

**Meeting Minutes**  
**Wilmington Urban Area Metropolitan Planning Organization**  
**Transportation Advisory Committee**  
**Date: March 30, 2011**

**Members Present:**

Jonathan Barfield, Chairman, Cape Fear Public Transportation Authority  
Jack Batson, Town of Belville  
Pat Batleman, Town of Leland  
Mike Ballard, Town of Navassa  
George Brown, Pender County  
Brian Berger, New Hanover County  
Mike Alford, NC Board of Transportation  
Bill Blair, Wrightsville Beach  
Dean Lambeth, Town of Kure Beach  
Bob Lewis, Town of Carolina Beach

**Staff Present:**

Mike Kozlosky, Executive Director  
Tara Murphy, Associate Transportation Planner  
Suraiya Rashid, Associate Transportation Planner  
Bill McDow, Staff Engineer

**1. Call to Order**

Mr. Barfield called the meeting to order at 4:02 PM.

**2. Approval of Minutes:**

Ms. Batleman suggested a correction to the public comment statement regarding the presentation of the petition to Mr. Barfield at the March meeting. She wanted the statement changed to say that the petition was accompanied by 20 pages of signatures. She also said in reviewing her comments made during the public comment, she was disappointed that the fact that she was trying to illustrate the difference between a priority of Village Road Phase II and a priority of NC 133 River Road was not included. She felt it was really important in her effort to draw a comparison between a road that has a lot of priorities and one that does not match the same priorities. She also noted that the portion of the commentary by Mayor Futch regarding his not being allowed to continue speaking because Chairman Barfield interrupted and asked him to stop is missing. She said there was also no mention of the fact that Mr. Barfield stated that Mr. Sue had also submitted a petition in favor of the original Village Road Phase II project and she felt it was important to include that he himself did the petition.

Mr. Barfield told members that the minutes for the TAC meeting are the most extensive that he has ever seen. New Hanover County Board of Commissioner meeting minutes would never go into this kind of detail. If we include every comment verbatim, we would have a book, as opposed to minutes. He noted that typically you will highlight some of the key things within the minutes and take it from there. He told Ms. Batleman her suggestion have been noted.

Mr. Batson made the motion to approve the minutes with Ms. Batleman's comments and Mr. Blair seconded the motion. The motion to approve the amended February 23, 2011 TAC meeting were approved unanimously.

Mr. Barfield told members he spoke with the State Association of Parliamentarians President and was given guidelines and suggestions to better run the meeting. It was suggested that members limit comments to 3 to 5 minutes per item and members cannot speak again until everyone has had an opportunity to speak. After everyone has spoken, members may speak one more time with a

maximum of two. He also noted that as Chairman, he has the option to call someone out of order if they begin verbally bashing another member.

### **3. Public Comment Period**

Dr. Earl Sheridan, of 4600 Bentley Drive spoke in opposition to the changes on South College Road because taking away the left-turn on to Bentley Drive will limit access into the subdivision. His second concern was regarding the notification of neighborhoods when changes are being proposed on various streets and roads. He suggested that greater effort needs to be made in notifying neighborhood residents during the decision-making process.

Mr. Tyler Newman, representative from Business Alliance for a Sound Economy (BASE) and the Wilmington Home Builders' Association and Brunswick County Home Builders' Association spoke in opposition to the resolution opposing Senate Bill 214. He told members his organization worked with the NC Home Builders Association to get the bill filed in an effort to address property-rights issues within transportation corridors and he felt that TAC's opposition to the bill would hinder the dialogue intended to address property-rights.

Mr. Andy Koeppel spoke in favor of the resolution opposing Senate Bill 214 because if adopted, the bill will increase the costs of transportation projects and reduce funds available for projects in the state. He also requested an additional signal be added to the access plan for Eastwood Drive and Town Center Drive because of left-turn traffic volume.

### **4. Presentations**

#### **a. Causeway Upgrade (R-3601)**

Ms. Kristine O'Connor, NCDOT – PDEA, gave a presentation on the Causeway upgrade. She told members right-of-way acquisition will start in October of this year, with a construction let-date in July of 2013. The public hearing for the project will be held next month. Maps and drawing for the project will be made available to the public on the MPO website following the public hearing in April.

#### **b. Carolina Beach and South College Road Safety Improvements**

Mr. Pope gave a presentation on the Carolina Beach Road and South College Road safety improvements.

Members discussed attendance at the public workshops for the Carolina Beach and South College Road safety improvements and ways to better notify the public about the workshops. After some discussion, members encouraged the Department to look at other means, such as reverse 911 calling to notify residents about meetings. In response, Mr. Pope replied that the Department has recognized the need and are working to find better ways to advertise the public workshops.

Ms. Batleman suggested televising TAC meetings. Mr. Kozlosky noted that had been considered in the past but was found to be cost-prohibitive. Mr. Barfield noted that the meeting location could be changed to the New Hanover County conference room and the meetings could be televised from there.

Following Mr. Popes' presentation, Mr. Kozlosky told members that Mr. Pope's entire slide-presentation is available for review on the WMPO website.

## **5. Old Business**

### **a. Military Cutoff Road Funding Alternatives**

Mr. Kozlosky updated members regarding the status of funding alternatives to reduce the gap for Military Cutoff extension. He told members that DOT and MPO staff are discussing value-engineering the project, as well as looking at other options for reducing the cost of the project.

## **6. New Business**

### **a. Resolution Amending the 2010-2011 Unified Planning Work Program (UPWP)**

Mr. Kozlosky told members the 30-day public comment period for the UPWP was opened March 21<sup>st</sup> and will close on April 19<sup>th</sup>. The public hearing will be held at the next TAC meeting on April 20<sup>th</sup>.

### **b. Eastwood Road Preferred Access Plan**

Mr. Kozlosky told members following the evaluation of the Transportation Impact Analysis (TIA) for Autumn Hall and Cambridge Village, staff developed a preferred access plan for the Eastwood Road that will provide improved mobility and safety along the corridor.

Mr. Ballard made the motion to adopt the Eastwood Road Preferred Access Plan and Mr. Blair seconded the motion. The motion carried unanimously.

### **c. Resolution Opposing Change to the Equity Formula**

Mr. Kozlosky told members discussions are being held in Raleigh about changing the Transportation Equity Formula. Changes to the formula for distribution of funds will decrease funding to Division 3. Staff felt it was imperative to be proactive in taking a position on this item.

Mr. Ballard made the motion to oppose changes to the equity formula. Mr. Batson seconded the motion and it carried unanimously.

### **d. Resolution Opposing Changes to Senate Bill 214**

Mr. Kozlosky told members Senate Bill 214 will modify the current legislation in General Statute 136-44.50 (Transportation Corridor Official Maps Act). Senate Bill 214 would modify the current statute by reducing the time period in which the legislation was active from 3-years to 18-months, as well as modify the trigger mechanism from the original date of submittal to the adoption of the Transportation Corridor Official Map. Mr. Kozlosky noted that it could have a significant impact on the way that the MPOs and the Department of Transportation conduct business. The Department of Transportation will likely not have the resources to purchase the right-of-way due to the reduction of the time period for corridor preservation. If passed, it could have a devastating impact on large projects like the Hampstead Bypass, the Wilmington Bypass and Military Cutoff extension and staff recommends opposing the bill.

Mr. Kozlosky noted that the current method preserves the corridor from the original date of the submittal of an application.

Mr. Batson and Mr. Lambeth noted that they receive more complaints from people regarding the restrictions on their property once a corridor protection map has been filed. Mr. Batson stated that there needs to be a compromise in the time that property is tied up.

Mr. Alford told members the situation as it exists today is imperfect but Senate Bill 214 is not the solution. The bill will have a negative impact on the Department's ability to meet the projects prioritized in this area going forward.

Mr. Lewis suggested that Senate Bill 214 should go forward and to let lawmaker take a look at the process and see what happens.

Mr. Brown stated that he understands the point being made about property rights, but if we move the corridor preservation timeframe, projects like the Hampstead Bypass will not happen and it's vital to the area from a safety standpoint.

Mr. Ballard agreed with Mr. Brown that a lot of projects will be lost if the process is shortened.

In response to Mr. Brown's comments, Mr. Alford told members that all projects that are prioritized in the Wilmington MPO, as well as across the state, will be negatively impacted if this legislation were to go forth as written.

Mr. Pope told members if the Department only had 18-months from the time the corridor map is filed, that would not allow time to purchase the right-of-way even if they had the funds available.

Mr. Berger suggested that perhaps the legislation will lead to changes and streamlining the process.

Mr. Kozlosky told members the other issue with the bill is the trigger mechanism. Currently it's from the time that an application is submitted. The bill would change to the date to the adoption of the corridor map. There needs to be some type of mechanism that shows a vested interest in developing a piece of property.

In response to Mr. Lambeth's comment about meeting with the local delegation, Mr. Kozlosky stated that he cannot sit down to discuss the bill with the local-elected official without direction from TAC board members on the issue. As the Executive Director of the MPO, his job is to convey the viewpoint of the membership.

Mr. Barfield stated that he assumed that some sort of compromise will be reached during the discussion on the bill.

Mr. Lambeth stated it would be in the best interest of the board to table the resolution until members can go to Raleigh to speak to the local elected officials to discuss both sides of the issue.

Mr. Barfield told members that he feels that the Department of Transportation must partner with the TAC so that when corridors are preserved, we know for sure that the funding is going to come in a timely manner.

Mr. Alford reminded members that the MPO sets the priorities and determines the projects. The Department reacts from there and tries to meet those priorities. If you want transparency and public input relative to projects, you've got to allow some flexibility to tie up a corridor to do proper study and to have proper open meetings that allow people to weigh in on projects. Senate Bill 214 is well intentioned to help out land owners who are not being treated fairly at times, but this is not the solution. Contraction of the time to 18 or 24 months is not the solution relative to funding projects going forward. This MPO needs to promote what people want relative to project needs. The MPOs and RPOs have got to take a stand on the legislation as written and perhaps include other solutions to help an imperfect system.

Following further consideration, Mr. Lewis made the motion to table the resolution until we have more information back from NCDOT or the Legislative representatives. Mr. Lambeth seconded the motion.

Mr. Kozlosky cautioned that the bill is being discussed in Raleigh and we don't know when it is going to be calendared. If this board doesn't take a position, then members may miss the opportunity to take a position on the bill.

Mr. Barfield called the question and the motion to table failed in a 5 to 5 tie vote.

Mr. Brown made the motion to approve the resolution as written. Mr. Blair seconded the motion. The motion failed in a 5 to 5 tie vote.

**e. Resolution Authorizing the WMPO to Submit an Application for North Carolina Sustainable Communities Grant Fund**

Ms. Rashid told members the application for the grant was due by March 21<sup>st</sup>. She stated that due to the fast turn-around time, staff submitted the grant application acknowledging that if the TAC members choose not to approve the resolution, staff would retract the submission. The grant awards range from \$10,000 to \$50,000 and if awarded, the grant will be used for education outreach.

In response to Mr. Lambeth's question, Mr. Kozlosky told members that the only match would be "in-kind" staff time. He also mentioned that staff received a call to announce that the application was partially funded.

Mr. Lewis made the motion to approve the resolution authorizing the WMPO to apply for the grant. Mr. Blair seconded the motion and it carried unanimously.

**7. Discussion**

**a. Policy to Add Items by TCC/TAC Board Members**

Mr. Kozlosky told members the proposed policy will require TCC and TAC members who wishes to add an item to the agenda to submit the item and all pertinent information by 5:00 PM of the first business day of the calendar month in which the item will be heard. To allow some flexibility for items such as grant applications, the policy also includes a provision that allow time sensitive items to be placed on the agenda at the end of the meeting by a unanimous vote of the voting members present at the meeting.

Mr. Lambeth suggested changing the policy to add items with a majority of voting members instead of a unanimous vote by members.

Following further consideration, Mr. Ballard made the motion to direct staff to change the draft policy from unanimous to a majority of the vote and Mr. Batson seconded the motion. The voted carried in a 9 to 1 vote, with Ms. Batleman voting against the change.

**b. Strategic Business Plan**

Mr. Kozlosky distributed copies of the ranking results from the strategic prioritization exercise by the CAC, TCC and TAC members. He stated that the CAC members recommend to take the top-six goals ranked in the exercise and use them for the development of the strategic performance measures for implementation.

Mr. Blair made the motion to support moving forward with the development of a strategic business plan using the top-six goals as ranked by the strategic planning exercise. Mr. Ballard seconded the motion and it carried unanimously.

## **8. Updates**

### **a. City of Wilmington/Wilmington MPO**

- **US 17/NC 210 Corridor Study in Pender County** - Mr. Kozlosky told members a public workshop was held March 3<sup>rd</sup> and the MPO will be holding another workshop in May. Following those meetings, staff will then make presentations to the Pender County Planning Board, the Board of County Commissioners and the TAC.
- **Market Street Corridor Study** - Mr. Kozlosky told members presentation has been made to the Wilmington City Council and the New Hanover County Board of Commissioners. There was concern expressed by both boards that there has not been enough public input. Staff will be holding an additional informational workshop on the corridor study in April.
- **Multimodal Transportation Center** – Mr. Kozlosky told members work is continuing on the environmental assessment.

### **b. Cape Fear Public Transportation Authority**

Mr. Eby updated members on the activities for the Cape Fear Public Transportation Authority. He also announced the opening of the Forden Station on April 18<sup>th</sup>.

### **c. NCDOT**

Mr. Pope updated members on the activities for the Department. He reminded members that resurfacing projects are scheduled to start up again. Projects included are resurfacing along the portions of Market Street and US Hwy 117 going toward Burgaw.

## **9. Announcements**

## **10. Adjournment**

With no further business, the meeting was adjourned at 6:15 PM

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.**