

REGULAR MEETING OF THE CHEBOYGAN COUNTY ROAD COMMISSION OCTOBER 1, 2015

Chairman J. Johnson called the Regular Meeting of the Cheboygan County Road Commission to order at 9:00 A.M.

Clerk D. Stempky took roll call and a quorum was present

Pledge of Allegiance was recited

PRESENT: J. Johnson, D. Brown, C. O'Connor, R. Chadwick, K. Paquet, Engineer/Manager B. Shank and Clerk D. Stempky

VISITORS: C. Procknow, J. Moore, T. Matelski, F. Cribb, C. Veneros, G. Archambo, M. Donovan, M. Ennes, G. Wolfram, B. Hartwig, T. MacArthur, M. Stomps, K. Hahn, T. Horrocks, R. Knight, R. Crawford, R. Smith and T. Smilinski (DNR)

MOTION by D. Brown seconded by K. Paquet to approve minutes of last regular meeting of 9/17/2015 as mailed. 5 Yeas **CARRIED**

MOTION by K. Paquet seconded by R. Chadwick to approve for payment current payroll voucher #15-38-\$64,083.21 and accounts payable voucher #15-39-\$234,098.90. 5 Yeas **CARRIED**

MOTION by D. Brown seconded by R. Chadwick to approve agenda as presented. 5 Yeas **CARRIED**

B. Hartwig asked if the lines at Old 27 and M68 could be painted this year. Was noted pavement markings are in next years budget.

MOTION by K. Paquet seconded by C. O'Connor to approve the hiring of 4 temporary part time drivers for winter maintenance. 5 Yeas **CARRIED**

Mechanic has been hired, Nick Wilson, giving his present employer two weeks notice before he starts.

MOTION by D. Brown seconded by K. Paquet to receive and file the following incoming correspondence: Township Meeting Minutes: Ellis 8/11/15, Koehler 8/10/15, Aloha 7/13/15 and 8/10/15, Munro 9/8/15, Tuscarora 9/1/15 and Mullett 9/1/15; County Board of Commissioners Meeting minutes of 8/11/15 and 8/25/15. 5 Yeas **CARRIED**

Engineer/Manager Shank Update:

- S. Straits Hwy paving is progressing.
- M & M will be redoing some of Black River Road from the fire hall and then south 2,000 feet.

MOTION by K. Paquet seconded by C. O'Connor to approve Management to look at placing pavement markings at the intersection of Old 27 and M68 at a cost not to exceed \$1,000.00. 5 Yeas **CARRIED**

K. Paquet commented he was contacted by someone that is possibly interested in purchasing the Cheboygan Garage being the Port is moving forward. Johnson noted that individual should send the Road Commission a formal letter of interest and we can move forward after received.

MOTION by K. Paquet seconded by D. Brown to go into public hearing at 9:15 a.m. to discuss the transfer of jurisdiction of the right-of-way for the platted portion of Parrot's Point Road Access to Koehler Township per the request of Koehler Township. Roll call: O'Connor-yes, Chadwick-yes, Johnson-yes, Paquet-yes, Brown-yes **CARRIED**

PUBLIC HEARING OF THE CHEBOYGAN COUNTY ROAD COMMISSION OCTOBER 1, 2015

Public Hearing was called to discuss the transfer of jurisdiction of the right-of-way for the platted portion of Parrott's Point Road Access to Koehler Township per the request of the Koehler Township Board.

Chairman J. Johnson noted each individual will have 3 minutes for public comment to address the Board and not other individuals in the room.

Engineer/Manager Shank stated the following:

- Petition, survey and title searches were completed
- Notices were sent to Residents, Township, DNR, County and State of Michigan as required
- Advertisements were properly placed
- One correspondence was received from DNR in agreement as long as kept open to public and access to lake and if Township cannot maintain then revert back to the Road Commission

MacArthur, Attorney for Koehler Township, noted the steps have all been completed by Township to request the transfer of jurisdiction.

Russell Crawford, Koehler Township Supervisor, commented a fence was placed on the easement line and trees were cleared on the portion the Township was previously given jurisdiction to. Township plans to complete the same work on the platted portion if the platted half is transferred to the Township. Resident on the unplatted side are good with what was completed. Hoping to make better access to lake and make grade to access better in future.

M. Stomps, resident is happy with what was done on the unplatted portion of Parrott's Point public access and if that is what the Township plans to do with the other half he feels is a good situation to help with access to lake.

No other comments

MOTION by K. Paquet seconded by C. O'Connor to close public hearing for Parrott's Point Road Access at 9:25 a.m. return to regular session. 5 Yeas **CARRIED**

Return to regular session at 9:25 a.m.

MOTION by K. Paquet seconded by C. O'Connor to transfer jurisdiction of the right of way for the platted portion of Parrott's Point Road access to Koehler Township per the request of Koehler Township presented as follows:

The west 33 feet of the following description: Beginning at a concrete monument at the Southeast corner of Lot 23 in the Plat of Tiffany Park in Section 4, T35N-R2W, thence N2°47'00"E along the East line of Lot 23 a distance 157.63 feet (recorded as 157.60') to a concrete monument on a traverse line on the shore of Mullett Lake; thence

S68°03'55"E along said traverse line 69.87 feet to an iron pipe; thence S2°47'00"W 135.26 feet to a bar & cap #41099; thence N86°44'34"W 66.00 feet to the POINT of BEGINNING. Subject to and including easements, restrictions and reservations of record, if any. Sidelines extend to the water's edge of Mullett Lake.

Roll call: Chadwick-yes, Johnson-yes, Brown-yes, Paquet-yes, O'Connor-yes **CARRIED**

REGULAR MEETING OF THE CHEBOYGAN COUNTY ROAD COMMISSION OCTOBER 1, 2015

Engineer/Manager distributed information for next meeting to discuss and vote on whether we are in favor if CRASIF Board changing to a mutual company.

MOTION by D. Brown seconded by C. O'Connor to go into public hearing at 9:30 a.m. to discuss the transfer of jurisdiction of the right of way for Lynn Drive Access to Koehler Township per the request of Koehler Township Board. Roll call: Johnson-yes, Brown-yes, Paquet-yes, O'Connor-yes, Chadwick-yes **CARRIED**

PUBLIC HEARING OF THE CHEBOYGAN COUNTY ROAD COMMISSION OCTOBER 1, 2015

Public hearing is being held to discuss the transfer of jurisdiction of the right of way for Lynn Drive Access to Koehler Township per the request of Koehler Township Board.

Engineer/Manager Shank stated the following:

- Petition, survey, title search and fee collected were completed
- Notices were sent to property owners, County, DNR, Township and MDOT as required
- Advertisements were placed as required
- One correspondence was received from DNR in favor of the transfer as long as kept open for public use and access to lake and if the Township at any time cannot maintain to revert back to the Road Commission.
- North side resident called and objects to a fence being put up as well as south side resident
- Consent judgment has provisions for drain field and well pit, which the Township would have to accept if jurisdiction is transferred.

R. Smith, resident Lynn Drive objects to the transfer and feels parking is a problem in winter, used to be no parking signs but those have been removed. He cuts grass and maintains currently. Presented letter form residents that object to transfer as well. Feels the public knows where the boundaries currently are and not need to erect fences and such or transfer jurisdiction.

T. MacArthur, Attorney for Koehler Township stated the Township is aware of the consent judgment and that follows the land, Township is aware of those issues.

R. Knight, stated there have been complaints from users, including himself when using area, have been told not public access and private property even with the cement markers in place. Township is hoping to stop the controversy and clearly mark what is public access.

G. Wolfram, resident, monuments were placed to show the area, but home owners are still planting trees and bushes in the road right of way. Support of the transfer to Township

R. Crawford, Koehler Township Supervisor, Township is looking to improve the access. Property Owners have placed objects over the markers so the public cannot see where the access is.

Tim, DNR, in favor the transfer request as long as kept open for public use to lake. If the Township cannot maintain then revert back to the Road Commission.

MOTION by K. Paquet seconded by D. Brown to close public hearing on Lynn Drive and return to open session at 9:50 a.m. 5 Yeas **CARRIED**

Return to regular session at 9:50 a.m.

Chadwick commented it sounds like it doesn't seem to matter who has jurisdiction there will be issues

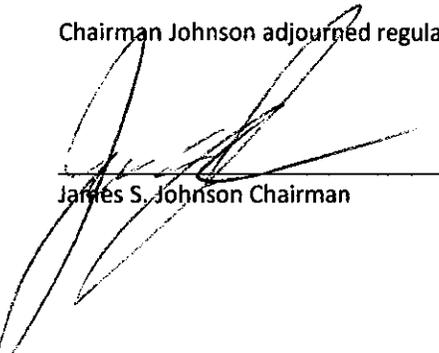
MOTION by C. O'Connor seconded by R. Chadwick to transfer jurisdiction of right of way for Lynn Drive access to Koehler Township at the request of Koehler Township as follows:

COMMENCING AT THE CONCRETE MONUMENT AT THE NORTHEAST CORNER OF LOT 1 OF THE PL AT OF STEWARTS SANDY BEACH IN SECTION 9, T35N, R2W, KOEHLER TOWNSHIP, CHEBOYGAN, MICHIGAN; THENCE N30°12' 00"E 41.44' ALONG THE EXTENSION OF THE WEST LINE OF LYNN DRIVE TO THE POINT OF BEGINNING OF A 66' WIDE ROADWAY HAVING A CENTERLINE DESCRIBED AS: THENCE N 87° 56' 04"W 140', MORE OR LESS, TO THE WATER S EDGE OF MULLETT LAKE. SIDELINES ARE TO LENGTHEN OR SHORTEN AS NEEDED TO EXTEND FROM LYNN DRIVE RIGHT OF WAY AS EXTENDED TO THE SHORE OF MULLETT LAKE. BEING PART OF SECTION 9 AND SECTION 4 OF T35N, R2W, KOEHLER TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN.

Roll call: Johnson-no, Brown-yes, Paquet-no, O'Connor-yes, Chadwick-yes

CARRIED

Chairman Johnson adjourned regular meeting at 9:50 a.m. being no further business to come before the Board.



James S. Johnson Chairman



Dana S. Stempky, Clerk