

Chairman J. Johnson called the Regular Meeting to order of the Cheboygan County Road Commission to order at 9:03 A.M.

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

Pledge of Allegiance was recited

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

VISITORS: J. Moore, F. Cribb, T. Matelski, S. Redmond, C. Lindsay, M. Ennes, C. Veneros, C. Ostwald, B. Hartwig, T. Olson, G. Bunker, G. Archambo, T. Horrocks and K. Hahn

MOTION by K. Paquet seconded by B. Chadwick to approve minutes of organizational meeting and last regular meeting of 1/7/2016 as mailed. 5 Yeas **CARRIED**

MOTION by D. Brown seconded by K. Paquet to approve for payment current payroll voucher #16-03-\$82,228.92 and accounts payable voucher #16-04-\$146,510.90. 5 Yeas **CARRIED**

MOTION by D. Brown seconded by K. Paquet to approve agenda as presented. 5 Yeas **CARRIED**

Public Hearing for Hebron Cut Off Road was held and no opposition was heard.

MOTION by D. Brown seconded by K. Paquet to approve abandonment request of Portion of Hebron Cut Off Road, starting at Hebron Town Hall Road then southerly and easterly .51 miles to the east line of property owned by McMurry property, Hebron Township, Section 22, T38N R3W, at request of C. McMurry. Roll call: O'Connor-yes, Chadwick-yes, Johnson-yes, Brown-yes and Paquet-yes Nays: 0 **CARRIED**

MOTION by R. Chadwick seconded by C. O'Connor to adopt the following resolution Opposition to Public Act 269 as follows:

Opposition to Public Act 269

WHEREAS, Governor Snyder signed into law, with immediate, effect Public Act 269 (Senate Bill 571) despite wide spread calls for a veto of this bill, including from members of his own party; and **WHEREAS**, both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 late into the night of December 16, 2015, just prior to recessing for the year; and **WHEREAS**, one of the last minute amendments made to Senate Bill 571, without the knowledge of the County Road Association of Michigan or other local government organization, and approved without any public testimony or awareness, was the new language inserted into Section 57, subsection (3); and **WHEREAS**, this new law prohibits a public body, or a person acting for a public body, from using public funds or resources for the purpose of communicating any information to the electorate regarding a local ballot question that is to appear on the ballot, within 60 days of an election, and **WHEREAS**, this law places an immediate gag order on entities with ballot questions on the March 8 ballot and every election thereafter; and **WHEREAS**, county elected and appointed officials have a civic and legal duty to the residents of their communities to fully inform them regarding the issues placed before them, upon which they may exercise their constitutional right to vote; and

WHEREAS, existing laws, including the former language in Section 57, and decades of guidance from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or against ballot issues; and

WHEREAS, existing laws already provided for an allowance for elected and appointed officials to express their views without fear of violating the act; and

WHEREAS, because the new law bans only communication on *local* ballot issues, it creates inconsistent treatment of statewide ballot questions versus local initiatives; and

WHEREAS, there are substantial questions regarding the constitutionality and legality of the new law, including a possible ban on freedom of speech;

NOW, THEREFORE, BE IT RESOLVED, that the County Road Commission of Cheboygan County calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2016; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that a copy of this Resolution be forwarded to the county's state representatives in the Michigan House of Representatives and the Michigan Senate.

Yeas: Chadwick, Johnson, Brown, Paquet, O'Connor Nays: 0 Absent: 0

CARRIED

MOTION by K. Paquet seconded by D. Brown to adopted revised Policy #16 Medical Certificate and Eye Exam Policy, as follows, and replace previous Policy 16's adopted.

**Cheboygan County Road Commission
Medical Certificate and Eye Exam Policy**

Medical Certificate for Commercial Drivers License:

Employees that are required to maintain a Commercial Drivers License (CDL) have to also maintain a valid Medical Certificate. Typically, Medical Certificates are valid for a period of 2 years. The Road Commission will contribute up to \$95.00, one time every 2 years, towards the cost of a DOT Physical that is required to obtain a Medical Certificate.

Eye Exams:

The Road Commission will pay for an annual eye exam for full time employees. The employee must have written approval on a form provided by the Road Commission prior to the appointment for the exam. Reimbursement for eyewear is covered by the employee's work Agreements.

5 Yeas

CARRIED

AFSCME Local 1325-7, Michigan Council 25 has requested to start negotiations.

MOTION by D. Brown seconded by R. Chadwick to appoint C. O'Connor and K. Paquet to the 2016 negotiation committee for the Hourly Unit. 5 Yeas

CARRIED

Engineer/Manager Shank noted a declaration of restrictive covenant for a restricted nonresidential corrective action for the Tower Garage. Qualifies for closure with a restriction on the easterly 115' of the property, no new construction or wells to be constructed on said piece.

MOTION by C O'Connor seconded by R. Chadwick to approve the Declaration of Restrictive Covenant for a Restricted Nonresidential Corrective Action plan for Tower Garage as presented, approve Chairman Johnson to sign the same. 5 Yeas

CARRIED

Straits Council Meeting Scheduled for Tuesday, February 2, 2016, Audie's Mackinaw City. R. Chadwick, K. Paquet and C. O'Connor to attend

REGULAR MEETING OF THE CHEBOYGAN COUNTY ROAD COMMISSION JANUARY 21, 2016

County Road Association scheduled for March 15-17, 2016, Lansing MI.

Motion by D. Brown seconded by C. O'Connor to approve B. Shank, K. Paquet and R. Chadwick to attend the County Road Association 2016 Highway Conference, March 15-17, 2016. 5 Yeas CARRIED

Clerk noted the May 26th meeting was scheduled as a night meeting but there is a night MTA meeting and may want to change the time.

MOTION by C. O'Connor seconded by D. Brown to change time Thursday May 26, 2016 meeting from 6:00 P.M. to 8:00 A.M. 5 Yeas CARRIED

Engineer Manager Shank presented an agreement for seasonal weight restriction road patrol with the Michigan Department of State Police.

MOTION by K. Paquet seconded by D. Brown to approve contractual services agreement between the Michigan Department of State Police and the Cheboygan County Road Commission for seasonal weight restriction road patrol (not to exceed 10 hours per week and 50 hours total) for 2016. 5 Yeas CARRIED

Petition has been received from Richard Bailey, requesting an abandonment of Kasprzak Road, starting at US 23 and running south and westerly for .70 mile, Benton Township, Section 27, T38N R1E,

MOTION by R. Chadwick seconded by C. O'Connor to schedule Public Hearing for Abandonment request submitted by Richard Bailey, for Kasprzak Road (also known as Abitibi Road), starting US23 then south and westerly for .70 mile, Benton Township, Section 27, T38N, R1E, Thursday, March 3, 2016 at 9:00 A.M. 5 Yeas CARRIED

MOTION by D. Brown seconded by K. Paquet to receive and file the following correspondence: Township Meeting Minutes: Munro 12/8/15, Tuscarora 1/5/16, Burt 12/2/15, Benton 12/1/15, Koehler 12/14/15, Ellis 12/8/15 and Grant 12/8/185; William Perry Ref. West Burt Lake Road; Mark Stanek Ref. Abitibi (Kasprzak Road) and Greg Stanek Ref. Abitibi (Kasprzak Road). 5 Yeas CARRIED

Discussion of W. Perry letter and W. Burt Lake Road culvert. When trail was installed an extension was added to the culvert, not a new one, when the extension was added was discovered someone had placed a piece of plywood to block off the culvert which was removed at that time. Jeff Slagy, DEQ, is looking at the situation.

B. Shank update:

- January 26, attending County Board of Commissioners Meeting to give an update on Millage and projects
- February 1 bids are due for Annual, Levering Road, E. Mullett Lake Road, Long Lake and pickups.
- Feb 2-4 Brent and Travis will be attending the County Engineers Workshop
- Feb 10 and 11 annual Township meetings

D. Brown noted the men dong a good job.

MOTION by D. Brown seconded by K. Paquet to go into closed session to discuss contract negotiations. Roll call: Chadwick-yes, Johnson-yes, Brown-yes, Paquet-yes, O'Connor-yes Nay 0 CARRIED

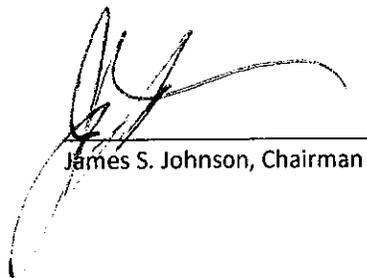
Recess regular meeting at 9:25 A.M.

Return to regular session at 9:40 A.M.

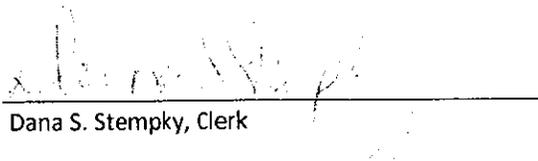
Closed session at 9:40 A.M. discussion of contract negotiations

**MOTION by D. Brown seconded by K. Paquet to return to open session at 10:45 A.M. Roll call:
Chadwick-yes, Johnson-yes, Brown-yes, Paquet-yes, O'Connor-yes CARRIED**

Chairman J. Johnson adjourned regular meeting at 10:45 A.M. being to further business to come before the Board.



James S. Johnson, Chairman



Dana S. Stempky, Clerk