



**Board Meeting Minutes**  
**6<sup>th</sup> Floor Conference Room, 320 Chestnut Street**  
**Wednesday, June 28, 2017**

**Members Present:**

Gary Doetsch, Town of Carolina Beach  
David Piepmeyer, Pender County  
Neil Anderson, City of Wilmington  
Pat Batleman, Town of Leland  
Emilie Swearingen, Town of Kure Beach  
Skip Watkins, New Hanover County  
Frank Williams, Brunswick County

**Others Present:**

Mike Kozlosky, Executive Director, WMPO  
Donna Schardien, Town of Belville  
Noreen Slattery, Town of Belville  
Wayne Hyatt, Project Manager, Moffatt & Nichol  
Matt Nichols, Attorney, Smith Moore Leatherwood PLLC  
Nikki Cooper, Paralegal, Smith Moore Leatherwood PLLC

**1. Call to Order**

Mr. Doetsch called the meeting to order at 3:04 p.m.

**2. Conflict of Interest Reminder**

Mr. Doetsch 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 Board Members' Excused Absence**

Mr. Kozlosky stated that Mr. Barfield, Mr. Rivenbark, Mr. Miller and Mr. Zimmer requested to be excused from today's meeting.

Mr. Watkins and Mr. Piepmeyer expressed concerns regarding Mr. Zimmer's and/or Mr. McComas' inability to attend due a persistent scheduling conflict.

Mr. Kozlosky pointed out that the NC Board of Transportation regularly meets the first Wednesday of the month with the exception of the last two months. He indicated that he would discuss these concerns with Mr. Zimmer.

In response to an inquiry by Ms. Batleman, Mr. Kozlosky stated that Mayor Willis had indicated that he would be present today.

Mr. Piepmeyer made a motion to excuse the absence of Mr. Barfield, Mr. Rivenbark, Mr. Miller and Mr. Zimmer. Mr. Williams seconded the motion, and it carried unanimously.

Mr. Williams and Mr. Doetsch acknowledged the presence of a new member.

Ms. Donna Schardien, Town of Belville, introduced herself and acknowledged the presence of her alternate, Ms. Noreen Slattery.

In response to an inquiry by Mr. Doetsch, Ms. Schardien stated that she would submit the appropriate ethics documents prior to actively participating on the Board.

**4. Approval of Agenda**

Mr. Kozlosky requested to add two (2) items to the agenda – a potential bylaw amendment, and MPO staffing. He noted that Ms. Padgett has been delayed and requested to move the presentation on the Rail Realignment Feasibility Study to later in the agenda. He acknowledged the presence of the consultant, Mr. Wayne Hyatt of Moffatt & Nichol.

Mr. Williams made a motion to approve the agenda as amended, seconded by Mr. Anderson, and the motion carried unanimously.

**5. Public Comment Period**

No public comment speakers were present.

**6. Consent Agenda**

**a. Approval of WMPO Board Meeting Minutes**

The minutes for the May 31, 2017 meeting were approved unanimously.

**b. Resolution supporting the submittal of Ferry and Waterway Projects for Prioritization 5.0**

**c. Resolution requesting the North Carolina Department of Transportation Division of Motor Vehicles update the North Carolina Driver's Handbook for bicycle and pedestrian safety**

Ms. Swearingen made the motion to approve Consent Agenda Items 7a through 7c.

Ms. Batleman seconded the motion and it carried unanimously.

**7. Regular Agenda**

**a. Resolution supporting the submittal of Bike/Pedestrian Projects for Prioritization 5.0**

Ms. Doliboa told members that this is the same list that was presented for discussion at the Board's May 31, 2017 meeting. She stated that no changes have been made. She noted that staff recommends moving forward with the list as is.

Mr. Watkins made the motion to approve the Resolution supporting the submittal of Bike/Pedestrian Projects for Prioritization 5.0. Mr. Watkins seconded the motion and it carried unanimously.

**b. Resolution supporting the submittal of Highway Projects for Prioritization 5.0**

Ms. Motsinger told members that this item is similar to the one considered for discussion during the Board's May 31, 2017 meeting. She noted that a few of the projects were submitted twice in different formats, and one (the widening of NC 133) was split into two phases. She attributed the modifications to suggestions by NCDOT's Strategic Prioritization of Transportation Office Group to achieve higher scoring and increase the likelihood of funding during the prioritization process.

Ms. Batleman and Mr. Williams expressed concerns regarding the beginning and ending points for the NC 133 widening at Westport Drive (Projects #14 and #15), and requested a change to Jackeys Creek to minimize traffic impacts.

Mr. Williams pointed out that an intersection improvement or a stop light is needed with the opening of the Mallory Creek connector to Brunswick Forest.

Mr. Kozlosky stated that conversations were held with the Town of Leland and NCDOT yesterday regarding a potential traffic signal at that location. He noted that some additional actions would be taken by the state to determine if a signal would meet warrants, which will be delayed a few months following its opening for traffic to normalize. A question/answer and discussion period was held.

Mr. Williams made the motion to approve the Resolution supporting the submittal of Highway Projects for Prioritization 5.0 as amended, replacing both occurrences of Westport Drive with Jackeys Creek. Mr. Anderson seconded the motion.

In response to an inquiry by Ms. Swearingen regarding Project #R57, Mr. Kozlosky stated that the project would widen River Road to four (4) lanes.

Mr. Kozlosky reminded members that this action would submit projects for scoring and consideration for funding by NCDOT. Ms. Motsinger added that this prioritization is for the 2020-2030 STIP (State Transportation Improvement Plan).

Mr. Doetsch called the question and the motion carried unanimously.

## **8. Discussion**

### **a. Prioritization 5.0 Public Transportation Projects**

Ms. Motsinger told members that the list of potential public transportation projects to be submitted for Prioritization 5.0 was compiled in coordination with Mr. Albert Eby, Director, and Ms. Megan Matheny, Deputy Director of the Cape Fear Public Transportation Authority.

Ms. Batleman expressed appreciation for the Brunswick Connector.

## **9. Presentation**

### **a. Rail Re-alignment Feasibility Study, Laura Padgett, Chair of Mayor's Task Force on the Rail Re-alignment**

Ms. Padgett expressed appreciation and introduced Mr. Wayne Hyatt, Project Manager, Moffatt & Nichol. She commented that the Feasibility Study reveals some good news; although, the rail industry is rapidly changing and more study will be required.

Mr. Hyatt gave a summary of findings from the Rail Re-alignment Feasibility Study. He stated that the study commenced in July of 2016, and progressed through data collection and analysis for two (2) projects interdependent as one – the rail realignment and reuse of the corridor for public transit. He added that the study marks a point in time on the verge of a new U.S. administration, a new State of N.C. administration, new leadership at CSX, and a new strategic plan for the Port.

Mr. Hyatt stated that the study is comprised of a series of 12 technical reports with the study area limited to locations where the rail corridor could be placed and the existing beltline railroad (from the Hilton bridge, around to the "Y," and back around and down to the Port). He added that the study is not capable of analyzing features outside the study area to determine benefits and impacts based on a potential NEPA study – the next step in progressing to environmental and construction phases.

Mr. Hyatt stated that the presentation of the feasibility study to this body is a final phase, pending any comments from the City Council and WMPO Board that would result in revisions or comments on the report. He reported that at this phase of the study, no “fatal flaws” were found preventing either or both of the projects from moving forward. He noted that there are benefits and impacts to environmental resources and human environments; and negotiations with government agencies and private industry will be required; and marketing concerns exist. He pointed out that the National Surface Transportation Board (STB) will play a prominent role in the reuse of the existing beltway and rail realignment.

A question/answer and discussion period was held.

Mr. Hyatt gave an overview of proposed alignments and areas of concern (the turning basin, Battleship, and Royal Tract). He noted that environmental impacts increase for alignments toward the west, and economic impacts increase toward the east. He added that the cost increases for an alignment across U.S. Route 74. He stated that several interviews with the Port and CSX helped define potential corridors as follows:

**Corridor A (Western Alignment):** Starts at Yadkin Junction; crosses the Royal Tract on a former railroad right-of-way; runs just outside properties that can be improved with freight service; moveable bridge;

**Corridor B (Central Alignment):** Further east than Corridor A; crosses further into industrial properties; crosses U.S. 74 and Cape Fear River (moveable bridge);

**Corridor C (Easternmost Alignment):** Approaches, but does not cross U.S. 74; minimizes impacts to the conservation easement; impacts developable property along the roadway; uses a portion of the NCDOT right-of-way along U.S. 74; avoids the interchange and Battleship property, although some reworking of the interchange and entrance to the Battleship may be required; uses existing bridge clearance; requires a new bridge.

A question/ answer and discussion period was held.

Mr. Hyatt pointed out that identifying potential funding sources will be critical to the success of the railroad realignment, which will potentially be under the FRA (Federal Railroad Administration) unless private funding is found. He noted that it will still be necessary to go through the Corps of Engineers regarding the river crossing and wetland impacts. He added that the FTA (Federal Transit Administration) will have jurisdiction over the transit portion. Although the two (2) entities are under the U.S. Department of Transportation, each has separate rules and regulations for funding, project approvals, and the safety of equipment and operations, and require specific logical termini.

Mr. Hyatt gave examples of funding sources such as the North Carolina Golden Leaf, and Port Growth. He noted that the economic greater return over 30 years totals \$291 million in undiscounted benefits based on the Port not expanding (0.22%) or \$395 million with expansion (0.67%). He gave a breakdown of benefits to quality of life, economic competitiveness, safety, state of good repair, and environmental sustainability.

Mr. Hyatt stated that project net present value uses a discount rate of three percent (3%) in 2015 dollars. He estimated cost at almost \$752 million for both projects, driven by the

large contingency factor associated with a higher level study. A question/answer and discussion period was held.

Mr. Hyatt estimated the net present value for the project due to its cost at \$367.7 million without Port expansion, and \$322.4 million with Port expansion. He noted that this does not include market aspects associated with increased product transit through the Port.

Following a lengthy question/answer and discussion period, Mr. Hyatt stated that a final report would be presented with an errata sheet for any changes that need to be made resulting from comments.

Ms. Padgett reminded the Board that the task force of 11 members included Mr. Jim Van Derzee, Regional Economic Director, CSXT; Ms. Laura Blair, State Ports; Ms. Pat Batleman, WMPO; Mr. Arthur Petteway, NCDOT Rail Division, and his predecessor, Mr. Marc Hamel; Mr. Frank Williams, Chair, Brunswick County Board of Commissioners; Ms. Beth Dawson, former New Hanover County Commissioner; Dr. Earl Sheridan, Wilmington City Council; and Mr. Randy McIntyre, MCO Transport (one of the three shippers on the north end of the track). She noted that most shippers do not get a rail car a day, and are served by a CSX shuttle to Davis Yard and west.

Ms. Padgett urged acceptance of the report and commented that a partnership with CSX will be crucial. She pointed out that CSX's new CEO, Mr. E. Hunter Harrison, values innovation and tightly scheduled shipping, which may be an opportunity for other uses of the proposed short line track.

Ms. Padgett pointed out that expansion of the Port has begun, and its five (5)-year plan is being finished. She noted that the 2016 Plan excluded Enviva, Vertex, the Queen City Express, the coming intermodal facility in Rocky Mount, the Carolina Connector, and a potential connector from Columbus County. She commented that the Task Force has been in touch with private rail companies, who continue to express an interest in this project and a potential opportunity for some private funding.

Ms. Padgett stated that the next step would be to further study the engineering, and a broader-reaching marketing study to include the Pender Industrial Park and other state and regional development, such as in Columbus County. A lengthy question/answer and discussion period was held.

Mr. Kozlosky stated that the intent of today was to educate the Board as to the feasibility study. He advised that the Board consider a Resolution of support after the City considers one to accept the report and the Task Force's recommendation, potentially in August. He commented that the Board would continue to work with Ms. Padgett, who has some ideas about how to proceed.

The Board expressed appreciation to Ms. Padgett.

**8. Discussion (continued)**

**b. Prioritization 5.0 Aviation Projects**

Ms. Kozlosky reminded members that included in the agenda packet is a memo and list of aviation projects that staff proposes to submit to NCDOT in Prioritization 5.0. He noted that staff coordinated with Wilmington International Airport. He added that the list will be brought back for adoption at the Board's next meeting.

**c. Direct Attributable Submittal Form Proposal**

Ms. Kozlosky told members that during the organizational analysis and the SWOT analysis, partners expressed a desire to consolidate the application for Direct Attributable funds for both Transportation Alternatives and Surface Transportation Block Grant Program funds. He noted that staff developed a draft that was brought to the Technical Coordinating Committee (TCC) in June for discussion, with revisions to be returned to the TCC's July meeting for additional comments. He added that this Item would be brought forward for approval at the Board's July or August meeting.

**10. Updates**

Mr. Doetsch reminded the Board that updates are included in the agenda packet. He announced that the next Bike/Ped Committee meeting would be held August 20, 2017 and the next WMPO Board meeting would be held July 26, 2017.

**9. Discussion (continued)**

**d. Special Meeting for Map Act Update**

In response to an inquiry by Mr. Piepmeyer, Ms. Motsinger stated that a Citizens Advisory Committee meeting would be held in July.

Mr. Kozlosky reminded the Board that it directed him to schedule a meeting with the Board's counsel regarding the Map Act cases. He noted that due to scheduling conflicts, no update has occurred. He added that the MPO has received at least one additional filing. He noted that counsel has provided several other dates of potential availability in July. He reminded the Board that its next regularly scheduled meeting is July 26, 2017.

The Board expressed concerns. A consensus of members expressed the desire for a meeting before or after the Board's next regularly scheduled meeting on July 26, 2017. Mr. Piepmeyer expressed regret that he would be unable to attend.

**e. Potential Amendment to MPO Board Bylaws**

Mr. Kozlosky stated that yesterday the Town of Belville appointed Ms. Schardien and requested to know the number of alternatives that could be appointed. He pointed out that the Bylaws are not specific. He proposed to amend the Bylaws to designate a specific number and to clean up the language revising the name of the Board. He added that the State Ethics Commission indicated that numerous MPOs and RPOs specify that each member have one alternate.

A question/answer and discussion period was held.

It was the consensus of the Board that only one alternate be designated.

Mr. Kozlosky stated that a revised set of Bylaws would be brought forward for consideration at the Board's July meeting.

**f. Staffing Challenges**

Mr. Kozlosky reported that three (3) resignations have been received during the course of the past few weeks; essentially eliminating the MPO's Long Range Planning section. He noted that Mr. Lopez, Ms. Doliboa, and Ms. Motsinger will be leaving in the month of July. He commented that this may delay items on the work plan. He reported that five (5) vacancies exist currently.

In response to an inquiry by Mr. Williams, Mr. Kozlosky attributed the loss to a number of different reasons including returning to practice law, relocating to Colorado, or taking a job in the private sector or New Hanover County.

Mr. Doetsch requested a study and recommendations to help prevent future loss.

Mr. Williams expressed appreciation to the staff who will be leaving.

Mr. Kozlosky commented that some time will be needed to re-staff and for new staff to learn the area. A brief question/answer and discussion period was held.

**11. Adjournment**

With no further business, the meeting was adjourned at 3:58 p.m.

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.**