

MINUTES
NILES/BUCHANAN/CASS AREA TRANSPORTATION STUDY
Policy Committee
 May 22, 2007
 Niles City Council Chambers
 3:00 P.M.

Policy Members Present:	Chuck Collins, Berrien County Road Commission Dick Fintze, Four Flags Chamber, BCPC Richard Cooper, Niles Township Darrell Harden, MDOT Regional Planner Debbie Johnson, Cass County Commissioner Ray Lenze, MDOT – Planning Jane Mitchell, Buchanan Township Cliff Poehlman, Cass County Road Commission (Chair) Art Reed, Berrien County Planning Commission Johnie Rodebush, Cass County Commissioner Don Ryman, Berrien County Commissioner
Policy Members Absent:	Tim Batton, GNCDC Georgia Boggs, Niles City Council John Brielmaier, Ontwa Township Supervisor Fred Featherly, MDOT UPTRAN Sarah Koepke, Federal Highway Administration John LaMore, Berrien County Commissioner Mary Beth McAdams, MACOG (ex-officio) Sandra Naugle, City of Niles (Dial-A-Ride) Paul South, MDOT Coloma TSC Tim Whitfield, Milton Township Supervisor Sarah Woolcock, MDOT Coloma TSC
SWMPC Staff Present:	Kelly Getman-Dissette, SWMPC Rachael Tupica, SWMPC
Others Present:	Irving Frost, Howard Township Mike Sutherland, Howard Township

1. Call to Order & Introductions

- Chairman Fintze called the meeting to order at 3:00 PM.

2. Pledge of Allegiance

3. Minutes

- Motion by Rodebush, seconded by Reed, to approve the minutes of the April 24, 2007 meeting. Motion approved.

4. Staff Report

- ITS Stakeholder Workshop – MDOT, with the assistance of URS Corporation, is developing an Intelligent Transportation Systems (ITS) Architecture and Deployment Plan for the Southwest Region. The second in a series of workshops was held on May 1, 2007 from 9am – 3pm at WMU’s Fetzer Center. Getman-Dissette and members from the TwinCATS committee were in attendance. Stakeholders were asked to assist in developing “market packages” and identify various forms of ITS that were currently used or needed in the region. Additional workshops will follow, and committee members will be alerted when meeting dates become available.

- Berrien Transit Study – SWMPC received a grant to study the transit agencies in Berrien County. However, a directive from the Governor has placed this grant on hold until further notice, and the SWMPC is not to incur costs on the project. *A motion was made by Rodebush, supported by Johnson, to send a letter from NATS to reinforce SWMPC's request to exempt this grant from the Governor's directive. Motion approved.*

5. Old Business

- **TIP amendment application** – Because Tupica has been away from the office, the TIP amendment application is not yet finished. This item will be placed on the June agenda.
- **Environmental Mitigation/Consultation Document** – Getman-Dissette explained that the Environmental Mitigation and Consultation plans have been modified from the draft that was covered at the April meeting. A “Findings” section has been added to the environmental mitigation portion and “Consultation” has been made into its own separate chapter. In addition, a map with conservation easements and improved parks data has been added.

A motion was made by Harden, supported by Poehlman, to approve the Environmental Mitigation and Consultation document, allowing for additions to the consultation contacts, so that it may be submitted to FHWA for SAFETEA-LU compliance. Motion approved.

6. New Business

- **LRP and TIP administrative vs. amendment policies and procedures** – There are times when MPO staff can administratively amend the TIP or LRP in order to process minor amendments more quickly. Examples of minor amendments include a change in funding source, changes to GPA accounts, changes to a transit project that do not affect STP funds. In most cases, the amendments must still be formally approved by FHWA, but the process moves quicker than if the amendment were to require approval by the Policy Committee. If the TIP/LRP is amended administratively, MPO staff will inform the committee of the changes at the next regular meeting.

Per Harden's suggestion, the TIP procedures were modified so that the first sentence of bullet two reads, “Projects may be postponed within the TIP provided that financial constraint is maintained.” *A motion was made by Rodebush, supported by Harden, to approve the administrative amendment procedures for the TIP and LRP. Motion approved.*

- **LRP resolution** – In order to conform to SAFETEA-LU legislation, there have been several additions to the LRP. In addition, it is necessary for the Policy Committee to reaffirm that the 2030 LRP conforms to SAFETEA-LU requirements. *A motion was made by Harden, supported by Johnson, to approve the resolution (see page 4) to reaffirm the 2030 LRP and to recommend that the SWMPC also pass a resolution to reaffirm the 2030 LRP. Motion approved.*
- **Bylaws** – Bylaws were redrafted based on a template provided by Lenze, since committee bylaws must also be SAFETEA-LU compliant. Some small changes were made to clarify items like meeting information, members needed for a quorum, election of officers. The SWMPC has been changed to be a non-voting member. SWMPC is represented on the committee via staff, and the SWMPC, as the MPO, has final approval of documents. Therefore, it is not necessary for SWMPC to be a voting member of the Policy Committee. Otherwise, the membership information was not changed. Committee members should examine the membership list and be prepared to discuss the composition of the committee at future meetings.

Ryman noted that the committee did not really follow Roberts's Rules of Order, as described in Section 3.7, and asked that this language be stricken from the section. Rodebush and Ray explained that most committee bylaws referred to Robert's Rules, and animated discussion ensued. *Rodebush made a motion to accept the bylaws as written. Motion died for lack of support.*

A motion was made by Ryman, supported by Collins, to approve the bylaws, amending Section 3.7 to read, “At the Chairman's discretion, an informal, practical parliamentary procedure shall be followed.” Chairman Fintze called for the vote, and there were 9 affirmative votes, and 2 negative votes. Chairman Fintze then called for a roll call:

Ryman - Yes

Cooper - Yes

Collins - Yes
Rodebush - No
Fintze - Yes
Reed - Yes
Johnson - No
Mitchell - Yes
Poehlman - Yes

Harden and Lenze abstained because committee bylaws are a local issue.

Motion approved.

Lenze suggested that the Chairman select a subcommittee to review the committee membership. Ryman, Poehlman, and Rodebush agreed to serve on the committee, with Rodebush as Chair. SWMPC staff will serve as recording secretary, and Lenze and Harden will serve as ex-officio members. The subcommittee will meet at 12:30 p.m. on Tuesday, June 26 at the Niles City Council Chambers. SMWPC will provide population data prior to the meeting.

- **MDOT FY 2007 TIP amendment** – Lenze explained that right-of-way (ROW) acquisitions and preliminary engineering (PE) work was needed for a US-12 project that is programmed in an out year. Since the project cost is over \$5 million, the ROW and PE cannot be included in the GPA, and must be included as separate line items. *A motion was made by Lenze, supported by Rodebush, to approve an amendment of the FY 2007 TIP to include ROW acquisition (\$204,000 federal) and PE (\$613,000 federal) costs for the US-12 project (M-60 to the Edwardsburg Village limits). Motion approved.*

7. Public Comment

- Sutherland explained that Howard Township would like to participate in the NATS meetings. He plans to ask the Township Board to pay the local match, but he is doubtful that they will pay the total past due balance. *A motion was made by Rodebush, supported by Mitchell, to ask Howard Township to pay their local match for 2006 and 2007 and to ensure active membership in NATS by attending meetings and appointing an alternate representative. Motion approved.*

8. Privilege of the Floor

- None.

9. Adjournment

- The meeting adjourned at 3:53 PM – Next meeting is June 26, 2007.

Minutes compiled by: Kelly Getman-Dissette, Transportation Planner 5/25/07

**NATS Policy Committee Resolution
to Reaffirm the 2030 Long Range Transportation Plan**

WHEREAS, the Southwest Michigan Planning Commission (SWMPC), is the designated Metropolitan Planning Organization for the Niles-Buchanan-Cass Area Transportation Study (NATS) and is responsible for developing a long-range transportation plan addressing a minimum 20-year planning horizon;

WHEREAS, the 2030 Long Range Transportation Plan (LRP) for NATS was developed pursuant to 23 USC 134 and adopted by SWMPC on April 19, 2005;

WHEREAS, the 2030 LRP contains policies, initiatives, and projects aimed at achieving area goals and objectives;

WHEREAS, the LRP must be reviewed and updated at least every four years to confirm its validity and consistency with current and forecast trends and to extend the planning horizon, if necessary;

WHEREAS, it is necessary to document compliance with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the federal transportation legislation passed in August 2005 and SWMPC conducted such a review;

WHEREAS, SWMPC has analyzed potential impacts of planned transportation projects on environmentally sensitive resources and developed a series of mitigation guidelines to be considered by road and transit implementing agencies in all phases of project planning, design, construction, and maintenance, as outlined in the Environmental Mitigation and Consultation section of the updated 2030 LRP;

WHEREAS, SWMPC developed a list of contacts and a Consultation process to ensure that the LRP does not conflict with the plans, maps, or other inventories completed by state, local, and private agencies, as well as Indian Tribes responsible for economic development, environmental protection, airport operations, freight movement, land use, natural resources, conservation, historic preservation, and human service transportation providers;

WHEREAS, SWMPC approved the Public Participation Plan on July 18, 2006, to ensure availability of information, timely notice of meetings, full access to key decisions, and support for early and continuing involvement in every aspect of the transportation planning process;

WHEREAS, the 2030 LRP was open to public and agency review and comment;

NOW THEREFORE BE IT RESOLVED, this **22nd day of May 2007**, THAT the NATS Policy Committee adopts the reaffirmation of the 2030 Long Range Plan;

BE IT FURTHER RESOLVED THAT the 2030 LRP remains valid and consistent with current and forecast conditions, maintains a minimum 20-year planning horizon, and is in keeping with all SAFETEA-LU requirements;

BE IT FURTHER RESOLVED THAT the 2030 LRP remains consistent with regional goals and objectives;

BE IT FURTHER RESOLVED THAT the 2030 LRP remains consistent with mandated federal planning factors;

BE IT FURTHER RESOLVED THAT impacts resulting from the 2030 LRP remain balanced across the area, so that no one population bears a disproportionate negative impact and that benefits are shared across the area;

BE IT FURTHER RESOLVED THAT the 2030 LRP remains within established mobile source emissions budgets for ozone precursors and carbon monoxide and below the base year level for fine particulate matter;

BE IT FURTHER RESOLVED THAT the 2030 LRP remains constrained to identified funding resources;

BE IT FURTHER RESOLVED THAT the 2030 LRP, as amended, remains in conformity with the State Implementation Plan for Air Quality as required by the provisions of 40 CFR 51 and 23 CFR 450;

AND BE IT FURTHER RESOLVED THAT the NATS Policy Committee submits this reaffirmation of the 2030 Long Range Plan to the Michigan Department of Transportation, as designee for the Governor's Office of the State of Michigan, for review and transmittal to the Michigan Department of Environmental Quality, Federal Highway Administration, Federal Transit Administration, and U.S. Environmental Protection Agency.

Signed: _____ Date: _____
Policy Committee Chairman