

The regular meeting of the Board of County Road Commissioners of Benzie County was called to order by Chairman Rosa at the Road Commission offices in Honor, Michigan on Thursday **December 10, 2020** at 9:30 a.m.

Present: Chairman Bob Rosa
Vice-Chairman James Bowers
Member Ted Mick
Finance Manager/Clerk Joe Nedow

Guest: Gary Sauer. The public was invited to attend via telephone conferencing due to COVID concerns and restrictions.

The agenda was accepted as presented.

November 12, 2020 regular meeting minutes were approved.

Motion by Commissioner Bowers and supported by Commissioner Mick to pay bills #50101 to #50138 in the amount of \$117,477.26 and Payroll #25 for \$63,492.44.

Discussion: None. Ayes: Rosa, Bowers and Mick. Nays: None. Motion is hereby adopted.

Cash Summary: Reviewed – no comments offered.

Work Summary:

-Reviewed written report summarizing the tasks and activities completed or in-progress for the Manager and for each department head.

Standing guest: Gary Sauer, County Commissioner – Presented an oral report for items/issues the Benzie County Board of Commissioners is dealing with as well as events impacting local government from around Benzie County.

Public Input: None.

Appointments: None.

Items Before the Board:

Motion to approve MERS Defined Benefit Plan Adoption Addendums:

Nedow explained that MERS is asking the Board to approve the addendum documents to record how each governing body is presently administering their MERS pension plans because of the differences in how each member entity determines how the various wage categories are either included or excluded when calculating pension service credit each month. The documents presented today have been completed by the Payroll Clerk with help from former Clerk Jordan to ensue the addendums have been accurately filled out.

Motion by Commissioner Bowers supported by Commissioner Mick to approve the completed MERS Defined Benefit Plan Adoption Addendums for the following pension divisions: General Employees – Defined Benefit; Administrative; Commissioners, and Hybrid Plan as requested by the Municipal Employees Retirement System of Michigan.

Discussion: None.

Ayes: Commissioners Rosa, Bowers and Mick. Nays: None. – Motion is hereby adopted.

Review/approval annual Benzie-Manistee Snowbirds special permit application:

As in years past, the permit application is asking for permission from the Road Commission for grooming trails on the various roads and road right of ways in Benzie County. No objections were offered.

Motion by Commissioner Mick, supported by Commissioner Bowers to approve the annual Manistee-Benzie Snowbird's special permit application as presented.

Discussion: None.

Ayes: Commissioners Rosa, Bowers and Mick. Nays: None. – Motion is hereby adopted.

Review/approve revised Local Road Improvement policy to include guardrail:

Motion by Commissioner Rosa supported by Commissioner Bowers to approve the revised version of the Road Commission's Local Road Improvement policy. The revision now includes guardrail as a qualifying improvement provided the request addresses a mutually agreed upon safety issues in compliance with current standards and specifications. As funding is available, the Road Commission may pay up to 50% of the total guardrail installation cost with a maximum contribution of \$5,000.00, with the township or other parties responsible for the remaining cost, unless Local Road Matching funds are to be used.

Discussion: None.

Ayes: Commissioners Rosa, Bowers and Mick. Nays: None. – Motion is hereby adopted.

Request motion to remove former Finance Manger from Road Commission accounts:

Nedow is asking for a motion to correct a problem with his ability to resolve billing issues on several Road Commission business accounts that still has the former Finance Manager listed as the contact person. And as the historic minutes does not mention she is no longer employed by the Road Commission, the credit card company cannot discuss financial matters with Nedow until he provides evidence to the contrary (board motion recorded in the minutes).

Motion by Commissioner Bowers supported by Commissioner Mick to record that former Finance Manager/Secretary to the Board Kolinske is no longer employed by the Benzie County Road Commission as of June 1, 2020 and has since been replaced by Nedow, authorizing him to remove Kolinske from all Road Commission business, utility, and credit card accounts.

Discussion: None.

Ayes: Commissioner Rosa, Bowers and Mick. Nays: None. – Motion is hereby adopted.

Request for letter of support: proposed DNR snowmobile trail for the portion running along Cinder Road:

In an email dated November 30, 2020 from Joe Bartlett, Region 2, S.A.W. representative to Manager Skeels that in order for the DNR to give final approval for funding for the proposed snowmobile trail connecting the Village of Interlochen to the existing trail #39, a letter of commitment allowing the trail to run along Cinder Road, that portion in Inland Township from CR-665 to Betsie River Road. While this has been done in past years, the funding director at the DNR is requesting an updated letter. After a brief discussion, no objections were offered.

Motion by Commissioner Bowers supported by Commissioner Mick to authorize the Manager to provide a letter of commitment to the DNR granting approval for the proposed snowmobile trail to be located in the Cinder Road right of way between CR-665 and Betsie River Road.

Discussion: None.

Ayes: Commissioners Rosa, Bowers and Mick. Nays: None. – Motion is hereby adopted.

Amicus support in Ingham County, et al v MCRCSIP:

In a letter dated December 1, 2020 from former Ionia County Road Commission Director Dorothy Pohl explained that MCRCSIP has filed an application to appeal with the Michigan Supreme Court asking them to over-turn the Court of Appeals ruling to allow Jackson County, who had dissolved their Roads Commission, to continue as a Pool member including participating in receiving excess premiums from the Pool for the next ten years which is contrary to the Pool's position. Pohl also added that the Supreme Court invited an amicus brief from interested Boards of County Road Commissions before deciding on the appeal. Henn Lesperance PLC will be drafting the amicus brief at a cost capped at \$7,000.00 which equates to a maximum contribution of \$92.10 per member. Those who agree would provide a signed acknowledgment of intent to join the amicus brief signed by the Manager.

Nedow recommended supporting the initiative given the importance of the effort and pointed out the maximum cost to participate is relatively low.

Motion by Commissioner Rosa supported by Commissioner Bowers authorizing staff to send in an acknowledgement of intent signifying Benzie County Road Commission's willingness to participate with other Pool members in the cost of preparing an amicus brief which will be submitted to the Michigan Supreme in the Pool's effort to appeal the Ingham County, et al v Michigan County Road Commission Self Insurance Pool lower court ruling.

Discussion: None.

Ayes: Commissioners Rosa, Bowers and Mick. Nays: None. – Motion is hereby adopted.

Correspondence/Information/Discussion:

Letter dated November 12, 2020 from Heather Jamison – Project Engineer GFA Engineering to Tom Canfield of DJ McQuestion & Sons Inc regarding the Pioneer Road safety project. In a previous letter, Jamison had requested the project be completed by November 1, 2020 in order to avoid GFA filing a Default of Contract against the contractor's surety bond. To date, no corrective action work has been done and Jamison is now asking Canfield to provide a proposed work schedule to GFA by January 29, 2021 with the understanding that all work is to be done by July 30, 2021.

Board Round Table:

Briefly discussed the following subjects (with Manager Skeels participating via telephone):

-Representatives from Otwell Mawby will be calling in next meeting to provide an update on possible demolition plans for the Platte River school building and the school's efforts in granting an easement to Homestead Township for the adjacent ballfields.

-Skeels stated receiving a phone call about the possible availability of purchasing a temporary bridge structure which could be used to replace an aging structure at one of two locations within Benzie County. The discussions are preliminary at this point and Skeels does not know if the proposal is feasible.


-Commissioner Rosa asked for more information regarding who is eligible for COVID-19 vaccinations under the Road Commission.

Public Input: None.

With no further business to discuss the meeting was adjourned at 10:31 a.m.



Robert Rosa, Chairman



Joel Nedow, Clerk