

**PROCEEDINGS OF THE
TECHNICAL ADVISORY COMMITTEE
Wednesday, January 10th, 2007 – 1:30 p.m.
Grand Forks City Hall Conference Room A-102**

CALL TO ORDER

Earl Haugen, Chairman, called the January 10th, 2007, meeting of the MPO Technical Advisory Committee to order at 1:31 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Richard Onstad, Grand Forks County Engineer; Les Noehre, NDDOT-Grand Forks; Roger Foster, Grand Forks Transportation Superintendent; Dean Wieland, East Grand Forks Consulting Engineer; Brad Gengler, Grand Forks City Planner; James Bittman, MNDOT-Bemidji; John Thompson, Grand Forks City Traffic Engineer; Lane Magnuson, Grand Forks County Planner; Nancy Ellis, East Grand Forks Planner; Paul Benning, (via conference call), NDDOT-Bismarck; and Mark Johnson (Via conference call), FHWA-Bismarck.

Staff present were: Earl Haugen, MPO Executive Director; David Hampsten, MPO Senior Planner; Marissa Chaney, MPO Intern; and Peggy McNelis, MPO Executive Assistant.

Guests present were: Pam Wenger, NDDOT Safe Route To School Program Manager (via conference call); Tim Mitchell, FHWA-St. Paul; Cindy Carlsson, MNDOT-St. Paul; and Troy Schroeder, NWRDC.

DETERMINATION OF A QUORUM

Haugen declared a quorum was present.

**APPROVAL OF THE DECEMBER 13TH, 2006, MINUTES FOR THE MPO
TECHNICAL ADVISORY COMMITTEE**

***MOVED BY FOSTER, SECONDED BY WIELAND, TO APPROVE THE DECEMBER
13TH, 2006, MINUTES FOR THE MPO TECHNICAL ADVISORY COMMITTEE, AS
SUBMITTED.***

MOTION CARRIED UNANIMOUSLY.

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**MATTER OF AMENDMENT TO THE 2007 UNIFIED PLANNING WORK PROGRAM
TO INCLUDE COMPLETION OF THE LAND DEVELOPMENT CODE PROJECT**

Haugen reported that at the December 13th meeting this body approved the 2007-2008 Unified Planning Work Program, and we are now asking to amend it. He explained that the MPO was assisting the City of Grand Forks in updating their Land Development Code to reflect the new Land Use Plan, and that project is going to need to be extended into 2007, therefore we need to account for the work being carried over. He stated that the project scope, and the cost have not changed, just the timeline, so the amendment is to bring the 2006 funds remaining for this project into 2007 for completion of the contract by the end of March 2007.

MOVED BY GENGLER, SECONDED BY THOMPSON, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE AMENDMENT #1 TO THE 2007-2008 UNIFIED PLANNING WORK PROGRAM TO INCLUDE COMPLETION OF THE LAND DEVELOPMENT CODE PROJECT.

Magnuson referred to Page 2 of the Unified Planning Work Program, and pointed out that it still indicates Doug Christensen as Chairman, not Steve Gander as it should. Haugen responded that he would make that correction.

MOTION CARRIED UNANIMOUSLY.

**MATTER OF CONSISTENCY REVIEW AND PRIORITIZATION OF THE 2008-2011
T.I.P. PROJECTS**

Haugen reminded the Committee that at the December 13th meeting the North Dakota T.I.P. projects were delayed to this meeting, and that the Minnesota T.I.P. projects were scheduled to be approved at this meeting as well. He stated that another thing to keep in mind is that this is the first year that Minnesota is going to adopt a four-year T.I.P. and S.T.I.P.. He added that last year, the fourth year, for Minnesota consisted of strictly Illustrative Projects, so we will be programming one year for North Dakota as they had a four-year T.I.P. last year, and two years for Minnesota as they did not.

Haugen referred to the staff report, and pointed out that on the Minnesota side there are essentially two projects for consideration. He stated that the first project was identified last year as an Illustrative Project in 2010, and consists of the construction of a full-intersection at 5th Avenue N.W. and U.S. #2 (Gateway Drive). He said that nothing has been changed on the project application as MNDOT and East Grand Forks are still in discussions regarding the cost of the project, so what was shown last year was what they had to go forward with. He reported that it is East Grand Forks' turn to receive the annual ATP City Sub-Target funds in 2010, and that is what will be used to fund this project.

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Haugen reported that the second Minnesota project is the Transportation Enhancement Program project, which are programmed a couple of years in advance, so the ATP is looking for projects in 2011, and East Grand Forks is proposing to make a connecting trail from the underpass of Gateway Drive, by the Sherlock Pool, up to the trail-head that is located by River Heights Park. He referred to a copy of a map that illustrates what that project will entail, and went over it briefly. He stated that the total cost of the project is \$174,000, with the federal amount being \$116,000.

Haugen stated that staff did determine that both of these projects are consistent with our planning documents, and should be given a priority ranking.

Haugen again referred to the staff report, and pointed out that on the North Dakota side there are significant changes being proposed from our current 2007-2010 T.I.P.. He stated that a copy of a project summary sheet, as adopted by the Grand Forks City Council, was included in the packet, however, as noted in the staff report, there has since been discussion and coordination taking place with the District Office, the results of which are illustrated on the new summary sheet he is now distributing (a copy of which is included in the file, and available upon request).

Haugen referred to the new summary sheet, and explained that the discussion and coordination that took place impacts the regional highway system priorities. He then went over the changes between the original sheet that was included in the packet, and the new sheet he just distributed:

- 1) The DeMers Avenue Skyway Bridge Project – Haugen reported that the City Council approved that this project be done in FY 2012, but after working with staff we are now proposing this project be done in FY 2009.
- 2) The Gateway Drive Project from I-29 to Columbia Road, which is being shifted from 2009 to 2011.
- 3) The Gateway Drive Project from Columbia to the Kennedy, which is being shifted from 2009 to 2012.

Haugen stated that the above projects are the major regional project changes. He added that, coinciding with the 2011 I-29 to Columbia Road Project is the regional portion of the Columbia Road/Gateway Drive Intersection Improvement Project.

Haugen commented that on the Grand Forks side, as noted in the staff report, during the last T.I.P. go-around the 42nd Street Grade Separation Project was dropped and the funds were not programmed to other projects. He stated that during this T.I.P. process, Grand Forks is trying to recapture, and get access to some of the balances that show up on the ledger, and are asking for funding for right-of-way acquisition for a project to extend 48th Street from 17th Avenue South to 32nd Avenue South in 2008; and in 2010 they are asking for access to construction monies to do 48th Street.

Haugen stated that the urban projects that show up, otherwise, are already programmed, including the North 51st Street Project and the Cherry Street Project which are both already in the T.I.P. and S.T.I.P..

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Haugen pointed out that a new project that shows up in 2008 is the 42nd Street and DeMers Avenue Right-of-Way Acquisition, which he assumes is for the Grade Separation Project. Thompson responded that that was correct. Haugen went on to explain that in 2010 the City of Grand Forks is asking for some urban road program funds to be used on Columbia Road to make the section from 36th Avenue South to 47th Avenue South an urban section. He added that the Columbia Road/Gateway Drive Intersection Improvement Project would be moved to 2011.

Haugen stated that he feels this captures the major changes being made to this year's program versus last year's T.I.P., specifically how things are now being funded, and the differences between what the City Council adopted back in December and what staff has worked out in January.

Wieland asked about the two lift station projects programmed in 2009, specifically where they were going to be located. Thompson responded that it is really one project, to rehab the lift station on 32nd Avenue South, but is split for funding purposes.

Haugen pointed out that in 2008 there is a new program available through SAFETEA-LU, the Highway Safety Improvement Program, and there is a request for three different projects to be considered for funding from that program. He referred to the project summary sheet, and pointed out that the north-bound lane of I-29 is programmed to be done in 2009, and the south-bound lane is programmed to be done in 2011.

Haugen commented that on the North Dakota side there are also a couple of regional projects that show up in the out-years, and rehabbing 32nd Avenue South is one project that we haven't discussed yet. He pointed out that it is scheduled to be done in 2012 and 2013, and while we won't include projects from 2012 and 2013 in the T.I.P. or S.T.I.P., the State likes to see these regional projects shown at least a couple of year out of the T.I.P. cycle.

Benning referred to the project summary list, and explained, referring to the three HSIP projects shown in 2008, that if you do a safety project on a regional system the dollar amounts come out of NDDOT's Regional Allocations, and if a safety project is on the City's urban road system the dollar amounts come out of the City's Urban Road Program. Thompson asked if that should be indicated in the future. Benning responded it should be indicated, possibly under federal share using a parenthetical to show it is coming from the correct allocation. Thompson asked he wants them to list them under the category. Benning responded they should be shown as safety projects. He explained that they get \$6,000,000.00 a year for safety work, and if he knows it is a safety project he can take it to their planning division, who runs their HSIP Program, and are the ones that program those projects. He stated that they have a safety project going on in Bismarck next year that is on their regional system, and he just as that very question the other day, telling them that they designated the project as a safety project, and they told him that it still comes out of their regional allocation each year. Haugen commented that he was just noting in the S.T.I.P. that in the out years they just have generic safety improvement program projects, rural and urban, and he was wondering how they access those funds, and are they separate funds or are they part of the urban road pot as well. Benning responded that the projects have not been

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identified yet in 2008 for safety funds. Haugen stated that he thinks that is what the City of Grand Forks is trying to do, to have these projects maybe thought of for those funding sources rather than just for urban roads. Benning stated that he would check into this further and get back to staff. Thompson commented that if it becomes necessary to combine all three projects into one project because they are all built up intersections, staff wouldn't object to that. Benning responded he will check to see if that can be done, but he would think it is necessary to keep them separate as there are three different agreements involved.

Bittman commented that HSIP Projects are usually funded using a 90/10 split, is it not. Benning responded that it depends on which system the project is on. He explained, for example, that if it is on the Regional Secondary System it is funded using a 90/5/5 split. He stated that there is a table in the local government manual that gives those funding splits.

Haugen reported that on the transit side the only change from the current T.I.P. is a projected 5% increase in federal funds, and then regarding the 5309 they show another statewide request for both North Dakota and Minnesota, and they do have some capital expenses they would like to pursue funding for once MNDOT puts in it's other statewide request.

Haugen summarized by saying that these are the projects that have been submitted to the MPO, and staff feels they are consistent with it's Long Range Transportation Planning Documents, and should be given a priority ranking.

MOVED BY FOSTER, SECONDED BY WIELAND, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE FY 2008-2011 T.I.P. PROJECT APPLICATION AS BEING CONSISTENT WITH THE LONG RANGE TRANSPORTATION PLAN, AND TO GIVE IT A HIGH PRIORITY RANKING.

MOTION CARRIED UNANIMOUSLY.

Haugen reported that the MPO Executive Policy Board will be meeting on Friday, and, assuming they agree, will approve these projects as well, after which staff will send them to the respective DOTs for their processes. He stated that he expects a response from NDDOT by the middle of February. Benning responded that normally, once the T.I.P. is approved, and he gets a letter stating such, they make distribution of the program to their eight districts, and three division holders, and then allow them three weeks to comment, then they take it forward to their Deputy Director of Engineering and Commissioner for any last minute comments and their signatures. He said that this process can normally be completed by mid-February, and he has them ready for the large MPO meeting, but they currently have a position open for their Transportation Program Director, and he is the one who controls all of the state funding, so this year, instead of seeing the program in March, you will probably be seeing the final in April, but he will try to get drafts out by February or March.

Haugen stated that on the Minnesota side they go through the ATP Process first, and they will forward their comments to St. Paul, and we will get a response from them in April or May. He

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explained that in the past they normally would have a pretty good idea of what our Draft T.I.P. would look like by April, however that may not be the case this year, but, in the end we have until August to approve the final document.

Haugen commented that, as noted in the staff report, there are still some remaining SAFETEA-LU Programs that are out there, one of which will be discussed with the next agenda item.

MATTER OF UPDATE ON NORTH DAKOTA'S SAFE ROUTES TO SCHOOL PROGRAM

Benning introduced Pam Wenger (via telephone), who is NDDOT's Safe Route To School Program Manager. He explained that Ms. Wenger started in their division in October, and is currently working on developing a Safe Route To School Brochure, which she did review with their management team in November. He said that from that review some changes were made to the brochure, and it was then given back to management for further review and comments, which is where it currently is.

Wenger stated that, as Mr. Benning indicated, they are still in the development stage at this time. She reported that they are currently working on the applications and the brochure, and as soon as some decisions are made by management regarding the structure of the program they will begin moving forward, hopefully within the next six weeks. She commented that the applications, once completed, will be distributed to all of the cities, counties, MPOs and schools throughout North Dakota.

Haugen asked what dollar amount will be programmed for the 2007 year. Wenger responded that that is actually a decision management is currently working on right now. Benning commented that he thinks this program started in 2005. Wenger stated that that was correct, that funding from 2005 through 2009 will be programmed. Benning said that they receive \$1,000,000.00 a year, and one of the options discussed was, at least for the first couple of years, to program \$1,500,000.00 each year to catch up, but no decision has been yet at this time.

Ellis asked if they were going to cap their infrastructure/non-infrastructure requests. Wenger responded that they plan on capping each project's infrastructure, but she isn't sure about the non-infrastructure yet.

Haugen asked if the \$1,500,000.00 being discussed would be available to anybody and everybody, or are you stratifying the \$1,500,000.00, some for the urban side and some for the rural side, or how are you planning on awarding it. Benning responded that they are looking at something like that, but the rules were somewhat ambiguous, so they are looking at setting up a selection committee, somewhat similar to the selection committee they have for the Transportation Enhancement Program, to determine which projects should be awarded funding. He briefly explained that award process, explaining that once a decision was made, those being awarded funding would receive letters signed by the Governor, and those not receiving funding would receive letters signed by local government.

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Hampsten asked if there would be a minimum cost value set for each project. Wenger responded that at this point there wouldn't be a minimum cost value set for each project. Hampsten asked, then, if that means that an economical project would not be penalized for being economical. Wenger responded that they would not be penalized for being economical. Johnson commented, however, that even though a minimum is not set, they would have to look at whether or not it is worth the effort to have all the federal strings attached to a project that would receive minimal federal funding.

Thompson asked, with it being at least six weeks before we receive any guidelines for project submittal, and then another ten weeks before review completion of those projects submitted, would you anticipate any construction yet this season. Benning responded that he would think there would not be any construction this season. Wenger commented that they may be able to do some of the non-infrastructure, the soft money so to speak, this summer.

Ellis asked, in terms of award, could you put together a number of projects for one school district to be considered as one project, or does it have to be a single project that is going to be awarded for one school district, and that's it. Wenger responded that, again, the structure isn't determined yet, but she would think that if you have several schools in one scope, then you could do it in one project, but if you are doing a sidewalk improvement at one school, and you are doing something entirely different at another school, then they should be submitted as separate projects.

Benning reported that the dollars that are being awarded for these projects can only be used for construction of the project itself, as federal dollars cannot be used for any kind of project concept report for the project. Haugen stated, then, that these dollars are construction dollars only. Benning responded that that would be correct.

Wenger commented that should anyone have any questions concerning this, please call her at: (701) 328-4787.

Information only.

OTHER BUSINESS

1. Matter of Annual Project Listing

Haugen reported that one of the SAFETEA-LU requirements we have to do is to provide an annual listing of our projects to include a summarization of what was programmed in 2006, what was completed in 2006, and how much federal funding was extended in 2006. He stated that he will be sending out a letter that will include a list of what was programmed in the T.I.P. and S.T.I.P. for 2006, and would request that everyone please respond to that letter as soon as possible by listing which 2006 projects were completed, how much federal money was used, and which projects were extended into 2007, and which projects were dropped. He added that he would then bring this information to the February Technical Advisory Committee meeting for review and discussion.

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Haugen commented that besides this being a new SAFETEA-LU requirement, in the past our T.I.P. document, that we approved in August, included an appendix that more or less did this annual listing, and last August we determined that doing so was a problem because a lot of the projects were still open at that time, therefore we decided to wait until January or February to do the listing.

2. T.I.P. Amendments

Haugen reported that there will be a couple of T.I.P. amendments that we will need to process through at our next Technical Advisory Committee, so that will be on our next agenda.

3. Mid-Year Review

Benning commented that they are tentatively looking at holding the Mid-Year Review for the MPO on Wednesday, May 9th, from 8:30 to 11:30 a.m., which coincides with the May Technical Advisory Committee meeting. Haugen stated that he would check the schedule and get back to Mr. Benning to confirm this date.

3. T.E. Projects

Benning reported that the Director's Task Force met yesterday to review the urban and rural projects. He stated that on the urban side there were fourteen projects submitted, and they awarded six; and on the rural side there were twelve projects submitted, and they awarded seven. He added that letters indicating whether or not your project(s) were awarded funding will be going out soon.

ADJOURNMENT

***MOVED BY THOMPSON, SECONDED BY ELLIS, TO ADJOURN THE JANUARY 10TH,
2007, MEETING OF THE TECHNICAL ADVISORY COMMITTEE AT 2:15 P.M.***

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted by,

Peggy McNelis
Executive Assistant