

**Board Special Meeting Minutes**  
**6<sup>th</sup> Floor Conference Room, 320 Chestnut Street**  
**Wednesday, June 26, 2019**

**Members Present**

David Piepmeyer, Pender County  
Pat Batleman, Town of Leland  
Neil Anderson, City of Wilmington  
Mike Allen, Town of Belville  
Steve Shuttleworth, Town of Carolina Beach  
John Ellen, Town of Kure Beach  
Hank Miller, Town of Wrightsville Beach  
Pat Kusek, New Hanover County  
Frank Williams, Brunswick County

**Others Present**

Mike Kozlosky, Executive Director, WMPO  
Matt Nichols, WMPO General Counsel  
Jessica Humphries, WMPO Counsel for the  
Map Act Litigation

**1. Call to Order**

Chairman Piepmeyer called the meeting to order at 3:02 p.m. He 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.

**2. Closed Session**

Chairman Piepmeyer called for a motion to hold a closed session.

Mr. Miller made a motion to hold a closed session, seconded by Mr. Allen, and the motion carried unanimously.

In response to an inquiry by Mr. Ellen, Mr. Nichols clarified that the motion should include the purpose of the closed session.

Mr. Miller agreed to amend the motion to hold a closed session to discuss with the WMPO's attorneys a matter within the attorney-client privilege. Mr. Allen seconded the amended 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.

**3. Consideration of and possible action on a Resolution authorizing the Executive Director to enter into a proposed tolling agreement on behalf of the Wilmington Urban Area Metropolitan Planning Organization related to potential litigation involving the following parties: PRD Properties, LLC; John H. Garrason, Executor of the Estate of Glenda E. Garrason a.k.a. Glenda Elizabeth Goforth Garrason; Movies One, LLC; Hampstead 504, LLC; MBD Holdings, LLC; FJH, LLC; North Carolina Department of Transportation; and Wilmington Urban Area Metropolitan Planning Organization**

Mr. Kozlosky stated that staff requests a motion to authorize the Executive Director to enter into a tolling agreement with the parties listed on the agreement.

Ms. Kusek made a motion to approve the Resolution authorizing the Executive Director to enter into a proposed tolling agreement on behalf of the Wilmington Urban Area Metropolitan Planning Organization related to potential litigation involving the following parties: PRD

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Properties, LLC; John H. Garrason, Executor of the Estate of Glenda E. Garrason a.k.a. Glenda Elizabeth Goforth Garrason; Movies One, LLC; Hampstead 504, LLC; MBD Holdings, LLC; FJH, LLC; North Carolina Department of Transportation; and Wilmington Urban Area Metropolitan Planning Organization. Mr. Rivenbark seconded the motion, and it carried unanimously.

**4. Adjournment**

With no further business, the meeting was adjourned at 3:38 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.**