

**ROAD ADVISORY COMMITTEE
MARCH 21, 2022**

1. MEETING TO ORDER

Commissioner Mary Scherling called the meeting of the Road Advisory Committee to order at 2:00 PM on Monday, March 21, 2022. Members present were as follows: Jim Kapitan, Mary Scherling, Jason Benson, Blaine Laaveg, and Keith Monson; and via Microsoft Teams was Rick Steen, Duane Breitling, and Bill Hejl. Scott Saewert was absent. Also present was Tom Soucy, Robert Wilson, and Kyle Litchy.

2. AGENDA, Order approved

MOTION, passed

Mr. Breitling moved and Mr. Kapitan seconded that the order of the agenda be approved as presented. Motion carried.

3. MINUTES APPROVED

MOTION, passed

Mr. Hejl moved and Mr. Kapitan seconded that the minutes of the previous meeting held on November 15, 2021, be approved as written. Motion carried.

4. UPDATE ON COVID FUNDING

Mr. Benson said the projects planned in 2021 for 2022 have changed due to funding. He said roughly \$5.5 million of the \$34 million of the County's American Rescue Plan Act (ARPA) funds would be eligible for road and bridge projects; however, the funds have not been approved by the Commission.

Mrs. Scherling asked Mr. Wilson if the Highway Department's request for \$5.5 million in ARPA funds for road and bridge projects is realistic. Mr. Wilson said the \$5.5 million available for allocation was determined before the final rules for ARPA funds were released. He said the final rules were recently released and have changed to allow up to \$10 million to be allocated for infrastructure projects. He said County staff and Commissioners have been in continuous discussions on other large dollar building projects. He said the Commission's guidance so far has been to identify and allocate funds for the building projects first, before allocating funds for other projects. Mr. Benson said the Highway Department is willing and ready to make changes and add projects if additional funding becomes available.

Mr. Peterson said it may be time for the Board to again evaluate and update the cost schedule for potential ARPA funding projects. Mr. Wilson said some of the larger building project costs should become known in the coming weeks which would allow for a better estimate of funds.

5. 2022 PROPOSED CONSTRUCTION PROJECTS

Mr. Benson said because the ARPA funds have not been approved, a few projects will not be completed as planned in 2022. These projects include a culvert lining on Cass Highway 81, a subgrade repair on Cass 32, and the Amenia bridge.

Mr. Benson said the projects moving forward for 2022 include a bridge removal on the Maple River south of Casselton, box culvert projects, chip seal projects on roads that were paved in 2021, paving Cass 9, and a subgrade repair on Cass 34. He said that the subgrade repair on Cass 34 is coming up for bid; however, the Highway Department is evaluating another option to complete a different project. He said a large Interstate project between Tower City and Valley City will be completed this summer and the contractor is looking to get rid of 50 tons of asphalt millings priced at about a one third of gravel pricing. He said the Highway Department is working on a bid package to take advantage of these asphalt millings and pave a portion of Cass 10 near buffalo. He said if this project is completed on Cass 10, the road

project on Cass 34 would not be able to be completed. He said if the Cass 10 project is chosen to be completed, the Highway Department would bring a budget adjustment to the Commission.

Mr. Benson said overall for 2022, bridge projects have come in on budget and road projects have been over their estimated cost. He said the Road and Bridge fund carried over about \$1 million from 2021 to 2022.

MOTION, passed

Mr. Kapitan moved and Mr. Heil seconded to accept the amended 2022 construction budget as presented and the recommend the County Commission approve a budget adjustment for the Cass Highway 10 project. Discission: Mrs. Scherling asked when the Highway Department will know which project will be completed, the Cass 10 or Cass 34. Mr. Benson said the bid for Cass 10 will be chosen at the beginning of April and would be brought to the Commission at their second meeting in April if needed. Motion carried.

6. 2023 PROPOSED CONSTRUCTION PROJECTS

Mr. Benson gave an update on proposed 2023 construction projects. He said the 2023 road and bridge budget will be the largest ever with an estimated cost of \$18 million. He said in recent years the budget has been \$12 to \$14 million. Mr. Benson said the Highway Department is anticipating the County will receive \$7.1 million in Prairie Dog Funds. He said the funds should be received in the fall of 2022 which would allow the funds to be available for the winter and spring bidding season.

Mr. Peterson said a legislative plan needs to be put together to get additional Prairie Dog funding. He said the plan should include specific projects that need funding in the rural areas. He said the next legislative session is only nine months away. Mr. Benson said he has met with Senator Weber from Casselton and he is supportive of additional funding. He said they discussed a bill to make up for Prairie Dog funding that was not allocated in the last biennium.

Mr. Benson said another revenue source for the 2023 budget is grant funds that were recently approved by the North Dakota Department of Transportation (NDDOT) in the amount of \$300,000 to improve and pave the access road to Brewer Lake. He said the project would require an additional \$500,000 in local funding.

Mrs. Scherling asked if the raising of Interstate 94 related to the Metro Flood Diversion project is going to cause difficulties on area County roads. Mr. Benson said the project is anticipated to last four to six months and he doesn't anticipate a lot of extra traffic or issues on County roads. He said as the Interstate project for the Diversion is complete, the bypass that is created will need to be removed. He said the removal may create an opportunity for the Highway Department to get a cheap price on materials and would be an ideal use to pave Cass 16.

Mr. Monson asked if the Interstate 29 project that will be completed later related to the Diversion project will allow the same principal of excess supplies that can be used to pave area County highways. Mr. Benson said there is a chance material will be available, however, only one mile of bypass is being completed on Interstate 29, where the project on Interstate 94 is four miles long. He said the Interstate 29 project is complex due to railroad and need for bypass on Cass 81. He said he and Matthew Stamness, Assistant County Engineer for the Metro Flood Diversion project will attend the first commission meeting of each month to give the Board an update on the progress and events of the Diversion project.

Mr. Benson said another project for 2023 is to pave a portion of 52nd Avenue. He said the final cost for the project is unknown, and the cost will be shared with Fargo, West Fargo, and Horace. He said this area is complex due to the ownership of Cass County, City of Fargo, City of West Fargo, City of Horace

along with design of the road and bridge complexity. He said a portion of the road near the roundabout currently owned by the County will be turned over to the City of Horace between 2024 and 2030.

MOTION, passed

Mr. Kapitan moved and Mr. Hejl seconded to approve the 2023 construction projects as presented. Motion passed.

7. CASSELTON SOYBEAN CRUSHING FACILITY

Mr. Benson said last fall the Cass County Commission agreed to a cost share of up to \$3 million with the NDDOT to complete road improvements near a proposed soybean crushing facility in Casselton, owned by North Dakota Soybean Processors, LLC (NDSP). He said the County is working on creating an agreement between Cass County, North Dakota Soybean Processors, LLC, and NDDOT to outline each of the party's responsibilities and ownership. The County will reimburse funds up to \$1.5 million, the NDDOT will reimburse funds up to \$1.5 million, and the NDSP will be responsible for any additional costs of the improvements. Mr. Benson said the proposed project is to pave two miles of road and will cost about \$4 million.

Mr. Benson said near the proposed NDSP plant is the Tharaldson Ethanol plant. He said there are safety concerns with trucks parking on the side of Cass 23 because Tharaldson does not have an onsite staging area. He said the Highway Department has told Tharaldson they need to come up with a solution to get these trucks off the road. He said as the NDSP plant is constructed and opened, the County will put up no parking signs on Cass 23.

Mrs. Scherling asked why the proposed paving route was chosen. Mr. Benson said there were concerns with railroad tracks that cross the other routes, and concerns with farmland owned by North Dakota State University. He said the chosen route properly utilizes the current infrastructure on Cass Highway 23.

8. OTHER BUSINESS

Mrs. Scherling asked about current flood conditions in Cass County. Mr. Benson said the flood forecast has been changing as weather and melting conditions have been improving. He said he does not foresee major flooding and overtopping.

9. ADJOURNMENT

MOTION, passed

On motion by Mr. Kapitan, seconded by Mr. Hejl and all-in favor, the meeting was adjourned at 2:55 PM.

Minutes prepared by Taylor Kaushagen, Commission Assistant.