duly executed on the day and year first above written and if corporate, by their duly authorized representative.

On this the ___ day of _____, 2024.

HENDERSON COUNTY

By: _____
John Mitchell, County Manager

SERVICE PROVIDER

By: _____
David White, Chief Executive Officer, WNCSource

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Notary Public of the County and State aforesaid, certify that John Mitchell personally came before me this day and acknowledged that he is the County Manager for Henderson County, a corporation and body politic, and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by the County Manager and attested by me as its Clerk.

WITNESS my hand and notarial seal this _____ day of _____, 2024.

Notary Public: _____
Print or type name: _____
My Commission Expires: _____

STATE OF NORTH CAROLINA
COUNTY OF _____

I, Notary Public of the County and State aforesaid, certify that David White personally came before me this day and acknowledged that he is the Chief Executive Officer of Western Carolina Community Action (WCCA), a lawful corporation under the regulations of North Carolina, and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by himself as its Chief Executive Officer and attested by me as its _____.

WITNESS my hand and notarial seal this _____ day of _____, 2024.

Notary Public: _____
Print or type name: _____
My Commission Expires: _____

PRE-AUDIT CERTIFICATION

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act N.C.G.S. 159-28(a)

By: _____

Date: _____

Name (Print): _____
Henderson County Finance Director

**Proposed Contract Addendum
December 2, 2024**

WNC Source Hourly Rates for Fixed-Route Services

	Year 1 FY 2023	Year 2 FY 2024	Year 3 FY2025	Option Year 4 FY 2026	Option Year 5 FY 2027	Option Year 6 FY 2028
Not to Exceed Annual Cost	\$601,841	\$639,295	\$691,209	\$690,061	\$717,233	\$745,600
Service Hours	8,976	9,180	9,555	9,180	9,180	9,180
Hourly Rate	\$67.05	\$69.64	\$72.34	\$75.17	\$78.13	\$81.22

WNC Source Hourly Rates for Paratransit Services

	Year 1 FY 2023	Year 2 FY 2024	Year 3 FY2025	Option Year 4 FY 2026	Option Year 5 FY 2027	Option Year 6 FY 2028
Not to Exceed Annual Cost	\$75,620	\$118,215	\$133,494	\$128,445	\$133,920	\$139,650
Service Hours	1,000	1,500	1,625	1,500	1,500	1,500
Hourly Rate	\$75.62	\$78.81	\$82.15	\$85.63	\$89.28	\$93.10

Total Cost of Both Modes

Total Cost of Both Services	Year 1 FY 2023	Year 2 FY 2024	Year 3 FY2025	Option Year 4 FY 2026	Option Year 5 FY 2027	Option Year 6 FY 2028
Avg. Hourly Rate	\$67.91	\$70.93	\$73.72	\$75.37	\$79.70	\$82.89
Total Cost	\$677,461	\$757,510	\$824,703	\$818,506	\$851,153	\$885,250