

Board Meeting Minutes
6th Floor Conference Room, 320 Chestnut Street
Wednesday, August 28, 2019

Members Present

David Piepmeyer, Pender County
Pat Batleman, Town of Leland
Johnathan Barfield, Cape Fear Public
Transportation Authority
Charlie Rivenbark, City of Wilmington
Hank Miller, Town of Wrightsville Beach
Pat Kusek, New Hanover County
Frank Williams, Brunswick County
Eulis Willis, Town of Navassa
Mike Alford, NC Board of Transportation

Others Present

Mike Kozlosky, Executive Director, WMPO
Karen Collette, NCDOT Highway Division 3
Chad Kimes, NCDOT Highway Division 3
Matt Nichols, Attorney

1. Call to Order

Chairman Piepmeyer called the meeting to order at 3:00 p.m.

2. Conflict of Interest Statement

Chairman Piepmeyer read the conflict of interest statement and asked if any members had a conflict with any of the items on the meeting agenda. No members reported having a conflict.

3. Approval of Board Members' Excused Absences

Mr. Kozlosky stated that John Ellen, Neal Anderson, and Mike Allen have requested to be excused from the meeting.

Mr. Miller made a motion to excuse the absences of Mr. Ellen, Anderson, and Mr. Allen. Ms. Kusek seconded the motion, and it carried unanimously.

4. Approval of the Agenda

Ms. Kusek made a motion to approve the agenda as presented, seconded by Mr. Barfield, and the motion carried unanimously.

5. Public Comment Period

Andy Koeppel spoke to the Board and expressed concerns regarding the discontinuation of the Cape Fear Crossing Project. He requested that the Board consider a resolution at its next meeting that would express these concerns and support continued funding for the consultant to identify a corridor and potential funding such as bonds or tolls.

6. Closed Session

Chairman Piepmeyer moved to hold a closed session to discuss with the WMPO's attorney a matter within the attorney-client privilege and the legal matter of John W. Nester v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization, 19CV689 filed in Pender County, North Carolina. Mr. Miller seconded the motion, and it carried unanimously.

The meeting was recessed and went into closed session.

The meeting was reconvened and went into open session with all members present as mentioned above.

Chairman Piepmeyer stated that no action was taken during the closed session other than to provide direction to Attorney Matt Nichols regarding the WMPO's responses to matters within the attorney-client privilege and the legal matter of John W. Nester v. North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization.

7. Presentation

a. Revised Draft 2020-2029 State/MPO Transportation Improvement Program

Chad Kimes, NCDOT Division 3 Deputy Division Engineer, gave an update on the revised draft 2020-2029 State/MPO Transportation Improvement Program (STIP/MPO TIP). He stated that NCDOT operates with a cash floor ranging from \$250 million to \$750 million, or 7.5% of its total annual revenue. He noted that as of September, the fund balance is at the red line, meaning that NCDOT cannot legally enter into any new contracts and that existing work slows down. Contributing factors include the annual storm impact, which increased from an average of \$67 million to \$222 million during the past three years due to unplanned storm events. In addition, Map Act cases total \$311 million over and above anticipated right-of-way costs.

In response to an inquiry by Mr. Williams, Mr. Kimes stated that reimbursement from FEMA for Hurricane Mathew is at 50%. He pointed out that some of the storm costs will be reimbursed; none of the Map Act expenditures will be recouped. He added that the Hampstead Bypass Project is only one of the Map Act cases across the state.

Mr. Kimes stated that the Board of Transportation will meet next week to consider the revised draft STIP/MPO TIP 5.0 released a few weeks ago. He noted that all of the projects in the first three years will be delayed, except those with bond money (GARVEE, INFRA, NC Build, and Design Build). He added that the majority of projects from the 2015 STIP/MPO TIP are still ahead of schedule due to aggressive scheduling, and that the Hampstead Bypass Project is on schedule. However, the interchange at Martin Luther King, Jr. Parkway and Kerr Avenue has been delayed three years.

Mr. Kimes stated that NCDOT decided to suspend the Cape Fear Crossing Project due to its cost (\$1 billion-\$1.5 billion). He explained that the Division only expects to receive about 0.001% of funding from the Statewide Mobility Tier, and the Regional and Division Tiers do not have enough funding to support the project.

Prioritization 5.0 (P5.0) Facts and Figures

Tier	Total 10-year Amount <small>(includes committed projects)</small>	Programmable Amount for P5.0
Statewide Mobility	\$9.2B	\$2.8B
Regional Impact – B	\$812M	\$163M
Division Needs – 3	\$554M	\$170M

Note: Dollar figures are approximations

A question/answer and discussion period was held.

Mr. Kimes pointed out that NCDOT must continue to plan for the project and that much good data has been gathered for it. He noted that it can still go through prioritization; although it may not be realized for another 20 years or 30 years.

Mr. Kimes suggested that the \$20 million in funds in the non-committal years for the Cape Fear Crossing be redirected to accelerate the Gordon Road Project, currently partially funded for right-of-way in 2029. He noted that this redirection would fully commit right-of-way for Gordon Road in 2025. He added that the Cape Fear Crossing Project would not be deleted; but would remain in the client environmental studies phase.

Mr. Kozlosky distributed funding modification sheets. He noted that based on NCDOT's decision to suspend work on the crossing staff recommends moving the funds to Gordon Road Project so that it would not need to be reprioritized.

Mr. Kimes stated that the Cape Fear Memorial Bridge still needs to be replaced, with or without the Cape Fear Crossing Project. He noted that the lifespan of the Cape Fear Memorial Bridge is 20 years for the fixed span, and 10 years for the moveable span. He added that maintenance is constant and costs about \$500,000 a year. A kickoff meeting will be held on August 30th to discuss how to replace the bridge, existing capacity (currently 65,000 a day), and the impacts. He pointed out that bridge replacements follow a separate round of prioritization and can be funded more quickly.

Mr. Kimes stated that the South Front Street Widening Project is funded. He noted that design is nearly complete in spite of concerns regarding historic properties that cannot be touched and the oil tanks. He commented that replacing the bridge, adding capacity to it, and widening Front Street will create a temporary improvement for the region.

Mr. Barfield expressed concerns regarding environmental justice impacts and a desire to mitigate those impacts.

In response to an inquiry by Mr. Williams, Mr. Kimes stated that the study area for a southern crossing would change.

Vice-Chair Batleman suggested discussions with the Kinder Morgan Terminal. Mr. Kimes responded that relocation would be explored if it were less expensive.

Mr. Rivenbark expressed concerns regarding the delay of the Cape Fear Crossing and the emergence of the bridge replacement project.

Vice-Chair Batleman expressed concerns regarding lack of funding for the Cape Fear Crossing.

Chairman Piepmeyer expressed appreciation to Mr. Kimes.

8. Consent Agenda

- a. **Approval of Board Meeting Minutes of July 31, 2019**
- b. **Resolution approving FY 2019-2020 Unified Planning Work Program Amendment #2 for the Wilmington Rail Trail Master Plan**
- c. **Resolution approving 2018-2027 STIP/MPO Transportation Improvement Program Administrative Modification #19-3**

d. Opening 30-day public comment period for 2018-2027 STIP/MPO Transportation Improvement Program Amendment #19-4

Ms. Kusek made a motion to approve the Consent Agenda as presented. Mr. Williams seconded the motion, and it carried unanimously.

9. Discussion

a. Cape Fear Moving Forward 2045 Red-Line Analysis

Ms. Lorenzo stated that staff held meetings with individual Board members. She gave an overview of all Roadway Projects in response to a request from the Board. She displayed the mapping tool to illustrate the location of the projects.

In response to an inquiry by Mr. Williams regarding Project #RW-106 (US 17 to NC 133), Ms. Lorenzo stated that the connection would be on new location.

Mr. Barfield recommended swapping the following projects:

Remove:

- #RW-215, Rank 9, Kerr Avenue Extension II
- #RW-94, Rank 29, Castle Hayne Streetscape

Add:

- RW-181, Rank 42, Blue Clay Road Interchange
- RW-16, Rank 57, Myrtle Grove Road Widening
- RW-25, Rank 58, Piner Road Improvements and Intersection Realignment
- RW-193, Rank 59, Myrtle Grove/Piner/Masonboro Loop Road Roundabout
- RW -191, Rank 60, Mohican Trail and Masonboro Loop Road Roundabout
- RW-192, Rank 61, Navaho Trail and Masonboro Loop Road Roundabout (southern intersection)
- RW-166, Rank 73, Sidbury Road/Hampstead Bypass Interchange

Mr. Miller requested to modify the name of Project RW-5 to Wrightsville Beach Bridge Replacement because the type of bridge has not been determined yet.

In response to an inquiry by Mr. Rivenbark, Ms. Lorenzo clarified that RW-1, Bradley Creek Bridge on Oleander Drive, is a replacement.

Chairman Piepmeyer stated that further comments should be sent to himself or Mr. Kozlosky.

Mr. Kozlosky stated that this item would be brought to the Board for consideration at its September meeting. He noted that the revisions would be forwarded to members of the Board, the Technical Coordinating Committee and the Citizens Advisory Committee.

b. Wilmington Urban Area Metropolitan Planning Organization Board's Draft Rules of Procedure

Mr. Kozlosky stated that current rules of the Board are included in its Bylaws. He noted that staff has worked with the WMPO's Attorney to create separate Rules of Procedure for the Board including Authority of Rules, Organization and Duties, Conduct of the Board, Meetings and Schedules, and Meeting Guidelines and Procedures. He requested that the

Board review the draft and provide comments or feedback by close of business on September 3rd. He noted that this item would be brought back to the Board for consideration at its September meeting.

Mr. Williams requested that the document be forwarded separate from the agenda to Board members with a reminder of the deadline.

c. Prioritization 6.0

Ms. Lorenzo gave a brief update on Prioritization 6.0 (P6.0). She noted that a memo outlining the criteria for P6.0 has been included in the agenda packet for informational purposes. She pointed out that the criteria for P6.0 remains consistent with the criteria for Prioritization 5.0. She noted that the closing of the submittal window has been delayed to May 1, 2020. She added that staff plans to bring project suggestions forward for each of the modes in late winter or early spring.

d. 2018-2017 STIP/MPO TIP Admin Modification #19-4

Mr. Kozlosky stated that this item is for informational purposes only and would be brought back to the Board for consideration at its September meeting.

10. Updates

Mr. Kozlosky stated that the updates have been included in the agenda packet. He noted that copies of the WMPO's Fiscal Year 2019 Annual Report have been distributed to the Board.

11. Announcements

a. Bike/Pedestrian Committee Meeting – September 10th

b. The next WMPO Board meeting – September 25th

12. Adjournment

With no further business, the meeting was adjourned at 4:25 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.**