

Public Hearing of the Board of County Road Commissioners for the County of St. Joseph, State of Michigan, at the St. Joseph County Road Commission office at White Pigeon Township Hall, 16975 US 12, White Pigeon, MI at 6:30 pm

- Present: Vice Chairman Rodney Chupp, Commissioner Jack Coleman,
Commissioner David Miars, Clerk Julie Mayuiers
- Staff Members Present: John Lindsey, Managing Director
Garrett Myland, Assistant Manager/Engineer
- Guests: Terence M. Heuel, 68682 Blanchard St., White Pigeon, 312-953-8710,
Terry@thlaw500.com
Rachel A. Heuel, 68682 Blanchard St., White Pigeon, 708-714-2111,
rachelarh1@gmail.com
Don Gloy, White Pigeon Township Supervisor dongloy49@gmail.com
Eric Jones, 68738 Blanchard St., White Pigeon, 269-358-7958,
e48jones@gmail.com
Don Riach, 68804 Blanchard St., White Pigeon, 269-659-1070,
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Jody Tarantino, 68660 Blanchard St., White Pigeon, 239-872-7850,
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Justin Sweitzer, 15171 Indian Prairie Road, White Pigeon, 574-202-
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Samantha Sweitzer, 15171 Indian Prairie Road, White Pigeon, 574-202-
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David Litterman, 21582 US 12, White Pigeon, 269-268-4073

Vice Chairman Chupp called the meeting to order, and the Pledge of Allegiance was said and then he introduced the staff and road commission board members in attendance. Then he turned the meeting over to John Lindsey.

John said this is the Public Hearing of the St. Joseph County Road Commission to address the issue of Petition that was filed to remove the Natural Beauty designations on Oak, Blanchard, and some call it State Street. The road commission as a board doesn't really care a lot in the situation but we do want to improve that road, we've been petitioned by the people also to repave the roads and to pave that section of Blanchard and State Street that are not paved. It's hard to keep both designations and the term natural beauty is relevant and to some of us brand new HMA is naturally beauty to some dirt roads are beautiful. In 1993 a Petition was circulated by the citizens to have 500' of Oak and 820' of Blanchard in the Pine Bluff subdivision designated as Natural Beauty Roads. The Public Hearing was held on October 28, 1993, and the road commission designated that section of road as a Natural Beauty Road. In 1994, a petition was circulated by the citizens to have Blanchard Street what is now called State Street in that subdivision designated as a Natural Beauty Roads. Same thing, a public hearing was held and on April 14, 1994, the road commission passed a resolution declaring these roads Natural Beauty Roads. Thirty years later, the present citizens want those sections of Oak and Blanchard repaved and the 800' section of State Street and Blanchard be improved with asphalt. So that is where these two worlds come together. And neither the road commission or the township

invest money 50% and the township 50% and we just don't want to be strapped with this designation of Natural Beauty and be able to do proper drainage. There is not going to be a massive tree removal, we are not widening the roads, we are not ditching the roads, we just need to be able to do our work to maintain them properly. Some citizens here circulated a Petition because again, the same people that circulated the previous Petition 30 years ago aren't the same people that are there. The wants of the citizens of Pine Bluff have changed. That's why we have a Public Hearing. My Board has a meeting tomorrow night at 5:00 pm and they will make a decision according to what they've heard and learned here tonight, whether to keep the road Natural Beauty, kind of as is or whether to improve it. To be clear again we have no plans to clear that road from right of way to right away. We have no plans to ditch it, I'll let Garrett speak to that in just a second. But basically, we need to be able to do the things to make the road function when we put brand new hot mix asphalt down, so it doesn't flood every year and ice setting on it and the things that deteriorate a road.

Garrett Myland - there will need to be minor ditching especially in the area where Blanchard comes down and kind of heads south. There is an area when the water does go down into a gentleman's driveway so I believe our intention would be to try and suck the water on the inside of that curve so some minor drainage that would need to be done. The unfortunate thing with things like this is that we really don't have access to the water to get everything over to the lake. There is a spot where I believe putting in a culvert would be good; however, it is located right next to somebody's property and we can't transfer water without their permission. So, if this goes through, I believe we would be approaching that landowner, and I don't have their name right off the top of my head, to install potentially a culvert, 3' wide ditches, 3' deep, going through the whole road, the main thing would be to get the water to both sides of the road naturally and dissipate down because when you do convert a gravel road to hard surface, you did take away a part of that drainage area. So, when a road is gravel, water can sit on it and seep down in. Once it is hard surfaced, there will be more water that will go to the edges and dissipate to the sand and ground, but I want no illusions that there won't be necessary a little more water coming off the road because there will be, especially when converted from gravel to hard surface.

John Lindsey- that's the section of Blanchard around State Street, that's the gravel section. The other section you see on the map is after you go around the first curve Oak Street there is section of Oak St. up to Blanchard that needs to be repaved and then Blanchard to the right.

David Herrmann asked if John could identify those more closely where the proposed culvert on Blanchard St. would occur based on the map you have here.

Garrett Myland showed on the map roughly the location. It is closer to the curve going north, but one of those things is that we cannot transfer water from one side of the road to the other without consulting the person who lives on the other side. On that inside corner if we don't get that culvert, I would expect water to sit there for a long period of time, because there is a decent amount of water that comes down that hill, I believe if we put a culvert in, it would dissipate.

Terrence Huel asked if in terms of reconstruction of the road, and I'm in favor of it, believe me. Is there going to be a replace of sub straight of the road, dig out the old asphalt put new stone bed and put a lift or two of asphalt on top of that or just skim over the ugly craters in the road.

Garrett said the plan right now is to pave over the existing hard surface road in the areas hard surfaced now. Putting 3.5" into the gravel area to give it a little more structure in there. It comes down to cost. To completely reconstruct every road through there that was not part of the original scope when we talked to the township, it was to overlay the existing road. That is something that could be looked at because it would increase the cost. Not speaking for our board or the township but that would definitely have to be looked at because it would drastically increase the cost of this project.

Terrence Heuel – the past couple of weeks somebody has come over and laid cold patch down on those moon size craters; I don't know who did that job (John said it was us). I bring it up because they did a sloppy job and a lot of it is heaving up and we get some pretty heavy trucks up and down the streets now between Fed Ex, etc. 2 – 3 times a day. My concern with just putting more asphalt on top it isn't going to be very long before all of a sudden, these impressions are going to reoccur, and I wonder if more attention could be put on certain spots that definitely need a heavier foundation.

Dave Miars asked - There wasn't a roller out there was there?

Terrence Heuel – said no roller.

John Lindsey said what happens is in the Spring we do a ton of patching, primary first and then local. We have a limited crew now days so then we move into chip seal season, so we don't get into all the subdivisions like yours, that's just hand patching to get through to this time. Before we overlay that road it will be patched good, that's what we do to all our roads. To give you comparisons, Indian Prairie is an example. To pulverize the road, add new gravel and overlay with 3.5-4" of asphalt you are taking the cost from \$325K/\$350K per mile and we are talking about an overlay for \$125K - \$150/mile. Some of the struggles you see there are real, and I understand them, but they are from 28 years ago. What you are dealing with is there is absolutely worn off asphalt. We've been through struggles as has the township with funding, but we've come to the point where we are finally able to do some of these things because of the millage you folks pay. White Pigeon, go drive your township, you have made some serious progress, all that is done with a 50% match, and we've made a lot of progress have we not Don? We try to go into subdivisions one year then out on more heavily traveled local roads. Primaries we take care of ourselves we don't go to townships for money there. Sometimes there is some overlaps there, but you guys in White Pigeon have made some huge strides compared to your neighbors.

Eric Jones – Don Riach and I are the responsible parties for putting together the Petition and gathering all the signatures. I wanted to point out a couple of things to the board. Our petition contains 54 signatures of property owners with frontage on Oak, State or Blanchard streets or they have access from like Dogleg Drive onto Oak St. Our focus was only signatures of property owners effected by those 3 streets. Back in 1993 when a Petition was put together to request the Natural Beauty Road designation, I have copies of those petitions, I note there was a total of 60 signatures within the 2 Petitions. 29 of the signatures came from property owners on those streets, 31 signatures came from people with no horse in the race, they were on Edgewater Beach, Fawn River Road, US12 and John as you pointed out we have a new mix of owners now and even within the 29 property owners signatures they were allowed to have sons and daughters and unborn babies and I say that with in jest, sign up, sign the petitions so the 29 was a weak mix of relatives and friends. We have 54 signatures in favor of doing this that speak on behalf of our neighborhood, and we only had 2 property owners indicating that they were not signing. One said they were in favor of it but don't want to sign and the other took the position that the county or township had some underlying condition and I told them that was not what this was about, I said you are entitled to your opinion. There were 2 other property owners that are in Florida or someplace and I just was not able to get to them. So, the 54 signatures we have represent our neighborhood, out of a total of 58 that would have been available to sign them. There were a few questions that came up. A couple of them have already been answered, in an email Garrett that you had sent to Don Riach, in your email you indicated there would be 2" of a leveling course asphalt and then a finishing course, is that just for gravel portion and you answered that.

Is county looking to increase road right of way or are we going to continue with our exiting right of ways and that has been answered. This question has to do with something I've already asked you about. The trees along Oak Street, they present a potential hazard and a lot of them have been marked. Some are marked from eastern part of Oak Street where it makes that 90-degree curve to ¾ of the way to the Natural Beauty Road sign. I assume if the Natural Road Designation is rescinded or

revoked that some of those trees on the Natural Beauty Road area that are overhanging the road may also be taken down from a safety issue.

John Lindsey – I want to point out this is not a meeting of this board to influence you guys, these guys brought this to us. We will look the area over and the ones that are a danger/hazard we will be scrutinizing them a little bit more. We have had the position, or we have been wrongly influenced by some predecessors of ours that the designation of Natural Beauty meant we couldn't hardly do anything. This research that you all have brought to me has taken me to the DNR to research this more thorough and they said no doubt if there is a danger or risk, we have every right to cut that tree. We have taken a hands off to Natural Beauty Roads and I found out there is a lot there that we should be doing more.

Several of the trees on the second curve of Oak that you are referring to is that they are leaning so far out into the road. We discussed with the gentleman that said if a hazard to the road you can draw a straight line up and nip that part off. Before we come to pave, we will come to clean up the ones with a serious concern.

Rodney Chupp - if I'm hearing you right, we will be doing more of that whether the designation was revoked or not because we know that we can. What I read in public act I was of the opinion that you have a little more flexibility that you thought you had, it's a new day and we want the county and township to have the flexibility to do what needs to be done. One of the residents that chose not to sign recalls when there was a canopy all the way from US12 to Oak Street, now no trees exist.

Terrence Heuel - That never existed since 1952 because there was a pasture on west side...Blanchard Farm.

John Lindsey – we tell you that with any Natural Beauty preservation we do not own any trees, we do not own any trees, the road commission doesn't, the trees are responsibility of the property owners. We get in these situations all the time and I've learned that every tree is their personal trees until the trees die and then they are road commission trees.

Eric Jones – 2 other points Garrett and you've already addressed the one. Don and I explained to 2 properties that right now are affected by the gravel and water running into their garages. I know you will make every attempt to alleviate as much of the runoff that you can, but your point is well taken that once you pave it you will get more run off because of the road being hard surface instead of gravel which would absorb some of the runoff. The last item at the very north end of Blanchard St. when Don Gloy and I met with John and Garrett you mentioned the last 3 properties at the north end of Blanchard were not certified as part of your maintenance. Can you verify this so that I can tell those 3 property owners the pavement is only going to here and it will not extend past frontage of your properties.

Garrett Myland– yes, if we can do a follow up after I would love to double check the certifications as I believe they are accurate, and I believe that at the end those 3 properties are private and that we have no jurisdiction there.

Eric Jones – I will follow up with you to verify.

Garrett Myland - when I can next week, I will get out there with a paint can and mark the end of it too. We have paving the end of this week so I will try for next week.

John Lindsey – What we do on those though is on projects in subdivisions like this where people want their driveways paved, they need to get with the contractor. This would be similar to that where they can get with the contractor, they have to fund it, we are not going to pay 50% but they can be done with the project.

We get legally bound by some of that. It doesn't mean it can't be done but not done by us. I understand what people are going to say that they are paying for part of this road mileage too. It doesn't mean things can't be done; they just can't be done by us. They need to get with the contractor. We just know where our legal ACT 51 lines are drawn.

Eric Jones – I think those property owners are already aware that they are at the tail end and not part of the annual road maintenance. When Don and I went around to get signatures we discussed that with those 3 property owners.

Don Gloy – the final 3 properties, if they want their road paved, is your policy still that you will pave it, but we won't contract with them they would have to run it through the township?

John Lindsey – they can run it through the township or pay it themselves with the contractor.

Garrett Myland– we've had situations where private roads have been ran very seldom through us and essentially, we measure what went on the private section so that we know we aren't putting any money in it. On other roads we have had those same homeowners go directly to the contractor and then they just write a check directly to the contractor and write a check to the contractor. We had a driveway in last project in Tamarac in Lockport Township where the gentleman wanted his driveway paved and I said I'm not touching that check and he handed the check right to the contractor, so we are completely out of it.

Terrence Heuel - Is it your intention then to remain in the platted ROW on Blanchard St. for the entire project.

John Lindsey – yes, it does skinny up when you turn left at the end of Oak and turn left on Blanchard, I believe it's only 30'.

Terrence Heuel – right I think that's correct. There is approximately 16' width of asphalt paving I've measured it.

John Lindsey – Yes, good, it's not a problem, but to your problem when drainage issues get outside generally we have 66' of ROW and a lot of our smaller ones are 50' and when you get down to 30' that pretty tight quarters to address some of the drainage issues that Garrett was pointing to. Also, when you put a 2" lift of asphalt on it, it will change the way the water it. People come to us and say that water used to sit in the road and now it's in my driveway. Our goal is to keep it off the road.

Rod Chupp – other thoughts, other questions. Is anybody not in favor of the change? No peer pressure.

Lady (no name) I have a question – is it slotted anywhere for a time frame next summer? Reason I'm asking is I have an event next summer; reason is I'm supposed to be having a function.

John Lindsey – No, so what we'll do is when we go out to bid with our contractors, we give them the summer to do this work. When we have things like Magic Festival in Colon, we can tell the contractors to avoid certain White Pigeon Days or Magic Festival. In this situation we give them the latitude to fit it into their schedule best so I can't make you any promises. I don't know what day or weekend you are talking about.

Rodney Chupp – Here's the reason we do that, Garrett is an amazing numbers guy he has the ability to estimate project and he gets scary close to accurate on his numbers. We really have had very favorable bids compared to other counties because we give the companies that range of opening.

For instance, you take Michigan Paving that is doing big contacts with the state, but they will have a few days here or there and they'll haul their stuff down here and do paving jobs so it gives us that latitude. But they usually give us a little bit of notice. (Garrett – sometimes) Once in a while they just show up. We are trying to be good to get information out on website, FB, etc. so people know how to plan around it.

Garrett Myland – the job should take about a day but it's one of those things they might have a day of grading and prepping but when they come in there, they will do the entire thing.

Normally we open it from Spring to October 31st and they will have one day open, and they give us 3 days' notice and we say ok.

Terrence Heuel – I'm only asking because I'm from Chicago and anyone else here if from Chicago knows we only have 2 seasons...winter and road construction. We have projects that were supposed to have been finished like 5 years ago and are still going on.

John Lindsey – I'm going to try and make a couple of comments. Generally, Michigan Paving or whoever the contractor is will look at their schedule let us know on Friday they are coming on Friday. When did you get noticed about AL Jones?

Garrett Myland– that was a good notice because we got notified Friday, they are coming Wednesday so that's a good notice for us....5 days.

Rodney Chupp– being workable does have a huge financial payoff.

Eric Jones – on the finishing course that would take place on the existing asphalt pavement are we talking 1.5"?

Garrett Myland – 2", so we will cap the existing at 2" and when we do a new construction, we do a leveling course and a top course because we want to fill in all the minor imperfections and ruts and stuff on the bottom because when we do the top course, we know the topcoat is 1.5". You might have a base a section that is 2.5" down to 2" but that top course will be that full 1.5".

Eric Jones – Could you throw in a speed limit sign...blind and deaf ahead?

Garrett Myland– you can go to your township for that.

Rodney Chupp – But I'll warn you half the time when a traffic study happen, they raise the speed limit.

Eric Jones – that concern was expressed by a couple of residents that the speeds would increase because of a smooth road.

Rod – on that note, every year even though I'm not the guy shoveling the asphalt, I get beat up by a people that complain about our chipseal program. New asphalt has a life expectancy, when you come in and coat that with a good oil that seals, you put pea gravel or chip stone on top of it, which is really only there so you are not driving in the oil, it exponentially extends the life of that road, and our goal is to hit every road every 7 years. In an ideal road we would get over road with chip seal every 7 years. It's the sealing that we are looking for. Every year somebody says you dummies; you did a nice new road last year now this year you are putting chipseal over it and now this year and my skateboard doesn't ride smooth. That is the process and science behind it. It really protects the investment that the township and road commission make so you should really expect that. That is a regular process. If you go out and really look at asphalt...it really is porous. In Michigan you get a lot of water from freezing and thawing and it makes a big difference.

John Lindsey – that road is in tough shape. I can guarantee you when it was paved it was not chip sealed the next year. It seemed good for everybody that we can ride on this for 6-7 years and then we will just chip seal it. You've already lost the structure to make that road last a long time. I'm very confident that you will be pleased with new asphalt road, you won't be happy with chipseal next year.

Rodney Chupp – you will be happy with good roads.

Don Riach – you are not going to come along and gouge the middle like other roads.

Garrett Myland – no rumble strips. We only did it on 2 roads and that was Constantine Roads and we had safety grants.

John Lindsey – with that being a project in 2023 we have to trim trees this winter and might get a little bit more aggressive. My board needed to hear from you folks because this is your petition. We have a meeting tomorrow night at 5:00 at road commission. If you have any more input, you are welcome to attend that. I don't see disdain for removing this so I will be encouraging my board to pass this resolution.

Rodney Chupp, Dave Miars, and Jack Coleman said they would be approving it.

Rodney Chupp – any other thoughts/concerns...if not the meeting was adjourned at 7:07 pm

Rodney D. Chupp, Vice Chairman

Julie Mayuiers, Clerk of the Board
