

REGULAR MEETING OF THE CHEBOYGAN COUNTY ROAD COMMISSISON MAY 7, 2015

Chairman J. Johnson called to order the Regular Meeting of the Cheboygan County Road Commission at 8:00 A.M.

Clerk D. Stempky took roll call and a Quorum was present.

Pledge of Allegiance was recited

Moment of Silence was taken for the passing of Road Commissioner Don Spray on April 23, 2015.

PRESENT: J. Johnson, D. Brown, C. O'Connor, K. Paquet, Engineer/Manger B. Shank and Clerk D. Stempky

VISITORS: T. Matelski, J. Moore, K. Hahn F. Cribb, B. Chadwick, C. Veneros, T. Olson, M. Ennes, G. Archambo, J. Zrimec, J. LaHaie, C. Antkiviak, T. Horrocks, G. Bunker, M. Laway and B. Edson.

MOTION by K. Paquet seconded by D. Brown to approve minutes of last regular meeting of April 16, 2015 as mailed. 4 Yeas **CARRIED**

MOTION by K. Paquet seconded by C. O'Connor to approve payroll voucher #15-17-\$59,793.38 and accounts payable voucher #15-18-\$181,962.84. 4 Yeas **CARRIED**

MOTION by D. Brown seconded by K. Paquet to approve agenda as presented. 4 Yeas **CARRIED**

Chairman J. Johnson, presented Bryan Edson a plaque, hat and card in recognition of his 22 years of service. All wished him the best and thanked him for his service.

MOTION by K. Paquet seconded by D. Brown to accept the annual audit for year end 12/31/2014 as presented. 4 Yeas **CARRIED**

MOTION by Ken Paquet seconded by D. Brown to adopt New FOIA Policy #27 as presented effective July 1, 2015 as follows:

**Cheboygan County Road Commission
Freedom of Information Act Policy**

The policy of the Board of Cheboygan County Road Commissioners shall be to provide citizens information regarding the affairs of the Road Commission as required by the Freedom of Information Act (FOIA), Public Act 563, 2014.

The coordinator to provide the information is the Engineer/Manager and/or the Clerk of the Cheboygan County Road Commission.

The coordinator shall provide records, except for exempt records, upon written request as required by the FOIA.

Summary of the FOIA Process:

1. The Cheboygan County Road Commission receives a written request (by hand delivery, mail, fax or email) for public records.

- 2. Within 5 business days of receipt of the FOIA request the Road Commission will provide an initial response to the person requesting public documents that:
 - a. Grants the Request.
 - b. Issues written notice to the requesting person denying the request.
 - c. Grants the request in part with written notice denying part.
 - d. Issues a written notice extending for not more than 10 days.

If the Road Commission estimates the fees for the request will exceed \$50.00 a "Good Faith" deposit may be required before any search will begin. A notice will be sent to the requesting party if a deposit is required.

- 3. After the documents are prepared a Itemized Cost will be determined and the requesting person will be notified of the cost and when the documents will be made available per the requested method.
- 4. If the Road Commission makes a determination to deny all or part of the request, the requesting person may appeal the denial to the Engineer/Manager of the Road Commission. A written request for an appeal must be submitted.

The Schedule of Fees listed below will apply when calculating cost for FOIA requests:

Schedule of Fees

Labor for search, examination, review and the deletion and separation of exempt from nonexempt informationCurrent Rate for lowest paid hourly employee capable of providing the requested information. Charged in 15 minute increments.

Fringe Rate (added to all Labor costs).....50%

Copying Fees

8 1/2" x 11"(letter) and 8 1/2" x 14" (legal) pages.....\$0.10 per page
 11" x 17" (ledger).....\$0.15 per page

Certification Maps (18"x24" size)

Per page..... Actual Printing Costs

Full Copy of Certification Maps..... Actual Printing Costs

Plans.....Actual Printing Costs

Mailing Cost.....Actual Postage Costs

- A 50% "good faith" deposit may be required if the estimated fee for the search, inspection and copying exceeds \$50.00.
- No charge for the first \$20.00 if the requestor is indigent and receiving public assistance.
- Fees may be waived or reduced if the Road Commission determines the records search is in the public interest. 4 Yeas

CARRIED

MOTION by D. Brown seconded by C. O'Connor to receive and file the following correspondence: Township Meeting Minutes: Grant 3/10/15, Tuscarora 4/7/15, Mackinaw 4/21/15 and Munro 4/14/15 Safety Committee Meeting Minutes of 4/15/15 and Cheboygan County Board of Commissioners Meting of Elected Officials 5/6/15. 4 Yeas **CARRIED**

Closed session will be held after regular meeting completed to discuss pending litigation.

Resident of Eaglesnest Road, wanted to know if there is anything going to be done with the Road. He would like rough road signs to be placed, liability pool does not recommend placing per Engineer/manager Shank.. Resident would like the road crushed up and placed back to gravel. Discussion of that option, Engineer/Manager will have quotes to perform that for next meeting.

F. Cribb questioned Stoney Creek condition, Engineer/Manager commented the road has been bladed and maintained as other gravel roads in the County. The seasonal portion, loggers are almost complete and the DNR is going to have logger fix up a little before leaving the job site for the seasonal section. There is ditching planned for M33/Stoney Creek Intersection. Koehler Township is interested in taking over the platted portion of Parrotts Point Road Access, Engineer/manager will look to see what was submitted for the prior request and what the Township may need additionally for the new request.

Engineer/Manager updates:

- Mann Road start date Monday, May 11, 2015
- Riggsville Road start date June 1, 2015
- Summer temps, performed interviews and would like to hire a third Temporary HTD for the summer, with the two HTD working for the state culvert cleaning could use an additional driver. Board felt as long as within contract language to move forward and hire a total of three Temporary Truck Drivers.
- Straits Council Meeting-CRASIF will be giving refunds but will be in the form of a credit on the statements and not a refund. CRAM is looking at getting all Road Commissions to use standardized permits, Cheboygan already uses the CRAM permits so should not be an issue. December CRAM will be holding ACT 51 educational training and encourages all to attend.

Chairman J. Johnson commented with Proposal 1 failing, need to contact your Legislatures and ask them to handle the road needs within the budget they have.

MOTION by K. Paquet seconded by D. Brown to go into closed session to discuss pending litigation with attorney at 8:30 A.M. Roll Call: O'Connor-yes, Johnson-yes, Brown-yes Paquet-yes **CARRIED**

Recess regular meeting at 8:20 A.M. until closed session at 8:30 A.M.

Return to regular session at 8:32 A.M.

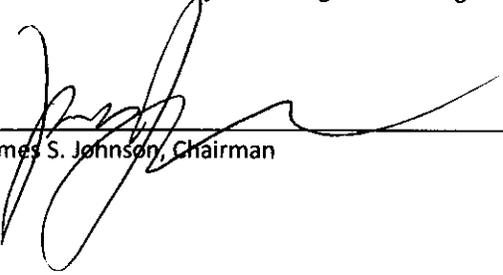
Closed session at 8:32 A.M.

Return to Open Session at 8:55 A.M.

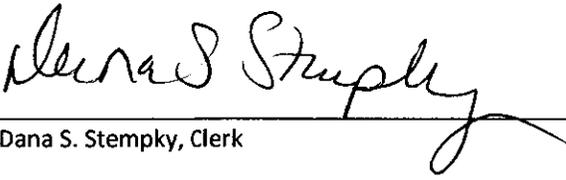
MOTION by D. Brown seconded by K. Paquet to authorize Attorney and Engineer/Manager Shank to sign and execute the Settlement Agreement and Release s presented for the pending Litigation of Retiree Health Care. Roll call vote: Johnson-yes, Brown-yes, Paquet-yes, O'Connor-yes. **CARRIED**

Discussion of equipment maintenance needs.

Chairman Johnson adjourned regular meeting at 9:10 A.M. being no further business to come before the Board.



James S. Johnson, Chairman



Dana S. Stempky, Clerk