

526th Policy Board Meeting
Fargo-Moorhead Metropolitan Council of Governments
Thursday, February 18, 2016 – 4:00 pm
Metro COG Conference Room

Members Present:

John	Paulsen	Fargodome Board
Kevin	Spaulding	Dilworth City Council
John	Gunkelman	Fargo Planning Commission
Frank	Gross	Clay County Commission
Rocky	Schneider	Fargo Planning Commission
Mark	Simmons	West Fargo Commission
Mike	Williams	Fargo City Commission
Jan	Ulferts-Stewart	Fargo Planning Commission

Members Absent:

Roger	Buscher	Moorhead City Council
Brenda	Elmer	Moorhead City Council
Tony	Gehrig	Fargo City Commission
Steve	Gehertz	Moorhead City Council
Rick	Steen	Cass County Commission
Dave	Piepkorn	Fargo City Commission
Melissa	Sobolik	Fargo City Commission

Others Present:

Dave	Burns	Metro COG
William	Christian	Metro COG
Dan	Farnsworth	Metro COG
Nakhaly	Swearingen	Metro COG

A1. MEETING CALLED TO ORDER, WELCOME, AND INTRODUCTIONS

The meeting was called to order at 4:05pm, on February 18, 2016. Mr. Christian noted that Chair Piepkorn and Vice Chair Elmer were both absent. Mr. Christian noted that the Policy Board bylaws provide for the temporary appointment of a Chair in the absence of the Chair and Vice Chair. The temporary Chair is to be selected by a majority of those present. Mr. Christian asked the members present to nominate a voting member to fill in for the Chair. Mr. Simmons and Ms. Ulferts-Stewart both suggested Mr. Paulsen. A motion and second was taken to elect Mr. Paulsen as interim Chair. Mr. Christian stated that there was not a quorum present but expected a couple of members to show up late and suggested we move to the Information Items. Mr. Paulsen moved to Agenda Item C-5. Mr. Gross arrived at 4:08 pm where a quorum was then present and after finishing up Agenda Item C-5, the committee continued with the meeting.

***MOTION:* A motion and second was taken to elect Mr. Paulsen as interim Chair.**

Mr. Simmons moved, seconded by Ms. Ulferts-Stewart

MOTION, passed

Motion carried unanimously. Vote of 6-0

- A2. Approve Order and Contents of Overall Agenda**
Mr. Paulsen asked for approval for the overall agenda.

MOTION: Approve the contents of the Overall Agenda of the February 2016 Policy Board
Ms. Ulferts-Stewart moved, seconded by Mr. Schneider.
MOTION, passed
Motion carried unanimously. Vote of 8-0

- A3. Past Meeting Minutes**
Mr. Paulsen asked for approval of the Minutes of the January 21, 2016 Meeting.

MOTION: Approve the January 21, 2016 Policy Board Meeting Minutes.
Mr. Gross moved, seconded by Mr. Simmons
MOTION, passed
Motion carried unanimously. Vote of 8-0

- A4. Approve February 2016 Bills**

MOTION: Approve the February 2016 Bills List
Mr. Simmons moved, seconded by Mr. Gross.
MOTION, passed
Motion carried unanimously. Vote of 8-0

B. CONSENT AGENDA

- B1. Mr. Paulsen asked for approval of Items 1 through 3 on the Consent Agenda.**

- 1. January 2016 Month End Budget Report**
Motion: Approve the January 2016 Month End Budget Report as presented.

MOTION: Approve Item 1 on Consent Agenda.
Ms. Ulferts-Stewart moved, seconded by Mr. Simmons.
MOTION, passed
Motion carried unanimously. Vote of 8-0

C. REGULAR AGENDA

- C1. Public Comment Opportunity**
No public present.

No MOTION

- C2. Consultant Selection for Data Development Plan and Demographic Forecast**

Mr. Burns stated that three firms responded to the Request for Proposals (RFP) for the Long-Range Data Development Plan and Demographic Forecast Study, which had a due date of January 21, 2016. After reviewing the proposals, the Selection Committee met on January 27, 2016 to discuss the proposals and finalize the interview questions and scoring criteria.

Mr. Burns explained the selection and interview process, stating that the selection committee agreed to interview all three responding firms on the afternoon of February 4, 2016. To allow adequate preparation for responses as well as maximize the efficiency of each interview, the questions were provided to all three firms on January 29, 2016. Mr. Burns asked for questions or comments on the selection process.

Mr. Burns continued by explaining that upon conclusion of the interview and tabulation of the total score and rankings, KLJ was selected as the highest-ranked firm. Mr. Burns continued by stating that after confirming the scoring results and receiving feedback from NDDOT, Metro COG staff opened the sealed cost proposal of the KLJ bid. The KLJ bid came in at \$145,989.49, which is higher than the \$125,000 not-to-exceed budget.

As the bid was higher than the not-to-exceed budget, NDDOT and the TTC instructed Metro COG Staff to meet with KLJ to discuss the scope and attempt to come revise the proposal in order to both meet the needs of Metro COG and come in within budget. Mr. Burns state that the staffs met with representatives from KLJ and were successful in revising the scope of the project to stay in under budget. Mr. Burns revealed that the new bid was for \$124,956.47 and that he felt the revised scope provided by KLJ more closely matched the needs of the organization and was more in-line with what he had desired when putting together the Request for Proposal.

Mr. Gunkleman asked for an explanation of what the Long Range Plan was; in which Mr. Burns replied that it has two main outputs, the first is social economic data and the second is policy level document. Mr. Gunkleman also asked the difference in the study vs. the housing study. Mr. Burns replied he was not familiar with the housing study. Mr. Gunkelman recommended that future study should be done at a regional level as opposed to two separate studies. Further discussion and input were made in reference to the study. Mr. Burns asked for any additional questions.

MOTION: Approve Consultant Selection and Authorize Metro COG to Initial Contract Negotiations with KLJ to complete the Long-Range Date Development Plan and Demographic Forecast Study.

Ms. Ulferts-Stewart moved, seconded by Mr. Williams

MOTION, passed

Motion carried unanimously. Vote of 8-0

C3. Metro COG Public Participation Plan Update

Mr. Christian stated that Metro COG maintains a Public Participation Plan (PPP) which sets the course for governing the public involvement in its planning efforts. The PPP is the guide in which all transportation planning efforts are presented to the public for their input. It provides information on Metro COG, the types of public comments opportunities and the time frames in which public input will be sought.

The PPP is updated every 4-5 years to reflect changes in policy, federal requirements, or innovations in public participation efforts. Metro staff has completed a draft update to our PPP. The plan, once approved by the Policy Board, will be advertised in the newspaper of record (Fargo Forum) and will undergo a 45-day public comment period. It will be available at the Public Libraries in Moorhead, Fargo and West Fargo. It will be available at Metro COG and online. Any comments received after this review will be presented to the TTC and Policy Board

for disposition. Once approved, the PPP will guide all public involvement activities for Metro COG transportation planning efforts.

Ms. Ulferts-Stewart raised a concern about our website, stating that it was not user-friendly. Mr. Christian agreed, but stated that updating the website will require additional consideration in the 2017-2018 UPWP. Mr. Simmons raised a concern, that although it's required we provide a PPP, he posed the question on how do we get more public participation. Mr. Christian replied that we do not control participation but we must make an effort to get the public input notices out. We are constantly trying new things to get the public to the table. Fortunately, there are not a lot of controversial issues for the public to respond to. Mr. Paulsen asked for additional comments.

MOTION: Approve the draft Public Participation Plan and initiate the 45-day public review period.

Mr. Williams moved, seconded by Spaulding.

MOTION, passed

Motion carried unanimously. Vote of 8-0

C4. Proposed New Subcommittees

Mr. Farnsworth discussed the desire for Metro COG to form two new committees. These committees would be the Freight Advisory Committee and the Transportation Safety Committee. The safety committee would at this time include discussion on Incident Management. The need to form these committees comes from the FHWA's mock certification review where it was found that Metro COG should be increasing their efforts in regards to Freight Planning and Safety/incident management issues.

Mr. Farnsworth also mentioned that these committees would be used as the study review committees (SRCs) for projects which may arise pertaining to these efforts. Mr. Farnsworth stated that it was the desire of the TTC to combine the Transportation Safety Committee and Incident Management Committee into one committee. The two committees may be split out at a later date.

Motion: Forward to the Policy Board a favorable recommendation of the seating of a Freight Advisory Committee and a combined Transportation Safety Committee / Incident Management Committee.

Ms. Ulferts-Stewart moved, seconded by Mr. Simmons.

MOTION, PASSED

Motion carried unanimously. Vote of 8-0

C5. Mock Federal Certification Review Preliminary Report

Mr. Christian stated that In July of 2015 the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) performed a mock federal certification review for the Fargo-Moorhead Metropolitan Council of Governments (Metro COG). The report was presented to the TTC meeting last week and was asked for any comments or recommendations. Mr. Christian is asking the same of the Policy Board and asked for any comments or suggestions prior to February 29, 2016. Mr. Christian requested that the committee review it and make any changes deemed necessary. Mr. Christian noted that the staff comments are in red print.

Mr. Christian stated that FHWA will be developing action plans to address the deficiencies identified in the report. FHWA/FTA will complete the review and forward to the MPO their final report.

Mr. Christian stated that as we approach becoming a TMA, we will have to revise the committee to be represented by elected officials. This is not a pending issue but will have to be done in the future. Legislation also requires that we have a representative from the transit authority. Both Fargo Transit and Moorhead Transit are city departments are represented by city appointees. Mr. Christian suggested that we identify in the minutes a member from the Fargo contingent as the official Transit Representative. Mr. Christian asked the members from Fargo to identify their preferred representative. Mr. Simmons asked if a MAT board representative could serve as the Transit Representative, in which Mr. Christian replied yes, if they are also an appointed member to the Policy Board. Further discussions were made in reference to the Report. Mr. Paulsen asked for questions or comments.

No MOTION

C6. Status of Metro COG Personnel Policies and Administrative Policies and Procedures Update

Mr. Christian stated that the Metro COG Administrative Policies and Procedures and Personnel Policies Manual have been updated to reflect changes in the policy, recommendation of our planning partners (Federal Highway Administration, Federal Transit Administration, and North Dakota Department of Transportation) and to incorporate new information and guidance.

The drafts of each document have been vetted by the Executive Committee and reviewed by the City of Fargo Human Resources Director. The documents still need to be reviewed as to form by a local attorney. Mr. Christian stated the challenge is the budget. Mr. Christian has been given a quote from a local attorney and fees generally run over the \$500 budget. Mr. Simmons and Mr. Williams suggested to the members to have their respective jurisdiction attorneys look over the documents to stay within the \$500 budget. Mr. Simmons offered the services of the West Fargo City attorney to review the document to stay within the \$500 budget.

No MOTION

D. Additional Business

There was no additional business.

E. Adjourn

The 526th Meeting of the FM Metro COG Policy Board held Thursday, February 18, 2016 was adjourned at 4:58 pm.

F. THE NEXT FM METRO COG POLICY BOARD MEETING WILL BE HELD March17, 2016, 4:00 P.M. AT THE FM METRO COG CONFERENCE ROOM, ONE NORTH 2ND STREET, CASE PLAZA SUITE 232, FARGO, ND.

Respectfully Submitted,

Nakhaly Swearingen
Executive Secretary