

## *Buildings, Lands & Infrastructure Committee*

*Ed Boettcher*

*Chuck Johnson, Chairman*

*Bryan Smith*

### **Minutes October 4, 2016**

Members: Chuck Johnson, Bryan Smith  
Members absent: Ed Boettcher  
Others: Pete Garwood, Janet Koch, Sheryl Guy

**1. The meeting was called to order at 9:00 a.m. by Chairman Chuck Johnson.**

**2. Public Comment**

None.

**3. Building Department Update**

Mark Haynes, Building Official, had included a written update in the agenda packets. Mr. Haynes said August had been a busy month. He anticipated an increase in commercial applications.

Pete Garwood, County Administrator, asked how the plumbing inspections were working with an outside contractor. Mr. Haynes said there had been minimal difficulties and expected to be able to continue using contracted plumbing inspection services through 2017. He added that the new project of East Jordan Iron Works (EJ) could alter that situation.

**4. Soil Erosion Control (SEC) Update**

Heidi Shaffer, Soil Erosion Control Officer, had included an update with the agenda packets; permit numbers were up. She told the Committee that the Antrim Conservation District (ACD) was working on a one-year plan and a strategic plan that was in line with the County's Master Plan.

Ms. Shaffer said she was working with Three Lakes Association regarding Golden Brown algae. She also said she was meeting with a Michigan Department of Environmental Quality representative regarding the DEQ's enforcement efforts.

**5. Forestry Update**

Mike Meriwether, County Forester, did not attend the meeting.

**6. Trust Fund Grant Application**

Janet Koch, Association Planner, said the application was for the parcel discussed as a trust fund application by Mr. Meriwether approximately a year earlier. She noted it had been brought to her attention that Mr. Meriwether owned an 80-acre parcel in close proximity to the property that is being considered for purchase. It was not known whether an appraisal for the property had been completed. As the trust fund application would not be due until April 1, 2017, the Committee asked to have the item placed on the November agenda.

**7. Forestry Grant Award Proposal**

Mr. Garwood said Mr. Meriwether was proposing a community grant program using monies from the Forestry Fund #230. The consensus of the committee was that the program was positive idea, but the first step was the legality of the proposed program had to be established.

**8. Parks Update**

Eileen Wallick, Parks Manager, distributed copies of her update (**see attached pgs. 6-7**). She noted the difficulties the staff was having in cleaning the Elk Rapids Day Park picnic tables after art in the park projects. Mr. Garwood advised Ms. Wallick to tell the art groups to have them completely cover the tables with plastic or to bring in their own tables.

Ms. Wallick noted that the campground's electric fees would be going up and requested that the Committee recommend that the campground fees also be increased. The update she'd distributed included rates in other comparable campgrounds.

**Motion by Bryan Smith, seconded by Chuck Johnson, to recommend that the Barnes Park camping fees be increased in 2017 by \$2, to \$30 for electric sites and \$26 for rustic sites. Motion carried – unanimous.**

Ms. Wallick distributed a quote from Great Lakes Striping and Sealing for making repairs to the asphalt at the campground and pictures of damaged areas (**see attached pgs. 8-12**). The Committee asked if the quote included subbase gravel. Ms. Wallick said she would find out; #3 & #8 to be done in 2016 if possible.

Mr. Garwood said the project needed to follow the County's purchasing and bidding policy. Mr. Johnson said he would talk to the Antrim County Road Commission about the snowplowing practices at the campground.

**9. Barnes Park Camping Refund Request**

Ms. Wallick said she had talked to different campgrounds in the region; some had problems with the spotted Mediterranean cockroaches and some did not. She said the manager of the Platte River National Forest told her that problems with the roaches are now a reality of camping.

She had been told by a pest control company that it had been a bad year for bugs. Ms. Koch said since the two complaints in early September, no one else had contacted the Administration office regarding the wood roaches. Mr. Garwood recommended that flyers be put up at the bathhouses noting that "Insects are part of the camping experience," and to include photos of the various insects.

The Committee chose not to recommend any action regarding the refund request.

**10. Operator of Dams Update**

Mark Stone, Operator of Dams, said the 100-year anniversary event at the Elk Rapids Hydro Dam had been well-received; an extensive article had appeared in the Elk Rapids News. Mr. Stone discussed upcoming State of Michigan legislation regarding hydro dam. Language allowing an exemption from state statues to allow municipalities have an easement for utilities leading from a hydro dam instead of owning the property was discussed. A possible fee for drafting that language was mentioned.

The Committee indicated their interest in the concept and asked that Mr. Stone appear at the October 13 Board of Commissioners meeting to answer any questions the Board might have about moving forward.

Mr. Stone updated the Committee on the painting project at the Elk Rapids Hydro Dam. He said specifications were being drawn up and hoped they would be finalized by the end of November.

Mr. Stone showed pictures of the new Birch Lake culvert (**see attached pg. 13**). With the new culvert in place, the expectation is that Birch Lake will be less prone to flooding. Mr. Stone commended the Antrim County Road Commission on their handling of the project.

**11. Grass River Natural Area (GRNA) Update**

Haley Breniser, Executive Director of GRNA, said the Grass River Natural Area Field Guide was available for sale at \$16.96 with tax. She told the Committee that the new GRNA signage project was underway. She expected the project to be completed within the next few weeks.

**12. GRNA Dock/Boardwalk Removal Update**

After the July 14, 2016 Board of Commissioner approval to remove the dock and boardwalk on the Grass River, Ms. Breniser had begun work on the project. Since that time, the owner of the property to the east contacted the County and presented a registered Grant of Easement. The easement is across the County-owned property and expires on December 31, 2031.

**Motion by Bryan Smith, seconded by Chuck Johnson, to recommend the Board of Commissioners rescind their July 14, 2016 motion regarding removal of the boardwalk and dock on parcel 05-04-006-039-10 and to authorize the removal of invasive species at the Grass River Natural Area,” and to recommend the Board of Commissioners approve a motion to authorize the removal of invasive species at Grass River Natural Area, with the work to be completed by the SEEDS Youth Corps, at the cost of \$2,500.00 to be paid from the Grass River Natural Area Fund #223. Motion carried.**

**13. New Easement Request**

Ms. Koch said that Don and Michelle Jump had stopped at the Administration Office recently and asked about getting permission for a sewer easement across County property, which would allow them to build on their property adjacent to the Grass River. Ms. Koch told the Committee she'd also received an email from Ms. Jump the previous Friday stating that she and her husband had received permission to use an unused drain field. Although the drain field was constructed with permission of the property owner at the time, the property on which the drain field is located is now owned by the County. This likely means that the easement request to the County would be for a 10' strip to carry the sewer line from the Jump's property to the drain field with inclusion of the actual drain field.

Ms. Koch said she'd talked to Casey Clement, sanitarian for the Health Department of Northwest Michigan. Ms. Clement said the Jumps could potentially use the existing drain field, but the Health Dept. would require engineering drawings and soil borings would need to be performed before approval could be issued. Ms. Koch told the Committee that the Jump's property is currently unbuildable without an offsite sanitary system.

Due to the above situation, at this point the Jump's actual request is unknown. They would like, however, an indication from the County that obtaining an easement would be possible before they incur substantial building costs.

Ms. Koch said she has consulted with Theresa Kent, County Abstractor, and had learned that the easement encumbering the County-owned property had been put in place previous to the County's ownership of the property.

It was noted that the following motion had been unanimously approved at the November 13, 1997 Board of Commissioner's meeting: "That no easement shall be granted across County property, unless there is a direct benefit to the County of Antrim as determined by the Parks and Lands Committee of the Board of Commissioners." The Committee discussed how granting the request could be a direct benefit to the County.

The Jumps provided the Committee with additional documentation regarding their request (**see attached pgs. 14-15**).

Ms. Breniser raised the question of the parcel being purchased with a trust fund grant and asked if the trust fund allowed an easement to be placed on property purchased with trust fund monies. Staff was directed to look into the issue.

It was the consensus of the Committee the request deserved additional investigation. The Administration Department will bring what information they have to the October 13 Board of Commissioner meeting.

#### **14. Maintenance Update**

Dave Vitale, Maintenance Director, informed the Committee about various maintenance issues and necessary repairs. The boiler installation was complete and the State inspections had passed, but the invoice was being held back for payment until the contractor could satisfy the State regarding the permitting process.

#### **15. Nifty Thrifty Lease**

Ms. Koch distributed copies of the lease, which had not been included in the agenda packets. She said civil counsel's review had not been received. Julie Palka, Nifty Thrifty employee, said the Nifty Thrifty Shop's 501(c)(3) application had not been submitted to the IRS; she said the organization had been waiting for a lease agreement before applying. The Committee discussed options regarding the lease, including terms and the payment of utilities.

The Administration Department was directed to contact civil counsel regarding the County signing a lease with Nifty Thrifty Shop, as a dba and a nonprofit corporation with the ability to obtain general liability insurance, and to bring that information to the Board meeting of October 13, 2016.

#### **16. Snowplow Bid**

**Motion by Chuck Johnson, seconded by Bryan Smith, to recommend the Board of Commissioners authorize the Chairman to sign the two-year snowplowing contract with Bert's Excavating at an annual cost of \$19,300. Motion carried.**

#### **17. Various Matters**

##### **Department of Health and Human Services (DHHS) Lease**

Mr. Garwood distributed copies of the letter he would be sending to the DHHS regarding the current status of their lease with the County (**see attached pgs. 16-17**) and reviewed it with the Committee. Mr. Smith asked about the worst case scenario if the replacement space language remained the same and replacement space was needed.

Mr. Garwood said he would provide motions for the Board of Commissioners regarding action on the DHHS lease.

Antrim Creek Natural Area

Ms. Koch said the Michigan Department of Environmental Quality permit for the modification to the boat landing project (the addition of 6" of gravel underneath the concrete slabs) had been obtained, but the approval from the Army Corps of Engineers was still pending.

Lake Level Benchmarks

Scott Papineau, County Surveyor, and the surveyor who was working on installing the lake level benchmarks told the Administration Department that he expected the project to be completed in the next week or two. Most of the data had been collected and a report will be submitted when the project is complete.

Health Department

Ms. Koch said the Administration Department had received an email from Richard Prince of Prince-Lund Engineering in Traverse City that contained a series of documents regarding a mound system plan review in Torch Lake Township. No action had been requested.

Mic Fees

Ms. Koch gave the Committee a quick summary regarding the back log of 800MHZ mic fees, for which the State of Michigan is requiring payment, and said the topic would be discussed in full at the Finance Committee of October 10.

**18. Public Comment**

None.

The meeting was adjourned at 1:15 p.m.

October 2, 2016

We have been washing, sanding varnishing and replacing boards on the tables in both Barnes and Elk Rapids.

Cut trees on the trails in the park.

Called for Quotes for 14,800 septic pumped called 9/26/2016

E.H. Niepoth 533-8118 talked to them and would get back

C&K Inc -587-9822 Nick called -\$4,000

GMoser's Septic – 264-8838-\$2,280

The electric bill will be going up and the rates should go up also. The rates were \$25 Electric & \$21 Rustic for 6 years from 2007 to 2012. Then in 2013 the rates went up \$1 -\$26 Electric & \$22 Rustic for 3 years. In 2016 the rates went up \$2 - \$28 Electric & \$24 Rustic. The camping fee has been increased a total of \$3 in 10 years. An increase of \$2 now would be - \$30 for Electric & \$26 for Rustic this increase is needed to pay for electric upgrade, repairs in the park and wages to get employees for next year.

Chain-O-Lakes - \$38 – 50 amp. - \$32 – 30 amp.

Petoskey State Park - 231-347-2311 - \$33, \$31 (20/30A), \$22/\$20 (off-season)

Young State Park - Phone 231-582-7523 - \$33 , \$31 (20/30A), \$22/\$20 (off-season)

BARNES RECEIPTS 2016

TICKET #	TICKET AMOUNT	RESERVATIONS	SHOWERS COLLECTION	PAVILIONS RENT	DUMP STATION	FIRE-WOOD	ICE	CLOTHING SALES	COKE	TOTAL
06/30/16	26544	11,988.00	14,556.00	0.00	200.00	0.00	0.00	0.00	0.00	26,744.00
07/15/16	4120	3,822.00	298.00	140.00	300.00	250.00	54.00	0.00	0.00	4,864.00
08/30/16	22800	21,754.00	1,046.00	136.00	150.00	160.00	78.00	169.00	0.00	23,493.00
09/15/16	24617	24,617.00	0.00	433.00	0.00	290.00	348.00	198.00	0.00	25,886.00
09/30/16	34136	33,202.00	934.00	700.00	150.00	140.00	327.00	358.00	145.00	35,956.00
09/15/16	27426	27,426.00	0.00	0.00	300.00	215.00	377.00	219.00	0.00	28,537.00
09/30/16	26914	26,038.00	876.00	780.00	400.00	400.00	231.00	0.00	0.00	28,725.00
09/15/16	12500	12,500.00	0.00	0.00	0.00	0.00	150.00	289.00	0.00	12,939.00
09/30/16	6902	6,902.00	0.00	188.00	0.00	95.00	0.00	84.00	0.00	7,269.00
10/20/16	516	516.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	516.00
YEAR TOTAL		168,765.00	17,710.00	2,377.00	1,200.00	300.00	1,565.00	1,317.00	145.00	194,929.00
		total camping	186,475.00							194,929.00

RATES ELECTRIC: \$28	5,893
NON ELECTRIC: \$24	650
PAVILIONS: \$50.	6,543
FIREWOOD: cost \$3 sell for \$5.00 park= \$2	
DUMP STATION :\$15 / XXL- \$20	
ICE cost 1.35 sell for \$3.00/ Park \$1.65	
COKE sell \$1.00	
INCOME ahead 2009	63,194.00
INCOME ahead 2010	58,417.00
INCOME ahead 2011	53,745.00
INCOME ahead 2012	54,071.00
INCOME ahead 2013	45,242.65
INCOME ahead 2014	44,810.00
INCOME ahead 2015	16,766.25
Occupancy Electric	
Occupancy Rustic	
total 2015	145.00

# Great Lakes Striping & Sealing, Inc.

P.O. Box 283  
 Traverse City, MI 49685-0283  
 Phone: (231) 946-8269  
 Fax: (231) 946-6044  
 www.greatlakesstripingandsealing.com

Billing Name: Barnes Park Campground		Date: October 3, 2016
Street: P.O. Box 504	Office: (231) 599-2712	Job Number:
City, State, Zip: Eastport, MI 49627	Cell: (231) 675-1168	E mail: barnespark@antrimcounty.org
Contact: Eileen Wallick	Fax: (231) 299-2012	

Job Location: 12298 Barnes Park Road, Eastport, MI 49627

## We hereby submit specifications and estimates for Asphalt Maintenance:

Asphalt Repair: all asphalt repairs will be a minimum thickness of 2 inches.

1.) Beach parking at O3 Bath-House -- (16x7) area with hole	112 sq ft	\$	1,344.00
2.) O3 Bath-House Parking -- (45x5) area of severely broken/missing edge Includes fixing two (2x2) small gouges on other side of speed bump and (6x2) gouge at campsite #65	245 sq ft	\$	2,940.00
3.) O3 Bath-House -- (20x4) new install of asphalt to prevent "mud puddle" from forming in front of cement pad.	80 sq ft	\$	960.00
4.) Large holes in road near Basketball court area -- (15x7) (6x2) (6x4) areas with holes	141 sq ft	\$	1,692.00
5.) New Asphalt Install at end of grass island -- (12x13) exists as low mud puddle	156 sq ft	\$	1,872.00
6.) Exit Lane near speedbump -- (19x4) (9x3) (6x2) (8x3) (2x2) (2x2) (2x2) (1x1) Areas with holes.	152 sq ft	\$	1,824.00
7.) Plow Damage in intersection just inside park -- (21x4) (34x4) (10x4) (14x6) (14x3) (2x2) (2x2) (3x3) (1x1) areas with holes	404 sq ft	\$	4,848.00
8.) New Asphalt Install at Dump Station -- (34x5) area	170 sq ft	\$	2,040.00
<b>Total square feet....</b>	<b>1,460</b>	<b>\$</b>	<b>17,520.00</b>

### Down payment is required based on the scope of work.

We hereby propose to furnish materials and labor to complete in accordance with the above specification for the sum of:

**GRAND TOTAL \$ 17,520.00**

Final payment is to be made upon completion. 24% per annum will be charged on past due invoices over 30 days.

All material is guaranteed to be as specified above. All work to be completed in a workman like manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. The owner is responsible to carry fire, tornado and other necessary insurance. Our workers are fully covered by workman's compensation insurance.

Estimator: Michael Wilson



Cell # (231) 218-6034

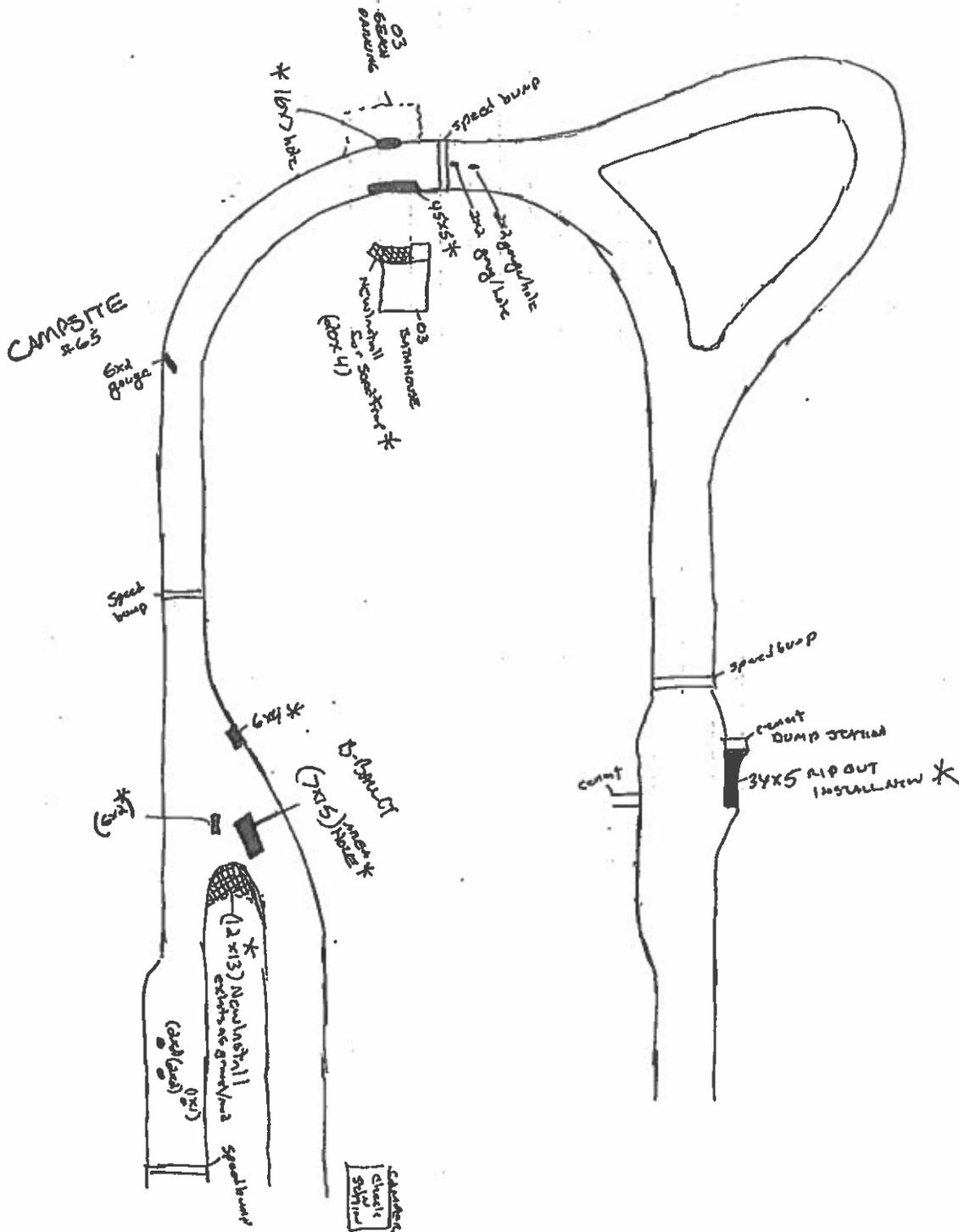
Acceptance of this Estimate - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Customer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

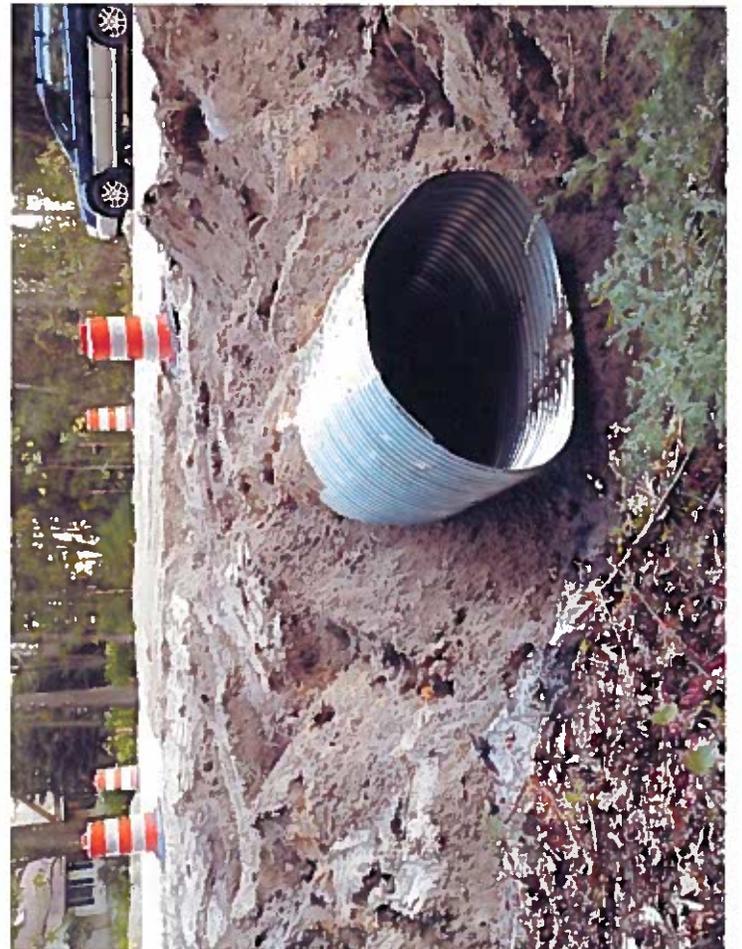
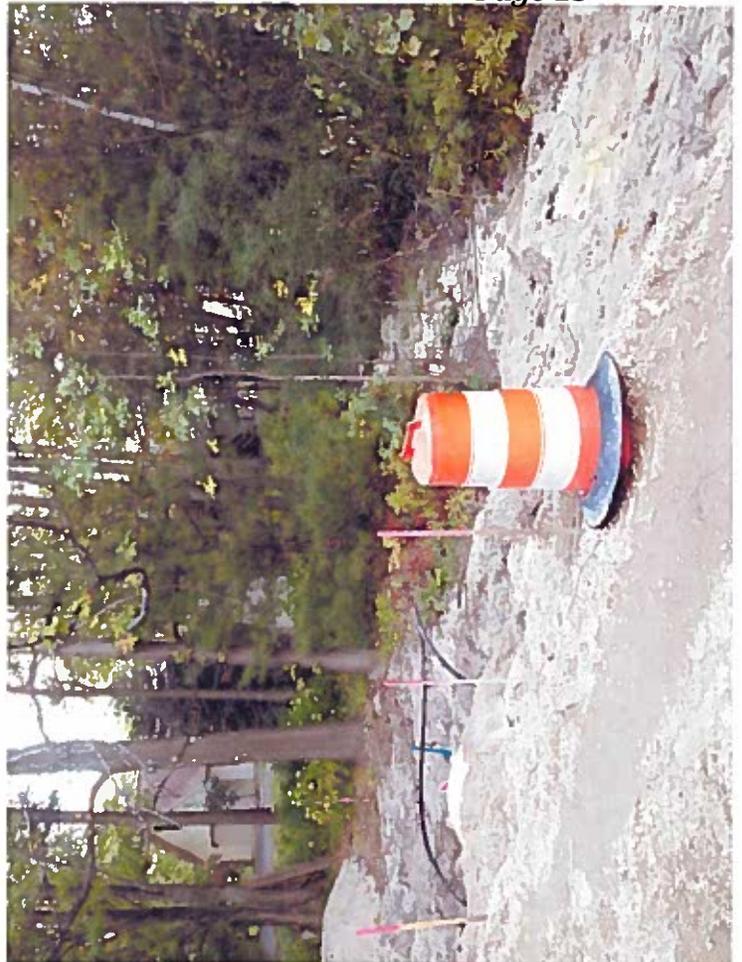


Barnes Park, EASTPORT, MI

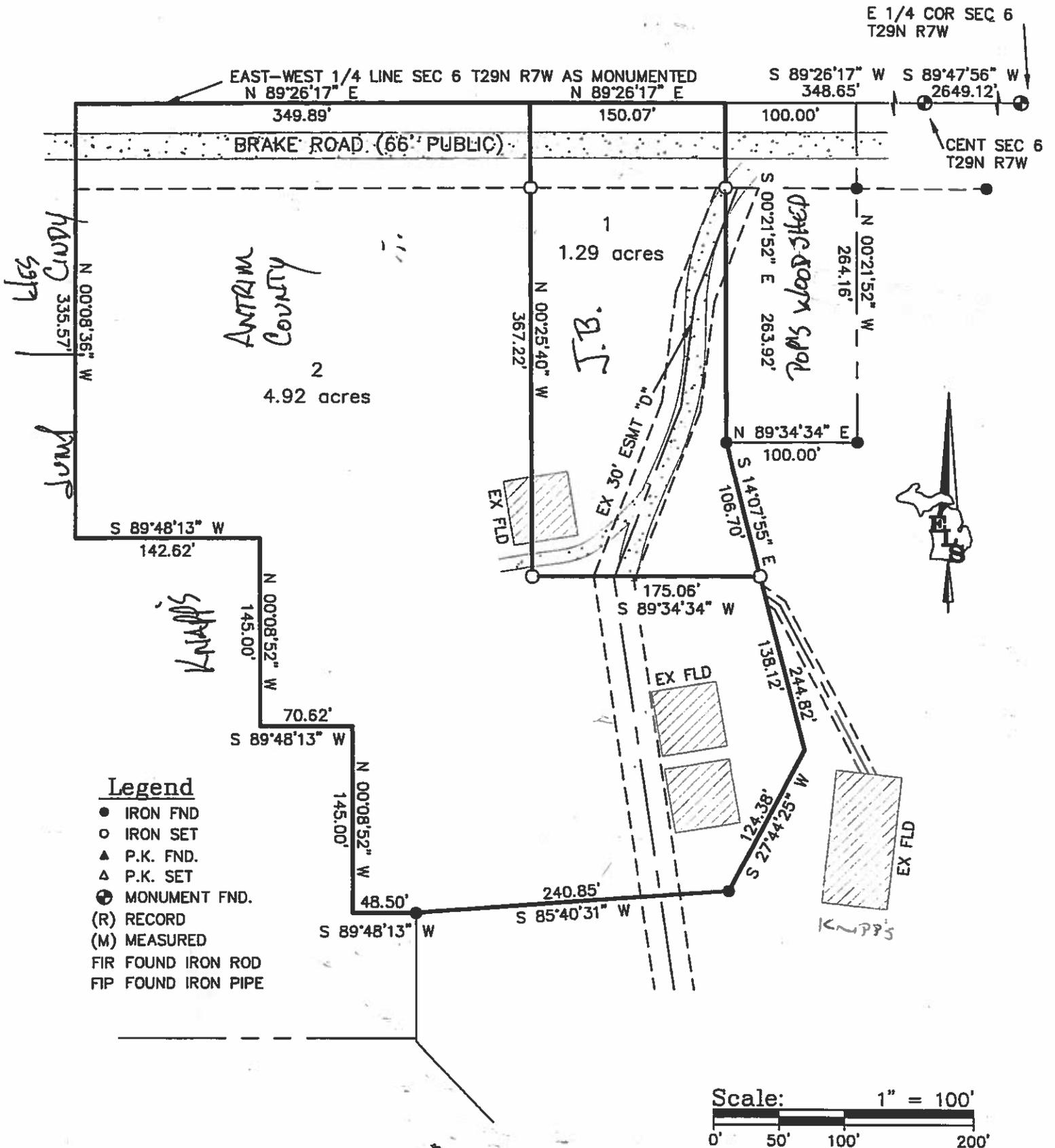








# Certificate of Survey



I, NEIL L. WAY, a Licensed Professional Surveyor in the State of Michigan, do hereby certify that I have surveyed and mapped the hereon described parcel(s) of land, that the ratio of closure of the unadjusted field observations is within the accepted limits; and that I have fully complied with the requirements of P.A. 132 of 1970, as

*Buildings, Landss & Infrastructure Committee minute attachments 10/4/16*

Michelle and Don Jump

5713 Brake Rd.  
Bellaire, MI 49615  
517.204.1887  
djump64@yahoo.com

October 2, 2016

To Whom It May Concern,

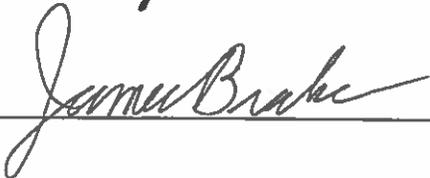
This letter is written permission for the Jumps to have access to the currently unused engineered drain field on Brake Rd. (see attached map) This engineered drain field was permitted by James Brake and is owned by Cathryn Henton, both of Brake Rd in Bellaire, Mi. Both parties agree to give access and use to the Jumps.

Signed October 2, 2016,

Cathryn Henton

  
\_\_\_\_\_

James Brake

  
\_\_\_\_\_

Jennifer,

I am back from my son's (and new daughter-in-law's) wedding and my vacation and ready work. I know I verbalized my next steps to you on September 21, 2016 in a phone conversation, but I thought it might be helpful for you to have it in writing. I will start by providing a summary of the events that led us to this point.

It is my understanding that we have agreed on everything but any changes to 2.13. Your position regarding 2.13 was summed up in the following response:

*'This is a requirement of the lease. This section cannot be modified to allow for "reasonable efforts". If anything happens to the building whereby State of Michigan employees are unable to be in possession of the Leased premises, there must be an alternative location provided so that they can continue to serve the citizens of Antrim County.*

*It is my responsibility to make sure that the State of Michigan and the citizens of Antrim County are not put in an unfavorable position. Citizens depend on the services provided by DHHS and ensuring that they continue to have access to those services is essential. '*

While I understand your position, I have relayed to you that the County cannot be put in a position, as owners of the leased space, in which it is impossible to meet the requirements of the lease in regards to the provision of replacement space in the event the County somehow loses the building or that part of the building in which the leased space is located. The current language gives the Lessee (the State) all deciding authority regarding whether or not the replacement space "...is substantially equivalent to the leased premises."

I first proposed a change as recommended by County civil counsel that the County as follows:

*2.13 - If for any reason relating to ownership of the Leased premises the Lessor is unable to lawfully put and maintain the Lessee in possession of the Leased premises as of the commencement of the term of this Lease or any proper extension thereof, the Lessor shall immediately make all reasonable efforts to secure other premises which in the Lessee's sole judgment is substantially equivalent to the Leased premises described herein, at a rental rate to the Lessee which shall not exceed the rental consideration in this Lease.*

This was rejected, so I proposed the following:

*2.13 - If for any reason relating to ownership of the Leased premises the Lessor is unable to lawfully put and maintain the Lessee in possession of the Leased premises as of the commencement of the term of this Lease or any proper extension thereof, the Lessor shall immediately secure other premises which, as agreed by both parties, ~~in the Lessee's sole judgment~~ is substantially equivalent to the Leased premises described herein, at a rental rate to the Lessee which shall not exceed the rental consideration in this Lease.*

In my response, which accompanied this language, I expressed concerned that the County could end up in the position in which no space the County proposes would be acceptable by the State regardless how nice it is. I believe I indicated that the State could require we provide the Taj Mahal and the County

would have no recourse. You took issue with that and stated, 'The language requires a space "substantially equivalent". It does not require the "Taj Mahal" or a space of better quality.'

It is your position that unless the County's proposal included specific proposed changes no other changes are allowed once the State accepted the County's proposal. Conversely, my position is that in the County's proposal we reserved the right to make changes once County Civil Counsel reviewed the lease agreement after the State's acceptance of the County's proposal.

I indicated to you that both the Chair and Vice Chair of the Antrim County Board of Commissioners believe the original language is unreasonable without some modifying language that would not put the County in, what they felt, is an unreasonable situation. I also told you I would have to take this to the full Board of Commissioners on October 13 to see if they will agree to the language as is, without any modification.

I will contact you as soon as I can after the Board meeting on the 13<sup>th</sup>. If you have any issues or questions regarding the above recounting of our discussions on this issue, please do not hesitate to contact me. Thank you.

Pete