

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

**Friday, August 20, 2004 – 12:00 Noon
East Grand Forks City Hall Council Chambers**

CALL TO ORDER

Doug Christensen, Vice Chairman, called the meeting to order with the following members present: Steve Gander, Gary Sanders, Warren Strandell, Rob Kweit, Dorette Kerian, Arvin Kvasager (Proxy for Gary Malm), and Clarence Vetter (Proxy for Dick Grassel). Staff present were: Earl Haugen, GF/EGF MPO Executive Director; Ryan Brooks, GF/EGF MPO Planner, Senior; Lane Magnuson, GF/EGF MPO Planner, Senior; Dan Jonasson, GF City Traffic Engineer; and Peggy McNelis, GF/EGF MPO Administrative Specialist, Senior.

Guests present were: Larry Zitzow, UND.

INTRODUCTIONS

Haugen commented that, because there are some people here today that may not have met some of the members of the Executive Policy Board, it would be appropriate to do introductions.

APPROVAL OF MINUTES

Moved by Kweit, seconded by Sanders, to approve the April 16, 2004, minutes of the GF/EGF MPO Executive Policy Board, as read. Motion carried unanimously.

MATTER OF FINANCE COMMITTEE REPORT

- a. Matter Of Reclassification Of Administrative Specialist, Senior to Executive Assistant

Christensen reported that copies of the staff report, and other information pertaining to this item, were included in the packet. He then asked if Mr. Haugen would give a brief overview on what has transpired with this item.

Haugen stated that the Finance Committee met on Monday, August 16th, 2004. He referred to the staff report, included in the packet, and went over it briefly.

Haugen commented that, because the MPO tries to mirror the City of Grand Forks' job descriptions and wage scale, after some consideration it was determined that the Executive Assistant job description most closely matches the duties of the Administrative Specialist, Senior, with one difference, that being the addition of accounting duties.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

Haugen reported that the pay grade for the Administrative Specialist, Senior is 24; and the pay grade for the Executive Assistant is 28, however, this does not mean that the position will automatically get an increase in pay. He explained that with the City of Grand Forks' current salary rates, the Administrative Specialist, Senior's salary is already above the minimum salary in the pay range for the Executive Assistant, and the pay difference for 2005 will actually be based on the employee's pay for performance rating.

Haugen stated that the Finance Committee did review this, and copies of the draft minutes from the August 16th minutes were mailed out for your information, and they did include some discussion on other options that might be available, however, the recommendation was ultimately to approve the request to reclassify the Administrative Specialist, Senior to Executive Assistant.

Christensen commented that it would appear that the salary increase would be around \$2,000 a year, give or take, correct. Haugen responded that that would be in the ballpark. Gander asked what the savings would be, now that the MPO would not be outsourcing the accounting functions. Haugen responded that the MPO paid \$6,400 in 2002; and \$5,600 in 2003, so now that the accounting functions will be done in-house, there will be considerable savings. He added that the board needs to remember that whether or not the reclassification is approved, there would most likely be an increase in salary anyway, dependent, of course, on the performance review for the employee. Christensen said that he asked the question regarding savings at the Finance Committee meeting, and it would appear that there would be a savings, initially, of about \$3,000, but, obviously the manager would have the ability to determine if the employee should deserve a raise.

Moved by Kweit, seconded by Gander, to approve the Reclassification of the Administrative Specialist, Senior to Executive Assistant effective January 2005. Motion carried unanimously.

MATTER OF APPROVAL OF THE FINAL FY 2005-2007 T.I.P.

Haugen reported that copies of the Final Draft of the FY 2005-2007 T.I.P. were included in the packets. He pointed out that the document includes a listing of projects that are scheduled to receive federal funds, the estimated cost of those projects, the federal program source, and the date the project is programmed.

Haugen said that when the board considers the T.I.P., there are four things that you will be doing, and these are all indicated in the staff report, and in the front pages of the T.I.P. document itself, the certifications. He explained that the MPO self-certifies that the 3-C transportation planning process supports the development of the T.I.P., that the T.I.P. document has been reviewed by

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

the Executive Policy Board, and that they are adopting it as the document for the MPO; that the Long Range Transportation plan is currently valid, and that Title VI assurance is given.

Haugen reported that the Technical Advisory Committee held a public hearing at their meeting on Wednesday, August 18th. He commented that a notice was published, and was also submitted to the private transportation providers. He explained that our T.I.P. document also serves as both City's transit operator's "Program of Projects (POP)", which is a federally required document, but since it is similar in substance to our T.I.P., FTA/FHWA has agreed that we can use our T.I.P. as that document.

Haugen reported that there was no public comment received. He added that they did also include, in the public notice, a statement that said that anyone not able to attend the Public Hearing could submit written comments as well, but, again, there were no comments submitted.

Haugen commented that, essentially, the Technical Advisory Committee did recommend approval of the 2005-2007 T.I.P., however there were some minor tweaking to the numbers on the project tables, which he would be glad to go over if the board wishes.

Haugen pointed out that he handed out copies of a check list the MPO is required to follow to ensure that we comply with all regulations required for the development of the T.I.P..

Kerian referred to Page 3, under the Transit Program, and asked about some of the introductory information, specifically the first paragraph, the final two sentences, which seem to be missing any reference to monies received as part of the implementation. She pointed out that the statement indicates that this year a program was implemented with the UND Student Senate, which allows UND students to ride the fixed-route system free of charge, which as resulted in an increase in ridership. She stated that she would suspect that if everything were free of charge, we would get an increase in ridership, so maybe there is something missing from that statement. Haugen responded that there is a base fee charged for transit services. Kerian stated that we may want to refer to that base fee in the text. She then commented that there were a couple of typos within the document as well, which she will point out to Peggy at the end of the meeting.

Christensen referred to a list of City projects, following the public notice, and asked if these are projects that are being proposed be done in the next four or five years. Haugen responded that that sheet is not part of the T.I.P. document, that it is a City of Grand Forks document that they submit, but it does identify further NDDOT requests for those years that are outside the MPO's T.I.P., basically what projects they might be expecting need to be done. He referred to the list, and went over it briefly.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

Kerian asked, in the T.I.P. itself there are project numbers, with the first one being Fixed-Route Transit Service, etc., and she was wondering what the logic is, if there is some kind of ranking. Haugen responded there was not.

Moved by Kweit, seconded by Kerian, to approve the Final FY 2005-2007 T.I.P. Motion carried unanimously.

MATTER OF SCHEDULE FOR DEVELOPMENT OF FY 2006-2008 T.I.P.

Haugen commented that, as soon as we finish one T.I.P., we have to begin working on the next one. He referred to copies of the proposed timelines, and explained that there is a slight difference between North Dakota's and Minnesota's. He added that the programs and timelines for the 2006-2008 T.I.P. are based on the assumption that the current Federal Transportation Bill will be continued. He explained that, as many may be aware, the reauthorization should have occurred a year ago, but still hasn't at this time, however because the versions that were adopted by the Senate and the House do include some differences, particularly in funding programs and set-asides, we have been directed by both States to just assume TEA21 levels of funding from 2003.

Haugen stated that we now have the need to solicit for transportation enhancement projects for each State, according to their respective schedules. He distributed copies of the solicitation letters, and explained that at some point we may have to revise the schedule, depending on the status of the reauthorization, but for now we at least have some deadlines for the different funding programs.

Haugen commented that they would prefer if all projects are submitted to either the County or the City Council for their approval before it is submitted to the MPO for inclusion in the T.I.P.

Information only.

MATTER OF CONSIDERATION OF THE 2005-2006 UNIFIED PLANNING WORK PROGRAM ACTIVITIES.

Haugen reported that he is just alerting everyone to the fact that, come September, the MPO hopes to have a final draft 2005-2006 Unified Planning Work Program document available for the Executive Board's approval, therefore, he is asking that everyone consider some of the activities that they might like the MPO to undertake. He referred to the last sheet in the packet, and explained that it illustrates some of the projects that the MPO has completed, or is completing. He pointed out that 75% of the MPO's funding is programmed for actual work projects, or planned studies.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

Haugen referred to the staff report, and pointed out that in 2005 and 2006 the MPO will be doing data collection, and is also asking the communities to look at their land use plans to ensure that when we do the travel demand forecasting in 2006 and 2007, for our update of the Street and Highway Element of the Long Range Transportation Plan, we are consistent with the land use plans for both communities. He added that there are also some projects that will have to be done, that cannot be shifted around.

Haugen commented that, again, we are assuming, because of the non-reauthorization, that our funding levels are going to remain consistent with our current funding level.

Kweit asked when the MPO wanted the Planning Commissions to have their land use plans updated. Haugen responded that the MPO will be asking that this be done by the end of 2005. He added that one City did get their's completed, and adopted. Christensen asked which City that was. Haugen responded that the City of East Grand Forks did get their's completed and adopted at the end of 2003.

Christensen referred to the last page in the packet, under the funding source Planning and Implementation, and pointed out that there was an amount of \$5,000 set aside for land use plan, and he would like to know what type of land use plan did we develop, and for which City, or was it for both. Haugen responded that, since the MPO had already asked both Cities to update their land use plans in 2001, and had money set aside to assist them with that update at that time, and they should have had the plans done, less money was set aside for land use plans in 2004.

Christensen asked if it would be possible to budget, say \$50,000, to assist the City of East Grand Forks or Grand Forks, to have a comprehensive review of their land use plan, zoning, major streets, etc., in order to get this done this year. Haugen responded that in 2005, money would be available to do this. Christensen asked what a reasonable amount would be to set aside for land use plan updates. Haugen responded that they budgeted \$100,000 last time the MPO asked the Cities to update their plans, and this could be done again in 2005. He explained that, previously East Grand Forks relied on MPO staff, while the MPO actually financed a staff person for Grand Forks, to do their updates. Christensen asked, if we programmed \$100,000 now for land use plan updates, and the money wasn't used for that purpose, would the MPO be able to use it elsewhere, because he would at least like to see some money set aside now to allow for the planning process to move forward, and for Mr. Kweit's group to have some money to help them, as well as some money for assisting East Grand Forks with their update, and this could be a joint effort then. Haugen responded that this certainly could be a joint effort. Christensen asked if Mr. Haugen would recommend something like this. Haugen responded that, we are one community, one MPO that oversees both communities, so, yes, it would seem that there should be some collaborative efforts taking place.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

Haugen briefly went over some of the projects that have been submitted, thus far, including a corridor study for East Grand Forks concerning additional access on Gateway Drive.

Christensen asked if the money we would be setting aside would be available so that the Grand Forks Planning and Zoning Commission could have someone assist them in determining how the community has changed, or is changing, and the review of their zoning districts to possibly include some additional zoning districts, such as light manufacturing, heavy manufacturing, etc., as well as the streets throughout the area. He added that he mentions this because he doesn't want to just do streets, that he wants to have money available for other issues as well. Haugen responded that, again, if we set aside \$100,000, it could be split 50/50 between the two Cities, thereby giving Grand Forks \$50,000. He added, however, that there would be some strings attached to how the monies could be used, but if Grand Forks decided that they wanted to do everything in-house, they would still have to report to the MPO, and if they want to hire a consultant, they would have to go through the same process the MPO uses to hire a consultant.

Kweit explained that they have been trying to get the land use plan updated for four years, but the problem is that they don't get enough meetings called to move forward on it. He added that when you look at the land use plan, it is basically zoning, where and when buildings should go, which in-turn causes traffic to be generated from the models that Mr. Haugen is working with, and gives us the opportunity to set goals, priorities, and recommendations for change to facilitate infill, to look at zoning requirements, to move toward things like the "new urbanism" which would entail more contained communities with less traffic because they would allow people to walk in them, which would also affect land use, and this is what we need to be looking at as part of the land use.

Haugen reported that what they will do, then, is to allocate some of the resources to prepare a scope-of-work that identifies what we are going to be looking at, and attach a timeline for completion, and then will ask the Executive Policy Board for approval to fund this report, at this cost. He stated that, basically, you would be approving a dollar amount for an activity that we want to accomplish. Christensen asked if Mr. Haugen would be bringing some other recommendations that you feel should be studied as well. Haugen responded that he would, that some of those items have been identified in the staff report, but that they have asked staff from both cities to submit projects they would like to see considered as well.

Kerian asked if we didn't just approve a land use plan, holding public hearings and such, just within the last year. Haugen responded that we approved the transportation plan, based on an approved East Grand Forks Plan, and based on the Land Use Sub-Committee's approval of the land use plan for Grand Forks.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

Christensen asked when the decision would be made on how we are going to allocate the monies. Haugen responded that it would be made in September.

Moved by Christensen, seconded by Kweit, to consider allocating \$100,000 into the planning process to assist the Cities of Grand Forks and East Grand Forks to update their Planning and Zoning Regulations – Land Use Plans.

Sanders suggested that, while he doesn't have a problem with that dollar amount, he thinks we need to look at the whole package. Christensen responded that he understands that there is a \$400,000 budget, and he is just suggesting setting aside \$100,000 towards this activity. He said that he has no idea how that \$100,000 will be allocated, or how it would be applied for, as people move forward because he simply doesn't know what the Planning and Zoning Commission's requirements are, or how they will interface with what has been discussed. Sanders said that he is just wondering about some of the other studies, such as the 42nd Street Underpass, etc. Christensen responded that the 42nd Street Underpass has been funded. Sanders asked if there were any other major corridors in Grand Forks that need to be studied. Haugen responded that this is what they are asking the City to provide.

Haugen commented that the MPO is suggesting that staff do a staff report for those projects they would like considered, submit them to their respective City Council for approval, then bring them to the MPO for consideration.

Discussion ensued, with consensus being to consider allocating up to \$100,000 in 2005, to the Land Use Plan task.

OTHER BUSINESS

1. Merrifield Bridge

Haugen reported that on September 8th, the consultant will be attending the Technical Advisory Committee meeting to give an update on the progress of the Merrifield Bridge study. He stated that he did send an e-mail out to the Executive Policy Board regarding floodway concerns, just to highlight a concern that has come to our attention regarding bridges along the Red River. He explained that this involves some issues with what is going to be allowed for flood stage increases. He said that the NDDOT staff shared a recent experience they had with this issue that occurred during their study of the Drayton Bridge, in that the State Water Commission would not sign-off on any upstream staging increases unless all impacted property owners sign-off on the bridge. He stated that this is not exclusive to just that bridge location, but actually seems to be an unofficial policy of the State Water Commission, and will probably impact the Merrifield Bridge as well.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

Sanders commented that we have an existing floodway, and we are going to have a new floodway once the dike system is complete, but the existing floodway is significantly more restrictive than the new one will be, as far as allowing water to go through. He stated that in creating the new floodway, we dropped the elevations, but before we allow that floodway to change, we need to make sure that we have our concessions in place for the bridges we want in the future, because if we can drop get a stage drop, that can actually be encompassed into our bridges, and we can shorten them up at a considerable savings. He added that we need to work with the Corps of Engineers before we adopt a new flood plain. He commented that they could model those bridges in, give us a stage increase, and actually tell us where we will be with those bridges. He added that this would allow us to encompass the encroachments in before we change our floodplain.

Christensen asked what we need to do, then, to ensure that all of this gets done, so that the ball isn't dropped. Haugen responded that what needs to be done would be to either ask your staff about this issue, and keep it on the forefront. He added that the MPO is working with the DOTs to see how we are going to make this an issue that the DOTs address, because it isn't just our bridges that are impacted. He said that, because this isn't an official policy of the State Water Commission in North Dakota, they need to either make it an official policy, or make the Commission, itself, say that this is not a policy.

Christensen asked how much time we have before the floodplain will be changed. Sanders responded that it will be close to completion, but the question is whether or not we will adopt a floodway that goes to the Thompson Bridge, or to the Merrifield Bridge, or to 32nd Avenue. He added that, in actuality, we should adopt one down to the Thompson Bridge because then we can impact how we do those things, because we will be expanding ours, which drops theirs, so if we restrict it with a bridge, it will drop it a little bit instead of a lot.

Sanders reported that our floodway is determined by the Corps of Engineers, and he assumes that we will be going through the process of elimination of the floodplain requirements in both cities, so we will actually have an adoption of a new floodway ordinance. Christensen said, then, what we should do, because of the metropolitan planning body, and because we are doing this for both, as we have jurisdiction on both sides of the river, somewhere we should interface the MPO so that it is working in conjunction with both city councils. Sanders agreed, adding that the both floodplain ordinances should be adopted by both cities. Christensen said that what he wants to do is ensure that the MPO is involved in order to keep this going so that we don't have to monitor things, so that we have someone in there coordinating. Sanders responded that he would assume that both City's staffs would be involved as well.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

Kerian asked if there was an equivalent organization in Minnesota as the State Water Commission in North Dakota. Haugen responded that that would be the Minnesota Department of Natural Resources. Kerian asked if they have the same issue as the North Dakota State Water Commission has. Sanders responded that they do. Kerian stated, then, that the floodway level is part of their unstated policy, and she would like to know what they base all of this on. Sanders responded that the floodway is something that cannot be changed, that it is a specific bank, or area, that you cannot take out or put back infill, it is not the floodplain, but the floodway. He added that you cannot impact the floodway with changes, but as we change our floodplain ordinance, our floodway is going to go from dike to dike, or toe to toe, and will increase the area within which the floodway has to work, which actually drops the stage upstream, but if we impact it with our bridges, and if we are going to drop a foot upstream and those bridges raise it a foot, we have no impact, which is what we want to address in those ordinances.

Haugen commented that, at the September 8th meeting, more hydraulic work will have been done, so we may be able to take a more definitive action as to what we can forward on to the Corps. He said that in September, we are tentatively scheduling a public meeting at 7:00 p.m. at the Country Club. He added that the MPO Executive Policy Board will also need to meet in September, and he was wondering how the last week of September would work for the members of the board. Consensus was that the meeting would be held on Friday, October 1, 2004.

Strandell reported that recently the Thompson Bridge was inspected and was determined to have some structural problems, so he is wondering about the future of that bridge versus the construction of the Merrifield Bridge, whether or not there is money for both of them or not. He said that the concern with this, for Polk County, is that they just rebuilt Polk County 9, which runs from the south edge of Crookston to Thompson, and they are wondering how this might impact that roadway. Haugen responded that there have been discussions with the County on this issue, and they are still reviewing the inspection findings on the Thompson Bridge, however, part of the discussion, certainly by the Polk County Engineer, is that he would rather utilize the new construction of a Merrifield Bridge rather than to have to reconstruct the Thompson Bridge. Kvasager agreed, stating that if he were the Grand Forks County Engineer, he, too, would think it would be better to put money into a new Merrifield Bridge than reconstructing the Thompson Bridge.

2. 42nd Street Underpass

Kerian stated that she has a question regarding the 42nd Street Underpass, and that fact that there are two different plans circulating on how the project might be constructed, and that there is a study in the process. She asked if that assumes one or the other of those paths. Haugen responded that in the T.I.P. document that the board approved today, there is an estimate of cost for a plan that is based on 42nd going underneath, and swinging to the west and back to align with

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Friday, August 20, 2004**

42nd. He added that the Grand Forks City Council approved having Kadmaras, Lee, and Jackson re-examine the whole design, as it was actually done about five years ago, and we do now have a transportation plan that is based on the Land Use Subcommittee's approval of the layout.

ADJOURNMENT

Moved by Kweit, seconded by Sanders, to adjourn the meeting. Motion carried unanimously.

Respectfully submitted by,

Peggy McNelis
Administrative Specialist, Senior