

Johnson's Island Road Commission

Minutes of Regular Meeting
Saturday, August 13, 2022 9 AM
JIRC Website: thejiroad.com

| | | |
|-------------|--------------|---------|
| Attendance: | Dave Klugman | Present |
| | Mike Kelty | Present |
| | Glenn Beachy | Present |
| | Sig Nachman | Present |
| | Joe Gouker | Present |
| | Bob Cailor | Present |
| | Rick Schulz | Present |

Also in attendance:

Pat Schwann, Richland Engineering
23 Island Residents, representing 20 island Road Fee payers. (The Visitor Roster is attached.)

With all 7 members present, there was a quorum.

The meeting was called to order by the president, Dave Klugman.

Dave briefly reviewed the operations of the Road Commission (RC), and explained our priorities as defined in the Operating Agreement. The causeway, which we all depend on for access to our homes, is the first priority. Maintenance of good island roads, and repair/rebuilding of bad island roads, follow.

Bob provided the gate report. The gate has been functioning well. Toll revenue YTD is \$6,874, down approximately 20% from the average of the past 3 years at this date. Annual gate revenue has averaged \$12,655 over the same period, and it is likely that 2022 revenue will be well below that. (Johnson's Island Gate Receipts spreadsheet is attached)

Most tolls are paid by out-of-town non- friends-and- family visitors, so a general reduction in travel is likely the primary reason for this reduction.

Dave presented the proposed 2023 budget, which must be presented to both island HOAs. Highlights Include:

- A Road Fee of \$441 for 2023.
- Road Fee Income of \$132,300 based on 300 fee- paying property owners.
- Total Income estimated at \$143,450.
- Total Expenses of \$36,350
- This will allow approximately \$100,000 to be moved to 2024, to continue our practice of performing larger road projects every 2 years.

A motion to accept the budget proposal was made by Mike. It was seconded by Bob.

The motion passed 7-0

The Causeway Repair Issue was next on the agenda.

Pat Schwann, Richland Engineering, reviewed the condition of the causeway and the inspection work they have done.

The causeway is approximately 50 years old, and it was constructed with less attention to materials specifications and placement & compaction procedures than would be the norm today. In fact, there are no records of the stone and soil fills which constitute the causeway. The result is that there is erosion of fine materials internally, and irregular settlement within the causeway. This can be seen by the uneven roadway surface, the uneven settlement of the guardrails, and settlement at the bridge approaches. Plus, the west side of the causeway, which is subjected to the most severe wind- driven wave action, has experienced toe erosion at the base of the side slopes.

This toe erosion resulted in a “slip” on the west side slope of the southern high bridge approach in the spring of 2020. Water levels at that time were several feet higher than normal, and there was a series of three storms with westerly winds. This slip extended up the side slope to within a few feet of the guardrail.

Emergency repairs were performed using materials from one of the fingers at the south end of the island. This material was donated by JIIG, which allowed the repairs to be performed quickly and at a much lower cost than if the stone had been purchased and transported to the island.

Richland was contracted to evaluate the condition of the causeway at that time. The results were:

- The bridges are in good condition.
- The bridge abutments and piers, which rest on piles, are stable.
- The toe areas of the west side slopes of the high bridge approaches were found to have experienced erosion and settlement. This was allowing for settlement and “slips” of stone higher up on the slopes, as occurred in 2020.
- Additional slips are inevitable if this condition is not remedied.
- The East side of the causeway has remained stable, and no remedial work is needed at this time.
- Generally lower lake water levels this year have reduced somewhat the stress on the side slopes and toes. But water levels move in cycles, and the next high-water period could be critical.

Given these results, we asked Richland to provide a design for the needed improvements. There was considerable discussion about the suitable design basis for a structure such as this located inside Sandusky Bay, as opposed to open- lake structures. There were consultations with the U.S. Army Corps of Engineers, ODNR, and other groups with relevant experience.

The final design calls for the placement of approximately 14,000 tons of stone along the west toe of the high bridge approaches. This fill will extend up to El. 582.0 ft. which is 8.6 ft above the Ordinary High-Water Level which is defined by the CoE to be El 573.4 ft. The El 582 ft also happens to be approximately the elevation of the roadway in the flat sections of the causeway.

Given these parameters, the estimated cost of this project is \$1.5 million. Given the approximately 300 property owners as defined in the Operating Agreement, this results in a cost of \$5,000 per owner.

The RC would like to see this work performed starting in late summer of 2023. This would avoid the spawning season as defined by the ODNR. The request for proposals would need to go out in February 2023, given the time required for contractors to prepare their bids, the time the RC needs to evaluate the bids and award the contract, and the time required by the winning contractor to arrange for materials and equipment and plan the work.

Note that financing needs to be in place before proposals are requested. Contractors will not invest the time and money to bid a project of this size with uncertain funding.

These plans will be reviewed in more detail in two all- island meetings being planned for the next several weeks. Emails and newsletters will keep residents informed about these meetings.

The last item of business was Mike Kelty presenting the transfer of ownership of island roads and the causeway from JIIG to the RC.

JIIG was established by a group of island residents 16 years ago to purchase the assets of the bankrupt island developer. Their primary intent was to prevent approximately 50 acres in the center areas of the island from being developed. However, the purchase included other assets, including platted lots, Baycliffs Common Properties and the roads and causeway. JIIG has sold platted lots and conveyed Common Properties to Baycliffs Home Owners Association. The center- island properties are now a conservation easement owned by Western Reserve Conservancy. This designation guarantees that these fifty acres will remain as they are and never be developed. With the creation of the conservation easement, JIIG had met its primary objective and turned its efforts to closing the Corporation. This required transfer of ownership of the Island roads and causeway to another entity. Considerable efforts were directed to transferring the roads and causeway to the Village, Township, or County; however, these efforts have failed.

The Operating Agreement which defines the responsibilities of the RC was part of the Settlement of a lawsuit between JIPOA and BHOA. This settlement anticipated that JIIG may want to transfer ownership of the roads. As such, the transfer ownership to the RC is not precluded under the Operating Agreement.

JIIG, working with outside counsel along with Bob Tucker developed the “Assignment of Interests In Operating Agreement” agreement to transfer ownership of the roads and causeway from JIIG to the RC. Final drafts of Agreement have been reviewed and approved by the RC,

JIPOA, BHOA and non-member owners. Steve Ott, an attorney with BHOA who has considerable knowledge of the Operating Agreement also approved the Agreement. Since the RC is chartered to maintain the roads, this transfer will result in no change in our regular operations.

The first requirement was that the RC authorize one person to sign the agreement. Joe moved to nominate Rick Schulz. Dave seconded this motion. **The motion passed 7-0.**

The second requirement was that the RC formally accept the assignment. A motion to accept was made by Dave. Bob seconded this motion. **The motion passed 7-0.**

At this point, Dave Klugman submitted his resignation from the RC.

JIG is named in the operating agreement as one of 4 Constituent Groups, each of which have representation on the RC. Dave has been the JIG representative since the RC was formed 16 years ago. With JIG no longer having interests in the Operating Agreement it has ceased being a Constituent Group. As such, JIG no longer has representative on the RC.

There being no further business, we moved to end the meeting. All agreed.

Respectfully,
Glenn Beachy
Secretary, JIRC

Attachments:

Visitor Roster
Gate Receipts spreadsheet

Regular Mtg 8/13

Visitors Present

| Name | Phone # |
|---------------------------|--------------|
| Rick Koharik | 440-520-6000 |
| Frank Lovell | 440/781-6659 |
| Michael Meskos | 440-864-6686 |
| Thomas Mitchell | 440-225-4104 |
| Karyn Kovach | 419.215.7847 |
| DAVE REED | 734-652-4900 |
| PAUL PRESTEL | 248.804.5224 |
| Bob Tucker | 216 496 6562 |
| Gary Zolshch | 216 389 6127 |
| Bob & Cindy Ross | 419 508 3191 |
| Kevin + Christine Johnson | 614-286-0157 |
| Shawn Breslin | 216-496-8008 |
| Tony Dosen Jr | 216-374-5210 |
| DENNIS NOTEK | 937-620-7859 |
| PATTY GOUKER | 440-537-8975 |
| DALE & MARION HARWOOD | 449 635 6906 |
| AL MAZZEO | 216-402-7591 |
| Bill Umlauf | 419-798-8812 |
| ED CAREY | 614-888-2744 |
| Ken Noritz | 419-541-4170 |