

Meeting Notes

Wilmington Urban Area Metropolitan Planning Organization Transportation Advisory Committee

Date: September 9, 2009

Members Present:

Lanny Wilson, Chairman, NCBOT
Jonathan Barfield, Cape Fear Public Transportation Authority
Jim Dugan, Town of Kure Beach
Alan Gilbert, Town of Carolina Beach
Mike Ballard, Town of Navassa
Laura Padgett, City of Wilmington
Bill Saffo, City of Wilmington
Jason Thompson, New Hanover County
Bill Sue, Brunswick County
Sharon Collins, Town of Belville
David Williams, Pender County

Staff Present:

Mike Kozlosky, Executive Director
Bill McDow, Transportation Engineer

1. Call to Order

Mr. Wilson called the meeting to order at 4:05 PM.

2. Approval of Minutes

The motion to approve the minutes for the June 24th meeting carried unanimously.

3. Public Comment Period

Mr. Dennis Anderson addressed the committee regarding the installation of medians on Market Street. He feels that they will adversely affect his restaurant located at 4301 Market Street. He told members he felt that the medians may not provide the best answer to the safety issues and asked that they reconsider moving forward with the project.

Mr. Bill Jane, Ms. Laura Trivett and Mr. Kevin O'Grady addressed members regarding the US 17 Business designation. They requested that the designation be removed from Market Street in the downtown area. Mr. Jane told members it is primarily a residential and historical area. They asked the TAC to request the state remove the US 17 Business designation from Market Street and 3rd Street. He suggested that it would make more sense to put the designation on Military Cutoff/Dawson/Wooster Corridor. Mr. Wilson referred the matter to the TCC and ask that they make a recommendation for consideration. He also suggested referring the matter to the Wilmington City Council because the route is within the city limits.

Mr. Steve Coggins, an attorney representing Mr. Dennis Anderson, addressed the group regarding the medians on Market Street. He told members he felt the medians are needed but only if interconnectivity is provided to the businesses. He is concerned about the sociological impact of funding and construction if you medianize all of Market Street without interconnectivity any where in the City. Mr. Coggins told members that Mr. Anderson was forced by a franchise agreement signed many years ago to upgrade and put in a 21st century store on Market Street. He would loose his entire franchise. You simply cannot approach the restaurant any longer from Princess Street. Interconnectivity will also improve traffic flow and avoid walling-off parts of the City and neighborhoods from each other which will further estrange the community. He stated that his greatest fear is that the number 8 project (Market Street Median Improvements – B-Section) on the Top-25 list will install the median and nothing but a median. In doing so you've not only destroyed a business, you have then created a long term waiting period before any interconnectivity comes and you may have created a

problem even worse than you tried to solve. It was his understanding that the projects would include the interconnectivity.

Mr. Barfield asked if any studies have been done to show the effects on business in this area. Mr. Thompson told members the point of the project is not necessarily to enhance businesses or cause a negative effect on a business; it is about moving the citizens safely through the community. Some of the projects may be detrimental to a business but it is better to the overall safety and welfare of citizens traveling the roads. It is sometimes a trade off we have to make. Mr. Wilson said sometimes it's a balancing act because if you allow all the accesses to the main artery, then you are naturally going to affect the capacity. Mr. Williams told members he feels that something has to be done on Market Street. We just can't walk away and not do anything. Ms. Padgett asked how often will there be cross-over's on Market Street with the plan. Mr. Kozlosky said depending on the cross section, you have any where from 1,200 to 1,500-feet based on the plan. He said that the plan has not yet been presented or adopted but there have been public meetings. Mr. Kozlosky told members that staff is still working through the Market Street Corridor Plan and there are still some land-use elements and land-use issues that need to be resolved with the consultant. Staff could bring the transportation element to the board within the next few meetings and come back with the land-use element at a later day.

Mr. Andy Koeppel addressed the members regarding the possible land-swap for the U-Haul Property. He asked if it would be possible for Ms. Padgett, Mr. Saffo, Mr. Thompson and Mr. Barfield to contact the City and County staff relative to the inventory of properties available. He has spoken to the U-Hauls property owner and he indicates that if the right piece were found, he would certainly be willing to consider a land swap. He suggested bring a report back to this committee with a list of property that would be suitable and we could take it to the TCC in the effort to move the matter forward. Mr. Thompson asked Mr. Koeppel to email him what size and parameters would be needed for the swap. Mr. Thompson asked if U-Haul expected to be paid for relocation too. Mr. Koeppel said that was never mentioned.

4. Old Business

None

5. New Business

a. Resolution adopting the revised Wilmington MPO Public Involvement Policy

Mr. Kozlosky told members the revised policy outlines how the MPO public involvement will be conducted, as well as includes the Town of Carolina Beach and Town of Kure Beach and Pender County as members. The policy also will make the MPO SAFETEA-LU compliant. Mr. Williams made the motion to adoption of the revised public involvement policy. Mr. Ballard seconded the motion and it carried unanimously.

b. Resolution adopting the Walk Wilmington: A Comprehensive Pedestrian Plan

Mr. Kozlosky told members the City of Wilmington and the North Carolina Department of Transportation partnered to complete the *Walk Wilmington: A Comprehensive Pedestrian Plan*. The plan is a comprehensive plan that looks at sidewalks, multi-use paths, pedestrian signals and pedestrian crossing improvements throughout the City of Wilmington. It is a 25-year plan phased in short, medium and long-term recommendations. It was adopted by the Wilmington City Council at their meeting on August 4th and staff is presenting it to this committee for adoption. Ms. Padgett made the motion to adoption of the plan. Mr. Saffo seconded the motion and it carried unanimously.

c. Resolution supporting the City of Wilmington, New Hanover County, University of North Carolina-Wilmington and Town of Wrightsville Beach's TIGER grant application

Mr. Kozlosky told members the American Recovery and Reinvestment Act (ARRA) included Transportation Investments Generating Economic Recovery (TIGER) discretionary grant funds.

These funds are in the amount of \$1.5 billion. The projects for funding must be completed by February 17, 2012, may not exceed \$300 million, and must create jobs and have a positive economic benefit to the communities. The City of Wilmington, New Hanover County and UNCW have all endorsed the TIGER grant application to make improvements and complete the Cross-City Trail as well as make improvements for the River to Sea Bikeway. Staff has received over 50 resolutions from businesses and organizations through out the community.

Mr. Sue asked if staff knows how much money will be coming into the area. Mr. Kozlosky replied no, not yet. These projects will be discretionary funds and the improvements we are requesting are between \$16 and \$17 million. Mr. Sue asked if staff has worked with Leland, Navassa or Belville to see if they have interest in applying for these funds. Mr. Gilbert told members Carolina Beach is moving forward with a multi-use path and asked why that's not included. He asked if there was any feed back regarding that project.

Mr. Kozlosky said the Cross-City Trail and the River to Sea Bikeway projects were identified as the most competitive project for this region that meets the qualifications. This application was prepared by UNCW, not the MPO. Projects must be completed by February 17, 2012.

Mr. Saffo reminded members that the City of Wilmington had been in the development process for the Cross-City Trail and the River to Sea Bikeway projects for years which allowed us to get to this point where the university can write the grant submittal for the project.

Ms. Padgett made the motion to support the City of Wilmington, New Hanover County, University of North Carolina-Wilmington and Town of Wrightsville Beach's TIGER grant application. Mr. Thompson seconded the motion and the resolution carried unanimously.

d. Resolution supporting "complete streets" within the Wilmington MPO

Mr. Kozlosky told members "complete streets" provide safe and convenient accommodations for pedestrians, bicyclists, public transit riders, and motor vehicle drivers throughout the MPO. They are more conducive to the efficient and safe movement of people, than projects designed primarily to move private motor vehicles. Design and construction of new transportation facilities should anticipate future demand for bicycling, walking, and public transit service and not preclude the provision of future accommodations. Mr. Kozlosky said the policy will allow for exemptions only if: 1) bicycle, pedestrian facilities and transit facilities are prohibited by law, or 2) cost of complete streets facilities are excessive or disproportionate to the need or probable use, or 3) sparsity of population and employment and/or level of transit service indicate an absence of future need. Members of the Board of Transportation endorsed a similar policy at their July meeting.

Mr. Thompson asked who makes the initial determination that it's excessive or disproportionate to the need. Mr. Kozlosky told him it would be up to the local municipality to make that decision. Mr. Sue made the motion to approve the resolution supporting "complete streets". Ms. Padgett seconded the motion and it carried in a 10 to 1 vote, with Mr. Thompson voting against the resolution.

e. Resolution requesting federal approval to extend I-20 into Wilmington

Mr. Kozlosky told members the resolution to extend I-20 from Florence, SC to Wilmington was brought to the committee's attention by Mr. Koepfel. The resolution requests that NCDOT begin discussions with the North Carolina Federal Highway Administration, South Carolina Department of Transportation and South Carolina Federal Highway Administration to see if it is feasible to bring I-20 into Wilmington. Mr. Sue asked if this is just super-imposing I-20 from Florence to Lumberton over I-95 and then from there over US 74. Mr. Kozlosky said yes, it would be designation only but you would also have to upgrade US 74 to interstate standards in order for this to become a reality. Mr. Thompson asked what effect that would have on the

weight limit. He asked staff what is the weight limit on an Interstate for trucks? He pointed out that weight limits on interstate highways are less. Mr. Pope told member that North Carolina legislation has seen fit to have many exemptions with truck weight limits which allow heavier loads to be hauled on NC roads.

Mr. Wilson asked if it is wishes of this board to send this request back to the TCC and ask them to evaluate the weight limit concerns and possible impact to businesses. Mr. Sue made the motion to table the resolution and send back to the TCC for study. Mr. Thompson seconded the motion and it carried unanimously.

f. Resolution adopting the Top 25 Projects in the Wilmington MPO's Planning Area Boundary for submission to NCDOT's Strategic Prioritization Office of Transportation

Mr. Kozlosky told members that based on Executive Order #2, NCDOT is trying to become more transparent and more data driven in their daily processes. Staff has been asked to develop a Top-25 project list of highway projects for the MPO region. The NCDOT criteria to rank projects will be based on mobility, safety and infrastructure health and the quantitative analysis. He said they have been asked by the Department of Transportation to submit the list of Top-25 projects from the MPO between October 5th and October 30th of this year. Staff presented a preliminary list compiled by the TCC at their last meeting for the TAC's consideration.

Mr. Sue said he feels members need additional time to look at the list because he is not satisfied with its priority. Mr. Ballard asked if the members will have an opportunity to review the list and bring their recommendations for project priority to the next meeting.

Mr. Kozlosky told members the NCDOT will use the scoring matrix to prioritize projects from the list the TAC submits. The TCC developed this list based on the previous prioritization process. Ms. Padgett asked if the list from the TCC is in priority order. Mr. Kozlosky said yes.

Mr. Gilbert stated if you look at these projects and you weighted each project with the capital involved in implementing it, why a relatively small widening project like Dow Road has been moved to the bottom of the list in comparison to larger projects like the Cape Fear Skyway.

Mr. Wilson told member that the Cape Fear Skyway is a Turnpike Authority project and it is an entirely different funding source. Mr. Sue asked if that is so then why is it even on the list. Mr. Wilson said that project is not competing for funding against the rest of the projects on the list. You could also say that about the Wilmington Bypass project.

Mr. Gilbert asked if the process was arbitrary. Mr. Kozlosky said it was very arbitrary because staff does not have a matrix right now in order to prioritize projects. As part of the development of the 2035 Long Range Transportation Plan, we are developing a matrix in order to prioritize the projects in the long range plan. Projects were arbitrarily prioritized based on conversations held with the TCC and their perceived need. Mr. Pope told members every project can only have one number and that project has to fall in that list somewhere in 1 to 25. It was just based on needs within our region, trying to prioritize with number 1 being the most desirable and number 25 having the lowest priority. It was a very difficult thing to do.

Mr. Kozlosky told members that any project that has funding associated with it is not included on this list. Therefore, these are the projects that will move from outside the 5-year work program and these projects will hopefully move into the 5th year based on the prioritization process.

Mr. Thompson suggested tabling this item. He told members that until we have the discussion on the Cape Fear Skyway Bridge, that will affect if he could vote for it in this current 1-25 or maybe move some things around.

Mr. Wilson told members with respect to the Cape Fear Skyway Bridge, the Turnpike Authority is coming down to a critical process where we are moving well along on the other turnpike projects in the state. We have come to the point where some of the routes that are buildable are quickly going away because of development and so the Turnpike Authority is coming to Wilmington October 14th to hold an informal meeting to discuss where we are in the process and what needs to occur if the community is serious about moving it along. There is no sense in spending the enormous amount of money if there is not a serious commitment on both sides of the river. We need to have full support for moving forward with the project.

Mr. Kozlosky reminded members that we have between October 5th and October 30th to submit this list of projects and staff will need time to confer with Mr. Pope to identify our projects to make certain we are consistent with projects in the Division. Mr. Pope told members the Division will not consider any projects until all the MPOs and RPOs lists are input so that they can prioritize for the entire division. Mr. Pope said that the TCC came to a conclusion that this is the top 25 projects in this ranking. There was a lot of discussion about the rankings, and now the TAC must have that same conversation and re-prioritize what needs to be done. The deadline is October 30th and the information must be put in before it will be considered. Mr. Wilson stated that this does not have to be voted on today, the committee has until the meeting at the end of this month to work out the problems.

Mr. Padgett asked what will happen at the state level once the TAC submitted the top 25 list. Mr. Kozlosky told members that once the list has been submitted, the Department will evaluate that list based on their criteria, as well as the Divisions list.

Mr. Ballard made the motion to table this item until the next meeting. Mr. Saffo seconded the motion. The vote carried unanimously. Mr. Wilson suggested that members get their comments back to the municipality's representative to the TCC.

Mr. Pope asked if the item was being tabled so members can go back to their TCC member and offer input from the municipality. Mr. Kozlosky told member that the TCC has already prioritized the projects. Now the TAC needs to move forward with how they want to prioritize this list. Mr. Pope asked if the TAC members were going to get their municipality prioritization changes to the MPO Executive Director. Mr. Saffo told members one of the big problems is the Cape Fear Skyway Bridge project. He said unless he knows what is going to happen on the other side of the river, we are looking at having to possibly purchase property and he is not going anywhere until he knows what is going to happen.

Mr. Wilson reminded members that the #1 and the #4 projects should not factor into where we prioritize any of the rest of the projects because project 1 & 4 don't compete against the other projects for funding. Mr. Wilson said it is still important for us to keep these two projects on the list because it reinforces the message to the Department of Transportation that the Wilmington Bypass is the #1 project in the region. The completion of the Bypass has been the #1 for the entire region for the last 18 years.

Mr. Wilson asked if staff used the previous prioritization list for the areas Top-10 projects. Mr. Sue pointed out that the Village Road project had been at the top of that list and it has been moved down to item 16.

Mr. Kozlosky reminded members that it is coming down to the issue of time. We have until October 5th to get this hashed out. The TCC went through and prioritized these projects based on their need. Mr. Wilson said this was also subjective criteria to what was the most important.

Ms. Padgett said she would like to make a substitute motion that members adopt the list as it is. Mr. Thompson told her we have already voted on this. Mr. Williams stated that there was a motion and a second on the floor. Ms. Padgett went on to say that her substitute motion is that we go ahead and adopt this because the state is going to take the matrix that was included in today's meeting package and rearrange the list anyway. Mr. Wilson said he disagreed because the Department is going to look at what are our top projects on the list and it will make a difference if something is number 25 or number 5.

Ms. Padgett stated that representatives from all our local governments are on the TCC and they have hashed this out to the best of their professional ability. The state is going to rearrange it within the division. Mr. Wilson pointed out that the state is going to try to mesh it all because we have two different MPOs and four RPOs to deal with in this division. The focus is going to be trying to accomplish the projects into some similar order as to what the MPO recognizes as our top-list. He said that it does make a difference if something is up on the Top-10 versus being down lower on the list.

Ms. Padgett told members that the state will base their decision on the matrix by using mobility, safety and infrastructure health and their overall goals. They are going to look at whether it is important on a state wide, regional or sub-regional level, which is exactly the kind of transportation plan we need in this country. They are going to look at whether or not there is congestion, whether the pavement is in good condition and whether or not the road is safe. They will weigh all those things within the division and move forward with it. We are going to have to start dealing with local issues and local funding on critical local roads and let the state use that matrix on this list. Mr. Gilbert pointed out by using that methodology, Carolina Beach may not ever get their project done. Dow Road has been on the list since 1983 and is a critical safety issue for Carolina Beach. Ms. Padgett pointed out that safety was a third of the big goals on the matrix.

Mr. Wilson said he thinks it is important on where the TAC decides to prioritize projects because it gives weight in this whole process as to where the state falls out. Mr. Thompson stated that he knows the Cape Fear Skyway Bridge and the associated River Road widening are important projects, but until we get some concrete commitment on the other side of the river, maybe we need to drop it to number 24 or 25 and moving other things around. He said he does not believe that it is going to happen from what he is hearing and seeing from the elected officials.

Mr. Kozlosky told members the important thing to point out is that we are going to be doing this every two years. This prioritization process was based on perceived need, there was no matrix developed at the local level. We will have a matrix in place at the local level for the next prioritization process. We will then have a scientific way in which we prioritize projects at the TCC level and submit this list to the TAC for prioritization. Mr. Kozlosky stated that he would like to move forward with a list that we can submit and then come back with the next prioritization process and really evaluate the projects based on a scientific evaluation.

Mr. Wilson told members what is going to end up getting more priority are projects that have more significant average daily trips because that is where more of the projects are going to be focused. Mr. Ballard suggested that everyone review the list and send any comments to Mr. Kozlosky. Mr. Wilson suggested getting the previous Top-10 list to members for comparison in order to help with compiling the new Top-25 for the department.

Mr. Wilson called for a second to Ms. Padgett's substitute motion. Mr. Barfield seconded her motion. The motion was to approve the Top 25 list as presented failed in a 5 in favor and 6 against. Mr. Wilson said that takes us back to the original motion by Mr. Ballard to table the item to the next meeting. The vote carried in a 7 to 4 vote with Ms. Padgett, Mr. Saffo, Mr. Thompson and Mr. Barfield voting against tabling the resolution.

6. Public Hearing

a. Resolution amending the State/Metropolitan Transportation Improvement Programs to fund the installation of a right turn lane on US 76 (Oleander Drive) westbound onto US 117-NC 132 (College Road) northbound (W-5132)

Mr. Kozlosky told members the total cost for the installation of a right turn lane on US 76 (Oleander Drive) westbound onto US 117-NC 132 (College Road) northbound (W-5132) project is \$390,000.

Mr. Wilson told members that we are required to have a public hearing regarding amendments to the Transportation Improvement Program. Mr. Wilson opened the floor to any one wishing to speak either for or against the proposed amendment. With no one wishing to speak, Mr. Sue made a motion to close the public hearing on the amendment to fund the installation of a right turn lane on US 76 (Oleander Drive) westbound onto US 117-NC 132 (College Road) northbound (W-5132). Mr. Williams seconded the motion and the vote to close the public hearing carried unanimously.

Mr. Sue made the motion to approve the resolution amending the State/Metropolitan Transportation Improvement Programs to fund the installation of a right turn lane on US 76 (Oleander Drive) westbound onto US 117-NC 132 (College Road) northbound (W-5132). Mr. Barfield seconded the motion and it carried unanimously.

b. Resolution amending the State/Metropolitan Transportation Improvement Programs to fund the Wilmington Bypass (R-2633A)

Mr. Kozlosky told members this amendment is to utilize Garvee Bonds, stimulus funds, as well as traditional let-dollars in order to construct the "A"-Section of the Wilmington Bypass from US 74/76 to US 17 in Brunswick County. Ms. Padgett asked who will be the debtor on the Garvee Bonds. Mr. Wilson said it would be the State of North Carolina.

Mr. Wilson opened the public hearing to amend the State/Metropolitan Transportation Improvement Programs to fund the Wilmington Bypass (R-2633A).

Mr. Al Beatty, who is a member of the Planning Board for the Town of Navassa, told members he would like clarification on this particular project. He asked Mr. Wilson if the money has been appropriated to fund this section of the bypass by the State Board of Transportation. Mr. Wilson said yes they have voted to amend the Transportation Improvement Program. Mr. Beatty asked if they normally did this without a public hearing. Mr. Wilson responded that these projects require dual approval by both the Board of Transportation and the Wilmington MPO for all projects within the Wilmington MPO boundary and so the Board of Transportation relies on the Wilmington MPO to conduct those public hearings.

Mr. Beatty asked if the "B"-Section of the bypass is currently on the list and the "A"-Section was chosen to move forward. Mr. Wilson said we are actually accelerating the "A"-Section. The "A"-Section was unfunded for construction purposes. He explained that the "B"-Section is coming from a different source of funding called loop funding. The "A"-Section will utilize non-loop dollars. The Department of Transportation is in the process of coming up with the matrix of how the funds will be allocated. Mr. Beatty asked if any stimulus money is being used in the "A"-Section. Mr. Wilson said yes, over half the money that is being used is stimulus dollars.

Mr. Beatty said he read in the minutes from the last meeting that it was said that it was better to get something rather than nothing. He told members that Navassa is still winding up with nothing. Navassa is the most economically deprived community in the area. The unemployment rate is 15 to 20 percent. He said he does not think it is fair and is voicing his objection. He said that if you want to do something with federal stimulus dollars in the state and represent its citizens, then this committee should move forward to try to get everybody involved in the economic improvement. What you are doing with Section "A" is not benefiting the issues that you have out there. This Section "A" does nothing. He said that he thinks that the state government should always listen to its citizens at the public hearings and not put the cart before the horse.

Mr. Wilson said the decision to move forward with the "A"-Section was due to funding with respect to the funds that are available. Mr. Pope stated that the Department of Transportation had \$25 million of stimulus dollars to spend somewhere in our division. We also have about \$25 million dollars in Garvee Bonds capacity left within our division. That came to about \$50 million that could be applied to a project. This MPO has always said that the Wilmington Bypass is the number 1 priority. The department looked where they could spend \$50 million on the Wilmington Bypass. Section-A is about a \$120 million project and Section-B is a \$240 million project. Just the bridge crossing the Cape Fear River is \$140 million by itself. At that point it was determined that was where we could spend the \$50 million and then come up with the additional dollars. It was a lot easier to come up with an additional \$50 million than to come up with the \$190 million for the "B"-Section. That was the reason the "A"-Section was chosen to be built over the "B"-Section. Mr. Wilson told members the bypass will be built in sections like I-40 to Raleigh because there was not enough money to build it all. We will be able to go ahead with the "A"-Section because we will have the stimulus money along the Garvee Bonds and the monies that were transferred from the College Road and Oleander Drive project that was unanimously approved at the meeting in October of 2008.

Mayor Willis told members he was elected to the Navassa town council 1978. He has been an elected official for 31 years. There have been five incidents on this particular bypass where it seems that somehow they get the short end of the stick. The way that Navassa got in on the Metropolitan Planning Organization was because of the bypass. The initial plan for the bypass was to come through the heart of the Town of Navassa. They felt they should have some input on projects affecting Navassa and they put a representative from the town on the MPO. About the time he was elected as mayor in 1999, there was thought about an interchange. He said they realized that there would not be an interchange for the bypass within the town limits. He told members that they brought their concerns to the MPO and they did not get very good results until they started talking to the Environmental Justice staff in Washington. All of a sudden that grade exchange got changed to an interchange on one of the collector streets coming through Navassa. That was the second incident that left a bad taste in his mouth about the MPO and how they would treat Navassa. The 3rd and 4th thing that happened was that there was another little minority community at the southern end of the interchange called Spring Hill. The bypass had a route that was going to go through the heart of Spring Hill. After realizing that was going to be a problem, the community got together and went to NCDOT to voice their concerns and after many meetings, the route was changed. All of a sudden now, instead of an interchange and road that comes through that opens the town up, we are going to skip that and go and do one on the other end on a road that leads to no-where. That is being justified by saying how we are going to finish the route that actually connects the existing I-140 and US 17 bypass in our future plans. Well, once we realize that we have done this section and this section, and this section right here is left out, then there will be enough pressure and we will get enough money from somewhere to finish that. I don't know what Environmental Justice is but something isn't right. Mayor Willis read a resolution from the Town of Navassa stating that they are in opposition of funds being transferred to expedite the construction of the A-section.

Mr. Jim Thomas told members he is here to address members regarding the purchase of his property. The state told him they were going to purchase his property and he is ready for them to do that so he can go on with his life. He is not able to make any improvements to the property because the state intends to acquire the property. He asked why have they have put off buying his property. He and his family want to go on with their life. Mr. Wilson told him that the Board of Transportation has approved the acquisition of right-of-way for all the projects, but because of the scarcity of resources, they had to postpone acquisition of right-of-way for any projects right now. Mr. Pope told members there are several projects within the division in which all right-of-way activity have stopped. He said that the BOT authorized purchasing property in early 2008 and by December, right-of-way ran out of money due to the economic downturn, so all activity stopped because there was no money.

Mr. Thompson asked at what point would Mr. Thomas be allowed to have his property rights back. Mr. Pope stated that the Department of Transportation does not have formal protection on that corridor. Mr. Thompson asked how is the county stopping him from building his house. Mr. Kozlosky said it was probably based on their development regulations. Mr. Wilson asked Mr. Pope if there can be hardship consideration given in purchasing Mr. Thomas's property in this case because his injuries. Mr. Pope said it would have to come before the BOT and they would have to approve it being bought as a hardship case. There are criteria for that and he suggested that Mr. Thomas contact Hugh Thompson in the Right-of-Way Branch.

Mr. Ballard told members he comes out of Wilmington everyday and he gets so frustrated because traffic is always backed-up for miles. He said that we talked about relieving traffic, if we are going to relieve traffic, this is the perfect opportunity for us at this juncture. Section "A" will not benefit what we are trying to do.

Mr. Pope reminded members that that Section-"B" of the project is currently funding for right-of-way and construction in the current TIP in year 2012 for \$240 million. Mr. Pope said that \$240 million is there on paper, it is not there in green-dollars. Mr. Wilson said Mr. Ballard's question was if they taking money from the "B"-Section to pay for the "A"-Section. Mr. Pope said no. Mr. Pope said without that project going all the way to Mt. Misery Road, all you are doing is bring that congestion right through the middle of Navassa. Mr. Ballard said that would be better than what we have now with the traffic congestion coming out of Wilmington. Mr. Pope said the problem is that we have about \$50 million that can be spent, where is the remainder of the money coming from. If you take the other \$60 million that we have come up with to fund Section-"A", that is still \$110 million and there is still another \$30 million has to come from somewhere. That will mean taking a project down somewhere.

With no one else wishing to speak, Mr. Sue made a motion to close the public hearing. Mr. Thompson seconded the motion and it carried unanimously.

Mr. Sue told Mr. Ballard that if you check the minutes of the meeting regarding this project, when this committee talked about moving money to the "A"-Section, his first concern was why don't we do the "B"-Section. Mr. Sue stated that he was told that the problem would be that we don't have enough money to do the "B"-Section and it is already a part of the existing TIP that has been approved. The money has been approved, there is just no money in the bank. So it comes down to the bottom line that either we take and put that money here and keep it in this MPO area, or we loose it somewhere else. So we put it on the "B"-Section and we said we will make the rest of it up with Garvee Bonds or where ever we could find the money. Since that time, we got the stimulus package. We got \$50 million dollars for Division 3 and they were going to re-pave I-40 with the first part and take about \$9 million and pave Smith Avenue in Shallotte. We decided after the stimulus money was already allocated, that we would take the stimulus money and put it there on the "A"-Section and keep it in this division, in Brunswick

County rather than to let it go some where else. That is the reason the decision was made. It was either something or nothing. Mr. Pope added that the other MPOs and RPOs are upset because they didn't get stimulus dollars.

Mr. Williams made the motion to approve the resolution amending the State/Metropolitan Transportation Improvement Programs to fund the Wilmington Bypass (R-2633A). Ms. Padgett seconded the motion. The resolution carried in a 10 to 1 vote, with Mr. Ballard voting against the resolution.

7. Updates

a. Citizen Advisory Committee (CAC)

Mr. Kozlosky updated members on Cape Fear Commutes and the CAC activities.

b. NCDOT Project Update

attached

8. Announcements

- a. **Bike/Pedestrian Committee meeting- September 10th at 5:15pm**
- b. **Citizen Advisory Committee meeting-September 16th at 4pm**

9. Adjournment

With no further business, the meeting was adjourned at 6:21 pm

Respectfully submitted

Mike Kozlosky
Executive Director
Wilmington Urban Area Metropolitan Planning Organization