

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

**Wednesday, November 16th, 2016 – 12:00 Noon
East Grand Forks City Hall Training Conference Room**

CALL TO ORDER

Mike Powers, Chairman, called the November 16th, 2016 meeting of the MPO Executive Policy Board to order at 12:07 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Mike Powers, Clarence Vetter, Marc DeMers, Gary Malm, Jeannie Mock, and Warren Strandell.

Absent: Ken Vein and Al Grasser.

Staff: Earl Haugen, GF/EGF MPO Executive Director; Jairo Viafara, GF/EGF MPO Senior Planner; Teri Kouba, GF/EGF MPO Senior Planner; and Peggy McNelis, GF/EGF MPO Office Manager.

Guest(s): Jane Williams, Grand Forks Engineering and Mike Yavarow, Grand Forks Engineering.

DETERMINATION OF A QUORUM

Powers declared a quorum was present.

MATTER OF APPROVAL OF THE OCTOBER 20TH, 2016, MINUTES OF THE MPO EXECUTIVE POLICY BOARD

MOVED BY MALM, SECONDED BY DEMERS, TO APPROVE THE OCTOBER 20TH, 2016, MINUTES OF THE MPO EXECUTIVE POLICY BOARD, AS SUBMITTED.

MOTION CARRIED UNANIMOUSLY.

MATTER OF UPDATE ON SORLIE/KENNEDY BRIDGE PROJECTS

Haugen reported that he doesn't know if there is any new information than what was shared with this body at your October meeting.

Sorlie Bridge

Haugen stated that they are still working on the lighting controller, and they have still not finalized the project because of the issues they have been having with it.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Wednesday, November 16th, 2016**

Yavarow explained that the lights on the Sorlie are in the 90-day acceptance period now, and have been working well. He said that there were three pedestrian lights that failed on the East Grand Forks side of the bridge that have been replaced and seem to be working well.

Kennedy Bridge

Haugen reported that, as you were informed at last month's meeting, the bid letting did slip to December 2nd, and that is still the projected date, and it shouldn't slip any further.

Yavarow commented that the Kennedy Bridge is on schedule, and it appears that the project will basically be run by the NDDOT.

MATTER OF APPROVAL OF DISCOVERY SCHOOL SAFETY REPORT

Viafara reported that for the last two meetings the Technical Advisory Committee has been reviewing the document that we are submitting today for your consideration. He stated that staff did receive a number of comments, and those comments were meant to strengthen the contents of the document, and have been addressed.

Viafara stated that what he wants to do today is to give a brief presentation of the elements that were included in the preparation of the report. (A copy of the presentation is included in the file and available upon request).

Presentation ensued.

Malm asked if staff was going to go out and check these results again in the middle of winter. Viafara responded that next year the MPO has scheduled a review of all those traffic conditions around all the schools in both Grand Forks and East Grand Forks. He stated that we are now beginning to put together the scope of work for this study. He added that Safe Kids is helping us with parent surveys again as well, which will give us a look at what we can expect when we embark on the complete review.

MOVED BY MALM, SECONDED BY MOCK, TO APPROVE THE DISCOVERY SCHOOL SAFETY REPORT, AS SUBMITTED.

Voting Aye: DeMers, Vetter, Powers, Strandell, Mock, and Malm.

Voting Nay: None.

Abstaining: None.

Absent: Vein and Grasser.

MATTER OF APPROVAL OF THE GRAND FORKS 2045 LAND USE PLAN

Haugen reported that last month we did provide a preliminary report. He stated that, based on the feedback received from the Grand Forks Planning and Zoning Commission and City Council, we did make some revisions. He added that, also in your packets were communications received from the Grand Forks Airport Authority.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Wednesday, November 16th, 2016**

Haugen stated that the Grand Forks Airport Authority, as noted in their letter, has some land use compatibility zones in and around the airport. He referred to a map and explained that they have letters A, B, C, D zones; pointing out that the A zones are those that run adjacent to their four runways, B zones are zones that have take-off and landing safety concerns, and then there are C and D zones that deal with more of the noise complaint types of issues.

Haugen commented that the area in question is the section of land where the new Walmart Store was constructed. He stated that in the C zone their land use compatibility suggests 40 acre family lots instead of urban sized family type settings, and then there are some commercial and other types of suggested restrictions placed on the land.

Haugen stated that the Land Use Plan didn't ignore that issue, but worked based off of some previous work that had been going on in the City that shows up in a graphic, and he thinks we've talked about this before about the City of Grand Forks' Strategic Growth initiatives where they've identified a key area in town where they wanted to make an investment in major infrastructure to spur development, and this is that area and the City has already awarded, and is beginning construction on a major sewer lift station to serve the area.

Haugen said that as fire response, and in communication with the Airport Director, our consultant team came up with suggestions on ways to modify the language that was in the preliminary draft to reflect some of these concerns, so that is what is included in these next couple of sections. He explained that after the Planning Commission met and gave their approval to this document, they modified it by adding language about communicating potential noise issues with people who both build homes in the residential area, as well as those that purchase those homes.

Haugen commented that on the commercial side, initially there was talk about looking at an overlay zoning district to limit the type of land uses, however the Planning Commission thought that was too much and instead they came up with this language, and instead of creating the regulatory burden they just added the Airport into their review process.

Haugen stated that there was also some language added into the text of the document to reflect this issue as well.

Haugen said that the Planning Commission also made one additional change in the land use map itself; it deals with the piece of property on North Washington Street that was originally drafted to be industrial use, east of Washington, but the Planning Commission adopted a motion that changed that to Rural Residential, and the point being made was that industrial uses should stay on the westerly side of Highway 81, and not cross over.

Haugen commented that some other things that have happened since the preliminary report was completed is that we are putting in a forecasted growth rate of 1.2%, and we did discuss this a little bit last month that it was being considered, but now it is being included in the final document as the official rate of growth. He said that there is also a new goal language specifically about the mixed use land uses that are being suggested in the document.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Wednesday, November 16th, 2016**

Haugen stated that the Technical Advisory Committee and MPO staff are recommending approval of the Grand Forks 2045 Land Use Plan document, subject to the addition of the phrase: “Contingent on City Council action”. He explained that the City Council is holding its final public hearing on the document next Monday night at their meeting, and so our approval would be contingent on them also approving the document. He stated that if the City Council does not take action then the motion today would have to be revisited at your next meeting.

MOVED BY MOCK, SECONDED BY VETTER, TO APPROVE THE GRAND FORKS 2045 LAND USE PLAN, CONTINGENT ON GRAND FORKS CITY COUNCIL TAKING FINAL ACTION.

Voting Aye: DeMers, Vetter, Powers, Strandell, and Mock.

Voting Nay: Malm.

Abstaining: None.

Absent: Vein and Grasser.

MATTER OF APPROVAL OF THE 2017-2018 UNIFIED PLANNING WORK PROGRAM

Haugen reported that this is a required document to show our State, Federal, and Local Partners what activities the MPO will be working on over the next two calendar years.

Haugen stated that we did solicit from our Local Partners what projects or activities they would like us to consider including in our Work Program; we only received one request and that was from the City of Grand Forks. He said that they identified three items; two of the three items are things that are part of our routine cycle of things, the first is the Aerial Photo update and the second is the Traffic Count Program that we have established.

Haugen commented that as we have been talking the last couple of years, we will be spending the next two years in earnest updating our Long Range Transportation Plan, and becoming MAP-21 and FAST compliant.

Haugen stated that currently we are working on the Bike and Ped Plan and the Transit Development Plan; and the next two years we will be focusing on the Street and Highway side.

Haugen said that beside our normal routine duties of preparing the T.I.P., and managing the office; you will see that we are identifying that there is a little bit of an unknown taking place with this two year work program in regard to our Transportation Plan. He explained that this unknown is that we know that performance measures and targets will have to be incorporated into the document, and we know that for safety what those measures and targets are; but there are a host of other measures and targets yet to be finalized.

Haugen commented that when staff prepared the budget, we purposely allocated some funding amounts for consultant costs. He said that this gives us a little bit of a cushion for the unknowns. He pointed out that in the write up they suggest that there be a base scope of work, but that there

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Wednesday, November 16th, 2016**

is a likely hood that there will be some amendments that will need to be processed as these measures and targets become identified and finalized. He stated that you will also notice that the cost has been split between both years now.

Haugen referred to the funding tables and went over them briefly.

Haugen reported that in the past, concerning our Consolidated Planning Grants, he showed that under a current typical year we actually get \$610,000 in federal funds; but if you recall in our discussion when Director Levi was here last month, we talked about how the State of North Dakota is distributing those funds, and the fact that the other two MPOs are having trouble spending down their amounts, so there is still some hope, and he did express to Director Levi that there has been a past history of two to one votes on this, so there is hope that we might get a more favorable outcome that our amount will be increasing.

Haugen said that the basic message here is that we are adopting this work program with the dollar amounts that we know that we have access to today, but it is hoped that in the near future, the early part of next year, that we will be able to do an amendment to show increased funds to allow us to do the additional studies we would like to do. Powers asked where these funds would come from. Haugen responded that it would come for the other two MPOs. He explained that in the past we were blessed by both Bismarck/Mandan and FM/COG each giving us \$300,000 of monies they could not use, and if they didn't expend it in that year those monies would have been lost back to Federal Highway; and with the balances he showed previously they are approaching that type of problem again, and we are trying to work with them and North Dakota and Federal Highway on coming up with a solution. He said that it is going to be a gift of money to us either through a one-time shot of funds, which we are arguing against; versus changing the formula that would allow us to get a higher amount each year, and not having to wait for them to not spend their monies and gifting it to us. Powers asked if we hadn't talked about changing that formula earlier. Haugen responded that we have been having that discussion for over a year now, and, again, frankly the two to one vote scenario is what has been hampering us, and he thinks it is now reaching a head based on some recent action the other two MPOs have done, that there may be a resolution and he thinks it will allow us to amend our work program early next year to incorporate more funds to do more projects.

Haugen commented that our current work program, in order to be fiscally constrained, we had to zero out having interns, and in this program we are reintroducing our intern program. He said that we are also reintroducing budgeting some monies into our equipment line item and our corridor preservation and technical assistance line items as well, although maybe not as much as in the past.

Haugen stated that the Technical Advisory Committee and MPO Staff are recommending the MPO Executive Policy Board approve the 2017-2018 Unified Planning Work Program.

MOVED BY MOCK, SECONDED BY DEMERS, TO APPROVE THE 2017-2018 UNIFIED PLANNING WORK PROGRAM, AS SUBMITTED.

Voting Aye: DeMers, Vetter, Powers, Strandell, Mock, and Malm.

Voting Nay: None.

Abstaining: None.

Absent: Vein and Grasser.

MATTER OF MnDOT REQUEST TO REVIEW NHS INTERMODAL CONNECTORS

Haugen reported that part of what is taking place here is with FAST, Congress actually funded a freight program, but they placed some conditions on it, and so now MnDOT is making an effort to reorganize itself to make sure that what funds they are investing in make sense.

Haugen stated that the first review MnDOT is asking us to do is what is called these connectors. He explained that this is something that has been allowed for many years, and essentially what it means is that we do have some major facilities that are off of major highways, the last mile if you will, and this allows those last miles to be part of the NHS System, which allows federal funding be used. He said that this would include airports, train depots, big agricultural terminals, grain elevators, etc.

Haugen commented that in the Grand Forks/East Grand Forks area we have never had these identified, primarily because most of our facilities have only been on the State Highway or NHS Route. He said that on the Minnesota side, if you recall, we had to re-functionally reclassify roadways, and when we did that some of those roadways were no longer part of the NHS System, and now this is giving us the opportunity to see if we can reconnect to the NHS System by designating them as connector routes. He explained that the main reason we would want to entertain designating these roadways as connector routes is for them to be eligible for the largest pot of federal funds.

Haugen stated that there is a schedule that MnDOT is asking us to follow. He said that we received this information earlier this month, and they are asking that we get something back to them by the end of December, so he already informed East Grand Forks staff to be on the lookout for us asking them to sit down and go over maps and figure out what routes we might want to try to have designated.

Haugen said that we will have to have something ready for you to take action at your December meeting.

Haugen commented that, just like the functional classification was, this is an iterative process with us and MnDOT trying to reach an agreement as to what will be finalized.

Haugen reported that, as part of this new identification are things that are also on the National Highway Freight Network, so this is another designation of freight. He said that you will notice that they have primary, which is the Interstate System; and also, to be determined in the future, these critical urban or rural freight connectors, so part of our process on the Minnesota side is to also look at these critical urban freight corridors.

Haugen commented that the reason this is important is, as he said, the freight program now has monies attached to it, and though it isn't a lot, \$20,000,000 on the Minnesota side; it allows investment on something that serves a freight purpose. He stated that the kicker is, that while they created the ability to do these miles that aren't part of the Interstate System, they have capped them. He explained that on the Minnesota side, on the rural system, there is only 150 total miles available, so if you think about all the mileage in Minnesota, 150 miles is a small amount. He added that on the urban side there is a total of 75 miles.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Wednesday, November 16th, 2016**

Haugen reported that the game they are allowing be played here, however, is, whereas the NHS Connectors is more of a stagnant designation, they are allowing these critical freight corridors to be more flexible. He explained that what this means is that, say for instance U.S. Business #2 in East Grand Forks is designated as a critical urban freight network, it gets a project funded on it, that project gets built, they can now take that mileage and apply it somewhere else in the State to designate a different segment, and when that corridor is funded, it can be moved once again to another one. Vetter commented, then, that we can get Bygland Road classified as an Urban Freight Corridor, then get our roundabout funded through that, because beet trucks are traveling that road. Haugen responded that, theoretically it is possible, but in reality...

Haugen stated that as we work through this on the Minnesota side, we will be trying to identify those more stagnant route designations, but then also make pitches for these critical corridors as well.

Haugen said that on the North Dakota side, because this is a federal program it applies to all states; North Dakota just has not come to us with any sort of plan of action as to how they are going to be addressing this in the near future. He stated that what he can tell you on the North Dakota side is that this Highway Freight Program is not sitting as a separate program, it is being rolled into how they currently distribute funds in North Dakota; so if in the future the next Highway Bill carries this program, and carries a separate funding, then there might be a discussion on the North Dakota side as to really working on designating these routes.

Haugen stated that staff will be working over the next two weeks to get this designated and prepared for the Technical Advisory Committee consideration, and then this bodies consideration. He added that they will have to work with the City Council in East Grand Forks to make sure that what we are proposing meets their approval as well.

Haugen reported that this is one of those things that we tried to identify in the work program that with MAP-21 and FAST implementation we are going to have these, fires if you will, that we have to address in a short period of time to get things rolling down the road for potential funding.

DeMers asked if Mr. Haugen could give some examples of what types of projects have been, or could be funded with these funds. Haugen responded that, again, these things have been designated for decades, probably, and some of them may no longer actually be operational, but what can be done with the funds; you're not part of the NHS System, you're not a State Highway or a National Highway, you might be a township road or a street, and when you think of Grand Forks Airport, the Airport Road that leads into the facility is not a functionally classified roadway, it is in the City Limits of Grand Forks, it is a City street, but because it is not functionally classified it is not eligible for most federal programs. He added that by becoming a connector, it would now become eligible for the biggest pot of money in the federal program, that is the NHS or NHPP; and what that would allow, if the Airport Road needed to be completely reconstructed, just like a functionally classified roadway, it would have the ability to have federal funds pay for that reconstruction.

Haugen commented that there is a potential to identify future connectors, so on the Minnesota side there has already been talk of a north access into the beet plant; one of the major stumbling blocks is that there has not been any real funding available for it, so, perhaps this will allow that

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Wednesday, November 16th, 2016**

future designation of a connector, so that this program would then make it eligible for funds, particularly if you combine it with a critical urban freight network designation.

Discussion on possible areas of consideration ensued.

Vetter asked how often will we have to go through the re-designation. Haugen responded that the NHS connectors, probably not very frequently; the critical segments we may have to be done every T.I.P. cycle for that last year of the T.I.P. He said that the first three years of the T.I.P. are carry-overs, so those would have all be identified as work projects that are being funded, so the last year might be the one in play, and the one that they allow some movement. He added that there is also, from the State Highway perspective, they have a ten year investment plan, but that isn't something that they update every year, and that would only affect the State Highway System, which does help U.S. Business #2, but doesn't do anything for Polk County 17, and Polk County 17 could be designated as a Critical Freight Route, making it eligible, so there is some competition between locals and the state in this funding program.

Haugen stated that he didn't spend a lot of time on the actual Freight Plan itself, but there is also a requirement that they have to update their Freight Plan. He said that Minnesota just adopted one earlier this year, but they are going to have to revisit that document. He added that North Dakota adopted theirs several years ago, and they are going to have to update that as well. He said that he is sure that our Merrifield partners are going to be pretty interested in this process, and will try to argue their corridor and their two major investments that they are seeking.

Information only.

OTHER BUSINESS

a. 2016 UPWP Project Update

Haugen commented that this is what Mr. Viafara prepares monthly for you to give you a progress report of where we are at with our current activities.

b. Travel Demand Model Update

Haugen stated that, as you know, we rely on our Travel Demand Model Update. He said that Ms. Kouba has been working on this, and this is just to give you an idea of...he didn't put it as a regular agenda item as he didn't want to bother you with all the weeds that are taking place in this, but still wanted to give you some sense of how we are approaching this.

Haugen stated that the biggest news is that we had to spend more time than we really like on trying to identify where all of our businesses are located, and how many employees there are at each. He explained that we worked with the other two MPOs in the State to purchase some household and employment data, and we are all enjoying some data that is well populated by historical data that we probably did not need, and now have to weed through, so this is just to give you some sense of how we are going through the process of updating the model, and how it is bogged down with this type of review of data and information that Ms. Kouba can't help but have to go through to weed out duplications and whittle it down to just the one that we really want to focus on.

**PROCEEDINGS OF THE
GF/EGF MPO EXECUTIVE POLICY BOARD
Wednesday, November 16th, 2016**

Haugen referred to maps, and went over them briefly.

Information only.

ADJOURNMENT

***MOVED BY STRANDELL, SECONDED BY MALM, TO ADJOURN THE NOVEMBER
16TH, 2016, MEETING OF THE MPO EXECUTIVE POLICY BOARD AT 12:49 P.M.***

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Peggy McNelis,
Office Manager