

**NILES/BUCHANAN/CASS AREA TRANSPORTATION STUDY**  
Policy Committee

**MINUTES**

August 24, 2010  
Niles City Council Chambers  
3:00 P.M.

Policy Members Present:	Betty Arndt, City of Niles Jason Auvil, Pokagon Band of Potawatomi Indians Georgia Boggs, City of Niles Paul Boggs, Milton Township Chuck Collins, Berrien County Road Commission Irving Frost, Howard Township Darrell Harden, MDOT, Southwest Region Debbie Johnson, Cass County Commissioner John LaMore, Berrien County Commissioner Ray Lenze, MDOT Planning Jan Personette, Four Flags Area Chamber of Commerce John Pleveich, Niles Dial-A-Ride Cliff Poehlman, Cass County Road Commission Johnie Rodebush, Cass County Commissioner Don Ryman, Berrien County Commissioner Paul South, MDOT – Coloma TSC Tracy Vines, Berrien County Planning Commission
Policy Members Absent:	Pat Bellaire, Village of Edwardsburg Richard Cooper, Niles Township John Egelhaaf, SWMPC (ex-officio) Jim Kidwell, Niles Charter Township Joseph Kring, Bertrand Township Stewart McKenzie, FTA (ex-officio) Jane Mitchell, Buchanan Township Jessica Mitchell, MACOG (ex-officio) Rachael Tupica, Federal Highway Administration (ex-officio) Representative, Buchanan Dial-a-Ride Representative, City of Buchanan Representative, Ontwa Township
SWMPC Staff Present:	Anna Rahtz Trevor Thomas
Others Present:	

**1. Call to Order& Introductions**

- Chairman Rodebush called the meeting to order at 3:00 P.M. and led the group in saying the Pledge of Allegiance.

**2. Minutes**

- *Motion by Poehlman, seconded by South, to approve the minutes of the July 27, 2010 Policy Committee meeting, with the correction that LaMore had chaired the meeting in place of Rodebush. Motion approved.*

**3. Staff Report**

- **HUD Sustainable Communities Regional Planning Grant**
  - Thomas noted that at the July meeting he had announced that the SWMPC had been

planning to apply for a HUD Sustainable Communities Regional Planning Grant, and the committee had agreed to sign a letter of support. Since that meeting, the SWMPC staff and partners had decided to plan for a summer 2011 application timeframe. The SWMPC is working to put together a Consortium of partners for the three-county area of Berrien, Cass, and Van Buren.

- **Complete Streets Laws**

- Rahtz summarized Public Acts 134 and 135 that had recently been passed by the state legislature and signed into law by Governor Granholm, and noted that she would send out the summary of the legislation via email following the meeting.
- Public Act 134 is an amendment to Act 51 governing distribution of funding for roads. This amendment requires road agencies to consult with one another on nonmotorized projects affecting each other's jurisdictions and to inform one another when creating a five-year nonmotorized plan. It also creates a statewide Complete Streets Advisory Council to the governor, mandates an MDOT Complete Streets Policy, and states that MDOT will provide technical assistance and expertise to local governments regarding Complete Streets.
- Public Act 135 is an amendment to the Michigan Planning Enabling Legislation, and it broadens the definition of a street and road improvements to specifically include all users.
- Rahtz noted that the legislation solidifies the State's policy of Context Sensitive Solutions by requiring government agencies to consult with one another on non-motorized projects.

- **High Speed Rail Status Report**

- Thomas went over a handout summarizing the progress of making the Chicago-Detroit Amtrak line "higher-speed." He outlined the funding amounts that each state had received from the federal stimulus for high-speed rail, the legislation governing the interaction of private freight rail companies with Amtrak, and the current progress on the line.
- Lenze added that MDOT is working on updating its statewide rail plan and has tentatively scheduled four public input meetings in September. The locations for the meetings are Grand Rapids, Traverse City, Marquette, and Detroit.
- Rahtz and Thomas stated that they would send out the information about the input meetings and the website / email address for offering comments on the state rail plan as soon as possible.
- Arndt commented that she believes Amtrak rents a window of time from the railroads, and has to make that window or else wait for the next available window of time. Rahtz noted that she would check into that.
- Rodebush remarked that the bottleneck in Northern Indiana is what slows down any rail line from Michigan to Chicago. Thomas emphasized that trackwork in Northern Indiana is a large part of what is being funded by the federal stimulus grants for the Detroit-Chicago line. He added that the actual stimulus grant applications are available on MDOT's website.
- Collins commented that the PRIIA legislation pointed out on the handout is contrary to what most people believe – the legislation states that private rail companies can be held legally responsible if they cause a significant delay in the passenger rail schedule. Rahtz responded that the legislation is not well enforced because many of the freight trails let through from Canada are too long to sit on the side tracks that are available, and so there is no choice but to let them through ahead of the Amtrak trains.

#### **4. Old Business**

- **Public Participation draft**

- Rahtz stated that a survey had been put out to the public as a vehicle for gathering public comments during the mandatory 45-day public comment period of the draft Transportation Participation Plan. She went over a PowerPoint presentation summarizing the comments that had been received. She stated that all respondents had found out about the survey through the outreach email list or the SWMPC website, so the responses may be skewed toward the needs of those who have internet access.

- The themes of the public comments included: taking information to where people already are; holding meetings in the evening rather than during the day and in an accessible location for transit riders; providing information both online and in physical locations frequented by large numbers of people such as senior centers, churches, and public libraries; addressing public comments specifically; and informing the public about how their input can actually influence a project.
- Rahtz asked for ideas or discussion from the committee members about how the Transportation Participation Plan could be altered, as well as how the process itself could be altered, to address the issues raised by the public.
- Rahtz noted that the Participation Plan covers the Twin Cities Area Transportation Study and the Niles-Buchanan-Cass Area Transportation Study areas. She summarized the discussions that had been raised at the TwinCATS meetings after the presentation of public comments, as follows:
  - The committee representatives should report back with regional transportation updates at their own offices and their local commission meetings, as well as provide a link on the websites to the SWMPC website, and provide important information about regional transportation in their community newsletters. Staff can provide a template of information to send out.
  - A decision had not been made on changing meeting times or locations. It had been noted that this should be decided on a case-by-case basis depending on the importance of a topic for the public and the target demographic for that topic.
  - The metropolitan planning organizations should be holding an economic dialogue with the public about what can be accomplished with different levels of funding.
- It was noted that Buchanan has a public access cable TV channel, which may be a good outlet for relaying information to the public.
- Several committee members gave suggestions of outlets for getting the word out about regional transportation, including: Area Agency on Aging, Department of Human Services, Southwest Michigan College and Lake Michigan College – Bertrand Crossing, the local movie theatre, senior center newsletters, school basketball games, utility bills, and posting signs on Dial-a-Ride buses.
- Collins asked what the target population is that NATS is trying to reach. Rahtz responded that according to SAFETEA-LU the stakeholders that should be involved include everyone, but that the target population could vary depending on the topic being addressed.
- There was discussion about whether there is a need to reach out to people who do not own cars to involve them in discussions about bus transit. South asked if the public participation plan is only for public involvement related to buses, and Rahtz and Lenze responded that it is a participation plan of involvement policies related to all transportation work involving all modes of transportation.
- The point was also raised that many seniors and other residents do not have email access. Rahtz emphasized that there has to be a focus both on people who have internet access and people who do not.
- South and Harden cautioned about the usefulness of the survey data, given the small sample size and the fact that the respondents were already on an email list and their answers indicated the effectiveness of email over other methods of communication. South stated that the agencies do not have the email addresses of people who are interested until they come to a meeting or contact the agency; and so, there still have to be other methods used to reach out to people to get their contact information.
- Rahtz added that although there was a small sample of respondents, there would have been an even smaller sample if the public had been expected to read a 75-page document and write comments on it rather than answering survey questions. Thus, the survey responses should be taken just as any other comments during a public comment period for a transportation planning document. NATS and TwinCATS are required by MDOT and FHWA to provide specific responses to those public comments.

- Poehlman raised a concern that the federal government is requiring the regions and local governments to do more and more with the level of funding they have, which is insufficient. It was added that several of the participation methods that had been mentioned, such as utility bill inserts, come with a cost that may be out of the NATS budget.
- Rahtz and Thomas concluded that they would begin revising the Participation Plan to address the discussions that were held at the NATS and TwinCATS meetings, and then final revisions could be made at the September meetings.

## 5. New Business

### • TIP Amendments (to FY 2008-2011 TIP)

- **Administrative Modification**
  - Rahtz noted that in July a new Berrien County Road Commission project had been submitted to use remaining ARRA (stimulus) funds that had been redistributed to the South Bend Urbanized Area. After the July NATS meeting, MDOT had discovered that the project was not eligible for the funds because it was not in the actual South Bend Urbanized Area, rather in the adjusted MPO area in another part of the township.
  - The Berrien County Road Commission had switched the project, the resurfacing of Pucker St and Dayton Rd, with another project that had already been planned for a future year in the TIP, the resurfacing of Niles-Buchanan Rd and Bell Rd. This project will be done in 2010. At the October meeting, the FY 2011-2014 TIP will be amended to reflect the correct years for BCRC's other projects.
- **New Project – Cass County Road Commission**
  - Add in FY 2010, the project named Huntly Rd, to resurface Huntly Rd from Holly St to Barron Lake Rd. Length is 1.35 miles. Project description is "Existing project limits were sealcoated in 2009 which resulted in the PASER (pavement surface evaluation and rating) rating of 8, prior to sealcoat the PASER rating was 5. Sealcoat did not adhere to the road surface well, estimates are that 35% stone loss may have occurred with some areas completely devoid of new material. This project will mill one inch of material and replace it with a one inch HMA (hot mix asphalt) surface course." Phase is Construction. Advance Construct in 2010 and Advance Construct Conversion in 2012 and 2014. Federal cost (STU) is \$70,300 (\$61,697 in 2012 and \$8,603 in 2014). County cost is \$17,600.
  - *Motion by Vines, seconded by Johnson, to recommend that the Policy Committee approve the amendment of the FY 2008-2011 Transportation Improvement Program to add the above BCRC project.*
  - *Discussion:* Rahtz noted that at the Technical Advisory Committee meeting, it had been brought up that it is not likely for the TIP amendment to be processed on time to be obligated in fiscal year 2010 (by September 15, 2010). Since the project is considered urgent by the constituents, the TAC had decided to attempt to obligate the project in 2010. If it is not approved, then it will be added in fiscal year 2011 at the October meeting (the October meeting will be the first opportunity for amending the FY 2011-2014 Transportation Improvement Program, which will be approved by October 1, 2010).
  - *Discussion:* Arndt asked why the seal coat had not held, and how it was known that this treatment would work better. It was noted that there could be various environmental factors that impacted the seal coat, and that this would be a different treatment with actual asphalt that would hold better.
  - *Motion approved unanimously.*

## 6. Public Comment

- Arndt commented on the unsafe walking conditions for school children on Baldwin and Tyler roads in Niles Township. She noted that the children face hazardous walking conditions and that the intersection is unsafe to cross, especially since the school district does not have a crossing guard there. She suggested that changing the intersection from a two-way to a three-way stop could make

it safer to cross.

- It was asked whether the school district had looked into the Safe Routes 2 School program, and Arndt responded that she had been a proponent of that program but that the school had no interest in pursuing it. It was noted that she may want to reinstate the conversation with the new superintendent.

## **7. Privilege of the Floor**

- None

## **8. Adjournment**

- Motion by Frost, seconded by Personette, to adjourn the meeting at 3:55 P.M.
- The next meeting is September 28, 2010 at 3:00 P.M.

DRAFT