

The regular meeting of the Board of County Road Commissioners of Benzie County was called to order by Chairman Nuske at the Road Commission offices in Honor, Michigan on Thursday, August 8, 2013 at 9:30 AM.

Present: Chairman Nuske
Vice Chairman Rosa
Commissioner Mick
Manager/Engineer Jamison
Superintendent Schaub
Clerk Jordan

Motion by Comm Rosa and supported by Comm Mick to approve the agenda as amended adding Employee matter, Credit card limit increase, Voter for NMARC meeting, Paul Bunyan mtg, and removing the contracts for Lake Ann signs. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

The minutes of the regular meeting on July 25, 2013 were approved as presented. The minutes of the closed session on July 25, 2013 were approved as presented.

Motion by Comm Mick supported by Comm Rosa to pay bills # 40358 to # 40397 for the amount of \$ 42,768.58 and Payrolls 31 & 32 for \$ 38,970.53. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Motion by Comm Rosa and supported by Comm Nuske to authorize the EFT payment for Brenner Oil for the amount of \$ 20,310.60. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Motion by Comm Rosa and supported by Comm Nuske to authorize the EFT payment for MERS for the amount of \$ 28,752.92. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Superintendent's report-Brad did not have much to add that wasn't already on the Work Summary.

Public Input: John Zirkel asked for permission to speak during the millage discussion. Roland Halliday is writing an article on the Road Commission for the Historical Society's winter edition of their newsletter.

Standing Guest –Glen Rineer – County Commissioner. Comm Rineer brought the Road Commission up to date on different county items.

New Business:

10:00 **Richard Hegglin, owner of 6149 and 6152 Crystal Drive** - Mr. Hegglin read a statement regarding work the Road Commission has done to a cross road culvert at his residence. The culvert had 2-6" Schedule 40 pipes stuffed in it. He had no knowledge of who or when these pipes were put in the culvert. It must have been prior to 1996 when they bought the property. We removed the pipes and cleaned the ditch at 6152. Water now pools in this area, breeding mosquitos. Mr. Hegglin would like us to extend

the culverts, remove the pipes from his property, fill the ditch and restore the area. Superintendent explained to the board that water from the ditch was almost overflowing the road, due to the pipes inside the cross road culvert blocking the flow. If the culverts were extended, they would be on private property, presenting a maintenance issue. Also, he stated that extending the culvert would only benefit the Hegglin, not the county. Mr. Hegglin stated that he would give the Road Commission a deeded easement for cleaning out the culvert, if we extended it. Schaub told Mr. Hegglin that he could apply for a right-of-way permit and have a contractor to do the work. Chairman Nuske told Mr. Hegglin that we would look at the problem and try to come up with some type of agreement.

10:15 **David Kelly Schmude Oil Land Manager**-Abandoning Nessen City Antrim Well and its Salt Water Disposal Well - Due to low gas prices and low gas production, Schmude would like to plug the wells in the Nessen Pit and return the land back to its natural contour. They will seed the reclaimed area and cap and flush the flow line, leaving it buried. The pipeline travels from the wells to the facility. The lease with Schmude is terminated when wells are plugged. If Schmude wants to try again at this location, they will have to reapply. The Road Commission has no potential responsibility to repair any of the pipeline if we inadvertently unbury it. Motion by Comm Rosa and supported by Comm Mick to allow Schmude to flush and cap the existing 2" pipeline and leave it in place in the Nessen Pit. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Contracts for No Parking signs in Lake Ann - Item removed from agenda

Resolution # 2013-09 Millage and ballot language:

**RESOLUTION # 2013-09
COUNTY WIDE ROAD MILLAGE**

The following resolution was presented by Commissioner Rosa and supported by Commissioner Nuske: Whereas, it is and has been obvious for many years that the Michigan Transportation Fund has not kept pace with the increasing costs of the repair and maintenance of our local and primary road system; and Whereas, there is a need to maintain and repair our roads for the safety of the motoring public; and Whereas, a county wide millage would not only benefit the Benzie County Road Commission but also the villages of Benzonia, Beulah, Elberta, Honor, Lake Ann, and Thompsonville and the City of Frankfort; and
Whereas, the millage would include monies from all property ad valorem taxes on real estate; and Whereas, the future of Benzie County's road system is dependent on raising additional revenue; and Whereas, the Benzie County Board of Commissioners has the authority to conduct an election asking the voters of Benzie County for a local road improvement and primary road maintenance and improvements millage, and

Therefore, BE IT RESOLVED that the Benzie County Board of Road Commissioners requests the Benzie County Board of Commissioners submit to the electors of Benzie County the proposed 1 Mill on the Taxable Value of the county for five years (2013-2017) for local road improvements and primary road maintenance and improvements.
Ayes: Nuske, Rosa, Mick. Nays: None.

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Resolution adopted.

Ballot Language - Motion by Comm Nuske and supported by Comm Mick to accept the ballot language for the millage request as presented. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Employee Matter - One of our employees fell off a ladder on 8/4 and will not be able to work for some time. Motion by Comm Rosa and supported by Comm Mick to allow other employees to voluntarily donate time to this employee from their current sick leave and/or vacation banks. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Credit Card Limit increase - Motion by Comm Rosa and supported by Comm Mick to increase the limit on the credit card from \$1,500 to \$2,500. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Correspondence/Information:

Cole vs Benzie County-hold until closed session.

Employee picnic - The picnic will be on August 22.

Motion by Comm Rosa and supported by Comm Nuske to start the August 22 board meeting at 8:30 AM. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Motion by Comm Nuske and supported by Comm Rosa to hold a public meeting for the 2014 Budget review on 8/22 at 8:45 AM. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Brine - Manager Jamison brought the board up to date on the brine issue.

Closed Session: Motion by Comm Rosa and supported by Comm Mick to enter into closed session because discussing Cole v Benzie County in an open meeting may have a detrimental effect on Benzie County as a whole. Ayes: Nuske, Rosa and Mick. Nays: None. Motion carried.

Reenter regular session at 12:25 PM.

Public Input: Roland Halliday asked several questions of a historical nature for his article.

Meeting adjourned at 12:30 PM.

W. John Nuske, Chairman

Kathleen A, Jordan, Clerk