

**PROCEEDINGS OF THE
EXECUTIVE POLICY BOARD OF THE
GRAND FORKS/EAST GRAND FORKS
METROPOLITAN PLANNING ORGANIZATION
Wednesday, May 20th, 2009 – 12:00 Noon
Grand Forks County Commissioners Chambers**

CALL TO ORDER

Gary Malm, Chairman, called the May 20th, 2009, meeting of the MPO Executive Policy Board to order at 12:10 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Gary Malm, Punky Beauchamp, Warren Strandell, Dick Grassel, and Doug Christensen.

Those members who were absent were: Art Bakken, Steve Adams, and Greg Leigh.

Guest(s) present were: Dean Rau, Assistant City Engineer.

Staff present were: Earl Haugen, GF/EGF MPO Executive Director; Daniel Ollhoff, GF/EGF MPO Intern; Kristen Benidt, GF/EGF MPO Intern; and Peggy McNelis, GF/EGF Executive Assistant.

DETERMINATION OF A QUORUM

Chairman Malm declared a quorum was present.

INTRODUCTIONS

Haugen introduced Daniel Ollhoff and Kristen Benidt, GF/EGF MPO Interns, to the board. Malm asked where they were from. Daniel Ollhoff responded that he was originally from Belle Plaine, Minnesota; and Kristen Benidt responded that she was originally from Mentor, Minnesota.

APPROVAL OF THE APRIL 22ND, 2009, MINUTES OF THE MPO EXECUTIVE POLICY BOARD

MOVED BY GRASSEL, SECONDED BY BEAUCHAMP, TO APPROVE THE APRIL 22ND, 2009, MINUTES OF THE MPO EXECUTIVE POLICY BOARD, AS SUBMITTED.

Voting Aye: Grassel, Strandell, Beauchamp, Malm, and Christensen.

Voting Nay: None.

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MATTER OF 2009 T.I.P. AMENDMENTS

Haugen reported that the reason for the T.I.P. amendment is to bring in two projects for the 2009 project year. He explained that both projects consist of improvements to railroad crossings at 3rd Street and 4th Street in the Grand Forks Downtown area.

Haugen stated that a public hearing was held at the Technical Advisory Committee meeting last Wednesday, with no comments or public input being submitted, therefore, both staff and the Technical Advisory Committee recommend approval.

MOVED BY BEAUCHAMP, SECONDED BY STRANDELL, TO APPROVE THE FY 2009-2012 T.I.P. AMENDMENTS AS SUBMITTED.

Voting Aye: Grassel, Strandell, Beauchamp, Malm, and Christensen.

Voting Nay: None.

MATTER OF FREIGHT STUDY

Haugen reported that, per a request from NDDOT, this project was actually started at the beginning of last year in order for us to be compliant with SAFETEA-LU requirements and regulations. He stated that it is essentially a profile of the freight industry in the Grand Forks and East Grand Forks communities.

Haugen commented that back in March this body did approve the Preliminary Draft Freight Study Report. He added that a public open house scheduled in April was postponed due to flood events, so it was held on May 7th instead, with no comments received from the public. He stated that the Technical Advisory Committee, at their Wednesday meeting, did forward a recommendation to approve the Final Freight Study Report.

Haugen reminded the board that this is a profile of the freight industry, and is not meant to generate any specific recommendations as to what projects to do when, or any dollar amounts at which to do them, but that it does provide us with a snapshot of the freight industry in order to help us prepare for the next Long Range Transportation Plan to have a more in-depth discussion on freight needs.

MOVED BY CHRISTENSEN, SECONDED BY GRASSEL, TO GRANT FINAL APPROVAL TO THE FREIGHT STUDY.

Voting Aye: Grassel, Strandell, Beauchamp, Malm, and Christensen.

Voting Nay: None.

MATTER OF PAVEMENT MANAGEMENT CONDITION RATING UPDATE

Haugen reported that this item involves approval to hire a consultant to perform the Pavement Management Condition Rating Update. He reminded the board that when we were adopting the

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MPO's Annual Unified Work Program last year, we had some good discussion on this item. He explained that the information gathered will be used to assist both cities in their budgeting process for pavement maintenance projects, specifically whether or not they need to do more of a maintenance type repair or more of a rehab type repair. He added that this will also identify some budget items.

Haugen stated that the work program identified a \$90,000 budget available for the consultant, however, the bid they presented was for \$70,000, and includes two options that staff is asking you to approve as well: 1) to do a presentation on the capabilities of the software for both City Councils; and 2) to do some on-site training of staff on the software.

Haugen reported that staff worked with the NDDOT and Federal Highways to be able to do a "sole source" selection for this project. He explained that the reason for this is because back in 2002, when we went through the regular RFP process, once we selected the ICON Software we sort of put ourselves in a position where there really aren't any competitors to that software package. He said that they did go out and try to generate some more interest when we did the Right-Of-Way Imaging project last fall, but we only received a proposal from GoodPointe at that time as well, therefore, both the NDDOT and Federal Highways agreed that "sole sourcing" this project was justified.

Haugen stated that both staff and the Technical Advisory Committee recommend entering into an agreement with GoodPointe Technology to provide the Pavement Management Condition Rating Update, and to execute Options 1 and 2, at a cost of just over \$70,000.

Grassel commented that East Grand Forks has its own engineers, and our own public works personnel, and he is only speaking for East Grand Forks, but we aren't that large of a city that we don't know where the pavement is breaking up, and can't determine what needs to be done, so he doesn't understand why we would want to spend \$70,000 for someone to come in and tell us that what we can already determine on our own. Haugen responded that the data base generated with this will be compatible with our GIS system, and also the budgetary tools that the software provides would assist in helping to identify the most financially feasible manner of repairing our roadways, as well as to help establish a more accurate budget for maintaining pavement surfaces.

Christensen asked who would be entering all this data. Haugen responded that that is what the consultant would be doing. He added that they would also be working with both engineering and public works departments to reach an agreement as to what each section of pavement should be rated, and then will train staff on how to use the software to best identify which segments need to be worked on, what work needs to be done, and also how best to budget in order to maintain the pavement we have. Christensen asked what he thinks we have been doing the last 50-years without this, and isn't there something else we could use the \$70,000 for if we don't do this. Haugen responded that this is the same method the DOT uses to make their decisions on pavement maintenance, just bringing it to the city level. He added that, again, it provides more documentation, more justification, and more analyses for the type of treatments that are appropriate for a particular segment of roadway.

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Grassel stated that he has a problem with spending that kind of money on something like this because it doesn't take more than half a day to drive around the City of East Grand Forks and be able to find the areas that need to be repaired. He said that he doesn't see why we need to spend \$70,000 for a consultant to come in and tell us the same thing. He pointed out that we only have so much money to spend each year on roadwork at any rate. Christensen agreed, adding that Grand Forks personnel can do the same thing, can determine on their own what street needs repair, and how much needs to be done to get that repair accomplished.

Discussion ensued.

MOVED BY CHRISTENSEN, SECONDED BY GRASSEL, TO DENY APPROVING THE MPO ENTER INTO CONTRACT WITH GOODPOINTE TECHNOLOGY TO PROVIDE A PAVEMENT MANAGEMENT CONDITION RATING UPDATE.

Beauchamp asked if this decision would affect any other funding. Haugen stated that if you decide to deny this we can use the funds to do projects that were identified to be done in 2010, we could bring them in sooner. He added that this was actually a request from City staff, and was approved by the City Councils, and we did have this discussion when we approved the work program last fall, to include it in 2009. He said that they did work with staff and cognizant agencies to come up with the Scope-of-Work before you, and it did come in under budget, but if you deny it we will move on to the next item.

CHRISTENSEN WITHDREW HIS MOTION, AND GRASSEL WITHDREW HIS SECOND.

MOVED BY CHRISTENSEN, SECONDED BY GRASSEL, TO TABLE THIS ITEM TO THE JUNE 17TH, 2009, MPO EXECUTIVE POLICY BOARD MEETING FOR FURTHER DISCUSSION.

Voting Aye: Grassel, Strandell, Beauchamp, Malm, and Christensen.

Voting Nay: None.

Dean Rau, Assistant Grand Forks City Engineer, stated that he would like to note that staff would like to see this done because it is a tool they can use to evaluate the streets in addition to visual inspections. He explained that if you send ten people out to look at our roadway system, you can actually get ten different opinions as to which segments need repair, and what needs to be done.

Christensen asked how this actually works, does it have infrared that goes in and tells you what needs to be done, is it nuclear. Rau responded that actually the photos have already been taken, and are on our website, the GIS site, and he believes that East Grand Forks also has access to these photos as well, but there are actually photos of the roadway itself, with five different shots of each segment. He said that he believes that they then use this information to evaluate the pavement condition using ride and other factors. Christensen asked how a picture can tell you the ride. Haugen responded that they can do this via the depth of the depressions, cracking, and heaving of the roadway.

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Malm stated that this item has been tabled, therefore he would like to move on, and hold further discussion at the next meeting when we can have those people involved with this present.

MATTER OF SIGN RETRO-REFLECTIVITY MAINTENANCE PLAN

Haugen reported that there are two actions staff is asking you to do: 1) amend the work program to bring this activity in as an identified project that the MPO would undertake in 2009; and 2) to approve the Scope-of-Work.

Haugen explained that the City of Grand Forks, last fall, submitted a list of prioritized projects, and a list of non-prioritized projects. He stated that when staff went through these lists, and our funding level, the list of non-prioritized did not get funded, and the Sign Retro-Reflectivity Maintenance Plan was one of those projects.

Haugen stated that the City then decided to use some of its stimulus funds to start the process of replacing signs at its major intersections, and as that projects went forward the State and Federal Agencies reviewing it wanted to see the City do a maintenance plan, which is part of the requirements of the Manual of Uniform Traffic Control Devices.

Haugen commented that when the State sent a letter discussing this to the City it indicated that they want to ensure that the maintenance plan is done under the MPO process. He reported that because of this we had to identify that this isn't part of our work activity for 2009, but that with the supposed savings we should have from the pavement management project, of roughly \$20,000, we felt that there would be enough funds available to undertake this activity in 2009. He added that this is a requirement the City has to fulfill in order for it to receive stimulus funding, and is also a requirement under the Manual of Uniform Traffic Control Devices, which says that all signs need to be updated to the new standard. He said that the maintenance plan needs to explain how the cities will provide continued upkeep of these signs.

Haugen stated that both staffs are excited that we are undertaking this, and the Scope-of-Work has been well developed and we are ready to begin in June.

MOVED BY GRASSEL, SECONDED BY BEAUCHAMP, TO APPROVE AN AMENDMENT TO THE 2009-2012 MPO ANNUAL UNIFIED WORK PROGRAM TO INCLUDE THE SIGN RETRO-REFLECTIVITY MAINTENANCE PLAN IN FY YEAR 2009, AND TO APPROVE THE SCOPE-OF-WORK AS SUBMITTED.

Voting Aye: Grassel, Strandell, Beauchamp, Malm, and Christensen.

Voting Nay: None.

MATTER OF DISCUSSION ON BRIDGE CLOSURE TRAFFIC MANAGEMENT PLAN

Haugen reported that this past spring we had the opportunity to analyze if what we thought would happen when we started closing bridges during a flooding event would, in-fact, happen. He stated that, if you will recall, back in 2006 and 2007 we spent a lot of time producing the

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Bridge Closure Traffic Management Plan, in which we had specific activities identified to occur at certain river levels.

Haugen referred to information included in the packets, and stated that it contains discussion on two areas in which people felt that the management plan was not followed well, or that there was a failure to coordinate and/or communicate.

Haugen stated that the first issue discussed is the opening of the Sorlie Bridge after the flood event occurred. He explained that both MNDOT and NDDOT Districts are to be involved, as it is their bridge, and they are the ones who are supposed to inspect the bridge prior to it reopening. He commented that a meeting was held at which everyone agreed that the Sorlie would open on a certain date and time, and that was changed to an earlier one without communication to that effect happening with the District Offices, so they were frustrated and wanted to point it out.

Haugen said that the other issue was when the Louie Murray Bridge closed a lot of traffic was diverted over to the intersection of 220 and U.S. 2, and MNDOT was not very receptive in the beginning to having the proper traffic control out there, although they did eventually get on board, it was felt that they should have done so right away.

Haugen commented that the Technical Advisory Committee felt that with these examples, as well as with others that have since come up, we should invite all the people that are a part of this process to meet to see what can be done to make this document more doable as we go forward with future flood efforts. He stated that he just wanted to make sure that this body was informed of this, and to let you know that we will be working on getting the plan to function even more smoothly.

Grassel stated that the opening of the Sorlie Bridge was done in the wake of a lot of communication between all entities involved, between the Cities of Grand Forks and East Grand Forks, NDDOT and MNDOT, etc.. He added that he attended every one of the flood meetings that occurred during this past event, and he knows that communication did occur. He commented that North Dakota turned the task of inspecting the bridge over to Roger Hjelle, MNDOT Bridge Inspector, and said that whatever his decision was on the reopening of the bridge it would be fine with them as they were getting pressure from Grand Forks to get that bridge open as much as East Grand Forks.

Grassel recalled that they were prepared to reopen the bridge on Friday, but since Mr. Hjelle was in Alvarado that Thursday, they contacted him in the morning and he turned around and came back and inspected the bridge that afternoon, giving the okay between 2:00 and 3:00 to reopen it. He stated, then, that because of all of the pressure from not only the residents of the two communities, but the city councils as well, the two engineering firms in both cities decided to open it that afternoon, and it was done.

Grassel reported that as far as the issue out at 220 and U.S. #2, they contacted MNDOT right away and they said they wanted a day or two to see how it was going to work out. He said that they were after them to get some stop signs up out there, and they finally did that, and then about

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the third day they had a couple sets of Highway Patrolman out there in the mornings directing traffic.

Grassel stated that this is the first time that they have had to close the Louie Murray Bridge down, but what they are going to do in the future is to put up a berm along Rhinehart Drive, or 2nd Street from the Louie Murray to the opening so that we hopefully won't have to close that bridge down again unless the water gets up to 57 feet, so they are already working on this. He added that they have asked for another bridge between the two cities, a high and dry bridge, but that hasn't happened, and probably won't any time soon, but as far as communication is concerned, he thinks that there was sufficient communication going on throughout the event.

Rau commented that he agrees that there were meetings held, and they did make the decision Thursday morning to that they would have the bridge inspected Thursday and open it Friday, but he was unaware that that had changed until he went back over to the Sorlie later Thursday afternoon and it was open. He stated that when he got back to the office he was told that they were just informed that the bridge was reopening only fifteen minutes before he got there, so he would have to say that there was a lack of communication, and he isn't saying it is anyone's fault, and the bridge did need to be opened, but that decision should have been discussed with Grand Forks Engineering and the NDDOT District office before it was actually done, so he would have to say that we do need a little bit better system for communicating these decisions.

Christensen said that he agrees that the plan may need to be looked at, but that is something that needs to be dealt with with those involved, not this body. He also pointed out that someone on the Grand Forks side took the wall down on our side of the river, whether it was someone from Public Works, or Engineering, or whatever, but someone knew about it.

Beauchamp suggested that when this meeting is scheduled they include the Highway Patrol as well, so we don't have any issues with them should another flooding event occur. Haugen stated that they will be inviting all entities involved to the next Technical Advisory Committee meeting to hopefully iron out all these concerns. Grassel added that the City of East Grand Forks will also be meeting with MNDOT regional personnel in the next month or so as well so some of these issues will be discussed at that time too.

MATTER OF WORK PROGRAM STAFF HOUR ADJUSTMENT

Haugen stated that a copy of a letter from the City of East Grand Forks requesting that they be able to continue their relationship with the MPO, which involves having our staff perform the planning duties for the City, was included in the packet. He explained that when East Grand Forks adopted its budget for 2009, they did include the possibility that they may eliminate our relationship, and hire a combined Building Inspector/Planner position, but since that time, with the Legislature's outcome, Mr. Huizenga sent the letter suggesting that he doesn't think they will be pursuing that, and therefore, because we had taken the second half of 2009 and included more of Ms. Ellis' time with other activities, since that is no longer the case we will have more staff hours available for other duties.

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OTHER BUSINESS

1. Thompson Bridge

Strandell reported that Mr. Sanders and Mr. Onstad have arranged to hire a Minnesota State Bridge Inspector to be on site during the construction of the Thompson Bridge. He explained that the reason for this is because there will be so much scrutiny done by the feds to ensure all specifications are met, and it will be more cost effective to have this one person on site than it would be to have to pay overtime for our staff.

2. Merrifield Bridge/Interchange Projects

Malm asked where we are on the Merrifield issue. He said that the other day he was asked by someone about this. Haugen responded that they have met with the property owners, and he asked them if they are still together on the donation of right-of-way, as that is part of the package they had been selling the last couple of times the issue was discussed. He stated that another meeting will be held soon, and the issue of right-of-way will again be discussed to determine if they are, in-fact, still willing to donate the right-of-way as that will play a big role in possibly getting the project programmed. Malm commented that he was told the other day that all of the property owners are willing to donate the right-of-way. Christensen asked, assuming we get the right-of-way, what will the next step be. Malm responded that he talked to Roland Young, who said that times are tough and access is poor, and they would like to know where this is going, and how is it going, and who is supposed to be pushing it.

Grassel stated that it was his understanding that between the Browns, the Youngs, and the Drees' they were going to donate the right-of-way, and then the NDDOT said that they weren't going to do anything until 2012. Malm said that that is correct, but now they are losing people out there, and they are willing to donate property, so now we need to know where we have to go from here, and who do we deal with to get it done. Haugen responded that he told them that they have to deal with all everyone; the local agencies, the cities, the State, and the Congressional Delegations. Malm commented that he can honestly say that the Congressional Delegation in North Dakota will never touch bridges and roads, because they feel that that needs to be handled by NDDOT and Federal Highway personnel.

Strandell commented that MNDOT has said that they don't think there is a need for another bridge between Grand Forks and East Grand Forks. Beauchamp stated that there is a need for a high and dry bridge. Strandell said that the Thompson Bridge should be high and dry. Malm agreed, but added that the Thompson Bridge is 15 miles south.

Malm suggested that Mr. Strandell and himself should probably talk about this further. He asked that Mr. Haugen forward any information he receives concerning this to him, and he will get in touch with Mr. Strandell to discuss it.

Discussion only.

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ADJOURNMENT

***MOVED BY GRASSEL, SECONDED BY CHRISTENSEN, TO ADJOURN THE MAY 20TH,
2009, MEETING OF THE MPO EXECUTIVE POLICY BOARD AT 12:49 P.M.***

Voting Aye: Grassel, Strandell, Beauchamp, Malm, and Christensen.

Voting Nay: None.

Respectfully submitted by,

Peggy McNelis,
Executive Assistant