

**Meeting Minutes**  
**Wilmington Urban Area Metropolitan Planning Organization**  
**Transportation Advisory Committee**  
**Date: May 27, 2015**

**Members Present:**

Laura Padgett, Chair, City of Wilmington  
Pat Batleman, Town of Leland  
Pat O'Bryant, Town of Belville  
Earl Sheridan, City of Wilmington  
Frank Williams, Brunswick County  
David Piepmeyer, Pender County  
Skip Watkins, New Hanover County  
Dean Lambeth, Town of Kure Beach  
Hank Miller, Town of Wrightsville Beach  
Jonathan Barfield, Cape Fear Public Transportation Authority

**Staff Present:**

Mike Kozlosky, Executive Director

**1. Call to Order**

Ms. Padgett called the meeting to order at 3:02pm.

**2. Conflict of Interest Reminder**

Ms. Padgett asked if any members had a conflict of interest with any items on the meeting agenda. No members reported having a conflict of interest.

**3. Approval of Minutes**

The minutes for the April 22<sup>nd</sup> meeting were approved unanimously.

**4. Public Comment Period**

No members of the public wished to speak.

**5. Presentations**

**a. Grow America and Beyond Traffic, John Sullivan, FHWA**

Mr. John Sullivan, Division Administration with Federal Highway Administration gave a presentation on Grow America. Mr. Sullivan told members the Grow America would provide \$468 billion over the next 6-years and will increase investments in surface transportation by 45%. Mr. Sullivan noted that Secretary Foxx's main priority is highway safety. Grow America will look at how do we improve our nation's highways to reduce the number of fatalities. The second priority is closing the gap on infrastructure investment – reducing the backlog for needed capacity and physical infrastructure.

Mr. Sullivan told members that the Grow America Act will establish a new \$18 billion freight program to create incentives for regions to reach out to freight stakeholders. The program will also include innovative financing programs that include expanding financing options available under the Transportation Infrastructure Finance and Innovation Act. He said Railroad Rehabilitation and the TIGER grant programs will also be strengthened over the six year period.

Mr. Sullivan told members that the Grow America Act will increase funding incentives to MPOs and encourage creation of high-performing metropolitan planning organizations. These high-performing MPOs will work cooperatively with other MPOs in their regions in creating regional long-range plans that would provide performance goals for our national highway system.

In closing, he told members that a key component will be to identify the revenue sources needed to fund the program. Grow America is currently under review by the Senate Finance Committee and the House Way and Means Committee.

**b. Cape Fear Transportation 2040 Plan Survey Results, Suraiya Rashid**

Ms. Rashid told members that staff hosted 7 regional public open houses between April 1<sup>st</sup> and April 30<sup>th</sup>. She noted that the meetings were well attended. Staff received a total of 57 public comment forms. From those, staff developed a summary of public comments for review.

Ms. Rashid reviewed the responses to the questions asked on the forms and she noted that the responses were generally consistent with the proposed plan. She told members that the modal subcommittees will review the comments. Following those meetings, the comments will go to the CAC for review and consideration.

**c. Review of CAMPO's Surface Transportation Program-Direct Attributable (STP-DA) and Transportation Alternatives Program-Direct Attributable (TAP-DA) Process, Corey Knight**

Mr. Knight told members that he and Ms. Strait attended the Capital Area MPO's training session on their STP-DA and TAP-DA program processes. He said CAMPO established their Locally Administered Projects Program (LAPP) in 2009.

Mr. Knight told members that CAMPO's implementation process requires all applicants for direct attributable funds attend annual training. He noted that the WMPO staff will model its STP-DA and TAP-DA processes after CAMPO's program and that we will also include requiring applicants to attend the annual training prior to submitting applications for DA funds. Training will also include use of the Partner Connect software used by NCDOT.

Mr. Knight reviewed CAMPO's implementation process flow chart that staff will use as a pattern for establishing a more transparent process for applying for the STP-DA and TAP-DA funds.

Mr. Kozlosky told members staff will bring a draft submittal guide to the Board in June for review.

**6. Consent Agenda**

**a. Resolution approving STIP/MTIP Amendments April**

Ms. Batleman made the motion to approve the items on the consent agenda. Mr. Watkins seconded the motion and it carried unanimously.

**7. Discussion**

**a. Communication between MPO and member jurisdictions**

Mr. Kozlosky told members that at the last meeting there was some discussion about communication and opportunities for the Board to make more informed decisions. He asked members if they had suggestions for staff on how to improve communication.

Mr. Watkins told members he was concerned that information be made available to members prior to voting on items on the TAC's agenda. He said he would like to request that information be provided in advance on items that directly affect New Hanover County. That would allow him an opportunity to put the information before his fellow Commissioners and ask for their input prior to him casting a vote on an item.

Ms. Padgett told members that the TAC is one of the more complicated boards that council members and commissioners are asked to serve on. Because transportation funding is extremely complex and the decision making has so many layers, it's complicated to figure it out. Members are all tasked to use some level of judgement for many of the items on the agenda. However, there are some major items that affect individual areas that require input from individual boards.

Mr. Williams suggested holding discussion on items at meetings prior to the meeting where members are being asked to vote on these major items. He noted that will give members the opportunity to talk to their jurisdiction's board prior to voting.

Ms. Padgett suggested that if an item is judged to be significant, members and staff should plan a two-meeting session, one to discuss the item and one to vote. Mr. Williams said it should also include the items that require the individual jurisdictional boards to vote on at a later time.

**b. Memorandum of Understanding**

Mr. Kozlosky told members there is a potential conflict with the legislation that was introduced by Senator Lee regarding the proposed name change for the WMPO. He said the current statute acknowledges that the Wilmington Urban Area Metropolitan Planning Organization has the authority to file the maps. He noted that if Board changes its name, there is potential legal consequences as it relates to the bill.

Mr. Kozlosky said he would like to offer three potential alternatives. The first alternative is to use the new MOU that was crafted, but change the name back to the Wilmington Urban Area Metropolitan Planning Organization. The second alternative would be to rescind the MOU, which will take us back to the MOU that was adopted in 2007. The third alternative would be to wait and not have any of the boards adopt the MOU until we find out what happens with the legislation that introduced in the current session.

Mr. Kozlosky told members he has had discussions with Mr. Matt Nichols regarding the name change. Mr. Kozlosky asked Mr. Nichols to address the Board.

Mr. Nichols told members he would suggest that members error on the side of not creating an issue with a name change. He said his advice to Mr. Kozlosky was to not change the name.

Following additional discussion, Mr. Watkins made the motion to rescind the MOU that was adopted by the TAC in April. Mr. Miller seconded the motion and it carried unanimously.

**c. Amendment to the Meeting Calendar – July Meeting**

Mr. Kozlosky told members staff would like to request a meeting be added to the calendar for July in order to meet the schedule to adopt the MTP. Staff suggested meeting on July 15<sup>th</sup> or 22<sup>nd</sup>. Mr. Kozlosky said staff send out an email to poll members on the preferred date for the meeting.

**d. Wilmington MPO FY 2015 Financial Review Budget**

Ms. Padgett told members staff had inquires as the how the MPO budget is established. Mr. Kozlosky told members that the chart demonstrates the contributions that each of the entities makes toward the operations of the MPO.

**8. Updates**

Project updates for the Crossing over the Cape Fear River Work Group, Wilmington MPO, CFPTA and NCDOT Division are included in the agenda packet.

**Closed session**

Ms. Padgett told members there is a need to waive the rules and enter into a closed session pursuant to the provisions of GS #143-318.11 A3 in order to consult with Attorney Matt Nichols regarding the following legal matters: Jamestown Pender, LP v. North Carolina Department Of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 14CVS528 filed in Pender County, North Carolina; Noelle Holdings, LLC v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 14CVS1036 filed in Pender County, North Carolina; Hanpen Land Co. LLC v North Carolina Department of Transportation and Wilmington Area Metropolitan Planning Organization, 15 CVS 433 filed in Pender County; Buyers Brokers & Consultants v North Carolina Department of Transportation and Wilmington Area Metropolitan Planning Organization, 15 CVS 494 filed in Pender County and Hanpen Land Co. LLC v North Carolina Department of Transportation and Wilmington Area Metropolitan Planning Organization, 15 CVS 1579 filed in New Hanover County.

Mr. Miller made the motion to waive the rules and enter into a closed session. Mr. Lambeth seconded the motion and it carried unanimously.

**Call back to order**

Ms. Padgett called the meeting back into open session. She stated that no action was taken other than to provide directions to Attorney Matt Nichols regarding the MPO's responses to the legal matters of Jamestown Pender, LP v. North Carolina Department Of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Noelle Holdings, LLC v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Hanpen Land Co. LLC v North Carolina Department of Transportation and Wilmington Area Metropolitan Planning Organization, Buyers Brokers & Consultants v North Carolina Department of Transportation and Wilmington Area Metropolitan Planning Organization, and Hanpen Land Co. LLC v North Carolina Department of Transportation and Wilmington Area Metropolitan Planning Organization.

**11. Adjournment**

With no further business, the meeting was adjourned at 4:53pm

Respectfully submitted  
Mike Kozlosky  
Executive Director  
Wilmington Urban Area Metropolitan Planning Organization

**THE ABOVE MINUTES ARE NOT A VERBATIM RECORD OF THE PROCEEDINGS.  
THE ENTIRE PROCEEDINGS ARE RECORDED ON A COMPACT DISC AS PART OF THIS RECORD.**