

**609th Policy Board Meeting
Fargo-Moorhead Metropolitan Council of Governments
Thursday, December 15, 2022 – 4:00 pm**

Members Present:

Duane	Breitling	Cass County Commission
Amanda	George	West Fargo City Commission
Matthew	Gilbertson	Moorhead City Council
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
Rocky	Schneider	Fargo Planning Commission
John	Strand	Fargo City Commission
Scott	Stofferahn	Fargo Planning Commission (alternate for Ms. Tasa)
Jeff	Trudeau	Horace City Council
Bob	Walton	NDDOT – Fargo District (ex-officio)

Members Absent:

Denise	Kolpack	Fargo City Commission
Arlette	Preston	Fargo City Commission
Maranda	Tasa	Fargo Planning Commission (alternate present)
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
Dan	Farnsworth	Metro COG
Cindy	Gray	Metro COG
Savanna	Leach	Metro COG
Michael	Maddox	Metro COG
Ayden	Schaffler	Metro COG

1a. MEETING CALLED TO ORDER, WELCOME, AND INTRODUCTIONS, convened
The meeting was called to order at 4:00 pm, on December 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 December 15, 2022 Policy Board Meeting.

Mr. Gunkelman moved, seconded by Mr. Gilbertson

MOTION, passed

Motion carried unanimously.

1c. Past Meeting Minutes, approved
Chair Piepkorn asked for approval of the Minutes of the November 17, 2022 Meeting.

MOTION: Approve the November 17, 2022 Policy Board Meeting Minutes.

Mr. Olson moved, seconded by Mr. Lindaas

MOTION, passed

Motion carried unanimously.

1d. Monthly Bills, approved
Chair Piepkorn asked for approval of the December 2022 Bills as listed on Attachment 1d.

MOTION: Approve the December 2022 Bills List.

Mr. Breittling moved, seconded by Mr. Gunkelman

MOTION, passed

Motion carried unanimously.

2. CONSENT AGENDA

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

- a. November Month End Report
- b. 2023-2024 NDDOT MPO Contract Agreement
- c. Transit Section 5310/5339 Grant Applications
- d. Metro COG 2023 Meeting Schedule
- e. Approval of Accountant Selection
- f. Staff Promotion – Ari Del Rosario, AICP, to Associate Planner

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

Mr. Breittling moved, seconded by Ms. George

MOTION, passed

Motion carried unanimously.

3. REGULAR AGENDA

3a. Public Comment Opportunity

No public comments were made or received.

3b. Public Participation Plan Update

Ms. Gray presented the updated Public Participation Plan. In October, 2022, the TTC and Policy Board approved the opening of the required 45-day public comment period for the updated Public Participation Plan.

Public notice was published in The Forum on October 26, 2022 and November 16, 2022. Metro COG's mailing list was also used to notify the public about the opportunity to comment on the document, and the opportunity to comment was also posted on our website. A press release was also sent out to regional media outlets.

One comment was received by a member of the public describing the document as "wordy" and suggesting that an Executive Summary be provided. The document contains a table of contents and an introductory section that allows the reader to quickly determine the purpose of the document and the location of relevant information. This is not the type of document that would benefit from a separate Executive Summary, so thus far, none has been provided.

MOTION: Approve the updated Public Participation Plan

Mr. Olson moved, seconded by Mr. Gunkelman.

MOTION, passed

Motion carried unanimously.

3c. 2023-2026 Transportation Improvement Program Amendment #2

Mr. Bervik presented amendment #2 to the 2023-2026 Transportation Improvement Program (TIP).

A public notice was published in The Forum of Fargo-Moorhead on Wednesday, November 30, 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 all public comments will be accepted until 12:00 p.m. (noon) on Thursday, December 15, 2022. No written comments have been received.

The proposed amendment to the 2023-2026 TIP is as follows:

1. **Modification of Project 9200031:** NDDOT is rehabilitating the 25th Street I-94 interchange (2023). The project cost increased by 132%.
2. **Modification of Project 9221006:** NDDOT will be repairing a slide along Main Avenue in West Fargo (2023). The project year was shifted from 2024.
3. **Modification of Project 9231005:** NDDOT will be reconstructing the I-94 interchange at Lynchburg. (2024) The project year shifted from 2025.

4. **Modification of Project 9231005:** Moorhead Transit will be purchasing a new utility vehicle (2023). The project description is being modified.
5. **New Project 4232020:** City of Fargo construction of new shared use path along the Red River between 35th Avenue South and 40th Avenue South (2024). This is for the federal funding in fiscal year 2024 for 4232021.
6. **New Project 4232021:** City of Fargo construction of new shared use path along the Red River between 35th Avenue South and 40th Avenue South (2025). This is for the federal funding in fiscal year 2025 for 4232020 and the local portion.
7. **New Project 4232022:** City of Fargo construction of a shared use path and drain crossing on Drain 27. This project will connect two existing trail networks (2025).
8. **New Project 7232023:** City of Horace construction of a shared use path along the east side of Country Road 17. (2024).

MOTION: Approve Amendment #2 to the 2023-2026 Transportation Improvement Program

Mr. Lindaas moved, seconded by Ms. George.

MOTION, passed

Motion carried unanimously.

3d. 2021-2022 UPWP Amendment #7

Ms. Gray presented amendment #7 to the 2021-2022 Unified Planning Work Program (UPWP). Staff hours were approximately 300 less than budgeted due to a staff change mid-year that resulted in an unfilled position for a period of two months. She explained that some of the hours were made up by an increase in intern time, but at a much lower hourly rate. We anticipated this, and used approximately \$15,500 in carryover funds from 2021 and \$17,000 of the unused 2022 operations budget in the last UPWP amendment (#6) to purchase the Urban SDK license.

Ms. Gray explained that Metro COG's 2022 overhead expenditures are very close to the amount budgeted. The table in the memo showed estimated overhead expenses for the year. The only category that went overbudget is the maintenance of traffic count equipment.

Ms. Gray explained that an estimated \$31,653 remains in the 2022 overhead budget, which Metro COG recommends carrying over into the 2023 budget. She requested shifting \$700 from Category 800a, the travel/training budget to cover the overage in 800p, traffic count equipment maintenance.

Ms. Gray stated the recommended 2022 year-end amendment is summarized as follows:

- Amend the staff hours and costs as discussed
- Amend the overhead budget to shift \$700 from 800a to 800p to cover the overage in traffic count equipment maintenance.
- Amend the UPWP to carry over \$32,000 in remaining overhead funds into 2023. The proposed amendments to the 2023-2024 UPWP will address how these funds will be used.

Mr. Lindaas asked how there was an overage of approximately 7-1/2 weeks of staff time left over. Ms. Gray said that there was a vacancy after Luke Champa left and the position remained unfilled for approximately three months before Paul Bervik started. We made up for some of the vacancy with extra intern hours, but those hours did not cover the three-month vacancy of a full-time staff person.

MOTION: Approve the 2022 year-end UPWP Amendment, consisting of the changes identified below:

- **Amend the staff hours and costs as shown in the table on p. 1.**
- **Amend the overhead budget to shift \$700 from 800a to 800p to cover the overage in traffic count equipment maintenance.**
- **Amend the UPWP to carry over \$32,000 in remaining overhead funds into 2023. The proposed amendments to the 2023-2024 UPWP will address how these funds will be used.**

**Mr. Lindaas moved, seconded by Mr. Trudeau
MOTION, passed
Motion carried unanimously.**

3e. 2023-2024 UPWP Amendment #1

Ms. Gray presented amendment #1 to the 2023-2024 Unified Planning Work Program (UPWP). The purpose of this amendment is to consider additional projects to utilize approximately \$210,000 in unprogrammed CPG funds for the 2023 work program and approximately \$32,000 in unused 2022 overhead funds, for a total of approximately \$244,000.

She explained that since completion of the 2023-2024 UPWP earlier this fall, a few other project requests have been put forth that were not under consideration when we prepared the 2023 budget or the 2023-2024 UPWP. We do not have enough funding in our 2023 budget to do all of the projects, and at this time, we don't have flexibility in our 2024 budget either, so it will be important to choose carefully and focus broadly on the future transportation needs of the region.

The projects that have been suggested are as follows:

- West Metro Perimeter Highway Study – Cass County (referred to as a ring route in the interstate operations analysis)
- Horace Downtown Neighborhood Plan – City of Horace
- BNSF Railroad Grade Separation Study at 14th St NE in Dilworth – Not officially requested and no local sponsor identified at this time

Ms. Gray explained that she wanted to inform the Policy Board of the discussions about the BNSF Railroad discussions with local staff so everyone is aware of it, even though no specific project has been proposed at this time.

Ms. Gray stated that the West Metro Perimeter Highway Study is recommended as the highest priority project for the use of CPG funds, because it has the highest level of regional planning significance and is important from a timing perspective due to the short-term need to sell the excess right-of-way purchased for the diversion. She recommends that \$200,000 in CPG funds be used to fund this study, and Jason Benson, Cass County Engineer, has stated that he has the budget to provide the required local match.

She explained that the Horace Downtown Neighborhood Plan is recommended for partial funding using \$42,000 in CPG funds, because it is significantly less regional in nature and more focused on a neighborhood planning process. The City also intends to apply for a state-funded Partners in Planning grant. Metro COG could provide some level of staff assistance for the project to supplement funds. She added that the challenge with a project of this size is that the use of federal funding pushes it into a full Qualifications Based Selection (QBS) process, which is expensive for consultants to go through in pursuit of a small-scale project. The City of Horace will need to take this into consideration when adding funds to the total project budget.

Mr. Schneider said that he wrote a RAISE grant for the 15th Ave N(Moorhead)/12th Ave N(Fargo)bridge project, and suggested that Dilworth look into that same grant for Dilworth. Ms. Gray said she did send that information to Peyton Mastera, Dilworth City Administrator, earlier today. Chair Piepkorn asked if Dilworth could still use the funds if they could find enough local match, and Ms. Gray said it was feasible, should they find the funds, as there is enough unprogrammed CPG funding, but added that a project of that nature involves more engineering than we would normally be allowed to carry out in a planning study, and that the West Perimeter Route seems like a higher regional priority due to the timing of selling the excess right-of-way for the diversion. Ms. Nash asked if CPG funds were used to study the grade separation currently being designed in Moorhead at 11th Street. Ms. Gray stated that they were, but that study looked more at changing travel patterns with a multi-track grade separation and was looking at alternative locations for the grade separation within downtown Moorhead, at more of a planning and traffic analysis level.

MOTION: Approval of Amendment 1 to the 2023-2024 UPWP to add the West Metro Perimeter Highway Study to the UPWP with an estimated cost of \$240,000 and the Horace Downtown Neighborhood Plan for \$50,400 (with additional overmatch required from the City of Horace or other sources).

Mr. Schneider moved, seconded by Ms. George

MOTION, passed

Motion carried unanimously.

3f. Electric Vehicle Readiness Study

Mr. Altenburg stated that Metro COG has drafted a Request for Proposals (RFP) for an electric vehicle (EV) readiness study for the Fargo-Moorhead metropolitan area and plans to bring the RFP forward for approval in January. It is envisioned

that this study will provide local jurisdictions with public understanding of EV feasibility and benefits, assist in identifying current and potential barriers to EV adoption, and inform cities, counties, and other planning partners on infrastructure-related best practices to meet current and future EV needs of the metropolitan area. This is similar in scope to plans developed by cities and regional areas throughout the United States, which take an impartial look at EV trends and how best communities should lay the groundwork to become EV-ready. This study will also tie into recent National Electric Vehicle Infrastructure (NEVI) plans completed by NDDOT and MnDOT, including goals, strategies, and key takeaways identified in each plan.

3g. 2023 Employee Salary Adjustment

Ms. Gray presented a request for a 2023 adjustment in Employee Salaries, sometimes referred to as Cost-of-Living Adjustment (COLA). The 2021-2022 UPWP budgeted for a 3% increase. At the December 9 Executive Committee meeting, there was a recommendation of at least a 3.5% increase, to follow the City of Fargo, but potentially more depending on discussion at the Policy Board meeting. Ms. Gray presented budgeting options of 3%, 3.5%, and 4% in combination with 2023 health insurance premiums, and showed how they affect the 2023 budget.

**MOTION: Approve a 3.5% salary adjustment for Metro COG staff
Mr. Strand moved, seconded by Mr. Olson
MOTION, passed
Motion carried unanimously.**

3g. Summary of Benefits Presentation

Per the Metro COG Policies and Procedures, the Executive Director is required to provide a summary of employee benefits every year. Ms. Gray gave a brief presentation of all of the benefits that Metro COG offers its employees.

4. Additional Business

No additional business.

5. Adjourn

The 609th Meeting of the FM Metro COG Policy Board held Thursday, December 15, 2022 was adjourned at 5:15 pm.

**THE NEXT FM METRO COG POLICY BOARD MEETING WILL BE HELD January 19, 2023,
4:00 P.M.**

Respectfully Submitted,

Savanna Leach
Executive Assistant