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CASS COUNTY COMMISSION

MEMORANDUM

**Highway  
Department**

Jason Benson, P.E.  
County Engineer

Richard S. Sieg  
Superintendent

Thomas B. Soucy, P.E.  
Design and Construction  
Engineer

TO: Cass County Commission

FROM: Jason Benson, Cass County Engineer *JB*

DATE: December 6, 2013

SUBJECT: Agenda Item for December 16, 2013 Commission Meeting:  
Transportation Alternatives Program and Memorandum of  
Agreement between Cass County Government and Red  
River Valley Fair Association for the Multi-Use Path on  
Cass Highway 28 from Main Ave to 13th Ave

The NDDOT is currently accepting applications for the 2015 Transportation Alternatives Program (TAP) MAP-21 established this new program to provide for a variety of alternative transportation projects, including many that were previously eligible activities under separately funded programs. The TAP replaces the funding from pre-MAP-21 programs including Transportation Enhancements (TE), Recreational Trails Program (RTP), and Safe Routes to School (SRTS), wrapping them into a single funding source. TAP funds are to be used on projects related to surface transportation as to include construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation.

Cass County Highway 28 is currently owned and maintained by the Cass County Government from Main Avenue to 13<sup>th</sup> Avenue at Drain 21/West Fargo city limits. This highway serves as a connection between Main Avenue and 13<sup>th</sup> Avenue and is the primary access for the Red River Valley Fair Grounds and its accompanying parking lots and campground. During larger events at the Fair Grounds, the parking lots on the east side of Cass Highway 28 do not have an effective way to channel pedestrian traffic to the parallel to the highway to a crossing point. This often leads to pedestrians walking on the narrow highway and increases the safety concerns for pedestrian and vehicles. In addition, there is regular pedestrian traffic from the camp ground that currently has no route other than the highway or walking across the open fields.

Under the existing conditions, there is not an effective connection to tie a new multi-use path into at Main Avenue. In 2015 the NDDOT plans to complete the reconstruction of Main Avenue from Sheyenne Street to Interstate 94. This reconstruction includes removing the existing frontage roads and building a new multi-use path on the south side of Main Avenue.

1201 Main Avenue West  
West Fargo, North Dakota  
58078-1301

701-298-2370  
Fax: 701-298-2395

To the south, West Fargo currently has a multi-use path that runs along 13<sup>th</sup> Avenue from 9<sup>th</sup> Street East past Elmwood Park and terminating at Drain 21. With the reconstruction of Main Avenue, there is now an effective connection for a multi-use path along Cass Highway 28.

The most suitable location for the multi-use path is on the east side of Cass Highway 28. The adjacent land is owned by the Red River Valley Fair Association and is used for parking, camping, and agricultural crop land. Cass County currently has 65 feet of Right of Way along the east side of Cass Highway 28.

The current Engineer's Estimate for a 10 foot wide, 6,600 foot long multi-use path is \$319,253. Through discussions with the Red River Valley Fair Association, they have expressed their desire to have a 50% cost share on this project. Therefore, if the TAP grant is approved, Cass County will fund the administration and engineering costs associated with the project and 50% toward the construction costs. Red River Valley Fair will fund the remaining 50% toward the construction costs. Current engineer's estimate for this project is \$319,253. Therefore, an estimated 50% share of the project will be \$59,626.50 for Cass County and \$59,626.50 for the Red River Valley Fair Association.

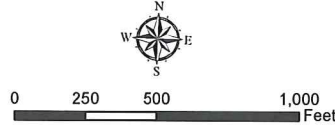
**SUGGESTED MOTION:** Approve the Transportation Alternatives Program Application and the Memorandum of Agreement between Cass County and the Red River Valley Fair Association for the Multi-Use Path on Cass Highway 28 from Main Ave to 13th Ave.



# County 28 Shared Use Path



- County 28 Shared Use Path
- West Fargo Planned Project
- Planned Shared Use Path 2015
- Parcels
- West Fargo City Limits
- Roads
- Existing Shared Use Path



Map Created: 12/10/2013



DISCLAIMER: This map is made available as a public service. Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy or availability of any, or misuse of a third party herein provided.

**Memorandum of Agreement**  
**Cass County Government and Red River Valley Fair Association**  
**Multi-Use Path on Cass Highway 28 from Main Ave to 13<sup>th</sup> Ave**

**Background:**

Cass County Highway 28 is currently owned and maintained by the Cass County Government from Main Avenue to 13<sup>th</sup> Avenue at Drain 21/West Fargo city limits.

This highway serves as a connection from Main Avenue to 13<sup>th</sup> Avenue, but it is the primary access for the Red River Valley Fair Grounds and its accompanying parking lots and campground. During larger events at the Fair Grounds, the parking lots on the east side of Cass Highway 28 do not have an effective way to channel pedestrian traffic to the parallel to the highway to a crossing point. This often leads to pedestrians walking on the narrow highway and increases the safety concerns for pedestrian and vehicles. In addition, there is regular pedestrian traffic from the camp ground that currently has no route other than the highway or walking across the open fields.

Under the existing conditions, there is not an effective connection to tie a new multi-use path into at Main Avenue. In 2015 the NDDOT plans to complete the reconstruction of Main Avenue from Sheyenne Street to Interstate 94. This reconstruction includes removing the existing frontage roads and building a new multi-use path on the south side of Main Avenue. To the south, West Fargo currently has a multi-use path that runs along 13<sup>th</sup> Avenue from 9<sup>th</sup> Street East past Elmwood Park and terminating at Drain 21. With the reconstruction of Main Avenue, there is now an effective connection for a multi-use path along Cass Highway 28.

The most suitable location for the multi-use path is on the east side of Cass Highway 28. The adjacent land is owned by the Red River Valley Fair Association and is used for parking, camping, and agricultural crop land. Cass County currently has 65 feet of Right of Way along the east side of Cass Highway 28.

The current Engineer's Estimate for a 10 foot wide, 6,600 foot long multi-use path is \$319,253.

**Provisions of Agreement and Funding: Multi-Use Path on Cass Highway 28 from Main Ave to 13th Ave**

- 1) Cass County will submit for a Transportation Alternatives Program (TAP) grant. This grant will cover up to 80% or \$200,000, whichever is higher. The local cost share is 20% or the remaining over \$200,000.
- 2) If the TAP grant is approved:
  - a) Cass County would design, bid, and provide construction management for the multi-use path at no cost to the Red River Valley Fair Association.
  - b) The Red River Valley Fair Association provides up to 25 feet of additional easement along the east side of Cass Highway 28 at no cost to Cass County.

- c) The local cost share for this project will be paid by Cass County and the Red River Valley Fair Association at a 50:50 cost share.
- d) Cass County will be responsible for general maintenance, repairs, and snow removal.
- e) The Red River Valley Fair Association will be responsible for mowing along the multi-use path

Approved by:

Cass County

Date:

\_\_\_\_\_  
Chair, Cass County Board of Commissioners

Red River Valley Fair Association

Date:

\_\_\_\_\_  
President, Red River Valley Fair Association Executive Committee



NDDOT's  
Transportation Alternatives Program  
Application for Federal Fiscal Year 2015

**1. Project Name**

County Road 28 Shared Use Path

**2. Project Location**

The project is located along Cass County Highway 28 beginning at Main Avenue, continuing to 13th Avenue West, and continuing East to 10th Street West.

**3. Requested By**

Cass County Highway Department

**4. Contact Person**

Name: Jason Benson, County Engineer  
Address: 1201 Main Avenue West  
West Fargo, ND 58078  
Phone: 701-298-2370  
Email: [bensonj@casscountynd.gov](mailto:bensonj@casscountynd.gov)

**5. Project Sponsor**

Cass County Commission

**6. Sponsoring Official**

Name: Ken Pawluk, County Commission Chair  
Address: Cass County Courthouse  
211 9th Street South  
Fargo, ND 58108  
Phone: 701-241-5609

**7. Project Description**

The project is for the construction of a shared use paved path to be used by pedestrians, bicyclists, etc., along Cass County Highway 28 beginning at Main Avenue, continuing to 13th Avenue West, and continuing East to 10th Street West. This project will extend the existing bicycle and pedestrian network of Fargo and West Fargo.

**8. Project Cost**

The project construction cost is estimated at \$320,000. The federal share of this project estimated at 80% of the construction cost would be up to \$200,000 and the local share at 20% would be up to \$120,000.

**9. What TAP Category Best Fits Your Project?**

A. Construction of on-road and off-road facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-

related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990.

## **10. Supporting Data**

1. Is your project part of an identified recreation or transportation plan? If so, explain.

This project follows the intent of the 2011 Metropolitan Bicycle and Pedestrian Plan produced by the Fargo Moorhead Metropolitan Council of Governments to provide a safe and continuous bicycle and pedestrian network for all types of groups of users in the Fargo-Moorhead Metropolitan Area.

The plan also supports the 2009 Long-Range Transportation Plan (LRTP) produced by the Fargo Moorhead Metropolitan Council of Governments regarding growing a safer, more complete bicycle and pedestrian network.

2. Is your project tied to another project? If so, please explain.

No. This project is not dependent upon the completion of any other project.

3. How does your project fit with similar projects in your community and/or region?

This project will provide a connection to the existing off-road shared use trail being constructed south of Main Avenue as part of the Main Avenue Reconstruction project for 2015.

This project would also work cohesively with the Red River Valley Fair Association's request to add approximately 18 to 20 full-service campsites and to upgrade eight current electric-only sites to full-service sites at the Red River Valley Fair Campground.

The Red River Valley Fair Campground renovation project is unique as it is one of only three camping facilities in the Fargo/West Fargo area. Not only will these spaces increase the amount of camping facilities, but the facility will also be available for rent to individuals and businesses.

4. Provide documentation of governmental agencies that are in support of this project.

The following are in support:

West Fargo Parks and Recreation

Bonanzaville

Red River Valley Fair Association

Fargo Moorhead Metropolitan Council of Governments

City of West Fargo

## **11. Public Accessibility**

The Cass County Highway Department will be the owner of this project when it is completed.

**12. Matching Funds Provided By**

Matching funds will be provided by an agreement between the Cass County Highway Department and the Red River Valley Fair Association equating to the 20% local matching funds for this project.

**13. Will Right Of Way For This Project Be Needed?**

An easement not to exceed 25 feet along the eastern border may be required for this project.

**14. Maintenance of This Project Will Be Provided By**

Maintenance will be provided by an agreement between the Cass County Highway Department and the Red River Valley Fair Association through a Pass Through Agreement.

**15. Environmental Impacts**

- Land Use – the proposed project is located in an agricultural zoning district and will remain compatible with that zoning.
- Farmland – a negligible portion of farmland will be dedicated in an easement to complete this project.
- Social impacts – the project will impact the community and neighborhood positively by providing a safe, efficient, connected bicycle and pedestrian network. Individuals will be able to use the shared use path during Red River Valley Fair and Bonanzaville events and when utilizing the campground.
- Economic impacts – the project will have potential economic benefit to the Red River Valley Fair Association and Bonanzaville Cass County Historical Society by providing access to their facilities and events. Benefits will also be realized by the campground located within walking distance from the Red River Valley Fair Grounds facility and adjacent to the proposed project.
- Relocation – this project will not replace people or businesses.
- Wetlands –no fill is needed or wetlands will be adversely affected due to this proposal.
- Flood Plain – this project is not located within a floodplain.
- Threatened or endangered species – there are no threatened or endangered species in the project vicinity.
- Cultural Resources – No properties adjacent to the project are on or are eligible to be on the National Register of Historic Places.
- Hazardous Waste – there are no hazardous waste sites in the project area.

**16. Signatures**

\_\_\_\_\_   
 Contact Person

Date \_\_\_\_\_

\_\_\_\_\_   
 Sponsoring Official

Date \_\_\_\_\_



\_\_\_\_\_  
Sponsoring Official

Date \_\_\_\_\_

\_\_\_\_\_  
MPO Official

Date \_\_\_\_\_

**17. Attachments**

Estimated Costs

Project Map

Supporting Documentation

Pass Through Agreement/Memorandum of Understanding