4TH ANNUAL CRA LEGAL ISSUES SYMPOSIUM

Considering Boundaries: Road agency tips for working with drain commissioners and providing mutual aid in an emergency

Tuesday, December 4, 2018 | 8-11:45 a.m.
Comfort Inn & Suites | 2424 S. Mission, Mt. Pleasant

AGENDA

7:30-8 a.m.  Registration, hot breakfast
8-8:10 a.m.  Welcome, introductions
8:10-9:10 a.m.  County Road Agencies and County Drain Commissioners: Roles, responsibilities and working out the overlap
9:10-9:25 a.m.  Break
9:25-10:25 a.m.  Avoiding the Bumps in the Road: How to position yourself for litigation or prevent it altogether
10:25-10:40  Break
10:40-11:45 a.m.  In times of emergency: Coming to the ‘mutual aid’ of another road agency
11:45 a.m.  Wrap-up  Adjourn for luncheon keynote

Ticket pricing

Legal Issues Symposium and The first 48 hours of a weather disaster on local roads (includes breakfast and lunch): $130
Legal Issues Symposium (includes breakfast): $50

Accurately performing the complex issues facing county road agencies is challenging. This year’s Legal Issues Symposium sheds light on three areas that are raising questions for road agencies.

Kicking off the symposium is legal advice on the roles and responsibilities of county road agencies and county drain commissioners, and what to do when their plans and priorities overlap or conflict. This session should help make sense out of some of the grey areas where road right-of-way (ROW) meets the county drain.

The morning’s second session will cover one of the most challenging areas of a new road project: ROW acquisition. Three attorneys walk county road agencies through the optimal process for ROW acquisition, to best avoid litigation particularly if the issue heads to condemnation proceedings.

The third segment is an area related to the afternoon’s crisis management presentations: Is your road agency protected when you provide mutual aid? If not, how should you prepare ahead of time?

Register online! micountyroads.org/Events/December-Event

Hotel room block available at Comfort Inn & Suites for $75/night. Call 989.772.4000 and use code CRA1202.
County Road Agencies and County Drain Commissioners: Roles, responsibilities and working out the overlap

Questions have popped up around the state about the roles and boundaries for work that occurs at the literal overlap of a county drain and the road right-of-way (ROW), as well as upstream and downstream impacts. Who is responsible for the cost of maintenance? Can the drain commissioner order up improvements and expect the road agency to pay for them?

Attorney Steve Mann, Miller Canfield-Detroit, has represented both county road agencies and county drain commissioners when conflicts develop over different approaches to land improvements. While there is no “silver bullet” answer (as usual), Mann will provide a better understanding of the roles, potential for and ways to resolve conflicts when these two important public works areas bump into one another.

Steve Mann, Attorney at Law
Miller Canfield, Detroit

Avoiding the Bumps in the Road: How to position yourself for litigation or prevent it altogether

One of the challenges with new road funding and new road projects is acquiring additional right-of-way – which has become one of the most expensive and litigious components of road improvement in many areas. Three lawyers tag team this session to lay out best practices for efficiently acquiring right-of-way, including setting the stage for condemnation if that becomes required.

Mischa Boardman, Attorney at Law
Devin Sullivan, Attorney at Law
Zausmer, August & Caldwell, PC, Farmington Hills

Matthew Willson, Deputy General Counsel
Road Commission for Oakland County

In times of emergency: Assisting another local road agency

Aligning with the afternoon’s theme of crisis management during times of road catastrophes, the CRA Legal Issues Forum has some “watch outs” when assisting a peer road agency, whether county or municipal.

County road agencies are the “pre-responders,” meaning that first responders can’t get to the people until the road agency secures the route. Speed matters.

But do you have the right legal tools in place to protect your road agency? Learn what you should put in place now, so that you are prepared and protected to assist neighboring road agencies in the future.

Long-time transportation law expert Mike Levine will describe mutual aid agreements, reimbursement terms for such aid, equipment loaning policies and other legal documents or agreements you can put in place now. And what you should do if a weather-related catastrophe occurs on the county road and bridge system, yet the legal paperwork isn’t quite in place.

Mike Levine, Attorney at Law
Levine Law Group

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