



**WILMINGTON URBAN AREA**  
METROPOLITAN PLANNING ORGANIZATION

**MPO Board Special Meeting Minutes**  
**4<sup>th</sup> Floor Technology Conference Room, 305 Chestnut Street, Wilmington, N.C.**  
**Friday, December 4, 2020**

**Members Present (In-person)**

David Piepmeyer, Pender County  
Rob Zapple, New Hanover County

**Members Present (Remote)**

Pat Batleman, Town of Leland  
Neil Anderson, City of Wilmington  
Charlie Rivenbark, City of Wilmington  
Mike Allen, Town of Belville  
LeAnn Pierce, Town of Carolina Beach  
John Ellen, Town of Kure Beach  
Hank Miller, Town of Wrightsville Beach  
Frank Williams, Brunswick County  
Eulis Willis, Town of Navassa

**Others Present (In-person)**

Mike Kozlosky, Executive Director, WMPO  
Abby Lorenzo, Deputy Director, WMPO  
Matt Nichols, MPO Attorney

**Others Present (Remote)**

Chad Kimes, NCDOT Division Engineer

**1. Call to order**

Chairman Piepmeyer called the Special Meeting to order at 1:00 p.m.

Executive Director Mike Kozlosky took a rollcall pursuant to Section 4.31 of S.L. 2020-3, SB 704. A quorum was found to be present as follows:

**Present:** David Piepmeyer, Pat Batleman, Neil Anderson, Charlie Rivenbark, Mike Allen, LeAnn Pierce, John Ellen, Hank Miller, Rob Zapple, Frank Williams and Eulis Willis. **Absent:** Woody White and Landon Zimmer.

**2. Conflict of Interest Statement**

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

**3. Approval of the Agenda**

Mr. Ellen made a motion to approve the Agenda as presented. Mr. Miller seconded the motion carried unanimously by rollcall as follows:

**Ayes:** David Piepmeyer, Pat Batleman, Neil Anderson, Charlie Rivenbark, Mike Allen, LeAnn Pierce, John Ellen, Hank Miller, Rob Zapple, Frank Williams and Eulis Willis. **Nays:** None. **Absent:** Woody White and Landon Zimmer.

**4. Closed Session**

Chairman Piepmeyer moved to hold a closed session for the purpose of discussing two separate matters. The first matter is a closed session pursuant to the N.C.G.S. Section 143-318.11(a)(3) to consult with the Board's Attorney regarding matters within the attorney-client privilege relating

to the terms of a proposed settlement agreement in the following lawsuit: Jamestown Pender v. North Carolina Department of Transportation and the Wilmington Urban Area Metropolitan Planning Organization (Civil Action 14-CVS-528, Pender County Superior Court). And the second matter is a closed session pursuant to N.C.G.S. Section 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this state or the United States or not considered a public record within the meaning of Chapter 132 of the General Statutes, citation of the law that renders the information to be discussed privileged or confidential is N.C.G.S, Section 132-1.2, Subsections 1, and 9.

Mr. Allen seconded the motion and it carried unanimously by rollcall as follows:

**Ayes:** David Piepmeyer, Pat Batleman, Neil Anderson, Charlie Rivenbark, Mike Allen, LeAnn Pierce, John Ellen, Hank Miller, Rob Zapple, Frank Williams and Eulis Willis. **Nays:** None. **Absent:** Woody White and Landon Zimmer.

5. **Consideration of and possible action on a Resolution authorizing the Executive Director to enter into a Settlement Agreement with Jamestown Pender L.P. and North Carolina Department of Transportation for Civil Action No. 14 CVS 528, Pender County Superior Court**

The MPO Board meeting resumed open session with all present as follows:

**Present:** David Piepmeyer, Pat Batleman, Neil Anderson, Charlie Rivenbark, Mike Allen, LeAnn Pierce, John Ellen, Hank Miller, Rob Zapple, Frank Williams and Eulis Willis. **Absent:** Woody White and Landon Zimmer.

Chairman Piepmeyer stated that no action was taken in closed session.

Mr. Ellen made a motion authorize Mr. Kozlosky as Executive Director to sign the settlement agreement with Jamestown Pender and NCDOT. The motion was seconded by Mr. Zapple, and carried unanimously by rollcall as follows:

**Ayes:** David Piepmeyer, Pat Batleman, Neil Anderson, Charlie Rivenbark, Mike Allen, LeAnn Pierce, John Ellen, Hank Miller, Rob Zapple, Frank Williams and Eulis Willis. **Nays:** None. **Absent:** Woody White and Landon Zimmer.

6. **Adjournment**

With no other business, the meeting adjourned at 1:37 p.m. Rollcall as follows:

**Ayes:** David Piepmeyer, Pat Batleman, Neil Anderson, Charlie Rivenbark, Mike Allen, LeAnn Pierce, John Ellen, Hank Miller, Rob Zapple, Frank Williams and Eulis Willis. **Nays:** None. **Absent:** Woody White and Landon Zimmer.

Respectfully submitted,

Mike Kozlosky  
Executive Director  
Wilmington Urban Area Metropolitan Planning Organization