

The **regular meeting** of the Alcona County Board of Commissioners was held in the County Building in the City of Harrisville, Michigan, on Wednesday, **November 2, 2016** at 10:00 A.M.

The meeting was called to order at 10:00 a.m. by Chairman Boyat. The Pledge of Allegiance was given.

Commissioners present: Craig Johnston, Kathy Vichunas, Carolyn Brummund, Sheila Phillips and Kevin Boyat. Absent: None. Also present: Patricia Truman, County Clerk and Sheila Scott, Deputy County Treasurer

APPROVAL OF MINUTES

Motion by Phillips, seconded by Brummund to approve the minutes from the October 19, 2016 regular meeting, with the correction ...to not allow Junior Fair Board members to vote on Fair Board issues, and to approve the October 25, 2015 special meeting.

MOTION CARRIED

PUBLIC COMMENT:

Patty Thomas requested that the board agenda be emailed prior to the meeting to put on the local radio station.

PRESENTATIONS:

Kelley Hiemstra, Phil Durst and Les Thomas, from MSUE, presented an annual report on the programs in which Alcona county residents participated.

NEW BUSINESS:

Motion by Johnson, seconded by Phillips, to approve pre-authorized claims and open claims presented for payment between 10/19/2016 to 11/1/2016, for check numbers 127987 to 128126 in the amount of \$137,091.19 and E-check numbers 521 to 527 in the amount of \$144,877.13 for a grand total of \$281,968.32. Roll Call: Yes- Vichunas, Johnston, Brummund, Phillips and Boyat. No-None. MOTION CARRIED 5-0

Motion by Johnson, seconded by Brummund to approve placement of a sign on the ARA property, by the Lions Club, subject to review of a pictorial image of the sign.

MOTION CARRIED

Motion by Brummund, seconded by Phillips to approve Huron Engineering and Surveying for engineering services for the Cedar Lake level control structure as recommended by the Alcona County Department of Public Works.

Roll Call: Yes- Vichunas, Johnston, Brummund, Phillips and Boyat. No-None.

MOTION CARRIED 5-0

Motion by Brummund, seconded by Phillips to adopt Resolution #2016-07 regarding Cedar Lake Level:

**RESOLUTION OF THE ALCONA COUNTY BOARD OF COMMISSIONERS
CEDAR LAKE LEVEL**

#2016-07

WHEREAS, a lake level for Cedar Lake located in Greenbush Township, Alcona County and Oscoda Township, Iosco County, was established under the Inland Lake Level Act, formerly Act 194 of 1939, on March 16, 1954, at 608.5 feet above sea level; and

WHEREAS, based on a review of the records, no special assessment district boundaries were established as provided in Part 307 of the Natural Resources and Environmental Protection Act, Act 451, Public Acts of Michigan of 1994, as amended ("Part 307"), specifically MCL 324.30704; and

WHEREAS, there is no record of a delegated authority specifically appointed for the lake level under Part 307, however the Board wishes to designate the Drain Commission as delegated authority under Part 307 in coordination with the delegated authority appointed by the Iosco County Board of Commissioners; and

WHEREAS, a 2013 Dam Inspection Report for Cedar Lake Dam ("Inspection Report") prepared by Huron Engineering and Surveying recommended improvements to be performed to allow for the continuing maintenance of the established lake level ("Project"); and

WHEREAS, the Project will include the construction of up to two new culverts and up to two new spillways or dams, and work on the control structure in support of these installations; and

WHEREAS, the Iosco County Drain Commission has agreed to allow the use of the Iosco County Drain Revolving Fund to pay for preliminary costs related to these proceedings in an amount not to exceed \$12,000, with any Revolving Funds used being replenished through special assessments after the special assessment district is established, and that if no special assessment district is established, that Iosco County and Alcona County shall fully replenish the Revolving Fund for the costs incurred by each reimbursing the Revolving Fund for 50% of such costs; and

WHEREAS, Iosco County and Alcona County have agreed to contribute \$6,500 each in addition to the funds to be contributed from the Iosco County Drain Revolving Fund for preliminary costs related to these proceedings such that a total of no more than \$25,000 will be available for such preliminary costs, and that their respective contributions shall be reimbursed through special assessments after the special assessment district is established, but that if no special assessment district is established that their respective contributions shall not be reimbursed; and

WHEREAS, the Iosco County Board of Commissioners deems it expedient to confirm the current lake level and establish a special assessment district pursuant to Part 307.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board directs the Alcona County Drain Commission to serve as delegated authority for Cedar Lake for purposes of Part 307, and shall perform all duties in coordination with the delegated authority appointed for Cedar Lake under Part 307 by the Iosco County Board of Commissioners.
2. The Board directs the Drain Commission to retain an engineer to prepare plans for the proposed Project and to provide recommendations for the boundaries of the special assessment district for Cedar Lake consistent with Part 307.

3. The Board directs the Drain Commission to retain legal counsel to institute proceedings in the Alcona County Circuit Court to confirm the established inland lake level at 608.5 feet above sea level, and to establish and confirm special assessment district boundaries for the established lake level of Cedar Lake, and all costs to do so shall be borne by the special assessment district.
4. The Board of Commissioners does hereby determine that the whole cost of the Project, and the costs to confirm the established lake level as established by the court, and to establish and confirm special assessment district boundaries for the lake level for Cedar Lake shall be defrayed by special assessments against privately owned parcels of land, that are benefited by the project in accordance with procedures set forth in part 307.
5. Preliminary costs not to exceed \$25,000.00 are approved and shall be paid as follows: (a) by the Iosco County Drain Revolving Fund ("Revolving Fund") in an amount not to exceed \$12,000.00, provided that any Revolving funds used shall be replenished through special assessments after special assessment districts are established, and if no special assessment districts are established, that Iosco County and Alcona County shall fully and equally replenish the Revolving Fund for the costs incurred by the Revolving Fund; and (b) by a direct contribution from Iosco County and Alcona County, each, in an amount not to exceed \$6,500.00 to be repaid through special assessments after the special assessment districts are established, but that if no special assessment districts are established, their respective counties shall absorb those costs, not to exceed \$6,500.00.
6. After the confirmation of the established lake level and the establishment of the special assessment district for Cedar Lake, the Iosco Drain Commissioner and the Alcona County Drain Commission, as delegated authorities, shall jointly cause a computation of cost of the Project and a special assessment roll consistent with the requirements of Part 307 to be prepared.
7. All resolutions and parts of resolutions insofar as the same may be in conflict herewith are hereby rescinded.

On roll call the commissioners answered as follows:

Ayes: Johnston, Brummund, Phillips and Boyat.

Nays: Vichunas

MOTION CARRIED 4-1

Motion by Brummund, seconded by Phillips to adopt the Proclamation recognizing Dave Morey's contribution to the people of Alcona County (see attached).

Roll Call: Yes- Vichunas, Johnston, Brummund, Phillips and Boyat. No-None.

MOTION CARRIED 5-0

Motion by Brummund, seconded by Phillips to appoint Jim Dorr to the Housing Commission board to fill the unexpired term ending December 31, 2018.

MOTION CARRIED

Motion by Phillips, seconded by Brummund to adopt Resolution #2016-08 "Oak Wilt" as presented.

**Oak Wilt Resolution
#2016-08**

Whereas, Alcona County's trees, woodlots, landscapes, greenbelts, natural areas and right-of-ways, represent a valuable and precious asset necessary to preserve; and

Whereas, various oak (*Quercus*) species comprise a significant component of this natural and rural forest environment, in some locations as much as 80-90% of the dominate tree species; and

Whereas, Alcona County is concerned a deadly disease known as oak wilt caused by the fungus *Ceratocystis fagacearum* is a threat to the county's oak population. Improper tree trimming/removal practices may result in the establishment of oak wilt disease epicenters, which may lead to increased disease activity with devastating aesthetic and economic losses. It is therefore both advisable and prudent to attempt to prevent and control oak wilt.

Whereas, responsibility for oaks in the resolution will reside with the property owner (s).

Whereas, in right-of-way situations the responsibility will reside with the Alcona County Road Commission.

Whereas, in utility easement locations it shall be the responsibility of the utility company to schedule trimming between October 16th and March 31st.

Therefore be it Resolved, that the Alcona County Board of Commissioners is in support of the use of "best management practices" as explained in Michigan State University Extension Bulletin E-3169, "Oak Wilt in Michigan's Forest Resource" published April 2012.

Be it Further Resolved that copies of this resolution shall be forwarded to our State Legislators, Local Units of Government, Consumers Energy, Alpena Power, the Alcona County Road Commission and Alcona Conservation District.

Roll Call: Yes- Vichunas, Johnston, Brummund, Phillips and Boyat. No-None.
MOTION CARRIED 5-0

Chairman Boyat reported on the Parks & Rec meeting and the committee recommended that for the safety of individuals using the ARA property that hunting not be allowed on the property.

Motion by Phillips, seconded by Brummund to not allow hunting on the ARA property and that the property be posted "No Hunting Allowed" and a notice be put in the local paper.
MOTION CARRIED

Motion by Phillips, seconded by Brummund to advertise for the part-time position at the MSU office.
MOTION CARRIED

Chairman Boyat reported that a special meeting will be held on December 14, 2016 at 1:00 p.m. to meet with John Ax regarding bonding for the MERS liability. A special meeting was set for Friday, November 4, 2016 to work on the 2017 budget.

Commissioners gave brief reports on the committee meetings that they recently attended.

Commissioner Phillips reported that the EDC received a bill for dues from the Chamber along with a slate of candidates for their board.

Motion by Brummund, seconded by Johnston to cast a ballot in support of the candidates listed.
MOTION CARRIED

Commissioner Brummund reported that Homeland Security Region 3 awarded a grant for 70,000 for the 911 phone system and that Robert Osterman has resigned as the electrical inspector.

Meeting adjourned at 11:35 a.m.

Clerk

Chairman