

EATON COUNTY ROAD COMMISSION  
FEBRUARY 9, 2016

A regular meeting of the Eaton County Board of Road Commissioners was held at their office in Charlotte, Michigan on February 9, 2016.

Members Present: Commissioners Maxwell, Eldred, Lyons, Tennis

Members Absent: Commissioner Lamoreaux

Chair Maxwell called the meeting to order at 8:33 am

Moved by Eldred, second by Lyons, that the agenda be approved as amended to include consideration of a date for the annual township meeting and consideration of a resolution to oppose PA 269. Motion carried.

Moved by Eldred, second by Tennis, that the minutes of January 26, 2016 be approved as printed. Motion carried.

Larry Stevens, Kalamo Township Trustee, was present to express his concerns regarding the safety of the intersection of Ionia Road and Five Point Highway.

Kathy Shepard-Hussey, 3731 Carlisle Hwy, was present to express her concerns regarding the condition of Carlisle Hwy.

There was discussion regarding the condition of the County's gravel roads.

Moved by Eldred, second by Lyons, that Accounts Payable (VO#33) of 01-28-16 in the amount of \$238,544.28, Payroll (VO#34) of 02-02-16 in the amount of \$90.88, and Accounts Payable (VO#35) of 02-04-16 in the amount of \$115,113.12, for total expenditures of \$353,768.28 be approved. There was discussion.

Roll call vote: Ayes: Maxwell, Eldred, Lyons, Tennis; Nays: None. Motion carried.

Engineer-Manager Ballou presented a petition from Carmel Township to decrease the speed limit on Battle Creek Road for one mile south of the Charlotte city limits to 45 miles per hour in both directions. There was discussion. Mr. Ballou recommended the Board request a traffic study from the Michigan State Police before lowering the speed limit.

Moved by Tennis, second by Lyons to request the Michigan State Police perform a traffic study to consider changes to the speed limit on Battle Creek Road for one mile south of the Charlotte city limits. Motion carried.

A ballot to elect one candidate, representing the Association of Southern Michigan County Road Agencies, to the County Road Association of Michigan's Board of Directors was reviewed.

Moved by Tennis, second by Eldred to vote for Blair Ballou for the County Road Association's Board of Directors. Motion carried.

There was discussion regarding the status of the employee classification and compensation study.

There was discussion regarding the annual meeting with the townships. The meeting was scheduled for Monday, March 28, 2016 at 7:00 pm by consensus.

Commissioner Tennis introduced a resolution in opposition to Public Act 269. There was discussion.

Moved by Tennis, second by Eldred to adopt the following resolution.

WHEREAS, Governor Snyder signed into law, with immediate effect, Public Act 269 (Senate Bill 571) despite widespread 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 organizations, 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, 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 Eaton County Road Commission 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.

Motion carried.

Mr. Parshall reported on the activities of the road crews. There was discussion.

Mr. Ballou reported that a representative from ITC has requested to speak at the township meeting regarding their replacement of transmission lines from the Charlotte area south into Calhoun County. There was discussion. The Board agreed by consensus to invite ITC to the meeting with the townships on March 28, 2016.

There was further discussion regarding the intersection of Ionia Road and Five Point Highway.

Phil Bombrys, Hamlin Township supervisor, was present and thanked the Road Commission for finding and replacing problem culverts in cooperation with the Township, and for the work done in 2015 with millage proceeds.

Moved by Lyons, second by Eldred to adjourn the meeting at 10:19 am. Motion carried.