

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Minutes

February 2, 2004

Members Present: Bernie Blackmore, Gene Dawson and Joe Allen

Members Absent: None.

Staff Present: Howard Yamaguchi, Mike Meriwether and Pete Garwood

Others Present: Russ Blasdell, Jim Ferguson, Bob Ricksgers, and Bill White

1. Meeting called to order at 9:00 a.m. by Bernie Blackmore.

2. Marcel Dijkstra

Mr. Dijkstra was not present for the meeting.

3. Conservation District Millage

Jim Ferguson, Mike Meriwether, Bob Ricksgers, and Bill White addressed the County Lands, Agriculture and Forestry (CLAF) Committee about the need for a county-wide millage to provide financial and program stability for the Antrim Conservation District (ACD). They indicated that at current levels of funding available from the state, from grants, and from the County, the array of the ACD's conservation programs, and the ability of the ACD to retain qualified staff, are jeopardized. They informed CLAF that a minimal millage, less than a tenth of a mill (0.7 to 0.8 tenths of a mill), might be needed to be considered. At this point, CLAF is not being asked to make any recommendations to the Board of Commissioners (BOC) concerning the proposed ACD millage.

Responding to questions from Joe Allen and Gene Dawson, Bob Ricksgers and Jim Ferguson noted the array of work and projects the ACD performs for the county. The list includes river restoration, soil conservation and erosion control, public access point maintenance, road crossings, county parks work and grant writing, forestry management and timber harvesting, etc. Mike Meriwether also emphasized the ACD being ideally placed to manage both parks and forestry resources for the county. Currently, the lack of a parks department infrastructure is hurting the county's ability to maintain and manage, on a continual basis, the recreational lands of the county. Gene Dawson agreed that a millage for county parkland might be an investment for the future. Jim Ferguson added that fisheries management by the county could also be an economic draw for the area. Bob Ricksgers explained some of the details in the financial handout distributed to CLAF. Bernie Blackmore encouraged the ACD to give similar presentations to the Administration and County Services Committee, and the Finance Committee, before giving a presentation to the full BOC.

4. Parks & Recreation Forum

Mike Meriwether briefed CLAF on the upcoming Parks & Recreation Forum. He noted that he and a DNR representative will be giving talks about county and state forest lands, respectively. Howard briefed CLAF on the aims of the forum, and the estimated cost (\$650). Mike suggested to CLAF that dollars from the Forestry Fund be used to finance the forum.

Motion by Joe Allen, seconded by Gene Dawson, to allocate up to \$500 from the Forestry Fund to help defray the cost of the Parks & Recreation Forum to be held on March 12 at Camp Hayo Went Ha. Motion passed – unanimous.

Bernie Blackmore instructed Mike Meriwether to check whether the funds could be spent without Finance Committee approval. If not, Mike was instructed to meet with the Finance Committee to obtain their approval.

5. Bouwens Property

Howard introduced the aerial photograph of the Bouwens' property at the southern tip of Six Mile Lake. Jim Ferguson provided some background on the property. Pete Garwood noted that he had received a call from one of the neighbors, who was concerned that Mr. Bouwens may be building something on county property. Pete noted that when Heidi Lang, Soil Erosion Officer, visited the site, she could not distinguish where Mr. Bouwens' property ended and where the county's began. Pete Garwood suggested to CLAF that the county hire a surveyor to perform a definitive survey of the property.

Bernie Blackmore suggested that Charlie Koop be requested to look into the matter, and make a recommendation to the Board of Commissioners on the next steps to take. Mike Meriwether will go and take a look at the site as well.

6. Jordan River Management Area Drilling

Howard briefed the CLAF on a letter, by the Friends of the Jordan, requesting support against the proposed oil and gas drilling operations in the management area. Pete Garwood and Bernie Blackmore discussed earlier resolutions, by the BOC, against such drilling activities.

Motion by Gene Dawson, seconded by Joe Allen, to recommend to the Board of Commissioners that the attached resolution, against drilling in the public lands within the Jordan River Management Area, be adopted. Motion passed – unanimous.

Meeting adjourned at 10:06 a.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Minutes – March 1, 2004

Members Present: Bernie Blackmore, Gene Dawson and Joe Allen
Members Absent: None.
Staff Present: Howard Yamaguchi and Mike Meriwether
Others Present: Russ Blasdell, Janet Person, Henry VanLooy, and Terry Smith

1. Meeting called to order at 9:00 a.m. by Bernie Blackmore.

2. Marcel Dijkstra

Mr. Dijkstra was not present again for the meeting.

3. Shooting Range

Dr. Hank VanLooy, representing the Bellaire Conservation Club, explained to the County Lands, Agriculture and Forestry (CLAF) Committee that there is a great need for a location for the general public to sight in their hunting rifles and for general recreational shooting in the county, now that the county ordinance prohibits target shooting in county forest lands. Deed restrictions prohibit the sale of the county property currently used by the Sheriff's Department for target practice.

Mike Meriwether informed CLAF that there is an 80-acre parcel for sale adjacent to and to the north of the Skaff property (part of Cedar River Natural Area). The land is adjacent to the natural area, and may be suitable for a shooting range on the buildable portion of the land. Discussion ensued on the ways the County could assist the Conservation Club in obtaining the financing for the purchase. Dr. VanLooy informed the committee that the Club will talk to the owner and then get an appraisal by a DNR-approved appraiser.

4. Ambulance Authority

Terry Smith, representing the Ambulance Authority (covering the townships of Central Lake, Custer, Chestonia, Forest Home, Kearney, Helena, Mancelona, Star, and Warner), has purchased new ambulances, but the equipment and staff are housed in a rented building that is proving inadequate. The Authority would like to discuss the possibility of building the facility (Authority's offices and ambulance garage) on county-owned land in Bellaire. They would design with future expansion in mind. They are looking at the area around Meadowbrook property, as Meadowbrook is one of the largest users of the Authority, and there would be easy access to M-88. They are looking at about an acre of land.

Bernie Blackmore instructed Mike Meriwether and Howard Yamaguchi to work with Terry Smith and make a presentation at the next CLAF meeting on the pros and cons of using county land somewhere in the vicinity of Bellaire for the Ambulance Authority. In particular, they will check with the Prosecuting Attorney on whether CLAF can sell, assign, or donate county lands for various purposes.

5. County Property adjacent to Bouwens Property, Echo Township

Howard presented two quotations for the survey of the county property (Parcel No. 05-05-008-031-00) adjacent to the Bouwens property in Echo Township. The quotations were \$2,600 from Farrier Surveying, Inc., and \$1,800 from Eagle Land Surveying, Inc.

Motion by Gene Dawson, seconded by Joe Allen, to recommend to the Board of Commissioners that the survey quotation (attached) from Eagle Land Surveying, Inc. of \$1,800 be accepted. Motion passed – unanimous.

6. QuickSilver Surface Damages

Mike Meriwether explained that there may have been a misunderstanding by county prosecutor Charlie Koop on the nature of the surface damages assessed by Mike to Quicksilver Resources. He explained that the surface damages are assessed at the rate of \$50/rod of flowline, and the final alignment is the result of Mike's judgment and negotiations with the mineral resource developer. He expressed the opinion that damages for mineral extraction activities should go toward the forestry fund and the related conservation activities.

Motion by Joe Allen, seconded by Gene Dawson, to recommend to the Board of Commissioners that all non-mineral royalty revenue from county forestry lands be directed to the forestry fund. Motion passed – unanimous.

7. Other Matters

Fishing Structures: Mike Meriwether briefed CLAF on the ongoing discussions with DNR on fishing structures in Lake Bellaire.

ACD Millage: In response to a question by Gene Dawson, Janet Person noted that the Antrim Conservation District (ACD) millage would enable ACD to pay for staff salaries, and ensure that ACD would be able to administer various county programs. Mike Meriwether noted that this will also enable forestry revenues to be applied toward conservation projects instead of his salary.

Wetzel Lake Lease: Janet Person briefed CLAF on the status of the Wetzel Lake lease application. The project paper is ready for submittal to DNR, contingent on Parks Committee approval. Grant funding will be sought to fund electrification and other facilities.

Farmland Preservation: Howard informed CLAF that the Grand Traverse Board of Commissioners is about ready to meet with the Antrim County Board of Commissioners on the joint farmland preservation ordinance.

Meeting adjourned at 10:45 a.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Minutes – March 29, 2004

Members Present: Gene Dawson and Joe Allen
Members Absent: Bernie Blackmore
Staff Present: Howard Yamaguchi and Mike Meriwether
Others Present: Russ Blasdel, Jack White, Al Luurtsema, Marcel Dijkstra, David Slifka, and Terry Smith

1. Meeting called to order at 8:56 a.m. by Gene Dawson.

2. Marcel Dijkstra Proposal for Meadowbrook Lot Adjacent to Glen's Market

Mr. Marcel Dijkstra, representing a client interested in purchasing some County property (Meadow Brook land) adjacent to Glen's Market on M-88, gave a presentation to the County Lands, Agriculture, and Forestry Committee (CLAF). He informed CLAF that his client is interested in 2 to 3 acres to put up a small shopping complex that would include tenants like Dollar General and Subway's. They estimate about 40 jobs will be generated, and a substantial multiplier effect would result in the local economy.

Jack White reminded CLAF that before the Board of Commissioners (BOC) makes any decision, they would have to discuss this with the Meadow Brook Board. The Meadow Brook Board meets next in late April.

Terry Smith also noted that the Ambulance Authority was also interested in the same property. Mr. Dijkstra replied that a joint development of the property, incorporating EMS and his client's projects, would always be possible.

Mike Meriwether also reminded CLAF that it may not be possible for the County to decide to sell public property to just one party. There may be rules and regulations that may require a public auction be held. He also noted that there are no deed restrictions on the property. One of the lots that comprise the County property was conveyed to the building authority during the construction of the health facility. Mike also suggested talking to the Village before the BOC decides on the matter, one way or other.

Mr. Dijkstra presented typical designs for Dollar General stores, and offered to make any presentations that may be required before the Meadow Brook Board. He urged the Board of Commissioners to move fast on this one before the opportunity disappears. Howard noted that the next CLAF meeting is on May 3, 2004. Mr. Dijkstra's package will be included with the BOC packets with the CLAF minutes, and Gene Dawson will bring up the matter for discussion at the next BOC meeting.

3. Ambulance Authority Proposal for Meadow Brook Lot Adjacent to Glen's

Terry Smith from the Ambulance Authority (covering the townships of Central Lake, Custer, Chestonia, Forest Home, Kearney, Helena, Mancelona, Star, and

Warner) and David Slifka, Allied EMS Chief Operation Officer, made a presentation to CLAF. He would like to propose an alternate use for the County land adjacent to Glen's Market: an ambulance barn for the Authority.

Mr. Smith commented on the coincidence of having competing suggestions for the Meadow Brook lot adjacent to Glen's market discussed at the same CLAF meeting. He noted that the advantage of the site was that the access road to the village well is already paved, and that the site will be spacious enough to serve the ambulance needs of the authority for the next 15 years or so. Being adjacent to the Meadow Brook facility was another advantage.

He presented a proposed site plan showing the footprint of the facilities for the ambulance. Mike Meriwether noted that there are no deed restrictions on the parcel, but one of the lots was conveyed to the county Building Authority.

Mr. Smith noted that he had not investigated other county properties (such as the airport or the Animal Shelter parcel) in detail. He wished to concentrate initially on this optimum site (next to Glen's). Some discussion ensued on the merits of alternate county sites. Al Luurtsema emphasized the advantages of the Meadow Brook lot in terms of access to a Class A road, where seconds saved could mean a life saved. The idea of co-mingling mall traffic and EMS traffic was unacceptable, according to Mr. Luurtsema.

David Slifka stated that ambulance runs in Antrim in 2003/4 increased 8% over a similar period in 2002/3. This is a relatively large increase. In 2002 there were about 59 ambulance runs, while in 2003 there were 68. Many of the runs were age-related emergencies, cardiac reasons being the biggest.

Jack White suggested that this be discussed by the BOC, and then with the Meadow Brook Board to see if any use of the lot would impact their future expansion plans. Gene Dawson suggested that this will be discussed at the CLAF Committee report at the April BOC meeting.

4. Possible Land Purchase: Thorman Property, Chestonia Twp

Mike Meriwether was contacted by Gary Strange, realtor in Charlevoix, on behalf of his clients, the Thorman's in Chestonia Township. The property is adjacent to County forestry land, does not provide access to landlocked County forest. The owners wish to sell 30 acres for \$3,000/acre. Mike noted that the timber has just been harvested intensively, and will be another 50 years before a crop can be harvested. The mineral rights do not come with the property. Some discussion ensued on the worth of the land to the County. Consensus was that it was worth much less than the asking price.

Motion by Joe Allen, seconded by Gene Dawson, to recommend to the Board of Commissioners that Mike Meriwether be authorized to enter into negotiations with the Thorman's for possible purchase of the 30-acre property, with a ceiling offer of \$1,500/acre. Motion passed – unanimous.

5. Possible Land Purchase: Petrie Property, Echo Twp

Mike Meriwether explained that Grand Traverse Land Conservancy is asking whether the County would be interested in purchasing 80 acres of wetlands in Echo Township. The 80 acres is currently a commercial forest reserve owned by John and Bertha Petrie. The owners wish to sell, and the Land Conservancy has the first right of refusal. The Conservancy is afraid that the lots will be developed. Mike noted that the lots are not buildable by state statute and are

mostly beaver swamp with no forestry value.

6. Other Matters

Fish Project on Lake Bellaire: Mike Meriwether briefed CLAF on the ongoing discussions with DNR on fishing structures in Lake Bellaire. He is getting permission from landowners at the moment.

Forestry Fund: At the most recent BOC meeting it was voted that surface damage for mineral extraction should go into the forestry fund. Mike Meriwether wants to re-write the Memo of Understanding between Antrim Conservation District (ACD) and the County to cover the whole forestry program as the current agreement only covers timber revenues.

Motion by Gene Dawson, seconded by Joe Allen to recommend the BOC authorize Mike Meriwether to re-write the forestry fund Memorandum of Understanding to clarify the workings of the agreement. Motion carried – unanimous.

Meeting adjourned at 10:57 a.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Minutes – May 03, 2004

Members Present: Bernie Blackmore, Gene Dawson and Joe Allen
Members Absent: None
Staff Present: Howard Yamaguchi, Patty Lowery and Mike Meriwether
Others Present: Russ Blasdell, Jack White, Dave Howelman, Al Luurtsema, and Marcel Dijkstra

1. Meeting called to order at 9:00 a.m. by Bernie Blackmore.

2. Proposals for Meadow Brook Lot Adjacent to Glen's Market

Bernie Blackmore invited Patti Lowery to summarize the thinking of the Meadow Brook Board (FIA Board) concerning the request by clients of local realtor Marcel Dijkstra to sell them a portion of the County property (Meadow Brook) adjacent to Glen's Market. Patti reported to the County Lands Agriculture and Forestry Committee (CLAF) that the Meadow Brook Board is opposed to sale of any portion of the property, as it may be needed for future expansion of the facility.

Bernie Blackmore added that he favored neither Mr. Dijkstra's proposal nor the ambulance authority proposal, because he believes land there is required for the future expansion of the county offices. Gene Dawson originally was in favor of the proposal by Mr. Dijkstra for the Dollar Store because of the jobs that would be generated, but now feels that the ambulance authority is the better choice. Joe Allen opposes either option, because a new jail facility might be needed in the medium-term future. Jack White noted that the majority of the Board of Commissioners (BOC) is probably against the sale. Bernie noted that this committee will not be making a recommendation to the Board about the use of this site.

Marcel Dijkstra thanked CLAF for considering the issue. He reiterated the "strength" of the site adjacent to Glen's, and the income and job potentials for the community. He will check with his client to see if the client would like to make a presentation to the full Board.

The chairman instructed Howard to ask Terry Smith of the Ambulance Authority to make a proposal on the June 28 or August 2 meeting about placing the ambulance barn on the same parcel as the one with the Animal Shelter. Gene Dawson also asked for Antrim County ambulance stats promised by David Slifka at the previous month's meeting.

3. Second May Meeting Date

Unless an urgent agenda item arises, there will be no CLAF meeting on the week of May 31, 2004.

4. ACD Matters

Mike Meriwether commented on the recent fund transfer (a loan) from the Forestry Fund to Grass River Natural Area. He asked CLAF whether or not they

(CLAF) should have a say in the disposition of funds in the Forestry Fund. Jack White noted the CLAF can make recommendations, but historically the Finance Committee has used the forestry fund for similar loans to Grass River. Gene Dawson felt that the committee should indeed have input in the way the Forestry Funds are spent.

Mike informed CLAF that an informational Oil and Gas meeting, sponsored jointly by ACD and MSUE, will be held from 6 to 9 p.m. on June 3, probably at the County office or nearby. All are invited.

Gene Dawson asked whether the ACD millage will include Parks & Recreation funds. He noted that he would not have supported an ACD millage otherwise. Some discussion ensued on the intent of the millage. Howard noted that the Parks & Recreation Commission is conducting a study on a possible Parks millage.

6. Other Matters

Howard informed CLAF that the Planning Commission (PC) is far along in the Land Use section of the master plan. The PC will present its write-up to CLAF at a future meeting.

Meeting adjourned at 9:50 a.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Minutes – June 28, 2004

Members Present: Bernie Blackmore, Gene Dawson and Joe Allen
Members Absent: None
Staff Present: Howard Yamaguchi, Stan Moore, Charlie Koop, and Pete Garwood
Others Present: Jack White, Laura Sexton, Bob McLeod, Dave Howelman, Mike Crawford, Lawrence Wolgamott, Greg Karan, Ed Martel, Theresa Cole, Anne Brasie, Amy Beyer, Russ Blasdell, Janet Person, Kent McNeil, Jim Gurr, George and Kathy Anton, Gordon Kilmer, Jerome Greene, Rich Saylor, Dorrance Amos, Scott Everett, and several others who did not sign in.

1. Meeting called to order at 9:00 a.m. by Bernie Blackmore.

2. Public Comment

Bernie Blackmore instructed the audience members to hold their comments on the Farmland Preservation Ordinance until just before the beginning of that agenda item (scheduled for 11:10). There were no other comments.

3. Beaver Dams

Janet Person distributed a set of handouts on the beaver dam problem. She briefed the County Lands Agriculture and Forestry Committee (CLAF) about the efforts by the Bayshore Estates Association. A system of beaver dams is causing backwater and flooding in private property near Barnes Park. The system includes beaver dams in county property attached to Barnes Park. Bob McLeod requested CLAF support for the Association's efforts to trap beavers and remove the dams.

Janet noted that DNR has issued a permit for beaver trapping, and a DNR officer will conduct the trapping. The rate is \$50/beaver trapped with a cap of \$500. The county is being asked to trap beavers and have the Antrim Conservation District (ACD) remove beaver dams on county property. The Association will provide the county with GPS locations of trapped beavers to show that they were trapped in county property. The residents of the Bayshore Estates will pay for beaver trapping and dam removal on their own properties. Mike Meriwether suggests breaching, but not necessarily removing, the beaver dams on county property.

Jack White was concerned about the county being responsible for beaver damage to private property. Joe Allen expressed reservations about being asked to pay for the local residents' insurance deductibles. Janet Person noted that this is usually not done, and will talk to the Estate Association about it. Gene Dawson felt that the damage was on private land, and that the private owners should be responsible for their own damages.

Motion by Gene Dawson, seconded by Joe Allen, to recommend to the Board of Commissioners to allow the Antrim Conservation District to breach beaver dams and drain the beaver reservoirs on county land in the affected area near Barnes Park; the county will not pay for trapping beavers on county land.

Motion passed - unanimous

4. Ambulance Authority

Terry Smith, the president of the ambulance authority, reminded CLAF that at the last month's meeting, they requested from Mr. Smith a plan showing a possible ambulance barn on animal shelter lot across from Meadowbrook. Mr. Smith distributed the drawing to CLAF members. He also distributed a chart breaking down the ambulance runs for 2003. Over 874 were billable runs, and 281 were no-transport. Allied EMS is the management service for the 9-county authority.

Terry Smith gave a short history of the ambulance authority. The current millage for funding the authority pays for operations and will pay for building new buildings, but does not cover all costs. The ambulance authority requests a long-term lease from the county. The county will be a partner in the planning of the facilities. The townships will own the new buildings in the proposed site.

Gene Dawson noted that he has not heard anything negative about authority in his Central Lake Township, and thought that the authority probably will not have a problem for millage renewal. He noted that he has talked to commissioners, and many feel this is good location. Bernie Blackmore concurred with the choice of location and the degree of local support for the authority. Terry Smith said that if conceptual agreement can be obtained from the Board of Commissioners, the authority will do a detailed site plan with input from the Commissioners.

Motion by Gene Dawson, seconded by Joe Allen, to recommend to the Board of Commissioners to give the ambulance authority permission to consider the animal shelter parcel as the primary location for a proposed ambulance barn, and to proceed with engineering studies for the site. Motion passed – unanimous

5. MSU Extension 2005 Budget

Stan Moore, MSU County Extension Agent, presented the proposed 2005 budget for MSU Extension, and fielded questions from CLAF.

Motion by Gene Dawson, seconded by Joe Allen, to forward without change the MSU Extension 2005 budget request to the Finance Committee for further consideration. Motion passed – unanimous

6. Antrim Conservation District 2005 Appropriation Request

Janet Person, Executive Director of the Antrim Conservation District, presented the 2005 appropriation request to CLAF. She fielded questions from the committee, including those concerning the impact of the proposed millage on the next ballot.

Motion by Gene Dawson, seconded by Joe Allen, to forward without change the Antrim Conservation District 2005 appropriation request to the Finance Committee for further consideration. Motion passed – unanimous

7. Antrim County Fair 2005 Appropriation Request

Theresa Cole, President of the Antrim County Fair Board, presented the 2005 appropriation request to CLAF. She noted that this year a larger participation in several fields is expected, and updated CLAF on the status of some facilities at the fairgrounds.

Motion by Joe Allen, seconded by Gene Dawson, to forward without change the

Antrim County Fair Board 2005 appropriation request to the Finance Committee for further consideration. Motion passed – unanimous

8. Grand Traverse Bay Watershed Center 2005 Appropriation Request

Anne Brasie, Executive Director of the Grand Traverse Bay Watershed Center, presented the 2005 appropriation request to CLAF. She handed out a synopsis sheet of current projects and explained the activities to the committee.

Motion by Gene Dawson, seconded by Joe Allen, to forward without change the Grand Traverse Bay Watershed Center 2005 appropriation request to the Finance Committee for further consideration. Motion passed – unanimous

9. Conservation Resource Alliance 2005 Appropriation Request

Amy Byer, Director of the Conservation Resource Alliance, presented the 2005 appropriation request to CLAF. She distributed a brochure and some photographs of CRA activities in and around the county. She briefed the committee on CRA's current activities in the region.

Motion by Joe Allen, seconded by Gene Dawson, to forward without change the Conservation Resource Alliance 2005 appropriation request to the Finance Committee for further consideration. Motion passed – unanimous

10. Public Comment

Ed Martel described a method of placing PVC pipe of sufficient diameter and length under the beaver dam to provide spillway capabilities while retaining the beaver dam.

Greg Karam described potential adverse effects of establishing wildlife corridors and other conservation activities on neighboring property owners.

Janet Person requested support from audience for the July 16/17 county-wide Wetzell Lake benefit garage sale. It will be held at the Mancelona police station. Goods for sale can be donated at the Conservation District.

Ed Martel noted that draining of beaver dams could also result in destruction of emergent wetlands. He emphasized the need for standards to handle such situations.

11. Farmland and Open Space Development Rights Ordinance

Bernie Blackmore opened the floor to public comments on the Farmland Ordinance.

Bud (Lawrence) Wolgamott commented that the Allied EMS does not cover enough of the County. He noted that his property had been reclassified from agriculture to residential. He heard that farmland preservation would cost as much as \$27,000 an acre. He felt that was too much. He also noted that the County fails to provide an audio system that he could use.

Bob McLeod noted that the Farmland Task Force was tasked with developing farmland preservation options, but instead developed this ordinance which in his opinion is not what the Commissioners were originally told it would be. He also commented that the two-thirds majority specified in the ordinance to amend or

sell back the property was overly restrictive.

Ed Martel reiterated his belief that use of the term “open space” in the ordinance is illegal because the county has no zoning ordinance. He also believes that the county commissioners who are farmers may have a conflict of interest in voting for the ordinance. He also felt that the ordinance calls for the most restrictive options permitted under the state statute, and that this should not be. He feels that the law should be a PDR Purchase Ordinance instead.

Kent McNeil expressed dissatisfaction that the ordinance was developed without sufficient local input, and would not like to see his tax dollars spent on the endeavor.

Jim Gurr urged the Board of Commissioners to consider who would actually end up paying for the preservation activities. He cited the example of Leelanau County, where townships did not opt in and the Conservancy ended up requesting a countywide millage. He suggested alternate mechanisms such as a transfer fee during property sales to fund the preservation fund.

George Anton of Lenawee County noted that the Antrim County farmland ordinance appears to be a duplicate of the proposed Lenawee ordinance that was written by the American Farmland Trust. He urged the commissioners not to pass the proposed ordinance.

Janet Person spoke in favor of the farmland ordinance, and urged the commissioners present to pass the ordinance.

Jerry Green opined that the county has no authority for any of the actions in the ordinance, being neither a general law or charter county. He also noted that taking federal money to finance such projects inevitably result in federal ownership of the land, and that land rights cannot be given away or sold. He asked where the minutes were for the hearing for the current ordinance draft.

Greg Karam recounted his difficulties (bordering on harassment) in operating a non-traditional farming operation, especially after the township re-classified his farm as residential. Whereas he was committed to farming, the recent classification has him tending toward a land division. He noted that there are no restrictions on local governments for a PDR program, and feels there is no need for a *county* farmland ordinance.

Rick Saylor of Grand Traverse County hoped that Antrim County will provide the leadership to go ahead with the program, and urged adoption of the ordinance.

Ed Martel suggested a series of open meetings to determine what methods of farmland preservation will work and what will not.

The chairman then called on County Prosecutor Charlie Koop to clarify certain points that had been raised at the previous Board of Commissioners meeting and this meeting. Mr. Koop made the following points:

- Whenever a commissioner votes on taxes, he/she is voting for a special interest (a personal interest); similarly, a commissioner can vote on the farmland ordinance if the commissioner owns a farm; a recusal is called for only if the vote concerns a specific project in which the commissioner has a special interest.
- References in the proposed ordinance to the County Zoning Act has been changed to refer to the Act's sections that state that the farmland ordinance is authorized

regardless whether or not a county has a zoning ordinance.

- The farmland ordinance is a sale of easement statute, not a land use regulation ordinance. By contrast, PA 116 in its present form is a tax abatement statute. Also, land classification (into agriculture or residential, etc.) is a local government assessment matter, not a county matter.
- The titling of an ordinance does not render an ordinance illegal.
- The “open space” terminology refers to the 49% of any farmland that is not required to be under cultivation (by state’s definition). This open space must be left in the ordinance because the area can also become part of the agricultural conservation easement. If not left in, the open space could be developed, thus defeating the purpose of the ordinance.
- As far as 3rd party lawsuits go, they are either statutory or arising from the language of the easement agreement. Whatever the federal statutes say, state law must be obeyed first by federal agencies.
- The 2/3 majority vote of the Board of Commissioners: that provision either be taken out of the ordinance (there is no statutory authority for the Board of Commissioners to require that), or the ordinance containing such a provision must itself be passed by a 2/3 majority.
- As for excessive strictness, the Board of Commissioners can amend the ordinance at any time.
- Financing of the ordinance is a *policy* question, not a legal one. We cannot specify in the ordinance that only the townships can fund this, just as we cannot specify that “we will spend x dollars per year to fund this” in the ordinance language. However, the current draft does have a new section C(iii) that lists township and local government funding as another of a list of funding options available.
- (responding to a question by Jim Gurr) 3rd party lawsuits are possible if there is a violation of an easement language provision, and the owner of the easement does not enforce it. Only the attorney general or county legal counsel can bring lawsuits, NOT the Farmland Preservation Board.
- (responding to questions and comments by Kathy Anton of Lenawee Co. on use of public funds for private gain) the whole issue of farmland preservation and PDR purchases is a policy issue. (General debate on policy issues ensued.)

Dorrance Amos reminded the commissioners that this is a *voluntary* program, and strongly advise the commissioners to pass the ordinance.

Pete Garwood asked Scott Everett why the 2/3 majority rule was included. Scott responded that the idea was to make it difficult to get into the program, and to make it difficult to get out.

Greg Karan wondered if the county is getting into brokering development and development rights. Charlie Koop responded that a brokerage license is not required to sell and buy development rights, and that there is statutory authority for the local governments to buy development rights.

Ed Martel re-iterated his belief that the term open space cannot be used in the ordinance because the term is not mentioned in PA 262, and because the County has no zoning authority. Kent McNeil stated that the ordinance *does* allow 3rd-party lawsuits.

Jerry Green asked Scott Everett whether or not he stated that a county needed

zoning for farmland preservation. Scott Everett replied no. Jerry Green asked whether Antrim County is a “general law” county. Charlie Koop replied that Antrim County was established by the laws of the state of Michigan.

Chairman Bernie Blackmore stated that the County Lands Agriculture and Forestry Committee was charged by the Board of Commissioners at their June 10, 2004, meeting to discuss the ordinance and obtain input. He declared that this objective had been accomplished, and closed the floor to discussion of the Farmland Ordinance.

12. 2004 Tax Foreclosure List

Pete Garwood introduced communication from the Treasurer requesting written expression of interest from the Board of Commissioners for acquisition of the 2004 foreclosed properties. Prosecutor Charlie Koop explained the foreclosure system to the committee: if taxes are not paid in one year, the property is foreclosed in the next year. Forfeited properties become the property of the Treasurer, who will dispose of the properties as she sees fit. Usually the state and local governments are given the right of first refusal.

Mr. Koop then described the case of Mr. Apfel, who bought foreclosed property last year from the Treasurer. The property turned out to be a Superfund site. He outlined the options available to the Treasurer in dealing with the issue.

The consensus of the committee was that the Equalization Department and the county forester should examine the list and make recommendations to the commissioners.

Motion by Gene Dawson, seconded by Joe Allen, to recommend to the Board of Commissioners that the Equalization Department and the Antrim Conservation District be directed to examine the 2004 foreclosed property listing for any properties that may be of interest to the County and report to the County Lands Agriculture and Forestry Committee. Motion passed – unanimous

Pete Garwood reported that McKeough Land Co. wrote a letter offering services related to selling off County properties.

Meeting adjourned at 12:55 p.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

*** SPECIAL MEETING *** Minutes – July 02, 2004

Members Present: Bernie Blackmore, Gene Dawson and Joe Allen
Members Absent: None
Staff Present: Howard Yamaguchi
Others Present: Todd Vigland, Janet Person, Al Luurtsema, and Russ Blasdell

1. Meeting called to order at 11:00 a.m. by Bernie Blackmore.

2. Public Comment

Todd Vigland, of the Grand Traverse Land Conservancy, briefed the County Lands Agriculture and Forestry Committee (CLAF) about the commercial forest reserve lands being sold as part of an estate settlement by Mark Sevald. He noted the Conservancy's interest in Sevald lands in the Jordan Valley, and he introduced the Sevald forest properties to be put on sale in Forest Home Township.

Extensive discussion ensued on the appraised prices, the desirability of acquiring forest lands to consolidate County forests, the funding available, and the possibility of partnering with Forest Home Township, which wishes to acquire much of the available lands.

Motion by Joe Allen, seconded by Gene Dawson, to recommend to the Board of Commissioners to:

- **authorize Mike Meriwether to enter into negotiations with Mark Sevald and the Grand Traverse Land Conservancy for the purchase of approximately 50 acres of commercial forest reserve land in Forest Home Township at a price not exceeding \$2,000 per acre, with:**
 - **funds for the purchase to be taken out of the County Forestry Fund; and**
 - **Antrim County retaining outright the ownership of the 50-odd acres**
- **allow Forest Home Township to use the purchase amount of the County's purchase of the abovementioned 50-odd acres as a cash match in a potential Michigan Natural Resources Trust Fund land acquisition grant application for adjacent commercial forest reserve lands, with the understanding that there will be no further cash outlays by the County.**

Motion passed – unanimous

3. Tax Reverted Properties

Janet Person requested that this item be placed off the agenda.

4. Horses on Cedar River Natural Area

Janet Person inquired whether horseback riding was an allowable activity on Cedar River Natural Area. Todd Vigland promised to check into the deed restrictions on the property.

Meeting adjourned at 11:48 p.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Minutes – August 30, 2004

Members Present: Gene Dawson and Joe Allen
Members Absent: Bernie Blackmore
Staff Present: Howard Yamaguchi and Pete Garwood
Others Present: Janet Person, Mike Meriwether, Mark Randolph, and Russ Blasdell

1. Meeting called to order at 9:00 a.m. by Gene Dawson.

2. Public Comment

Russ Blasdell noted that Rich Hoadley of Elk Rapids suffered a mild heart attack.

3. DNR Notice for Mineral Rights

Howard noted that DNR had sent the County a note about interest by another party in developing minerals under County property (rights owned by State). Mike Meriwether stated some of the lands are under Grass River, others are forest lands. He confirmed that the State owns the mineral rights. Mark Randolph noted that the County may have an *interest* in minerals rights under certain GRNA properties, depending on how much county funds were involved in their purchase.

4. Bouwens Property

Pete Garwood briefed the Committee on further developments in the Bouwens property. Responding to queries by members of the Six Mile Lake Association, the Coordinator/Planner Office requested a surveyor to verify whether or not Mr. Bouwens' boat house is on County property. Surveyor Neil Way reported that the boat house is NOT on County land. This has been relayed to representatives of the Six Mile Lake Association at their meeting with Pete Garwood. Mr. Garwood also briefed the committee on the old County Surveyor letter written concerning the property in 2002. He also noted that he will send a surveyor to tie the boathouse with the county property boundaries (this was not done in the earlier visit to ascertain whether or not the property was on county land).

Motion by Joe Allen, seconded by Gene Dawson, to recommend to the Board of Commissioners to authorize the Coordinator/Planner to spend up to \$670 to carry out a survey to tie in existing boathouse structures on the Bouwens property to the County property line. Motion passed – unanimous

5. Antrim Conservation District and Other Matters

Janet Person informed the Committee that she is working with Forest Home Township and the Village of Bellaire to create a walking trail through township, village, and County land.

Mike Meriwether noted that horses were using the Cedar River Natural Area trail bridges. He has talked to horse ranch owners in the vicinity, and they have agreed to stay off the bridges. However, they have asked for access to the railroad grades,

and may be appearing before this committee soon. He noted that one ranch in particular uses the County trails for business.

Russ Blasdell stated that Frog Hollow had been demolished by 4-wheelers.

Mike informed the committee that he had the Cedar River trails maintained by weed whipping and chipping this summer. He also said that timber cutting for the Orchard Hill forest property will commence today.

Howard gave an advance warning of a potential CLAF issues that may arise in the future when the Chain of Lakes Internet will claim a spot on County property for a re-broadcasting antenna structure as part of the supply agreement for county government-wide broadband access.

Meeting adjourned at 9:58 p.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

SPECIAL MEETING Minutes – September 9, 2004

Members Present: Bernie Blackmore, Gene Dawson and Joe Allen
Members Absent: None
Staff Present: Pete Garwood
Others Present: Mike Crawford, Butch Dewey, Russ Blasdell, Joe Lange, Trish Drollinger and Janet Person from the Village of Bellaire

1. Meeting called to order at 8:30 a.m. by Gene Dawson.

2. Public Comment

None.

3. Walking Path Extended Lease

Janet Person gave an overview of the Village of Bellaire's plans for walking paths in the village.

The village is seeking a fifty (50) year easement for the walking path through the County property, across from Meadow Brook. Currently, there is a ten (10) year easement with automatic renewal. However, Michigan Department of Transportation (MDOT) is requiring a fifty (50) year agreement in order to meet the grant criteria.

Motion by Gene Dawson, supported by Joe Allen, to recommend the Board of Commissioners amend the current ten (10) year lease to a fifty (50) year lease agreement. Motion carried – Unanimous.

Meeting adjourned at 8:50 a.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Minutes – October 04, 2004

Members Present: Bernie Blackmore, Gene Dawson and Joe Allen
Members Absent: None
Staff Present: Howard Yamaguchi
Others Present: Russ Blasdell, Mike Meriwether, Janet Person, Jack White, and Jerry Basch

1. Meeting called to order at 9:00 a.m. by Gene Dawson.

2. Public Comment – Peter Wilkes Memorial Forest

Russ Blasdell asked whether the ordinance can be re-worded so that only the gravel pit at Peter Wilkes Memorial Forest be off limits, and the rest of the property open to hunting and target shooting. Bernie Blackmore noted that all county properties were open to hunting, but he was against designating only a part of the property exempt from this ordinance. Joe Allen also stated he was against further changes to the ordinance.

Discussion turned to the search for a shooting range. Russ Blasdell and Janet Person reported that a 20-acre parcel in Custer Township may be available for \$40,000. Janet noted that the Bellaire Conservation Club does not qualify for a Trust Fund grant, and Russ noted that NRA grants are only available if 100% of the BCC members are NRA members.

3. Shooting Ordinance Revision (Doug Bedell)

Doug Bedell did not appear before CLAF. However, Mike Meriwether informed CLAF that when the Bedells were having a reunion over the holidays, the sheriff's deputies were shooting the whole time. He noted that cruisers would show up at night for night shooting, to the dismay of the neighbors. Janet noted that some night shooting is required for firearms qualification by law enforcement officers.

Bernie Blackmore noted that CLAF will suggest to the sheriff that the department organize shooting hours and monitor the deputies' shooting activities so that shooting will not occur at hours objectionable to the neighbors.

4. Elk Rapids Day Park

Howard informed CLAF that the Parks Committee requests CLAF to recommend a course of action on Elk Rapids Day Park. The Finance Committee would like an indication of whether or not to remove the park from its maintenance rolls, thereby allowing transfer of the property to the Village.

Jerry Basch briefed CLAF on the progress of the joint local planning committee to date. He noted that a grant is being requested from the Elk Rapids Rotary Club.

Extensive discussion ensued. Gene Dawson and Bernie Blackmore argued against transfer of the Elk Rapids Park. Gene Dawson noted that valuable Lake Michigan frontage is involved. Jack White noted that the County has not been operating

the park well, and that the park would be better run under the Village.

Motion by Bernie Blackmore, supported by Gene Dawson, to recommend the Finance Committee to include the Elk Rapids Day Park in its 2005 budget for operation of the Park by the County. Motion carried – Unanimous.

5. Communications

Howard noted that he had followed up on the previous communication by DNR on oil/gas leases under County lands in Custer and Helena township by reminding DNR that mineral rights under GRNA parcels was owned 25% by the County, 75% by the State. DNR acknowledged the fact and our request to classify the any leases there as non-developmental.

6. Conservation District Report

Mike Meriwether reported that the Orchard Hill timber sale cut is mostly complete. He put a gate at the site, and will issue firewood permits. Next sale on Alba Rd on east side of M66. Mike will be happy to show marked area to the Commissioners. He also briefed CLAF on the status of the land purchase in Kearney townships by the Township and County.

Janet briefed CLAF on the walking path plans by the Village of Bellaire. Bernie Blackmore asked Janet to inform the Village that CLAF encourages the Village to proceed to produce formal plans for the project.

7. Other Matters

Russ Blasdell read a rough draft of an ad/survey for the local newspapers. The survey concerns the shooting sports preferences of the local population.

Meeting adjourned at 10:12 a.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Minutes – November 29, 2004

Members Present: Bernie Blackmore and Joe Allen
Members Absent: Gene Dawson
Staff Present: Pete Garwood and Howard Yamaguchi
Others Present: Mike Meriwether and Janet Person

1. Meeting called to order at 9:00 a.m. by Bernie Blackmore.

2. Forestry Matters

Mike Meriwether informed the County Lands Agriculture and Forestry Committee (CLAF) that a bid notice for timber cutting on county land at Alba Road and M66 had gone out, and that bids were due tomorrow (Nov 30). Two bids have been received to date, and more are expected. Mike requested a special CLAF meeting before the Board of Commissioners (BOC) meeting next Thursday to open the bids. Mike expects bids to be in the \$15K to \$20K range. Bernie Blackmore will convene a special CLAF meeting to open the bids at 8:45 a.m. on December 9, 2004.

Mike noted that timber harvesting has resumed at the Orchard Hill Road site. The contractor stopped work for a while, and has now resumed timber cutting. There is a slight problem with timber stacked along the roads, but the problem is being addressed.

Pete Garwood noted that we have received notices from DTE Energy for gas well drilling on County land in Echo and Chestonia townships. Mike Meriwether will assess surface damages on the sites and file claims with DTE.

3. Bouwens' Property

Pete Garwood showed the results of the survey locating Mr. Bouwens' boat house with respect to the County property line. He read an opinion memo from the Prosecutor's Office regarding whether or not the boat house encroaches on the County's riparian rights. The Prosecutor thinks it does, but advises that a preliminary determination be commissioned by an expert in the field.

Motion by Bernie Blackmore, seconded by Joe Allen, to recommend the Board of Commissioners to retain Corey Hughes to investigate and issue a preliminary determination regarding the county's riparian rights with respect to the boat house on Mr. Bouwens' property. Motion carried – Unanimous.

4. Conservation District

Janet Person reminded CLAF that in the previous months they authorized Mike Meriwether to negotiate with the Sevalds over a property up for sale. Janet informed CLAF that the entire area will be purchased by the Olson Foundation, which will hold it until a MNRTF grant can be applied for. The County is requested to hold the \$100K from the Forestry Fund until needed for the MNRTF grant application.

Meeting adjourned at 9:39 a.m.

County Lands, Agriculture and Forestry Committee

Joseph Allen

Bernie Blackmore Chairman

Eugene Dawson

Special Meeting Minutes – December 09, 2004

Members Present: Bernie Blackmore, Gene Dawson and Joe Allen

Members Absent:

Staff Present: Howard Yamaguchi

Others Present: Mike Meriwether and Janet Person

1. Meeting called to order at 8:45 a.m. by Bernie Blackmore.

2. Timber Cutting Bid Opening – County Property at Alba Rd and M-66

Bernie Blackmore opened the bids for timber cutting at the above County property. The results were:

Contractor	Bid Price
Silverleaf Sawmill	\$34,795
Timbercare Inc.	\$13,656
Paris Sawmill	\$21,752
Matelski Lumber Co.	\$22,776
Fahl Forest Products	\$33,900

Mike Meriwether noted that in this instance, there is no reason to accept any bid other than the highest one.

Motion by Gene Dawson seconded by Joe Allen, to recommend the Board of Commissioners to award the timber cutting contract at the County forest at Alba Rd and M66 to Silverleaf Sawmill for a bid price of \$34,795. Motion carried – Unanimous.

Mike Meriwether introduced the proposed Surface Damage Assessment for the proposed drilling activity on County Forest Land at Section 24, Echo Township. He estimates surface damages of \$10,331, and will require a change in the flowline.

Motion by Joe Allen seconded by Gene Dawson, to approve the surface damage assessment prepared by Mike Meriwether for the drilling and flowline construction at the county forest at Section 24, Echo Township. Motion carried – Unanimous.

Meeting adjourned at 8:54 a.m.