

Marine patrol on local lakes up to homeowners this summer

by Brooke Meier

May 26, 2010

Due to budget constraints and a slow economy, Oakland County municipalities abundant with lakes will have to either rely on their own police or fire personnel to conduct lake patrols this year, have no lake patrols at all, or contract with the Oakland County Sheriff's Department for marine patrols at the rate of \$32 an hour.

The practice of keeping Oakland County Sheriff's Department Marine Division patrol boats on more than two dozen county lakes was ended after the 2009 boating season, because the money simply isn't there to continue the practice.

"We cut \$13.3 million out of our budget and eliminated 127 deputy positions," said Undersheriff Mike McCabe. "The bottom line is, the sheriff (Mike Bouchard) made the decision to make cuts. We've eliminated a helicopter and two pilots, we've eliminated bed capacity in the corrections system, we've eliminated investigators — we've cut \$13.3 million out of our budget, and you don't do that without making cuts to services."

McCabe said the department takes the money it gets from the state and has to divide it among the many services it provides.

"Marine patrols won't be completely eliminated, but we are going to operate a bit differently — like most other sheriff's offices in the state do — with what the state gives us."

According to McCabe, what Oakland County receives back from the state in boat registration fees paid by county boat owners is a small portion of what is sent to the state.

"Oakland County gets the short end of the stick on marine safety funds from the state," he said. "We have the most registered boats in the state and we get back about 25 cents to the dollar on what we send to the state. The problem is the state Department of Natural Resources and Environment (DNRE) has no set formula on how they dole this money out. They just get to decide, and there is no rhyme or reason to it."

Oakland County Commissioner Shelley Goodman Taub (R-Orchard Lake, West Bloomfield) said Oakland County has 450 lakes and approximately 90,000 registered boats — more than any other county in the state. In previous years, the county has spent \$1.2 million to \$1.4 million on Marine Division patrols on various county lakes.

"It's our contention that we are doing the vast majority of the work, but the DNRE is disproportionately taking the amount of law enforcement dollars meant for the sheriff's department," McCabe said. "We are going to do our best to get it changed. It's another example of sending our money off to Lansing and not getting back, at least a fair portion, of what we send up there."

State Rep. Eileen Kowall (R-Highland, White Lake) introduced legislation in late April in an effort to bolster funding for county sheriff's department marine patrols during summer months — legislation that, if passed, would greatly help Oakland County, according to McCabe.

In late March, Taub, along with Oakland County Commissioner John A. Scott (R-Waterford, West Bloomfield), held a forum for officials and riparians in communities surrounding Cass Lake to discuss alternatives to the county Marine Division's traditional lake patrols. The communities of Keego Harbor, Waterford, West Bloomfield and Orchard Lake Village surround Cass Lake.

"We just don't have that money anymore, and we can only support a dive/rescue team," Taub said of the Marine Division. "I suggested that each of the police department representatives for the four communities take back the information from the forum to their communities and decide whether they want to contract with the county for marine patrols, or pursue a different option."

None of the communities had requested marine patrols for Cass Lake prior to press time, according to Taub.

"I only know that Keego Harbor will have an officer from their department patrolling their shoreline — that's it. It's sad that

the other communities haven't contracted with the county or arranged for their own patrols — especially with Memorial Day Weekend this weekend. Unfortunately, I think it's going to take an accident or event to wake people up and make them realize how important and essential patrols are to keeping people safe on the lakes."

At its height, the Marine Division and its Water Rescue Unit was equipped with 27 boats, two jump boats, a hovercraft, four all-terrain vehicles and four snowmobiles for use by full- and part-time deputies.

In 2009, the Marine Division kept patrol boats on the following Oakland County lakes for regular patrols during the boating season:

- Cass Lake in Waterford and West Bloomfield townships, Keego Harbor and Orchard Lake Village;
- North and South Commerce lakes in Commerce Township;
- Duck Lake in Highland Township;
- Elizabeth Lake in Waterford Township;
- Loon Lake in Waterford Township;
- Lower Straits Lake in Commerce Township;
- Maceday Lake in Waterford Township;
- Middle Straits Lake in Commerce and West Bloomfield townships;
- Lake Oakland in Waterford and Independence townships;
- Orchard Lake in Orchard Lake Village;
- Pine Lake in West Bloomfield Township;
- Pontiac Lake in Waterford and White Lake townships;
- Lake Sherwood in Commerce Township;
- Sylvan Lake in Sylvan Lake, Pontiac and Waterford Township;
- Union Lake in Commerce and West Bloomfield townships;
- Walled Lake in Walled Lake and Novi;
- Walnut Lake in West Bloomfield Township;
- Watkins Lake in Waterford Township;
- White Lake in White Lake and Highland townships;
- Williams Lake in Waterford Township; and
- Long Lake in Commerce and White Lake townships.

If municipalities don't act, there will be no marine patrols of any kind on these lakes during 2010.

The Marine Division is offering to patrol lakes in Oakland County, including those listed above, for \$32 an hour. That price would include one deputy and a boat.

For Cass Lake, if the Marine Division were to patrol for the same number of hours it has during past summers, the total cost for 2010 patrols would be approximately \$36,000.

West Bloomfield Township officials had discussed contracting with the county; however, those plans were set aside when issues surrounding liability were brought before the township board. The Oakland County Board of Commissioners has approved a marine patrol contract with West Bloomfield, but that contract has not been signed by township officials.

Supervisor Michele Economou Ureste said she and representatives of some township lakes that want marine patrols, along with representatives of the sheriff's department, were going to meet earlier this week and discuss details to see if they could hammer out an agreement suitable to all parties involved.

In Walled Lake, the City Council has voted to have marine patrols on Walled Lake on holidays and weekends between Memorial Day and Labor Day.

"Walled Lake is the jewel of the city and a lot of people are concerned since there will no longer be sheriff patrols on the lake," said Mayor Pro Tem Linda Ackley. "We want to make sure it's safe for everyone involved."

A city marine officer will patrol the lake between noon and 8 p.m. on weekends and holidays, including Memorial Day, Labor Day, and the Fourth of July. The city of Novi, situated along the southern shore of the lake, isn't doling out any money toward marine patrols.

After finishing union negotiations, the city's marine officer was contracted to be paid \$22 per hour.

The Walled Lake City Council voted to adopt a marine and water safety ordinance on May 18, to align with state regulations and to ensure all citation fees are paid directly to the city.

"We're putting into local ordinance some of the state laws on marine safety so the city can issue a ticket, and the fine fee will come to the city and not the state," said Walled Lake Mayor William Roberts.

The ordinance includes two general features. First, it adopts and incorporates certain provisions of the state marine safety statute regulating boater safety and establishing boater traffic and operation requirements. Secondly, it establishes limited general health, safety and welfare requirements applicable to certain activities and marine structures such as docks and mooring posts.

Moreover, in an effort to avoid potential conflicts with state law, the ordinance adopts and incorporates by reference, definitions of terms set forth in the state's Marine Safety Act and Inland Lakes and Streams Act.

At press time, three lakes area municipalities had officially contracted with the Marine Division for 2010 lake patrols. The first is the village of Wolverine Lake, where the Marine Division has been contracted to patrol Wolverine Lake. The second is Commerce Township, where deputies will patrol Lower Straits Lake. The third is the city of Orchard Lake, where deputies will patrol Orchard Lake.

Municipalities or riparians can pay for the Marine Division contracts however they chose, McCabe said, whether through special assessments or budget appropriations.

"These are contracts with the municipalities," he said. "When you have a lake with multiple jurisdictions like Cass Lake, we would probably contract with one of those municipalities."

The Marine Division will keep two jump boats on hand and transition from its previous proactive patrol status to a more reactive status.

"We will go when we get calls and the jumps boats will respond," McCabe said. "We will have no other dedicated patrols other than on the lakes that will contract with us. We will only have a couple of jump boats out to respond to the entire county. The response time is going to be longer, and there are going to be waits — there's no doubt about it."

Wixom, Milford Township and Milford Village officials state they haven't received any requests from area riparians for marine patrols this summer.

In Waterford, Clerk Betty Fortino said the township board hasn't discussed the issue yet. Supervisor Carl Solden said no one has requested a contract with the county.

"It's up to the lake owners to request a contract, and we haven't had that yet," he said. "All of our lakes have public access and need the attention of a marine patrol — it's just hard to justify paying what they're asking. The state needs to step up to

the plate and fund the department for patrols."

Fortino agreed.

"I can't believe they've stopped patrolling the lakes," she said. "When they did patrol, they were undermanned as it was. It's incredible."

In Commerce Township, where Lower Straits Lake riparians have contracted with the county for Marine Division patrols this summer, Supervisor Tom Zoner said the township will continue to oversee the contract between the Marine Division and property owners, but the township will not help pay for lake patrols. Groups of property owners seeking marine patrols this summer will be treated like the owners of property in a special assessment district (SAD).

The village of Wolverine Lake will pay the county Marine Division to patrol Wolverine Lake on weekends and holidays between Memorial Day and Labor Day.

"We haven't specified the hours yet, but they'll more than likely be similar to last year's," said Village Council President John Magee.

Last summer the village specifically trained and designated a Wolverine Lake police officer to monitor activity on the lake at a rate of \$22 per hour. Oakland County charges \$32 an hour for marine patrols.

"When we calculated the costs of the officer and the equipment, Oakland County's rate was less than ours," Magee said. "One problem is the (village) police boat engine needs replacement. We're looking for ways to save while providing the same level of service."

In Highland Township, Supervisor Triscia Pilchowski said the White Lake Citizens League has requested that the township look into contracting with Oakland County for patrols on White Lake, with costs divvied up among riparians through the White Lake Improvement Board.

"White Lake has public access, so they have been the only ones to approach us so far," she said. "Other lakes, like Duck Lake, have had patrols in the past, but don't have public access. From what I've heard, Duck Lake riparians and others on private lakes in the township want to see how this season goes without patrols and then assess whether they are necessary for the future."

White Lake Township Supervisor Mike Kowall said representatives of Pontiac Lake riparians came to the township late last week asking for more information on contracting with the Marine Division.

"They expressed an interest in contracting with the county, so we are waiting for more details and a contract from Oakland County, then we'll move from there," he said. "I anticipate that as the season goes on, there will be more lakes requesting patrols."

The Marine Division's 12-member dive/rescue team will be unaffected by budget cuts and will operate as it has in past years, according to McCabe. The Marine Division will also continue to train and educate students in boater, snowmobile and hunter safety classes.

In 2009, several communities throughout Oakland County began to acquire or had already acquired patrol boats or jump boats of their own in preparation for the sheriff's department being unable to patrol lakes this year.

Communities like West Bloomfield have jump boats used by public safety officers in the event of an emergency, but don't patrol the lakes.

In 2008, The Tri-City Fire Commission — representing Keego Harbor, Sylvan Lake, and Orchard Lake Village, which contract with West Bloomfield for fire services — voted to acquire a Seawolf Survivor 1300 rescue boat, after an incident in which two wayward canoers fell into freshly thawed but still chilly waters of Sylvan Lake and needed help.

In addition, the DNRE has some conservation officers available to patrol lakes, when requested, at no charge.

"Our DNRE conservation officers do a lot of marine patrols," said Lt. David Malloch, a conservation officer with the Southeast Michigan DNRE Office in Southfield. "Last year on Oakland County lakes, our officers patrolled over 1,000 hours. We do conduct marine patrols."

Malloch said conservation officers look at a number of factors when trying to determine which Oakland County lakes to patrol.

"We look at population and lake usage," he said. "Some of the patrols are complaint-driven, high-peak areas."

Different lakes have different peak use levels, according to Malloch. He said some lakes are used more by anglers, and others are used more by recreational boaters.

"We want to look at past history of usage and complaints," he said.

The DNRE conservation officers use boats equipped with radar and GPS units when patrolling lakes. On the larger vessels that work the Great Lakes, mapping units are also available.

Lake associations or municipalities can call the DNRE's Southeast Michigan Office to request a DNRE patrol for a busy weekend like the Fourth of July or Memorial Day weekends.

Despite the lack of Oakland County Marine Division patrols this year, Malloch said the DNRE hasn't noticed an increase in requests for conservation officer patrols.

"With the county sheriff's department not having a marine patrol, obviously more marine-related complaints will come to us and it will keep us busier; but as far as requests, they haven't really increased," he said.

To contact the DNRE to request marine patrols, call 248-359-9040.

For more information on contracting with the Oakland County Sheriff's Department for marine patrols, call the department's non-emergency number at 248-858-4911.

Staff writers Lisa Brody, Michael Shelton, and Leslie Shepard-Owsley contributed to this report.