

**Congestion Mitigation and Air Quality Improvement Program (CMAQ)  
Berrien County Funding Meeting**

**November 10, 2010  
1:00 pm  
Berrien County Road Commission  
Benton Harbor, Michigan**

**Minutes**

**Present:**

Brian Berndt – Berrien County Road Commission  
Chris Cook – City of Benton Harbor  
Tim Fenderbosch – St. Joseph Charter Township  
Kelly Getman-Dissette – Niles Dial-a-Ride  
Ron Griffin – St. Joseph Charter Township  
Cindy LaGrow – Watervliet Township/City  
Ray Lenze – MDOT  
Bill Purvis – Twin Cities Area Transportation Authority  
Anna Rahtz – SWMPC  
Dennis Schuh – Berrien County Public Transportation / Cass Transit  
Roger Seely – St. Joseph Charter Township  
Alan Smaka – Watervliet Township/City  
Dick Stauffer – Lincoln Charter Township  
Trevor Thomas – SWMPC  
Tim Zebell – City of St. Joseph

**1. Call to order at 1:05 P.M.**

**2. Approval of Minutes of February 3, 2010 meeting**

*A motion was made by Berndt, seconded by Smaka, to approve the minutes of the February 3, 2010 CMAQ meeting.*

**3. Purpose and Scope of Meeting** – to discuss the Hilltop non-motorized path project; review and reprioritize projects; and begin to determine priorities for future years in case of funding cuts.

**4. Hilltop Discussion**

- a. Zebell noted that the Hilltop non-motorized path project in fiscal year 2010 had run into delays because of right-of-way acquisition. Because there is currently so much momentum toward acquiring the easements, the team working on the project (St. Joseph City, St. Joseph Charter Township, and Berrien County Road Commission) would like to finish the project in fiscal year 2011. Otherwise, they will likely put the project on rest for a while because all of the easements need to be acquired at the same time. Fenderbosch noted that each property owner waits for other property owners to offer the easement before they will agree.
- b. Zebell stated that a minimum federal amount of \$350,000 would be needed to complete the project.
- c. Purvis asked if CMAQ funds had ever been granted for a non-motorized project in this region. Several attendees responded that the Hilltop Rd non-motorized project had been approved for CMAQ funds by FHWA; the project had just been delayed because of right-of-way issues. Purvis inquired about the criteria used to approve non-motorized projects for funding, and Lenze responded that the FHWA office in every state has its own criteria

for approving CMAQ grants, and that FHWA-Michigan Division's criteria for non-motorized projects seem to differ from MDOT's criteria.

- d. There was a discussion about how likely the Hilltop project was to go through. Rahtz asked if the project could be redesigned in two segments, and Lenze responded that MDOT was not likely to approve it if there was no connectivity. He explained that he and the other MDOT staff had gone through multiple scenarios of how the project could be engineered and submitted, and could not come up with a feasible option if all easements were not acquired from all property owners, other than reducing the project down to half its length and constructing it only in the Township. This would require a new CMAQ application submittal.
- e. Zebell stated that the team working on the Hilltop project will make a decision prior to the December Twin Cities Area Transportation Study meeting about whether to go forward with the project in FY 2011 or not. This way, if it is not going forward, the other projects can stay the same, but if it is going forward, the Transportation Improvement Program can be amended at the December meeting.

## **5. Reprioritization of Projects**

- a. Lenze stated that the BCRC signal upgrade at Napier and Colfax could not use 100% federal funds, unless it meets one of the following two conditions: 1) it is an optimization and interconnection project; or 2) the federal funds are obligated by December 31, 2010 due to the expiration of the SAFETEA-LU extension.
- b. Berndt stated that the Road Commission could not provide the 20% match for the project or have it obligated by December 31, 2010, because he had been waiting for the approval before beginning design. He stated that the Road Commission would change the design of the project to be an optimization signal.
- c. Berndt added that the light at Napier and Colfax could be moved to another year to make room for the Hilltop non-motorized path project. The group agreed that if the Hilltop project is going forward, the light at Napier and Colfax will move to fiscal year 2013 in the place of the light at Britain and Riverview, which would move to fiscal year 2015.
- d. That would open up \$200,000 of federal funds in FY 2011 for the Hilltop project, and another \$150,000 would still be needed. The only remaining project in FY 2011 with an amount greater than \$150,000 is the John Beers non-motorized path. Stauffer stated that the design for that project may not be ready for FY 2011, and so he agreed to move it to FY 2012, stating that the project would be constructed in the calendar year 2012 either way.
- e. The group agreed to move the John Beers project to FY 2012, to take the place of the signal upgrade at Langley and Napier, moving this project to FY 2014, to take the place of the signal upgrade at Pipestone and Empire, which would be moved to FY 2015.
- f. This would leave \$71,859 remaining in FY 2011. Schuh noted that at the previous meeting he had agreed to purchase a smaller bus than he had originally planned in FY 2011, so he could use the remaining funds in FY 2011 to purchase the larger bus.
- g. Rahtz noted that the Illustrative project in FY 2011 had been additional bus purchases for TCATA, and Purvis stated that that could be removed from the Illustrative List.

### Reprioritization of Projects

(conditional upon Hilltop project being ready to proceed in FY 2011)

<b>2011 Projects \$543,859 available</b>		
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
Berrien Bus	1 bus (large)	\$131,859
SWMPC	Rideshare	\$12,000
BCRC	Hilltop non-motorized path	\$350,000
Watervliet Township	Red Arrow Highway non-motorized path	\$48,000
NDAR	Free fare days	\$2,000
<b>Total</b>		<b>\$543,859</b>

<b>2012 Projects \$565,059 available</b>		
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
TCATA	3 new buses	\$162,000
Berrien Bus	3 new buses	\$162,000
SWMPC	Rideshare	\$12,000
BCRC	John Beers non-motorized path	\$229,059
<b>Total</b>		<b>\$565,059</b>

<b>2012 Alternative Projects</b>		
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
NDAR	Free fare days	\$2,000

<b>2013 Berrien \$587,099 available</b>		
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
TCATA	3 new buses	\$162,000
SWMPC	Rideshare	\$12,000
Berrien Bus	2 new buses	\$204,800
NDAR	Free fare days	\$2,000
BCRC	Light at Napier & Colfax	\$206,299
<b>Total</b>		<b>\$587,099</b>

<b>2014 Berrien \$609,768 available</b>		
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
Berrien Bus	2 new buses	\$150,000
SWMPC	Rideshare	\$12,000
NDAR	Free fare days	\$2,000
BCRC	signal upgrade at Napier & Union	\$225,000
City of St. Joseph	signal upgrade at Langley & Napier	\$220,768
<b>Total</b>		<b>\$609,768</b>

<b>2014 Alternative Projects</b>		
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
BCRC	Lincoln Township Cleveland Avenue from John Beers to Long Horn – non-motorized path	\$150,000

<b>Future Year Projects</b>		
City of Benton Harbor	signal upgrade at Britain & Riverview	\$206,299
City of Benton Harbor	signal upgrade at Pipestone & Empire	\$220,000

## 6. General Discussion –

- a. Lenze reminded the group that Berrien County had “loaned” CMAQ funds to Cass County several years ago. He remarked that Cass County had not submitted as many CMAQ projects as usual for FY 2011, and so they may be willing to “repay the loan.”
- b. No one present was certain how much the transfer was, or what year it had taken place. Berndt stated that he would follow up with Joe Bellina at Cass County Road Commission.
- c. Lenze was asked about the status of the 2011 CMAQ application approvals. He responded that the MDOT staff had found errors in a few applications and needed them to be revised and resubmitted, but that the other applications had been forwarded to FHWA for approval. He added that FHWA is currently understaffed and he is not sure when they will have the application review completed.
- d. It was noted to Stauffer that design should begin as soon as possible on the John Beers Rd non-motorized project, so that it would be ready to go forward in either FY 2011 or FY 2012.
- e. It was noted that, due to the new EPA ruling, far more counties in the State of Michigan will be in nonattainment for air quality starting in FY 2012. This means that the same amount of CMAQ funding for the state will be distributed to far more counties, and so the amount Berrien County receives will be greatly reduced. The amount is not known. It was decided that the committee would have to reconvene once they know how much will be available for those years, to reprioritize the projects again.

## 7. Motion to approve

- a. *Motion by Cook, seconded by Schuh, to approve the above changes in Berrien County CMAQ projects in FY 2011-2014, conditional upon the project readiness of the Hilltop non-motorized path.*
- b. It was agreed that all present would try to attend the December meeting of the Twin Cities Area Transportation Study because all of the affected projects for FY 2011 are in the TwinCATS boundary. Rahtz will prepare the TIP amendments in case the Hilltop Rd non-

motorized project is ready to move forward by that time. Amendments will then be proposed to the TwinCATS FY 2011-14 Transportation Improvement Program to take into account the above project list.

**8. Meeting adjourned** at 1:57 P.M.

**Next Meeting** – December 20, 2010, 9:30 A.M. at the Southwest Michigan Regional Airport.

*Submitted by Anna Rahtz and Trevor Thomas, Transportation Planners.*

**Addendum (12/08/10)**

- *Berrien Bus no longer wishes to purchase a larger bus, and so the staff will revert to the Illustrative List, and TCATA will apply for one bus replacement in the federal amount of \$51,000, with a state match of \$13,000. The remaining \$17,859 will be added on to the Hilltop Rd non-motorized path.*
- *The TIP amendments will be presented for approval at the December TwinCATS meeting, contingent upon the Hilltop Rd non-motorized path project moving forward.*
- *It has not been verified whether a transfer of CMAQ funds took place between Cass and Berrien counties.*

<b>Revised 2011 Projects \$543,859 available</b>		
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
Berrien Bus	1 bus (small)	\$60,000
SWMPC	Rideshare	\$12,000
BCRC	Hilltop non-motorized path	\$370,859
Watervliet Township	Red Arrow Highway non-motorized path	\$48,000
NDAR	Free fare days	\$2,000
TCATA	1 bus (small)	\$51,000
<b>Total</b>		<b>\$543,859</b>

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**Addendum (2/28/11)**

- The Hilltop Rd non-motorized project cannot proceed, and so the 2011 project list will revert back to the original list compiled at the February 3, 2010 meeting, as follows:

<b>2011 Projects</b>		<b>\$543,859 available</b>
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
Berrien Bus	1 bus (small)	\$60,000
SWMPC	Rideshare	\$12,000
BCRC	John Beers non-motorized path	\$221,859
Watervliet Township	Red Arrow Highway Non-motorized Path	\$48,000
BCRC	Light at Napier & Colfax	\$200,000
NDART	Transit fare subsidies	\$2,000
<b>Total</b>		<b>\$543,859</b>

The projects for the following years will also revert back to the February 3, 2010 list, assuming that funding levels meet the estimates.

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<b>2012 Projects</b>		<b>\$565,059 available</b>
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
TCATA	3 new buses	\$162,000
Berrien Bus	3 new buses	\$162,000
SWMPC	Rideshare	\$12,000
City of St. Joseph	signal upgrade at Langley & Napier	\$229,059
<b>Total</b>		<b>\$565,059</b>

<b>2013 Berrien</b>		<b>\$587,099 available</b>
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
TCATA	3 new buses	\$162,000
SWMPC	Rideshare	\$12,000
Berrien Bus	2 new buses	\$204,800
City of Benton Harbor	signal upgrade at Britain & Riverview	\$206,299
NDAR	Transit fare subsidies	\$2,000
<b>Total</b>		<b>\$587,099</b>

<b>2014 Berrien</b>		<b>\$609,768 available</b>
<b>Agency</b>	<b>Project</b>	<b>Federal Cost</b>
Berrien Bus	2 new buses	\$150,000
SWMPC	Rideshare	\$12,000
NDAR	Transit fare subsidies	\$2,000
BCRC	signal upgrade at Napier & Union	\$225,000
City of Benton Harbor	signal upgrade at Pipestone & Empire	\$220,000
<b>Total</b>		<b>\$609,000</b>

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