



**Board Meeting Minutes**  
**6<sup>th</sup> Floor Conference Room, 320 Chestnut Street**  
**Wednesday, February 27, 2019**

**Members Present**

David Piepmeyer, Pender County  
Pat Batleman, Town of Leland  
Mike Allen, Town of Belville  
Neil Anderson, City of Wilmington  
Jonathan Barfield, Cape Fear Public  
Transportation Authority  
Mike Forte, Brunswick County  
Hank Miller, Town of Wrightsville Beach

Charlie Rivenbark, City of Wilmington  
Steve Shuttleworth, Town of Carolina Beach

**Others Present**

Mike Kozlosky, Executive Director, WMPO  
Karen Collette, NCDOT

**1. Call to Order**

Chairman Piepmeyer called the meeting to order at 3:02 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 and Pat Kusek have requested to be excused from the meeting.

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

**4. Approval of the Agenda**

Mr. Barfield made a motion to approve the agenda, seconded by Mr. Miller, and the motion carried unanimously.

**5. Public Comment Period**

No one was present to speak during the public comment period.

**6. Consent Agenda**

**a. Approval of Board Meeting Minutes – January 30, 2019**

**b. Resolution supporting the allocation of FY 19 Transportation Alternatives Set Aside-Direct Attributable (TASA-DA) funding to the Town of Carolina Beach for the Clarendon Avenue Multi-use path, City of Wilmington for the Market Street at 21st Street signalized pedestrian crossing, and New Hanover County for design of the Ogden Park/Middle Sound Loop Connector Projects**

**c. Resolution supporting the Section 5310 Community Grant Awards**

**d. Resolution approving 2018-2027 STIP/MPO TIP Administrative Modification #19-1**

**e. Opening of the 30-day Public Comment Period for 2018-2027 STIP/MPO TIP Amendment #19-1**

Mr. Forte made a motion to approve the Consent Agenda as presented, seconded by Mr. Allen, and the motion carried unanimously.

## 7. Regular Agenda

### a. Resolution adopting the Wilmington Urban Area MPO's FY'19 Legislative Agenda

Mr. Kozlosky reminded members that a draft legislative agenda was presented at the last Board meeting. In response to comments, staff added language to the Electric Scooter Legislation item stating that the allowance and/or use of electric scooters should be subject to local government control through adopted codes and ordinances. In addition, the Technical Coordinating Committee (TCC) suggested adding language under the topic of Corridor Preservation requesting that the General Assembly and the Department of Transportation to provide funding for advanced acquisition on larger transportation projects to protect corridors from development.

In response to concerns expressed by Mr. Barfield, Mr. Kozlosky responded that staff would review the moped legislation and would provide an update of any changes to it during the last few years.

In response to an inquiry by Mr. Anderson, Mr. Kozlosky stated that the Transportation Corridor Official Map Act is still in legislation; however, all of the maps have been rescinded. He expressed concerns regarding a bill that has been drafted to rescind the entire Map Act, which would impact the indemnification of the MPO.

Following further consideration, Mr. Anderson made a motion to approve the Resolution adopting the Wilmington Urban Area MPO's FY'19 Legislative Agenda.

Mr. Shuttleworth seconded the motion, and it carried unanimously.

### b. Resolution supporting the North Carolina Ports Authority's grant application for the US DOT's FY 19 Better Utilizing Investments to Leverage Development (BUILD) and Infrastructure for Rebuilding America (INFRA) programs to fund container gate improvements at the Port of Wilmington

Mr. Kozlosky stated that the North Carolina Ports Authority is considering submission for BUILD and INFRA grants to improve the Port's the north and south gates. He noted that this resolution would support those efforts.

Mr. Miller made a motion to approve the Resolution supporting the North Carolina Ports Authority's grant application for the US DOT's FY'19 Better Utilizing Investments to Leverage Development (BUILD) and Infrastructure for Rebuilding America (INFRA) programs to fund container gate improvements at the Port of Wilmington. Mr. Rivenbark seconded the motion, and carried it unanimously.

### c. Resolution supporting the North Carolina Department of Transportation's efforts to fund resilient improvements to Interstate 40 and Interstate 95

Mr. Barfield made a motion to approve the Resolution supporting the North Carolina Department of Transportation's efforts to fund resilient improvements to Interstate 40 and Interstate 95. Mr. Forte seconded the motion, and carried it unanimously.

### d. Resolution approving the Cape Fear Moving Forward 2045 Bicycle and Pedestrian Modal Project List

Ms. Lorenzo stated that included in the agenda packet is the Bicycle and Pedestrian Modal Project List for inclusion in the 2045 Metropolitan Transportation Plan (MTP). She reminded members that the other five modal lists were adopted last month. She noted that during the past few months, the Bike- Pedestrian Subcommittee narrowed a list of approximately 1,000 projects to about 180 projects. She added that these

projects have been assigned cross-sections and will be submitted to the consultant for a high-level cost estimates. After which, the projects will be scored and ranked.

Mr. Forte expressed concerns regarding a bill introduced in the General Assembly to register bicycles for \$10 each with proceeds going toward the purchase of bike helmets for younger children. Mr. Kozlosky responded that the proposed legislation will be researched and monitored.

Vice Chair Batleman made a motion to approve the Resolution approving the Cape Fear Moving Forward 2045 Bicycle and Pedestrian Modal Project List. Mr. Anderson seconded the motion, and carried it unanimously.

## **8. Discussion**

### **a. FY 2020-2024 Direct Attributable Funding Call for Projects**

Ms. Kimes stated that over the course of the last year, staff has worked on updating the Surface Transportation Block Grant Program – Direct Attributable (STPBG-DA)/ Transportation Alternatives Program – Direct Attributable (TASA-DA) program to achieve greater success in building projects and building them more quickly. As part of this effort, staff researched best practices of other MPOs across the state.

Ms. Kimes stated that the expansion to a five-year program is one of the biggest changes. The first two years would be for committed projects and would be followed by a review of the remainder of the program. She added that Raleigh is experiencing some success in separating design and construction by one year. She explained that putting money in different fiscal years provides additional time and an opportunity to identify funding for larger projects.

Ms. Kimes stated that TCC had no comments on the proposed program. She requested that the Board review the program and return any comments to her by next Wednesday to be incorporated in the program. She anticipated that a call for projects would be made next month. She expressed concerns regarding the need for a mechanism for WAVE to apply for funding, since the modal buckets have been discontinued.

Mr. Kozlosky stated that the MPO could continue to give WAVE a flat allocation as it has in the past or add a category to the application for WAVE to submit projects to be scored for more or less funding than it has been awarded in the past.

A question/answer and discussion period was held. Mr. Kozlosky stated that the intention is to use the funds in the most efficient way possible and to encourage participation. He attributed the need for changes in the process to the significant increase in the cost of projects from 2013 to 2015 necessitating additional allocations, and to the scarcity of applications from member jurisdictions due to past difficulties in implementing the program. He pointed out that changing to a five-year program, similar to the state's program, would allow greater flexibility within the program and provide for more efficient use of funds. Previously, the vast majority of funding has gone to bicycle and pedestrian projects or to WAVE; although many other uses for these funds exist.

In response to an inquiry by Mr. Barfield, Mr. Kozlosky stated that funds were awarded today to the County's Middle Sound Loop Project. He added that the Town of Carolina Beach has four projects that have been approved, and three under construction. He noted that the projects come from either the planning staff or parks and recreation staff.

In response to an inquiry by Mr. Anderson, Mr. Kozlosky stated that in the past, the buckets of funding were provided for each of the various modes. He noted that 15%-20% went to the public transportation component, which was flexed to WAVE through the state and Federal Transit Administration (FTA). He noted that this allocation could be repeated or the application process could be modified. Over the past few years, the MPO has flexed \$500,000 from the Federal Highway Program to Federal Transit for preventative maintenance and ADA compliance.

In response to inquiries by Board members, Mr. Eby gave some general examples of WAVE's ADA and preventative maintenance projects.

A lengthy question/answer and discussion period was held. In the spirit of simplifying the process, it was the consensus of the Board to continue a flat allocation for WAVE until participation in the program increases.

**b. Transportation Alternatives Set Aside – Direct Attribute Funding- Previous Year Funding Allocations**

Ms. Kimes stated that in September, the Federal Government will rescind unobligated Transportation Alternatives Set Aside-Direct Attributable (TASA-DA) funds. She noted that although the MPO awards projects an amount, in the federal government's eyes, the funds are unobligated until they are awarded for use. She added that the Department of Transportation (DOT) will distribute a formula to determine the amount of the rescission of unobligated TASA funds.

In response to an inquiry by Chairman Piepmeyer, Ms. Kimes stated that TASA funds cannot be used for WAVE Transit or for the pre-emption of traffic signals.

Ms. Kimes stated that staff is working with NCDOT to determine the exact unobligated balance, and with member jurisdictions to determine what can be obligated by September 2019. She noted that construction plans need to reach 95% of completion to be considered obligated. She added that the Town of Carolina Beach is offering to return funds that cannot be obligated in time.

Ms. Kimes stated that NCDOT and the Division are working on ADA ramp upgrades throughout the Division including City of Wilmington, Town of Carolina Beach and Town of Wrightsville Beach. She noted that it will be necessary to open another call for projects for which DOT could submit an application and provide 20% to obligate the unobligated funds by the deadline.

It was the consensus of the Board to open a call for projects.

**c. Resilient Transportation Infrastructure Priorities**

Mr. Kozlosky stated that during the agenda review, discussion was held on establishing priorities for transportation infrastructure. He noted that as a result of Hurricane Matthew and Hurricane Florence, a number of different issues within the community became apparent. He explained that the idea was to establish the top-five priorities for infrastructure improvements relating to storms, such as those improvements to Interstate 40 and Interstate 95.

Chairman Piepmeyer stated that about a month ago he participated in a regional gathering of many local and some state leaders to discuss the aftermath of Hurricane Florence. During that discussion, it became apparent that many counties and municipalities in this

region have some similar challenges as well as some unique ones. He expressed a desire to identify from the regional perspective of this Board, the top-five projects needing to be addressed following Hurricane Florence. For example, he pointed out that US Highway 17 at Town Creek, needs a bridge or alternate route to avoid a future shut town. Another issue was the lack of dredging of streams, ditches and waterways, which impacts local flooding of transportation infrastructure.

Chairman Piepmeyer stated that this topic is the start of a discussion, which may help in obtaining state or federal funding, and with prioritizing projects for this region.

A lengthy question/answer and discussion period was held. Mr. Shuttleworth suggested a potential project with the state to assist counties and municipalities with an active stormwater management program.

Chairman Piepmeyer requested that members bring back some ideas for the top-five priorities for continued discussion on resilient transportation infrastructure when the topic returns on the agenda the month after next. He pointed out that opportunities to escalate the priorities often involve red tape and an expense that hinders fairly simple work that impacts transportation infrastructure.

#### **11. Updates**

Mr. Kozlosky stated that updates are included in the agenda packet.

#### **12. Announcements**

- NCDOT Draft 2020-2029 STIP drop-in period – March 4<sup>th</sup> – 8<sup>th</sup> at the Division Office
- Bike/Pedestrian Committee meeting – March 12<sup>th</sup> at 2:00 p.m. in this location  
Chairman Piepmeyer requested that a meeting notice be forwarded to Board members.
- The next WMPO Board meeting: March 27<sup>th</sup>

Mr. Kozlosky acknowledged that Brittany Strait's last day is Friday. He noted that the position for Senior Accountant is posted on internet, and closes tomorrow at 11:59 p.m.

Mr. Rivenbark commended NCDOT on the 600-foot temporary road it constructed after the storm.

Mr. Kozlosky stated that the City of Wilmington's traffic engineering staff will offer a tour of City's Traffic Operations Center on River Road on March 27<sup>th</sup> at 1:00 p.m.

#### **13. Adjournment**

With no further business, the meeting was adjourned at 4:18 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.**