

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

**Friday, February 19<sup>th</sup>, 2010 – 12:00 Noon  
Grand Forks County Commissioners Chambers**

**CALL TO ORDER**

Gary Malm, Chairman, called the February 19<sup>th</sup>, 2010, meeting of the MPO Executive Policy Board to order at 12:00 p.m.

**CALL OF ROLL**

On a Call of Roll the following members were present: Gary Malm, Warren Strandell, Steve Adams, Greg Leigh, Mike Powers, and Doug Christensen.

Absent were: Dick Grassel and Art Bakken.

Guest(s) present were: Lane Magnuson, Grand Forks County Planner; Al Grasser, Grand Forks City Engineer; and Dean Rau, Assistant Grand Forks City Engineer.

Staff present were: Earl Haugen, GF/EGF MPO Executive Director; Nancy Ellis, GF/EGF MPO Planner, Senior; Teri Kouba, GF/EGF MPO Planner; Matt Leal, GF/EGF MPO Intern; Aaron Nelson, GF/EGF MPO Intern; and Peggy McNelis, GF/EGF Executive Assistant.

**DETERMINATION OF A QUORUM**

Chairman Malm declared a quorum was present.

**APPROVAL OF THE JANUARY 20<sup>TH</sup>, 2009, MINUTES OF THE MPO EXECUTIVE POLICY BOARD**

***MOVED BY STRANDELL, SECONDED BY POWERS TO APPROVE THE JANUARY 20<sup>TH</sup>, 2010 MINUTES OF THE MPO EXECUTIVE POLICY BOARD, AS SUBMITTED.***

***Voting Aye: Adams, Strandell, Leigh, Powers, and Malm.***

***Voting Nay: None.***

**MATTER OF APPROVAL OF THE RECLASSIFICATION OF THE EXECUTIVE ASSISTANT TO OFFICE MANAGER**

Haugen reported that, as noted in the staff report, over the past year the Executive Assistant has had to assume some additional duties, which, in the past had been handled by the Grand Forks Human Resource Department. He explained that most of these duties relate to the benefit packages the MPO offers its employees.

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Haugen stated that we have acknowledged that these are new duties, and are not included in the existing Executive Assistant job description, and therefore have been working with the Grand Forks Human Resource Department to try to determine the best way to make the necessary adjustments to acknowledge these additional responsibilities. He pointed out that with the assistance of the Grand Forks Human Resource Department, a new job description was developed, that of Office Manager, and a copy was included in the packet. He stated that it was also suggested that the pay grade be increased from 32 to 35, with the actual increase in salary being just over \$2,300.00.

Haugen reported that this information was shared with the Finance Committee at a meeting on February 5<sup>th</sup>, and they approved forwarding a recommendation to this body to approve the reclassification, to amend the job description and step increase, and to make it retroactive to January 1, 2010.

***MOVED BY LEIGH, SECONDED BY ADAMS TO APPROVE THE RECLASSIFICATION OF EXECUTIVE ASSISTANT TO OFFICE MANAGER, THE AMENDED JOB DESCRIPTION, AND THE CORRESPONDING STEP INCREASE RETROACTIVE TO JANUARY 1, 2010.***

***Voting Aye: Adams, Strandell, Leigh, Powers, and Malm.***

***Voting Nay: None.***

**MATTER OF 2010-2013 AMENDMENT**

Haugen reported that this is essentially a request from the NDDOT, to make amendments to our T.I.P. document for Fiscal Year 2010. He pointed out that there are three amendment that are being proposed, with two primarily involving changes to the scope of work or modifications to the dollar amounts; and the third requiring more substantial changes. He referred to the packet, Page 17, and pointed out that the proposed changes are shown highlighted in yellow.

Haugen stated that the first two projects involve US Highway 2, with the first being a signage project. He reminded the board that the MPO did a Retro-reflectivity study for sign replacement in the Grand Forks and East Grand Forks areas this past year, and both the NDDOT and MNDOT have to comply with the new MUTCD retro-reflectivity standards as well, so the NDDOT has a project programmed to replace the signage along U.S. Highway 2, originally beginning at the city limits of Grand Forks and continuing to Arvilla, but the new termini has the project beginning at Red River and continuing to Niagra, thus increasing the coverage area, and in-turn the cost of the project slightly.

Christensen reported present.

Leigh asked what prompted the change in boundaries. Haugen responded that it was basically due to their acknowledging that because they were already doing signage here already, they might as well go ahead and do that remaining stretch within city limits.

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Haugen reported that the second project is also on U.S. Highway 2, and is actually a reconciliation of our T.I.P. to the S.T.I.P. He explained that when we adopted our T.I.P. we showed a higher cost estimate for this project, which involves doing some pavement work on U.S. Highway 2 between Arvilia and North 55<sup>th</sup> Street, than what was shown in the S.T.I.P., therefore we have lowered the cost in the T.I.P. so it is in compliance with the amount shown in the S.T.I.P..

Haugen stated that the third amendment is in response to NDDOT's desire to begin the project development process on the Sorlie Bridge Replacement project, so we are including the \$3.125 Million Dollar cost to begin the RFP process, or Phase 1 of the project development process.

Haugen referred to Page 18 of the packet, and pointed out that total Federal amount will be \$2.5 Million. He added that both the State and the City will also come up with matching funds as well. He explained that they are anticipating there will be three phases to this project before a conclusion can be made as to what the project will actually entail, with the first phase being funded entirely by North Dakota, the second phase being funded entirely by Minnesota, and the third phase, if necessary, being funded with a 50/50 cost share between Minnesota and North Dakota.

Haugen referred to the packet, and reported that a public hearing was held at the Technical Advisory Committee meeting last Wednesday, and a staff person from the Grand Forks Historic Preservation Commission was present, and did comment on the issue (a copy of that discussion was included in the packet and is available upon request). He said that, basically, they just wanted to remind us that the Sorlie is a historic structure, and any work done on it would have to comply with Section 106 rules, as well as with all the other historical criteria placed on that structure.

Haugen stated that the Technical Advisory Committee, and staff are recommending approval of the T.I.P. amendments as submitted.

Leigh asked, for \$3,000,000 per state, what kinds of things will be done. Haugen responded that they will most likely start with a more detailed analysis of the structure itself in order to determine whether or not it should be replaced or rehabbed. He added that one thing that will need to be done is to establish a purpose and need statement that will help identify what alternatives might be considered. Leigh stated, then, that basically for about \$6,000,000 they will tell us whether or not we need to replace the bridge, and this doesn't include doing any actual structure work at all. Haugen responded that that would be correct. Leigh said that that is a lot of money. Haugen responded that it is, but you have to keep in mind that it is navigable waterway, and its hydraulics and the flood protection system complicate things, you have two states involved with their different bureaucracies, and you have two federal regions involved with their bureaucracies as well. He added that while North Dakota is the lead agency on this project, this does not absolve Minnesota of any responsibilities or decisions.

Grasser stated that he has a couple of comments that might fit in with Mr. Leigh's questions. He said that the City of Grand Forks was concerned when the request was first made that they had

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not budgeted for the \$300,000 plus local share involved with this project, but they talked with the NDDOT to get a little more clarification on the project. He commented that the first \$3,000,000 will go towards the costs involved with doing the project concept report. He reported that they asked for a timeline on when these expenditures might occur, as their first thought was that the City would have to come up with \$300,000 in local funding, but in reality the 2010 request will be about \$20,000, which the City can handle with an internal budget amendment. He went on to explain that the study timeline indicates that they are anticipating the project will be completed in 2015. He added that he feels that what complicates it is, as Mr. Haugen stated, the multiple jurisdictions and the historical designation. He stated that he also feels the NDDOT is right to start this process early because they are kind of a long grind. He reported that from the City's standpoint, we are looking at this costing about \$20,000 in 2010, about \$30,000 in 2011, and the \$80,000 in 2014 and 2015.

Strandell asked who would be doing the study, would it be done in-house or by a consultant. Grasser responded that it will be managed by the NDDOT, and will be done by a consultant.

Christensen asked if they could use some of the \$6,000,000 for this project, and he knows this is a rhetorical question, to build out 4<sup>th</sup> so we can keep the crossing at the point in good shape. He said he knows this is funny, but it really isn't funny because you are going to have a bridge go down, and you will have a lot of additional traffic on the remaining bridges. Grasser responded that this is true, and that will be one of the things that will need to be studied, sequencing and alternative routes, and he would think that would be part of the technical analysis of the project concept report.

***MOVED BY LEIGH, SECONDED BY POWERS, TO APPROVE THE FY 2010-2013 T.I.P. AMENDMENT, AS SUBMITTED.***

***Voting Aye: Adams, Strandell, Leigh, Powers, Malm, and Christensen.  
Voting Nay: None.***

**MATTER OF PROPOSED TRANSIT PROJECTS FOR THE 2011-2014 T.I.P.**

Haugen reported that these are the projects on the transit side that are seeking federal funds for the next T.I.P. cycle. He stated that, for the most part with transit, the bulk of the projects are just a continuation of their operations as they currently are, and that is what is going on on the East Grand Forks side, with us just adding an additional year of projects for 2014, and increasing the costs 3%.

Haugen commented that on the Grand Forks side there are some programs that they apply for, and participate in on a statewide basis that are a little above and the basic operations, so on page 28, the three projects listed are all projects Grand Forks is applying for.

Haugen referred to Project 3 on Page 28, and explained that each year the North Dakota Statewide Capital Grant Request gets submitted for earmarks, and for the last ten years or so our

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delegation has been successful in earmarking funds for capital purchases. He stated that in 2011 they are looking at doing most of the work in the public transportation building out in the Industrial Park on South 48<sup>th</sup> Street, purchasing a couple of new vehicles, and some bus washing equipment, with the bulk of the funds actually going towards the work involved in upgrading the public transportation building.

Haugen commented that Projects 4 and 5 are continuations of some special grants, with the first being the Job Access Reverse Commute (JARC), which is how we fund Routes 12 and 13, which service the Alerus Center connection to Target to South Middle School to South Grand Forks, and back up through the Mall and Hospital. He stated that the last program is the New Freedom program, which is primarily used to purchase some demand response vehicles.

Haugen stated that because they are seeking federal funds for these projects, they need to appear in our T.I.P., therefore we need to have them approved as projects for us to consider when we draft our Transportation Improvement Program for 2011-2014, and then we can forward them on to our cognizant agencies. He said, then, that the Technical Advisory Committee and staff are recommending the board approve these projects as being eligible for the funding consistent with our Long Range Transportation Plan, and to give them a priority ranking.

***MOVED BY ADAMS, SECONDED BY STRANDELL, TO APPROVE THE FY2011-2014 T.I.P. PROJECT APPLICATIONS AS BEING CONSISTENT WITH THE LONG RANGE TRANSPORTATION PLAN AND TO GIVE THEM A PRIORITY RANKING.***

***Voting Aye: Adams, Strandell, Leigh, Powers, Malm, and Christensen.***

***Voting Nay: None.***

**MATTER OF SOLICITATION OF PROJECTS FOR POSSIBLE 2<sup>ND</sup> STIMULUS**

Haugen reported that on the Minnesota side, MNDOT, and their Federal Highway and Transit Divisions are being a little more aggressive in getting projects in the cue for T.I.P. and S.T.I.P. amendments. He stated that, as a result of that we put a notice in the paper as part of our project identification public participation requirements so that if anyone has a project, or projects they would like to see considered for the possible second stimulus, they understand that they need to go through the respective governing agencies as soon as possible in order that the projects can be submitted to the MPO by February 24<sup>th</sup>.

Haugen commented that on the North Dakota side, they have identified that there is a possibility of a second stimulus, but they have not formally requested projects be submitted to them for consideration.

Haugen explained that, being a bi-state entity, we are kind of stuck in the middle so we went ahead and did the public notice which will get us set up in the event that MNDOT tells us to move ahead with any potential projects for action at our March meeting. He added that this is all contingent on what Congress does. He stated that, as we all know, the House passed a bill last

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December, but the Senate is struggling with the issue. He added that next week the Senate will be discussing this, however the current draft document does not contain any stimulus dollars for infrastructure, although it does achieve a couple important things for us. He explained that the first thing is that it extends the authorization to have a federal transportation program for another year, and the other is that it reinvests several billions into the Highway Trust Fund that were rescinded last October, so it puts some money back into the trust fund for highway projects.

Haugen reported that yesterday a concerted effort was started with some Democratic Senators to urge Senator Reid to include the mirror image of what the house has for stimulus infrastructure, so we will need to wait and see how this all plays out, but in any event on one side of the river we are being encouraged to start getting our T.I.P. amendment process in full swing, and the other side is telling the local agencies to start preparing a list of projects so they are ready if and when something is passed, but we are not formally seeking amendments.

Haugen commented that some type of JOBS Bill will be considered next week, so right now we are in the midst of soliciting for projects. He stated that he knows that on both sides there are lists of projects going through the committee/council structures for possible submission. He added that at this time our best guess as to the possible funding that may be available is that it could be as high as what was approved in Stimulus 1, however it could be somewhat less than that as well, but at this time we are all processing on the assumption that we will have at least as much as the last stimulus go around.

Information only.

**MATTER OF STATUS OF RAILROAD CROSSING STUDY**

Haugen reported that he would like to give a brief update on the status of the Railroad Crossing Study. He distributed copies of a handout for the public meeting scheduled for next Tuesday.

Haugen stated that, again, in terms of the study this is a three part study: 1) the first part was to look at quiet zone status for fifteen crossings in Grand Forks and East Grand Forks, which has essentially been completed, however we do have a cost issue with the three crossings near the Amtrak facility on DeMers that is still being worked on with Federal Railroad and BNSF to determine what the necessary improvements are to get a quiet zone established there; 2) the second part of the study is to look at the State Mill Spur portion that runs parallel with North Washington up to the State Mill, which is what will be discussed at the meeting next Tuesday in order to come up with some alternatives as to what can be done to increase safety along that location; and 3) the third part of the study is the possible closure of Bacon Road, which was actually requested by BNSF and the State Mill, at their cost. He stated that they are holding their first property owner/neighborhood meeting at the State Mill Tuesday afternoon to get that process started. He commented that, as they work through this issue, they are becoming aware that rail activity along that Mill Spur will most likely increase to service the needs of the State Mill, so we are trying to impress on them that they shouldn't look only at what is going on out there today, but what will be happening in the future.

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Malm reported that he has received more comments on the closing of Bacon Road than he has received for a long long time. He stated that people that live in that area feel that it is a very important point, and he hopes that they have contacted staff with their concerns as well. Haugen responded that he has received many comments as well, and of all the crossings, the Bacon Road crossing has generated considerably more comments than any other crossing discussed. He stated that staff mailed personal invitations out to more than fifty business and property owners in that area to let them know of the meeting next Tuesday at the State Mill, and we have heard from several of them already, many of which will be attending. He added that they also received several written comments from those that cannot attend as well.

Information only.

**MATTER OF MERRIFIELD INTERCHANGE UPDATE**

Malm stated Grand Forks County took the lead on this item, and after some questions and concerns were voiced, decided to send a delegation to Bismarck to talk to the NDDOT about the issues involved with this project. He said that Mr. Magnuson was a member of that delegation and is present today to give a brief update on the result of that meeting.

Magnuson reported that, as Chairman Malm stated, county staff attended a meeting at the State DOT office on January 28<sup>th</sup> regarding the Merrifield Interchange project; with William Murphy, Ed Nierode, Richard Onstad, Francis Ziegler, Grant Levy, Dave Leftwich, Paul Benning, Les Noehre, and himself in attendance.

Magnuson stated that they discussed the funding and planning process for a future interchange project, along with a background of some of the challenges the NDDOT is currently facing in terms of funding levels.

Magnuson commented that it was explained to them that in order for the state to justify state and federal funds for an interchange project one of two conditions have to be met. He stated that the first condition is that the surrounding land and infrastructure has to be fully developed, basically at urban densities, to the point that highway congestion and level of service are an issue on the existing system, at which time they could then justify the project to relieve congestion and provide an acceptable level of service. He said that it was also explained that state and federal funds cannot be used for projects to promote growth, but can be used where existing growth has required the need.

Magnuson reported that the second condition where state and federal funds can be used is if the interchange were part of a by-pass project. He said that this is where the Red River bridge crossing project comes into play. He explained that without the bridge component being planned, and funded, the interchange would not be eligible for funds, although they do recognize that both projects do not have to happen at the same time, but the bridge project would have to be planned and funded or the interchange project would not be eligible.

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Magnuson commented that they did have some concerns with the economy, in terms of their future funding levels, not just for requests such as this, but for their existing projects as well. He said that they sense that future projects such as this one would be subjected to a cost/benefit analysis, while they currently aren't at this point, and they have also seen a lot of public/private partnerships occurring to move projects forward rather than waiting for federal funds to do so.

Magnuson stated that, overall, the advice given to them was to continue involvement in the MPO's planning process, as this project is part of the transportation plan. He added, however, that it was also pointed out to them that the 47<sup>th</sup> Avenue Interchange is the higher priority in the MPO's Long Range Transportation Plan than the Merrifield Interchange. He said that if it is still the desire to move this project forward at a faster pace than we might want to look at priority listings in the next Long Range Transportation Plan update, so that if the Merrifield Bridge is the highest priority bridge, then maybe that is grounds to move the Merrifield Interchange up to the highest priority interchange, whereas, if 47<sup>th</sup> Avenue is truly the highest priority interchange, then maybe the 32<sup>nd</sup> Avenue Bridge should be the highest priority bridge, but at this point the County will continue to be the lead agency on the interchange project, although it appears from the discussion that there are no federal funding available anytime soon, and we were encouraged to maybe look at a public/private partnership to get it done more quickly.

Haugen commented that, as mentioned, we will continue with the MPO planning process concerning this subject, however there is a correction that needs to be made. He explained that 47<sup>th</sup> Avenue is not a priority interchange in the MPO's Long Range Transportation Plan. He said that the plan shows that 47<sup>th</sup> Avenue is a priority only to the means that we want to preserve the corridor so that after 2035 there is a potential that beyond 2035 we could do an interchange at 47<sup>th</sup> Avenue, so he isn't sure where the idea that it is a priority came from. Leigh asked where 47<sup>th</sup> Avenue is located. Haugen responded that it is a mile south of 32<sup>nd</sup> Avenue South, by the campground and golf course. He added that he will make sure that this is clarified with the NDDOT. He stated that when we did the last Long Range Transportation Plan we did analyze 47<sup>th</sup> Avenue as a potential interchange location, but it did not rise to the top as a priority, and Merrifield was listed as a priority location for a new interchange. He added that we also included the modification of the 32<sup>nd</sup> Avenue interchange as a priority as well.

Christensen asked, with all the money we have for planning around here, can we find out how much East Grand Forks has grown to the north as opposed to the south. Haugen responded that they are doing that right now. Christensen commented that it seems to him that there has been a lot of growth to the north as opposed to the south. Leigh responded that most of the growth has been to the south. He explained that there have been some homes built near the golf course on the north side of the city, but primarily the majority of the growth has occurred around the new schools on the south side of the city. Christensen asked, then, why do we get all this traffic coming through on DeMers, through the downtowns, as opposed to on the point. Leigh responded that there are just a lot of people from East Grand Forks working in Grand Forks. He stated that as far as the point is concerned, it depends on the time of day as to how many people are crossing from one side to the other. He asked what the traffic counts are on Minnesota/4<sup>th</sup>.

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Christensen said that it is pretty simple, all you have to do is hang around there from 7:30 a.m. to 9:00 a.m., or from 4:30 p.m. to 5:30 p.m., and you will see the cars, and it's daily, so it seems to him that someone should be doing some studying about the traffic counts. Haugen responded that traffic counts are done on a continuous basis. Leigh commented that on the south end there are two times a day, and you just mentioned them, when school starts and ends, and that is why you see so much traffic at that time. Christensen stated that he is talking about the amount of people going through the downtowns, its tons of people, and he goes down there every day, and it seems to him that you don't need to study this, you just need to sit and watch it because there is just a lot of traffic, and it appears that they are all Minnesota license plates, not North Dakota, so they are coming from some place.

Christensen said that the only reason he wants to know all this is because it is going to come up again some day, ten years from now, that a bridge is needed on 47<sup>th</sup> or 32<sup>nd</sup>, and you will get the same push-back you always get, that the school on 32<sup>nd</sup> isn't going away, and there are all those people backing on 32<sup>nd</sup>, so you have all kinds of traffic, and you don't have that on 47<sup>th</sup>, and that road was designed so people don't have access on it. He stated that this is a planning group, so why don't you start planning a little bit as to where your people really are, and how you are going to develop East Grand Forks, or where it is going to develop.

Christensen stated that this is all just an observation, and he isn't going to be here when you guys build the bridge, but some might be, and you will still have the same issues you had when he first got on the City Council, and it was just a firestorm on 32<sup>nd</sup>, and that isn't going to go away, it isn't going to go away when you start talking about 47<sup>th</sup>, so this is just a word to, he hopes the wise.

Christensen asked, aren't you now planning on replacing the Sorlie Bridge, when is that going to get done. Haugen responded that it is scheduled to be done in 2018. Christensen said, then, that that means you will be done in 2020, so when do you really think you will have money in Minnesota to build their share of the bridge on Merrifield. He stated that right now this is not a time to be thinking of taxing your citizens, or selling bonds for those projects. He added that nobody sitting here will still be here by that time, but if you really think your going to get a bridge done in light of what is going on in Minnesota, it isn't going to happen, so do some real planning and think about where your going to put it in the southend if you really think you need another bridge, or on the northend, but he really doesn't see anything happening and we just keep ducking the issue. Haugen reported that our work program for the next two years is going to do that planning. He added that we are currently updating the Land Use Plans for East Grand Forks and Grand Forks, and that will answer the question as to where East Grand Forks plans to grow for the next twenty-plus years, and where Grand Forks plans to grow for the next twenty-plus years, and once we are done with that update we will then get into updating the Long Range Transportation Plan, where we will once again discuss the issue of bridges.

Christensen stated that you can plan all you want, and you can do all the studies you want, and fund all the consultants you want, but everyone sitting in this room knows that Grand Forks is going to grow to the south, that's a given, its already there, we have all the infrastructure in

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place, we don't have any infrastructure in place to the north and whoever sits on that council will not be funding it, so plan it, but understand that if you can get your two towns to grow together, but right now he doesn't see a lot of people using the Point Bridge. He commented that when he first got on the board you were saying there was a 50/50 split in usage of the Point Bridge, and he doesn't know when you took those tests, but it sure isn't 50/50 now.

Information only.

**OTHER BUSINESS**

1. ATP Meeting

Haugen reported that Mr. Strandell and himself recently attended an ATP meeting in Minnesota to discuss the federal T.I.P./S.T.I.P. cycles, and one bit of news they heard, which will most likely apply to North Dakota as well, is that because the authorization has not been finalized they have not formally earmarked authorization projects. He explained that in FY2010, they have money set aside that needs to be spent, but there are no projects earmarked for it, so yesterday Minnesota announced that they are seeking projects, and will go through a kind of mini-stimulus process in order to program those funds. He added that there will be tens of millions of dollars available, and while 50% will remain in the Met-Council, the remaining 50% will be distributed statewide for transportation projects. He said that it appears this will be the same on the North Dakota side, but he has not had the opportunity to discuss it with anyone yet.

Information only.

**ADJOURNMENT**

***MOVED BY LEIGH, SECONDED BY ADAMS, TO ADJOURN THE FEBRUARY 19<sup>TH</sup>,  
2010, MEETING OF THE MPO EXECUTIVE POLICY BOARD AT 12:40 P.M.***

***Voting Aye: Adams, Strandell, Leigh, Powers, Malm, and Christensen.***

***Voting Nay: None.***

Respectfully submitted by,

Peggy McNelis  
Executive Assistant