

**606th Policy Board Meeting
Fargo-Moorhead Metropolitan Council of Governments
Thursday, September 15, 2022 – 4:00 pm**

Members Present:

Amanda	George	West Fargo City Commission
John	Gunkelman	Fargo Planning Commission
Chuck	Hendrickson	Moorhead City Council
Steve	Lindaas	Moorhead City Council
Jenny	Mongeau	Clay County Commission
Julie	Nash	Dilworth City Council
Brad	Olson	West Fargo City Commission
Dave	Piepkorn	Fargo City Commission
Arlette	Preston	Fargo City Commission
Mary	Scherling	Cass County Commission
Rocky	Schneider	Fargo Planning Commission
John	Strand	Fargo City Commission
Jeff	Trudeau	Horace City Council
Bob	Walton	NDDOT – Fargo District (ex-officio)

Members Absent:

Matthew	Gilbertson	Moorhead City Council
Denise	Kolpack	Fargo City Commission
Maranda	Tasa	Fargo Planning Commission
Shiloh	Wahl	MnDOT – District 4 (ex-officio)

Others Present:

Adam	Altenburg	Metro COG
Paul	Bervik	Metro COG
Jaron	Capps	Metro COG
Ari	Del Rosario	Metro COG
Micah	Dickman	Urban SDK
Dan	Farnsworth	Metro COG
Cindy	Gray	Metro COG
Savanna	Leach	Metro COG
Michael	Maddox	Metro COG
Brent	Muscha	Apex Engineering

1a. MEETING CALLED TO ORDER, WELCOME, AND INTRODUCTIONS, convened

The meeting was called to order at 4:00 pm, on September 15, 2022 by Chair Piepkorn, noting a quorum was present. Introductions were made.

1b. Approve Order and Contents of Overall Agenda, approved

Chair Piepkorn asked for approval for the overall agenda.

MOTION: Approve the contents of the Overall Agenda of the September 15, 2022 Policy Board Meeting.

Mr. Schneider moved, seconded by Mr. Hendrickson

MOTION, passed

Motion carried unanimously.

1c. Past Meeting Minutes, approved

Chair Piepkorn asked for approval of the Minutes of the August 18, 2022 Meeting.

MOTION: Approve the August 18, 2022 Policy Board Meeting Minutes.

Mr. Lindaas moved, seconded by Mr. Olson

MOTION, passed

Motion carried unanimously.

1d. Monthly Bills, approved

Chair Piepkorn asked for approval of the September 2022 Bills as listed on Attachment 1d.

MOTION: Approve the September 2022 Bills List.

Mr. Olson moved, seconded by Ms. Nash

MOTION, passed

Motion carried unanimously.

2. CONSENT AGENDA

Chair Piepkorn asked for approval of Items a-d on the Consent Agenda.

a. August Month End Report

b. 2021-2022 Unified Planning Work Program (UPWP) Amendment #6

MOTION: Approve Items a-b on the Consent Agenda.

Ms. Preston moved, seconded by Mr. Gunkelman

MOTION, passed

Motion carried unanimously.

3. REGULAR AGENDA

3a. Public Comment Opportunity

No public comments were made or received.

3b. 2022-2025 Transportation Improvement Program (TIP) Amendment #8

Mr. Del Rosario presented amendment #8 to the 2022-2025 Transportation Improvement Program (TIP). The proposed amendment to the 2022-2025 TIP reflects a modified federally funded project within the Metropolitan Planning Area (MPA).

A public notice was published in The Forum of Fargo-Moorhead on Wednesday, August 31, 2022, which advertised the public meeting, detailed how to request more information, and provided information on how to make public comment regarding the proposed amendment. The public notice advertised that any public comments will be accepted until 12:00 p.m. (noon) on Thursday, September 15, 2022. No written comments were received.

The proposed amendment to the 2022-2025 TIP is as follows:

1. **Modification of Project 9190025:** NDDOT reconstruction of I-94 E from near W Fargo E to W Horace Rd. The project year changed from 2023 to 2022. The total

project cost increased by 31.02% from \$8,200,000 to \$10,743,764 of which Interstate Maintenance (IM) funds increased from \$7,380,000 to \$9,669,388 and state funds increased from \$820,000 to \$1,074,376.

2. **Modification of Project 9190027:** NDDOT reconstruction of I-94 W from near W Fargo E to W Horace Rd. The project year changed from 2023 to 2022. The total project cost increased by 31.02% from \$8,200,000 to \$10,743,764 of which Interstate Maintenance (IM) funds increased from \$7,380,000 to \$9,669,388 and state funds increased from \$820,000 to \$1,074,376.
3. **Modification of Project 9221002:** NDDOT Wrong Way Detection System safety project at I-29 Exit 69. The project year changed from 2022 to 2023.

MOTION: Approve Amendment #8 to the 2022-2025 Transportation Improvement Program (TIP).

Mr. Olson moved, seconded by Mr. Gunkelman.

MOTION, passed

Motion carried unanimously.

3c. 2023-2026 Transportation Improvement Program (TIP) Adoption

Mr. Del Rosario presented the final draft 2023-2026 Transportation Improvement Program (TIP). The Final Draft 2023-2026 TIP documents federally funded roadway, transit, and bicycle and pedestrian projects programmed for the years 2023-2026, as well as other regionally significant projects.

Since the initial draft document was released in July, Metro COG updated language throughout the document to reflect minor changes or clarifications and to address comments received by planning partners. Other sections with major updates include the Introduction, Project Locator Map, Detailed Project Listings, Financial Plan and Fiscal Constraint, Overview of Federal Aid Programs, Performance Measures, and Public Involvement sections. Appendix A, public input, and Appendix C, local CIPs, were also updated.

Specific items to highlight since the initial Draft Metro COG 2023-2026 TIP document was released in July:

1. Detailed project listings
2. Financial plan and fiscal constraint
3. Appendix A – public input

MOTION: Adopt the 2023-2026 Transportation Improvement Program

Mr. Olson moved, seconded by Mr. Schneider.

MOTION, passed

Motion carried unanimously.

3d. 2023-2024 Unified Planning Work Program (UPWP) Adoption

Ms. Gray presented the final draft 2023-2024 Unified Planning Work Program (UPWP). The 2023 portion of the UPWP is consistent with the budget that was

brought forth in May of this year; however, consistent with follow-up correspondence earlier this summer with local Engineering and Planning staff, an ATAC project, Phase II of the Intersection Data Collection and Reporting, has been included in the work program for a total of \$100,000. The inclusion of this project results in a higher local match for Fargo, West Fargo, and Moorhead, and requires \$1,000 in participation from MnDOT for the inclusion of a MnDOT signal in Moorhead. The local funding splits were based on ATAC's estimated level of effort, which is based on the signal characteristics in each community.

Ms. Gray noted that there are a number of carryover projects from 2022 into 2023. All amounts are estimated at this time, and there is usually a UPWP amendment that is presented around the end of the calendar year to update the carryover estimates.

Ms. Gray said that this UPWP is fairly aggressive in its inclusion of contracted transportation planning studies, especially for 2024. She went over the 2024 contracted transportation planning studies in detail and identified the local match participants for each project, consistent with the materials sent out in the packet.

Ms. Gray pointed out that the 10 Planning Factors from the FAST Act and the Planning Emphasis Areas (PEAs) of the IJA must be documented in the UPWP, and they are documented in both a summary manner and in the description of each UPWP category.

Mr. Piepkorn asked about the 15th Avenue N Corridor Study (2024) and if it would make sense to study that all the way across the metro area, especially given the funding received to study the feasibility of raising the 12th / 15th Avenue N bridge above the floodway. Ms. Gray stated that portions of that corridor on the ND side have been studied in the fairly recent past, and that even in Moorhead, the technical staff indicated their desire to start the project at US Highway 75 rather than going all the way to the river, but stated that this is all open to further discussion during 2023 in the months leading up to the development of an RFP.

If Metro COG's application for an SS4A Safety Action Grant is successful, we will need to work with the member jurisdictions to add the Safety Action Grant to the work program. Metro COG does not expect to learn if the grant was awarded until the end of 2022 or beginning of 2023.

MOTION: Adopt the 2023-2024 Unified Planning Work Program
Mr. Schneider moved, seconded by Ms. Nash
MOTION, passed
Motion carried unanimously.

***Mr. Schneider left the meeting at 4:57pm**

3e. Policy Board Bylaws – Updates related to TMA Designation

Ms. Gray presented updates to the Policy Board Bylaws, which needed revision regarding the upcoming transition into TMA status.

After discussion and consideration, the Executive Committee recommended that MnDOT and NDDOT representation on the Policy Board remain ex-officio. In addition, it was recommended that an additional ex-officio member of the Policy Board consist of a representative of Hector Airport Authority, as opposed to having an airport representative serve as a voting member of the Board.

Ms. Gray said that the revised bylaws have been reviewed by Metro COG attorney, John Shockley.

Ms. Scherling asked why the updated language includes the need for one committee member to be physically present at each meeting even if other members are participating virtually. Ms. Gray explained that this was included as a recommendation of Mr. Shockley. Ms. Scherling stated she was not comfortable mandating this into the bylaws. Ms. Mongeau reminded the committee that during the COVID-19 pandemic, all government bodies were operating under emergency order, and that bylaws can always be updated.

Mr. Piepkorn asked Ms. Gray to follow up with Mr. Shockley on the requirement for a board member to be present at the meeting location.

**MOTION: Approve the Policy Board Bylaws as amended in September 2022
Ms. Mongeau moved, seconded by Mr. Hendrickson
MOTION, passed
Motion carried unanimously.**

3f. Transportation Management Area (TMA) Funding Memorandum of Understanding (MOU)

Ms. Gray presented a Memorandum of Understanding (MOU) with NDDOT regarding funding once Metro COG is designated as a Transportation Management Area (TMA).

Metro COG finds the MOU straight-forward and acceptable.

The MOU has been reviewed by Metro COG's attorney, John Shockley. Mr. Shockley indicated that he has no issues with the MOU and recommended that we move forward with approval.

Ms. Gray said that MnDOT has not prepared an MOU for the transition into TMA status.

**MOTION: Approve the TMA funding MOU and authorize the Policy Board Chair and Executive Director to sign the document.
Mr. Lindaas moved, seconded by Mr. Gunkelman
MOTION, passed
Motion carried unanimously.**

3g. Public Participation Plan

Ms. Gray said that staff is working on an update of the Metro COG Public Participation Plan (PPP). The PPP is a required document, and was last updated in 2016.

4. Additional Business

No additional business.

5. Adjourn

The 606th Meeting of the FM Metro COG Policy Board held Thursday, September 18, 2022 was adjourned at 5:16 pm.

THE NEXT FM METRO COG POLICY BOARD MEETING WILL BE HELD October 20, 2022, 4:00 P.M.

Respectfully Submitted,

Savanna Leach
Executive Assistant