

**PROCEEDINGS OF THE
EXECUTIVE POLICY BOARD OF THE
GRAND FORKS/EAST GRAND FORKS
METROPOLITAN PLANNING ORGANIZATION**

**Friday, December 10, 2004 – 12:00 Noon
East Grand Forks City Hall Council Chambers**

CALL TO ORDER

Chairman Dick Grassel called the meeting to order at 12:12 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Dick Grassel, Doug Christensen, Warren Strandell, Steve Gander, Gary Sanders, Gary Malm, and Rob Kweit.

Staff present were: Earl Haugen, GF/EGF MPO Executive Director; Ryan Brooks, GF/EGF MPO Planner, Senior; Lane Magnuson, GF/EGF MPO Planner, Senior; and Peggy McNelis, GF/EGF MPO Administrative Specialist, Senior.

Guests present were: Allen Grasser, GF City Engineer and Dennis Potter, GF City Planner.

DETERMINATION OF A QUORUM

Chairman Grassel declared a quorum was present.

APPROVAL OF MINUTES

Moved by Malm, seconded by Kweit, to approve the November 12, 2004 minutes of the GF/EGF MPO Executive Policy Board, as read.

Voting Aye: Gander, Sanders, Malm, Strandell, Grassel, and Kweit.

Voting Nay: None.

MATTER OF 2006-2008 T.I.P. PROJECTS

Haugen reported that copies of the staff report, and the project submittal list, were included in the packets. He commented that at Wednesday's Technical Advisory Committee meeting this project submittal list was considered, and that he did e-mail those results to this body, and has provided copies of changes to the information provided in the packets.

Haugen stated that on the Minnesota side there are two programs that projects can be nominated for at this time, they are the Transportation Enhancement (T.E.) Program and the Hazard Elimination Safety (HES) Program. He said that next month they will be meeting to talk about

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the rest of the transportation projects on the Minnesota side, which are not due until January. He pointed out that East Grand Forks did not submit any T.E. or HES projects to the MPO for consideration, which was expected, so there are no Minnesota projects included on the project submittal list.

Haugen reported that on the North Dakota side he highlighted those projects that are new, or are being revised from what was included in the current T.I.P. program. He referred to those projects and went over them briefly.

Haugen pointed out that in FY 2006 there are a couple of new projects that have been requested be added, the first project involves an overlay on Gateway Drive/US #2, eastbound from the GFAFB to 55th Street in Grand Forks. He explained that because the MPO's study area goes out past the Airport, a portion of this project is in the study area, so that portion of the project needs to show up in our T.I.P.. He stated that the second project is an overlay on North Washington Street, from Hammerling north, that portion that was asphalted a couple of years ago.

Haugen reported that in FY 2008 Grand Forks has identified the Gateway Drive/Columbia Road Improvement project for consideration. He explained that as part of the North Dakota T.I.P. process, North Dakota DOT asked that not only for the three years covered by the T.I.P., but for two additional years regional road projects be identified. He stated that last year this project was identified as being contemplated for FY 2008, and now that we are doing a 2006-2008 T.I.P., it is now being formally submitted for consideration. He referred to the staff recommendation sheet, and pointed out that staff is requesting that this project be considered as pending. He then went over the funding mechanisms for this project, as well as the need for the term "pending", explaining that it is necessary due to the fact that Grand Forks has allocated all of their City Urban Road funds to the 42nd Street Underpass Project, so the best that staff could do with this project is to identify it as "pending" so in the event that more funds are allocated to the State of North Dakota, and passed down to the City, then it would could proceed. He added that this would also be the case in the event that different funds are allocated to the 42nd Street Underpass Project, thereby freeing up Urban Road funds, those funds could then be allocated to this project and it could proceed, or we could list it as pending and still do it within the timeframe suggested, using advanced construction monies, if the City of Grand Forks would so desire.

Haugen stated that the other project noted in the staff report, which was the topic of most of the discussion by the Technical Advisory Committee, was the DeMers Avenue/42nd Street Underpass Project. He explained that this project is currently programmed as being funded entirely with Urban Road funds, however, the City is now requesting the State allocate Regional funds as well, thereby freeing up some of the City's Urban Road funds for other projects, such as the one we just discussed. He pointed out that the staff recommendation listed this project as being "incomplete", and the Technical Advisory Committee requested that an asterisk be placed next to URP-5a, with the following requirements: 1) that the City write a letter to NDDOT formally requesting that they consider using Regional funds on this project; 2) that the NDDOT respond to that letter; 3) if the answer is yes then the project will be designated complete and will come through the process; and 4) if the answer is no then the project is removed from this listing of projects.

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Haugen commented, again, that because North Dakota asked for two-years of projects beyond the three-year T.I.P. cycle, in FY 2009 the State and the City are identifying some bridge work on the DeMers Avenue Skyway Bridge, and that is included in the staff report. He stated that staff is recommending, and the Technical Advisory Committee is recommending, that the MPO Executive Policy Board approve the project submittal list, with the following exceptions, or notes: 1) the regional request needs to be completed, and 2) that that portion of the Gateway Drive/Columbia Road project listed under Urban Roads be listed as “pending”.

Haugen reported that the formal letter of request has already been submitted to the State for consideration.

Moved by Kweit, seconded by Malm, to approve the FY 2006-2008 T.I.P. Project Application (Streets) as being consistent with the Long Range Transportation Plan, and to give High Priority Ranking, except: 1) the regional funding request for 42nd Street Grade Separation needs to be completed, and 2) Identify Urban Roads Funding request for Columbia/Gateway as pending.

Voting Aye: Gander, Sanders, Malm, Strandell, Grassel, and Kweit.

Voting Nay: None.

Christensen reported present.

MATTER OF MERRIFIELD BRIDGE STUDY

Haugen referred to the packets, and pointed out that a full copy of the power point presentation that was presented to the public at the November 30th public meeting was included for reference (a copy of this presentation is included in the file and available upon request). He commented that the MPO does have HDR Engineering, and CPS Ltd., under contract to prepare a feasibility study for this bridge. He stated that this is a draft summary of the findings, and that they are just about completed with the report.

Haugen then referred to a slide illustrating the alignment recommendations, and went over them briefly. He explained that, basically the bridge will be at an elevation of 845, and that they are recommending that the roadways be filled to 841, however, taking the height of the current roadways into consideration, they did look at raising them to 845 as well. He said that the main reason, besides the costs involved, for recommending 841 is that once you get beyond the project limits, on the Minnesota side in particular, the road will be at 841, so you would only be at the higher level for a short distance. He added that even at 841, we are well above the 100-year flood plain, with about a 3 1/2 feet of freeboard.

Grassel asked if anyone knows, on either side of the river, where the water reached in 1997 on the Merrifield Road. Grasser responded that the water never crossed the Merrifield Road on the North Dakota side. Strandell stated that it never crossed County Road 58 on the Minnesota side either.

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Grassel commented that he knows that there was some discussion on one of the alternatives due to the need for fill to be hauled in. Haugen responded that both Alternative 2 and 3 basically deal with farmland, while Alternative 1 makes use of an existing roadway and right-of-way, which makes it a little cheaper. Sanders stated that the discussion actually involved concern with the fact that the dirt would actually have to be hauled around rather than across the ice, which would be quite costly, however, with the Hartsville Coulee Diversion, East Grand Forks would actually have plenty of fill to do whatever is needed, so they wouldn't have to haul it around in any event. Haugen commented that he would make note of that information.

Haugen stated, again, that they are suggesting that we maintain the Section line until we cross over onto the Minnesota side, then get up to the Section line, to the existing road, and then Polk County has identified that they prefer the gentle curve option.

Haugen commented that in terms of the Manage Roadway Access, the report talks about the different access standards between Minnesota and North Dakota, and suggests that North Dakota look at possibly maintaining the same standards as Minnesota, which involves further spacing. He stated that this all depends on how we envision this corridor, if we envision more highway type speeds, then we would want the spacing more spread out, however, if we feel it would become more of an urban setting, particularly on the North Dakota side, then we would probably need more access. He added that, as far as preservation of highway right-of-way is concerned, we need to make sure, through the standard platting process, that we don't have structures built up on top of the identified corridor.

Haugen reported that there are two diversion options being looked at. He explained that the reason for looking into diversion, and why we are tying it to the transportation project and funding sources is because we do need that fill material, and it needs to come from somewhere, so the diversion channel provides us with that fill.

Haugen commented that they did not consider right-of-way costs, and the option they are recommending, the one that is to the south, it does cross fields, which means that right-of-way will need to be purchased as part of the project. Strandell asked if they were planning on purchasing enough right of way to make this a four-lane roadway in the future. Haugen responded that they would be purchasing enough right-of-way for an urban four-lane section, but not for a rural four-lane section. Strandell stated that he had heard rumors about that possibly including a by-pass in the future, in which case it would make sense to have the right-of-way in place now. Haugen responded that this was discussed a year ago, at a joint meeting in the Grand Forks Council Chambers a year or so ago, and it was identified that we have some impediments that would only allow for a two lane, and that, along with additional bridge costs, would probably make it impossible to do, or at least not for quite some time.

Haugen stated that one point that is being stressed to them is, because it is likely that federal funds will be used to construct this, etc., there is the tie to the NEPA process, and because they haven't done a full NEPA evaluation, they can't actually say that this is the exact site for location of a bridge, so they have to use language saying that the better alternative right now is Alignment Number 1 in order to not preclude the NEPA process. Haugen reported that they did do some

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environmental work, and have identified that there are no “show stoppers”, including the wetland that was identified, if that is the route we decide to take. He stated that the next step, once we have identified funding, would be to go through the Environmental Impact Study process.

Haugen commented that at that meeting there were several people who expressed concern with the Township Road option. He explained that the report identified three options, one is to bridge the diversion ditch to the 841 elevation, which costs about \$1.5 million dollars; the second is to replace the current Cole Creek bridge, to the elevation it is currently at on Merrifield over to the township site, at a cost of about \$700,000; and the third is to not replace the township road, and, when the diversion ditch is built, to not build a bridge across at all. He stated that people from south of the diversion channel were in attendance, and raised concerns that that is a primary route to their residences, and while there are secondary routes they are not paved, and one is a lesser township road.

Sanders commented that it is his understanding that the County was going to pave the section one mile south of the Merrifield Road, and, in actuality, if they pave that, and you rebuilt the mile east-west off the end of that, they would be in the same situation they are currently in now, driving to the Country Club and south one mile, so the impact, for no structure across the channel, would be almost negligible at that point if you construct a township road that is sufficient to what they are driving on now, which would also be significantly less than \$750,000. Christensen asked if Mr. Sanders was saying that the County was going to pave that section of roadway by the KNOX station. Sanders responded that that was his understanding. Christensen asked if they would then go east a mile as well. Sanders responded that people complained about that roadway not being as good as the one they are currently using, but if you regraded that, and made it comparable, they would be driving on the same amount of gravel as they are now. Sanders added that it would even be cheaper to pave that mile east-west, then to build a bridge. Haugen referred to a slide that illustrated the area being discussed, and went over what Mr. Sanders was suggesting.

Sanders stated that another area of discussion was the drop structure that is on the ditch system there, that someone threw out a cost of \$1,000,000, but he knows that it probably only cost about \$180,000 to build it when it was built. In any event, if it costs that much to replace it it would be better to actually impact the Country Club on Fairway #3, than it would be to spend a \$1,000,000 doing a new drop structure there, and it wouldn't be that difficult to change #3 because the Golf Course has that land on the inside that could be used. Haugen added that they could still do the project without touching the drop structure.

Haugen reported that the bridge recommendation, the consultants did look at what the MPO had priced out in it's Long Range Transportation Plan, which was basically a 62-foot wide option, but are suggesting that this could be cut down to 56-foot wide, but allow for more lanes to be added in the future. He said that the estimated construction cost is \$14.5 million, however you may want to add an additional 30% for non-construction items.

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Haugen said that phasing is an option that could be looked at, however, there would be an additional cost involved, and there is a possibility that you lose your transportation funding as well.

Christensen asked about the gravel road from old Highway 81 to County Road 8, and what the plans are for it. Haugen responded that flood protection is going to raise that roadway up, and replace it as a gravel road. Malm commented that there is still some question as to whether or not this would be paved at the time it is raised. Christensen asked what it would cost to pave that roadway, and would it be a four-lane roadway. Haugen responded that they would not construct a four-lane, however, there would be sufficient property to add lanes in the future. Haugen added that it would cost about \$300,000 to pave it from Washington to Belmont.

Discussion on right-of-way ensued.

Christensen asked how they would get the funds necessary to pave that section of roadway from Highway 81 to County Road 8. Grasser responded that you would get it from the City Council. Sanders suggested that the City should just add this to their flood control project. Malm agreed, explaining that if this section of roadway isn't paved you are going to end up in the same situation as you did with South 42nd before it was paved. Christensen asked that some numbers be determined on the cost of paving this section of roadway. He also asked when, if it is determined that this actually be done, it could be constructed, 2006 or 2007. Sanders responded that it might actually be 2008, if things continue the way they are.

Haugen continued with presentation, pointing out that they have identified the costs, now they have to identify the benefits to society, with the benefit/cost being 3.33, or for every \$1 you get a benefit of \$3.33. He said that they have identified three core options; one is to have 80% of the costs earmarked, second would be to take the counties, cities, and state programs for a one year allocation to see how much was available; and third would be to have a combination of the first two. Christensen asked if the MPO, or the City would be determining the funding sources available. Haugen responded that both entities would do this. He explained that when we talk about earmarks in particular, they got the message twice now, from both federal highway divisions, St. Paul and Bismarck, that lobbying is something the MPO is prohibited from doing, and they have reminded us again that when we start talking earmarking, the MPO, as a lead agency, cannot be knocking on congressional doors.

Sanders asked, if we got 80% earmarked for a demonstration project, could we still get enhancement monies to do the trail across the bridge. Haugen responded that they could, and that there are actually other discretionary programs that could be applied for as well.

Discussion ensued.

Haugen summarized by saying that they believe that the bridge is feasible; there are no environmental show-stoppers identified; they haven't gone through the full NEPA process; they have identified a more refined cost estimate of the structure in 2004 dollars; they have identified the benefits it provides; that it can be phased, however it would be more costly, and it would

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make the transportation dollars more questionable. He stated that, as discussed on November 30th, the next step is for someone to take over as a lead agency and start knocking on doors to try to get the funding necessary. He added that the MPO cannot take on this task, but can be supportive. He said that they also need to do the EIS document, which can be done in two ways; one would be to wait until we have secured funding available and then do a full EIS, and the other would be to tier the EIS in two stages, one would be to identify the final alignments for the diversion, for the bridge crossing, for the roadwork on the Minnesota side, which could be the tier one document that would get you the information you need, and the second tier would involve the design process.

Haugen stated that the cost of an EIS would be anywhere from 8% to 12% of the construction costs, for a full EIS. Sanders commented that that seems awfully high, that he would think that \$200,000 to \$400,000 would be more appropriate. Haugen responded that he agrees, but that part of the justification for the higher amount is just because it involves two states, and both states have different process so you may actually be doubling up a lot of your time.

Malm asked what the Executive Policy Board members should be doing to push this forward. Haugen responded that he needs one of the agencies represented on this board to take the lead on this project. He added that this will not be part of the State Highway System anytime soon, if ever, so the State DOT's are probably not going to be the lead agencies; and it isn't going to be inside the City Limits anytime soon; and County Roads are the backbone of this truck route system, both on the Grand Forks County and Polk County sides, so for him it would seem appropriate that the counties would seem the logical lead agencies to take this over, and they could actually make the determination as to which county would be the lead agency.

Malm said that he would like to ask a question, and that would be, if Grand Forks County would request that Mr. Haugen give a presentation on this project, would he be willing to do so. Haugen responded that he would. Malm stated that their next meeting will be held on Tuesday, December 21st, at 3:30 p.m., so he will get this started by bringing Mr. Haugen in to give this presentation, which is all he can do at this time. Haugen agreed, and added that before the next Executive Policy Board meeting he will try to flesh out, with both Federal Divisions, the tiered approach, and a better estimate on what Tier One's cost would be for the alignment decision.

Christensen asked, assuming that this moves forward, what is the earliest we might see construction begin. Sanders responded he would think it wouldn't happen until the summer of 2010. Haugen agreed.

Sanders stated that one comment he would make on the presentation is that we really shouldn't talk about separating the two pieces of the project, the diversion and the bridge, it should always be as one piece, because it just seems like the funding is going to get really screwed up, and it isn't just the initial cost, but your funding basis is going to change dramatically, and it seems like that is not an acceptable alternative, it has got to be together. Haugen responded that it is only acceptable because they are pushing for the diversion to happen sooner than later. Sanders reiterated that by separating them you are changing the whole funding mechanism so dramatically that he doesn't know how you would ever do it, and he doesn't think the feasibility

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is there to separate them. Christensen asked who “they” is, if it was the County and/or the Country Club. Haugen responded that the Country Club would be the “they”, that would push it sooner. Christensen said that as he understands it, the only corridor that would benefit would be the Country Club, as you don’t get yourself north to the other corridor involved. Haugen responded that this would be correct, and that was the other half that was the meeting, the Burke Addition Residents, who were concerned with trying to identify how they might be impacted, whether positively or negatively by this, and it was determined that they were basically not impacted at all. Sanders agreed, explaining that the diversion won’t make any difference to those residents either way, although it could provide a measure of flood protection, which would positively affect them.

Information only.

MATTER OF END OF YEAR WORK PROGRAM AMENDMENT

Haugen reported that as we are doing the end of the year billings, we have identified a need to shift some funds from our Planning and Programming Elements to our General Administration Element, in the amount of \$12,500. He stated that we do need approval from the Executive Policy Board to submit this request to the State of North Dakota for their concurrence. Gander asked what happened to create this shortage. Haugen responded that the UPWP, and fleshing out all of our work program, making changes, etc., it took more staff time than was anticipated.

Moved by Kweit, seconded by Gander, to approve the FY2004 Work Program Adjustment as submitted.

Voting Aye: Gander, Sanders, Malm, Strandell, Grassel, Kweit, and Christensen.

Voting Nay: None.

OTHER BUSINESS

1. Matter Of Approval Of Four Holiday Bonus Hours For MPO Employees

Grassel reported that the City Council of Grand Forks approved four Holiday Bonus hours for their employees, and because the MPO mirrors those benefits the City of Grand Forks employees receive, he is requesting approval of the same for MPO employees.

Moved by Sanders, seconded by Gander, to approve Four Holiday Bonus Hours for MPO Employees to be used by February 1st, 2005.

Voting Aye: Gander, Sanders, Malm, Strandell, Grassel, Kweit, and Christensen..

Voting Nay: None.

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2. MPO Organizational Meeting On January 14th, 2005

Grassel reported that he would like to set the next MPO Executive Policy Board meeting for Friday, January 14th, 2005. He explained that this will be an organizational meeting, at which a new Chairperson will take over, and that would be Mr. Christensen. He added that the makeup of the Finance Committee consists of the new Chairperson, the past Chairperson, and a representative from the Minnesota side.

3. Discussion On DeMers Avenue

Gander asked if there would ever be a possibility that DeMers Avenue, from the Burger King in East Grand Forks, where it goes down from four lanes to two lanes, could remain a four lane all the way through the downtown, over the bridge, through the Grand Forks downtown, connecting with the four lane at 5th. Christensen responded that Grand Forks doesn't have enough street to be able to do that in their downtown. Sanders agreed, adding that there wouldn't be enough right-of-way, even if there wasn't any parking allowed at all. Gander stated that if you could start to visualize that, and in addition to that you could anticipate staying pedestrian friendly even though you would be bringing more traffic through there, but if you could preserve pedestrian friendliness and still bring four lanes to the downtown, that would improve our downtown a great deal. Grassel commented that he understands Mr. Gander's concern, but as you recall the problems that East Grand Forks had when they didn't have any parking for the Holiday Mall along DeMers, people thought the Mall was closed, you would create that same thought, that all the business were closed because there weren't any cars there.

Gander asked that everyone just think about this. He added that he knows that it would be a huge undertaking, and would take a lot years, but, he, for one, if you were going to make incremental steps toward this in a fifty-year plan, he would think it is reasonable to include for consideration. Haugen commented that the MPO will be updating the Street and Highway section of the Long Range Transportation Plan, so this is certainly an alternative that could be fleshed out in the next two years.

ADJOURNMENT

Moved by Sanders, seconded by Malm, to adjourn the December 9th, 2004, meeting of the MPO Executive Policy Board.

Voting Aye: Gander, Sanders, Malm, Strandell, Grassel, Kweit, and Christensen.

Voting Nay: None.

Respectfully submitted by,

Peggy McNelis,
Administrative Specialist, Senior