

## **Michigan Coalition to Protect Public Rights-of-Way**

### **PROTEC Minutes of May 14, 2008 Regular Meeting**

The meeting was called to order at 2:21 p.m. in the City of Livonia, 4<sup>th</sup> Floor Conference Room, by Cathy White.

**Present:** Cathryn White, City of Livonia; Sue Ward-Witkowski, City of Southfield; JoAnne Gurley, City of Southfield; William Irving, City of Dearborn; William Mathewson, Michigan Municipal League; Samantha Jones, Michigan Municipal League; Celeste McDermott, City of Detroit; Mike Watzka, Kitch Law Firm; Glenn Oswald, Marx Layne PR Company; Marcia Tomkiewicz, MAT Court Recording.

#### **I. Approval of Agenda**

Motion by Irving, supported by Ward, to approve the amended agenda. Motion carried.

#### **II. Introductions**

#### **III. Approval of Minutes of April 9, 2008**

Motion by Ward, supported by Irving, to approve the minutes of the 4/9/08 meeting. Motion carried.

#### **IV. Financial Update**

- A)** Mathewson reported that PROTEC's audit will possibly be conducted along with MML's overall audit. Discussion held.
- B)** Motion by Ward, supported by Irving, to pay Kitch for Invoice 260693, dated 3/20/08, in the amount of \$2,160.00 for February services. Motion carried.
- C)** Discussion held on the 2/11/08 letter received from Watzka reporting an hourly rate increase from \$160/hour to \$185/hour, effective 3/1/08. Motion by Irving, supported by Ward, to approve the hourly rate for Kitch at \$185/hour, with the existing cap of \$4,500.00/month. Motion carried.
- D)** Motion by Ward, supported by Irving, to pay Kitch for Invoice 263077, dated 4/29/08, in the amount of \$1,332.00 for March services. Motion carried.
- E)** Motion by Irving, supported by Ward, to pay Marx Layne for Invoice 800481, dated 4/7/08, in the amount of \$742.50 for March services. Motion carried.
- F)** Motion by Ward, supported by Irving, to pay Marx Layne for Invoice 805116, dated 5/8/08, in the amount of \$1,012.50 for April services, revised from \$1,057.50 as originally presented. Motion carried.
- G)** Mathewson presented the financial report as of 4/30/08. Discussion held on dues paid to date, highlighting some new members and past members who rejoined: Augusta, Burlington, Camden, Clawson, Gaines, Houghton, Litchfield, Mendon, Ontonagon, Sandusky, Sherwood, South Lyon, South Rockwood, and Vanderbilt. Financial report was received and filed.
- H)** Discussion held on the 2008 dues for TeleCommUnity in the amount of \$5,000.00. White recommended that this be placed on a future agenda for review.

## V. New Business

- A) Discussion held on the budget for 2007-2008. Motion by Ward, supported by Irving, to approve a retroactive budget for 2007-2008 to be consistent with the 2006-2007 budget, that is, projected revenue is \$70,000, which includes \$20,000 fund balance carried over; projected expenses \$70,000, which includes \$47,000 legal services, \$3,000 administrative services, and \$20,000 management/consulting services. Motion carried.
- B) Discussion held on the budget for 2008-2009. Motion by Irving, supported by Ward, to approve the 2008-2009 budget as follows: Projected revenue is \$60,000, which includes \$10,000 fund balance carried over; projected expenses \$60,000, which includes \$40,300 in legal services, \$2,600 administrative services, and \$17,100 management/consulting services. Motion carried.
- C) Watza gave an update on HB 5693, which is a follow-up to HB 5667. Discussion held.
- D) Watza gave an update on SB 636 and reported that a meeting was held on a possible language amendment. Discussion held.
- E) Watza gave an update on SB 637 and reported that it is not "consumer friendly." Discussion held.
- F) Discussion held on the Detroit News editorial relating to cable issues. Watza indicated that a response is needed and is in the works.
- G) Watza gave an update on the Metro Act amendment that includes quarterly payments. Discussion held.
- H) Watza gave a review on SB 108. Discussion held.
- O) Discussion held about the use of the term "municipalities" in PROTEC's Intergovernmental Agreement and whether it includes townships and villages. The subject of a possible amendment to the Intergovernmental Agreement to use the same terminology as that found in the Urban Cooperation Act is to be placed on the next meeting agenda.
- J) Watza gave an update on the Meridian Township, Dearborn, Romulus, and Roger City legal proceedings. Discussion held.
- K) Watza reported that the NFL filed an FCC complaint against Comcast.
- L) Watza gave an update on Taylor v DTE/MPSC.
- M) Watza gave an update on ITC v Hartland and Troy regarding transmission lines.
- N) Watza gave an update on Romulus and Adrian cases.
- O) Discussion held on the MSPC resolution issue.
- P) Discussion held on AT&T extending permits.
- Q) Discussion held on the quote presented for the proposed annual report that includes preparation of text by Kitch and design and printing to be handled by Marx Layne. Motion by Ward, supported by Irving, to approve \$1,325.00 for the cost of the annual report at 1,500 copies. Motion carried.

- R) Lengthy discussion held about having more informative mailings to members on a quarterly basis.

**VI. Old Business**

None.

**VII. Adjournment**

The meeting was adjourned at 4:48 p.m.

**The next regular meeting will be Tuesday, June 17, 2008, 2:00 - 4:00 p.m., at the City of Dearborn.**

/mat