

ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk
101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2018-01

WHEREAS, HB 5096-5098 seek to amend various local government statutes and the County Road Law in a way that would significantly reduce the ability of local governments, county road agencies, and county drain commissions to charge adequate fees, provide safe and reasonable criteria to access public jurisdictions, and collect adequate bonding should these properties be damaged and need restoration from telecommunication providers and their contractors that wish to work, install, and maintain cable, fiber optics, extended poles/antennas, towers, and power units on public properties; and

WHEREAS, the effect of these bills would force local governments, county road agencies, public works departments, and drain commissions to subsidize telecommunications with local and Michigan Transportation funds; and

WHEREAS, as legal guardians of the public property and road right-of-way, local governments, county road agencies and drain commissions must ensure work in their jurisdictions is performed safely, does not damage our infrastructure, and meets engineering standards (above/below ground), along with federal and state requirements; and

WHEREAS, local governments and county road agencies do not profit by issuing permits, but simply recover the costs of issuing permits, making site inspections, and performing related tasks; and when the project is completed, funds should be reconciled with the permit holder; and

WHEREAS, HB 5096-5098 limit fees to \$300 per permit or \$1,000 on multiple projects; and

WHEREAS, this fee system with HB 5096-5098 has the potential to become an unfunded mandate; and

WHEREAS, such a “one-size-fits-all” fee does not account for the type of work planned in a rural or urban setting, nor does it consider the risks a project may pose, and in general the Bills supplant engineering-based management with a “cookie-cutter” approach that puts public resources and workers at risk; and

WHEREAS, HB 5096-5098 limit security/bonding to \$20,000 regardless of the potential risk and damage beyond that amount, rural vs. urban setting, and requires that bonds be returned within 60 days after a project is completed, even if damage is being contested; and

WHEREAS, these Bills do not take into consideration the statewide ramifications and precedent that these bills would create; and

WHEREAS, that while the telecommunications industry may be able to point to isolated instances of local obstacles, it is certainly not a statewide problem; now

Alger County is an Equal Opportunity Employer

THEREFORE, BE IT RESOLVED, that the Alger County Board of Commissioners opposes HB 5096-5098 and strongly urges State Representative Cambensy and Senator Casperson to oppose HB 5096-5098 as well; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Snyder, Representative Cambensy, Senator Casperson, the Michigan Association of Counties, and the other 82 counties.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,



Mary Ann Froberg, Alger County Clerk

Dated: January 8, 2018