

# NILES-BUCHANAN-CASS AREA TRANSPORTATION STUDY

## Project Funding Subcommittee Meeting

Tuesday, December 13, 2022

1:00 pm

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In Person:

**Niles City Hall**

333 N 2nd St, Niles, MI 49120

Web: <https://us06web.zoom.us/j/9489277047?pwd=RzkydlFacGFHNkVWeURpak1kSEcxUT09>

Audio: Call in Number: 1 (312) 626-6799

Meeting ID: 948 927 7047

Passcode: 000619

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### AGENDA

1. Call to Order and Roll Call
2. Changes to the Agenda
3. Overview of the Purpose of the Meeting
4. Public Comment
5. Discussion of the Options for Utilizing the Remaining NATS Federal FY 2023 Funds
  - Gumwood Roundabout
  - Front Street
  - Front Street Signal
  - Bertrand
6. Subcommittee Vote on the Recommendation for FY 2023 Funding

*The Recommendation will be brought forward to the NATS TAC/Policy for approval on January 24, 2023.*

## NATS Subcommittee Funding Discussion

### NATS FY 2023 Approved Projects and Funding – December 1, 2022

Agency	Project	Total Estimate	STBG	CRP	Match
<b>FY 2023 Target</b>			<b>\$1,420,553</b>	<b>\$78,873</b>	
<b>Buchanan</b>	Front Street Reconstruction	\$560,747	\$300,000		\$260,747
<b>Berrien County Road Department</b>	Bertrand Road Resurfacing	\$540,000	\$304,000		\$236,000
<b>Balance</b>			<b>\$816,553</b>	<b>\$78,873</b>	

### Possible uses for NATS FY 2023 STBG Funds

Agency	Project	Total Estimate	81.85% of costs	STBG Currently programed	Maximum additional STBG the project could accept
<b>Cass CRC</b>	Gumwood Realignment	\$1,164,000	\$952,734	\$0	\$952,734
<b>Buchanan</b>	Front Street Reconstruction	\$1,611,000	\$1,318,604	\$300,000	\$1,018,604
<b>Buchanan</b>	Front Street Signal CMAQ Swap	\$400,000	NA	\$0	\$246,703
<b>Berrien CRD</b>	Bertrand Road Resurfacing	\$592,952	\$485,331	\$304,000	\$181,331
<b>Total</b>					<b>\$2,399,372</b>

<b>FY 2023 STBG Available</b>	<b>\$ 816,553</b>
<b>Total Maximum STBG funding projects could accept:</b>	<b>\$ 2,339,372</b>
<b>Deficit</b>	<b>\$ -1,582,819</b>

**NOTE:** The above table shows the maximum STBG funds each project could add in FY 2023. This is based on the latest cost estimates for each project. **It does not** necessarily reflect what the agency has specifically requested. Further it does not reflect any agency's financial capacity to fund the projects without additional funding. Questions regarding how much of the remaining balance each agency needs and how much local funds can be contributed will be discussed during the upcoming project funding subcommittee meeting.

### **Gumwood Realignment**

This is a proposed project to realign Gumwood Road with the approved 3-Leg Gumwood roundabout which is funded in 2023 with Highway Safety Improvement Program (HSIP) funds. This may also be referred to as the fourth leg of the roundabout.

Approved 3-Leg Roundabout	Proposed Gumwood Realignment	Total Combined Cost
\$807,560 HSIP: \$597,642 Local: \$209,918	\$1,164,000	\$1,971,560

#### **Status**

NEPA/SHPO: No

GI Submitted to MDOT: No

### **Buchanan Front Street Reconstruction**

Full reconstruction of roadway to allow replacement of undersized/failing sewer, storm sewer and watermain. Projects include curb and sidewalk upgrades to meet ADA standards, HMA pavement, remove and replace storm sewer, drainage structures, drainage covers, pavement markings, permanent signage and appurtenances from Red Bud to Oak Street.

#### **Status**

NEPA/SHPO: Approved

GI Submitted to MDOT: Mid-January

### **Buchanan Front Street Signal (CMAQ Swap)**

The Buchanan Front Street Signal is currently funded through the Congestion Mitigation & Air Quality Improvement (CMAQ) program. The CMAQ funding is allocation for use anywhere in Berrien County. The cost in the table above reflects swapping the CMAQ funds for Carbon reduction funds and then maximizing the STBG based on the latest cost estimate. This frees up the CMAQ funds to be utilized anywhere in Berrien County.

Details of the funding change are shown below:

	NATS 2023 Approved Funding				Updated Costs, Match & Fund Sources				
Project	Programmed Cost	STBG	CMAQ	Match	Revised Cost Estimate	STBG	CMAQ	CRP	Match
Buchanan Signal	\$369,189	\$0	\$287,341	\$81,848	\$400,000	<b>\$246,703</b>	\$0	\$78,873	\$74,424

#### **Status**

NEPA/SHPO: Approved

GI Submitted to MDOT: Mid-January

### **Bertrand Road Resurface**

HMA trench and widen, adding shoulders between M-51 to Cass County line.

#### **Status**

NEPA/SHPO: Approved

GI Submitted to MDOT: Yes

## Brandon Kovnat

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**From:** Joe Bellina <jbellina@casscoroad.com>  
**Sent:** Tuesday, December 6, 2022 4:41 PM  
**To:** Brandon Kovnat  
**Subject:** Request for Gumwood Roundabout Funding

Brandon,

The Cass County Road Commission is requesting consideration for additional STGB Funding in FY 2023 for the roundabout planned for the intersection of Gumwood Road and Redfield Street Job Number . The project just received an addition to the Safety Funding allocated to the project, the new Safety Fund totals are: Federal \$597,642, Local \$149,418, Grant total \$747,090. The current construction estimate for the initial three leg roundabout is \$807,560.

With the additional 2023 STGB funding available we have determined that this is a prime opportunity to develop the fourth (north) leg of the roundabout, which has been the stated objective of the Cass County Road Commission and Milton Township since the 2014 CESO Study recommended a single point intersection as the best alternative. I would submit that the change is in line with a project change in scope.

The current estimate for construction of the north leg is \$1,164,000. An 80% federal amount would be \$931,200. We are requesting up to the total additional STBG amount of \$816,553 for this project.

Joseph Bellina, PE  
Chief Engineer  
(269) 445-8611



Edward W. Hardig

Michael J. Anderson

Peter J. Agostino

Scott M. Keller

Michael P. Misch\*\*

Frank J. Agostino, of Counsel

James E. Burke, of Counsel

Gaylen W. Allsop, Retired

\* Also Licensed in IL

+ Also Licensed in MI

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Eli A. Wax

Rachel Luken

Shanon A. Buari

Myra R. Reid

Alexandra K. Keller

Jill D. Manges

December 8, 2022

Niles-Buchanan Area Transportation Study  
Southwest Michigan Planning Commission  
376 West Main Street - Suite 130  
Benton Harbor, MI 49022-3651

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Re: Gumwood – Redfield Roundabout proposal, Milton Township

Dear Members of NATS Committees,

I am writing to ask that you deny a request for spending, or at least suspend making a decision on funding of the above referenced project. This is a road project that involves slashing through a 50 acre wooded lot located in Milton Township, and currently occupied by Richard and Patricia Gerbeth, both in their eighties, and the creators and conservators of the nature preserve which their property has become over decades of hard work, planting, nurturing and caring for their land and the wildlife that lives there.

The project in question is being pushed by the Cass County Road Commission, and calls for installing a roundabout at the east intersection of Gumwood and Redfield, with a leg cutting across the Gerbeth property at an angle, to connect up with Gumwood north of the current west intersection of Gumwood and Redfield. (Gumwood has two legs that intersect with Redfield.) I am attaching a drawing showing the proposed work.

The result of the proposed road is to take away nearly 4 acres of land from the Gerbeths, and to separate their property into 2 parcels, one of 11 acres and one of 35 acres. This

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taking presents a number of problems which can be avoided with a common-sense approach.

Decisions on road projects are reviewed by a number of boards whose members are not only road engineers. The reason is so that ordinary people can apply common-sense policy concerns to the decision making process when it comes to roads. The deference that might be given to engineers on how a road is constructed once a decision is made on where to locate it is not the same deference that should be given to engineers on where to locate the road. In fact, board members have an obligation to consider a variety of policy concerns that impact such decisions, to look at a bigger picture. In other words, they should look at the impact on current property owners, the impact on the environment, and the impact on total dollars spent, to name a few concerns that go beyond engineering.

Looking at the big picture requires a common-sense approach that accounts for all the impacts of such decisions by the board. That common-sense approach suggests a less expensive alternative for addressing traffic concerns at the two intersections of Redfield and Gumwood—two roundabouts. This approach saves taxpayer dollars and minimizes the amount of property that needs to be taken from the Gerbeths and others.

This common-sense approach also has the least impact on traffic flow at the intersection of U.S. 12 and Gumwood, north of the western intersection of Redfield and Gumwood, compared to the single leg approach. No proposed solution has been presented for what happens at U.S. 12 and Gumwood after traffic flow to that intersection is no longer interrupted by two points of slowing down traffic which currently exist at the two separate intersections of Gumwood and Redfield. Having two roundabouts provides for a slower flow of traffic, which is better for all safety concerns.

This common-sense approach avoids the following problems:

1. Pollution and environmental impacts affecting the health of the Gerbeths. Patricia Gerbeth has a health condition that makes her hypersensitive to pollutants. The proposed roadway brings the car and traffic pollution much closer to her house than currently exists. In addition, there would be increased noise pollution much closer to the Gerbeth's residence.
2. Increased cost to local government units—really the taxpayers—for compensation of a larger than necessary taking; half an acre vs. 4 to 15 acres. (Property value in eminent domain proceeding can be as high as \$250,000 per acre or more, based on best use).
3. Direct impact on wildlife. A road cutting through what is basically a forested area can cause a variety of impacts on local wildlife, including the obvious increased risk of harm to motorists and animals as a result of vehicle strikes. Vehicle strikes can result in a significant impact on wildlife populations and can be one of the leading causes of mortality to large animals. The Gerbeth

property is home to deer, turkey, possums, raccoons, coyote, fox, and many other animals.

4. Indirect impact on wildlife. A roadway cutting through the property will change the behavior of animals to their detriment. Animals may move to avoid traffic noise, increasing their vulnerability to predation by other animals. Roads can be a physical barrier to some animals. Burrowing animals are especially vulnerable, as they are unable to navigate across the road due to the dry surface or the compacted subsoil. There are a variety of causes for why animals avoid roads; these behaviors can be grouped into two categories: avoidance of vehicles in general and merely the avoidance of road-based emissions, such as fumes or noises.
5. Water Quality. One of the most significant impacts of roads near wooded areas is on water quality, through both catastrophic and chronic sources of water pollution, primarily from sediment.
6. Noxious weeds. Roads can be vectors for the spread of diseases or noxious weeds. They can both directly and indirectly harm terrestrial wildlife.
7. Increased danger. Cutting the Gerbeth property in two separate parcels creates the obvious danger of vehicle strikes of people—fellow citizens--related to accessing the separated parcels.
8. Breach of Agreement with Department of Agriculture. How in the future are the Gerbeths going to carry out their duties per their contract with the Department of Agriculture to manage Invasive Plant Species in their Conservation Reserve, which will be across a very busy road from the main Reserve? Will the Cass County Road Commission provide a bridge crossing or a tunnel under the new road?

There certainly does not appear to be evidence that an appropriate group of professionals such as foresters, pest experts, hydrologists, geologists, or wildlife biologists have helped to develop a plan to reach a balance for these impacts. We can't just rely on a drawing by a road engineer to answer these questions and reach that balance.

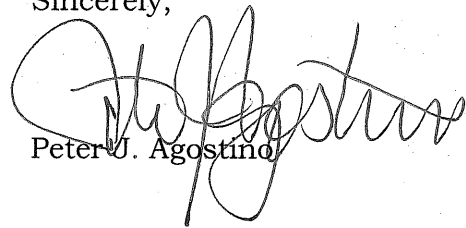
Reaching that balance is why boards reviewing selection of road projects are not made up solely of engineers. Engineers have their role; but this does not mean that other roles should be ignored. The role of bringing to bear common-sense to balance the impacts of a roadway must not be dismissed, nor should it be performed perfunctorily. Undoubtedly, the response might be, "We have an opportunity to spend money that we might not have in the future and we can't afford to wait." You can't simply make a decision to spend money that has such a detrimental impact just because you have the money. Rather, you must ask, "Can we afford to ignore the impacts of spending money

to put in a road that has such impacts?" Shouldn't we be asking, "Can we reach a better balance?"

The answer is yes, and that is by denying the current project and pushing forward the two roundabout solution. Patricia and Richard Gerbeth agree to a two roundabout solution; this involves less taking of their property, less impact on the wildlife, and costs less. A better solution for all.

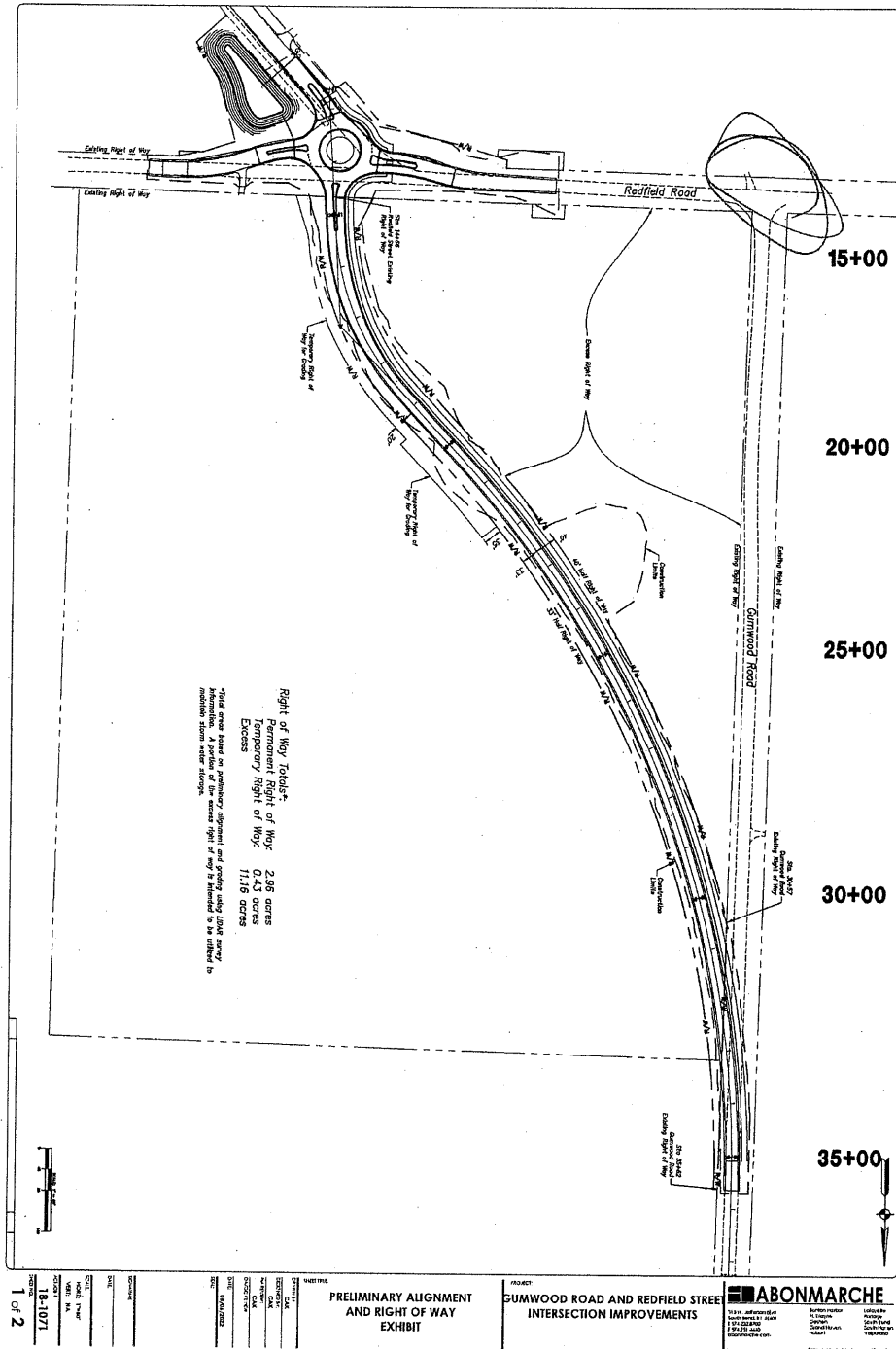
Thank you for your consideration of these points.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter J. Agostino". The signature is fluid and cursive, with a large initial "P" and "A".

Peter J. Agostino





## STBG Funded Projects on Locally Maintained Roads

FY 2023 STBG Funded Projects							
Job #	Agency / Location	Project	Limits	Description	Federal	Local	Total
206394	City of Buchanan	West Front Street	Red Bud Trail to Oak Street	Reconstruction	\$300,000	\$260,747	\$560,747
206395	Berrien CRD Bertrand Twp.	E Bertrand Rd	M-51 East to County Line	HMA overlay with 3 foot wide paved shoulders	\$304,000	\$236,000	\$540,000
<b>Total Funds Programmed</b>					<b>\$604,000</b>	<b>\$496,747</b>	<b>\$1,100,747</b>
<b>Federal STBG Funds Allocated</b>					<b>\$678,000</b>		
<b>Balance</b>					<b>\$74,000</b>		

FY 2024 STBG Funded Projects							
Job #	Agency / Location	Project	Limits	Description	Federal	Local	Total
216087	Berrien CRD Bertrand Twp.	W Bertrand Rd	US-31 to Portage Rd.	HMA trench & widen with overlay	\$222,433	\$77,567	\$300,000
216091	Cass CRC Mason Twp.	Cassopolis Rd	US-12 to Old 205	2.5" mill and HMA overlay	\$134,053	\$46,747	\$180,800
216092	City of Niles	Wayne St	North 5th Street to 13th Street	HMA Mill & Resurface	\$252,514	\$88,057	\$340,571
<b>Total Funds Programmed</b>					<b>\$609,000</b>	<b>\$212,371</b>	<b>\$821,371</b>
<b>Federal STBG Funds Allocated</b>					<b>\$691,000</b>		
<b>Balance</b>					<b>\$82,000</b>		

## STBG Funded Projects on Locally Maintained Roads

FY 2025 STBG Funded Projects							
Job #	Agency / Location	Project	Limits	Description	Federal	Local	Total
215947	Berrien CRD Bertrand Twp.	W Bertrand Rd	US-31 to Red Bud Trail	HMA trench & widen with overlay	\$374,521	\$83,049	\$457,570
216106	Cass CRC Ontwa Twp.	Elkhart Rd	May Street to Village of Edwardsburg limits	1.5" HMA Mill and Overlay	\$100,841	\$22,361	\$123,202
216108	City of Niles	Sycamore St	9th Street to 13th Street	Mill and Resurface	\$133,256	\$29,549	\$162,805
<b>Total Funds Programmed</b>					<b>\$608,618</b>	<b>\$134,959</b>	<b>\$743,577</b>
<b>Federal STBG Funds Allocated</b>					<b>\$705,000</b>		
<b>Balance</b>					<b>\$96,382</b>		

FY 2026 STBG Funded Projects							
Job #	Agency / Location	Project	Limits	Description	Federal	Local	Total
216111	Berrien CRD Bertrand Twp.	Red Bud Trail	US-12 to Bertrand Road	HMA Overlay	\$378,212	\$121,788	\$500,000
216117	Cass CRC Milton Twp.	Redfield St	County line to Batchelor Road	1.5" HMA Overlay	\$122,976	\$27,270	\$150,246
216119	City of Niles	Pokagon St	2nd Street to 5th street	Mill and Resurface	\$130,811	\$29,007	\$159,818
<b>Total Funds Programmed</b>					<b>\$631,999</b>	<b>\$178,065</b>	<b>\$810,064</b>
<b>Federal STBG Funds Allocated</b>					<b>\$718,000</b>		
<b>Balance</b>					<b>\$86,001</b>		

## 2023-2026 Other Federal Funded Projects on Locally Maintained Roads

Job #	Year	Agency	Project	Limits/Location	Description	Source	Federal	State	Local	Total
206618	2023	City of Buchanan	W Front St	Front and Oak Street Intersection	Replace Traffic Signal	CMAQ	\$287,341	\$0	\$81,848	\$369,189
207181	2023	Cass CRC Mason Twp.	Calvin Center Rd	US-12 to Grange Street	Mill and one course non-structural hot-mix-asphalt overlay	STBG - RTF	\$198,400	\$24,800*	\$24,800	\$248,000
214949	2024	City of Buchanan	McCoy Creek Trail Extension	From Trial head on Schirmer Parkway to the River St. Joe Brewery	Nonmotorized path and sidewalk construction	TAP	\$339,770	\$0	\$256,318	\$596,088

\*From the TEDF Category D (State D)

## NATS 2023-2026 Illustrative Projects

City or Township	Project Name	Project Limits	Project Description
Niles Twp.	Third Street	Fulkerson Rd to State Line	HMA trench & widen with overlay, Drainage Reconstruct
City of Niles	East Main Street	Maple Street to Silverbrook Street	Mill and resurface structure covers, upgrade sidewalk ramps as necessary to meet current standards pavement markings.
Ontwa Twp.	Redfield Street	Elkhart Rd. to Ebersole Rd.	1.5 HMA, 36 A top course overlay, Shoulder Class II and Pavement Marking
Ontwa Twp.	Redfield Street	Ebersole Road to Adamsville Road	1.5" HMA, 36A top course overlay, Shoulder Class II and Pavement Marking
Howard Twp.	White Street	M-51 to Thompson Road	Crush and Shape HMA Surface and add 4 inch HMA, 36 A. Shoulder Class II and Pavement Marking
Niles Twp.	Niles-Buchanan Road	City of Niles to US 31 Bypass	HMA overlay
Milton Twp.	Ironwood Drive	Redfield Street to Bell Road	1.5 HMA, 36 A top course overlay, Shoulder Class II and Pavement Marking
Howard Twp.	Huntley Road	Yankee Street (BR 60) to Lake Street	2.5" Cold Milling HMA Surface replace with 1.5" HMA, 36A base course, 1" HMA, 36A top course, Shoulder Class II and Pavement Marking
Howard Twp.	White Street	Thompson Rd. to Barron Lake Road -	Crush and Shape HMA Surface and add 4 inch HMA, 36 A. Shoulder Class II and Pavement Marking

## Federally Funded Public Transit Projects

### FY 2023 TRANSIT PROJECTS

Job #	Description	Federal	State	Total	
5307 funding					
206694	Operating	\$150,000	\$150,000	\$300,000	5307 Programed: \$260,000
206695	Preventative Maintenance	\$110,000	\$27,500	\$137,500	
5339 Funding					
206699	Replace one bus	\$68,000	\$17,000	\$85,000	5339 Programed: \$68,000

### Summary of Transit Funding in 2023

	Federal	State	Total
<b>Revenue in 2023</b>	\$328,000	\$194,500	\$522,500
<b>Amount programed</b>	\$328,000	\$194,500	\$522,500

### FY 2024 TRANSIT PROJECTS

Job #	Description	Federal	State	Total	
5307 Funding					
216357	Operating	\$155,200	\$155,200	\$310,400	5307 Programed: 265,000
216352	Preventative Maintenance	\$110,000	\$27,500	\$137,500	
5339 Funding					
216359	Replace Fencing at the DART Facility & Replace Roof on garage	\$52,800	\$13,200	\$66,000	5339 Programed: \$52,800
CMAQ Funding					
215349	Replace three buses with vans	\$140,000	\$35,000	\$175,000	5339 Programed: \$1400,00

### Summary of Transit Funding in 2024

	Federal	State	Total
<b>Revenue in 2024</b>	\$458,000	\$230,900	\$688,900
<b>Amount programed</b>	\$458,000	\$230,900	\$688,900

### FY 2025 TRANSIT PROJECTS

Job #	Description	Federal	State	Total	
5307 funding					
216372	Operating	\$160,500	\$160,500	\$321,000	5307 Programed: \$270,500
216373	Preventative Maintenance	\$110,000	\$27,500	\$137,500	
5339 Funding					
216374	Replace one bus	\$72,000	\$18,000	\$90,000	5339 Programed: \$72,000

### Summary of Transit Funding in 2025

	Federal	State	Total
<b>Revenue in 2025</b>	\$342,500	\$206,000	\$548,500
<b>Amount programed</b>	\$342,500	\$206,000	\$548,500



### FY 2026 TRANSIT PROJECTS

Job #	Description	Federal	State	Total	
5307 funding					
216375	Operating	\$160,500	\$160,500	\$321,000	5307 Programed: \$276,000
216376	Preventative Maintenance	\$115,500	\$28,875	\$144,375	
5339 Funding					
216377	Replace one bus	\$75,200	\$18,800	\$94,000	5339 Programed: \$75,200

### Summary of Transit Funding in 2026

	Federal	State	Total
<b>Revenue in 2026</b>	\$351,200	\$208,175	\$559,375
<b>Amount programed</b>	\$351,200	\$208,175	\$559,375