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Hawks, Michigan
Chairman

THOMAS CATALANO
Rogers City, Michigan
Vice-Chairman

RONALD BISCHER
Onaway, Michigan
Member

Presque Isle County Road Commission

657 S. Bradley Hwy.
Rogers City, Michigan 49779
(989) 734-2216 Fax (989) 734-2349

ERIC ROSE
Onaway, Michigan
Superintendent/Manager

GERALD SMIGELSKI
Posen, Michigan
Clerk

September 1, 2004

Ogemaw ORV Committee
P.O. Box 27
Rose City, Michigan 48654

RE: ORV County Ordinance

Dear ORV Committee:

In 1986 the Presque Isle County Board of Commissioners realized the economic benefit to our communities of encouraging ORV riders to visit our county. In 1987 they adopted an ordinance that allows ORV's to operate on the shoulder, or on the right-of-way, but not on the roadway, of all **county** roads, forest roads and forest trails in Presque Isle County.

The Presque Isle County Road Commission has not experienced damage to county roads from ORV use and the Road Commission Board supports the ORV ordinance.

Sincerely,

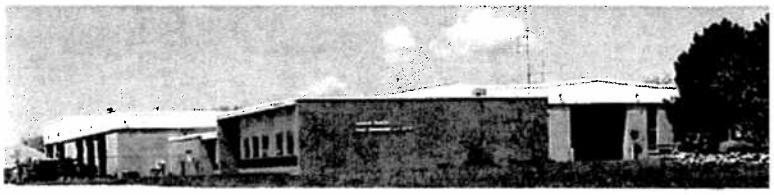
Eric Rose

Eric Rose
Superintendent/Manager

Enc.

Ogemaw County Road

1250 South M-33
P.O. Box 157
West Branch, Michigan 48661
Phone (989) 345-0234
Fax (989) 345-2337
Web www.OgemawCRC.org Email OCRC@OgemawCRC.org



Commission & Board of Public Works

February 22, 2007

TO: Governor Jennifer Granholm
Senator Tony Stamas
Representative Joel Sheltrown
Director Rebecca Humphries, MDNR

Per direction of the Ogemaw County Road Commissioners at their meeting on February 20, 2007, I am forwarding a resolution approved by board action on that date.

RESOLUTION OF SUPPORT FOR ORV LEGISLATION

WHEREAS, District 103 State Representative Joel Sheltrown is proposing legislation clarifying counties authority to permit the operation of ORVs/ATVs on county road shoulders; and

WHEREAS, providing for standardized regulations regarding their operation and creating a penalty-funded revenue source for enforcement and remediation activities; and

WHEREAS, the Ogemaw County Board of Commissioners deemed it in the best interest of tourism and trade to adopt an ORV ordinance on November 24, 2004; and

WHEREAS, the Ogemaw County Board of Road Commissioners have not seen an increase of damage to road shoulders, roadways, or right-of-ways resulting from ORV use permitted by the ordinance; and

NOW, THEREFORE, BE IT RESOLVED, the Ogemaw County Board of Road Commissioners support and endorse this ORV legislation and it's intent.

Motion was made by Sheltrown and seconded by Williams to support the resolution by the following vote. Ayes: Williams, Muzik, Sheltrown Nays: None

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I, Doreen Sutherlund, Board Clerk for the Ogemaw County Road Commission, do hereby certify that the attached resolution and/or motion was adopted by the Board of County Road Commissioners on February 20, 2007 and appears on record in the Road Commission office, and that I have compared the same with the original, and that it is a true transcript therefrom and of the whole thereof.

Doreen Sutherlund

Doreen Sutherlund
Board Clerk
Ogemaw County Road Commission

ENGINEER-MANAGER
Michael P. Schultz, P.E.

CHAIRMAN
William Muzik

COMMISSIONER
Van Sheltrown

COMMISSIONER
Mark Williams

Phone (989) 785-3334
or 785-3744
FAX: (989) 785-2218

Montmorency County Road Commission

11445 M-32
Atlanta, Michigan 49709

Alonzo Weaver
Chairman
Merril Walker
Vice-Chairman
Joseph R. LaFleche
Member
Joel Kim Bleech
Secretary-Manager
Ted Orm
Superintendent

July 15, 2004

Ogemaw ORV Economic Development Committede
P.O. Box 27
Rose City, MI 48654

Gentlemen:

In May of 1988, the Montmorency County Board was given approval by then Governor James J. Blanchard authorizing an ordinance to allow Off-Road Recreational Vehicles to operate on the shoulder or right-of-way on Montmorency County roads.

The road commission has experienced minimal problems regarding this ordinance. It was our opinion that by allowing ORV's on all county road shoulders and ROW's they were spread out over the entire county instead of concentrated in just a few areas. We have found that this has worked well in Montmorency County.

Very truly yours,

MONTMORENCY COUNTY ROAD COMMISSION

Joel Kim Bleech

Joel Kim Bleech
Secretary-Manager

JKB/sw

Ronald J Karr, Sher
David T Benac, Undersheri

MONTMORENCY COUNTY SHERIFF'S OFFICE

11045 M-32, * Atlanta, Michigan 49709 * Telephone (989) 785-4238 * Fax (989) 785-4471

July 13, 2004

~~Rose City/Lupton Area Chamber of Commerce~~
Attn: Kendall Paulson
P.O. Box 27
Rose City, MI 48654

The Montmorency County Sheriff's Office has found the ORV ordinance to be a benefit to the small communities in our county.

The ORV ordinance was implemented to provide access from one trail to another and also access to and from our local businesses; motels, gas stations, hardware & grocery stores, etc. Which has proven to be successful.

We have not had any major issues with the ATV/ORV's and our law enforcement. We provide miles of orv trails and feel it has benefited our communities with this local ordinance.

I wish you the best of luck with the economic growth in your community. If you should have any questions or would like to discuss this, please feel free to call me.

Sincerely,

Ronald J Karr

Ronald J. Karr, Sheriff

RK/db

OGEMAW COUNTY BOARD OF COMMISSIONERS
COUNTY BUILDING · COMMISSIONERS ROOM
806 W. HOUGHTON
WEST BRANCH, MICHIGAN 48661

RESOLUTION of SUPPORT FOR ORV LEGISLATION

WHEREAS, District 103 State Representative Joel Sheltrown is proposing legislation clarifying counties authority to permit the operation of ORVs/ATVs on county road shoulders; and

WHEREAS, providing for standardized regulations regarding their operation and creating a penalty-funded revenue source for enforcement and remediation activities; and

WHEREAS, the Ogemaw County Board of Commissioners deemed it in the best interest of tourism and trade to adopt an ORV ordinance on November 24, 2004; and

WHEREAS, the Ogemaw County Board of Commissioners recognize the economic benefits, as well as, ORVs have proven to be a convenient and safe form of travel with minimal law enforcement issues since its conception; and

NOW, THEREFORE, BE IT RESOLVED, the Ogemaw County Board of Commissioners fully support and endorse this ORV legislation and it's intent.

CLAIM: *Many county roads are not capable or not designed for ORV traffic.*

RESPONSE: Drivers in rural northern Michigan anticipate different traffic situations than in the more developed southern part of the state. A wide range of mixed traffic is a fact of life for northern Michigan drivers including snowmobiles, Amish buggies, lines of touring bicycles, people on horseback, deer & groups of wild turkeys. Nearly 20 counties in northern Michigan already have ORVs operating legally on county road shoulders.

CLAIM: *County road commissions, not county boards of commissioners should have the authority to open county roads to ORVs.*

RESPONSE: County commissions, not county road commissions, have taken action to open county roads to ORVs in most counties with an ordinance already enacted. County commissioners are more inclined to take a holistic view on this issue including benefits to the local economy, environmental impact, public safety, etc. than road commissioners whose position is focused on a narrower range of issues. In addition, the majority of road commissions in Michigan are appointed, not elected. County commissioners, representing individual districts for two year terms, are more accountable to the electorate. This is similar to the difference between state transportation policy being made by the Legislature versus the State Transportation Commission. The bill gives a road commission the ability to close up to 30% of county roads following the adoption of a county ordinance.

CLAIM: *The bill would result in greater liability for county road commissions.*

RESPONSE: The bill actually limits liability to a greater extent than what exists in current law to reflect recent court decisions.

CLAIM: *The bill would let kids as young as 10 ride ORVs unsupervised down county roads.*

RESPONSE: The bill would prohibit anyone under 18 from riding an ORV on a county road unless they had a valid driver's license or were under the direct supervision of a parent or guardian. The bill is being amended to require anyone under 18 and without a driver's license to have proof of completion of ORV Safety Training.

CLAIM: *Enforcement will become a major problem.*

RESPONSE: Enforcement is already a problem and is a primary reason the bill was created. By creating and standardizing regulations across counties and providing a fine-financed country ORV fund with 50% of the revenue being used for enforcement (the other 50% goes to the county road commission) enforcement tools are provided that do not exist currently.

CLAIM: *ORVs on county road shoulders are causing large scale environmental damage and accidents.*

RESPONSE: While any human use of land will cause some impact and accidents do occur, the associated costs of opening county roads to ORVs has been minimal in counties with existing ordinances. No county has repealed a local ordinance after opening its county road shoulders to ORVs. The increase in ORV related accidents is not as steep as the increase in ORV ownership thanks to safer vehicles today (4-wheelers vs. 3-wheelers) and ORV Safety Training now being provided by many county Sheriff's departments.