

EATON COUNTY ROAD COMMISSION

October 14, 2025

Members present: Commissioners Eldred, Lamoreaux, Green and Kendall

Members absent: Commissioners Aitch-Guerrant

Others present: Mathew Hannahs, Engineer-Manager; Patricia Loosemore, Finance Director; Jeremiah Nelson, Superintendent and Erik Dehring, Director of Engineering

The regular meeting was called to order by Chair Eldred at 8:30 a.m.

The Chair inquired whether there were any additions or deletions to the agenda. There were no additions or deletions. Motion by Lamoreaux and seconded by Kendall to approve the agenda as presented. Motion carried.

A public hearing to provide the public with an opportunity to offer opinions and concerns regarding the rules for developing public roads followed by a regular meeting of the Eaton County Board of Road Commissioners was held in the Board Room at the Road Commission office in Charlotte, Michigan on October 14, 2025, at 8:31 a.m.

The public hearing was called to order by Chair Eldred at 8:31 a.m. and was turned over to the Engineer-Manager to conduct the hearing. There was no public in attendance to provide comment. The public hearing was closed by Chair Eldred at 8:32 a.m.

The Chair asked if the minutes of the September 23, 2025, regular board meeting, were correct as presented. Motion by Lamoreaux and seconded by Kendall to approve September 23, 2025, meeting minutes, as presented. Motion carried.

The Chair asked if the minutes of the September 23, 2025, closed session were correct as presented. Motion by Lamoreaux and seconded by Kendall to approve the closed session minutes as presented. Motion carried

Public comment: None

The following vouchers were presented:

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| a. | VO 71 (09-30-25) | Accounts Payable | \$ 1,264,441.71 |
| b. | VO 01 (10-01-25) | Payroll | \$ 118,180.36 |

Motion by Lamoreaux and seconded by Green to approve Vouchers 71 and 01 with total expenditures of \$1,382,622.07. Roll call vote: Ayes: Eldred, Lamoreaux, Green and Kendall. Nays: None. Absent: Aitch-Guerrant. Motion carried.

The Board reviewed and discussed the Webster Road Bridge CE Services Proposal Comparison and Consultant Proposal Summary as presented by the Engineer-Manager with a recommendation that the Board award to Fishbeck. Motion by Lamoreaux and second by Green to award the Webster Road Bridge CE Services to Fishbeck. Motion carried.

The Board discussed the rescheduling or cancellation of November 11, 2025, 8:30 a.m. Board Meeting due to it being scheduled for the Veterans Day Holiday. Motion by Green and second by Kendall to cancel the November 11, 2025, 8:30 a.m. Board Meeting. Motion carried.

The Board reviewed and discussed the National Functional Classification (NFC) map and recommended changes to the NFC for Davis Hwy, Nixon Rd, and Sundance/Millett Hwy as

presented by the Engineer/Manager. The Engineer/Manager explained the current NFC for these roads around the new battery plant are classified as local which are not Federal aid eligible. With the increase in commercial and employee traffic, being Federal aid eligible will help with long term maintenance to support the industrial use. The Engineer/Manager recommended that the Board pass a resolution to request the NFC for Davis Hwy from Nixon Road to Guinea Road, Nixon Rd from Davis Hwy to Mt. Hope Highway, and Sundance/Millett Hwy from Nixon Road to the existing end of the public section of Millett Hwy be reclassified from local to major collectors which will make them Federal Aid eligible.

A motion was made by Ronald E. Kendall to adopt the following resolution:

WHEREAS, the Federal Highway Administration (FHWA), has prescribed rules governing the functional classification of roadways within Eaton County; and

WHEREAS, there are identified specific types of roads and corresponding functions of those roads, some of which have not been updated for several years; and

WHEREAS, industrial development may affect the function of certain roads requiring a change to the functional classification of said road; and

WHEREAS, Davis Highway, Nixon Road, and Sundance/Millett Highway will be reconstructed to service a significant increase of traffic from both employees and commercial vehicles from a newly constructed battery plant, and will no longer exist solely as a local road for access to residences, farms, and a horse stable.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Road Commissioners of the County or Eaton hereby request a change to the National Functional Classification of the following roads in Eaton County:

<u>Road</u>	<u>PR No.</u>	<u>BMP</u>	<u>EMP</u>	<u>Existing NFC</u>	<u>Requested NFC</u>
Davis Highway	0572504	1.947	2.947	7 - Local	5 – Major Collector
Nixon Road	0566606	5.193	7.204	7 - Local	5 – Major Collector
Sundance Highway	0566805	0.000	0.995	7 - Local	5 – Major Collector
Millett Highway	N/A	N/A	0.409	Road does not exist	5 – Major Collector

The resolution was seconded by James F. Green and carried on a roll call vote. Roll call vote: Ayes: Eldred, Lamoreaux, Green and Kendall. Nays: None. Absent: Aitch-Guerrant. Motion carried.

The Board reviewed and discussed the Eaton County Road Commission rules for developing public roads as presented by the Engineer-Manager with a recommendation that the Board pass a resolution adopting the Eaton County Road Commission rules for developing roads as presented.

A motion was made by James F. Green to adopt the following resolution:

October 14, 2025

WHEREAS, road funding is limited for maintenance of Local Roads and subdivision streets, and therefore the Board of County Road Commissioners of the County of Eaton desires to have new roads constructed using sound materials and engineering principles to provide reasonable strength to support traffic and counteract reduced life expectancy resulting from freeze-thaw cycles, and

WHEREAS, PA 288 of 1967, known as the Land Division Act, allows county road commissions to publish rules for the development of roads to be adopted into the public system, and

WHEREAS, the current Eaton County Road Commission Rules for Plat Street Development adopted December 23, 1991 do not follow current engineering principles nor materials, and roads constructed using these Rules deteriorate at a faster rate than expected for a new road using asset management principles, and

WHEREAS, the Board desires that the standard procedures and criteria for all work within county highway right-of-ways be designed and implemented by the Engineer-Manager and made available to the public; and

WHEREAS, a public hearing was advertised and held on October 14, 2025, in accordance with PA 283 of 1909,

NOW, THEREFORE, BE IT RESOLVED that the Board adopts the Rules for Developing Public Roads which supersedes the previous Rules for Plat Street Development adopted December 23, 1991, and

BE IT FURTHER RESOLVED that the Board will not approve Plats nor adopt roads into the public system that have not been constructed following these Rules.

The motion was seconded by Commissioner Timothy J. Lamoreaux and carried on a roll call vote. Roll call vote: Ayes: Eldred, Lamoreaux, Green and Kendall. Nays: None. Absent: Aitch-Guerrant. Motion carried. Resolution declared adopted.

The Board reviewed and discussed the MDOT Agreement No. 218812, Five Point Hwy, Maurer Rd to Battle Creek River as presented by the Engineer-Manager with a recommendation that the Board pass a resolution approving the contract.

A motion was made by Timothy J. Lamoreaux to adopt the following resolution:

WHEREAS, the Michigan Department of Transportation wishes to enter into a contract agreement with the Eaton County Road Commission to accomplish the following project:

Hot mix asphalt base crushing, shaping and paving along Five Point Highway from Maurer Road easterly to the Battle Creek River; including tree removal, earthwork, subbase, aggregate base and shoulders, concrete curb and gutter, driveways, culverts, permanent signing and pavement markings; and all together with necessary related work located in Eaton County, Contract No. 25-5484, Job No. 218812CON, Control Section STL 23000 and Project 25A0965.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Road Commission approves Contract Number 25-5484 and duly authorizes the Engineer- Manager, namely Mathew M. Hannahs and Clerk, namely Patricia M. Loosemore to electronically sign the contract on behalf of the Eaton County Road Commission.

BE IT FURTHER RESOLVED that true copies of this resolution will be sent to the Michigan Department of Transportation.

The motion was supported by Commissioner James F. Green and carried on a roll call vote. Roll call vote: Ayes: Eldred, Lamoreaux, Green and Kendall. Nays: None. Absent: Aitch-Guerrant. Motion carried. Resolution Declared Adopted.

The Board reviewed and discussed the extension of the Janitorial Contract with CS Cleaning as presented by the Engineer/Manager with a recommendation that the Board approve the extension. Motion by Lamoreaux and seconded by Green to approve the extension of the Janitorial Contract with CS Cleaning. Motion carried.

The Board reviewed and discussed the uniform definitions and fee schedules for small wireless communications facilities in the right of way as presented by the Engineer-Manager with a recommendation that the Board pass the resolutions.

A motion was made by Ronald E. Kendall to adopt the following resolution:

RESOLUTION TO ADOPT UNIFORM DEFINITION FOR THE SMALL WIRELESS COMMUNICATIONS FACILITIES DEPLOYMENT ACT

WHEREAS, the Michigan Legislature (MCL 460.1301 ET SEQ) has authorized wireless service providers and wireless infrastructure providers to access the public right-of-way and enabled the ability to attach to poles and structures in the public right-of-way to enhance their networks and provide next generation services;

WHEREAS, the Michigan County Road Agencies are statutorily authorized to administer and regulate access to the public right-of-way utilizing the practice of permits (MCL 224.19b);

WHEREAS, the Michigan Legislature deferred the authority to the Michigan County Road Agencies to determine when a wireless facility or wireless support structure “materially impacts” traffic safety, clear vision, drainage, pedestrian facilities or other public utilities;

WHEREAS, the Michigan Legislature deferred the authority to the Michigan County Road Agencies to determine when maintenance practices by the wireless providers while performing “routine maintenance of a small cell wireless facility, utility pole or wireless support structure” MCL 460.1015(5) unreasonably affects traffic patterns or obstructs vehicular or pedestrian traffic in the ROW;

NOW THEREFORE BE IT RESOLVED, the Eaton County Road Commission hereby adopts the following uniform definitions to clarify the MCL 460.1301 et seq;

- a. The road commission shall in its sole discretion determine whether the placement of any pole, facility or other unprotected hazard impacts a clear vision zone or traffic control device based on: the posted speed, street alignment, proximity to curves, driveways, traffic control devices and pedestrian traffic.

- b. The road commission shall in its sole discretion determine whether the placement of any pole or facility impacts traffic safety based on: distance from the traveled portion of the road, the posted speed, street alignment, proximity to curves, driveways, traffic control devices and pedestrian traffic.
- c. The road commission shall, in its sole discretion, determine whether the placement of any pole or facility impacts the drainage system or the ability of the Road Commission to maintain the drainage system based on: the proximity to the drainage system, additional work and/or costs necessitated by placement of the pole or facility in relation to the drainage system, the potential for damage to the drainage system from maintenance or repairs to any pole or facility.
- d. The road commission shall in its sole discretion determine whether the placement of any pole or facility impacts the pedestrian access or movement; to assure that proposed facilities are in compliance with the Americans with Disabilities Act Of 1990, Public Law 101-336, or federal, state, or local standards.
- e. The road commission shall in its sole discretion determine whether the placement of any pole or facility impacts the maintenance or full unobstructed use of public utility infrastructure as it was originally designed.
- f. Routine maintenance includes routine work that does not unreasonably affect traffic patterns, does not obstruct vehicular or pedestrian traffic, and does not involve any excavation in the public road right-of-way. Routine maintenance shall not affect items such as, but not limited to, the travel lanes, the road shoulders, drainage systems, non-motorized facilities, or traffic control devices. The wireless provider shall notify the road commission in advance of routine maintenance of a small cell wireless facility, utility pole, or wireless support structure to allow the road commission to determine if the work meets the definition of routine maintenance.

BE IT FURTHER RESOLVED, this resolution is made a part of the minutes of the Eaton County Road Commission meeting on October 14, 2025.

The motion was supported by Commissioner Timothy J. Lamoreaux and carried on a roll call vote. Roll call vote: Ayes: Eldred, Lamoreaux, Green and Kendall. Nays: None. Absent: Aitch-Guerrant. Motion carried. Resolution Declared Adopted.

A motion was made by Ronald E. Kendal to adopt the following resolution:

**RESOLUTION TO ADOPT UNIFORM PERMIT FEES AND COLLOCATION RATES
FOR THE SMALL WIRELESS COMMUNICATIONS FACILITIES DEPLOYMENT
ACT**

WHEREAS, the Michigan Legislature (MCL 460.1301 ET SEQ) has authorized wireless service providers and wireless infrastructure providers to access the public right-of-way and enabled the

ability to attach to poles and structures in the public right-of-way to enhance their networks and provide next generation services;

WHEREAS, the Michigan County Road Agencies are statutorily authorized to assess permit fees and recurrent annual rates to wireless providers for access to the public right-of-way (MCL 460.1301 et. seq.

NOW THEREFORE BE IT RESOLVED, the Eaton County Road Commission hereby adopts the following uniform permit fees and collocation rates to clarify the MCL 460.1301 et. seq.

a. Permit fees for the wireless providers under the statute. MCL 460.1315(o).

- i. New small cell wireless facilities the permit fee will be \$220 for each standalone small cell facility; and
- ii. New small cell wireless facilities and new pole the permit fee of \$330 for each pole or support structure

b. Colocation Rates on utility poles under the statute. MCL 460.1313(3).

- i. The recurrent rate shall be \$22 per year per utility pole; and \$22 per year per wireless structure in the ROW on which a wireless facility is co-located; and
- ii. The recurrent rate shall be \$138 per year per pole; and \$138 per year per wireless support structure provided the utility pole or wireless support structure was erected by or on behalf of the wireless provider on or after March 12, 2019.
- iii. Collocation recurrent rates on utility poles or wireless support structures are in addition to and distinct from the wireless providers permit fees.

c. Collocated antennas on road agency poles MCL 460.1319

- i. The road agency recurrent rate shall be \$33 per facility per year for each authority pole that is being used to support the wireless provider facility; and
- ii. Collocation recurrent rates on road agency poles are in addition to and distinct from the wireless providers permit fees.

BE IT FURTHER RESOLVED, this resolution is made a part of the minutes of the Eaton County Road Commission's meeting held on October 14, 2025.

The motion was supported by Commissioner Timothy J. Lamoreaux and carried on a roll call vote. Roll call vote: Ayes: Eldred, Lamoreaux, Green and Kendall. Nays: None. Absent: Aitch-Guerrant. Motion carried. Resolution Declared Adopted.

The Board reviewed and discussed the disposal of equipment no. 2691, a 1991 tanker trailer as presented by the Superintendent with a recommendation that the Board approve the disposal of equipment no. 2691 for scrap. Motion by Lamoreaux and second by Green to approve the disposal of equipment no 2691 for scrap. Motion carried.

The Board reviewed and discussed the Christmas celebration and employees' gift as presented by the Engineer-Manager and Finance Director. Motion by Lamoreaux and seconded by Green to approve an amount not to exceed \$1,000 for the Christmas Luncheon and to approve a gift amount of \$100 per employee. Motion carried.

The Superintendent updated the Board on the following

- Two crews have been performing work on over band crack sealing.
- Brush mowing throughout county
- Bridge Deck cleaning and Maintenance
- Gravel maintenance spot blading is ongoing.
- Culverts are being replaced.
- Guardrail maintenance

The Director of Engineering provided an update on the following:

- Nixon Rd. from Davis Hwy. to Sundance Hwy. – The intersection of Davis Hwy. and Nixon Rd. was completed and open to traffic on October 7th. The static surcharge is being removed as road building moves north.
- We are in the process of closing out the Bellevue Hwy. project
- We are gathering project information for Bellevue Hwy. from Brookfield Rd. to Thuma Rd. for the project to take place next year.
- Five Point Hwy. Mauer Rd. to Battle Creek River – This project is in review of MDOT with an anticipated letting date of December 5th.
- Putting together year end material quantities and documents

The Engineer-Manager updated the Board regarding the following:

- Five Point Hwy projects
- Canadian National Railroad meeting regarding driveway
- MDOT email pertaining to Bridge inspections/inventory
- Webster Rd Bridge buoy permit received from the DNR

Public comment: None

Commissioner Comments: None

The date and time of the next regular meeting will be Tuesday, October 28, 2025, at 6:00 p.m.

Motion by Lamoreaux and seconded by Green to adjourn the meeting at 10:01 a.m. Motion carried.

Duane A. Eldred, Chair
Board

Patricia M. Loosemore, Clerk to the