

**TRAVERSE CITY
LIGHT AND POWER BOARD**

Minutes of the Regular Board Meeting
Held at 5:15 p.m., Virtual Meeting
Tuesday, October 27, 2020

Board Members Present: Patrick McGuire, Elysha Davila, Ross Hammersley, Amy Shamroe, Tim Werner, Paul Heiberger, John Taylor

All Board members were physically located in Traverse City, Grand Traverse County, and the State of Michigan for the remote meeting.

Board Members Absent:

Ex Officio Member Present: Marty Colburn, City Manager

Others: Tim Arends, Daren Dixon, Karla Myers Beman, Scott Menhart, Kelli Schroeder, Tony Chartrand, Jacob Hardy, Chris Kohl

1. Roll Call

2. Consent Calendar

- a. Approval of Agenda
- b. Approved minutes of the regular meeting of September 8, 2020 and Customer Survey Ad Hoc committee meeting of October 2, 2020.
- c. Approved an amended Community Investment Fund Policy, Provisions and Guidelines and forwarding it to the City Commission for approval.

That the Board adopts the Community Investment Fund Policy as amended and submits to the City Commission for approval.

- d. Approved a new Pole Attachment License Agreement including both small cell wireless and wireline pole attachments with Spectrum Mid-America, LLC.

That the Board authorizes the Executive Director to execute a Pole Attachment Agreement with Spectrum Mid-America, LLC.

- e. *Removed.*
- f. Approved terminating the assistance construction contract awarded to The Hydaker-Wheatlake Company and authorizing the Executive Director to execute a letter agreeing to the contractor's termination request.

That the Board authorizes termination of the construction agreement with The Hydaker Wheatlake Company dated July 1, 2020 for electric distribution line contractor hourly rate assistance and authorizes the Executive Director to execute a letter agreeing to the contractor's request to terminate.

- g. Approved a Construction Agreement with C.C. Power, LLC for hourly rate assistance.

That the Board authorizes the Chairperson and Secretary to execute a three-year construction agreement with C.C. Power, LLC for line distribution construction hourly rate assistance in the amount of \$450,000, more or less, with billings to be based upon the hourly rates provided in the bid; subject to review as to substance by the Executive Director and as to form by General Counsel.

- h. Approved an Interfund Agreement with City of Traverse City for Fiber to the Premise Project Phase 1.1.

That the Board authorize the Chairman and Secretary to enter into the Interfund Loan for the Fiber To The Premise Project Phase 1.1 with the City of Traverse City for the terms described in the memo; subject to approval as to substance by the Executive Director and approval as to form by General Counsel.

- i. Approved a three-year contract with Down to Earth, LLC for snow removal services.

That the Board approve a contract with Down To Earth, LLC for snowplowing services at a rate of \$230.00 per plow regardless of snowfall and \$110.00 per hr. for additional services for a term of three years.

- j. Approved software license renewals with Microsoft, Veeam, Autodesk and Cisco.

That the Board authorizes purchase orders in the total amount of \$74,133.91, more or less, and gives the Executive Director authority to add/remove licenses as necessary to keep TCL&P in compliance with licensing requirements.

Patrick McGuire moved that the following actions, as recommended on the Consent Calendar portion of the Agenda, be approved as amended. Amy Shamroe seconded the motion.

Yes: Patrick McGuire, Elysha Davila, Ross Hammersley, Amy Shamroe, Tim Werner, Paul Heiberger, and John Taylor

Absent: None

Carried 7 to 0.

3. Items Removed from Consent Calendar

- a. Consideration of approving a contract for decorative lighting at Eleventh and Division.

The following individuals addressed the Board:

Tim Arends, Executive Director
Daren Dixon, Operations Manager

Ross Hammersley moved that the Board authorizes the Chairperson and Secretary to enter into an agreement with the City of Traverse City for the installation of decorative lighting in

the amount of \$6,012.00, more or less, subject to review as to substance by the Executive Director and as to form by General Counsel. Paul Heiberger seconded the motion.

Yes: Patrick McGuire, Elysha Davila, Ross Hammersley, Amy Shamroe, Tim Werner, Paul Heiberger, and John Taylor

Absent: None

Carried 7 to 0.

4. **Unfinished Business**

- a. Consideration of approving a resolution establishing rules for remote attendance in accordance with Public Act 228 of 2020.

The following individuals addressed the Board:

Karrie Zeits, General Counsel

Amy Shamroe moved that the Board approve a resolution establishing rules for remote attendance in accordance with Public Act 228 of 2020, as amended. Ross Hammersley seconded the motion.

Yes: Patrick McGuire, Elysha Davila, Ross Hammersley, Amy Shamroe, Tim Werner, Paul Heiberger, and John Taylor

Absent: None

Carried 7 to 0.

- b. Consideration of approving a resolution regarding the Executive Director's job description changes.

The following individuals addressed the Board:

W. Pete Doren, General Counsel

Patrick McGuire moved that the Board approves the resolution adopting the modified job description for Executive Director. Ross Hammersley seconded the motion.

Yes: Patrick McGuire, Elysha Davila, Ross Hammersley, Amy Shamroe, Tim Werner, Paul Heiberger, and John Taylor

Absent: None

Carried 7 to 0.

5. **New Business**

None.

6. **Reports and Communications**

a. From Legal.

b. From Staff.

1. FTTP Update. (Menhart/Myers-Beman)

The following individuals addressed the Board:

Tim Arends, Executive Director
Scott Menhart, Chief Information Officer
Karla Myers-Beman, Controller

2. June 30, 2020 Financial Statements. (Myers-Beman)

The following individuals addressed the Board:

Karla Myers-Beman, Controller

3. Budget Schedule. (Myers-Beman)

The following individuals addressed the Board:

Karla Myers-Beman, Controller

c. From Board.

1. Chairperson's Report

Tim Arends, Elysha Davila, John Taylor and Karla Myers-Beman met with Pat Bowland from MPPA with regards to where TCL&P is at with capacity. The take away that while the future will hold challenges, currently, TCL&P is very well positioned. The report from MPPA was very positive.

John spoke of his involvement with the Community Foundations efforts regarding a community scorecard. TCL&P has been contributing to that effort. John has been volunteering in that role. We can continue to help that effort with the clean energy goals that have already been set as it relates to other community goals, both environment and economic development, housing and health. John and Tim would like the leader of this organization to address the Board in November or December.

2. Discussion of Electrification (Werner)

The following individuals addressed the Board:

Tim Werner, City Commissioner

7. Public Comment

- a. General Public Comment

None.

8. **Adjournment**

There being no objection, Chairperson Taylor moved to adjourn the meeting at 6:44 p.m.

Yes: Patrick McGuire, Ross Hammersley, Elysha Davila, Amy Shamroe, Tim Werner, Paul Heiberger, and John Taylor

Absent: None

Carried 7 to 0.

A handwritten signature in black ink, appearing to read "Tim Arends", is written over a horizontal line.

Tim Arends, Secretary
LIGHT AND POWER BOARD