

March 27, 2019

The Roscommon County Board of Commissioner's met on Wednesday, March 27, 2019 for a Regular Meeting. The meeting was held at the Roscommon County Building, 500 Lake Street, Roscommon, MI 48653. Chairman Robert E. Schneider called the meeting to order at 10:00 a.m.

The Pledge of Allegiance of the United States of America was recited.

Present: Schneider, Milburn, Muckenthaler, Russo, Melvin

Absent: None

Motion by Milburn, Seconded by Russo, to approve the Board Agenda. On Roll Call: Ayes: Muckenthaler, Milburn, Schneider, Russo, Melvin. Nays: None. Motion Carried.

Public Comment: County residents shared opinions on the resolution to petition change to lake level control structures and legal levels. Herbert Weatherly, representative with the Higgins Lake Property Owners Association, views comparison of Roscommon County to other counties as impractical since we have such large lakes and many home owners who do not permanently reside here. Mr. Weatherly feels it will be difficult to obtain the necessary 2/3 owner signatures. Tom Hankinson questioned why a subject of this importance to so many lake owners would be on the Board's current agenda instead of waiting until August when many more area residents and lake front property owners would be here. Eric Ostergren stated how he is not in support of the resolution, however, he encouraged the Board to vote today so the record will clearly show where they each stand on the matter. Mr. Ostergren feels the Board has ignored the 2010 Spicer Group recommendations. Mr. Ostergren said the 34th Circuit Court order is what the Commissioners need to follow. Bob Frye, Chairman of the Higgins Lake Land Conservancy, stated his disapproval of the resolution and explained how 2/3 consensus is unrealistic. He feels a better way to move forward with this matter is to get more public input and participation.

Administrator/Controller's Report: Administrator/Controller Jodi Valentino was busy following up on many calls and emails regarding today's lake level resolution. The wage analysis information has been passed onto the consultant. The wage analysis consultant will be meeting with department heads and elected official to complete the analysis. Findings are to be presented in June. Treasurer Ragan and Valentino updated the Board on the Tax Foreclosure lawsuit. An approximate \$3,903,000 has been paid out to the townships. A full 2018 financial report will be presented to the Board at the next meeting. Jim Anderson is looking to complete our 2018 audit in May. A meeting with the Chief Judge, Prosecutor, and Court Administration concluded with MIDC adjustments needing to take place, especially in the area of arraignment representation. A meeting took place with DHHS Director Kara Mularz to review and discuss discontinued financial contributions to the DHHS Advisory Board.

Correspondence: Cheboygan County Board of Commissioners

Monthly Department Reports: Gypsy Moth, Economic Development Committee Corp.

Visitors: Chairman Schneider introduced RCTA Director Steve Dubois to the Board.

Unfinished Business/New Business: None

Motions and Resolutions:

1. Motion by Russo, Seconded by Muckenthaler, to appoint Richard Shutter to the Roscommon County Jury Board for a six (6) year term to expire April 30, 2025.

On Roll Call: Ayes: Russo, Schneider, Melvin, Muckenthaler, Milburn. Nays: None. Motion Carried.

2. Motion by Russo, Seconded by Milburn, to appoint Ken Elmore to the Roscommon County Jury Board for a six (6) year term to expire April 30, 2025.

On Roll Call: Ayes: Russo, Schneider, Melvin, Muckenthaler, Milburn. Nays: None. Motion Carried.

3. Motion by Melvin, Seconded by Milburn, to appoint Carolyn Pietchak to the Roscommon County Jury Board for a six (6) year term to expire April 30, 2025.

On Roll Call: Ayes: Russo, Schneider, Melvin, Muckenthaler, Milburn. Nays: None. Motion Carried.

4. Motion by Melvin, Seconded by Muckenthaler, to adopt the 'Paid Medical Leave' policy effective March 27, 2019. (see attached)

On Roll Call: Ayes: Russo, Schneider, Melvin, Muckenthaler, Milburn. Nays: None. Motion Carried.

5. Motion by Milburn, to table vote to adopt the "Requirements to Petition Change to Lake Level Control Structures and Legal Levels Resolution" - motion failed due to lack of support.
6. Motion by Melvin, Seconded by Russo, to adopt the "Requirements to Petition Change to Lake Level Control Structures and Legal Levels Resolution" as amended:

**REQUIREMENTS TO PETITION CHANGE TO LAKE LEVEL CONTROL STRUCTURES
AND LEGAL LEVELS RESOLUTION**

WHEREAS, as outlined under Part 307, Inland Lake Levels, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended (the Act), lake levels were established for Higgins Lake, Houghton Lake and Lake St. Helen to protect public health, welfare, and safety and for the conservation of natural resources; and

WHEREAS, the Roscommon County Board of Commissioners, as required by the Act, is the delegated authority of the county in regard to lake level and lake level control structure change(s); and

WHEREAS, MCL 324.30702 et seq. provides that the County Board of Commissioners in which an inland lake is located may, upon the board's own motion, or shall within 45 days following receipt of a petition to the board of 2/3 of the owners of lands abutting the inland lake, initiate action to take the necessary steps to cause to be determined the normal level of the inland lake; and

WHEREAS, the Roscommon County Board of Commissioners believes that lake usage and home values will be best represented by obtaining a majority opinion of those land owners outlined in the Act as being needed to petition for legal lake levels; and

WHEREAS, MCL 324.30703 further provides that the County Board of Commissioners may require a cash payment from the petitioners sufficient to cover the actual preliminary study costs or \$10,000.00, whichever is less.

NOW, THEREFORE BE IT RESOLVED, that the Roscommon County Board of Commissioners shall require a petition of two-thirds of the owners of land abutting the lake prior to considering any public requests to initiate any change(s) to the existing lake level control structures and/or legal lake levels of Higgins Lake, Houghton Lake, and Lake St. Helen.

BE IT FURTHER RESOLVED, that before a preliminary study is conducted, the Roscommon County Board of Commissioners will require a cash payment from the petitioners sufficient to cover the actual preliminary study costs or \$10,000.00, whichever is less.

On Roll Call: Ayes: Russo, Schneider, Muckenthaler, Melvin. Nays: Milburn. Resolution Adopted.

Committee Reports:

Russo: Agenda, took several calls from concerned citizens regarding the lake level resolution.

Muckenthaler: Collaborative Board

Milburn: VA, U.S. Representative John Moolenaar visited local veterans and handed out well-deserved awards.

Melvin: Agenda, VA phone meetings, aided some veterans with their needs.

Schneider: MAC meeting was this week, matters here took precedence and he missed the 3 day conference.

Public Comment: None

Motion by Milburn, Second by Russo to adjourn meeting. All Ayes. Motion Carried.

Meeting adjourned at 10:52 a.m.

Robert E. Schneider
Chairman

Michelle M. Stevenson
County Clerk/Reg. Of Deeds