

Water Transportation Advisory Board
September 19, 2013 Meeting Minutes

The meeting of the Water Transportation Advisory Board was called to order at 2:00 pm on September 19, 2013, in the Kentucky Transportation Cabinet Conference Center room C106 in Frankfort, KY.

The Advisory Board members in attendance were: Vice Chairman Ken Canter, Greg Curlin, Norb Whitlock, and Nickie Smith. Also in attendance were:

David Hamilton, Kentucky River Authority
Chuck Knowles, KTC
Roy Sturgill, KTC
Katie Haller, KBT
Ed Riney, Owensboro Riverport
Lori Kelsey, KIPDA
Lynn Soporowski, KYTC
Carol Brent, KYTC

Brian Judy, Office of Attorney General
Sara McCormack, KTC
Pam Helton, KBT
Will McDowell, Economic Development
Larry McFall, Louisville Riverport
Wendy Baxter, Marshall County Econ Development
Casey Wells, KYTC

In the absence of Chairman Greg Pritchett, the meeting was conducted by Vice Chair Ken Canter. The Vice Chair asked for all those in attendance to introduce themselves. The Vice Chair then opened up the floor for a public comment period. No public comments were offered.

The Vice Chair then distributed the minutes of the July 11, 2013, meeting for review. Nickie Smith moved that the July 11, 2013, minutes be accepted as presented. Second by Greg Curlin. 4 Yea, 0 Nay, 0 abstaining.

Lynn Soporowski notified the Board that Keith Damron, Director of the KYTC Division of Planning retired at the end of August. Keith Dotson has been named the Acting Director with Kevin Damron, the Assistant State Highway Engineer for Project Development, as the engineering contact.

The Vice Chair then addressed new business. He asked for the Conflict of Interest Questionnaires from the attending Board members with regard to the applications for Kentucky Riverport Improvement funding. Greg Curlin and Norb Whitlock submitted forms that were reviewed. After discussion it was decided that it was not a conflict of interest for Greg Curlin to participate in voting on the project his riverport submitted because the voting would be on private ballots. Norb Whitlock sub-leases business property from the Louisville Riverport and would benefit from their submitted project. The Board decided that did not constitute a conflict. Casey Wells of the Transportation Cabinet distributed Eligibility Ballots to the voting Board members.

The Vice Chair then asked Mr. Wells to describe each application that had been received by the deadline. Mr. Wells reported the Cabinet had received 9 applications from 6 applicants and that the applications requested \$462,597.50 of the \$500,000 available. The applications discussed were:

- Eddyville Riverport and Industrial Development Authority: Ramp Improvements at #2 Grain Facility: **requested \$22,750.00**. Project involves replacing gravel entrance and exit ramps with concrete surface.
- Eddyville Riverport and Industrial Development Authority: Security Gate Addition: **requested \$7,500.00**. This project involves adding an automated sliding security gate with keypads in order to secure the facility after regular business hours.
- Henderson County Riverport Authority: Barge Access Catwalk: **requested \$37,000.00**. Project involves building an access ramp "catwalk" from the top of the main dock to a floating captive barge. The ramp will allow workers to directly access barges attached to the main dock. The Board contacted Greg Pritchett via telephone to confirm that the project is not a fixed stairway but a ramp with the river end based on a barge to accommodate changes in river levels. This would not require the OSHA accommodations required of a fixed stairway.

- Henderson County Riverport Authority: Railroad Bed Improvement: **requested \$61,760.00**. Project involves refurbishing the existing rail loop by replacing 25% of the rail ties and tie-downs. Norb Whitlock distributed photos obtained from Henderson Riverport showing the condition of the current ties and tie-downs.
- Hickman-Fulton County Riverport Authority: Scale Access Improvement: **requested \$36,087.50**. Project involves replacing the 43 year old scale for weighing trucks accessing the riverport. The current scale requires constant maintenance, calibration, and expensive repairs. Member/Submitter Greg Curlin responded to questioning, saying that it will be necessary to use a neighboring facility's scale during construction and once the new scale is operational, the old scale will be removed. Board members commented that the scale is an integral feature of the riverport operation and replacement of the scale qualifies as maintenance of access to the riverport.
- Louisville & Jefferson County Riverport Authority: Riverport Railroad Rehabilitation: **requested \$50,000.00**. Project involves replacement of 900 deteriorated crossties on riverport-owned track. Guest Larry McFall of the Louisville Riverport responded to questioning that the Riverport owns 9 miles of lead track. He is most concerned about the curves deteriorating. While he had a similar project last cycle, this project will help but replacing 900 ties does not go far in rehabilitating his 9 miles of lead track.
- Louisville & Jefferson County Riverport Authority: Bulk Terminal Access Road Paving: **requested \$37,500.00**. Project involves paving an overlay of 1300' on existing asphalt and 1270' on existing stone base. Failed pavement areas will be repaired prior to overlay placement. The application anticipates an increase from 2 trucks per day to 10 trucks per day. Norb Whitlock responded that the increase is due to his business becoming operational this fall.
- Marshall County – Calvert City Riverport Authority: McFarlan Road Improvements: **requested \$95,000.00**. Project will match funds already committed by the Delta Regional Authority to enhance and widen McFarlan Road which provides access to the riverport. In response to questioning, Guest Wendy Baxter of the Marshall County Economic Development Authority indicated that development of the riverport is a work in progress. The Economic Development Authority is part of county government. Board Attorney Brian Judy advised that the statute says the riverport improvement funds are to improve the facility and its infrastructure. He indicated that the issue is whether the county road addresses the infrastructure of the riverport. In discussion, members noted that there are local roads on their property but the local government is required to maintain them. Josh Tubbs of the Marshall County Economic Development Authority confirmed by telephone that McFarlan Road is owned by the city and is a public road serving both businesses and residents in the area.
- Owensboro Riverport Authority: Primary Access Road Paving: **requested \$115,000.00**. Project involves replacing the existing gravel road (5" stone base) with asphalt paving (3.5" of stone base and 4" of asphalt.)

Member Greg Curlin asked whether a railroad located on riverport property, but not physically owned by the riverport, would be considered eligible for funding under the KRI Program. He asked whether other riverports had similar situations. Ken Canter of the Paducah Riverport responded that the riverport leases the railroad on their property and the lease provides that the riverport is responsible for maintenance. Attorney Judy reiterated that ownership of the property is not the test but whether or not the project would improve the infrastructure of the riverport.

The voting Board members submitted their eligibility ballots to Mr. Wells, who tallied the results. The voting was unanimous with 4 yea votes for each of the projects except the Marshall County-Calvert City Riverport Authority, which was denied with 4 nay votes. Vice Chair Canter and Lynn Soporowski of KYTC urged the Marshall County-Calvert City Riverport to stay in contact as the riverport is developed. Other projects that would improve the riverport property or business could be considered in the next round of applications. Lynn suggested one option might be to designate McFarlan Road as an intermodal connector and thereby make it eligible for federal intermodal transportation funding.

Mr. Wells then distributed prioritization ballots, noting that since the applications received did not use all of the available funding, all projects may be eligible for fundable. Members were reminded not to prioritize the Marshall County project and that the ranking ranges from 1, which is the highest priority, to 8 which is the lowest priority. The Board members returned their marked ballots to Mr. Wells. After calculating the total score for each project

and ranking the projects by that total score, Vice Chair Canter was provided the results and announced the following recommended priority:

1. Henderson County Riverport Authority: Railroad Bed Improvement Project: **requested \$61,760.00, recommended \$61,760.00**. This project involves refurbishing the existing rail loop by replacing 25% of the rail ties and tie downs, and by insuring the rail loop track can maintain proper operating condition.
2. Eddyville Riverport and Industrial Development Authority: Ramp Improvements at #2 Grain Facility Project: **requested \$22,750.00, recommended \$22,750.00**. The current ramps approaching and departing the #2 Grain Facility are gravel. The proposed work would provide a concrete surface that will improve the function and operation of the unloading facility, reduce maintenance needs, and provide a safe working environment. The project will also minimize EPA dust issues and maintenance costs.
3. Louisville & Jefferson County Riverport Authority: Riverport Railroad Rehabilitation Project: **requested \$50,000.00, recommended \$50,000.00**. This project involves replacing 900 deteriorated crossties in an effort to maintain reliability of the track. The crossties maintain the required gauge between the rails. As the ties lose the ability to hold the spikes, the gauge of the rail can change, causing track closures or possibly derailment. Replacing the ties will significantly improve the reliability of the track and maintain rail access.
4. Hickman-Fulton County Riverport Authority: Scale Access Improvement Project: **requested \$36,087.50, recommended \$36,087.50**. This project involves replacing the 43 year old port scale for weighing trucks that access the riverport. All trucks entering and exiting the riverport are required to scale in and out. The current scale is an in-ground scale that requires constant maintenance and calibrations. A new scale will eliminate excessive maintenance and calibrations and costly repairs and allow for weighing longer trucks used by most trucking companies.
5. Henderson County Riverport Authority: Barge Access Catwalk Project: **requested \$37,000.00, recommended \$37,000.00**. This project involves building an access ramp “catwalk” from the top of the main dock to a floating captive barge at river elevation. The purpose of the ramp is to allow workers to directly access barges attached to the main dock.
6. Louisville & Jefferson County Riverport Authority: Bulk Terminal Access Road Paving Project: **requested \$37,500.00, recommended \$37,500.00**. This project involves paving an overlay of 1300' of existing asphalt and on 1270' of existing stone base. Failed pavement areas will be repaired prior to overlay placement. Existing pavement and stone base will be tack-coated prior to overlay. This project will maintain truck access to the port facility.
7. Owensboro Riverport Authority: Primary Access Road Paving Project: **requested \$115,000.00, recommended \$115,000.00**. This project involves replacing 5" of stone base with 3.5" of stone base and 4" of pavement. The existing gravel road is full of holes and requires constant maintenance. This project is part of a master plan completed in 2012 in partnership with USACE.
8. Eddyville Riverport and Industrial Development Authority: Security Gate Addition Project: **requested \$7,500.00, recommended \$7,500.00**. This project involves adding an automated sliding security gate with keypads in order to secure the facility after regular business hours.

Nickie Smith made a motion to approve the above prioritization. Second by Keith Landry. 4 Yea, 0 Nay. KYTC will send to the Secretary of Transportation the Board's recommendation that \$367,597.50 of projects be awarded. It is expected that approval will occur within about a month. During that time, KYTC will be preparing the call for project applications to use the \$132,402.50 remaining from the \$500,000 appropriation. Applications may be prepared now to be submitted when the call is advertised. If further funding is needed for some of the projects being prioritized in this round, the contracts could be amended to combine the two rounds.

Keith Landry, an At-Large member of the Board, has submitted his resignation. The Board discussed possible nominees for replacement. The Kentucky Association of Riverports is required to submit nominations and Greg

Curlin indicated the group has two names ready to submit. WTAB is not required to submit nominees but urges anyone to submit recommendations to the Governor's Board on Boards. An At-Large member must be associated with the waterways industry so may be a trucker, shipper, port service provider, member of an agricultural association, etc.

The Board discussed support of the Kentucky Association of Riverports' initiative to reach out to Kentucky legislators to encourage them to provide future funding for riverports. Greg Curlin noted that KAR is planning to meet with legislators in October. The information regarding tonnages processed within the riverports provided to Greg Pritchett, representatives from Kentuckians for Better Transportation, and Mr. Wells will provide evidence of the positive impact of the appropriations already received for riverport improvements. The Board was reminded that it is not allowed to propose legislation.

KRS 154.80-140 provides for a Riverport Marketing Assistance Fund to be administered by the Cabinet for Economic Development. The stated purpose of the legislation is to promote and market Kentucky's riverports to industrial, business and commercial prospects and to attract economic development. Grants of up to \$30,000 can be made to each applicant each year. The Board requested that a representative from the Cabinet for Economic Development be invited to the next meeting.

The Board set the next meeting date for Tuesday, December 3, 2013 in Frankfort. Nickie Smith made a motion to adjourn. Second by Ken Canter. The meeting adjourned at 3:25 pm.

Submitted:

Casey Wells

Water Transportation Advisory Board staff, KYTC