

May 10, 2023

The Roscommon County Board of Commissioner's met on Wednesday, May 10, 2023, for a Regular Meeting. The hybrid meeting was held at the Roscommon County Municipal Building, 500 Lake Street, Roscommon, MI 48653 and was accessible online via Zoom. Chair David Russo called the meeting to order at 10:00 a.m.

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

Present: David Russo, Eric Ostergren, Rex Wolfsen, Marc J. Milburn, Darlene Sensor

Absent: None

Chair Russo removed motions 1-4 from the agenda.

Motion by Milburn, Second by Russo to approve the Board Agenda.

On Roll Call: Ayes: Ostergren, Milburn, Wolfsen, Russo, Sensor. Nays: None. Motion Carried.

Motion by Wolfsen, Second by Russo to approve the minutes for 4/26/2023 Regular Meeting and 4/26/2023 Budget and Finance Meeting.

On Roll Call: Ayes: Russo, Ostergren, Wolfsen, Milburn, Sensor. Nays: None. Motion Carried.

Motion by Milburn, Second by Wolfsen to approve Class A bills in the amount of \$677,804.35.

On Roll Call: Ayes: Russo, Ostergren, Wolfsen, Milburn, Sensor. Nays: None. Motion Carried.

Motion by Russo, Second by Sensor to approve Claims & Accounts in the amount of \$115,518.77.

On Roll Call: Ayes: Russo, Ostergren, Wolfsen, Milburn, Sensor. Nays: None. Motion Carried.

Public Comment: Eric Waters spoke re: Camp Grayling Expansion; Greg Semack spoke re: SAD; Frances Fitzgerald spoke re: SAD, transparency, 2022 Budget; Melanie Brown spoke re: SAD and Higgins Lake matters; Bob Frye spoke re: land conservancy and SAD; Fred Swinehart spoke re: HLPOA, SAD, survey; Charlene Cornell spoke re: HLPOA and Higgins Lake matters.

Administrator/Controller's Report: Lawsuit updates: Kurich v Roscommon County Treasurer – Sixth Circuit Court of Appeals vacated the class certification under Fox v Isabella County, which would have granted Plaintiff's the right to use the Fox case against all counties. The critical question regarding the measure of compensation when relief is sought under the Federal Fifth Amendment remains. CHLL v Roscommon County – Motion for early scheduling which should serve as status conference is scheduled for July 20, 2023 at 2:25pm. Opioid Suit – Awaiting final payout instructions. Special Assessment Projects updates: Houghton Lake – Our municipal finance advisor, Bendzinski and Co., notified that there has been an offer made to sell our 1.5-million-dollar bond. An informational meeting will be set up with Bendzinski and Co. Since the 34th Circuit Court approved the Lake Level Control Structure Special Assessment

boundaries, and after the bond process, the project to repair the structure can proceed. Higgins Lake – Presentations are scheduled for May 17, 2023, for 4pm at Gerrish Township and 7pm at Lyon township. Beaver Creek Township has their presentation scheduled tonight, May 10, 2023 at 6pm. Boundaries have been established for the district and are online. Lake St. Helen – Boundaries for district are almost complete, with questionable properties being reviewed deed by deed. Meeting to present to Richfield Township Board is scheduled for June 20, 2023 at 6pm. Lake Levels: Lake St. Helen – at 6.73 with all boards removed and gate open. Higgins Lake – at 5.52 with all gates opened to 20% and will need to open gates to lower the level. Houghton Lake – at 8.78 with boards removed and gates open. Legislative Update: A large packet of bills regarding Juvenile Justice is headed to the Senate for approval. Some of these would make positive changes, and some would impact our Child Care Fund budget. A/C Valentino informs that the audit is in full swing. Gypsy Moth spray notifications were mailed and the Specialist is monitoring hatch, growth, and weather conditions for optimal spray. The Sheriff's department Marine Patrol was denied a Federal Grant, but was awarded a \$37,500 state grant. They also received a grant of approximately \$8,000 for ORV patrol. These will allow for targeted patrol. A/C Valentino is working with the airport to obtain \$32,000 in available ARP airport funds. She is researching grants for hazardous material collection. She and Lt. Beck completed a new application for finances for housing of federal inmates. The NMRMA annual insurance renewal resulted in an increase of roughly 10%, and takes effect July 1, 2023. There is a continuation of several personnel issues and correspondence with the labor attorney. Administrator/Controller Valentino is continuing discussion and planning for a potential four county juvenile detention center for Crawford, Alpena, Gladwin and Roscommon with an ideal location determined to be northern Roscommon or southern Crawford County.

Correspondence:

- A. Michigan Association of Counties – 04/21/2023 Legislative Update
- B. Alcona County – Resolution #2023-11
- C. Ontonagon County – Resolution #2023-09
- D. Email received 04/24/2023 Subject: SAD District (with pics)
- E. Email received 04/25/2023 Subject: NO TO SAD!!!
- F. Email received 04/26/2023 Subject: Higgins level (with pics)
- G. Livingston County – Resolution #2023-04-063
- H. EGLE Public Notice HPN-WXPX-D6TTS (with Map) received 04/26/2023
- I. MSU Extension – 05/01/2023 Report to Our Partners
- J. Veterans Affairs Volunteer Arletha (Ginger) Major – 05/12/2023 Resignation letter
- K. Alger County – Resolution #2023-06
- L. Alger County – Resolutions #2023-07, #2023-08 and #2023-09

Monthly Department Reports:

- A. Roscommon County Jail – February and March 2023 Revenues
- B. Roscommon County Sheriff Dept. April 2023 Activity Report
- C. Northern Lakes Community Mental Health Authority – FY2022 Financial Audit Report
- D. Roscommon County Animal Shelter and Animal Control – April 2023 Stats

Visitors: None

Unfinished Business/New Business

- A. June 14, 2023 Veterans Event – Commissioner Marc Milburn informed the Board of a Suicide Awareness flag ceremony to be held at the county building on June 14, 2023 at 1:00 p.m.

- B. Commissioner Ostergren presented additional comments regarding the Special Assessment District.

Motions/Resolutions:

1. Motion by Wolfsen, Second by Russo to halt all activities and expenditures regarding the development of the Special Assessment District on Higgins Lake as resolved on December 21, 2022, until current litigation is completed, public meetings are held and alternative methodologies for financing the management and operations of the Higgins Lake Level Control Structure are investigated.

On Roll Call: Ayes: Ostergren, Milburn. Nays: Sensor, Russo, Wolfsen Motion Failed.

2. Motion by Milburn, Second by Wolfsen to adopt the following Tentative Plan of Action:

Tentative Plan of Action – Lake Level Management – Higgins – Houghton – Lake St. Helen

1. Ongoing action – Special Assessment District (SAD) development – All three lakes.
2. During SAD development – Delegated Authority (DA) search and hire.
3. During SAD development – If temporary fixes are needed on any of the lakes before SAD's are completed, the Board of Commissioners will request Lake Level Control Structure (LLCS) modifications with EGLE in writing and request permit changes.
4. As each SAD is formed, the new DA will take over operation, maintenance and oversight of any construction of the Lake Level Control Structures.
5. Financial/Administrative oversight of the Lake Level Control Structures is to be performed by the County Controller/Administrator and will report monthly (2nd meeting) to the Board of Commissioners on progress.
6. Oversight of the Delegated Authority and County Controller will be retained by the County Board of Commissioners.
7. An operation and maintenance plan shall be drafted for each lake, by the DA, with input from the Board of Commissioners, EGLE and the DNR.
8. Houghton Lake SAD is completed, so a new DA should be hired immediately.
9. Engineers shall be hired after SAD's are brought on line and work with the new DA to implement new LLCS's.
10. Board of Commissioners will hire an Engineering Firm and recommendations will be sought with input from the new DA.
11. Implement Engineering Firm's recommendations with EGLE input.

12. The end goal of this plan is to shift responsibility of the Lake Level Control Structures to the new DA for ongoing operation and management. and to have the new DA form a board with a Roscommon County Commissioner, and representatives of each respective SAD, for input on maintenance and operation.

On Roll Call: Ayes: Russo, Ostergren, Wolfsen, Milburn, Sensor. Nays: None Motion Carried

Committee Reports:

Russo: No Report

Ostergren: No Report

Wolfsen: No Report

Milburn: EDC, Airport

Sensor: No Report

Public Comment: None

Motion by Milburn, Second by Russo to adjourn meeting. All Ayes. Motion Carried.
Meeting adjourned at 11:14 a.m.

David Russo, Chair

Michelle M. Stevenson, County Clerk/Register of Deeds