

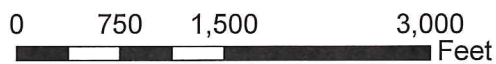
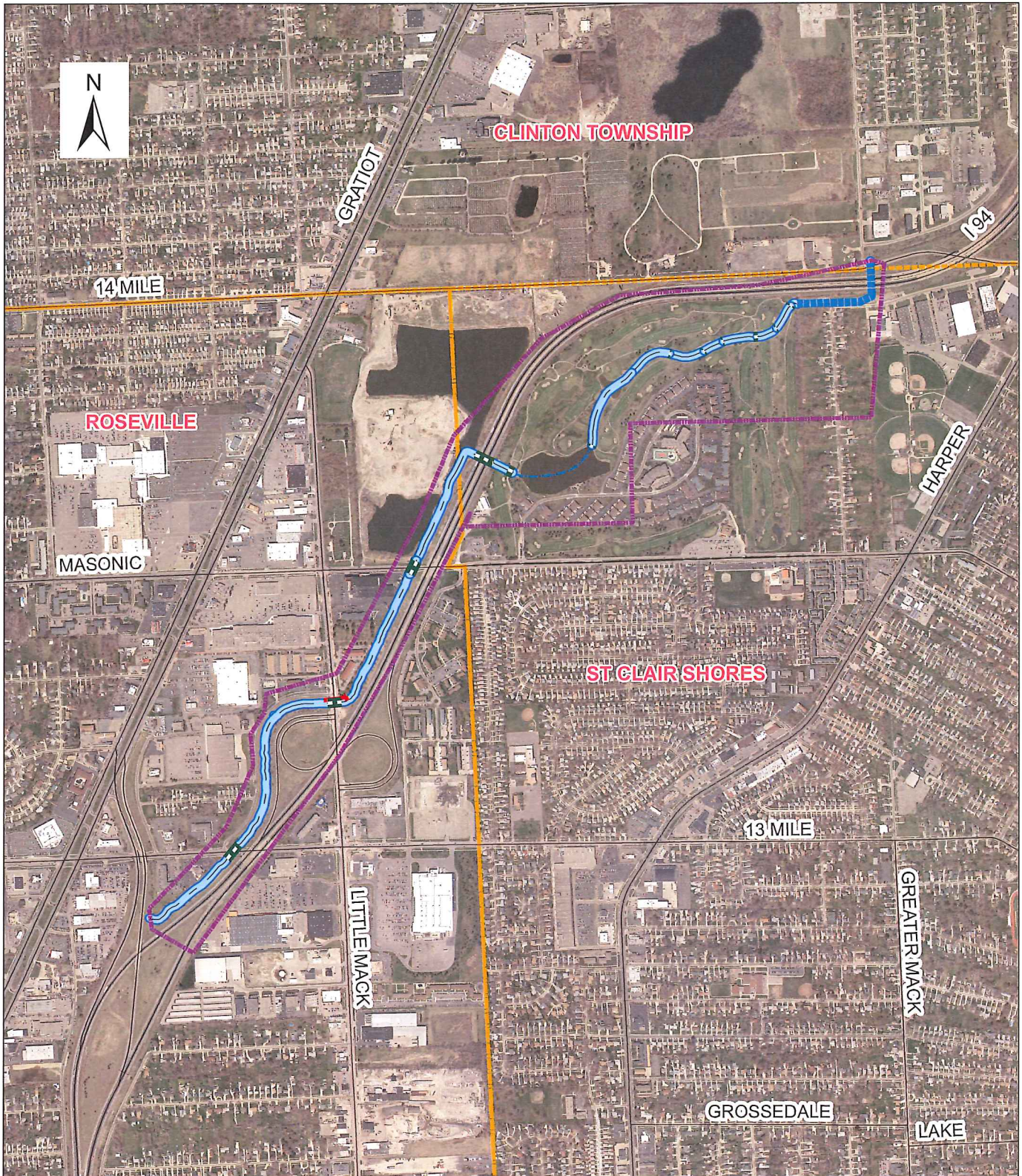
Miller
Santo
Leonetti

ROHRBECK EXTENSION DRAIN
INTRA-COUNTY DRAINAGE BOARD
JUNE 11, 2018
10:15 A.M.
AGENDA

Page

1. Call of meeting to order and roll call
2. Approval of Agenda for June 11, 2018
3. Public participation
4. Marsack Gravel Pit Update – Daryl Gapshes 3
5. Consideration for approval of invoice (see attached) 5
6. Financial Report – Bruce Manning 6
7. Adjourn

ROHRBECK EXTENSION ROSEVILLE / ST. CLAIR SHORES



Drain Length (Feet/Miles):
11,797.21 / 2.23

Legend

Enclosed Gravity

- >= 60" Dia
- < 60" Dia

Open Channel

- Ditch
- - - Pond

- Culverts
- District Boundary
- Roads
- Municipal Boundaries



INTER-OFFICE MEMORANDUM

To: Brian Baker, Chief Deputy
From: Daryl Gapshes, P.E., Plan Review Manager
Richard Ives, Community Relations Manager
Date: June 8, 2018
Re: Rohrbeck Drainage District Board Memo

On November 20, 1987 the Intra-County Drainage Board for the Rohrbeck Extension Drainage District entered into a purchase agreement with Marsack Sand and Gravel, Inc., which had lease rights to the property for its gravel pit and mining operations. The District has owned the subject property since 1988, subject to a fairly extensive reservation of rights by the gravel pit owners. The District purchased the land for a price of \$500,000, with 80% at closing. The remaining \$100,000 was to be held by the District in an interest-bearing escrow account and then paid to the seller once all requirements of the contract were fulfilled.

In the fall of 2017, the Marsack family approached the Office of the Macomb County Public Works Commissioner to release and convey all of the rights and interests in the property which it is presently reserving unto itself under the terms of this agreement. On March 14, 2018 a letter was sent to MCPWO from the Marsack family stating they would forego the final \$100,000 payment in return for a quick and timely closing (see attached letter).

Upon internal review by MCPWO staff and legal counsel it has been determined that not all requirements of the contract have been fulfilled. Further, the MCPWO is aware that public dumping was allowed on the site for which there are no records. In addition, there is a complaint on record with the MDEQ that possible hazardous material may have been placed on the site. Because of the unknown potential environmental hazards, we recommend that the property be subject to a Phase I and Phase II environmental study.

March 14, 2018

To the Commission and Engineers Overseeing the Rohrbeck Drain Project in Roseville:

At a recent meeting of officers and directors of Marsack Sand and Gravel, the following items were discussed and agreed upon:

Marsack Sand and Gravel is no longer operating as a gravel pit or filling operation and no longer has use for water rights in the lakes owned by Macomb County or Roseville. In effort to come to a timely resolution of the contract signed by the parties in 1987, we propose the following:

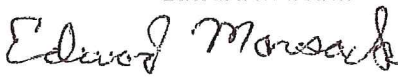
- Due to shortages in acre feet of storage stated in the original contract versus the recent survey, we propose to forfeit all claims to the deposit held by the County for future storage.
- We propose to donate land and water in the southwest corner of the north lake. Our rough estimate is thirteen + acre-feet of additional storage. This would give Macomb County control of all access to water in the project.
- In exchange, we ask that the survey be completed and the property made available to potential buyers immediately. We also request that the boundary lines be drawn as close to the high-water line as possible, due to this area being a main access to our property. (This would complete our interior boundaries, so we could warranty a sale.)

We have conducted our operations within the parameters of the contract for over thirty years without incident, flooding or otherwise. In the cooperative spirit of the contract, we offer this proposal to bring it to a conclusion.

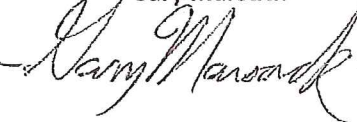
Thank you for your consideration.

Sincerely,

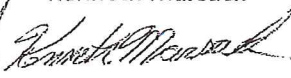
Edward Marsack



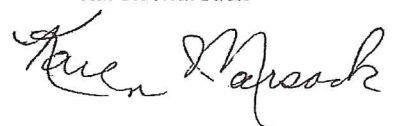
Gary Marsack



Kenneth Marsack



Karen Marsack



ROHRBECK EXTENSION DRAIN - 6/11/18

<u>Funding Source</u>	<u>Apportionment</u>	<u>Manager</u>	<u>Vendor</u>	<u>Amount</u>	<u>Invoice Detail</u>	<u>Project Summary</u>	<u>Project Balance</u>
Rohrbeck Extension Drain	Chapter 20 Macomb Co. - 8.12643% State of MI - 4.74436% Roseville - 87.12921%	Baker	Viviano Law	\$ 3,771.50	Invoice #19763 - 5/2/18 Legal Services - ending 4/30/18	General Matters	
Total				\$ 3,771.50			

YTD Trial Balance

Fund: Rohrbeck Extension

As of Fiscal Period: Oct 1, 2017-May 31, 2018

	O&M Balance 9/30/2017	O&M	Total 5/31/2018
Cash - Operating	60,439	(1,607)	58,832
Accounts Receivable			0
Assets			0
Liabilities		4,458	4,458
Revenues		18	18
Expenditures		6,083	6,083
Equity	60,439		54,374