



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

**BOARD OF DIRECTORS MEETING
MINUTES**

Wednesday, December 17, 2008
Board Room, NCTA Offices

Members present: Lanny Wilson, Acting Chairman
Anthony Fox
Perry Safran
Robb Teer
Bill Lackey
Lanny Wilson
Members absent: Lyndo Tippet
Bob Spencer
Sang Hamilton
David Redwine
Also present: David Joyner, Executive Director

Acting Chairman Lanny Wilson called the meeting to order at 1:10 pm. He declared that a quorum was present and read the Ethics Act statement.

Perry Safran moved approval of the November 2008 minutes. Robb Teer seconded the motion, and the minutes were approved as presented.

Developing a Public-Private Project: Steve DeWitt introduced Juan Santamaria and Roy Bruce representing the Currituck Development Group. Mr. Santamaria gave a brief introduction and showed a video describing ACS and the Currituck Development Group.

Juan Santamaria gave a presentation describing the Currituck Development Group in further detail. He described the approach that ACS and the Currituck Development Group plan to take in developing the design and construction of the project. Mr. Santamaria stated that ACS plans on opening an office here in Raleigh to work closely with the NCTA staff. Roy Bruce gave a brief background of the project and discussed the NEPA approach with respect to permitting, mitigation, and design. Mr. Santamaria discussed the construction team and discussed experience in further detail. He discussed their planned project approach to traffic and revenue, operations and maintenance, ITS and tolling, and the financial analysis. He also discussed risk sharing and the anticipated schedule. (See attached presentation.)

Challenges for the Future: David Joyner gave a presentation discussing the future challenges for the NCTA. He discussed the milestones for 2008 and noted particularly the

accomplishment of obtaining \$99 million in gap funding from the Legislature. Mr. Joyner briefly discussed the Triangle Expressway and the Mid-Currituck Bridge Project. He discussed Electronic Toll Collection (ETC) and described North Carolina as a leader in the ETC industry. He discussed the NCTA's formation of the Alliance for Toll Interoperability (ATI), now with 30 plus members. He gave an update on other NCTA projects. He then discussed upcoming key activities in Engineering, Operations, Finance, and staffing. He also outlined key objectives for the future. (See attached presentation.)

The committee reports were as follows:

Executive Committee: The Executive Committee met on December 11. There were no action items.

Operations and Personnel Committee: Robb Teer reported that Andy Lelewski discussed the status of the RFPs. Jim Eden gave a presentation on statewide operations concepts. Mr. Eden also gave an industry update.

Plans and Programs Committee: Robb Teer reported that the Plans and Programs Committee heard an update on the Mid-Currituck Pre-Development Agreement selection from Steve DeWitt. He also reported that Shannon Sweitzer gave a presentation on the Monroe Design Charette and Jennifer Harris discussed the project status updates.

Finance Committee: Anthony Fox reported that the Finance Committee discussed the TIFIA Loan and David Joyner gave an update on the Triangle Expressway financing activity. Robert Weisenberger gave updates on the financial trustee, Audit RFP, and the Annual Plan of Work for 2009-2010.

Action items: Mr. Fox made the following motions for the Finance Committee:

- We recommend that the Board approve the execution of a supplemental agreement between the NCTA and Perkins Coie as environmental counsel to the Authority with regard to the National Environmental Policy Act (NEPA) and other federal laws and regulations as anticipated in the NCTA 2009 Annual Plan of Work. The supplemental amount shall not exceed \$380,000. Robb Teer seconded the motion, and it was approved unanimously.
- We recommend that the Board approve the execution of a supplemental agreement between the NCTA and Nossaman, Gunthner, Knox & Elliot, LLP in order to manage the Pre-Development Agreement (PDA) process and to provide general Public-Private Partnership (P3) consulting for the Mid-Currituck Bridge project as well as preliminary TIFIA submission for Monroe, Mid-Currituck, and Gaston projects as anticipated in the NCTA 2009 and 2010 Annual Plans of Work. The supplemental amount shall not exceed \$425,000. Bill Lackey seconded the motion, and it was approved unanimously.
- We recommend that the Board approve the execution of a supplemental agreement between the NCTA and Womble Carlyle Sandridge & Rice for bond counsel services as anticipated in the NCTA 2009 Annual Plan of Work. The supplemental amount shall not exceed \$300,000. As well as the additional fixed fee supplement not to exceed \$200,000 for the remainder of work for the Triangle Expressway. Bill

Lackey seconded the motion, and it was approved unanimously.

- We recommend that the Board approve the execution of a supplemental agreement between the NCTA and PBS&J Engineering for additional environmental and engineering studies as anticipated in the NCTA 2009 Annual Plan of Work. The supplemental amount shall not exceed \$550,000. Robb Teer seconded the motion, and it was approved unanimously.
- We recommend that the Board approve the execution of a supplemental agreement between the NCTA and Wilbur Smith Associates for additional traffic and revenue studies for the Monroe Connector Bypass, Gaston Garden Parkway, and Southern Wake as anticipated in the NCTA 2009 Annual Plan of Work. The supplemental amount shall not exceed \$1,200,000. Perry Safran seconded the motion, and it was approved unanimously.

Executive Director's Report: No Report.

Executive Session: Robb Teer motioned to move into the Executive Session, in accordance with GS 143-318.11(a)(6), to consider the performance of the Executive Director. Bill Lackey seconded and the Executive Session began at 2:12 pm. Upon its adjournment, the Board reconvened in open session at 2:40 pm. Robb Teer reported that no action taken was taken in the Executive Session.

Bill Lackey thanked all for two great years on the Board.

Lanny Wilson wished everyone Happy Holidays and thanked the NCTA and all consultants for their hard work this year.

The meeting was adjourned at 2:42 pm.

Minutes prepared by Jillian Bliss