

**Meeting Minutes**  
**Wilmington Urban Area Metropolitan Planning Organization**  
**Transportation Advisory Committee**  
**Date: July 23, 2014**

**Members Present:**

Laura Padgett, Chair, City of Wilmington  
Pat Batleman, Vice-chair, Town of Leland  
Gary Doetsch, Town of Carolina Beach  
Eulis Willis, Town of Navassa  
Earl Sheridan, City of Wilmington  
Michael Lee, NC Board of Transportation  
Hank Miller, Town of Wrightsville Beach  
Woody White, New Hanover County  
Frank Williams, Brunswick County  
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 3:37pm.

**2. Conflict of Interest Reminder**

Ms. Padgett asked if any members had a conflict of interest with any items on the meeting agenda. Mr. Frank Williams requested to be recused from voting on Item 7.c. because it relates to the RPO and he serves as the Chairman of that Board.

Ms. Batleman made the motion to recuse Mr. Williams from voting on Item 7.c. Mr. Doetsch seconded the motion and it carried unanimously.

**3. Approval of Minutes**

The minutes for the June 25<sup>th</sup> meeting were approved unanimously.

**4. Public Comment Period**

Mr. Alvin Rogers addressed members regarding the request for a cell tower at College Road and Lake Shore Drive by Bell South. He told members that a request for a special use permit for the cell tower will be going to the Wilmington City Council on August 19<sup>th</sup>. He noted that there are already two transmission poles close to that location and he suggested that Bell South “piggy-back” cell phones on those towers. He cited several instances where they have already been added to other towers. He said in 2008 he presented a petition to the TAC regarding the one-way alternative for Kerr Avenue. If there might be a chance that a one-way alternative for Kerr Avenue could come through that location, we don’t need the tower in that spot. He asked TAC members to consider sending a note to Wilmington’s City Council saying that this might be in the future right-of-way for the one-way alternative for Kerr Avenue and College Road.

Mr. Mark Orber, a resident of Windsor Park in Leland addressed members regarding cross-overs on US 74/76 near the Leland Industrial Park. He told members that shortly after he moved to Windsor Park, the cross-over to enter east bound lanes were closed for construction. Vehicles are now required to travel 1+

miles west to turn around at Compass Point to travel east on US 74/76. He said he spoke to the engineer in charge of the project and his comment was that all opportunities to go east prior to Compass Point would be closed until all were completed because to open and close them would be confusing. Mr. Orber noted that many weeks ago the cross-over to the Leland Industrial Park was completed. He said he failed to understand why the portion was not opened to travel for the residents of Windsor Park. It continues to be a major inconvenience and a health and safety factor when many cars are backing up onto US 74/76 at Compass Point. He asked that the Industrial Park cross-overs be opened to insure the safety of the residents of Windsor Park.

Mr. Kyle Breuer, Pender County Planning Director addressed members regarding the Prioritization 3.0 process as it relates to the Hampstead Bypass. He told members they wanted to express their concerns over the prioritization process for the State, particularly southeastern North Carolina and the Cape Fear Region. He said they were disappointed to find that the Hampstead Bypass did not score well enough in Prioritization 3.0 to be considered for a state-wide significant project. The issue seems to be the congestion process and the points that go toward congestion. In their opinion, this takes the planning process out of transportation projects and bases funding on congestion. This hurts the quality of life for citizens of the region and potential economic development opportunities. Mr. Breuer urged that the issue be addressed through Prioritization 4.0, as well as exploring creative ways to fund regionally significant projects.

## **5. Presentation**

### **a. Project Submittals for STP-DA and TAP-DA projects**

Ms. Harrington and Mr. Knight gave a presentation on the Project Submittals for STP-DA and TAP-DA projects and the lessons learned from the last round of project submittals. Mr. Knight told members that staff wanted to review the common themes heard and items missed during last year's applications process prior to this year's call for projects. He noted that many of the project submittals did not include design and administrative fees over-and-above the construction costs. Right-of-way acquisition and construction inspection services should be included in the project cost estimate. He suggested that a contingency fund should also be included as part of the budget submittal. Following the presentation, Ms. Harrington told members the project review committee will be accepting applications for early review in October and the final deadline for project submittals will be November 17<sup>th</sup>.

## **6. Consent Agenda**

### **a. Resolution approving the STIP/MTIP Amendments (May)**

### **b. Opening of the 30-day Public Commenter period for STIP/MTIP Amendments (July)**

### **c. Resolution encouraging Congress to approve a Transportation Re-authorization Bill prior to the expiration of MAP-21**

Mr. Frank Williams made the motion to adopt the items on the consent agenda. Ms. Batleman seconded the motion and it carried unanimously.

## **7. Regular Agenda**

### **a. Approval of the "DRAFT" Local Input Methodology Ranking and Scoring**

Mr. Kozlosky told members that based on the adopted local input methodology, staff proposed the assignment of local input points to the projects listed in the draft local input matrix included in the packet. He explained that in scoring projects, the Department used a threshold of \$40 million at the

Regional Tier and \$30 million at the Division Tier for their assignment of local input points. Any projects over that threshold were not given points because they were deemed too expensive. Staff agreed with their methodology and recommended that points not be assigned to projects exceeding that cost threshold because it's very unlikely that those projects will be funded.

Mr. Kozlosky told members that based on the adopted methodology for ranking and scoring projects, staff is asking TAC members to consider the approval of the "draft" project list. If approved, the next step will be the opening of the public comment period. He noted that the final project list will need to be adopted at the August 27<sup>th</sup> meeting. That adopted list must be entered into NCDOT's system by August 29<sup>th</sup>.

Ms. Padgett told members she heard several people say this process is going to have to be tweaked. Our MPO has projects that are very important, that are too expensive to fund at the Division or Regional level; and yet, they don't score well at the State-wide level. Eventually those projects may score at the state-wide level as some of those projects that did score well get completed. She noted that we need to get people to understand that there are major projects and there is no possible way for those projects to come through this scoring process and get awarded because they are too expensive. Having said that, if this MPO is going to get anything, we need to be careful where we put our Regional points. That's what staff has done in trying to see where we could get some "bang for our buck" with our Regional point assignment.

Mr. Frank Williams made the motion to approve the draft ranking and scoring for the Regional Tier projects in Prioritization 3.0. Dr. Sheridan seconded the motion and it carried unanimously.

Ms. Batleman told members that she wanted to make sure that the Town of Leland's position on the Cape Fear River Crossing is on the record. The Town doesn't know what corridor is going to be selected and so to approve something that we may not be happy with is putting us in a tough spot. Ms. Padgett noted that the project did not receive any points on the Regional or the Division Tiers because of its cost.

Mr. Barfield made the motion to approve the draft ranking and scoring for the Divisional Tier projects in Prioritization 3.0. Mr. Frank Williams seconded the motion and it carried unanimously.

**b. Opening of the Public Comment Period on the Local Input Methodology Ranking and Scoring**

Mr. Barfield made the motion to open the Public Comment Period for the projects selected for the Regional and Division Tiers based on the local input methodology ranking and scoring process. Dr. Sheridan seconded the motion and it carried unanimously.

**c. Resolution approving Point Sharing in the Local Input Methodology**

Mr. Kozlosky told members staff was approached by the Cape Fear RPO regarding the possibility of transferring points to projects within the MPO's planning area boundary. He noted that point sharing is allowed based on conversations with NCDOT. Point sharing can be done by resolution from both entities. The RPO will determine if they have points available to share at their August 12<sup>th</sup> meeting.

Mr. Doetsch made the motion to approve the resolution supporting the transfer of points from the Cape Fear RPO to the Wilmington MPO so long as the TAC approves of the allocation of points to the

requested project(s). Mr. Willis seconded the motion and it carried with all members voting in favor, with the exception of Mr. Frank Williams who recused himself from the vote.

## **8. Discussion**

### **a. Performance Measures for MAP-21**

Mr. Rashid told members that FHWA and FTA issued a Notice of Proposed Rulemaking on revisions to the regulations governing the development of metropolitan transportation plans and programs for urbanized areas. They are soliciting comments on the proposed rulemaking. The comments are due by September 2<sup>nd</sup>.

Ms. Rashid stated that staff drafted a memo in response to the revisions on the key items that will affect the MPO. She told members it's anticipated that an additional 1,800 hours of staff time will be needed in order to comply with the changes. Ms. Rashid encouraged members to go to the website provided within the memo for more details on the revisions to the regulations. She noted that staff will be bringing a resolution providing comments on Performance Measures for MAP-21 to the next meeting for consideration.

### **b. NCDOT Bike/Pedestrian- STI**

Mr. Kozlosky told members that NCDOT is working through the Strategic Transportation Investment (STI) formula. The Legislature eliminated the State match for Bike and Pedestrian projects. Under the STI, the Department would provide the 80% Federal match and the local jurisdictions will be required to provide the 20% local match for any bike/pedestrian projects that are funded in the STI.

Mr. Kozlosky said NCDOT is requesting a letter of commitment from local jurisdictions stating that they are willing to fund the remaining 20% of those projects. A sample letter was included in the agenda packet. He noted that the letters are non-binding and jurisdictions will still need to complete a municipal agreement for each of the selected projects.

### **c. WMPO Website and Logo**

Mr. Kozlosky told members that staff received comments regarding the WMPO website. Comments include that the website is very difficult to navigate and that the logo is out-dated and looks like clipart. He noted that staff is requesting direction from TAC members on updating the website and logo.

The consensus of the members was that staff should move forward in using a small amount of staff time and funds to improve the website and re-design the logo.

## **Closed session**

Ms. Padgett told members there is a need to waive the rules and enter into a closed session in pursuant to the provisions of GS #143-318.11 A3 in order to discuss the pending legal matter of Jamestown Pender, LP vs. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, Pender County file 14CVS528.

Dr. Sheridan made the motion to waive the rules and enter into a closed session. Mr. Frank Williams seconded the motion and it carried unanimously.

**Call back to order**

Ms. Padgett called the meeting back into open session. She told members no action was taken other than to discuss the pending legal matter of Jamestown Pender, LP vs. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization.

The Chair requested a motion to retain Matt Nichols as the attorney to represent the MPO's interest in the pending litigation. Mr. Miller made the motion to retain Mr. Nichols and it was seconded by Mr. Frank Williams. The motion carried unanimously.

**9. Updates**

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

**10. Adjournment**

With no further business, the meeting was adjourned at 5:00pm

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.**