

## REGULAR MEETING OF THE CHEBOYGAN COUNTY ROAD COMMISSION DECEMBER 20, 2019

Chairman D. Brown called the Regular Meeting of the Cheboygan County Road Commission to order at 9:10 A.M.

**PRESENT:** D. Brown, D. Brandt, H. Ginop, K. Paquet, Engineer/Manager B. Shank and Clerk D. Stempky

**ABSENT:** C. O'Connor (excused)

**VISITORS:** S. Redmond, C. Veneros, J. Moore, F. DuBois, T. Sullivan, S. Eno, F. Cribb, E. Cribb, B. Hartwig, C. Maziasz, B. DuBois, G. Archambo, C. Antkoviak, Z. Morrish, J. Armstrong, T. Horrocks and A. Bishop

**MOTION by D. Brandt seconded by K. Paquet to approve minutes of last regular meeting of 12/6/2018. 4 Yeas Absent O'Connor** **CARRIED**

**MOTION by D. Brandt seconded by H. Ginop to approve for payment current payroll voucher #18-49-\$104,876.40 and accounts payable voucher #18-50-\$148,463.49. 4 Yeas 1 Absent O'Connor** **CARRIED**

**MOTION by D. Brandt seconded by K. Paquet to approve agenda as presented. 4 Yeas Absent O'Connor** **CARRIED**

**MOTION by K. Paquet seconded by D. Brandt to approve 2018 amended budget and 2019 proposed budget as presented, allow to adjust the budget after December 31, 2018 to modify various revenue and expenditure accounts which cannot be accurately projected prior to year end and make a part of the minutes. Roll call: Ginop-yes, Brandt-yes, Paquet-yes, Brown-yes Absent O'Connor** **CARRIED**

Proposed Abandonment request was received for Grant Siding Road from Zac Morrish.

Engineer/Manager Shank presented information regarding the request and history of Grant Siding Road:

- Mr. Morrish is requesting to abandon 720' of the southern section seasonal portion of Grant Siding Road.
- Received Abandonment fee, petition which is signed by all property owners of the section being abandoned as well as 7 free holders of the Township. Received a letter of support from Aloha Township approving the abandonment as well as a letter from Mr. Maziasz stating at the next Aloha Township Meeting Township will be revoking that decision. Received a copy of the survey of the area from Mr. Morrish.
- Due to the fact all property owners have signed the petition, the Road Commission has 20 days to grant or deny request of abandonment.
- The Road is approximately 500 feet short of the state land access.
- Prior to 1953 the Road Commission certified a longer distance, 1953 and thereafter the certification shows .89 mile.
- Contacted the DNR and they understand there is no public easement through the private property. They have no easements themselves.
- There is no deeded access.

F. DuBois feels the end of Grant Siding is an access and does not feel the loggers were ever given special permission in the past to use. Feels it is an access due to there being fence lines on both sides of the road.

C. Maziasz, Aloha Township Supervisor, commented the Board originally approved the request but the consensus of the Board is to revoke that decision at their next regular meeting. He feels the Road Commission should not abandon the road and the property owner can block off his property at the end of the seasonal road if he feels that is the right option.

C. Veneros, Aloha Township Treasurer, feels the petition should not be accepted, being a member of the Board was one of the 7 freeholders to sign the petition.

## 2018 Budget and 2018 Estimate Amended Comparison

<u>REVENUES</u>	<u>2018 Budget</u>	<u>2018 Estimate Amended Budget</u>
MI Transportation Funds - Primary	\$ 2,879,595.00	\$ 2,906,000.00
MI Transportation Funds - Local	\$ 2,278,197.00	\$ 2,596,000.00
MI Transportation Funds - Engineering	\$ 10,000.00	\$ 10,000.00
MI Transportation Funds - Snow	\$ 145,509.00	\$ 189,812.43
Millage	\$ 1,201,182.00	\$ 1,205,597.00
State and Federal Funds - Forest Funds	\$ 119,633.00	\$ 119,632.00
Safety Funds/STP/Federal/FWS	\$ -	\$ 298,600.00
STP-Primary	\$ 552,164.00	\$ 29,789.00
State and Federal Funds - CAT D/GF	\$ 132,402.00	\$ 1,173,152.00
Maintenance Advance	\$ 17,140.00	\$ -
MDOT Contract and Non-Maintenance	\$ 1,845,358.00	\$ 2,354,000.00
Township Agreements	\$ 449,603.00	\$ 688,124.00
Permit Fees	\$ 37,800.00	\$ 3,900.00
Interest	\$ 2,600.00	\$ 3,400.00
Miscellaneous	\$ 50,000.00	\$ 40,000.00
Installment Loan Equipment	\$ 750,000.00	\$ 370,500.00
<b>TOTAL REVENUES</b>	<b>\$ 10,471,183.00</b>	<b>\$ 11,988,506.43</b>

EXPENDITURES

Primary Roads - Heavy Maintenance	\$ 1,993,205.00	\$ 1,710,000.00
Local Roads-Heavy Maintenance	\$ 726,967.00	\$ 969,000.00
Primary Roads-Routine Maintenance	\$ 2,625,698.00	\$ 2,000,000.00
Local Roads-Routine Maintenance	\$ 2,147,408.00	\$ 2,700,000.00
MDOT Contract	\$ 1,805,248.00	\$ 2,200,000.00
Administrative Expense	\$ 610,000.00	\$ 694,000.00
Administrative Credits	\$ (165,000.00)	\$ (189,000.00)
Debt Service Interest	\$ 57,625.00	\$ 52,170.00
Capital Outlay	\$ 834,032.00	\$ 887,000.00
Depreciation	\$ (469,000.00)	\$ (469,000.00)
Debt Service Principal	\$ 135,000.00	\$ 135,000.00
Equipment Loan Payment	\$ 170,000.00	\$ 21,467.64
Equipment Maintenance	\$ 2,150,000.00	\$ 2,485,000.00
Equipment Rents	\$ (2,150,000.00)	\$ (2,485,000.00)
<b>TOTAL EXPENDITURES</b>	<b>\$ 10,471,183.00</b>	<b>\$ 10,710,637.64</b>

## 2019 Proposed Budget

REVENUES

MI Transportation Funds-Primary	\$	2,946,062.00
MI Transportation Funds-Local	\$	2,624,107.00
MI Transportation Funds-Engineering	\$	10,000.00
MI Transportation Funds-Snow	\$	189,812.00
State/Federal Funds-Forest	\$	119,633.00
Huron Pines/FWS	\$	100,720.00
STP- Primary	\$	1,227,564.00
State/Federal Funds-CAT D	\$	226,711.00
Millage Revenue	\$	1,251,000.00
Safety Funds/STP/Federal	\$	-
Maintenance Advance		
MDOT Maintenance and Non-Maintenance	\$	1,869,777.00
Township Agreements	\$	192,940.00
Interest	\$	3,000.00
Permits	\$	37,800.00
Miscellaneous	\$	50,000.00
<b>TOTAL REVENUES</b>	<b>\$</b>	<b>10,849,126.00</b>

EXPENDITURES

Primary Roads-Heavy Maintenance	\$	3,135,275.00
Local Roads-Heavy Maintenance	\$	502,322.00
Primary Roads-Routine Maintenance	\$	2,463,700.00
Local Roads-Routine Maintenance	\$	2,184,769.00
MDOT Contract	\$	1,869,777.00
Administrative Expense	\$	700,000.00
Administrative Credits	\$	(190,000.00)
Capital Outlay	\$	320,000.00
Depreciation	\$	(469,000.00)
Equipment Maintenance	\$	2,485,000.00
Equipment Rents	\$	(2,485,000.00)
Equipment Loan Payment	\$	128,806.00
Debt Service Principal	\$	140,000.00
Debt Service Interest	\$	54,925.00
Maintenance Advance	\$	8,552.00
<b>TOTAL EXPENDITURES</b>	<b>\$</b>	<b>10,849,126.00</b>

S. Eno, resident of Grant Siding Road, noted that ROW was used by her family 45 years plus to access a piece of state land. She discussed two options for easements that she has researched and they are easement by prescription or easement by necessity. Easement by prescription states if used 15 plus years then deemed an easement. She feels the state land will be landlocked. The other options to enter the land are swampy and not accessible by foot. Feels per our mission statement not in the best interest of the public and would like the Road Commission to work on making it a right of way.

Z. Morrish, requestor of the abandonment, purchased approximately 1 month ago and have researched and had legal counsel review the complex situation. He stated would not be requesting if he felt there was a legal public access. If the request is not granted he plans on blocking the access off at the end of the seasonal section of Grant Siding Road. If residents feel he is wrong they can pursue in Circuit Court.

Engineer/Manager Shank recapped that prior to 1953 there was additional section certified but for 65 years since 1953 the Road Commission has only certified .89 mile. The Road Commission cannot have easement by prescription. Easements have to show 10 years of maintenance and received funds for it. The Road Commission cannot show either of these for that section of Grant Siding Road. The Road Commission needs to render a decision within 20 days due to the petition holding the name of the property owners on all three sides.

**MOTION by D. Brandt seconded by H. Ginop to deny abandonment request of the south 720' feet of Grant Siding Road by Zac Morrish as presented. Roll call Brandt-yes, Paquet-abstained, Ginop-yes, Brown-yes Absent-O'Connor CARRIED**

D. Brandt stated the property owner has the right to do what he chooses with the access beyond the seasonal section of Grant Siding Road.

**Chairman D. Brown recessed regular meeting at 9:45 A.M.**

**Return to regular session at 9:47 A.M.**

Presented Non Union agreements for extension of 6 years thru 12/31/2024. D. Brandt would like to see changes to the Longevity schedule as well as the sick leave payouts. He would like to see the longevity equivalent to the hourly unit and the sick payouts paid at 50% up to 1,000 hours. Discussion of the sick leave, Clerk noted the Road Commission has a long term disability plan in place due to the sick leave is working as the short term plan. Clerk noted the longevity is currently equivalent to the Supervisor contract. K. Paquet suggested this be effective for new hires after January 1, 2019 and not effect current employees.

**MOTION by D. Brandt seconded by seconded by K. Paquet to approve the extension of the Non Union contract thru 12/31/2024 with the following changes: Longevity to be equivalent to the hourly contract and the sick leave to be paid at 50% up to 1,000 hours, this is for new hires hired after January 1, 2019. 4 Yeas Absent O'Connor CARRIED**

Engineer Manager Contract presented for extension thru 12/31/2024. D. Brandt would like the same changes noted above for Engineer Manager contract as well.

**MOTION by D. Brandt seconded by H. Ginop to approve contact extension for Engineer/Manager Contract thru 12/31/2024 with the addition of the Longevity equivalent to the hourly contract and sick leave payouts at 50% up to 1,000 hours, effective for new hires hired after January 1, 2019. 4 Yeas Absent O'Connor CARRIED**

**MOTION by D. Brandt seconded by H. Ginop to receive and file the following correspondence: Township Meeting Minutes-Koehler 11/12/18 and Grant 11/13/18; Aloha Township support abandonment request Grant Siding Road; R. Trabbic Ref. Krause Road; Safety Committee Meeting Minutes 11/28/2018 and 12/12/2018; November State Maintenance and State of Michigan Ref. Audit Refund. 4 Yeas** **CARRIED**

**Engineer/Manger Shank Update:**

- SB396 no action as of yet
- Union Contracts were sent to legal council to review
- Badger was placed on Ranger.bid auction website. Minimum bid of \$10,000 was set, need permission to allow to release if over the minimum bid price

**MOTION by K. Paquet seconded by H. Ginop to release the Badger if sold over the minimum \$10,000 on Rangerbid.com auction site. 4 Yeas Absent O'Connor** **CARRIED**

**Foreman Update:**

S. Redmond: Ice blading, and mowing Levering Road to prepare for the brush spraying in the spring. Serviced 11 trucks this week. Feels if benefits are changed will have a harder time finding and retaining employees. Feels private sector is starting to pass the public sector. Would like the Badger kept for the Tower garage until it stops working.

Chairman D. Brown adjourned regular meeting at 10:05 A.M. being no further business to come before the Board.



David D. Brown, Chairman



Dana S. Stempky, Clerk