

Chairman D. Brown called the Regular Meeting to order of the Cheboygan County Road Commission at 8:07 A.M.

PRESENT: D. Brown, D. Brandt, H. Ginop, K. Paquet, Engineer/Manager B. Shank and Clerk D. Stempky

ABSENT: C. O'Connor

VISITORS: J. Moore, G. Archambo, D. August, S. Redmond, T. Horrocks, F. Cribb, E. Cribb, B. Chadwick, C. Antkoviak and B. Hartwig

MOTION by D. Brandt seconded by H. Ginop to approve regular meeting minutes of 7/26/2018 as presented. 4 Yeas Absent-O'Connor **CARRIED**

MOTION by D. Brandt seconded by K. Paquet to approve for payment current payroll voucher #18-30-\$79,290.93 and accounts payable voucher #18-31-\$683,968.46. Roll call: Ginop=yes, Brandt=yes, Paquet=yes, Brown=yes Absent-O'Connor **CARRIED**

MOTION by D. Brandt seconded by K. Paquet to approve agenda as presented. 4 Yeas Absent-O'Connor **CARRIED**

B. Hartwig-Chairman of the Citizens for Cheboygan Roads Committee

- The Committee has placed ads in Resorter, Tribune and Shoppers Fair
- Would like to stress to get your friends and family to vote
- The Committee feels the millage started 4 years ago has been great and hope to continue.

B. Hartwig-Thank you to Foreman Redmond and Crew for the ditching on Bryant Road as well as the pavement markings that were placed.

MOTION by D. Brandt seconded by K. Paquet to adopt the following Resolution:

RESOLUTION TO AMEND COUNTY ROAD COMMISSION PERMIT POLICY FOR SAFELY ALLOWING LIMITED COMMUNICATION SERVICE PROVIDER FACILITIES ACCESS WITHIN THE COUNTY ROAD RIGHT OF WAYS

WHEREAS, the Board of County Road Commissioners for the County of Cheboygan (the "Board" or Road Commission") is a body of corporate created by MCL 224.9 to formulate policy and to perform those official duties imposed by law or delegated by the Cheboygan County Board of Commissioners; and

WHEREAS, Article 7, Sec 7 of the Michigan Constitution of 1963 reserves to county road commissions the reasonable control of their highways, streets, alleys and public places, and specifically prohibits any person, partnership, association or corporation, public or private, from operating a public utility within the highways, streets, alleys and public places or any county without first obtaining the consent of the duly constituted authority of the county road commission; and

WHEREAS, MCL 224.19b, governing permits for work in the right of way, has been amended effective July 1, 2018, and these amendments require changes to the "Definitions" Section of the Road Commission's Permit Policy for Safely Allowing Limited Communication Service Provider Facilities

Access Within the County Road Right of Ways with regard to Telecommunications Providers and Video Service Providers.

NOW, THEREFORE, BE IT RESOLVED, that the attached amendment to Paragraph Two(2) of the County Road Commission permit policy for Safely Allowing Limited Communication Service Provider Facilities Access Within the County Road Right of Ways is hereby adopted and made effective forthwith.
4 Yeas, Absent-O'Connor CARRIED

MOTION by K. Paquet seconded by H. Ginop to adopt the following Resolution:

RESOLUTION TO ADOPT REASONABLE POLICY REGARDING FEES PURSUANT TO MCL 224.19b

WHEREAS, the Board of County Road Commissioners for the County of Cheboygan (the "Board" or "Road Commission") is a body corporate created by MCL 224.9 to formulate policy and to perform those official duties imposed by law or delegated by the Cheboygan County Board of Commissioners; and

WHEREAS, a person, partnership, association, corporation, or governmental entity shall not construct, operate, maintain, or remove a facility or perform any other work within the right-of-way of a county road, except sidewalk installation and repair, without first obtaining a permit from the county road commission having jurisdiction over the road and from the township, city, or village in which the county road is located when a permit is required by ordinance of the township, city, or village, under the authority conferred by section 29 of article VII of the state constitution of 1963; and

WHEREAS, MCL 224.19b(1) requires any person, partnership, association, corporation or governmental entity to obtain a permit from the Road Commission (and the applicable township, city or village if required by those entities) before constructing, operating, maintaining or removing any facility or performing any work within a county highway right-of-way; and

WHEREAS, pursuant to MCL 224.19b(2), the Road Commission has discretion to adopt reasonable permit requirements and schedule of fees sufficient to cover the necessary and actual costs for the issuance of the permit and for review of the proposed activity, inspection and related expenses; and

WHEREAS, the Road Commission may adopt a schedule of civil fines that can be imposed on a provider that performs work in a right-of-way without obtaining a permit as required under this section or that fails to maintain a security bond, right-of-way bond, or irrevocable letter of credit as required under this section during construction work within the right-of-way; and

WHEREAS, the Road Commission deems it in the public health, welfare, safety and best interest to adopt a policy such as one attached hereto and entitled "Telecommunication and Video Service Provider Policy and Fees" (Exhibit A) reflecting and actual necessary costs directly related to issuance to permits to Providers as defined under MCL 224.19b(13) to the extent recoverable under the law.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby that the attached policy is hereby adopted and made effective forthwith.
4 Yeas, Absent-O'Connor CARRIED

MOTION by H. Ginop seconded by K. Paquet to revise Policy #10 Permit Fee Policy to reflect the changes to Section IV, Consumer Service Provider Permits C-Security Fee (Non-Refundable) \$2,000.00 per facility location maximum \$20,000 per company. 4 Yeas Absent-O'Connor CARRIED

Bids were received and opened on July 31, 2018 for Nunda's Webb Road Project. There were seven bids received with the lowest bid coming in 40% under estimate. Engineer/Manager Shank recommended award to low bidder of MDC Contracting.

MOTION by D. Brandt seconded by H. Ginop to accept all bids for Webb Road Project and award to MDC Contracting LLC in the amount of \$44,550.00. 4 Yeas Absent-O'Connor CARRIED

Received quotes for Crump Road-paving over the structure installed last year. We were notified there was between \$30,000-\$35,000 excess funds to spend. Engineer/Manger Shank noted 3 quotes were received and recommends award to Rieth Riley in the amount of \$39,170.00.

MOTION by D. Brandt seconded by H. Ginop to accept all quotes for Crump Road and award to Rieth Riley in the amount of \$39,170.00. 4 Yeas Absent-O'Connor CARRIED

Clerk presented Application for Waiver and Plan: Defined Benefit Pension Retirement Systems. Discussed the need to apply for a waiver due to the funding percentage below 60%. Also, discussed the need to make additional contributions for 2018 as well as in the future.

MOTION by K. Paquet seconded by D. Brandt to approve and authorize Engineer/Manager Shank to sign the same, Application for Waiver and Plan: Defined Benefit Pension Retirement Systems (Form 5583) as presented. 4 Yeas Absent-O'Connor CARRIED

MOTON by D. Brandt seconded by H. Ginop committing to make additional contribution of \$200,000.00 minimum for 2018 to unfunded Defined Benefit liability as well as for all future years liability. 4 Yeas Absent-O'Connor CARRIED

Clerk presented Application for Waiver and Plan: Retirement Health Benefit Systems. Discussed the need to apply for waiver due to the funding level below 40%. Also, discussed the need to make additional contributions for 2018 as well as in the future.

MOTION by D. Brandt seconded by K. Paquet to approve and authorize Engineer/Manger Shank to sign the same, Application for Waiver and Plan: Retirement Health Benefit Systems (Form 5584) as presented. 4 Yeas Absent-O'Connor CARRIED

MOTION by D. Brandt seconded by H. Ginop committing to additional contribution of \$150,000.00 minimum for 2018 to unfunded Health Benefit liability as well as all future years liability into 115 trust set up for OPEB purposes. 4 Yeas Absent-O'Connor CARRIED

MOTION by K. Paquet seconded by H. Ginop to approve D. Stempky as Officer Voting Delegate and R. Hart, as elected by Union, as the Employee Voting Delegate for the 2018 Annual MERS Retirement Conference. 4 Yeas Absent-O'Connor CARRIED

REGULAR MEETING OF THE CHEBOYGAN COUNTY ROAD COMMISSISON AUGUST 2, 2018

**MOTION by H. Ginop seconded by K. Paquet to receive and file the following correspondence:
Township Meeting Minutes: Burt 7/5/18, Mackinaw 7/17/18, Munro 5/8/18 and 6/12/18 and Mullett
7/10/18. 4 Yeas Absent-O'Connor** **CARRIED**

Engineer/Manager Update:

- Indian River DDA plans are approximately 90-95% complete, they are in the process of visiting each business to get their input and concerns. A final set of plans will be devised from those concerns and brought to the Road Commission for review. DDA is hoping to apply for the TAP grant in October.
- Budget Committee will be D. Brandt and H. Ginop, Eng/Mgr will set up some dates to get started.
- Sign at Weadock and Levering Road is not a vision problem
- He and Clerk Stempky met with a couple retirees to discuss their reimbursement process, and felt satisfied. Mr. Donovan wants the Board to meet with the remainder of the retirees to restore their benefits. Chairman D. Brown advised to have them put request in writing before the Board acts on request.

Eng/Tech Horrocks Update:

- Orchard Beach Road scheduled for top course paving Saturday and Monday or Tuesday for shoulder work
- Mann Road 2019 project is plans near completion for GI submission
- Reams/Parke Road plans close to being completed
- The gravel projects will go out for bids in the next couple of weeks
- Waveland Road culverts are out and footing will be going in for the culverts
- Tuesday, Aug 7, Levering Road Culvert will be getting replaced

Foreman Updates:**S. Redmond:**

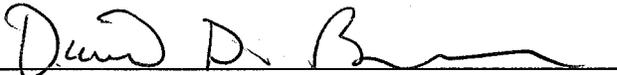
- Replaced numerous culverts, Levering Road will be replaced Tuesday
- Ditching by Hoppies
- Patching
- Light grading
- Mowing

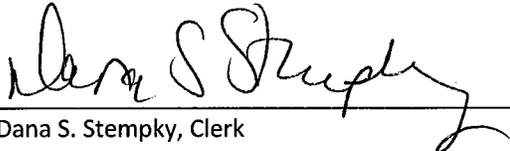
D. August:

- Has two guys helping with Waveland Road Culverts
- Grading primaries
- Extended culvert on Wildwood Road
- Mowing
- Patching
- Screen Plant cleaned up to put up for sale

Commissioners THANK YOU to CREW for good work. APPRECIATE what they do.

Chairman D. Brown adjourned regular meeting at 8:55 A.M. being no further business to come before the Board.


David D. Brown, Chairman


Dana S. Stempky, Clerk