

**Emmet County
TRANSPORTATION COMMITTEE MEETING
Board of Commissioners' Room, County Building
Monday, August 11, 2008**

Present: Tom Shier, Chairman; Les Atchison; Tom Foltz; Kelley Atkins; Recording Secretary Vickie Carpentier

Absent:

Guest: Kathy Abbott, Civil Counsel; Kelley Atkins, Director Transportation and Development; Emmet County Road Commission Representatives; Citizens of Emmet County

Call to order:

The meeting was called to order at 11:04 a.m. by Chairman Shier in the Board of Commissioners' Room.

Minutes:

Review of the minutes of the June 10, 2008 meeting was postponed.

ORV Legislation:

Shier read Section (A) "History," from Attachment "1" Transportation Committee Meeting: Discussion of HB 4323 Regarding ORV/ATV's (copy attached). Emmet County has supported current legislation, but they have not adopted an ordinance,

Shier advised the purpose of the meeting was to have open discussion, both pros and cons regarding the current legislation.

Civil Counsel Kathy Abbott provided some history and background information and stated the purpose was to collect information. She has been in contact with the MDNR to determine if there are any designated routes or trails in Emmet County, and if so where they are located. She has received communications from the Prosecutor and Sheriff indicating their concern that allowing ORVs on the road would create adverse traffic safety. The Emmet County Road Commission had also advised her of concerns.

Atchison stated he had the same feelings he had two years ago. He has some safety and ecological concerns but he wanted to hear from the Road Commission and Sheriff and citizens.

Brian Gutowski, Emmet County Road Commission, has reservations about the law. They contacted their attorney for an opinion and had been advised the law was poorly written, and ORV riders would have to be on the road - not on the shoulder. They were also concerned with the young age allowed for riders. Should the County and Townships adopt an ordinance, the Road Commission could exempt 30% of the roads.

Shier opened the floor for comments.

Doug Boyd expressed concern with 12 year olds driving ORVs on the road.

Sheriff Wallin commented that there maybe some roads that would be ok but most County roads are not designed or built for that type of use.

Gorden Kruski expressed the need for new trails and the business they would produce in the area. He also commented about snowmobilers using the shoulder of the road and the fatalities due to parked vehicles on the shoulder. It was his feeling this would be a safety concern.

Tim Haynes was concerned with the law. It was his feeling that ATV owners should be included in the discussion. He would like the Committee to invite owners and users, the public and the MDNR to come and participate in the discussion.

Maddie Heinz stated she is an ATV owner, and that you can buy a permit in Emmet County but you have to go elsewhere to ride.

Todd Swanson advised he is a snowmobiler and ORV owner. It was his feeling the law was poorly written and the issues need to be addressed.

Little Traverse Township Supervisor Bill Dohm stated he was reluctant for the Township to allow ORVs on the paved portion of the road. He also expressed concern with having a 12 year old driving an ORV on the road.

Shier recapped the concerns expressed by the citizens present as: safety, environmental issues, lack of designated trails in the area, allowing drivers 16 years old and younger to operate a vehicle without a license, the legislation was poorly written. Also noted was a potential benefit that could be had by allowing the operation of ORVs on County roads and trails.

Foltz voiced his concern with traffic and traffic speed.

Bonnie Boyd stated she didn't want to be on the road with an ORV. She has ATVs and would like to have established trails / roads for ORVs to use.

Shier advised Emmet County does not have any established trails so there is no place for ATVs to go. So, why open the roads up for their use.

Bonnie Boyd would like to see trails made for ORV use, or allow ORVs to be used on seasonal roads.

Sheriff Wallin advised that, typically, it was his office that had responsibility for training, and that available training funds were based on the miles of trail available in the County,

Civil Counsel Abbott stated the Board of Commissioners can only adapt an ordinance the legislature has given them the authority to enact.

Little Traverse Township Supervisor Bill Dohm expressed concerns with what roads may be opened for use or if all County roads would be open.

Brian Gutowski, Emmet County Road Commission, advised the County Road Commission can adopt one or more roads.

Shier thanked everyone in attendance for participating in the process. He acknowledged that there were a lot of good comments both pro and con and that there was a lot to consider.

Other business:

None.

There being no further business the meeting was adjourned at 11:30 a.m.

Minutes approved: 06-24-2009