

The 647th Policy Board Meeting Fargo-Moorhead Metropolitan Council of Governments THURSDAY, September 25, 2025 – 4:00 PM

AGENDA

1. Call to Order and Introductions
 - a. Introductions & Roll Call
 - b. Approve Order and Contents of the Overall Agenda Action Item
 - c. Approve Meeting Minutes of August 21, 2025 Action Item
 - d. Approve September 2025 Bills Action Item
2. Consent Agenda Action Item
 - a. August 2025 End-of-Month Report
 - b. Adoption of Metro COG Self-Certifications
 - c. Acceptance of 2024 Financial Audit
 - d. IRA Contact Authorization
3. Regular Agenda
 - a. Public Comment Opportunity Public Input
 - b. 2026-2029 TIP Adoption Action Item
 - c. 2026-2027 UPWP Adoption Action Item
 - d. 2025 Minnesota Federal Functional Classification Action Item
 - e. Moorhead I-94 & 20th Street Interchange Study Action Item
 - f. TTC Bylaw Amendment Action Item
4. Additional Business Information Item
5. Adjourn

REMINDER: The next Metro COG Policy Board Meeting will be held
Thursday, October 23, 2025 at 4:00 PM

Metro COG is encouraging citizens to provide their comments on agenda items via email to Angela Brumbaugh at brumbaugh@fmmetrocog.org. To ensure your comments are received prior to the meeting, please submit them by 8:00 AM on the day of the meeting and reference which agenda item your comments address. If you would like to appear via video or audio link for comments or questions on a regular agenda or public hearing item, please provide your e-mail address and contact information to the above e-mail at least one business day before the meeting.

Please use the following link to join this meeting online:

https://us02web.zoom.us/webinar/register/WN_ff_h2QQcRP6CL2PILQNJyg

Bolded Action Items require roll call votes.

Full Agenda packets can be found on the Metro COG Web Site at <http://www.fmmetrocog.org>

NOTE: Given the participation of Fargo City Commissioners at Policy Board meetings, such meetings may constitute open public meetings of the City of Fargo.

Metro COG is committed to ensuring all individuals, regardless of race, color, sex, age, national origin, disability/handicap, and/or income status have access to Metro COG's programs and services. Meeting facilities will be accessible to mobility impaired individuals. Metro COG will accommodate all requests for translation services for meeting proceedings, and related materials. Please contact Angela Brumbaugh at 701-532-5100 at least five days in advance of the meeting if any special accommodations are required for any member of the public to be able to participate in the meeting.

646th Policy Board Meeting
Fargo-Moorhead Metropolitan Council of Governments
Thursday, August 21, 2025 – 4:00 PM

Members Present:

Chuck	Hendrickson	Moorhead City Council
Paul	Krabbenhoft	Clay County Commission (Alt. for J. Mongeau)
Nicole	Mattson	Moorhead City Council
Sebastian	McDougall	Moorhead City Council
Brad	Olson	West Fargo City Commission
Dave	Piepkorn	Fargo City Commission
Mike	Reitz	MATBUS Representative
Art	Rosenberg	Fargo Planning Commission
Dave	Steichen	Dilworth City Council
Maranda	Tasa	Fargo Planning Commission
Michelle	Turnberg	Fargo City Commission
Joel	Vettel	Cass County Commission
Aaron	Murra	NDDOT Fargo District Engineer (<i>ex-officio</i>)

Members Absent:

Rory	Jorgensen	West Fargo City Commission
Denise	Kolpack	Fargo City Commission
Stephanie	Landstrom	Horace City Council
Jenny	Mongeau	Clay County Commission (Alternate Present)
Thomas	Schmidt	Fargo Planning Commission
John	Strand	Fargo City Commission
Shiloh	Wahl	MnDOT District 4 Engineer (<i>ex-officio</i>)

Others Present:

Adam	Altenburg	Metro COG
Karissa	Beierle Pavek	Metro COG
Paul	Bervik	Metro COG
Dan	Farnsworth	Metro COG
Ben	Griffith	Metro COG
Aiden	Jung	Metro COG
Michael	Maddox	Metro COG
Will	Hutchings	NDDOT - Local Government Division
Kristen	Sperry	FHWA
Sarah	Swedburg	Bolton and Menk Engineering
Tabatha	Arnaud	City of Kindred

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

The meeting was called to order at 4:00 PM, on Thursday, August 21, 2025 by Vice Chair Olson, noting a quorum was present. Introductions were made.

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

Vice Chair Olson asked for approval for the overall agenda.

MOTION: Approve the contents of the Overall Agenda of the July 17, 2025 Policy Board Meeting.

Mr. Piepkorn moved, seconded by Mr. Krabbenhoff

MOTION, passed

Motion carried unanimously.

1c. Past Meeting Minutes, approved

Vice Chair Olson asked for approval of the Minutes of the July 18, 2025 Meeting.

MOTION: Approve the July 18, 2025 Policy Board Meeting Minutes.

Ms. Mattson moved, seconded by Mr. McDougall.

MOTION, passed

Motion carried unanimously.

1d. Monthly Bills, approved

Vice Chair Olson asked for approval of the August 2025 Bills as listed on Attachment 1d.

MOTION: Approve the August 2025 Bills List.

Mr. Piepkorn moved, seconded by Mr. Vettel.

MOTION, passed

Motion carried unanimously.

2. CONSENT AGENDA

Vice Chair Olson asked for approval of Items a-b on the Consent Agenda.

a. July 2025 Month End Report

b. Purchasing Pedestrian Counters

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

Ms. Mattson moved, seconded by Mr. Krabbenhoff.

MOTION, passed

Motion carried unanimously.

3. REGULAR AGENDA

3a. Public Comment Opportunity

No public comments were made or received.

3b. 2025-2028 TIP Amendment 8

Mr. Bervik presented Amendment 8 regarding the 2025-2028 Transportation Improvement Program (TIP). A public notice was published on Wednesday, August 6, 2025, which advertised the public meeting, detailed how to request additional information, and provided information on how to provide public comments regarding the proposed amendment. The public notice stated that public comments would be accepted until 12:00 noon on Thursday, August 21, 2025. As of this time, no written comments have been received.

The proposed amendment to the 2025-2028 TIP is as follows:

1. **Modification of Project 9240053:** NDDOT removing negative left turn offsets at various locations (2025). Updating the total project cost and cost breakdown. Moving project year from 2026 to 2025.
2. **Modification of Project 4253046:** Fargo removing negative left turn offsets at intersection of 19th Avenue North and University Drive (2025). Moving project year from 2026 to 2025.
3. **Modification of 8256053:** MnDOT right-of-way purchase for districtwide snow fence installation. (2026) Updating the total project cost and cost breakdown. Moving project year from 2027 to 2026.
4. **Modification of 8256054:** MnDOT engineering for districtwide snow fence installation. (2026) Updating the total project cost and cost breakdown. Moving project year from 2027 to 2026.
5. **Modification of 8250025:** MnDOT new construction for districtwide snow fence. (2027) Updating the total project cost and cost breakdown.
6. **New Project 9258062:** NDDOT professional engineering for the reconstruction of 10th Street North from NP Avenue to 4th Avenue North (2025).

MOTION: Approval of Amendment 8 to the Metro COG 2025-2028 Transportation Improvement Program (TIP).

Mr. Piepkorn moved, seconded by Ms. Mattson

MOTION, passed

Motion carried unanimously.

3c. Draft 2026-2029 TIP

Mr. Bervik presented information regarding the 2026-2029 Transportation Improvement Program (TIP). A public notice was published on Wednesday, August 13, 2025, informing the public that the draft is available for review and announcing there will be public input meeting held on September 2, 2025 at the Hjemkomst Center.

The TIP is made up of transportation projects in coordination with NDDOT and MnDOT draft State Transportation Improvement Programs (STIP). Any comments regarding the draft should be submitted by September 15, 2025.

Informational Only

3d. Heartland Trail Study in Clay County

Mr. Farnsworth presented information on the Heartland Trail Study stating it was completed with Clay County and other local jurisdictions partnership. The State of Minnesota authorized the extension of the Heartland Trail from Park Rapids to Moorhead in 2006 and Metro COG created the Clay County Heartland Trail Task Force in 2014. Membership was made up of representatives from Clay County, Moorhead, Dilworth, Glyndon, Hawley, MnDOT, MN DNR, and other planning partners.

The study was conducted to get a better understanding of the public's interests, needs, and concerns. Public input, Stakeholder, and Landowners meetings were held.

The next step is to set up a task force, determine if it will be a state or regional/local trail, pursue funding, land acquisition, and trail design before construction can begin.

MOTION: Approval of the Heartland Trail Study in Clay County.

Mr. Hendrickson moved, seconded by Mr. Krabbenhofft.

MOTION, passed

Motion carried unanimously.

3e. Kindred Comprehensive & Transportation Plan

Mr. Altenburg stated the Kindred Comprehensive study was kicked off in August 2024. He introduced Sarah Swedburg with Bolton and Menk Engineering.

Ms. Swedburg summarized the different steps taken to complete this project: Public hearings were held in June, feedback was requested from community groups and conducted a review of historical trends.

The vision statement is "to have a kind, vibrant, and thriving community that leverages its strong sense of unity and small-town charm while enhancing local amenities, infrastructure, and economic opportunities for all."

Different items discussed in the Plan are Economic Development, Land Use Maps including the floodplain area, planning for incremental growth, transportation, public facilities and infrastructure, community character, housing, natural resources, and parks and recreation.

The Implementation chapter is a tool for the city and council moving forward along with priorities and phasing. Council felt it was a good process with a lot of positive feedback. Currently, Kindred is a bedroom community for the metro, and they would like to look at ways to keep more people employed in Kindred.

MOTION: Approve the Kindred Comprehensive and Transportation Plan

Mr. Hendrickson moved, seconded by Mr. Piepkorn.

MOTION, passed

Motion carried unanimously.

****Mr. Krabbenhoft left at 4:30 p.m.****

4. Additional Business

Mr. Griffith stated he had three items to share with the Policy Board:

- Staff would begin the process to formally establish the Prioritization Committee with an amendment to the TTC Bylaws in September.
- Metro COG was selected for a Title VI/LEP review by the NDDOT Office of Civil Rights and a site visit has been scheduled for September 8th.
- The 2026-2029 TIP and the 2026-2027 UPWP would both be on the September 25th Policy Board agenda for adoption.

5. Adjourn

MOTION: Adjourn the 646th Meeting of the FM Metro COG Policy Board

Mr. Piepkorn moved, seconded by Ms. Turnberg

MOTION, passed.

Motion carried unanimously.

The 646th Meeting of the FM Metro COG Policy Board held Thursday, August 21, 2025 was adjourned by Vice Chair Olson at 4:56 PM.

THE NEXT FM METRO COG POLICY BOARD MEETING WILL BE HELD ON THURSDAY, SEPTEMBER 25, 2025 at 4:00 PM.

Respectfully Submitted,

Angela Brumbaugh
Office Manager

	Vendor	Date	Num	Memo/Description	Due Date	Open Balance
American United Life Insurance Company						
	American United Life Insurance Company	10/01/2025	G00622518 10/25		10/11/2025	110.48
Total for American United Life Insurance Company						\$ 110.48
Balance Tax & Accounting						
	Balance Tax & Accounting	09/01/2025	5671		09/11/2025	1,575.00
Total for Balance Tax & Accounting						\$ 1,575.00
Blue Cross Blue Shield Of ND						
	Blue Cross Blue Shield Of ND	10/01/2025	250912119968		10/31/2025	10,916.75
Total for Blue Cross Blue Shield Of ND						\$ 10,916.75
Bolton & Menk, Inc						
	Bolton & Menk, Inc	08/26/2025	371744		09/05/2025	8,127.07
Total for Bolton & Menk, Inc						\$ 8,127.07
Cardmember Services						
	Hotel Alexander	08/01/2025				836.39
	Hotel Alexander	08/01/2025				695.19
	Hotel Alexander	08/01/2025				695.19
	Zoom	08/01/2025				95.97
	Facebook	08/06/2025				14.55
	Microsoft	08/08/2025				49.57
	Column Public Notice	08/11/2025				66.88
Total for Cardmember Services						\$ 2,453.74
Case Plaza Office Park						
	Case Plaza Office Park	10/01/2025	10/25 Rent		10/31/2025	7,816.00
Total for Case Plaza Office Park						\$ 7,816.00
Dan Farnsworth						
	Dan Farnsworth	08/21/2025	08.21.25 Reimb		08/31/2025	602.14
Total for Dan Farnsworth						\$ 602.14
Eco-Counter Inc						
	Eco-Counter Inc	09/09/2025	161143		09/19/2025	28,520.50
	Eco-Counter Inc	09/15/2025	161164		09/25/2025	4,860.00
	Eco-Counter Inc	05/21/2025	160626-CR			-911.25
Total for Eco-Counter Inc						\$ 32,469.25
Eide Bailly LLP						
	Eide Bailly LLP	09/03/2025	SI00044800		09/13/2025	1,192.00
Total for Eide Bailly LLP						\$ 1,192.00

	Vendor	Date	Num	Memo/Description	Due Date	Open Balance
HDR Engineering Inc						
	HDR Engineering Inc	08/29/2025	1200751866		09/30/2025	2,207.40
	HDR Engineering Inc	08/31/2025	1200752495		09/30/2025	10,879.19
Total for HDR Engineering Inc						\$ 13,086.59
Liberty Business Systems, Inc						
	Liberty Business Systems, Inc	09/10/2025	40104035		09/30/2025	182.93
Total for Liberty Business Systems, Inc						\$ 182.93
Metro COG Staff						
	Metro COG Staff	08/15/2025		Employee withholding	08/15/2025	40.00
	Metro COG Staff	08/29/2025		Employee withholding	08/29/2025	40.00
Total for Metro COG Staff						\$ 80.00
Midco Business						
	Midco Business	09/11/2025	16879260214948		09/21/2025	332.46
Total for Midco Business						\$ 332.46
Mutual of Omaha						
	Mutual of Omaha	10/01/2025	1950805157		10/11/2025	234.59
Total for Mutual of Omaha						\$ 234.59
Payroll Professionals						
	Payroll Professionals	08/15/2025			08/15/2025	80.00
	Payroll Professionals	08/29/2025			08/29/2025	80.00
Total for Payroll Professionals						\$ 160.00
Pitney Bowes Credit Corp						
	Pitney Bowes Credit Corp	09/12/2025	3321302198		09/30/2025	171.00
Total for Pitney Bowes Credit Corp						\$ 171.00
ReadiTech						
	ReadiTech	08/27/2025	395375		09/06/2025	69.00
Total for ReadiTech						\$ 69.00
Softchoice Corporation						
	Softchoice Corporation	08/21/2025	Q-2500518		08/31/2025	7,031.80
Total for Softchoice Corporation						\$ 7,031.80
SRF Consulting Group, Inc.						
	SRF Consulting Group, Inc.	08/31/2025	16443.00-14		09/10/2025	5,701.25
	SRF Consulting Group, Inc.	08/31/2025	17185.00-19		09/10/2025	1,588.13
Total for SRF Consulting Group, Inc.						\$ 7,289.38
Wex Health Inc						

	Vendor	Date	Num	Memo/Description	Due Date	Open Balance
	Wex Health Inc	08/31/2025	2216282-IN		09/10/2025	25.00
Total for Wex Health Inc						\$ 25.00
TOTAL						\$ 93,925.18

Payroll Liabilities

Federal Withholding	3,431.82
Federal Social Security - ee	1,897.35
Federal Social Security - er	1,897.36
Federal Medicare - ee	443.75
Federal Medicare - er	443.74
Minnesota Withholding	92.00
North Dakota Withholding	198.00
Health Savings	797.92
Employee IRA	1,213.24
Employer IRA	688.31
Total	\$ 11,103.49
Grand Total	\$ 105,028.67

Agenda Item 2a Attachment 1

Metro COG Month End Budget Summary August 2025			
Unified Planning Work Program			
Staff Time Categories	Budget ⁴	Spent	% Spent
100 - Policy/Admin Forums	\$80,164.30	\$38,826.20	48.4%
200 - Contracted Planning Services	\$135,814.31	\$76,762.72	56.5%
300 - Federal Transportation Planning	\$188,367.17	\$139,075.10	73.8%
400 - Technical Transportation Data	\$113,720.29	\$95,600.32	84.1%
500 - Transit Planning	\$21,007.13	\$12,253.82	58.3%
600 - Bicycle & Pedestrian Planning	\$63,187.35	\$48,223.42	76.3%
700 - Local Planning Assistance	\$77,321.83	\$12,805.93	16.6%
800 - General Administration ¹	\$309,507.09	\$172,523.12	55.7%
900 - Publications, Public Info & Comms	\$15,810.70	\$9,787.83	61.9%
1000 - Community Planning (local only) ²	\$20,569.70	\$15,442.48	75.1%
<i>Internal Program Subtotal</i>	<i>\$1,025,469.87</i>	<i>\$621,300.94</i>	<i>60.6%</i>
800a - 800r - Overhead (Fed Elig.)	\$400,438.77	\$343,125.25	85.7%
801 - Overhead (local only)	\$3,800.00	\$741.42	19.5%
Sub Total Internal Program Operations	\$1,429,708.64	\$965,167.61	67.5%
1100 - Contracted Planning Services³	\$826,400.92	\$623,768.70	75.5%
Summary of UPWP Costs	\$2,256,109.56	\$1,588,936.31	70.43%
Breakdown of Personnel Costs	Budget	Actual YTD	% Spent
Payroll Salaries	\$808,755.67	\$551,339.09	68.2%
Health, Vision, Dental Insurance	\$107,244.34	\$58,454.11	54.5%
Life & AD&D Insurance (Mutual of Omaha)	\$1,440.00	\$772.81	53.7%
Employer Simple IRA Contribution	\$23,701.07	\$10,591.54	44.7%
Payroll Tax Expense - FICA	\$61,869.81	\$37,928.21	61.3%
Employer HSA Contribution	\$20,400.00	\$18,150.00	89.0%
Misc. Payroll, Recruitment			N/A
North Dakota Unemployment Insurance			N/A
Total	\$1,023,410.89	\$677,235.76	66.2%

¹Includes vacation, sick and holiday leave in addition to general administration

²Includes contracts with local entities (Assistance to Food Comm., Dilworth Comp Plan)

³Employer Contribution Only

To: Policy Board members
From: Ben Griffith, AICP, Executive Director
Date: September 19, 2025
Re: **Adoption of Metro COG's Self-Certifications**

Each year, Metro COG executes new self-certifications for use in adoption of the annual Transportation Improvement Program (TIP) and Unified Planning Work Program (UPWP). This year is no different; however, two compelling reasons require us to adopt the self-certifications separately from the planning and programming documents for which they are to be incorporated into.

First, with a new Administration in the nation's capital, there have been a number of significant changes in the transportation world, in the form of Executive Orders and Directives which require updating of the self-certifications.

Second, Metro COG's TIP and UPWP are both scheduled for adoption at the same time, and NDDOT staff recommended adopting the self-certifications collectively for inclusion in both documents.

Metro COG researched the Executive Orders and Directives, as well as available guidance on how to revise and update the self-certifications. When updated, Metro COG staff forwarded the self-certifications to NDDOT staff for review. Those self-certifications are included with this memo.

Requested Action: Approval of Metro COG's self-certifications and authorize the Policy Board Chair and Executive Director to execute said self-certifications.

OFFICIAL ADOPTION CERTIFICATION OF METRO COG'S 2026-2027 UPWP

The signature below constitutes the official adoption of the 2026-2027 Unified Planning Work Program (UPWP) by the Fargo-Moorhead Metropolitan Council of Governments (Metro COG), serving as the region's Metropolitan Planning Organization (MPO). The UPWP was adopted by Metro COG's Policy Board at their regularly scheduled monthly meeting on Thursday, September 25, 2025.

Jenny Mongeau, Policy Board Chair
Fargo-Moorhead Metropolitan Council of Governments

Date

Please Note: Approved Meeting Minutes and Adopting Resolution from the September 25, 2025 Policy Board meeting are included in this document as **Appendix K**.

**A Resolution Endorsing the FY 2026 – FY 2029 Transportation Improvement Program for
the Fargo-Moorhead Metropolitan Area**

WHEREAS, the members of the Fargo-Moorhead Council of Governments (Metro COG) Policy Board have been formally designated by their respective legislative bodies to acts as the official representative in planning matters of mutual concern; and

WHEREAS, Metro COG is the designated Metropolitan Planning Organization (MPO) for the greater Fargo-Moorhead metropolitan area; and

WHEREAS, it is the responsibility of the MPO, in conjunction with the States of Minnesota and North Dakota, to certify that the transportation planning process complies with all applicable federal laws and regulations; and

WHEREAS, a fiscally constrained and prioritized Transportation Improvement Program (TIP) for intermodal planning is required by the U.S. Department of Transportation (DOT) and was developed by the MPO for the greater Fargo-Moorhead metropolitan area; and

WHEREAS, the Fiscal Year 2026 – 2029 Transportation Improvement Program, dated September 25, 2025, which defines the capital improvements for streets, highways, bicycle and pedestrian facilities and public transit in the metropolitan area for a four-year period, has been approved by the Transportation Technical Committee; and

WHEREAS, the Metro COG regions is in attainment for all air quality standards and projects contained within the TIP are not subject to conformity regulations contained in 40 CFR part 93, subpart A; and

WHEREAS, the Fiscal Year 2026 – 2029 Transportation Improvement Program has been given due consideration by the public and the Metro COG Policy Board;

NOW, THEREFORE, BE IT RESOLVED, that the Metro COG Policy Board approves the Fiscal Year 2026 – 2029 Transportation Improvement Program, dated September 25, 2025, and recommends said program be forwarded to the appropriate state and federal agencies; and

BE IT FURTHER RESOLVED, that Metro COG certifies that the transportation planning process complies with applicable laws and regulations as required in 23 CFR 450.336

Approved this 25th day of September, 2025.

Jenny Mongeau
Metro COG Policy Board Chair

Ben Griffith
Metro COG Policy Board Secretary

**A RESOLUTION CONFIRMING THE METROPOLITAN TRANSPORTATION PLAN
AS BEING CURRENTLY HELD VALID**

WHEREAS, the U.S. Department of Transportation (DOT) requires that the Metropolitan Planning Organization (MPO) designated with the authority to carry out metropolitan transportation planning in a given urbanized area shall prepare a transportation plan for that area; and

WHEREAS, the DOT further requires that the MPO annually review this transportation plan, and confirm that it is currently held valid and consistent with current transportation and land use issues; and

WHEREAS, Metro COG adopted its Metropolitan Transportation Plan, *Metro 2050: Transportation Moving Ahead* in September of 2024, as well as detailed ancillary modal documents including the Metropolitan Bikeway and Pedestrian (adopted October 2022), a Metropolitan Transit Development Plan (adopted July 2021), a Metropolitan Comprehensive ITS Plan (adopted January 2023); and

WHEREAS, the *Metro 2050: Transportation Moving Ahead* Fargo-Moorhead Metropolitan Transportation Plan includes a transportation management element, a short-and mid-term and a long-term transportation project prioritization element, providing for the transportation needs of the urbanized area; and

WHEREAS, the Transportation Technical Committee of Metro COG recommends that the *Metro 2050: Transportation Moving Ahead* Metropolitan Transportation Plan be considered valid and consistent with current transportation and land use issues.

NOW, THEREFORE, BE IT RESOLVED, that the Metro COG Policy Board certifies that the *Metro 2050: Transportation Moving Ahead* Metropolitan Transportation Plan is currently held valid and consistent with current transportation and land use considerations.

Approved this 25th day of September, 2025.

Jenny Mongeau
Metro COG Policy Board Chair

Ben Griffith
Metro COG Policy Board Secretary

TRANSPORTATION PLANNING PROCESS SELF-CERTIFICATION STATEMENT

The Fargo-Moorhead Metropolitan Planning Organization (Metro COG) hereby certifies that it is carrying out a continuing, cooperative, and comprehensive transportation planning process for the region in accordance with all applicable requirements as outlined in 23 CFR 450.336 including:

- 1) 23 USC 134 and 49 USC 5303, and 23 CFR Part 450;
- 2) In non-attainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended [42 USC 7504, 7506 (c) and (d)] and 40 CFR part 93;
- 3) Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-1) and 49 CFR part 21;
- 4) 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- 5) Section 1101(b) of the Infrastructure Investment and Jobs Act (IIJA) (PL 117-58) and 49 CFR part 26 regarding the involvement of Disadvantaged Business Enterprises in USDOT funded planning projects;
- 6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- 7) The provisions of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- 8) The Older Americans Act, as amended (42 USC 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- 9) Section 324 of Title 23 USC regarding the prohibition of discrimination based on gender; and
- 10) Section 504 of the Rehabilitation Act of 1973 (29 USC 794) and CFR part 27 regarding discrimination against individuals with disabilities.

The aforementioned applicable requirements are reflective of 23 CFR 450.336 as of August 18, 2025. Metro COG is compliant to the extent all applicable requirements, or portions thereof, are in effect.

Full documentation of Metro COG.s federal certification can be obtained by contacting Metro COG at (701) 532-5100, metrococg@fmmetrococg.org or by visiting in person at 1 – 2nd Street North, Case Plaza, Suite 232, Fargo, North Dakota 58102.

**Fargo-Moorhead Metropolitan
Council of Governments**

**North Dakota
Department of Transportation**

Signature Date

Signature Date

Policy Board Chair
Title

Title

CERTIFICATION OF RESTRICTIONS ON LOBBYING

I, Jenny Mongeau, the 2025 Fargo-Moorhead Metropolitan Council of Governments (Metro COG) Policy Board Chair, certify on behalf of Metro COG, to the best of my knowledge:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. IF any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in conjunction with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard-Form LLL "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontractors, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

The certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code.

Entered into this 25th day of September, 2025.

By: _____

Jenny Mongeau, Policy Board Chair

Fargo-Moorhead Metropolitan Council of Governments

Date: _____

To: Policy Board members
From: Ben Griffith, AICP, Executive Director
Date: September 19, 2025
Re: **Acceptance of 2024 Financial Audit**

In late April of this year, Metro COG began its annual financial audit for 2024 by the Brady Martz accounting firm. While there were NO accounting deficiencies or findings noted with our finances, there were some year-end adjusting entries required by our accountant. The adjusting entries were made and found to be in compliance. The final report is included with this memo for your reference.

A couple of items to note from the audit report:

- The liabilities and deferred inflows of resources of Metro COG exceeded its assets at the close of the most recent fiscal year by \$57,440 (net position).
- Metro COG's cash balance at December 31, 2024 was \$162,569 which increased by \$86,866 from December 31, 2023.
- Metro COG's total net position increased by \$38,724.

We have already begun work on a new Indirect Rate with NDDOT Audit Services, with the completed 2024 financial audit one of the last items required for submittal, since other materials requested have already been provided. We hope to have the Indirect Rate Review completed before the end of the year so we may begin 2026 knowing in advance what our Indirect Rate will be for accounting entries, etc.

Upon acceptance of the 2024 financial audit, Metro COG is required to provide copies to FHWA, NDDOT and MnDOT prior to September 30. A copy is also required to be uploaded to the Federal Audit Clearinghouse website. Copies of the audit have also been requested by both Cass and Clay Counties.

Requested Action: Accept the 2024 financial audit prepared by Brady Martz & Associates.

**FARGO – MOORHEAD METROPOLITAN
COUNCIL OF GOVERNMENTS
FARGO, NORTH DAKOTA**

AUDITED FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2024

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INDEPENDENT AUDITOR'S REPORT

To the Governing Board
Fargo-Moorhead Metropolitan Council of Governments
Fargo, North Dakota

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities and general fund information of the Fargo-Moorhead Metropolitan Council of Governments as of and for the year ended December 31, 2024, and the related notes to the financial statements, which collectively comprise the Fargo-Moorhead Metropolitan Council of Governments' basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, and general fund information of the Fargo-Moorhead Metropolitan Council of Governments, as of December 31, 2024, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Fargo-Moorhead Metropolitan Council of Governments and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Fargo-Moorhead Metropolitan Council of Governments' ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Fargo-Moorhead Metropolitan Council of Governments internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Fargo-Moorhead Metropolitan Council of Governments ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America requires that the management's discussion and analysis and budgetary comparison information on pages 5-12 and 25-26 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise Fargo-Moorhead Metropolitan Council of Governments' basic financial statements. The schedule of expenditures of federal awards, as required by Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated September 17, 2025 on our consideration of Fargo-Moorhead Metropolitan Council of Governments' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Council's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Fargo-Moorhead Metropolitan Council of Governments' internal control over financial reporting and compliance.



**BRADY, MARTZ & ASSOCIATES, P.C.
GRAND FORKS, NORTH DAKOTA**

September 17, 2025

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED DECEMBER 31, 2024

As Management of the Fargo-Moorhead Metropolitan Council of Governments (Metro COG), we offer readers of Metro COG's financial statements this narrative overview and analysis of the financial activities of Metro COG for the fiscal year ended December 31, 2024. We encourage readers to consider the information presented here in conjunction with Metro COG's financial statements, which begin on page 12.

Financial Highlights

- The liabilities and deferred inflows of resources of Metro COG exceeded its assets at the close of the most recent fiscal year by \$57,440 (net position).
- Metro COG's cash balance at December 31, 2024 was \$162,569 which increased by \$86,866 from December 31, 2023.
- Metro COG's total net position increased by \$38,724.
- Metro COG had revenues of \$3,460,755 and expenses of \$3,422,031 for the year ended December 31, 2024. Revenues included grant funds of \$2,637,013, local matching funds of \$526,434, local dues of \$296,570 and other income of \$738. For the year ended December 31, 2023, Metro COG's revenues were \$1,871,385 and expenses were \$1,986,083. Revenues for the year ended December 31, 2023 included grant funds of \$1,378,100, local matching funds of \$194,079, local dues of \$271,878, and other income of \$508.

Overview of the Financial Statements

The discussion and analysis is intended to serve as an introduction to Metro COG's basic financial statements. Metro COG's basic financial statements comprise three parts: 1) Governmental Funds Balance Sheet/Statement of Net Position, 2) Statement of Governmental Fund Revenues, Expenditures, and Changes in Fund Balances/Statement of Activities, and 3) Notes to the Financial Statements.

BASIC FINANCIAL STATEMENTS

The basic financial statements are designed to provide readers with a broad overview of Metro COG's finances, in a manner similar to a private-sector business.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2024

The *statement of net position* presents information on all of Metro COG's assets, deferred outflows of resources, liabilities, and deferred inflows of resources, with the difference between these reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of Metro COG is improving or deteriorating.

	<u>2024</u>	<u>2023</u>
ASSETS		
Current assets	\$ 998,632	\$ 388,620
Capital assets (net)	<u>376,669</u>	<u>365,301</u>
TOTAL ASSETS	<u>1,375,301</u>	<u>753,921</u>
LIABILITIES		
Current liabilities	984,737	416,229
Long-term liabilities	<u>92,544</u>	<u>124,003</u>
TOTAL LIABILITIES	<u>1,077,281</u>	<u>540,232</u>
DEFERRED INFLOW OF RESOURCES		
Local match - Federal Planning Contracts	<u>355,460</u>	<u>309,853</u>
TOTAL DEFERRED INFLOW OF RESOURCES	<u>355,460</u>	<u>309,853</u>
NET POSITION		
Net investment in capital assets	244,548	206,946
Unrestricted	<u>(301,988)</u>	<u>(303,110)</u>
TOTAL NET POSITION	<u>\$ (57,440)</u>	<u>\$ (96,164)</u>

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2024

The *statement of activities* presents information showing how Metro COG's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future periods (e.g., depreciation and earned but unused vacation leave).

	<u>2024</u>	<u>2023</u>
REVENUE		
Operating grants and contributions	\$ 3,460,017	\$ 1,870,877
Other income	<u>738</u>	<u>508</u>
	<u>3,460,755</u>	<u>1,871,385</u>
EXPENSES		
Salaries	784,534	761,574
Fringe benefits	172,125	166,505
Travel	11,052	11,947
Professional fees	19,450	16,745
Rent and utilities	7,791	10,580
Accounting service	18,179	17,297
Advertising	2,278	1,257
Telephone	3,957	3,813
Office expense	7,251	6,676
Dues and subscriptions	14,083	51,423
Project costs (contracted planning)	2,088,263	570,718
Information systems	161,085	104,367
Insurance	8,369	7,424
Special activities	1,401	137,535
Compensated absences	351	3,568
Principal payments on lease liabilities	36,042	31,262
Interest expense	9,972	12,100
Depreciation and amortization	<u>75,848</u>	<u>71,292</u>
	<u>3,422,031</u>	<u>1,986,083</u>
Change in net position	38,724	(114,698)
Net position, beginning of year	<u>(96,164)</u>	<u>18,534</u>
Net position, end of year	<u>\$ (57,440)</u>	<u>\$ (96,164)</u>

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2024

The basic financial statements report on the primary function of Metro COG as being supported by intergovernmental revenues from local, state, and federal sources. Metro COG is responsible for harmonizing transportation planning and programming decisions involving local, state, and federal agencies to ensure the efficient management and operations of the surface transportation system within the FM Metropolitan area. Metro COG's primary revenue source is from the U.S. Department of Transportation.

The basic financial statements can be found on pages 13 and 14 of this report.

FUND FINANCIAL STATEMENTS

A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Metro COG, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. Metro COG has only one fund type, namely a general fund that is used to account for its operations.

NOTES TO THE FINANCIAL STATEMENTS

The notes provide additional information that is essential to a full understanding of the data provided in the fund financial statements. The notes to the financial statements can be found on pages 15 through 24 of this report.

Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of Metro COG, liabilities and deferred inflows of resources exceeded assets by \$57,440 at the close of the most recent fiscal year.

During the current fiscal year, net position of Metro COG increased by \$38,724. Metro COG's revenues are largely intergovernmental revenues received from cost reimbursement grants. Metro COG draws down money from the grants' awards for allowable program expenses, except for non-cash transactions, such as changes in compensated absences.

Financial Analysis of Metro COG's Funds

As noted earlier, Metro COG uses fund accounting to ensure and demonstrate compliance with finance related legal requirements. Metro COG's general fund is discussed below:

GENERAL FUND

As of the end of the current fiscal year, Metro COG's general fund reported an ending fund balance of \$(224,587). Metro COG's major sources of revenues are cost reimbursement state and federal grants, as well as local dues and local matches collected from local units of government. The fund balance primarily represents the accumulation of local monies and interest income in excess of expenditures not reimbursed by funding sources.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2024

General Fund Budgeting Highlights

Actual revenues were \$443,153 higher than expected and actual expenditures were \$880,911 over budget in the general fund.

Capital Asset and Debt Administration

CAPITAL ASSETS

Metro COG's capitalization threshold is \$1,000. As of December 31, 2024, Metro COG had capital assets, net of accumulated depreciation and amortization, of \$376,669. See Note 4 of this report for more information on capital assets.

DEBT

The Metro COG has outstanding long-term debt relating to lease liabilities as of December 31, 2024. Detailed information on the Metro COG's long-term debt can be found in Note 6 of this report.

Economic Factors and Next Year's Budgets and Rates

Metro COG's initial 2024 budget was \$2,302,587, with \$1,842,070 in Federal funds and \$460,517 in local match. This budget supports operations and contracted planning services. At the end of 2023, Metro COG prepared a "carryover" amendment for projects which were already underway, and projects scheduled for 2023 that had been delayed, both of which were to utilize 2023 programmed funds. This had been the standard practice for Metro COG and all the North Dakota MPOs for many years. At the Fall NDDOT-MPO Directors meeting in Bismarck on September 15, 2023, NDDOT informed the MPOs that beginning in 2025, CPG funds would be distributed via one-year contracts, not two-year contracts, which had been the practice. It was also announced that there would no longer be any "carryover" of CPG funds from one year to the next, but that any projects that were already underway "would be kept whole" by re-obligation of funds after the first of the year. Metro COG's end-of-year "carryover" amendment was approved by Policy Board on December 21, 2023 and forward to NDDOT and FHWA for final approval.

At a meeting with NDDOT on February 1, 2024, Metro COG staff was informed that there would be no "carryover" of 2023 funds because they had decided to move up the annual distribution schedule from 2025 to 2024. This created a budget shortfall of approximately \$812,274 for projects that were currently underway and projects that were programmed with 2023 CPG funds that had not yet begun. This meant that the end-of-year "carryover" amendment was not approved by NDDOT or FHWA and that a new UPWP amendment was necessary to revise and update the UPWP budget for 2024. Metro COG staff immediately began preparing its first UPWP amendment of 2024. A total of two amendments to the 2023-2024 UPWP were approved by the Policy Board in 2024, numbered 4 and 5.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2024

A total of four (4) Consolidated Planning Grant (CPG) contracts were executed between Metro COG and NDDOT. The listing below provides detailed information on each contract:

NDDOT Contract Number 38231483 – Beginning of Year – January 19, 2024
Total Federal Award: \$2,302,587.18 / \$1,842,069.74 federal / \$460,517.44 local match

NDDOT Contract Number 38231483A – UPWP Amendment #4 – June 5, 2024
Total Federal Award: \$2,929,419.92 / \$2,357,589.98 federal / \$571,829.92 local match
Adding \$515,520.24

NDDOT Contract Number 38231483B – UPWP Amendment #5 – July 16, 2024
Total Federal Award: \$3,254,419.92 / \$2,609,589.98 federal / \$644,829.94 local match
Adding \$252,000.00

NDDOT Contract Number 38231483C – Administrative – September 25, 2024
Total Federal Award: \$3,168,241.17 / \$2,540,646.98 federal / \$627,594.19 local match
Subtracting \$68,943.00 (2024 FTA funds were never transferred from MnDOT to NDDOT and were included in the 2025 CPG contract.)

Local funds are also received as revenue to cover staff efforts that are not eligible for Federal funding. Work program elements covered by these funds in 2024 included the Kindred Comprehensive & Transportation Plan activities that were ineligible for Federal Consolidated Planning Grant (CPG) Funds, ongoing technical assistance provided to the Cass Clay Food Commission and ineligible or supplemental components of other planning studies.

There were five staff changes in 2024. Office Manager Savanna Leach resigned in May, replaced in July by Angela Brumbaugh. Long-time Intern Ayden Schaffler, graduated and resigned in May. Two interns were hired in 2024: Aiden Jung in June and Mackenzie Mueller in July. GIS Specialist Jaron Capps resigned in June and was replaced by Karissa Pavek in September. Assistant Transportation Planner Chelsea Leverson resigned in November and was replaced by Intern Aiden Jung at the beginning of January 2025. As of December 31, 2024, Metro COG had one vacant position which was filled by Aiden Jung on January 2, 2025. Three of Metro COG's eight staff members have longevity of ten years or more, and their salaries have steadily grown with their tenure.

On June 5, 2023, Metro COG was officially designated as a Transportation Management Area (TMA) as published in the Congressional Record. Since Metro COG serves as the Metropolitan Planning Organization (MPO) for the Fargo-Moorhead region, it is this agency's responsibility to address the Federal TMA requirements and actively participating in a "certification" process with the FHWA and FTA. Prior to the designation, in September 2022, Metro COG entered into a TMA Funding Agreement with the NDDOT and FHWA. Since that time, the responsibilities of Metro COG as it transitions to a TMA have become increasingly clearer, consisting of soliciting local jurisdictions for Federally funded construction projects, organizing and documenting project selection and prioritization, and tracking these projects as they go through the project development and implementation phases to ensure the funds can be spent during the year(s) for which they are programmed.

As the Fargo-Moorhead metropolitan area grows, the need for planning studies and staff efforts to address the region's transportation system will continue to grow. As Metro COG continues its

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2024

transition from a MPO towards full TMA status, the agency will continue focusing on its responsibilities, needs, and expectations as a TMA. Metro COG's CPG budgets have been substantially less than in previous years, primarily due to the addition of a fourth MPO in Minot in November of 2023. While a new MPO has been established in North Dakota, no additional CPG funding has been secured, nor does there appear to be any increase within the remaining fiscal years under the current Federal transportation bill. Metro COG will continue to work closely with its local jurisdictions to identify and determine additional studies that should be added to or subtracted from the 2025-2026 UPWP and budget.

Previous financial audit reports have indicated that Metro COG needs to request the NDDOT to update the agency's audited indirect cost rate as soon as possible, believing that this was part of the reason Metro COG's net position had been declining in recent years. Metro COG's indirect cost rate for 2024 had been 100.6376% but in early 2025 was reduced to 98.8176%.

Future Events that will Financially Impact Metro COG

While the Infrastructure Investment and Jobs Act (IIJA) was passed by Congress in 2021, Metro COG and every other MPO is still learning more about the legislation and its many competitive grant funding programs. The NDDOT saw only a slight increase in CPG funds and NDDOT encouraged the three MPOs to develop and decide upon a new funding formula to divide the CPG funds, keeping in mind that the Minot area MPO would be operational before the end of 2023.

In September 2023, NDDOT announced that it would no longer allow the carryover of unused CPG funds for projects, beginning with the 2025 fiscal year. Metro COG proceeded with an end-of-year "carryover" amendment to its 2023-2024 UPWP which was approved by the Policy Board on December 21st in the amount of \$812,274. The amendment was not approved by NDDOT as of the end of 2023. At a meeting on February 1, 2024, Metro COG was informed that NDDOT had decided to implement this action in 2024 rather than wait until 2025, as the MPOs had previously been informed. This will severely affect Metro COG's work program in 2024 and for years to come if a process is not put into place by NDDOT to utilize these unused CPG funds.

With the transition to a TMA, Metro COG receives a dedicated direct allocation of federal transportation funds through what is called the Surface Transportation Block Grant (STBG). These funds may be used for streets, highways, transit, and planning activities. While a TMA doesn't receive additional funds or an increase of funds, it does have more direct control how these funds are expended. A direct allocation of funding will also occur for alternative transportation modes, called the Transportation Alternative Program (TAP) and for a new program included in the IIJA called the Carbon Reduction Program (CRP). This change went into effect on June 5, 2023, when Metro COG officially became a TMA. Typically, a transitional period occurs during the first year or even the first few years after an MPO reaches the TMA threshold. Metro COG staff has developed a project solicitation process to identify potential projects and prioritize funding for them. Projects are submitted by the local jurisdictions at the end of November with review and prioritization by the Policy Board scheduled for January/February of the following year.

If any of the scenarios described above result in reduced revenues for Metro COG, it would likely result in reduced staff of the organization or a reduction in some of the consultant led

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2024

studies in our work program. Metro COG would need to ensure there are adequate funds to fulfill core required MPO transportation planning responsibilities, such as the update of the five-year Metropolitan Transportation Plan (MTP), the four-year Transportation Improvement Program (TIP), the Public Participation Plan (PPP), the Title VI Plan, the Limited English Proficiency (LEP) Plan and the annual Unified Planning Work Program (UPWP) & Budget.

Contacting Metro COG's Financial Management

The financial report is designed to provide a general overview of Metro COG's finances for all those with an interest. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to Ben Griffith, Executive Director, Fargo-Moorhead Metropolitan Council of Governments, Case Plaza Suite 232, One 2nd Street North, Fargo, North Dakota, or call (701) 532-5100.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
GOVERNMENTAL FUNDS BALANCE SHEET / STATEMENT OF NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2024

	General Fund	Adjustments	Statement of Net Position
ASSETS			
Cash	\$ 162,569	\$ -	\$ 162,569
Receivables:			
Due from NDDOT	706,888	-	706,888
Due from MNDOT	7,955	-	7,955
Other Receivable	20,819	-	20,819
Prepaid expense	100,401	-	100,401
Capital assets (net)	<u>-</u>	<u>376,669</u>	<u>376,669</u>
Total Assets	<u>998,632</u>	<u>376,669</u>	<u>1,375,301</u>
LIABILITIES AND DEFERRED INFLOW OF RESOURCES			
Liabilities			
Current liabilities:			
Accounts payable	866,583	-	866,583
Accrued expenses	1,176	6,197	7,373
Lease liabilities - current	-	39,577	39,577
Compensated absences:			
Expected to be paid within one year	<u>-</u>	<u>71,204</u>	<u>71,204</u>
Total current liabilities	<u>867,759</u>	<u>116,978</u>	<u>984,737</u>
Long-term liabilities			
Lease liabilities - net of current	<u>-</u>	<u>92,544</u>	<u>92,544</u>
Total long-term liabilities	<u>-</u>	<u>92,544</u>	<u>92,544</u>
Total liabilities	<u>867,759</u>	<u>209,522</u>	<u>1,077,281</u>
Deferred Inflow of Resources:			
Local match - Federal Planning Contracts	<u>355,460</u>	<u>-</u>	<u>355,460</u>
Total liabilities and deferred inflow of resources	<u>1,223,219</u>	<u>209,522</u>	<u>1,432,741</u>
FUND BALANCE / NET POSITION			
Fund balance:			
General fund - nonspendable	100,401	(100,401)	-
General fund - unassigned	<u>(324,988)</u>	<u>324,988</u>	<u>-</u>
Total fund balance	<u>(224,587)</u>		
Net position:			
Net investment in capital assets			244,548
Unrestricted		<u>(57,440)</u>	<u>(301,988)</u>
Total		<u>\$ (57,440)</u>	<u>\$ (57,440)</u>

See Notes to the Financial Statements

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
STATEMENT OF GOVERNMENTAL FUND REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES / STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2024

	General Fund	Adjustments	Statement of Activities
Revenues:			
Federal - passed through State of ND	\$ 2,605,193	\$ -	\$ 2,605,193
State - Minnesota	31,820	-	31,820
Local dues	296,570	-	296,570
Local match (contracted planning)	526,434	-	526,434
Other income	738	-	738
Total revenues	<u>3,460,755</u>	<u>-</u>	<u>3,460,755</u>
Expenditures/Expenses:			
Public Works			
Current:			
Salaries	784,534	-	784,534
Fringe benefits	172,125	-	172,125
Travel	11,052	-	11,052
Professional fees	19,450	-	19,450
Rent and utilities	44,002	(36,211)	7,791
Accounting service	18,179	-	18,179
Advertising	2,278	-	2,278
Telephone	3,957	-	3,957
Office expense	7,251	-	7,251
Dues and subscriptions	14,083	-	14,083
Project costs (contracted planning)	2,088,263	-	2,088,263
Information systems	161,085	-	161,085
Insurance	8,369	-	8,369
Special activities	1,401	-	1,401
Compensated absences	182	169	351
Debt Service			
Principal payments on lease liabilities	36,042	-	36,042
Interest expense	10,146	(174)	9,972
Capital Projects			
Depreciation and amortization	-	75,848	75,848
Capital outlay	<u>87,216</u>	<u>(87,216)</u>	<u>-</u>
Total expenditures/expenses	<u>3,469,615</u>	<u>(47,584)</u>	<u>3,422,031</u>
Excess of revenues over expenses	(8,860)	8,860	-
Other financing sources			
Issuance of right to use leases	<u>9,990</u>	<u>(9,990)</u>	<u>-</u>
Total other financing sources	9,990	(9,990)	-
Change in net position	-	38,724	38,724
Fund balance / net position	<u>(225,717)</u>		
Beginning of the year		<u>-</u>	<u>(96,164)</u>
End of the year	<u>\$ (224,587)</u>	<u>\$ -</u>	<u>\$ (57,440)</u>

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2024

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Fargo-Moorhead Metropolitan Council of Governments (Metro COG) have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applicable to governments. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of Metro COG's accounting policies are described below.

Reporting Entity

The accompanying financial statements present the activities of Metro COG. Metro COG has considered all potential component units for which Metro COG is financially accountable and other organizations for which the nature and significance of their relationships with Metro COG such that exclusion would cause Metro COG's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of Metro COG to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on Metro COG.

Based on these criteria, there are no component units.

Basis of Presentation

Metro COG's basic financial statements consist of government-wide statements, including a statement of net position and a statement of activities, and fund financial statements which provide a more detailed level of financial information.

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of Metro COG.

Basis of Accounting

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligible requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

Under the terms of grant agreements, Metro COG funds certain programs by a combination of specific cost-reimbursement grants and general revenues. Thus, when program expenses are incurred, there are both restricted and unrestricted net position available to finance the program. It is Metro COG's policy to first apply cost-reimbursement grant resources to such programs, and then by general revenues.

The government reports the following major governmental funds:

The General Fund is the government's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

Budgets

Based upon available financial information and request by the board, the executive director prepares Metro COG's budget. The budget is prepared for the general fund on the modified accrual basis of accounting. The budget includes the proposed expenditures and the means of financing them. All annual appropriations lapse at year-end. It is typical that Metro COG expends 100% of collected local dues (paid by member units of government) and its MN/DOT State Planning Grant during the current budget year. Metro COG typically carries over federal funds and the requisite 20% non-federal local match from one budget year to the next for Contracted Planning activities.

Cash and Investments

Metro COG considers cash equivalents to be money market funds and demand deposits. Deposits must either be deposited with the Bank of North Dakota or in another financial institution situated and doing business within the state. Deposits, other than with the Bank of North Dakota, must be fully insured or bonded. In lieu of a bond, a financial institution may provide a pledge of securities equal to 110% of the uninsured balance.

State statutes authorize Metro COG to invest in: (1) Bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organization created by an act of Congress. (2) Securities sold under agreements to repurchase, written by a financial institution in which the underlying securities for the agreement to repurchase are the type listed above. (3) Certificates of Deposit fully insured by the federal deposit insurance corporation or the state. (4) Obligations of the state.

Receivables

Receivables comprise of amounts receivable from the North Dakota Department of Transportation and the Minnesota Department of Transportation and are reimbursements due for expenses in the operation of various programs. These amounts consist of a mix of state and federal dollars. These amounts are expected to be collected in full and no allowance for doubtful accounts is deemed necessary.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

Capital Assets and Depreciation

Capital assets are recorded at historical cost or estimated historical cost if actual historical cost is not known. Contributed assets, including those from the federal government, are recorded at acquisition value on the date received. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Costs incurred for repairs and maintenance are expensed as incurred.

Capital assets are defined by the federal government as assets with an initial individual cost of more than \$5,000. Metro COG's capitalization policy is \$1,000. It is also Metro COG's practice to require that any capital purchase of more than \$5,000 be approved by the appropriate federal agency (E.g. FHWA, FTA, etc.). Such assets purchased as capital expenditures shall belong to each funding agency in proportion to their share of the original costs, unless regulations state otherwise. All such items shall be inventoried, and if sold, the funding agencies shall receive or be credited their proportional share, in accordance with federal regulations.

Property and equipment are carried at cost less accumulated depreciation computed on the straight-line method over periods ranging between 5 to 50 years.

The determination of whether an arrangement contains a lease is made at inception by evaluating whether the arrangement conveys the right to use an identified asset and whether the Metro COG has control of the right to use asset. Control includes the right to obtain present service capacity and the right to determine the nature and manner of use of the underlying asset, as specified in the contract.

Leases with an initial lease term of more than 12 months, or that contain an option to purchase that the Metro COG is reasonably certain to exercise, are recognized based on the present value of lease payments over the lease term discounted using the interest rate implicit in the lease. In cases where the implicit rate is not readily determinable, the Metro COG uses its incremental borrowing rate based on the information available at the lease commencement date. The Metro COG has made an accounting policy election to use a risk free rate based on US Treasury T-bill rate as of the lease commencement. The Metro COG accounts for lease agreements with lease and non-lease components together as a single lease component for all underlying classes of assets.

The Metro COG continues to record rent expense for short term leases on a straight-line basis over the lease term. Short term leases have a term of 12 months or less at lease commencement and do not include an option to purchase the underlying asset that the Metro COG are reasonably certain to exercise.

The depreciable life of assets and leasehold improvements are limited by the expected lease term unless there is a transfer of title or purchase option reasonably certain of exercise.

The Metro COG's lease agreements do not include any material residual value guarantees or restrictive covenants.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

Encumbrances

Encumbrances, which represent commitments related to unperformed contracts for goods or services, have not been recorded in the financial statements.

Accounts Payable

Accounts payable consists of amounts on open account for goods and services received prior to December 31, 2024, and chargeable to the appropriations for the year then ended but paid for subsequent to that date.

Compensated Absences

Employees accrue vacation leave at a rate of various hours per month for years of continuous service. The maximum amount of vacation leave is an amount that can be earned in the prior two years, to be used at the discretion of the employee and his/her department head. All outstanding vacation is payable upon termination and is recorded in the financial statements.

Sick leave is accrued at a rate of one working day per each full month of service. Employees will receive monetary compensation of (50) percent of all sick leave hours accumulated over 960 hours. This compensation is made to eligible employees at the end of December each year. Terminated employees receive compensation of all sick leave hours up to 960 at a rate of (25) percent and over 960 hours at a rate of (50) percent. Twenty five percent of accumulated unpaid sick leave is recorded in the financial statements as no employee had over 960 hours accrued as of December 31, 2024.

The Agency accounts for compensated absences using a days-used approach. This approach consists of gathering the historical usage of compensated absences used to determine both a liability related to leave to be used as time off and leave to be settled in cash upon termination of employment. Salary-related employer payments are included in the calculation of the compensated absence liability.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resource (expense/expenditure) until then. Metro COG does not have any items that qualify for reporting in this category.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. Metro COG has one type of item that qualifies for reporting in this category. The governmental funds report unavailable revenues from one source, local share of planning contracts. These amounts are deferred and recognized as an inflow of resources in the period that the contract commitments are fulfilled.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

Fund Balance

GASB Statement No. 54 *Fund Balance Reporting and Governmental Fund Type Definitions*, provides more clearly defined fund balance categories to make the nature and extent of the constraints placed on a government's fund balance more transparent. The following classifications describe the strength of the spending constraints and the purposes for which resources can be used:

Nonspendable - consists of amounts that are not in spendable form, such as inventory and prepaid items.

Restricted - consists of amounts related to externally imposed constraints established by creditors, grantors or contributors; or constraints imposed by law through constitutional provisions or enabling legislation.

Committed - consists of internally imposed constraints. These constraints are established by formal action of the Policy Board.

Assigned - consists of internally imposed constraints. These constraints reflect the specific purpose for which it is the Organization's intended use. These constraints are established by the Policy Board. Pursuant to Board resolution, the Organization's Executive Director may be authorized to establish assignments of fund balance.

Unassigned - is the residual classification for the general fund and also reflects negative residual amounts in other funds.

The Metro COG does not have a formal fund balance policy, however, when both restricted and unrestricted resources are available for use, Metro COG will first use restricted resources, and then use unrestricted resources as they are needed.

When committed, assigned or unassigned resources are available for use, Metro COG will use resources in the following order; 1) committed, 2) assigned, 3) unassigned.

Net Position

Net position represents the difference between (a) assets and deferred outflows of resources and (b) liabilities and deferred inflows of resources in Metro COG's financial statements. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any long-term debt attributable to the acquisition, construction, or improvement of those assets. Restricted Net Position consists of restricted assets reduced by liabilities and deferred inflows of resources related to those assets.

Unrestricted Net Position is the net amount of assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of net investment in capital assets or the restricted component of net position.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the recorded amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Economic Dependency

Metro COG has significant economic dependency on the grant revenues from the Department of Transportation.

NOTE 2 LEGAL COMPLIANCE – BUDGETS

Expenditures Over Appropriations

The following expenditures exceeded their budgeted amounts by the following during the year ended December 31, 2024:

Rent and utilities	\$ 190
Accounting service	179
Advertising	278
Dues and subscriptions	3,833
Project costs (contracted planning)	832,763
Information systems	2,401
Capital outlay	87,216

The excess of expenditures over budget were mostly covered by excess revenues over the original budget. Volatile markets and supply chain issues led to the rise in project costs and various services that were unforeseen at the time of budget preparation.

NOTE 3 DEPOSITS AND INVESTMENTS

Custodial Credit Risk

Custodial credit risk is risk associated with the failure of a depository financial institution to recover its deposits or collateralized securities that are in the possession of outside parties. Metro COG does not have a formal policy that addresses custodial credit risk for deposits. However, in accordance with state statutes, Metro COG maintains deposits at those depository banks and savings and loans authorized by Metro COG, all of which are covered by federal deposit insurance. These statutes also require that the deposits be protected by insurance, collateral or surety bond. The fair value of the collateral pledged must be equal to or greater than 110% of the deposits not covered by insurance or bonds. As of December 31, 2024, the carrying amount of all deposits was \$162,569 and the bank balance was \$517,824. The entire balance of Metro COG's deposits is either fully insured or properly collateralized and has no custodial credit risk.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates of debt securities will adversely affect the fair value of an investment. The price of debt security typically moves in the opposite direction of the change in interest rate. Metro COG does not have a formal investment policy that limits investment maturities as a means of managing its exposure to potential fair value losses arising from future changes in interest rates. As of December 31, 2024, Metro COG had no debt securities investments.

Credit Risk

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. Metro COG does not have a formal investment policy that specifically addresses credit risk. As of December 31, 2024, Metro COG had no debt securities investments.

Concentration of Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. Metro COG does not have an investment policy that specifically addresses concentrations of credit risk in a single issuer. As of December 31, 2024, Metro COG had no debt securities investments.

NOTE 4 CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2024 was as follows:

<u>Governmental Activities</u>	<u>Balance 01/01/2024</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance 12/31/2024</u>
Capital Assets Being Depreciated and Amortized:				
Equipment	\$ 105,564	\$ 77,226	\$ -	\$ 182,790
Furniture	69,165	-	-	69,165
Leasehold Improvements	246,125	-	-	246,125
Right to Use - Buildings	219,296	-	-	219,296
Right to Use - Equipment	-	9,990	-	9,990
Less Accumulated Depreciation and Amortization:				
Equipment	(86,589)	(11,012)	-	(97,601)
Furniture	(42,691)	(9,881)	-	(52,572)
Leasehold Improvements	(72,470)	(16,408)	-	(88,878)
Right to Use - Buildings	(73,099)	(36,549)	-	(109,648)
Right to Use - Equipment	-	(1,998)	-	(1,998)
Total Capital Assets Being Depreciated and Amortized, Net	<u>\$ 365,301</u>	<u>\$ 11,368</u>	<u>\$ -</u>	<u>\$ 376,669</u>

Metro COG entered into a lease agreement with Case Plaza LLC for the use of the facilities, from which Metro COG operates, located in Fargo, North Dakota. The current lease expires on December 31, 2027. Metro COG also leases equipment through 2028. Monthly payments for the lease agreements are as follows:

2025	\$ 3,946
2026	4,015
2027	4,085
2028	183

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

Following is the total lease expense for the year ended December 31, 2024:

	Year Ended 12/31/2024
Lease expense	
Amortization expense by class of underlying asset	
Copy Machine	\$ 1,998
Building	<u>36,549</u>
Total amortization expense	38,547
Interest on lease liabilities	<u>10,146</u>
Variable lease expense	-
Total	<u>\$ 48,693</u>

NOTE 5 COMPENSATED ABSENCES

The following is a summary of changes in compensated absences for the year ended December 31, 2024;

Balance 12/31/2023	Accrued 2024	Used 2024	Balance 12/31/2024	Current Portion 12/31/2024
<u>\$ 71,035</u>	<u>\$ 48,726</u>	<u>\$ 48,557</u>	<u>\$ 71,204</u>	<u>\$ 71,204</u>

NOTE 6 LONG-TERM DEBT

Following is a schedule of activity of lease liabilities for the year ended December 31, 2024:

	01/01/2024	Additions	Subtractions	12/31/2024	Amounts Due Within One Year
Copy Machine	\$ -	\$ 9,990	\$ -	\$ 9,990	
Building	<u>219,296</u>	<u>-</u>	<u>-</u>	<u>219,296</u>	
Less: Accumulated Amortization					
Copy Machine	\$ -	\$ (1,998)	\$ -	\$ (1,998)	
Building	<u>(73,099)</u>	<u>(36,549)</u>	<u>-</u>	<u>(109,648)</u>	
Total Lease Assets, net	<u>\$ 146,197</u>	<u>\$ (28,557)</u>	<u>\$ -</u>	<u>\$ 117,640</u>	
Lease Liabilities	<u>\$ 158,356</u>	<u>\$ 9,807</u>	<u>\$ (36,042)</u>	<u>\$ 132,121</u>	<u>\$ 39,577</u>

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

Following is a schedule by years of future minimum payments required under the lease:

Maturity Analysis	Principal	Interest	Total Payments
2025	\$ 39,577	\$ 7,770	\$ 47,347
2026	43,237	4,944	48,181
2027	47,158	1,855	49,013
2028	2,149	46	2,195
Total Future Payments	<u>\$ 132,121</u>	<u>\$ 14,615</u>	<u>\$ 146,736</u>

NOTE 7 SIMPLE DEFERRED COMPENSATION PLAN

Metro COG maintains a SIMPLE deferred compensation program for its employees. Metro COG contributes three percent of compensation for employees participating at the same or greater rate. The amount of this contribution for 2024 was \$15,918.

NOTE 8 DEFICIT FUND BALANCE

At December 31, 2024, the General Fund had a deficit balance of \$224,587. The Metro COG expects to eliminate this deficit with future grant revenues and reducing overhead costs.

NOTE 9 COMMITMENTS AND CONTINGENCIES

Risk Management

Metro COG is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters.

The State Bonding Fund currently provides Metro COG with Blanket fidelity bond coverage in the amount of \$504,363 for its employees. The State Bonding fund does not currently charge a premium for this coverage.

Metro COG participates in the North Dakota Worker's Compensation Bureau.

Metro COG is insured for commercial/general liability, automobile liability insurance (nonowned and hired), personal property, inland marine, and Directors and Officers (liability). The Metro COG's current policy, obtained through the North Dakota Insurance Reserve Fund, carries \$2,000,000 in general liability insurance coverage. Metro COG has not filed any claims in the last three calendar years.

Grant Programs

Metro COG participates in numerous state and federal grant programs, which are governed by various rules and regulations of the grantor agencies. Costs charged to the respective grant programs are subject to audit and adjustment by the grantor agencies; therefore, to the extent that Metro COG has not complied with the rules and regulations governing the grants, refunds of any money received may be required and the collectability of any related receivable at December 31, 2024, may be impaired. In the opinion of Metro COG, there are no significant contingent liabilities relating to compliance with the rules and regulations governing the

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2024

respective grants; therefore, no provision has been recorded in the accompanying financial statements for such contingencies.

Contracts

The Organization has entered into various contracts with contractors for transportation projects, \$452,556 of costs remain on the contracts as of December 31, 2024.

NOTE 10 NEW PRONOUNCEMENTS

GASB Statement No. 102, Certain Risk Disclosures, requires entities to disclose critical information about their exposure to risks due to certain concentrations or limitations that could lead to financial distress or operational challenges. This statement is effective for fiscal years beginning after June 15, 2024.

GASB Statement No. 103, Financial Reporting Model Improvements, revises the requirements for management's discussion and analysis with the goal of making it more readable and understandable, requires unusual or infrequent items to be presented separately, defines operating and nonoperating revenues, includes a new section for noncapital subsidies for proprietary funds' statement of revenues, expenses and changes in net position, removes the option to disclose major component information in the notes and requires them to be shown individually or in combine financial statements following the fund financial statements and requires budgetary comparisons to be presented as RSI with new columns for variances between original-to-final budget and final budget-to-actual results. This statement is effective for fiscal years beginning after June 15, 2025.

GASB Statement No. 104, *Disclosure of Certain Capital Assets*, establishes requirements for certain types of capital assets to be disclosed separately in the capital assets note. These items include disclosing separately lease assets, intangible right-to-use assets, subscription assets and intangible assets. In addition, additional disclosures will be required for capital assets held for sale. This statement is effective for fiscal years beginning after June 15, 2025. Earlier application is encouraged.

Management has not yet determined what effect these statements will have on Metro COG's financial statements.

NOTE 11 SUBSEQUENT EVENTS

No significant events occurred subsequent to Metro COG's year end. Subsequent events have been evaluated through September 17, 2025, which is the date these financial statements were available to be issued.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
STATEMENT OF GOVERNMENTAL FUND REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE
GENERAL FUND – BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2024

	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
Revenues:				
Federal - passed through State of ND	\$1,815,747	\$2,276,801	\$ 2,605,193	\$ 328,392
State - Minnesota	26,820	26,820	31,820	5,000
Local dues	250,910	250,910	296,570	45,660
Local match (contracted planning)	237,779	463,071	526,434	63,363
Other income	-	-	738	738
Total revenues	<u>2,331,256</u>	<u>3,017,602</u>	<u>3,460,755</u>	<u>443,153</u>
Expenditures / Expenses				
Salaries & fringe benefits	\$942,908	\$965,000	956,841	8,159
Travel	22,800	22,800	11,052	11,748
Professional fees	15,430	19,780	19,450	330
Rent and utilities	84,000	90,000	90,190	(190)
Accounting service	16,800	18,000	18,179	(179)
Advertising	2,000	2,000	2,278	(278)
Telephone	4,200	4,200	3,957	243
Office expense	10,188	10,880	7,251	3,629
Dues and subscriptions	10,080	10,250	14,083	(3,833)
Project costs (contracted planning)	1,047,474	1,255,500	2,088,263	(832,763)
Information systems	125,032	158,684	161,085	(2,401)
Insurance	7,600	8,535	8,369	166
Miscellaneous	11,275	20,275	-	20,275
Capital outlay	-	-	87,216	(87,216)
Special activities	<u>2,800</u>	<u>2,800</u>	<u>1,401</u>	<u>1,399</u>
Total expenditures / expenses	<u>2,302,587</u>	<u>2,588,704</u>	<u>3,469,615</u>	<u>(880,911)</u>
Excess revenues over expenditures	28,669	428,898	(8,860)	(437,758)
Other financing sources				
Issuance of right to use leases	-	-	9,990	(9,990)
Total other financing sources	<u>-</u>	<u>-</u>	<u>9,990</u>	<u>(9,990)</u>
Fund balance, beginning of year	<u>(225,717)</u>	<u>(225,717)</u>	<u>(225,717)</u>	<u>-</u>
Fund balance, end of year	<u>\$ (197,048)</u>	<u>\$ 203,181</u>	<u>\$ (224,587)</u>	<u>\$ (447,748)</u>

See Note to the Budgetary Comparison Schedule

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
NOTE TO THE BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE 1 - BUDGETARY COMPARISON

BUDGET

Metro COG prepares an annual budget on a per grant basis. This budget is approved by the Board and also must be approved by the grantor agency. The budget may be amended with the approval of the grantor agency.

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND NOTES TO THE SCHEDULE
OF FEDERAL AWARDS
FOR THE YEAR ENDED DECEMBER 31, 2024

<u>Federal Grantor/Program Title</u>	<u>AL Number</u>	<u>Pass-Through Entity Identifying Number</u>	<u>Passed Through to Subrecipients</u>	<u>Expenditures</u>
FEDERAL PASS THROUGH - STATE OF NORTH DAKOTA				
North Dakota Department of Transportation				
Highway Planning and Construction	20.205	Contract No. 38201401		<u>\$ 2,605,193</u>
TOTAL FEDERAL PASS THROUGH - STATE OF NORTH DAKOTA				<u>2,605,193</u>
TOTAL EXPENDITURES OF FEDERAL AWARDS				<u>\$ 2,605,193</u>

NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

NOTE 1 – Significant Accounting Policies

Expenditures reported on the Schedule of Expenditures of Federal Awards (the “Schedule”) are reported on the accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

NOTE 2 – Indirect Cost Rate

Fargo-Moorhead Metropolitan Council of Governments has not elected to use the 10-percent de minimis indirect cost rate as allowed under the Uniform Guidance.

NOTE 3 – Basis of Presentation

The accompanying Schedule includes the federal award activity of Fargo-Moorhead Metropolitan Council of Governments under programs of the federal government for the year ended December 31, 2024. The information in this schedule is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the Schedule presents only a selected portion of the operations of Fargo-Moorhead Metropolitan Council of Governments, it is not intended to and does not present the financial position or changes in net position of Fargo-Moorhead Metropolitan Council of Governments.

NOTE 4 – Pass-Through Entities

All pass-through entities listed above use the same AL numbers as the federal grantors to identify these grants and have not assigned any additional identifying numbers.

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER
MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Governing Board
Fargo-Moorhead Metropolitan Council of Governments
Fargo, North Dakota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and general fund of Fargo-Moorhead Metropolitan Council of Governments as of and for the year ended December 31, 2024, and the related notes to the financial statements, which collectively comprise Fargo-Moorhead Metropolitan Council of Governments' basic financial statements, and have issued our report thereon dated September 17, 2025.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered Fargo-Moorhead Metropolitan Council of Governments' internal control over financial reporting (internal control) as a basis for designing auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Fargo-Moorhead Metropolitan Council of Governments' internal control. Accordingly, we do not express an opinion on the effectiveness of Fargo-Moorhead Metropolitan Council of Governments' internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether Fargo-Moorhead Metropolitan Council of Governments' financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



BRADY, MARTZ & ASSOCIATES, P.C.
GRAND FORKS, NORTH DAKOTA

September 17, 2025

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

To the Governing Board
Fargo-Moorhead Metropolitan Council of Governments
Fargo, North Dakota

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited Fargo-Moorhead Metropolitan Council of Governments' compliance with the types of compliance requirements identified as subject to audit in the *OMB Compliance Supplement* that could have a direct and material effect on its major federal program for the year ended December 31, 2024. Fargo-Moorhead Metropolitan Council of Governments' major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, Fargo-Moorhead Metropolitan Council of Governments complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended December 31, 2024.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; (GAAS) the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of *Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of Fargo-Moorhead Metropolitan Council of Governments and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of Fargo-Moorhead Metropolitan Council of Governments compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable Fargo-Moorhead Metropolitan Council of Governments' federal programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on Fargo-Moorhead Metropolitan Council of Governments compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about Fargo-Moorhead Metropolitan Council of Governments compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding Fargo-Moorhead Metropolitan Council of Governments' compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding Fargo-Moorhead Metropolitan Council of Governments' internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness Fargo-Moorhead Metropolitan Council of Governments' internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



BRADY, MARTZ & ASSOCIATES, P.C.
GRAND FORKS, NORTH DAKOTA

September 17, 2025

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED DECEMBER 31, 2024

Section I-Summary of Auditor's Results

Financial Statements

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

Material weakness(es) identified? yes x no

Significant deficiency(ies) identified that are not considered to be material weaknesses? yes x none

Noncompliance material to financial statements noted? yes x no

Federal Awards

Internal control over major programs:

Material weakness(es) identified? yes x no

Significant deficiency(ies) identified that are not considered to be material weaknesses? yes x none

Type of auditor's report issued on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)? yes x no

Identification of major programs:

AL Number(s) Name of Federal Program or Cluster

20.205 Highway Planning and Construction

Dollar threshold used to distinguish between Type A and Type B programs: \$750,000

Auditee qualified as low-risk auditee? x yes no

Section II-Financial Statement Findings

None – no current year audit findings were reported.

Section III-Federal Award Findings and Questioned Costs

None – no current year audit findings were reported.

To: Policy Board members
From: Ben Griffith, AICP, Executive Director
Date: September 19, 2025
Re: **IRA Contact Authorization**

Metro COG staff has been trying for some time now to gain access to the organization's Simple IRA plan for research and comparison. Access authorization has not been updated in over 15 years. After several months of submitting letters of authorization, staff has now been provided templates for both a letter and resolution. The authorization requires action by the Policy Board and execution by the Chair and Executive Director. Copies of the letter and resolution have been included for your reference.

Requested Action: Request authorization of Executive Director and Office Manager to have access to Metro COG's Simple IRA plan and authorization for Policy Board Chair and Executive Director to execute the authorization documents.

September 25, 2025

American Funds Service Company
P O box 6164
Indianapolis, IN 46206-6164

To Whom It May Concern:

Fargo Moorhead Metropolitan Council of Government's has granted Ben Griffith, Executive Director, to be an authorized power for the simple IRA account. Both him and Office Manager, Angela Brumbaugh should be listed as administrators and have full access to the account.

I certify that Resolution 2025-R033 is in full force and effect and a true and correct copy.

Thank you,

Jenny Mongeau
Clay County, Minnesota Commissioner
Policy Board Chairperson

Fargo-Moorhead Metropolitan Council of Governments

Resolution 2025-R033

Authorization of American Funds Employer Contacts

WHEREAS, Fargo Moorhead Metropolitan Council of Governments, also known as FM Metro COG, has a Simple IRA Plan held at American Funds; and

WHEREAS, At a meeting of the Board of Directors (Policy Board) FM Metro COG, a company existing under the law of the State of ND, with the registered address Case Plaza Suite 232, One 2nd street North Fargo ND 58102, with the minimum number of members of the board required to be present to make the meeting valid, the following Resolution was made on the 25th day of September, 2025, at 4:15 p.m., at One 2nd Street North Suite 232, Fargo, ND, 58102.

NOW, THEREFORE, BE IT RESOLVED, that it has been voted on that Ben Griffith, Executive Director, and Angela Brumbaugh, Office Manager, will be the new employer contacts to the Fargo Moorhead Metropolitan Council of Governments (FM Metro COG) Simple IRA plan held at American Funds with the Plan ID [REDACTED]. They are able to each act independently of each other when making decisions for the Simple IRA plan.

By signing we certify that this document is in full force and effect and a true and correct copy.

Approved this 25th day of September 2025.

Jenny Mongeau
Metro COG Policy Board Chair

Ben Griffith
Metro COG Policy Board Secretary

To: Policy Board
From: Adam Altenburg, AICP
Date: September 18, 2025
Re: **Final Draft Metro COG 2026-2029 Transportation Improvement Program (TIP) Adoption**

Metro COG staff has developed the Final Draft 2026-2029 TIP document, which lists federally funded transportation projects for the named four federal fiscal-year period. The TIP was developed in coordination with NDDOT, MnDOT, MATBUS, and local jurisdictions. It contains all federally funded, regionally significant, and projects of local significance in the Fargo Moorhead Region.

Metro COG solicited public input throughout the development of the TIP in accordance with Metro COG's Public Participation Plan (PPP) and 23 CFR 450.316, The Final Draft TIP was also made available for review on Metro COG's website: <https://www.fmmetrocog.org/TIP>.

Metro COG posted a legal notice in the August 13, 2025 edition of The Forum of Fargo-Moorhead which commenced the official mandatory 30-day TIP comment period as well as the public open house where the Final Draft 2026-2029 TIP would be presented. The public open house was held on September 2, 2025 from 3:30 to 6:30 PM at the Hjemkomst Center in Moorhead, MN. Public comments were taken until 12:00 PM (noon) on September 15, 2025.

Throughout this process, Metro COG has been in collaboration with and received various comments/questions from planning partners including NDDOT, MnDOT, City of Fargo, City of Moorhead, City of West Fargo, City of Dilworth, City of Horace, Fargo Transit, Moorhead Transit, Cass County, and Clay County. A summary of comments/questions received, and Metro COG responses can be found in Appendix A of the Final Draft 2026-2029 TIP.

Since the initial draft document was released in August, Metro COG updated language throughout the document as well as updating projects through its coordination with state and local governments.

Requested Action: Approve the Final Draft Metro COG 2026-2029 Transportation Improvement Program (TIP).

To: Policy Board members
From: Ben Griffith, AICP, Executive Director
Date: September 19, 2025
Re: **Adopt 2026-2027 Unified Planning Work Program (UPWP) & Budget**

Metro COG is required by NDDOT to complete a two-year Unified Planning Work Program (UPWP) & Budget every year, in preparation of the annual Consolidated Planning Grant (CPG) contract for the upcoming year. The UPWP lays out our work program and budget for the next two years. Expenditures of the CPG are detailed within the document in various spreadsheets and tables. Also included are proposed planning projects and studies with breakdowns of federal funds and the required 20% local match.

Most of the proposed planning projects are related to the development of Metro COG's 2055 Metropolitan Transportation Plan (MTP) which is required to be adopted by September 24, 2029. Two current planning projects (West Metro Perimeter Highway Study and West Fargo School District Safe Routes to School Plan Update) have been programmed to continue and conclude in 2026. Also included are planning projects which will be led internally by Metro COG staff in both 2026 (Cassellton ND Hwy 18 Corridor Study) and 2027 (Horace Citywide Bicycle and Pedestrian Plan).

The total CPG amount for 2026 of \$1,515,497.31 includes \$170,555.88 of Redistributed CPG funds from 2024 and \$26,741.63 in Safe and Accessible Transportation Options (Complete Streets Set Aside funds). These two funding amounts fluctuate and the funding may or may not be available in the future.

On July 17th, the Policy Board approved the DRAFT 2026-2027 UPWP & Budget which was forwarded to oversight agencies for comments. This feedback was incorporated into the Final Draft of the 2026-2027 UPWP & Budget which the TTC unanimously recommended for approval at their meeting on September 11th pending correction of four tables and spreadsheets, along with supporting text. Once adopted by Policy Board, the UPWP is again forwarded to oversight agencies for a 30-day review period in preparation for the CPG contract.

The Final Draft of the 2026-2027 UPWP & Budget may be found on the Metro COG website at the following location:

https://fmmetrocog.org/application/files/2717/5830/3930/Metro_COG_2026-2027_FINAL_DRAFT_UPWP_for_Sep_25_Adoption.pdf

Requested Action: Adoption of Metro COG's 2026-2027 Unified Planning Work Program & Budget, with the inclusion of comments received from NDDOT, MnDOT, FHWA and FTA during their 30-day review period.

To: Policy Board Members
From: Karissa Beierle Pavek
Date: September 25, 2025
Re: **Minnesota Federal Functional Classification 2025**

The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) staff have recently completed a draft of the Minnesota Federal Functional Classification network within the recently updated Adjusted Urbanized Area Boundary (AUZA). The AUZA was adapted as the area's urbanized area in December 2023. Following the adoption, new roadways were included in the Metro COG's Federal Functional Classification System. Thus, necessitating an update of the FFC System in the AUZA. In 2024, the North Dakota Federal Functional Classification System was updated and adopted in December 2024. Minnesota Federal Functional Classification has been reviewed this year beginning in February 2025.

Staff worked with local jurisdictions to review and create a comprehensive list of changes to the Federal Functional Classification Network. This update reflects changes that address new roadway developments, the expanded Urbanized Area Boundary, and the recently released Federal Highway Administration (FHWA) Guidance. All proposed changes were made in accordance with the *Highway Functional Classification Concepts, Criteria and Procedures (2023)* and based on comments received from local jurisdictions.

Metro COG is required to consider the proportion of Federal Functional Classification utilized within the AUZA. Included in Table 1 are the details of the current and proposed mileage, and FHWA guidelines for each of the roadway classifications. Attached is also the **Change Log** that details the proposed changes to the urban network of existing and proposed Federal Functional Classification of roadways within the AUZA. This includes a description of the segment of roadway, mileage affected, and justification for the change.

Comments from involved jurisdictions were carefully analyzed based on FHWA guidance, MnDOT direction, and Metro COG internal staff discussions, to address the Federal Functional Classification System holistically for the updated AUZA.

At the TTC meeting on September 11th, City of Moorhead staff indicated their desire to include a segment of 15th Ave N from 11th St N to Hwy 75 N in the update. This portion of the roadway is currently a **Major Collector** and City of Moorhead staff suggested that it be upgraded to a **Minor Arterial**. The segment was included in a motion and after a lengthy discussion by the TTC, the motion was approved unanimously with the segment of 15th Ave N from 11th St N to Hwy 75 N. The proposed map and attachments have been updated to reflect that recommendation.

Table 1: Minnesota Federal Functional Classification Mileage Breakdown

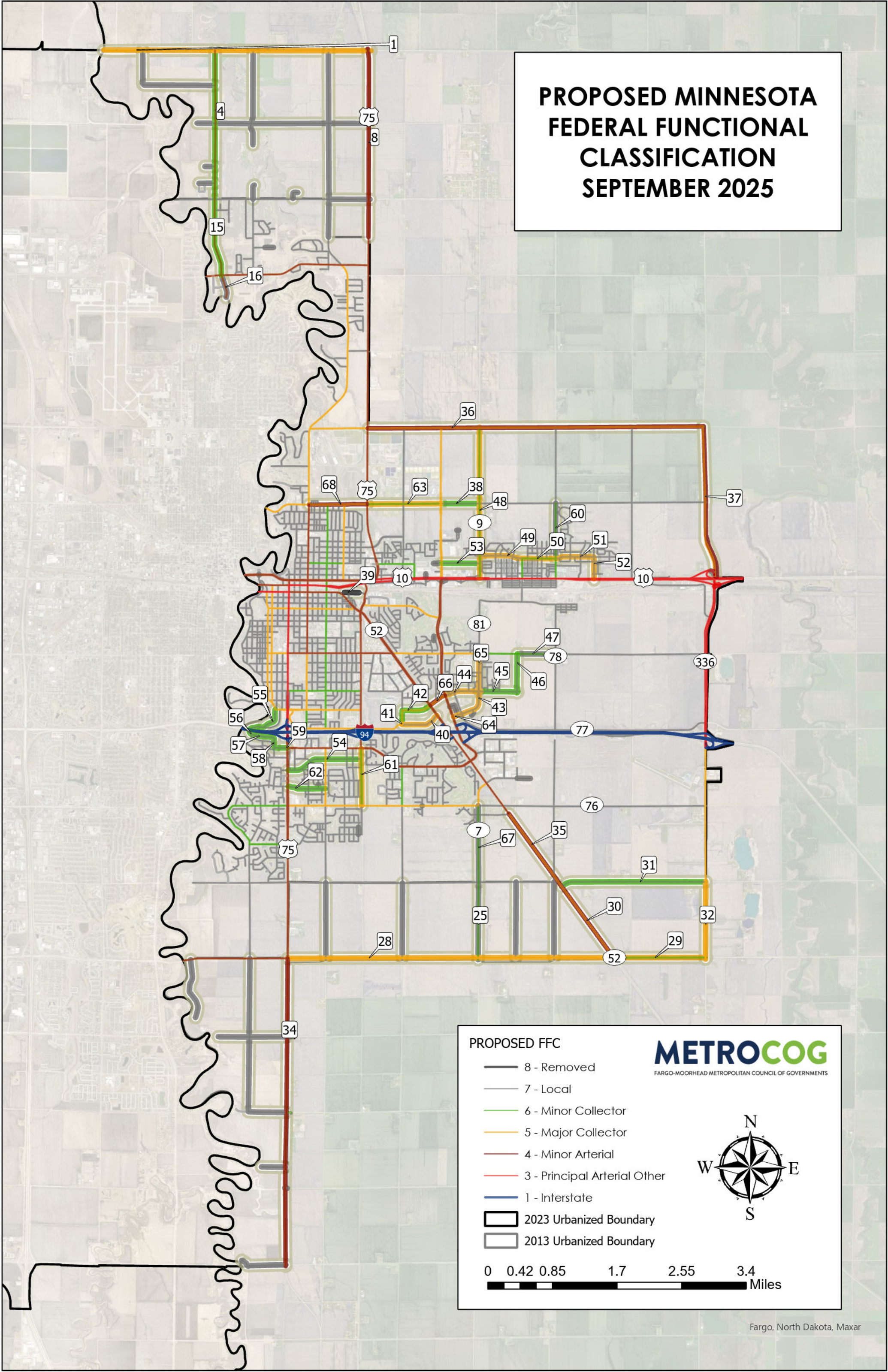
MN Side of the AUZA	Current	% Current	Proposed	% Proposed	FHWA Guideline
Interstate	6.46	2.15%	6.46	1.89%	1-3%
Principal Arterial - Other	10.59	3.53%	10.77	3.14%	4-9%
Minor Arterial	25.41	8.47%	41.53	12.11%	7-14%
Major Collector	29.79	9.93%	42.95	12.53%	3-16%
Minor Collector	16.47	5.49%	19.10	5.57%	3-16%
Local	211.26	70.42%	224.64	65.53%	62-74%
Removed			-2.65	-0.77%	
Total	299.98	100.00%	342.81	100.00%	100.00%

Attachments:

Table 1: Federal Functional Classification Mileage Breakdown
Minnesota Federal Functional Classification **Change Log**
Minnesota Federal Functional Classification Proposed Change **Map**

Requested Action: Metro COG requests the approval of the Policy Board of the 2025 Minnesota Federal Functional Classification Proposed Map and Change Log, as recommended by the TTC.

PROPOSED MINNESOTA FEDERAL FUNCTIONAL CLASSIFICATION SEPTEMBER 2025



PROPOSED FFC

- 8 - Removed
- 7 - Local
- 6 - Minor Collector
- 5 - Major Collector
- 4 - Minor Arterial
- 3 - Principal Arterial Other
- 1 - Interstate

2023 Urbanized Boundary

2013 Urbanized Boundary

METROCOG

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS

0 0.42 0.85 1.7 2.55 3.4 Miles

MINNESOTA FEDERAL FUNCTIONAL CLASSIFICATION CHANGE LOG

Change Number	Jurisdiction	Roadway	From	To	NHS	Current FFC	Rural / Urban	2025 Proposed FFC	Rural / Urban	Mileage	Width Feet	Surface	Justification	AADT
1	Clay County	90th Ave NW	Red River	East UZA	No	Major Collector	Rural	Major Collector	Urban	3.519	40'	Paved	UZA expansion	2476
4	Clay County	Broadway St NW	90th Ave NW	Old UZA	Yes	Minor Arterial	Rural	Minor Collector	Urban	1.965	32'	Paved	Bridge Closure and UZA expansion	740
8	MnDOT	Hwy 75	North UZA	Old UZA	Yes	Minor Arterial	Rural	Minor Arterial	Urban	2.853	30'	Paved	UZA expansion	3500
15	Clay County	Broadway St NW	Old UZA	CSAH 22		Minor Arterial	Urban	Minor Collector	Urban	1.013	30'	Paved	Bridge Closure	1100
16	Clay County	Broadway St NW	CSAH 22	Red River	No	Minor Arterial	Urban	Local	Urban	0.302	30'	Paved	Bridge Closure	2250
25	Clay County	40th St S	Old UZA	South UZA	No	Minor Collector	Rural	Local	Urban	1.020	30'	Paved	UZA expansion	300
28	Clay County	60th Ave S	Hwy 75	Hwy 52	No	Major Collector	Rural	Major Collector	Urban	4.199	38'	Paved	UZA expansion	2500
29	Clay County	60th Ave S	Hwy 52	East UZA	No	Minor Collector	Rural	Major Collector	Urban	1.221	38'	Paved	UZA expansion	900
30	Clay County	Hwy 52	Old UZA	South UZA	Yes	Major Collector	Rural	Minor Arterial	Urban	1.235	40'	Paved	UZA expansion	3000
31	Clay County	50th Ave S	Hwy 52	East UZA	No	Local	Rural	Minor Collector	Urban	1.919	34'	Paved	UZA expansion	200
32	Clay County	70th St S	50th Ave S	South UZA	No	Major Collector	Rural	Major Collector	Urban	1.018	24'	Paved	UZA expansion	1081
34	MnDOT	Hwy 75	Old UZA	South UZA	Yes	Minor Arterial	Rural	Minor Arterial	Urban	3.995	38'	Paved	UZA expansion	1500
35	Clay County	Hwy 52	41st Ave S	50th Ave S	Yes	Major Collector	Urban	Minor Arterial	Urban	1.114	40'	Paved	AADT	3000
36	Clay County	28th Ave N	Hwy 75	East UZA	No	Major Collector	Urban	Minor Arterial	Urban	4.410	38'	Paved	Connectivity and AADT	2500
37	Clay County	70th St N / CSAH 11	North UZA	Hwy 10	No	Major Collector	Urban	Minor Arterial	Urban	2.000	44'	Paved	Connectivity and AADT	1700
38	Moorhead	15th Ave N	34th St N	40th St N	No	Local	Urban	Minor Collector	Urban	0.506	26'	Paved	AADT	1100
39	Moorhead	1st Ave S			No	Local	Urban	Removed	Urban	0.194	50'	Paved	Railroad Crossing Removed / Road vacated	N/A
40	Moorhead	27th Ave S	24th Ave S	Main Ave SE	No	Local	Urban	Major Collector	Urban	0.516	42'	Paved	AADT	3500
41	Moorhead	26th St S	24th Ave S	27th Ave S	No	Major Collector	Urban	Minor Collector	Urban	0.188	40'	Paved	AADT	2000
42	Moorhead	24th Ave S	26th St S	Main Ave SE	No	Major Collector	Urban	Minor Collector	Urban	0.391	44'	Paved	AADT	1500
43	Moorhead	40th St S	36th St S	24th Ave S	No	Local	Urban	Major Collector	Urban	0.334	30'	Paved	Connectivity and AADT	1500
44	Moorhead	24th Ave S	34th St S	40th St S	No	Local	Urban	Major Collector	Urban	0.424	42'	Paved	Connectivity and AADT	2000
45	Moorhead	24th Ave S	40th St S	45th St S	No	Local	Urban	Minor Collector	Urban	0.393	42'	Paved	Connectivity and AADT	2000
46	Moorhead	45th St S	12th Ave S	24th Ave S	No	Local	Urban	Minor Collector	Urban	0.463	42'	Paved	Connectivity and AADT	1400
47	Clay County	12th Ave S	45th St S	50th St S	No	Minor Collector	Urban	Local	Urban	0.504	34'	Paved	Doesn't support connectivity	25
48	Clay County	40th St N	15th Ave N	Hwy 10	No	Minor Collector	Urban	Major Collector	Urban	2.003	40'	Paved	AADT	1307
49	Dilworth	4th Ave NW	40th St N	Main St N	No	Local	Urban	Major Collector	Urban	0.562	45'	Paved	AADT	200
50	Dilworth	4th Ave NW	Main St N	7th St NE	No	Minor Collector	Urban	Major Collector	Urban	0.442	45'	Paved	AADT	1500
51	Dilworth	4th Ave NW	7th St NE	14th St NE	No	Local	Urban	Major Collector	Urban	0.508	45'	Paved	AADT	1200
52	Dilworth	14th St NE	4th Ave NW	Hwy 10	No	Minor Collector	Urban	Major Collector	Urban	0.302	44'	Paved	AADT	1900
53	Dilworth	3rd Ave NW	34th St N	40th St N	No	Local	Urban	Minor Collector	Urban	0.509	35'	Paved	AADT	1400
54	Moorhead	Belsly Blvd	8th St S	20th St S	No	Local	Urban	Minor Collector	Urban	1.016	42'	Paved	Connectivity and AADT	2000
55	Moorhead	S Rivershore Dr	24th Ave S	3rd St S	No	Local	Urban	Minor Collector	Urban	0.320	25'	Paved	Connectivity and AADT	1300
56	Moorhead	3rd St S	S Rivershore Dr	Dale Ave	No	Local	Urban	Minor Collector	Urban	0.273	35'	Paved	Connectivity and AADT	1000
57	Moorhead	Dale Ave	3rd St S	5th St S	No	Local	Urban	Minor Collector	Urban	0.303	36'	Paved	Connectivity and AADT	1300
58	Moorhead	5th St S	Dale Ave	30th Ave S	No	Local	Urban	Minor Collector	Urban	0.122	42'	Paved	Connectivity and AADT	1200
59	Moorhead	30th Ave S	5th St S	8th St S	No	Local	Urban	Minor Collector	Urban	0.181	42'	Paved	Connectivity and AADT	2000
60	Dilworth	7th St NE	15th Ave N	6th Ave NE	No	Minor Collector	Urban	Local	Urban	0.728	42'	Paved	Doesn't support connectivity	300
61	Moorhead	20th St S	30th Ave S	40th Ave S	No	Minor Collector	Urban	Major Collector	Urban	0.643	50'	Paved	Increased AADT due to residential development	up to 4500
62	Moorhead	37th Ave S	8th St S	14th St S	No	Local	Urban	Minor Collector	Urban	0.499	34'	Paved	Land Use and Connectivity	1600
63	Moorhead	15th Ave N	Hwy 75 N	34th St N	No	Minor Collector	Urban	Major Collector	Urban	0.965	36'	Paved	AADT	4000
64	Moorhead	28th Ave S	34th St S	36th St S	No	Local	Urban	Major Collector	Urban	0.108	55'	Paved	AADT	4800
65	Moorhead	40th St S	12th Ave S	24th Ave S	No	Local	Urban	Major Collector	Urban	0.467	40'	Paved	Connectivity and AADT	1600
66	Moorhead	24th Ave S	Main Ave SE	34th St S	Yes	Minor Collector	Urban	Minor Arterial	Urban	0.232	75'	Paved	Designated as Business Interstate 94	2000
67	Clay County	40th St S	40th Ave S	50th Ave S	No	Minor Collector	Urban	Local	Urban	1.009	35'	Gravel	Gravel roadway cannot be functionally classified	N/A
68	Moorhead	15th Ave N	11th St N	Hwy 75	No	Major Collector	Urban	Minor Arterial	Urban	0.760	48'	Paved	AADT and Connectivity	8,500



Fargo-Moorhead Metropolitan
Council of Governments

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To: Metro COG Policy Board
From: Dan Farnsworth, Metro COG
Date: September 19, 2025
Re: **Moorhead I-94 & 20th St Interchange Study**

In 2023, Metro COG in partnership with the City of Moorhead, MnDOT, and the consultant team kicked off the Moorhead I-94 & 20th St Interchange Study. This study, at the request of the City of Moorhead, analyzes the feasibility of converting the partial interchange (currently ramps only to/from the west) to a full interchange.

This effort looked at existing and future traffic conditions, existing constraints, and more, to develop full interchange alternatives at this location. Fifteen various interchange alternatives were initially considered, then narrowed down to five alternatives, and finally narrowed to two alternative interchange designs.

Public and stakeholder involvement was an important component of this study. Two public input opportunities were held during the course of the study along with two stakeholder meetings. Stakeholder meetings included representation from nearby property owners, applicable departments, and nearby institutions.

Metro COG staff will provide a presentation of this study at the September Policy Board meeting. The study was presented to the Moorhead City Council on August 25th and Transportation Technical Committee (TTC) on September 11th.

To view the study document, please visit:
www.fmmetrocog.org/20thInterchange

Requested Action: Approval of the Moorhead I-94 & 20th St Interchange Study.

To: Policy Board members
From: Ben Griffith, AICP, Executive Director
Date: September 19, 2025
Re: **Proposed Amendment to the Transportation Technical Committee (TTC) Bylaws Formally Establishing the Prioritization Committee**

Metro COG has benefitted greatly from the recommendations of the Prioritization Committee, an informal sub-committee of the Transportation Technical Committee (TTC) for nearly a year. The Prioritization Committee has provided recommendations on project evaluations as part of Metro COG's annual Project Solicitation Process as well as the prioritization and re-prioritization of projects and funding for Metro COG's Transportation Improvement Program (TIP). Because of this, it was felt that the Prioritization Committee should be formally established as a sub-committee of the TTC.

Metro COG staff drafted the proposed amendment to the TTC Bylaws to formally establish the Prioritization Committee and sought review by legal counsel. There were originally no ~~strike-throughs~~ or double-underlines in the proposed amendment since it was an entirely new section being added to the TTC Bylaws, which have been included for your reference as Attachment 3.

At the TTC meeting on September 11th, Dilworth representatives suggested slight revisions to the language in the "General Organization" section to specifically address concerns of smaller jurisdictions without a professional engineer on staff. These changes are shown on the proposed amendment which includes these changes with ~~strike-throughs~~ and double-underlines. The TTC unanimously recommended approval of the proposed amendment with these revisions.

Following the TTC meeting, NDDOT staff provided some clarifying verbiage to be added to what the TTC recommended, and this is shown in **bold** on the proposed amendment (Attachment 1). A "clean" version of the proposed amendment has also been included with this memo, which incorporates both the revisions include by TTC and the verbiage provided by NDDOT. Metro COG staff recommends approval as shown in Attachment 2.

Requested Action: Approval by the Policy Board of the proposed TTC Bylaw amendment formally establishing the Prioritization Committee as recommended by the TTC and including the verbiage provided by the NDDOT.

TTC Bylaws Amendment Establishing the Prioritization Committee

Section 8.A RECOMMENDATIONS OF THE PRIORITIZATION COMMITTEE

- 8.A.1** The Prioritization Committee is a subcommittee of the Transportation Technical Committee (TTC).
- 8.A.2** The TTC shall consider the recommendations of the Prioritization Committee regarding projects listed in the Metropolitan Transportation Plan (MTP) that should be considered for federal funding within the TIP. This may include project evaluation, scoring, ranking, and/or suggestions on the distribution of funding to selected projects as part of Metro COG's annual Project Solicitation process. The Prioritization Committee shall also provide recommendations to the TTC regarding the prioritization and re-prioritization of projects and funding for Metro COG's Transportation Improvement Program (TIP) and other construction-related projects and programs.
- 8.A.3** Composition, general organization and functions of the Prioritization Committee are described in Appendix D.

Appendix D. Composition, general organization and functions of the Prioritization Committee

Composition. The Prioritization Committee (the "Committee") is a subcommittee of Metro COG's Transportation Technical Committee (TTC) and made up of nine (9) representatives.

Agencies or entities participating as voting members of the Prioritization Committee shall be as follows:

Category	Organization	Number of Members
Metropolitan Planning Organization (MPO)	Fargo-Moorhead Metropolitan Council of Governments (Metro COG)	1
Local Units of Government	City of Fargo	1
	City of Moorhead	1
	City of West Fargo	1
	City of Dilworth	1
	City of Horace	1

	Cass County, ND	1
	Clay County, MN	1
Transit Agency	MATBUS	1
Total		9

General Organization. It is intended that the Prioritization Committee be comprised of ~~engineers~~ representatives from the local units of government, ~~due to their specialized knowledge of infrastructure construction projects and programs based on their knowledge of their jurisdiction's projects and funding needs.~~ The voting members of the Committee may be the engineering representative of their respective jurisdiction, currently serving on the TTC, or their appointed designee. Each unit of government is responsible for appointing one member to serve on the Committee. The voting member may be the jurisdiction's representative currently serving on the TTC or another appointed designee. The Executive Director, or his or her designee, will be the voting representative of Metro COG. A Metro COG staff member will serve as the Committee chair. Each entity shall have a single vote, regardless of how many from each entity attend the Committee meeting. The Metro COG representative shall be the TTC Chair or his/her appointed designee and will only vote in the event of a tie or to obtain a quorum.

Functions. The Committee shall be tasked with **primarily** reviewing funding applications for construction projects submitted pursuant to Metro COG's Solicitation of Funding process **which utilize TMA sub-allocated funds** in order to make recommendations to the TTC. The purpose of the Committee is to ensure projects are timely in nature, can be delivered within the designated timeframe, meet regional transportation goals, and are compliant with regional planning studies and adopted plans such as Metro COG's Metropolitan Transportation Plan.

Meetings. The Prioritization Committee will meet on ad hoc basis to balance project funding allocations based upon yearly apportionments and ensure project development is continuing and progressing. Meetings will be noticed and held in accordance with North Dakota's Open Meetings Law.

Recommendations will be made to the TTC that could include project scoring, project impact to system performance, and regional distribution of funding, etc. The Committee will submit its evaluation of projects submitted for federal funding to the TTC, which will be used in the prioritization of TIP projects. Recommendations of the Committee shall be decided upon by a majority vote and reported to the TTC by Metro COG staff during meetings of the TTC.

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Transit Agency	MATBUS	1
Total		9

General Organization. It is intended that the Prioritization Committee be comprised of representatives from the local units of government, based on their knowledge of their jurisdiction's projects and funding needs. Each unit of government is responsible for appointing one member to serve on the Committee. The voting member may be the jurisdiction's representative currently serving on the TTC or another appointed designee. The Executive Director, or his or her designee, will be the voting representative of Metro COG. A Metro COG staff member will serve as the Committee chair. Each entity shall have a single vote, regardless of how many from each entity attend the Committee meeting. The Metro COG representative shall be the TTC Chair or his/her appointed designee and will only vote in the event of a tie or to obtain a quorum.

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Bylaws

Transportation
Technical Committee
and Policies and
Procedures for the
Bicycle and Pedestrian
Committee

As Amended:
April 20, 2017
May 19, 2022
February 20, 2025

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SECTION 1. NAME

The name of the Committee will be the Transportation Technical Committee (TTC).

SECTION 2. ORGANIZATION

2.1. Authority

The Fargo Moorhead Metropolitan Council of Governments Policy Board (Policy Board) is the authorizing body for the TTC and any and all committees that report to the TTC.

2.2. Purpose

The purpose of the TTC is to provide technical support to the Policy Board. Activities of the TTC include but not limited to:

- Provide technical support to Policy Board, and other agencies, on transportation related studies and issues.
- Advise the Policy Board on technical and policy matters with accompanying recommendations and support information.
- Provide technical support in the preparation of the Metropolitan Transportation Plan (MTP) and recommend its adoption to the Policy Board.
- Review the Transportation Improvement Program (TIP) including reviewing projects and recommending adoption to the Policy Board.
- Assist the Policy Board and Staff in preparation of the Unified Planning Work Program (UPWP), and recommend its adoption by the Policy Board.
- Coordinate in the development of regional transportation planning activities, studies, Requests for Proposals and other related activities and to review and provide technical critique on the products and processes associated with regional transportation planning for the Metro COG area.

SECTION 3. MEMBERS

3.1. Committee Composition

The membership of the TTC will consist of twenty-two (22) voting members, two (2) Ex-Officio members and non-voting members from Associate Member jurisdictions.

3.1.1 Voting Members

- One (1) Metro COG (TTC Chair);
- One (1) City of Dilworth;
- Two (2) MATBUS;
- Two (2) City of Fargo (Engineering Department and Planning Department);
- One (1) City of Horace;
- Two (2) City of Moorhead (Engineering Department and Planning Department);

- Two (2) City of West Fargo (Engineering and Planning Departments);
- Two (2) Cass County (County Engineer's Office, County Planning Department);
- Two (2) Clay County (County Engineer's Office, County Planning Department);
- One (1) Minnesota Department of Transportation (MnDOT);
- One (1) North Dakota Department of Transportation (NDDOT);
- One (1) Freight Representative;
- One (1) Bicycle/Pedestrian Representative;
- Two (2) University/College Representatives (one each from North Dakota and Minnesota); and
- One (1) Economic Development Representative (regional representative)

3.1.2 Ex-Officio and Non-Voting Members

Ex-officio members of the TTC shall include:

- One (1) Federal Highway Administration Representative; and
- One (1) Federal Transit Administration Representative

Non-voting Associate Members shall include:

- One (1) representative for each Metro COG Associate Member

3.2. Non-Voting Participants

Any member of a jurisdiction or associate member jurisdiction may actively participate in discussions before the TTC. They will not, however, be afforded voting privileges unless they are identified as an alternate member.

3.3. Alternate Members

Alternates will be allowed to replace the designated member maintaining all rights and voting privileges as the designated member.

3.3.1 Alternates will advise the Chair for the record, at the beginning of each meeting, that they will be replacing the designated member.

3.4. Member Selection and Termination

3.4.1 The represented agencies shall select the member(s) to represent that agency according to their represented agency's own practices and the proposed listing outlined in these Bylaws. These selections will be submitted to Metro COG through an email or letter for documentation purposes.

3.4.2 Economic development shall be represented by an employee of the Greater Fargo Moorhead Economic Development Corporation (GFMEDC). If the

organization is unable to provide a representative, Metro COG shall publicly solicit membership representing economic development regionally.

- 3.4.3** Metro COG shall publicly solicit membership representing freight.
- 3.4.4** Bicycle/Pedestrian representation on the TTC shall be a recommendation of the Bicycle and Pedestrian Committee. The Committee shall recommend a representative, which shall consist of a local agency representative who is not already a member of the TTC.
- 3.4.5** University/College representatives shall be solicited from higher educational institutions. In North Dakota, the representative shall be solicited from North Dakota State University and/or North Dakota State College of Science (Fargo campus). In Minnesota, the representative shall be solicited from Minnesota State University Moorhead, Minnesota State Community and Technical College and Concordia College.
- 3.4.6** Solicitation of representatives for freight (and economic development, if necessary) shall be carried out through a public notice in The Forum, a Metro COG website posting, social media postings (LinkedIn, Facebook and any other social media platform in use by Metro COG), and through directly sharing information about the solicitation with companies and individuals in the industry. Interested representatives shall be brought to the TTC for review and recommendation, and to the Policy Board for review and approval.
- 3.4.7** The TTC will provide recommendations to the Policy Board on membership for those representatives not directly appointed by a member jurisdiction.
- 3.4.8** All TTC members will be approved by the Policy Board.
- 3.4.9** A person's membership on the TTC shall be terminated upon the member leaving his or her position named for membership on the TTC, or by the agency represented by the person choosing a replacement representative.

SECTION 4. OFFICERS AND COMMITTEES

4.1. TTC Chair

The Metro COG Executive Director will serve as the TTC Chair.

- 4.1.1** Duties of the TTC Chair - The Chair shall preside at TTC meetings assuring a comprehensive, cooperative, and continuing planning (3-C) process.

4.2. TTC Vice Chair

The TTC will in January of each year elect a member of the Committee to act in the capacity of Vice Chair.

- 4.2.1** Duties of the TTC Vice Chair - The Vice Chair shall preside at TTC meetings in the Chair's absence and assume all responsibilities of the TTC Chair.

SECTION 5. QUORUM

- 5.1.** In order for business to be transacted, there must be a recognized quorum of voting members. Quorum for the TTC will be no less than 34% of voting members.
- 5.2.** A quorum is not lost when a member or members abstain from voting.
- 5.3.** If a quorum is not reached within fifteen minutes of the scheduled meeting time, those members present may, by unanimous agreement, select to continue the meeting as an informational meeting to discuss items on the agenda that do not require approval or action by the TTC voting membership.
- 5.4.** If quorum is present at the scheduled meeting time and the Chair and Vice Chair are absent, the senior-most member of the Metro COG staff may call for election of a temporary Chair. Upon arrival of the Chair or the Vice Chair, the temporary Chair will relinquish the position upon conclusion of the business item immediately before the TTC.

SECTION 6. MEETINGS

6.1. Meetings

The TTC shall typically hold meetings the second Thursday of each month. The Policy Board approves the schedule of meeting dates each year. When the date of a meeting falls on a legal holiday, the TTC meeting will be held as scheduled by the TTC Chair.

- 6.1.1** The TTC Chair may cancel a regularly scheduled meeting or call additional meetings as deemed necessary.
- 6.1.2** TTC Meetings will generally be held at the Metro COG offices. Locations for all TTC meetings shall be accessible by persons with disabilities.
- 6.1.3** Changes to meeting time, place, or date and any cancellations of regular meetings shall be made at least twenty-four (24) hours prior to when such meeting was to have taken place or as soon as practicable.
- 6.1.4** Publication of the meetings and information will be posted on the Metro COG website. The TTC meeting schedule for each calendar year will be published in the newspaper of record in December of the preceding year. Public involvement activities will follow the adopted Metro COG Public Participation Plan (PPP).

6.2. Video and Teleconference Attendance

- 6.2.1** Members of the TTC may participate in a meeting by means of conference telephone, video conference device or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this subsection shall constitute presence in person at such meeting.
- 6.2.2** If communication is lost and cannot be restored in a timely fashion, the person participating through electronic devices will be considered to have left the meeting. In that event, the Chair will ascertain whether quorum continues. The lack of quorum present will be addressed through procedures in SECTION 5.

6.3. Conduct of Meetings

- 6.3.1** Open Meeting Law - The meetings of the TTC will be held in accordance with Section 44-04-18 of the North Dakota Century Code.
- 6.3.2** Roberts Rules of Order – Roberts Rules of Order (current addition) shall govern the conduct of meetings where not otherwise specifically provided by these bylaws.
- 6.3.3** The presiding officer shall have authority to limit discussion or presentation by members and non-members of the TTC or to take other appropriate actions necessary to conduct all business before the TTC in an orderly manner.

6.4. Agendas

- 6.4.1** There shall be an official agenda for every regular meeting of the TTC, which shall determine the order of business conducted at the meeting.
- 6.4.2** The TTC Chair shall draft the meeting agenda.
- 6.4.3** Meeting agendas sent to Members shall include appropriate materials (e.g., staff reports, draft documents, etc.).
- 6.4.4** Regular meeting agendas shall be posted on the Metro COG web pages for download and distributed to Members at least five (5) calendar days in advance of the meetings.

6.5. Record of Proceedings

- 6.5.1** At all meetings of the TTC, the Chair shall record a roll of members, minutes of proceedings, and votes.
- 6.5.2** The Chair shall record the minutes of each meeting as a matter of public record and should present such minutes to the TTC for approval. Approved minutes of the TTC meetings shall be available for public inspection at the Metro COG offices and posted on the Metro COG web site.

SECTION 7. VOTING

7.1. Silent Vote.

Any member remaining silent on a vote shall be considered to have voted in the affirmative, unless the Chair has granted permission to a member to refrain from voting, in which event the member shall be recorded as abstaining.

7.2. Roll-Call Vote.

Per North Dakota Century Code Section 44-04-21.1, all public agencies must perform a roll-call vote for all non-procedural items included with the agenda. The vote of each member shall be asked his or her vote and he or she will respond in turn. Results of the roll-call vote will be recorded by the TTC Chair and recorded in the minutes of the meeting. The meeting minutes will record by name the members approving the action, those not approving the action and those abstaining from voting; the final vote tally; and the result of the action. The result of the roll-call vote will be finalized with the vote to approve the meeting minutes at the next scheduled meeting.

7.3. Conflict of Interest

No member of the TTC shall participate in, discuss, or vote on a matter in which he or she has a substantial personal interest as defined by Section 44-04-18 of the North Dakota Century Code.

Should any member have such a substantial personal interest on a matter coming before the TTC or its committees, the Chair shall declare an abstention for each affected member for that item on the agenda.

7.4. Proxy and Weighted Voting

- 7.4.1** The use of a Proxy Vote will not be allowed for any actions before the TTC.
- 7.4.2** Each voting member has one (1) vote and shall not have a weight of more than 1.

SECTION 8. RECOMMENDATIONS OF THE METROPOLITAN BICYCLE AND PEDESTRIAN COMMITTEE

- 8.1.** The Metropolitan Bicycle and Pedestrian Committee is a subcommittee of the TTC.
- 8.2.** TTC shall consider the recommendations of the Metropolitan Bicycle and Pedestrian Committee regarding the development and maintenance of the Metropolitan Bicycle and Pedestrian Plan.
- 8.3.** Selection and appointment of the members of the Metropolitan Bicycle and Pedestrian Committee are described in **Appendix C**.

SECTION 9. AMENDMENTS TO BYLAWS

- 9.1.** These Bylaws may be amended by a majority vote of the Policy Board voting membership at any regular meeting, provided that the members have been notified in writing of the proposed change at least five (5) calendar days in advance and the proposed amendment has been placed on the agenda.
- 9.2.** All amendments to these Bylaws shall be recorded by date and incorporated into these Bylaws. An official copy will be maintained by the Chair.

SECTION 10. SUPERSESSON OF PREVIOUS BYLAWS

- 10.1.** Adoption of these bylaws hereby supersedes and renders null and void all previous bylaws of the Metro COG Transportation Technical Committee, but does not affect any other existing official actions by Metro COG special purpose agreements or contracts between or among other general or special purpose units of governments, boards, agencies, commissions, or authorities.

SECTION 11. APPROVAL AND AMENDMENT HISTORY OF THE BYLAWS

- 11.1.** The table in **Appendix A** records the action and dates of all amendments to the TTC bylaws. The table will be updated upon approval of all amendments to the bylaws. The date shall reflect the date on which the Policy Board approves the amendment(s).

SECTION 12. EFFECTIVE DATE

- 12.1.** The effective date of these Bylaws will be that on which the Policy Board approves them or any associated amendments. The Policy Board Chair and the Metro COG Executive Director will sign the resolution in **Appendix B** to execute the effective date of the Bylaws.

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Appendix A. Amendment History of the Transportation Technical Committee Bylaws

Action	Date
Approval of Original Bylaws	October 15, 2015
Approval of new voting members	September 15, 2016
Approval of new member	April 20, 2017
Clarification of TTC member selection and addition of Appendix C, Metropolitan Bicycle and Pedestrian Committee, and miscellaneous updates	May 19, 2022
Amend Section 3.1.1 calling for two (2) MATBUS representatives in lieu of a single representative of Fargo Transit and a single representative of Moorhead Transit.	February 20, 2025

Fargo-Moorhead Metropolitan Council of Governments

Resolution 2025-R018

Resolution of Approval of an Amendment to the Transportation Technical Committee's (TTC) Bylaws

WHEREAS, The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) has been designated by the Governors of North Dakota and Minnesota as the Metropolitan Planning Organization (MPO) for the greater Fargo, North Dakota – Moorhead, Minnesota metropolitan area; and

WHEREAS, the North Dakota Department of Transportation (NDDOT) by agreement with the Minnesota Department of Transportation is the lead agency in providing Federal Highway Administration (FHWA) Planning Funds (PL) and Federal Transit Administration (FTA) Section 5303 funds in a combined Consolidated Planning Grant; (CPG) and

WHEREAS, the NDDOT requires that the Policy Board, as governing entity of the MPO, approve proposed amendments to Bylaws and other governing documents of the organization; and

WHEREAS, the local transit provider, MATBUS, is undergoing a restructuring and reorganization effort to merge the transit agencies of the Cities of Fargo and Moorhead into a single organization; and

WHEREAS, MATBUS, has request to amend the TTC Bylaws to allow two (2) representatives to the TTC in lieu of one (1) each from the Cities of Fargo and Moorhead, as unanimously recommended by the MATBUS Coordination Committee and the Transportation Technical Committee.

THEREFORE, BE IT RESOLVED, that the Metro COG Policy Board approves the proposed amendment to the TTC Bylaws, allowing MATBUS two (2) representatives to the TTC in lieu of one (1) each from the Cities of Fargo and Moorhead, with an effective date of March 1, 2025.

Approved this 20th day of February, 2025.


Jenny Mongeau
Metro COG Policy Board Chair


Ben Griffith
Metro COG Policy Board Secretary

Appendix C. Selection and Appointment of Representatives to the Metropolitan Bicycle and Pedestrian Committee

General. The Metropolitan Bicycle and Pedestrian Committee (the "Committee") is tasked with the oversight of the development and maintenance of the Metropolitan Bicycle and Pedestrian Plan. The Committee is made up of twenty-two (22) representatives. The Committee is a subcommittee of Metro COG's Transportation Technical Committee.

Agencies or entities participating as voting members of the Committee:

Category	Organization	Number of Members
Metropolitan Planning Organization (MPO)	Fargo-Moorhead Metropolitan Council of Governments	1
Local Units of Government	City of West Fargo Planning/Engineering/Parks	2
	City of Fargo Engineering	1
	City of Fargo Planning	1
	Fargo Park District	1
	City of Moorhead Engineering/Planning/Parks	2
	City of Dilworth	1
	City of Horace	1
	Cass County	1
	Clay County	1
Transit	MATBUS	1
State Departments of Transportation	NDDOT – Fargo District	1
	MnDOT – District 4	1
Safety / Health	City of Fargo Police	1
	Cass County Public Health	1
	Clay County Public Health	1
Miscellaneous	River Keepers	1
	College/University Representative	1
	Great Rides (or similar organization)	1
Citizen	Citizen (2-year term)	1
Total		22

Policy Statement. As the opportunity arises to fill the vacant voting citizen representative positions on the Metropolitan Bicycle and Pedestrian Committee a specific solicitation and selection process will be implemented to maintain a clear and seamless process for filling vacant voting citizen representative positions. The following steps will be taken for the solicitation and selection of any voting citizen representative vacancy:

- The Vacancy will be announced
- There will be a public notification process for the vacancy
- There will be a specific application submission period
- There will be a specific application that must be completed
- All applications will be reviewed
- There will be a specific selection process
- The candidate's interest will be confirmed prior to submission of a recommended candidate
- The Policy Board will review and approve the recommended candidate before the person sits on the Committee
- There will be a specific process for breaking a tie.

Solicitation Process. The intention of the solicitation process is to maintain a fair and equal process for all interested citizens to apply for vacant voting citizen representative positions on the Committee.

Announcement of the Vacancy or Upcoming Term Expiration: An approaching 2-year term limit, resignation or vacation of a voting citizen member's position is announced either by the representative, or Metro COG.

Public Notification Process: An electronic notice announcing the vacancy will be sent to all Metro COG jurisdictions and those on the bicycle and pedestrian interested persons list. The announcement will be put on Metro COG's website. An announcement will be submitted to the Forum for publication. The vacancy will be posted on LinkedIn, Facebook and any other social media platform in use by Metro COG, and through directly sharing information about the solicitation with organizations and individuals interested in bicycling and walking. Duties and responsibilities of the position, application timelines and Metro COG contact information will be provided in the announcement.

Selection Process. The intent of the selection process is to maintain a fair and equitable process in which all attributes of the applicants are reviewed thoroughly and objectively to ascertain who is most qualified to fill any voting citizen representative position. The following steps will ensure that all applicants receive a thorough review of the assets they have to offer the Committee and that a selection is made in a timely manner so as to maintain the operability of the Committee. The selection process is comprised of the following steps:

- a. **Application Submission Period:** The submission period will be for no less than fourteen (14) days.

- b. **Submission of Application:** Candidates will fill out an application with the following information provided: Name, jurisdiction of residence, contact information, familiarity with the Fargo-Moorhead Metro Area, background related to bicycle and pedestrian movement, why applicant would like to serve on the Committee, and other pertinent questions. Applications will be sent directly to Metro COG.
- c. **Review of Applications:** Once all applications have been received by the specified due date, Metro COG will forward the applications to a review committee comprised of a Metropolitan Bicycle and Pedestrian Committee representative from, at minimum, the jurisdictions of West Fargo, Fargo, and Moorhead. The review committee members will review the applications and individually rank the applicants. The ranks will be compiled to obtain an overall rank.
- d. **Selection Process.** The application of the top ranked candidate will be brought forward to the Metropolitan Bicycle and Pedestrian Committee for consideration. A vote by the Committee will be taken to recommend Policy Board appointment of the top ranked candidate to the Committee. If a majority vote fails by the Committee, the next ranked candidate will be considered by the Committee using the same voting and recommendation process as the top ranked candidate. If the Committee is not comfortable with the remaining candidates the application period will be re-opened in accordance with the process laid out in these policies and procedures.
- e. **Confirmation of Candidate's Interest:** The candidate is contacted and is asked if they still want to serve on the Committee. If the candidate accepts the position the recommendation to appoint to the Committee is forwarded to the Policy Board. If the candidate does not accept the position, the Committee has the option of reviewing the remaining candidates and voting on the remaining candidates. If the Committee is not comfortable with the remaining candidates the application period will be re-opened in accordance with the process laid out in these policies and procedures.
- f. **TTC Review and Recommendation:** The recommendation of the Metropolitan Bicycle and Pedestrian Committee shall be brought before the TTC for a recommendation to the Policy Board.
- g. **Policy Board Approval:** The Policy Board must approve all candidates for the voting citizen representative position before the candidate takes their seat on the Metropolitan Bicycle and Pedestrian Committee.

In the event of a tie, a discussion and re-vote will occur at the same committee meeting if possible. If a tie occurs on the second vote, a coin-toss will occur. The Chair for the Committee will declare which of the two tied candidates is heads or tails. The Chair will toss the coin and the tie will be broken.