



MPO Board Meeting Minutes
Wednesday, January 25th, 2023

6th Floor Training Conference Room, 320 Chestnut Street, Wilmington, North Carolina

Members Present in Person

Mike Allen, Town of Belville
Neil Anderson, City of Wilmington
Lynn Barbee, Town of Carolina Beach
Brenda Bozeman, Town of Leland
John Ellen, Town of Kure Beach
Hank Miller, Town of Wrightsville Beach
Luke Waddell, City of Wilmington
Mike Forte, Brunswick County
Eulis Willis, Town of Navassa
Landon Zimmer, NC Board of Transportation

Others Present In-person

Scott James, WMPO
Jamar Johnson, WMPO
Chad Kimes, NCDOT
Mike Kozlosky, WMPO
Abby Lorenzo, WMPO
Caitlin Marks, NCDOT

Others Present Remotely

Ryan Brumfield, NCDOT

Members Present Remotely

Deb Hays, Cape Fear Public Transportation Authority

1) Call to Order

Vice Chairman Hank Miller called the meeting to order at 3:00 PM.

Based on the MPO Board's adopted Remote Participation Policy, Mr. Kozlosky called the roll, and a quorum was present as follows:

Present: Mike Allen, Neil Anderson, Lynn Barbee, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Absent:** Johnathan Barfield and Wendy Fletcher-Hardee.

2) Conflict of Interest Statement

Vice Chairman Miller read the conflict-of-interest statement and asked if any Board member has a conflict of interest. No one indicated that they had a conflict.

Mr. Zimmer asked to be recused from discussion on Item 10f. Ms. Bozeman made a motion to recuse Mr. Zimmer, seconded by Mr. Waddell and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None. **Absent:** Johnathan Barfield and and Wendy Fletcher-Hardee.

3) Approval of Board Member Excused Absences

Mr. Kozlosky said that Ms. Fletcher-Hardee of Pender County has requested to be excused for health reasons. Mr. Forte made a motion to excuse Ms. Fletcher-Hardee, seconded by Mr. Waddell and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None. **Absent:** Johnathan Barfield. **Excused:** Wendy Fletcher-Hardee.

There was a brief discussion about the need for a roll call. Mr. Kozlosky said that Attorney Matt Nichols has advised that a roll call is necessary with remote participants.

4) Approval of the Agenda

Mr. Kozlosky asked that an item be added for discussion, Item 10i, the Board's February 22nd meeting. He noted that several Board members have a conflict with that date and this item would be to discuss rescheduling that date.

Mr. Forte made a motion to approve the agenda as amended, seconded by Mr. Anderson and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None. **Absent:** Johnathan Barfield. **Excused:** Wendy Fletcher-Hardee.

5) Election of Officers

Mr. Kozlosky opened the floor for nominations for the chair. Ms. Hays nominated Hank Miller for chair, seconded by Mr. Forte. There being no other nominations, Ms. Bozeman made a motion to close the nominations, seconded by Ms. Hays, and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None. **Excused:** Wendy Fletcher-Hardee.

A vote to elect Mr. Miller as chair carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None. **Excused:** Wendy Fletcher-Hardee.

Chairman Miller expressed appreciation and opened the floor for nominations for vice chair. Ms. Bozeman nominated Ms. Hays for vice chair, seconded by Mr. Forte. There being no further nominations for vice chair, Mr. Forte made a motion to close the nominations, seconded by Mr. Allen seconded, and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None. **Excused:** Wendy Fletcher-Hardee.

A vote to elect Ms. Hays as vice chair carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None. **Excused:** Wendy Fletcher-Hardee.

Vice Chair Hays expressed appreciation and noted that she was attending remotely due to a scheduling conflict.

6) Public Comment Period

Mr. Kozlosky said that no one from the public signed up to speak.

Mr. Anderson said he received a letter from outside his jurisdiction expressing concern regarding the lack of lighting at the intersections of I-140 and NC-421, and NC-421 and the Isabel Holmes Bridge. Mr. Kozlosky responded that he would follow up.

7) Presentations

a. NCDOT Integrated Mobility Division Update- Ryan Brumfield, NCDOT

Ryan Brumfield, NCDOT, gave a presentation on NCDOT's Integrated Mobility Division (IMD). He noted that NCDOT's Public Transportation, and Bicycle and Pedestrian Divisions, merged in 2019 to become one division to increase access, particularly for disadvantaged populations; to enhance quality of life by providing multi-modal choices; and to ensure safety, regardless of transportation mode.

Mr. Brumfield said that challenges for IMD include population changes with a goal to create more high-quality transit services for people to age in place and to increase safety. He noted that population aged 65 and older is expected to increase by 52% by 2040 and those aged 85 and older to increase by 116% by 2040. Other challenges include the increase in fatalities (one fatality per 10 pedestrian crashes), and in vehicle deficiency. He added that a Transportation Deficient Index (TDI) tool was released in August and that more than one million people in the state are transportation deficient. Indicators for potential disadvantage include age (youth or elderly), low income, racial minorities, zero car households, and disabled populations.

Mr. Brumfield said that IMD receives money from the Federal Transit Administration (FTA), the Federal Highway Administration (FHWA) and the state. He gave an overview of programs to address the challenges and noted that IMD has four branches: Planning and Programming, Finance and Administration, Compliance, and Innovations and Data.

Mr. Brumfield said that North Carolina has the second highest rural population in the country and is unique in that all 100 counties have public transportation with 99 transit agencies. Thus, North Carolina is top five regularly in rural public transportation ridership with more than 70,000 passengers per year and 10,000 jobs in the public transportation sector.

Mr. Brumfield said that public transit funding totals approximately \$500 million each year (Fiscal Year 2019) and more since the bipartisan Infrastructure Bill, about half of which is local funding, compared to highway funding that is largely federal and state. He noted that IMD administers some federal funds, and state funds, which help leverage federal funds that require a match. He added that IMD also administers an intercity bus program, including some Greyhound bus routes, the more popular of which not requiring a subsidy helping to subsidize others across the state.

Mr. Brumfield said that the Multi-Modal Grant Program, formerly the Bicycle and Pedestrian Program, has completed more than 200 plans in the last 15 years. The call for the next round of funding will be announced in the next few weeks. He noted that IMD selects projects and consultants and administers the grant working closely with locals to develop plans, which are practical in that they recommend projects. Often, the plans are used as leverage for project development, to get them into the State Transportation Improvements (STI) and other funding mechanisms.

Mr. Brumfield said that included in this round of the Planning Grant Program are micro-transit feasibility studies and access to transit studies, which create a pipeline of projects. He added that IMD was awarded \$2 million last year by the General Assembly for paved trails feasibility studies and then received funding through the State Planning and Research Program for sidewalk

feasibility studies. Sixty applications were received for \$5 million for the application that closed January 9th, which shows that interest across the state is greater than the available funding.

Mr. Brumfield said that other initiatives include the Safe Routes to School Program, for non-profits or local government agencies to educate the public and students about biking and walking safety (application period open through February 9th), and the Bicycle Helmet initiative, a popular bike helmet giveaway and educational campaign (application open through February 3rd).

Mr. Brumfield said that IMD was awarded 10 USDOT grants in the last three years including three Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants in the last two cycles. The most recent award of \$10.4 million was for micro-transit in 11 rural communities in the state, including Wave Transit.

Mr. Brumfield said that micro-transit is like Uber or Lyft, but different in that it is subsidized for public transit, especially in areas with limited ride-share services and for individuals who may not be able to afford those services. He noted that traditional paratransit or dial-for-ride services require scheduling multiple days in advance. Whereas, micro-transit can be scheduled on short notice or on-demand, which works well for disadvantaged populations.

Mr. Brumfield noted micro-transit has been successful in limited deployments across the state. The most successful implementation was in Wilson, where micro-transit replaced fixed-route transit, and trips increased from 1,400 fixed-route trips per week to 4,000 micro-transit trips per week. A similar service in Wilmington, called Ride Micro, serves 125,000 people with five vehicles, provides service to four zones for a flat fare of \$2. He noted that ridership and recognition have steadily increased. He added that the grant received before the holidays will allow IMD to work with Wave Transit to expand service area and service times.

In early stages, Mobilities as a Service (MaaS) is a complex data project for a single phone application to schedule and pay for trips across modes and jurisdictions. Mr. Brumfield said that the long-term goal is for those without a car to reach destinations seamlessly in an equal amount of time, convenience, and cost as those who do have a car.

Mr. Brumfield said that IMD is also working on autonomous shuttle deployments. He noted that the CASSI shuttle was deployed in 2021, and an announcement regarding additional deployments is expected to be made in the next few weeks. IMD's role is to ensure that shared autonomous vehicle technology is advancing in the same manner and as rapidly as single-occupant autonomous vehicles, and that shared mobility is front and center in the discussion.

Mr. Brumfield said that IMD leads the Complete Streets effort for NCDOT. He noted that Complete Streets is the idea of designing roadways to accommodate all road users safely, which helps reduce bicycle and pedestrian crashes and fatalities, improve access and mobility for those with limited vehicle availability, enhance quality of life, and, ultimately, ensure a system that works for everyone. He added that IMD has a five-step process by which projects pass to identify bicycle and pedestrian needs when they are being designed by working closely with the Division Engineers. Just this last year, IMD reviewed more than 460 projects in the state, a great partnership with the Division and offices in the field to review projects to ensure all road users are being accommodated.

Mr. Brumfield shared contact information for Brian Lopez, manager for the region planning team, who is Lead Planner for the Coastal Plains Region and contacts for the rest of the Division.

Mr. Kozlosky said the presentation would be forwarded to members. Additionally, he reminded the Board that on its agenda are several items from the presentation including resolutions supporting feasibility studies for the Downtown Trail Phase 2 and 3; the Gullah Geechee Heritage Corridor; and the Island Greenway in Kure Beach as well an application for bicycle helmets.

b. 525 North 4th Street Building Renovation- Jamar Johnson, WMPO

MPO Engineering Associate Jamar Johnson gave an update on 525 North 4th Street, the future home of the WMPO. He gave a brief history of the 129-year-old building, and an overview of the contract, highlights of the renovation from the last six months, interesting discoveries, and milestones. He noted that the building was originally constructed in 1894 as the Thomas & Co. Grocery Store and was expanded with a back addition in the 1920s. In 1990s, the building was sold and became a furniture store. In the 2000s when the building was last occupied, it was a hair salon on one side and an office space on the other. In 1899, five years after its construction, the building was hit by a hurricane and has withstood 15 hurricanes since.

Mr. Johnson said that of the two bids received for the building renovation, Paragon Building Corporation was the lowest responsible bidder. He noted that the contract was executed May 17, 2022, and a pre-construction meeting was held two days later. He added that HDR is serving as both the contract administrators and the design team, and construction began August 1, 2022.

Mr. Johnson noted that during Hurricane Florence, the north wall parapet was lost. He displayed month-by-month photos of the renovations. Starting in August the exterior had faded paint with exposed brick and missing parge, and the interior had exposed insulation and boards in the ceiling, the brick was grimy, the floor was unstable and cluttered with debris, and black mold and asbestos needed to be abated. It was necessary to open the bricked-up windows to let the building breathe and remove the debris. In September, utility and building permits were issued from Cape Fear Public Utility Authority (CFPUA) and New Hanover County.

Mr. Johnson said that demolition proceeded with the removal of the parge and surface paint, and flooring of the first floor, the front portion of which was wood floorboard, and the rear was concrete. In October, demolition was paused due to damage to the exterior walls by cleaning methods, with a loss of mortar and pieces of brick that opened a discussion about brick stabilization. Interior prep work continued for utilities including electrical conduits, and water and sewer piping.

In November, Mr. Johnson said that a connection was made to the water main on North 4th Street. Due to a conflict with the water line, an alternative sewer connection was sought, and a permit was obtained to close a portion of Campbell Street between the Wave Transit parking lot driveway and the intersection with North 4th Street.

In December, Mr. Johnson said that the subgrade was prepared for a concrete slab foundation. Since no vibratory devices could be used due to the need for building stabilization, only water and an extended time were used to achieve the necessary 98% compaction. Alternate routes for the sewer line continued to be explored. Since no active sewer line was found on Campbell Street, and the only active line was between the Wave Transit driveway and North 3rd Street, discussions continued with CFPUA. He noted that this month, rebar was installed for the foundation, concrete was poured last Friday morning for the rear portion. The front 14 feet have yet to be installed.

Mr. Johnson said that interesting finds include masonry of mismatched sizes and colors of bricks, mortar joints varying in thickness from 1/8 inch to 2 inches (some of which have lost strength over

time) and differences in brickwork of the original structure compared to the addition installed 40 years later. Also, an extra wythe of brick was discovered on one wall. Fortunately, historic brick was identified nearby on Davis Street that matches the existing brick. He added that an extensive fire in the addition was discovered to have occurred sometime during the 20th Century, based on bottles found with a particular pattern produced only by fire.

Mr. Johnson said that once the slab foundation is completed and has cured, structural steel will be installed, and masonry repairs will be made to all four facades, some of which were known, others were discovered during the demolition process. The timeline includes the rough framing and layout of the second floor, roof and walls, and installation of the interior and exterior staircases, with wood being repurposed for the interior stairs to preserve some of the building's history. Additionally, new windows, which have a lengthy lead time, will be installed. He anticipated building completion by late summer or early fall with occupancy expected by September 5th.

In response to an inquiry by Mr. Barfield, Mr. Johnson said that no remains were found. Mr. Barfield noted that remains were found onsite at 320 Chestnut Street and noted by a plaque on the current building.

In response to an inquiry by Mr. Anderson, Mr. Johnson said there have been 10 change orders, one at no cost. He noted that change orders do not always mean a change in cost but indicate a change in plan discovered once in the field.

In response to an inquiry by Mr. Zimmer, Mr. Johnson estimated the total current cost at \$3.2 million.

Chairman Miller expressed appreciation to Mr. Johnson for the presentation.

Regarding a question asked earlier by Mr. Zimmer regarding roll call, Chairman Miller said that Attorney Nichols has advised that rules are different for the MPO.

Chairman Miller requested to be recused from Military Cutoff/Eastwood Road discussion to avoid the appearance of a conflict of interest.

Vice Chair Hays said that her home is in a neighborhood near the intersection, although not directly adjacent. She commented that her understanding is that she has no conflict of interest in the absence of financial gain. Chairman Miller asked her to consult with the MPO Attorney about any potential conflict.

Mr. Waddell made a motion to recuse Chairman Miller from the Military Cutoff/Eastwood Road discussion item. Ms. Bozeman seconded the motion, and it carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None.
Excused: Wendy Fletcher-Hardee.

8) Consent Agenda

- a. Approval of Board Meeting Minutes from November 30, 2022
- b. Resolution approving 2020-2029 STIP/MPO Amendment #22-7
- c. Resolution approving 2020-2029 STIP/MPO Administrative Modification #22-11

- d. Resolution supporting the establishment of a Citizen Advisory Committee and 2050 Metropolitan Transportation Plan Committee to assist with the 2050 Metropolitan Transportation Plan
- e. Resolution supporting the Wilmington Urban Area Metropolitan Planning Organization's application to the North Carolina Department of Transportation's Paved Trails and Sidewalks Feasibility Study Grant Program to complete a Feasibility Study for Phases 2 and 3 of the Future Downtown Trail in the City of Wilmington
- f. Resolution supporting the Wilmington Urban Area Metropolitan Planning Organization's application to the North Carolina Department of Transportation's Paved Trails and Sidewalks Feasibility Study Grant Program to complete a Feasibility Study for Gullah Geechee Heritage Corridor in the MPO's planning area boundary
- g. Resolution supporting the East Coast Greenway's application to the North Carolina Department of Transportation's Paved Trails and Sidewalks Feasibility Study Grant Program to complete a Feasibility Study for future Pleasure Island Greenway in the Town of Kure Beach and Fort Fisher
- h. Resolution supporting the Wilmington Urban Area Metropolitan Planning Organization's application for the North Carolina Department of Transportation's Bicycle Helmet Initiative

Mr. Barfield made a motion to approve the Consent Agenda as presented. Mr. Ellen seconded the motion, and it carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None.
Excused: Wendy Fletcher-Hardee.

9) Regular Agenda

- a. Opening of the 30-day Public Comment Period for the 2023-2024 Unified Planning Work Program

Mr. Kozlosky said that the Unified Planning Work Program (UPWP) is the MPO's budget that must be adopted on an annual basis. The UPWP requires a 30-day public comment period, and adoption no later than March 31st to be submitted to NCDOT and incorporated into its budget.

Mr. Kozlosky gave some background on the recommended budget. He noted that five funding sources and the local match go into funding the organization. The funding sources include Section 104F PL funds, Safe and Accessible Transportation Options funding, a set-aside for the MPO, Surface Transportation Block Grant funds, Section 5303 transit funds, and, for this budget, application for the Safe Streets for All (SS4A) grant (a program included in Infrastructure Bill). The Safe and Accessible Transportation Options is a set-aside of at least 2.5% of PL funds and is listed under the bicycle and pedestrian element of the long-range transportation plan. These are provided by separate allocation and must be shown separately in the UPWP.

Mr. Kozlosky gave some highlights of the recommended budget. He noted that the compensation line includes a 10% across the board merit or market adjustment for employees. Since MPO employees are city employees, the merit or market adjustment will be consistent with the city's approved budget, which is currently unknown. Also included is the reclassification of the MPO Deputy Director position, and Associate Planner position to Senior Planner position, which will establish a ladder of progression within organization. Additionally, increased funds are included for the administrative specialist position since last year's budget included the position for full year at the minimum, and an increase will allow for a transition of the incumbent in this position.

Mr. Kozlosky said that for operations, last year's budget included a half-year for the building operations with an original estimate occupancy in January of this year. Occupancy in August or September of this year anticipates a full year of operations in the new MPO office space. Also, early work on the budget in September identified an 8.2% year over increase for inflation of non-salaried items (travel, training, supplies, etc.).

Mr. Kozlosky said that the proposed budget also includes several special studies. Funds have been requested for a third-party to provide recommendations related to organizational structure, boundary, and the governance. Also, included are funds for grant identification and assistance with the various grant opportunities offered through the Infrastructure Bill and the Inflation Reduction Act. This would help to better position the organization to receive those funds.

The next special study is the Metropolitan Transportation Plan (MTP) required to be updated every five years. Although the vast majority of the MTP is handled in-house, the financial aspect is outsourced since the plan is required to be fiscally constrained. For a financial consultant to develop the financial element, \$70,000 is proposed.

Mr. Kozlosky said that the Safe Streets for All (SS4A) grant application is expected to be due in September, so funds are recommended to be included in the budget to apply for this new program created as part of the Infrastructure Bill. The grant provides \$5 billion over the life of the program, and funds can be used for planning and implementation. However, to use the funds for implementation, a Community Safety Action Plan must be completed first, which is estimated to cost \$500,000. Although NCDOT is ineligible for the funds, the Department has committed a contribution of \$50,000 or 10% of the match. The Board is asked to consider allocating the remaining 10% for the effort. He added that the development of the plan would make the MPO's municipalities and counties eligible to apply for implementation funds. This is an opportunity to enhance safety of the region, which the Board has identified in its strategic plan.

Another part of this budget is the Section 5303 funds. Last year, the state had about \$3.5 million in additional funds that it disbursed to the MPOs. The MPO was strategic in the use of the funds and the Board appropriated a portion of the funds in Fiscal Year 2023 and held another portion in reserve for Fiscal Year 2024. Staff proposes to allocate those funds in Fiscal Year 2024. A portion of the Section 5303 funds will be applied to the Cape Fear Public Transportation Authority for their transit planning activities, which will be done once the Board and city adopts their budgets.

Mr. Kozlosky said that with member contributions, the MPO has a \$2.15 million budget with the proposed contributions based on the draft UPWP presented today. He reiterated that it requires a 30-day public comment period and consideration at the Board's March meeting.

Mr. Anderson asked about the inflation and compensation figures. Mr. Kozlosky said that the inflation rate has decreased to 6.2%. However, gasoline increased 18 cents over the last week. He proposed to hold the inflation rate. He added that the 10% compensation increase is a place holder.

In response to an inquiry by Mr. Waddell, Mr. Kozlosky confirmed that the compensation increase would match the city's compensation rate.

In response to an inquiry by Mr. Barfield, Mr. Kozlosky said that the total budget of \$2.15 million includes funds to apply for the SS4A grant. However, there is no guarantee that it will be awarded.

Ms. Bozeman made a motion to approve the opening of the 30-day public comment period for the UPWP, seconded by Mr. Barfield, and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None.

Excused: Wendy Fletcher-Hardee.

b. Resolution amending the Wilmington Urban Area Metropolitan Planning Organization's Public Participation Policy and Rules of Procedure

Mr. Kozlosky said that this item is an amendment to Board's Rules of Procedure and Public Participation Policy. He commented that these are minor changes. He noted that current Rules of Procedure and Public Participation Policy indicate advertising in *Star News* and *Wilmington Journal*. Due to some difficulties in contacting the *Star News*, staff proposes to remove it from the Public Participation Policy and the Rules of Procedure. He added that the *Wilmington Journal* is no longer in business and is proposed for removal as well. He said this would change the notice requirements.

Mr. Barfield said that the *Wilmington Journal* is still in business and that New Hanover County is receiving the publication every week. He noted however that they are having some office challenges.

Mr. Kozlosky said that staff was under the impression that the *Wilmington Journal* was out of business due to difficulty contacting them. He proposed to remove the publications from the procedure and policy and advertise per federal requirements and the state's open meeting laws.

In response to an inquiry by Mr. Waddell, Mr. Kozlosky said that the meeting notices are posted at the City Clerk's offices. Mr. Anderson expressed an interest in posting meeting notices on the city's and the county's TV stations and to Port City Daily. Mr. Kozlosky said that staff can investigate it. Mr. Barfield pointed out that posting to the city's and county's websites are other options. Mr. Kozlosky said that the meetings are posted to the MPO's website, however staff can investigate additional ways to get the word out. Chairman Miller and Mr. Waddell pointed out that adhering to the requirements and documenting the minimum do not exclude additional efforts.

Mr. Barfield made a motion to amend the MPO Rules of Procedure, seconded by Mr. Ellen and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None.

Excused: Wendy Fletcher-Hardee.

Mr. Kozlosky clarified that this amendment has nothing to do with the Board's Remote Participation Policy, which limits remote participation to two times with some flexibility. He said he would distribute the remote policy to members.

10) Discussion

a. 2020-2029 STIP/MPO Transportation Improvement Program Administrative Modifications #23-1

Mr. Kozlosky said this item is for information purposes only and will be brought back for consideration at the Board's next meeting.

b. **2022-2026 MPO Strategic Plan 2023 Work Program**

Mr. Kozlosky reminded the Board that in April staff presented the focus areas, action steps and a timeline for the last year for the adopted strategic plan. This is the strategic plan for the upcoming calendar year includes the following:

Improve Safety: continue to track safety performance measures and post to the dashboard on the MPO's website. Continue to work with NCDOT to implement the Traffic Separation Study. In addition, the MPO will begin the six-month Be A Looker Campaign to support safety in the area. Also, the MPO will apply for the Safe Streets for All grant and will continue to provide resources for Cape Fear Public Transportation Authority for bus shelter amenities and improved locations throughout the community.

Multi-modal: The MPO anticipates completing the Multi-modal Center, as presented today and will provide frequent progress updates to the Board. Also, staff anticipates completion of the Bicycle and Pedestrian Plan for the MPO region in Pender County, and the MPO will support the "Year of the Trail."

Regional Focus: MPO staff will present the annual report to each of the jurisdictions to help educate communities about the MPO.

Economic Development: Continue to work with partners: WDI, NC Ports, NCDOT to enhance economic development as well as to support the State Ports in their priorities for the region (the north gate, South Front Street realignment, replacement of the Cape Fear Memorial Bridge, etc.)

Organizational and Operational Effectiveness: Adopting a 2023 Legislative Agenda, and updating the MPO's website

Chairman Miller reminded the Board about the State Ports Tour in March.

c. **2023 Draft Legislative Agenda**

Mr. Kozlosky said that the draft Legislative Agenda includes transportation funding; the Cape Fear Memorial Bridge replacement (a pared down project list considering the limited ability to accelerate schedules in the 2024-2033 STIP combined with the Board's desire to focus on the bridge replacement); opposition to the transfer of road maintenance to counties; limitations on the liabilities or improvements to schools; and language related to mopeds and scooters.

In response to an inquiry by Mr. Anderson, Mr. Kozlosky said that periodically there is discussion about transferring road maintenance from the state to the counties. He noted that it is a priority of the Association of County Legislators to oppose any maintenance for the secondary roads in the unincorporated areas to the counties.

Mr. Waddell asked who executes the legislative agenda. Mr. Kozlosky responded that he is responsible but works collaboratively with the city and the county legislative staff. This is the Board's Legislative Agenda and focus, which may differ from other entities.

Mr. Barfield said that the Cape Fear Memorial Bridge is on New Hanover County's legislative agenda. Regarding the shifting of responsibilities, New Hanover County is one of seven states out of 50 where counties don't do roads. According to former State Senator Tom Tillis, the shifting would require the counties to ramp up with equipment and personnel, which would require a tax

increase. Regarding moped legislation, he commented that his goal is to count mopeds like bicycles in a bike lane or off to the side of the road.

Mr. Barbee said that Carolina Beach is asking for more control over electric bikes, which are becoming very popular. He noted that e-bikes are considered bicycles by the state, but the public disagrees. Mr. Kozlosky said that scooters and e-bike treated separately in legislation.

Mr. Anderson asked about legislation on the speed on bike trails. Mr. Kozlosky responded that staff would research it. He noted that staff prepared a model e-bike ordinance via the Bicycle and Pedestrian Advisory Committee that was adopted by the MPO Board.

Mr. Anderson asked about the potential high-speed bicycles and how it compares to e-bikes. Mr. Barbee commented that an athletic bicyclist at full speed might reach 20 mph. Mr. Ellen estimated a flat average of 17 to 18 mph on the road. Mr. Zimmer speculated that someone getting exercise on a trail would not be using an e-bike. Chairman Miller pointed out that they do it on the beach in the sand.

Mr. Forte expressed concerns regarding enforcing e-scooters regulations and their random abandonment such as in Raleigh. Mr. Anderson pointed out that this is merely asking legislators to allow local regulation. Mr. Barbee concurred and pointed out that right now the state says they are bicycles, which can't be regulated. Mr. Kozlosky said staff will bring back a recommendation at the Board's next meeting based on the comments received.

d. Direct Attributable Funding

Transportation Planning Engineer Scott A. James stated that the last call for projects resulted in fewer project submittals allowing surplus funds to be placed in reserve prior to the annual allocation. To recap, slightly more than \$4 million allocation of Surface Transportation Block Grant (STBG) funds, \$500,000+ of Transportation Alternatives Set Aside (TASA) funds, and another \$500,000 of the Carbon Reduction (CR) funds for a total of a \$5 million yearly allocation going into this fall's call. He added that reserves are currently just under \$500,000 for STBG, \$240,000 for TASA, and \$160,000 for CR totaling slightly more than \$1.5 million in reserves going into the fall call for projects. He asked that the funds be kept in mind for the annual budget planning knowing that in the fall, the funds in reserve as well as the new allocation will be available for the call projects, or \$6.5 million available for the call in July or August of 2023.

Mr. Kozlosky said that staff wants to make members aware of the available funds during their budget process.

e. 2020 Urbanized Area (UA) Census Data- Organizational Boundaries, Structure, and Governance

Mr. Kozlosky said that on December 29th, the U.S. Census released the MPO's Urbanized Area (UA) population of 255,329 for the Wilmington Urban Area. On January 11th, the Census released the shape files and some additional data. He noted that the MPO is tasked with determining its planning area boundary, which is anticipated to be urbanized over the next 20 years. However, the MPO is waiting to hear from FHWA and NCDOT on how to set the boundary. He displayed some maps of the Urban Area (contiguous) and explained that the Census eliminated the Urban Clusters (noncontiguous).

Mr. Kozlosky pointed out that the Hampstead UA part of the MPO's planning area boundary is not included in the Wilmington UA population of 255,329. He noted that the Jacksonville MPO's planning area boundary is to the north and the Grand Strand MPO's planning area boundary is to

the south. He added that any change to the MPO's planning area boundary could change the organizational boundaries, governance, and structure. Today's briefing is to provide this information and initiate continued discussion over the coming months on potential growth and opportunities for others to join. At first glance, he commented that it might make sense to offer Surf City and Topsail Beach the opportunity to become part of the organization, which would be up to the MPO Board as well as the towns.

Mr. Kozlosky reminded the Board that the MPO is preparing to kick off its 2050 Metropolitan Transportation Plan. He noted that earlier in the agenda, the Board adopted a resolution that created the Citizen Advisory Committee (CAC) as well as the Metropolitan Transportation Plan (MTP) Committee. In developing the new plan, it may be an opportunity to include those in any expanded area. He added that this item will be an ongoing item for future meeting agendas over the course of the next several months.

In response to an inquiry by Mr. Forte, Mr. Kozlosky said that Topsail Beach is served by the Cape Fear RPO, which is not shown on the map.

In response to an inquiry by Mr. Barfield, Mr. Kozlosky said this is separate from MSA and he was unfamiliar with its timeline.

Mr. Ellen asked about offering MOTSU a position. Mr. Kozlosky responded that many years ago, the MPO received a request from Southport to join, and it was determined at that time not to offer a position with the MPO. He pointed out that Holden Beach has been added as a new Urban Area, which is currently part of the RPO. He speculated that there would be interest in that area from the Grand Strand MPO.

In response to an inquiry by Mr. Waddell, Mr. Kozlosky said that opportunities for growth are the green shaded areas adjacent to the MPO that are not included in the Grand Strand or Jacksonville MPOs. He pointed out that the MPO gets its planning area funds based on its Urbanized Area.

In response to an inquiry by Mr. Willis, Mr. Kozlosky said that Northwest is not an Urbanized Area and is not part of the MPO's boundary.

In response to an inquiry by Mr. Anderson, Mr. Kozlosky said there are pros and cons to expansion, such as cost, which is based on the UZA. If you add members outside the UZA to the planning area, funding is spread farther because services are provided to their jurisdiction. He added that the way the MPO is comprised, 80% of the budget is federal money, and 20% is the local match. The pros to expanding are that the MPO is a regional organization, which provides regional transportation planning services to the area with staff and technical expertise. Cons include spreading resources too thin.

Mr. Zimmer pointed out that there is potentially more funding with expansion. Mr. Kozlosky said that the MPO would need some additional information on that from the Department.

Mr. Waddell asked about the Grand Strand transportation area crossing state lines. Mr. Kozlosky responded that it's a bi-state MPO as identified by the Census as a contiguous Urban Area, and not the MSA.

f. **Military Cutoff Road/Eastwood Road interchange**

Mr. Kozlosky said that in October, the Board requested staff evaluate and bring back options for delaying the Military Cutoff and Eastwood Road interchange as a potential project swap. Staff has

identified that the project could be swapped with the College and Oleander intersection improvement project. The Military and Eastwood Road interchange is one of the Board's top-five funded priorities and is programmed at \$66.4 million.

Some concerns were raised regarding the need for recusal. In response to an inquiry by Chairman Miller, Mr. Kozlosky clarified that this item is only for discussion unless the Board desires to vote. Ms. Hays requested clarification on the recusal procedure.

Mr. Kozlosky said that the Oleander and College Road intersection was programmed at \$33.7 million. He noted that both projects are funded statewide tier and, if swapped, \$28.7 million would go back into rebalancing the STIP. The swap was discussed at the November meeting, but NCDOT was updating the traffic forecast, and this delayed the discussion until the release of the forecast. This information has been included in the agenda packet with an email dated January 5, 2023. He added that any project swaps must be approved by March 17, 2023.

Mr. Anderson inquired about the email from NCDOT. Mr. Kimes summarized that the Military Cutoff and Eastwood Road interchange at around 2022 was at an unacceptable Level of Service (LOS) E. But in 2029, the intersection would be failing, and left turns would be put on the Drysdale Drive extension, which would still be at a LOS E until 2045 when it drops to a LOS F, which is a change from the previous forecast. In 2045, additional improvements would be needed. He noted that LOS is based on delays (LOS E is more than 35 seconds, LOS F is around 50 or 60 seconds). He noted that it's based on phasing as well.

Mr. Barfield expressed concerns regarding the appearance of conflicts and recusal and noted that he lost a \$35,000 commission in 2011 related to the preservation of the Military Cutoff corridor. He added that eventually the Carroll Company will be developing property off Military Cutoff Road. He commented that it will be necessary to be as pro-active as possible with upcoming growth and development.

Chairman Miller said he owns an office building at 1404 Commonwealth Drive, on the corner of Eastwood Road. He commented that his personal attorney advised that he recuse himself in an abundance of caution at the MPO and at the Wrightsville Beach Board of Alderman.

Mr. Zimmer commented that he would recuse himself due to a conflict with the project at College Road and Oleander Drive.

Mr. Waddell suggested that this discussion be postponed until the next meeting.

Ms. Hays and Chairman Miller concurred, adding that clarity is needed.

Mr. Waddell made a motion to postpone the discussion to the February Board meeting. Ms. Bozeman seconded motion to delay discussion to next month.

Mr. Ellen said that the definition of recusal is to remove oneself from participation in the issue. Chairman Miller commented that his understanding is that the recused sit on the sidelines and not participate at all. Mr. Anderson expressed concern that recusal was lacking from the MPO's documents. Mr. Waddell pointed out that clarity is needed. Mr. Ellen asked that recusal be defined. Chairman Miller suggested that the MPO have a policy on recusal and that any member with concerns consult with the MPO Attorney. Mr. Allen agreed that a set policy, reviewed by the MPO attorney is needed.

Chairman Miller called the question and the motion to delay the discussion to the next meeting and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None.

Excused: Wendy Fletcher-Hardee.

Mr. Anderson asked about a PowerPoint for Military Cutoff and Eastwood aesthetics. Mr. Kozlosky said he would forward it to Board members. He added that the city allocated \$560,000 for the betterments and aesthetic enhancement.

g. MPO Port Tour Special Meeting- March 8, 2023

Mr. Kozlosky said that consensus has been reached on a date for the MPO Port Tour, which will be held on March 8th at 3:00 p.m. He noted that the meeting will begin and end at the Port of Wilmington. He requested that the Board approve a Special meeting on March 8th at 3:00 p.m. at the Port's facility.

Mr. Anderson asked that the presentation of the previous item be moved to the beginning of the next meeting's agenda. Mr. Kozlosky said that he would schedule it at the beginning of the meeting. Chairman Miller asked that members arrive ready to discuss the potential project swap or recuse themselves.

Barfield made a motion to approve the special meeting on March 8th at 3:00 p.m. at the Ports, seconded by Mr. Waddell and the motion carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None.

Excused: Wendy Fletcher-Hardee.

Ms. Bozeman asked for a specific location. Mr. Kozlosky said it would be at the main Port building, but that he would forward an address.

h. MPO Compensation Committee Special Meeting

Mr. Kozlosky said the Compensation Committee, comprised of Commissioner Barfield, Commissioner Hays, Councilmember Waddell, and Commissioner Williams, needs to schedule a special meeting. He noted that Commissioner Hays served as the Chair for the Committee.

There being no opposition, Mr. Kozlosky said he would coordinate with Committee Chair Hays to schedule a special meeting of the Compensation Committee.

i. February 22nd MPO Board Meeting

Mr. Kozlosky said that several members have a conflict with the February 22nd meeting date. He noted that although he sent an email this afternoon suggesting February 15th, it conflicts with a meeting of the Association of County Commissioners. He asked for other options.

After some deliberation with no consensus on an alternate date, Chairman Miller said Mr. Kozlosky would send a poll to members.

11) Updates

a. Wilmington Urban Area MPO

b. Cape Fear Public Transportation Authority

c. NCDOT Division

d. NCDOT Transportation Planning Division

12) Announcements

- a. Walk Wilmington Pedestrian Plan – January 31, 2023 (Halyburton Park)
- b. Walk Wilmington Pedestrian Plan – February 1, 2023 (MLK Center)
- c. Wilmington MPO Bike/Pedestrian Committee- February 14, 2023
- d. NC State Ethics Forms Due- April 17, 2023

13) Next meeting – February 2023 to be determined by poll

Mr. Anderson made motion to adjourn the meeting. Mr. Ellen seconded the motion, and it carried unanimously by roll call as follows:

Ayes: Mike Allen, Neil Anderson, Lynn Barbee, Johnathan Barfield, Brenda Bozeman, John Ellen, Deb Hays, Hank Miller, Luke Waddell, Mike Forte, Eulis Willis and Landon Zimmer. **Nays:** None.

Excused: Wendy Fletcher-Hardee.

The meeting adjourned at 5:08 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 DIGITALLY AS PART OF THIS RECORD.

Wilmington Urban Area Metropolitan Planning Organization
MPO Board
Conflict of Interest Statement

In accordance with Senate Bill 411, it is the duty of all MPO Board members, alternate or designee to disclose in writing any conflicts of interest. The statement will be attached to the minutes of the meeting in which any discussion or vote is taken relating to that conflicts disclosure.

I, Henry E. Miller III do hereby disclose that I have a conflict of interest relating to Item number 10f on the agenda for the MPO Board meeting on January 25, 2023 .
(MEETING DATE)

In accordance the Senate Bill 411, I request to be recused from participating in the matter.


(MEMBER/ALTERNATIVE/DESIGNEE SIGNATURE)


Mike Kozlosky, Secretary
MPO Board

**Wilmington Urban Area Metropolitan Planning Organization
MPO Board
Conflict of Interest Statement**

In accordance with Senate Bill 411, it is the duty of all MPO Board members, alternate or designee to disclose in writing any conflicts of interest. The statement will be attached to the minutes of the meeting in which any discussion or vote is taken relating to that conflicts disclosure.

I, Lauren G Emmer do hereby disclose that I have a conflict of ^{potential} interest relating to Item number 10F on the agenda for the MPO Board meeting on January 25, 2023 .
(MEETING DATE)

In accordance the Senate Bill 411, I request to be recused from participating in the matter.

[Signature] 2-20-23
(MEMBER/ALTERNATIVE/DESIGNEE SIGNATURE)

[Signature]
Mike Kozlosky, Secretary
MPO Board