

**PROCEEDINGS OF THE  
EXECUTIVE POLICY BOARD OF THE  
GRAND FORKS/EAST GRAND FORKS  
METROPOLITAN PLANNING ORGANIZATION  
Wednesday, January 20<sup>th</sup>, 2010 – 12:00 Noon  
Grand Forks County Commissioners Chambers**

**CALL TO ORDER**

Gary Malm, Chairman, called the January 20<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, Dick Grassel, Warren Strandell, Steve Adams, Greg Leigh, and Mike Powers.

Absent were: Art Bakken and Doug Christensen.

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

Staff present were: Earl Haugen, GF/EGF MPO Executive Director; Teri Kouba, GF/EGF MPO Planner; Aaron Nelson, GF/EGF MPO Intern; Matt Leal, 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 DECEMBER 16<sup>TH</sup>, 2009, MINUTES OF THE MPO EXECUTIVE POLICY BOARD**

***MOVED BY GRASSEL, SECONDED BY POWERS TO APPROVE THE DECEMBER 16<sup>TH</sup>, 2009 MINUTES OF THE MPO EXECUTIVE POLICY BOARD, AS SUBMITTED.***

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

***Voting Nay: None.***

**MATTER OF END OF YEAR BUDGET AMENDMENT**

Haugen reported that he is asking for approval of two actions concerning our 2009 Work Program budget. He explained that it is normal to have to do some end of the year budget adjustments, usually requiring that we move funds around within each of the three main categories, and occasionally having to move some funds from one category to another.

**PROCEEDINGS OF THE  
GF/EGF MPO EXECUTIVE POLICY BOARD  
Wednesday, January 20<sup>th</sup>, 2010**

Haugen referred to the staff report and pointed out that the first request involves the three main categories, which are: 1) Program Administration (100); 2) Program Support and Coordination (200); and 3) Planning and Implementation (300). He stated that we need to shift some funds from the 200 category to the 100 and 300 categories, with the specific amounts shown in the staff report. He explained that the principle reason for these adjustments is because of the additional work activity brought on by the ARRA (Stimulus), in terms of both staff time and T.I.P. amendments. He said that we needed to process nine T.I.P. amendments that we did not anticipate at the start of the budget year, and each of those amendments requires public notices, staff hours, documentation, etc., thus the need for approval to shift the funds to cover these additional expenses.

Haugen reported that the second request is due to our having begun the Railroad Crossing Study this year rather than waiting until 2010, which resulted in some additional consulting costs for which we need to bring in \$30,000 from our unallotted 2009 funds that we have sitting in our reserve account in Bismarck.

Leigh asked, with our doing the Railroad Study earlier than anticipated, what happens to the money set aside for next year. Haugen responded that we will be leaving those funds in that category as we are anticipating a request for a traffic impact study, therefore, we will leave it budgeted so that when we reach the point where we need to amend the 2010 Work Program to shift those funds for that study, it will be available.

Malm asked how much money we have in reserve. Haugen responded that for Fiscal Year 2009 we have about \$300,000 to \$325,000 in reserve, however we do not yet know the full amount we are receiving in Fiscal Year 2010 due to continuing resolutions. He added that, although, this is a considerable amount, the other MPOs actually have much more in reserve than we do.

***MOVED BY LEIGH, SECONDED BY ADAMS TO APPROVE THE FY 2009 MPO ANNUAL UNIFIED WORK PROGRAM AMENDMENT, AS SUBMITTED.***

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

***Voting Nay: None.***

**MATTER OF 2011-2014 MINNESOTA T.I.P. PROJECTS**

Haugen reported that, as you will recall, last month we dealt with North Dakota T.I.P. project requests, and this month we are doing the same for Minnesota T.I.P. project requests. He stated that two applications were submitted for consideration.

Haugen referred to the packet and pointed out that the first application is for the City of East Grand Forks' Sub-Target fund in 2014. He explained that every fourth year the City of East Grand Forks receives City Sub-Target funds from the A.T.P., or the State of Minnesota, in the amount of roughly \$750,000. He stated that the project being submitted for consideration is for

**PROCEEDINGS OF THE  
GF/EGF MPO EXECUTIVE POLICY BOARD  
Wednesday, January 20<sup>th</sup>, 2010**

the construction of a full-intersection at U.S. 2 and 5<sup>th</sup> Avenue N.W., which was the result of our Gateway Drive Access Management Study we did for East Grand Forks and MNDOT. He commented that this project was actually programmed in 2010, but the City of East Grand Forks requested that the monies for this project be shifted to the 23<sup>rd</sup> Street N.W. urban project instead, and this project be done when the City receives its City Sub-Target funds, which is 2014.

Haugen referred to the packet and pointed out that he included a copy of the resolution the City of East Grand Forks approved requesting we program their City Sub-Target funds for this project in 2014.

Haugen reported that the only other application we received was a request from MNDOT to reprogram a project that was in our 2009-2012 T.I.P., but which was not carried forward into our 2010-2013 T.I.P.. He explained that the project involves pavement work on Minnesota Highway 220 from Climax to its intersection with U.S. Highway 2 just north of the Mallory Bridge. He stated that originally it was a \$5,000,000 project, however with inflation the cost has been increased to \$5,500,000. He commented that just as we did last time this project was programmed, we are asking MNDOT to look at the possibility of modifying the intersection of Minnesota Highway 220 and Polk County 238 so that southbound #220 traffic does not have to stop.

Haugen stated that no other projects were submitted, and all projects in our current T.I.P. remained the same, so basically we are only looking at forwarding these two projects to the Northwest A.T.P. for consideration of adding them into Fiscal Year 2014 of the A.T.I.P., which would ultimately go into the State T.I.P..

Haugen stated that the projects are consistent with our Long Range Transportation Plan, and should be given priority ranking. He added that the Technical Advisory Committee considered these projects at their meeting last Wednesday, and forwarded their recommendation to approve the projects as submitted.

***MOVED BY LEIGH, SECONDED BY STRANDELL, TO APPROVE THE FY 2011-2014 T.I.P. PROJECT APPLICATIONS AS BEING CONSISTENT WITH THE LONG RANGE TRANSPORTATION PLAN, AND TO GIVE THEM HIGH PRIORITY RANKING.***

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

***Voting Nay: None.***

**MATTER OF 2<sup>ND</sup> STIMULUS PACKAGE**

Haugen reported that the House of Representatives has passed a JOBS Bill (“The Wallstreet to Mainstreet” Bill), however the Senate has not yet scheduled a time to meet on this, and, in fact they haven’t indicated whether or not they intend to even pass such a bill.

**PROCEEDINGS OF THE  
GF/EGF MPO EXECUTIVE POLICY BOARD  
Wednesday, January 20<sup>th</sup>, 2010**

Haugen referred to the packet and pointed out that he included information he received from both NDDOT and MNDOT requesting that the localities begin thinking of projects that might qualify should such a bill be passed. He added that it is anticipated, on the House side, that the funding level will be the same as the first stimulus, so basically the message is to try to gear up for as much money as you received with the first stimulus. He added, however, that there is also a possibility that it might be as low as 75% of the first stimulus amount, so it might be better if we were to work from a higher number and scale back if necessary rather than to work from a lower number and try to come up with more projects.

Haugen pointed out that one of the key differences in the House bill this time is the issue of the timeline; whether we have 90 days, 120 days, or something else to get our projects programmed once the bill is signed. He explained that in the last bill Congress required that 50% of the funds had to be obligated, which meant that the project needed to be approved by Federal Highway as being eligible before it could go forward for bidding and awarding of the contract, but the House version this time contains the word “award” rather than “obligated”, which means that we have to go beyond obligation of a project, and instead have the projects bid and awarded, which will be a huge struggle for the localities to meet.

Haugen reported that on the North Dakota side the State is aware of all these issues, and at our Technical Advisory Committee meeting this past week, it was discussed that this might not be such a bad thing because it will allow the localities the ability to not have to rush to prepare projects, and have bigger and better projects ready for the next 50% of funding.

Haugen stated that on the Minnesota side, the East Grand Forks 23<sup>rd</sup> Street N.W. project we just discussed was scheduled to be completed in two phases, with the first phase being done this year, and the second phase later. He explained that this means that the second phase of the project is already through all the processes necessary to bid and award the project, therefore it has been mentioned that it might be a viable project for the second stimulus funds. He added that because it is currently programmed to be funded with revolving funds, should it be eligible for stimulus funds, those funds would then be freed up to be used elsewhere.

Haugen commented that on the transit side we have a similar issue of whether a project needs to be awarded or obligated. He said that one difference on the North Dakota side is that it was recently discovered that there is actually a large pot of money sitting out there in the North Dakota Transit Section that has been earmarked, or allocated from prior years for primarily rural operations. He explained that because those rural obligations are most likely not going to be able to use all those funds, discussion will be held tomorrow to determine how much of those funds the urban properties might be able to access, with somewhere in the magnitude of as much as \$5,000,000 to \$7,000,000 being available right now. He stated that this could mean that the City of Grand Forks could have as much as a couple million dollars available to them for capital projects, which would be outside what a second stimulus would award, so we are working with the City’s Public Transportation Superintendent and the Public Works Director on identifying all of the additional capital projects that we could be looking at funding.

**PROCEEDINGS OF THE  
GF/EGF MPO EXECUTIVE POLICY BOARD  
Wednesday, January 20<sup>th</sup>, 2010**

Haugen reported that this is the status of the second stimulus; with the House passing something that has a lot of similarities to the first stimulus, with the big difference being the use of the word “award” rather than “obligated”; and the Senate not having done anything yet, nor do they have anything on their calendar to do anything at this time. He added that he read something yesterday indicating that they might be more strongly looking at doing a reauthorization rather than doing a separate stimulus bill. He explained that we still have authorization of the whole transportation program still facing us.

Grassel asked about the possibility of the 17<sup>th</sup> Avenue S.E. project being considered for stimulus funds as well. Haugen responded that no one mentioned that project as being a possibility, but, again, it will depend on whether they continue to use the word “award” rather than the word “obligated”. Grassel commented that the contract has been awarded. Haugen stated that he would doubt that they could convert it to stimulus if it has already been awarded monies. Grassel asked how 23<sup>rd</sup> could be considered then, as it has already been awarded as well. Haugen asked if both phases have been awarded. Grassel responded they had. Haugen stated that he will need to look into this further.

Haugen reported that he knows of two projects that are being accelerated in the event a second stimulus is approved, and they are both being pushed by the NDDOT, and are already programmed in our T.I.P. for FY 2011. He explained that these projects are both sign replacement projects on I-29 and US 2, and all the environmental documentation and other work is being done now in the hope that they can be funded with monies from the second stimulus.

Malm asked if transit funds can only be used for transit. Haugen responded that there is actually a way transit funds can be converted. He explained that the Minnesota A.T.P. process can convert highway dollars over to help transit for capital purchases if necessary, so it can flow the other way as well, although it is basically limited to capital purchases not operation.

Information only.

**MATTER OF FY 2010 MNDOT CONTRACT**

Haugen reported that this is an annual contract with MNDOT for planning funds to assist us with our work activities. He explained that all of these funds are used as local match to the federal funds, which ultimately lessens both communities cost participation in the MPO program.

Haugen stated that is a standard contract, with no changes occurring from past contracts, and it allows us about \$11,000 to be used as local match.

***MOVED BY GRASSEL, SECONDED BY LEIGH, TO APPROVE AUTHORIZING THE APPROPRIATE MPO OFFICIALS EXECUTE THE 2010 STATE FUNDS AGREEMENT WITH MNDOT.***

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

***Voting Nay: None.***

**PROCEEDINGS OF THE  
GF/EGF MPO EXECUTIVE POLICY BOARD  
Wednesday, January 20<sup>th</sup>, 2010**

**MATTER OF RAILROAD CROSSING STUDY UPDATE**

Haugen reported that included in the packets are the actions both City Councils have taken on the issue of a quiet zone. He referred to a slide presentation, pointing out that the current slide shows the five different zones, each shown in a different color, of the areas looked at for quieting train horns, and went over it briefly.

Haugen stated that East Grand Forks still wishes to pursue a quiet zone, however they do not want to do any crossing closures, therefore they will need to pursue getting gates and lights at the one crossing that does not currently have them, and then get constant warning times at another, then they, too, could implement a quiet zone.

Haugen said that Grand Forks has approved the submittal of a request for state assistance for funding of three of the four quiet zones. He pointed out that the one crossing Grand Forks is not pursuing be quieted is the one on 32<sup>nd</sup> Avenue. He added that the City did decide to try to get medians constructed at 4<sup>th</sup> and 5<sup>th</sup> Streets, which will allow a little buffer in the event train or vehicle traffic should increase. He added that medians are also being considered at one crossing in the purple area, and at all three crossings in the orange area as well, at a cost of about \$250,000, and the City is seeking up to \$225,000 from North Dakota's special funds for railroad crossing quiet zone improvements.

Haugen reported that the second part of the study is the State Mill Spur, which involves specifically looking at all the crossings from 2<sup>nd</sup> Avenue in Grand Forks up to Gateway Drive. He stated that all of these crossings have just the minimum cross-buck signage, so they are working with the neighborhood and City representatives to determine what improvements should be done and where, and perhaps even whether some closures might be warranted.

Haugen stated that the third study involves the closure of Bacon Road, which essentially connects Mill Road to North Washington. He explained that the State Mill has a lot of cars that they need to stage back and forth and this crossing provides a bit of a pediment, so they requested that the MPO engage SRF to look at the possible closure of Bacon Road, and what its impact might be. He added that this study is to be financed totally outside the MPO, specifically by the State Mill and BNSF.

Leigh asked where things are at, since East Grand Forks does not want to close any of their crossings at this time, with a possible underpass of some kind. Haugen responded that once we complete the Land Use Plan Updates we are doing this year for both cities, we will then begin looking at updating our Long Range Transportation Plan, at which time a possible underpass will again be looked at, but right now it is included in our plan as an illustrative project for an underpass at 2<sup>nd</sup> Avenue as we do not have the funds available to do it now.

Haugen pointed out that another thing to consider is that whichever crossing the City of East Grand Forks decides will not be improved this year, whether it be the one at Central or the one at 3<sup>rd</sup>, could be a viable project for stimulus funds as well.

**PROCEEDINGS OF THE  
GF/EGF MPO EXECUTIVE POLICY BOARD  
Wednesday, January 20<sup>th</sup>, 2010**

Malm asked about the closing of Bacon Road, who will be responsible for funding it, and will we have any input in it at all. Haugen responded that we will have a little bit of administrative costs, but the study itself will be paid by BNSF and the State Mill, 50/50. He added that the study will run concurrent with the State Mill Spur portion of our study.

Grassel commented that you will need to go all the way to the end of the State Mill Road to get back to Highway 81. He asked if the bridge at 27<sup>th</sup> was still open. Haugen responded it was not. He added that part of the study will be to determine what kinds of impacts the closure of Bacon Road would create.

Malm commented that his only question is will the State Mill push their cars north, otherwise people will continue to get caught when they are in the process of shifting those cars around. He stated that should Mr. Haugen get any voice in the process, he make sure he lets them know that this is an issue and they need to start thinking about what is happening south of them. Haugen responded that they will get a good picture of how it currently operates, and how it would be improved with the possible closure.

Haugen reported that we were scheduled to take this issue to the Service Safety Committee at their meeting this evening, however that meeting has since been cancelled. He added that two weeks from now we should be back on that agenda once again, and based on what kind of feedback we get from the Service Safety Committee, BNSF and the State Mill might pull their request to do the study, so we won't formally engage them until that meeting occurs.

Information only.

**MATTER OF PRESENTATION OF PAVEMENT MANAGEMENT SYSTEM**

Kouba reported that we now have our pavement management system up and running. She stated that we received the last of our pavement survey information for both cities, and have had training on the new system.

Kouba said that one of the biggest things they learned during training is that this is just a tool. She explained that they are trying to find scenarios based on criteria such as budget, location, condition index level, etc.. She stated that it does not tell you what roads to do, what to do to them, how to do it, but do give you choices based on cost, what could be done, etc..

Kouba gave a brief slide presentation (a copy of which is included in the file and available upon request).

Kouba commented that most of our roads are in quite good condition, with a condition index level of 60 or better, although there are a few that are not.

Presentation ensued.

Information only.

**PROCEEDINGS OF THE  
GF/EGF MPO EXECUTIVE POLICY BOARD  
Wednesday, January 20<sup>th</sup>, 2010**

**OTHER BUSINESS**

1. Election To Fill Vacant Immediate Past-Chairman Position

***MOVED BY STRANDELL, SECONDED BY ADAMS, TO APPROVE DICK GRASSEL  
FILL THE IMMEDIATE PAST CHAIRMAN POSITION VACATED BY PUNKY  
BEAUCHAMP.***

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

***Voting Nay: None.***

2. Introduction Of New MPO Interns

Haugen introduced the MPOs new interns: Aaron Nelson, who is working on the Bike/Ped update and with transit; and Matt Leal, who is working on the Land Use Plan updates.

**ADJOURNMENT**

***MOVED BY STRANDELL, SECONDED BY POWERS, TO ADJOURN THE JANUARY  
20<sup>TH</sup>, 2010, MEETING OF THE MPO EXECUTIVE POLICY BOARD AT 12:51 P.M.***

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

***Voting Nay: None.***

Respectfully submitted by,

Peggy McNelis  
Executive Assistant