

**Meeting Minutes**  
**Wilmington Urban Area Metropolitan Planning Organization**  
**Transportation Advisory Committee**  
**Date: September 30, 2015**

**Members Present:**

Laura Padgett, Chair, City of Wilmington  
Pat Batleman, Town of Leland  
Patrick O'Bryant, Town of Belville  
Frank Williams, Brunswick County  
Gary Doetsch, Town of Carolina Beach  
Skip Watkins, New Hanover County  
Hank Miller, Town of Wrightsville Beach  
John Lennon, NC Board of Transportation  
Eulis Willis, Town of Navassa

**Others:**

Karen Collette, NCDOT Division 3 Engineer

**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. Mr. Lennon asked to be recused from item 7.d. on the agenda.

Mr. Williams made the motion to recuse Mr. Lennon from item 7.d. Mr. Doetsch seconded the motion and it carried unanimously.

**3. Approval of Minutes**

The minutes for the August 26, 2015 meeting were approved unanimously.

**4. Public Comment Period**

No one requested to speak during the Public Comment Period.

**5. Presentations**

**a. Cape Fear Crossing, Joanna Rocco, AECOM**

Ms. Rocco with AECOM gave a presentation on the Cape Fear Crossing. She gave a brief overview on the project timeline to date and the steps required by the National Environmental Policy Act (NEPA) and Merger Process. Ms. Rocco reviewed the list of completed tasks thus far and the tasks they are currently working to complete. She told members that the Draft Environmental Impact Statement (DEIS) should be published in Spring 2017 and public hearings will be held following the release. Ms. Rocco said the final EIS is scheduled for Summer 2018 and the Record of Decision will be announced in the Winter of 2018.

Ms. Padgett said members should notice that there is no point at which the MPO actually votes on any of the processes that Ms. Rocco presented. The MPO will make the decision whether or not to fund the project during the prioritization process once the preferred route has been identified.

Ms. Padgett asked Ms. Rocco if the record of decision goes directly from the 12 alternatives AECOM is looking at down to one, or will they reduce the number in the meantime. Ms. Rocco said that the process will go from 12 to 1 from the Draft EIS to the Final EIS. She reminded members that 12 alignments seem like a big number; however, many of the alignments are overlapping.

Ms. Padgett asked if there is a point at which AECOM will have a spreadsheet available that would show the agencies that are part of the merger process what the impacts are that those agencies would be looking at so that MPO members can see the comparison for each of the alignments. Ms. Rocco said they will be presenting impacts in spreadsheet format at the Concurrence Point 2A (CP2A) meeting and the information will be available prior to that merger meeting. Ms. Padgett said she would request that MPO members get a copy of the spreadsheet. Ms. Rocco noted that AECOM anticipated presenting that information to the workgroup prior to the CP2A merger meeting.

Mr. Kozlosky said staff will bring the information to MPO members for consideration and comments once it has been received from NCDOT and AECOM prior to the merger meeting.

Ms. Collette told members that it was suggested that the Department and AECOM no longer need to hold meetings with the MPO's workgroup; but instead, information should be presented to the entire TAC membership. She noted that the workgroup was formed because of the communication issues regarding the project. The meetings also offered an opportunity to provide detailed information on the merger process and the work required in identifying a preferred route.

Ms. Batleman said today's presentation was very comprehensive. She stated that she is still not sure how beneficial it is to have 3 people go to a meeting rather than update the entire group on the project. She asked members if they prefer to have information presented when appropriate to the whole committee rather than the 3 people on the workgroup. Mr. Watkins told members he would prefer first-hand information on the project. Mr. Williams told members he agreed with Mr. Watkins.

Ms. Padgett told members the point of the workgroup was so that the consultant and the Department understood that somebody from the MPO was taking note of what was going on and receiving information as the merger process moves forward. She stated that she feels that has been remedied.

Mr. Lennon told members he believes the communication issues have been addressed. He said he does not feel that TAC members need to take a lot of time to be told what blocks have been checked off over the last three months. He would prefer that merger team get to the next decision point rather than have them attend TAC meetings.

Mr. Doetsch told members he agreed with Mr. Lennon. He noted that serving on the workgroup allowed him to realize that this is going to be a long process; and, the only real part TAC members have in the decision-making process is the funding portion at some point in time.

Ms. Collette said what she hopes everyone gathers from this process is that the location of the crossing will be worked out in the NEPA process. At the end of the NEPA process, you will have one location and TAC members will only decide if the project is to be funded.

Ms. Padgett asked if consensus was that the workgroup process has accomplished its purpose by promoting better communication between the consultants, NCDOT and the MPO and we have agreed to bring AECOM back for an update within 6 months. Members agreed.

Mr. Kozlosky told members that staff will prepare a resolution for consideration at the next meeting to dissolve the workgroup.

## **6. Consent Agenda**

- a. Resolution supporting Prioritization 4.0 Project Deletions**
- b. Resolution supporting STIP/MTIP Amendments (August)**
- c. Resolution supporting the utilization of UPWP funding in the amount of \$5,500 for development of a conceptual floor plan for the Thomas Grocery Building**
- d. Resolution supporting an improved access to North Creekwood, Creekwood and other undeveloped properties in this area**

Mr. Watkins asked that item 6.d. be pulled from the consent agenda for discussion.

Mr. Miller made the motion to approve items 6. a. b. and c. on the consent agenda. Ms. Batleman seconded the motion and it carried unanimously.

Mr. Watkins told members he would like to be updated on the item d. He said he saw information showing the project going behind AAI and asked if that was the current alignment. Mr. Kozlosky said that is one of the alternatives that are under consideration.

Mr. Kozlosky told members that staff is working with the Department and the community to identify a specific alignment that will provide another access to the Creekwood neighborhood. The construction of the connector will also improve safety on Martin Luther King, Jr. Parkway by permitting the closure of the intersection of Kornegay Drive with the Parkway. City staff is working with NCDOT to potentially cost share in the construction for the connection.

Mr. Lennon said if that's the intent of the resolution, why is it being called improved access to North Creekwood, Creekwood and other undeveloped properties in this area.

Mr. Kozlosky stated that when the original resolution for the Scientific Park Drive Extension created by the Department came to the Wilmington City Council, the plan conflicted with AAI's proposed expansion and the resolution was tabled. Rather than identify a specific alignment, the revised resolution was crafted in order to leave options open in determining the best alignment.

Mr. Lennon said he believes the resolution should state what is to be accomplished; and because controlled access is the Department's goal for the Martin Luther King, Jr. Parkway, that information should

be included the resolution. He noted that it may also support the City's efforts in seeking to cost share with the Department.

Mr. Kozlosky asked members if the addition of the "Now Therefore, be it resolved that the Wilmington Urban Area Metropolitan Planning Organization's Transportation Advisory Committee hereby requests the North Carolina Department of Transportation and/or North Carolina General Assembly identify and accelerate funding for an improved connection to North Creekwood and Creekwood Communities, as well as other currently undeveloped properties in this part of the City. Mr. Lennon suggested also including "which is in accordance with NCDOT goals" to the end of the statement would be agreeable to members.

Mr. Watkins made the motion to approve the Resolution supporting an improved access to North Creekwood, Creekwood and other undeveloped properties in this area as amended by Mr. Lennon and staff. Ms. Batleman seconded the motion and it carried unanimously.

## **7. Regular Agenda**

### **a. Resolution supporting the Bicycle and Pedestrian Project Submittals for Prioritization 4.0**

Ms. Rashid told members that the list of projects for submittal in the Prioritization 4.0 were recommended from the Bicycle and Pedestrian Advisory Committee.

Mr. Doetsch made the motion to approve the resolution supporting the Bicycle and Pedestrian Project Submittals for Prioritization 4.0. Mr. O'Bryant seconded the motion and it carried unanimously.

### **b. Resolution supporting Ferry Projects Submittals for Prioritization 4.0**

Mr. Williams made the motion to approve the Resolution supporting Ferry Projects Submittals for Prioritization 4.0. Mr. Doetsch seconded the motion and it carried unanimously.

### **c. Resolution supporting Roadway Projects Submittals for Prioritization 4.0**

Mr. Kozlosky stated that the WMPO is allowed to submit 13 new roadway project for Prioritization 4.0. Mr. Kozlosky told members that the Director of the Cape Fear RPO notified him that they will be deleting a project and offered to substitute one of the WMPO's project in its place if approved by the board. Listed below is the 13 projects for submittal in P4.0:

- R-4 NC133/Castle Hayne Road Widening
- R-32 Rice Gate Way Extension
- R-33 Kerr Avenue Widening
- R-34 Old Fayetteville Road Widening
- R-35 N 23<sup>rd</sup> Street Widening
- R-36 NC210 Improvements
- R-37 Wilshire Boulevard Extension
- R-39 Country Club Drive/Doral Drive & Sloop Point Loop Road
- R-40 Kerr Avenue Extension
- R-42 NC133/Castle Hayne Road & 23<sup>rd</sup> Street Roundabout
- R-46 Greenville Avenue & Oleander Drive Intersection Improvements
- R-52 US17 to NC133 Connection
- R-55 Magnolia Drive Extension

Listed below is the one additional project the MPO would submit if the Cape Fear RPO's deletion is approved:

R-57 River Road Widening

Mr. Kozlosky told members that Division 3 can also submit up to 7 new highway projects for P4.0. Staff participated in discussions with the Division and a list of projects (listed below) was developed using the draft Cape Fear Transportation 2040 Plan, and projects listed in the NCDOT Prioritization 3.0 process.

R-43 Front Street & Carolina Beach Road Intersection  
R-45 New Centre Drive & Market Street Intersection  
R-47 Shipyard Boulevard Access Management  
R-48 Carolina Beach Road & Shipyard Boulevard Intersection Improvements  
R-49 Shipyard Boulevard Widening  
R-50 Burnett Boulevard Widening  
R-51 Shipyard Boulevard Speed Sensors and Warning activation at NC Port of Wilmington

Mr. Willis made the motion to support the Roadway Projects Submittals for Prioritization 4.0. Ms. Batleman seconded the motion and it carried unanimously.

- d. **Resolution encouraging NCDOT to reduce the laneage on Market Street in advance of Middle Sound Loop Road in order to minimize the impacts to the Mt. Ararat AME Church Cemetery and to preserve the Ogden oak tree near the intersection of Market Street and Middle Sound Loop Road**

Following a brief discussion, Mr. Williams made the motion to table the item until the next meeting to allow time for staff to contact the leadership of Mt. Ararat AME Church and request documentation on their wishes regarding the church cemetery. Mr. Miller seconded the motion and it carried unanimously.

## **8. Discussion**

### **a. MPO Branding**

Mr. Kozlosky told members that the earlier this year rebranding/renaming of the MPO was put on hold due to litigation issues. Mr. Kozlosky said even though the organization's name cannot be changed, staff would like to go forward with phasing in the new MPO logo in January of 2016.

Consensus of the members was for staff to go forward with using the new logo.

### **b. Draft WMPO Annual Report**

Mr. Kozlosky told members that staff is seeking input regarding the WMPO's new annual report that was developed. He asked members to review the draft report, and if they have any comments regard the information or content, please contact staff by October 6<sup>th</sup>.

## **9. 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 Urban Area Metropolitan Planning Organization, 15 CVS 433 filed in Pender County, North Carolina; Buyers Brokers & Consultants v North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CVS 494 filed in Pender County, North Carolina, Hanpen Land Co. LLC v North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CVS 1579 filed in New Hanover County, North Carolina, Earnest Bryant Jr. and Rose Bryant v North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15CVS554 filed in Pender County, North Carolina, Gerald Dean Hardison Jr. and Hardinson Rentals LLC v North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15CVS 0624 filed in Pender County, North Carolina, Charles E. Bryant v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CVS 0556 filed in Pender County, North Carolina, Martin J. Evans and Francesca M. Evans v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CVS 0557 filed in Pender County, North Carolina, Roger A. Wood and Barbara K. Wood v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CVS 1923 filed in New Hanover County, North Carolina, Stephen Gale and Marilyn J. Gale, Trustees of the Steve Gale and Marilyn Gale Revocable Living Trust and Steven and wife Marilyn J. Gale in their individual capacities v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CVS 1562 filed in New Hanover County, North Carolina, Norma C. Moore v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CVS 0555 filed in Pender County, North Carolina and C. Robert Stroud, Jr. v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CVS 2046 filed in New Hanover County, North Carolina; Gregory and Christina Beck v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15CV000694 filed in Pender County, North Carolina; Patrick Adams, v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CV 000788 filed in Pender County, North Carolina; Elaine Spiller Brown v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CV 000790 filed in Pender County, North Carolina, and Loftin A. McCullen, Sr. v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 15 CV 000844 filed in Pender County, North Carolina.

Ms. Padgett made the motion to waive the rules and enter into a closed session. Ms. Batleman 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 update members 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 Urban Area Metropolitan Planning Organization; Buyers Brokers & Consultants 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 Urban Area Metropolitan Planning Organization, Earnest Bryant Jr. and Rose Bryant v North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Gerald Dean Hardison Jr. and Hardinson Rentals LLC v North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Charles E. Bryant v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Martin J. Evans and Francesca M. Evans v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Roger A. Wood and Barbara K. Wood v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Stephen Gale and Marilyn J. Gale, Trustees of the Steve Gale and Marilyn Gale Revocable Living Trust and Steven and wife Marilyn J. Gale in their individual capacities v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Norma C. Moore v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, and C. Robert Stroud, Jr. v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Gregory and Christina Beck v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Patrick Adams, v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Elaine Spiller Brown v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, and Loftin A. McCullen, Sr. v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization.

**11. Adjournment**

With no further business, the meeting was adjourned at 4:55pm

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.**