

Water Transportation Advisory Board (WTAB)
January 18, 2017 Meeting Minutes

Approved (date): 5/23/17

The meeting of the Water Transportation Advisory Board (WTAB) was called to order at 2:00 pm on January 18, 2017, at the Mansion at Griffin Gate, 1800 Newtown Pike, Lexington, KY 40511.

The WTAB members in attendance were:

Greg Curlin, Chairman, Hickman Riverport
Greg Pritchett, Henderson Riverport

Ed Riney, Vice Chairman, Member At Large
Norb Whitlock, Member At Large

Also in attendance were:

Bill Miller, Paducah Riverport
Robert Carpenter, Greenup/Boyd Riverport
Brian Judy, Office of Attorney General
Bill McCloskey, Gov's. Offc. of Ag. Policy
Steve Doan, Gov's. Offc. of Ag. Policy
Asa James Swan, KYTC
Casey Wells, KYTC
Bryan Gibson, Kentucky Transportation Center

Brian Wright, Owensboro Riverport
Josh Tubbs, Marshall Calvert Riverport
Jeff Schnobrich, LRC
Hannah Forte, Gov's. Offc. of Ag. Policy
Lynn Soporowski, KYTC
Lori Kelsey, Louisville MPO
Thomas Kinnard, Ingram Barge Co.

All attendees introduced themselves. The Chair invited all attendees to make comments. No comments were received.

The minutes of the July 14, 2016, meeting were approved on motion of Greg Pritchett seconded by Ed Riney.

Kentucky Agricultural Development Fund (administered by Kentucky Agricultural Development Board): Bill McCloskey of the Governor's Office of Agricultural Policy (GOAP) described the Kentucky Agricultural Development Fund (KADF) which was originally established as a part of the state tobacco settlement and is administered by the Kentucky Agricultural Development Board (KADB). The KADB invests the fund in innovative proposals to replace tobacco income and improve net farm income. They will fund no more than half the cost of any project. Funds could be in the form of grants or loans and could be used as a match for federal funds. Applications may be submitted online and will be considered by the Board at its next meeting – usually about a two month turn around. The applicant may be invited to present the request to the Board which will work with them to improve the application as necessary. The Board has invested in more than 5400 projects totaling nearly \$500 million including a \$2 million loan to the Meade County Riverport Authority for the construction and establishment of a regional grain handling facility in Brandenburg.

Update of the WTAB Bylaws: Casey discussed a draft version of the updated WTAB Bylaws. Changes consisted mainly of changing all instances of "Authority" to "Board", setting a two-year limit on the term for an officer, and adding an option for Board members to send a proxy for an individual meeting. Attorney Judy noted that proxies are not allowed for Boards unless there is specific legislative language providing the right to do so and recommended that Article VII, Section E be deleted. There was discussion of the two year term for officers and until replacement. Attorney Judy recommended

revising the Officer terms to state that the Officer will continue to serve until an election at the first meeting after the end of his/her two year term. On motion by Greg Pritchett seconded by Norb Whitlock, the Board approved the updated WTAB bylaws with the removal of Paragraph E and with the officer term limits as edited. There was discussion of having video meetings which require advertisement of all public meeting locations and commissioners must be both visible and audible to count in the quorum and allowed to vote.

Kentucky Riverport Improvement Program Sample Guidance Updates: Casey noted that the program is audited annually and there are some actions that could be taken to make the program more secure and efficient. New guidance will be finalized March 1; that applications will be due May 1; and the meeting to review the applications and make recommendations will be held in late May for FY 2018 funds. He indicated that KYTC would like for the ports to include in the application a list of proposed projects forecasted to be done in the next five years, and any comprehensive plans for city, county, or regional planning entities that include riverport projects. If there are no comprehensive plans, KYTC is providing a two page toolkit that can be used to develop a plan and list of projects. That information will be used to verify in future years that the project applied for has been in the port's long term planning.

Lynn noted that the FAST Act provides an average of \$20 million per year for freight projects and 10% or average \$2 million may be spent on multimodal transportation. The Cabinet is supporting multimodal transportation and sees the need for multimodal projects. To use that money, it is necessary to show that any project using federal funds must improve the National Highway Freight Network and that the project will do that just as well as any highway project. Also, we need to be able to document for the legislature the needs for funding for the riverports over the five or ten years. Greg Curlin discussed his process of reviewing all of the port's needs and prioritized the list of projects so that he will be able to better plan for the future. His board will review and approve the list at their next meeting. Brian Wright said the Owensboro Riverport did not necessarily review the projects needed over the next ten years but reviewed where the port wanted to be strategically over the next ten years. Bill Miller confirmed that the Paducah Riverport plan was developed in a similar fashion.

The audit process found significant issues with the affidavits. So, from now on, no grants will be paid until the required affidavits have been provided.

There is now a requirement that each awardee must agree to the terms of the project and sign the contract within nine months. If the awardee cannot do so, (for example, is unable to obtain permits timely), the funds can then be used for another project before the end of the fiscal year.

KYTC will be having a conference call with each awardee to discuss the procedures on a project by project basis.

Project Scoring System: Wisconsin scores their projects to develop their project priority to be used in reviewing them to recommend awards. KYTC is now required to use a data-driven process to select highway projects and would like to use a similar process for prioritizing riverport projects as well. One example of a score is that Wisconsin gives the ports a certain number of points for various types of planning documents. The scoring is a tool for the Board and can be made available to the port before the Board meeting.

Lynn announced that the State Freight Conference will be held April 26th and 27th in Bowling Green.

Tentatively, the WTAB scheduled their next meeting for Tuesday, May 23, 2017 at 1 pm.

There being no further business, on motion of Greg Pritchett seconded by Ed Riney, and unanimous approval, the meeting was adjourned.

Submitted:

Casey Wells
Water Transportation Advisory Board staff, KYTC