

**VILLAGE OF GRAND BEACH
REGULAR COUNCIL MEETING
FEBRUARY 15, 2017**

CALL TO ORDER

Council president Paul Leonard Jr. called the regular council meeting to order at 7:34 p.m. EST. Present in addition to Leonard were James Bracewell, Frank Giglio and Blake O'Halloran. Deborah Lindley was not in attendance as she was out of town.

ADOPT AGENDA

Giglio moved, seconded by Bracewell to adopt the agenda as amended with the addition of AT&T/Comcast Telephone Service and DEQ - Leaf Pile. Motion carried unanimously 4-0.

APPROVE MINUTES

O'Halloran moved, seconded by Bracewell to approve the minutes of the Regular Council Meeting of January 18, 2017. Motion carried unanimously 4-0.

PRESENTATIONS/RECOGNITION

None

COMMISSION REPORTS

Building & Zoning: Bracewell said building activity in the Village is ahead of schedule because of the nice weather.

Parks & Beaches: Giglio reported that the water level is very high and the number of stairs that the Village installs will depend on the water level.

Streets & Water: Leonard reported that he and Superintendent Bob Dabbs went up to the water tower since one of the lots adjacent to the tower is for sale, and they were concerned that there might be water lines under that lot. Dabbs did research and found out that there are very old water lines from the 1930's in the ground, but they are all out of service.

Leonard said that the Village has the ability to remove the old deteriorating water lines on the golf course and replace them with PVC. This could be done during the winter months with everything cleaned up in time for the golf season. We could probably do two or three fairways at a time and save a tremendous amount of water, and take care of the problems we have with leaks in the system. Leonard said Dabbs is confident that we have the equipment and expertise to do this and keep everyone busy through the winter months.

Leonard read a notification he received from the Michigan Municipal League (MML) regarding House Bill 4001 which will eliminate Michigan state income tax over a period of time. In the first year, the change in income tax would reduce the state's general fund by \$1.1 billion. If the state cuts the income tax, the Village's ACT 51 funding for streets will be affected. MML is asking taxpayers to consider opposing the bill by contacting their state representatives to let them know how it will hurt the residents, schools and services in the state of Michigan.

Police: Lindley was not in attendance.

Pro-Shop and Course: O'Halloran nothing to report.

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ServiScape: Clay Putnam was not in attendance.

PERSONNEL REPORTS

Superintendent: Bob Dabbs had nothing in addition to his written report.

Police Chief: In addition to his written report, Chief Dan Schroeder told the council that he had someone come out and look into running WI Fi upstairs, but has not received a bid yet.

Building Inspector Bill Lambert said he sent a letter out to a property owner on Oak Street that has an old foundation standing on the property, but he hasn't heard back from him yet.

PAY BILLS

Giglio moved, seconded by Bracewell to approve the payment of the bills with the written additions as presented. Motion carried unanimously 4-0.

UNFINISHED BUSINESS

SOCIAL CLUB CONTRACT

Leonard stated that it appears that the Social Club can obtain insurance for liquor liability coverage to cover the Village when they have an event that they sell tickets for that includes alcohol. He said he suggested language to be added to the contract regarding carpet cleaning that states that if the carpet has to be cleaned at the end of the season, the Social Club will have it cleaned and will pay for it.

Bracewell moved, seconded by O'Halloran to approve the changes to the Social Club Contract with changes to paragraph 3 regarding liquor liability coverage and paragraph 5 regarding carpet cleaning as presented. Motion carried unanimously 4-0.

NEW BUSINESS

REQUEST USE OF ROYAL AVENUE BEACH EASEMENT FOR REVETMENT WORK

Leonard said Donkersloot & Sons requested approval to use the Royal Avenue beach easement to do emergency revetment work for James Denny. Bracewell said that with all of the work needed in the Village, the Village might not be able to take the position that they all have to be completed by Memorial Day because if there is a home in emergency need of work, the Village will have to allow the work to be done. Leonard suggested making that decision on a case by case situation.

O'Halloran asked Donkersloot about the possibility of completing any work after Memorial Day from their barge. He would like to keep the Village's best interest in mind and complete the work as soon as possible. Arie Donkersloot said that if they use the barge, they will still need an access point to load the barge. He said they hope to have the Department of Environmental Quality (DEQ) and Army Corp of Engineers (ACOE) permits in time to complete the work by Memorial Day. Once they get the permits, they will give Village a schedule of work.

Leonard moved, seconded by Giglio to allow Donkersloot to use the Royal Avenue beach easement to access the Denny house, and to work beyond Memorial Day if necessary and to repair the easement to the original condition when finished. Motion carried unanimously 4-0.

PERMISSION TO CONTINUE REVETMENT WORK AFTER MEMORIAL DAY

Leonard said that the owners of Grand Beach Land Development (GBLD) have started revetment work on

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their properties along Lake Park Drive, but they are not sure when the work will be completed. They would like permission to continue working past Memorial Day if needed. Leonard said there is no usable beach in that area at this time, and he doesn't have a problem with the work being done after Memorial Day.

Leonard moved, seconded by Bracewell to allow the owners of Grand Beach Land Development to extend their work past Memorial Day if necessary in order to complete the revetment work. Motion carried unanimously 4-0.

POSSIBLE ACQUISITION OF 40 ACRES OF AVAILABLE LAND IN GRAND BEACH

Leonard said he received information from Ellen Frankle that GBLD is going to place over 40 acres of land located between the golf course and the marsh belonging to Chikaming Open Lands up for sale. He spoke to Ellen Frankle about the possibility of carving out a portion of the land to sell to the Village in order to keep the driving range. Frankle said GBLD is interested in selling the whole piece of property at this point and the asking price is in the vicinity of \$3,000,000. Leonard said the Village does not have that amount of money, and discussed possible funding sources. He said another option is to defer exploring the purchase of the land and work with the developer who comes in to develop the 40 acres. He said he is not sure that going after the 40 acres is a viable alternative.

O'Halloran said he has talked with Frankle and some of that \$3,000,000 land might be broken out and the cost could come down to \$2,600,000. He spoke about options available and stated that GBLD will allow the Village to pursue those options and will wait for the Village to submit a grant application to the state in March of 2018. He would like to find out what the cost would be to have McKenna Associates prepare a grant application.

Leonard said the Village would have to do due diligence and have a survey and an appraisal done and then have a more extended conversation with GBLD about what's feasible and what isn't.

Leonard said that we are going to have our budget meeting in March and we can look for money in the budget to allocate for the appraisal which Frankle believes cost GBLD between \$4,000 and \$5,000. GBLD has a survey that includes the roads that were recently dedicated to the Village, and they are in the process of getting a survey with the roads removed and will submit the survey to the Village once it is completed.

DEQ – LEAF PILE AND REMOVAL OF LEAVES FROM VILLAGE

Leonard said that for at least 30 years or more, the Village has been picking up leaves from the streets and leaves and debris from property owners and depositing it in an area bordering the 1st hole and driving range. The pile is in the woods and estimated between 5,000 and 6,000 cubic yards that has accumulated over decades.

On January 13, 2017, Bob Dabbs was advised by the DEQ that what we were doing is illegal. Leonard read the letter to the council. The Village has a permit as a composting site to take the leaves and spread them out and let them compost; but unfortunately that is not exactly what the Village has done. The letter stated the amount of yard waste that would have to be removed from the Village is 75% of what is picked up during the year. The Village has failed to remove that amount of yard waste and is in violation, and the Village has until February 26, 2017 to respond to the DEQ.

Leonard said they have talked to Merritt Engineering and we can't dig a hole and bury the pile. We can burn part of the pile, but most of it is so compacted that it is muck.

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Bob Dabbs got a bid of \$16,000 to have 120 truckloads removed from the golf course and taken to Falatovics compost pile on Highway 12 and 1000 North. The Village has an area to compost the brown bag waste where the residents won't be able to see it and that compost can be used as fertilizer in the future.

Going forward, Dabbs estimates that it will cost the Village approximately \$10,000 a year to truck out the waste in order to stay in compliance with the DEQ. The Village picks up about 3,000 cubic yards of leaves a year.

Bracewell said residents used to burn their leaves, and it is interesting that the DEQ takes this position which could lead to residents once again burning their leaves. O'Halloran was concerned with the trucks going across the golf course and wanted to make sure that they don't put in a road for the trucks.

Leonard said that another concern the Village has is the salt pile that is normally covered with tarps. The Village plans to build a berm around the salt that is stored outside to contain any runoff that might occur.

Leonard moved, seconded by Giglio to spend up to \$20,000 from the salt storage building fund in Capital Projects to pay the cost of remediating the existing leaf pile to get into compliance with the DEQ regulation MCL 324.11521(4)(c), and the Village will submit a plan to the DEQ by February 26th that will involve breaking up the existing leaf pile, burning what we can, distributing the ashes appropriately, removal of the remainder of the leaf pile by truck to a composting facility outside of the Village, the existing brush pile will be burned and the ashes properly disposed of, a composting facility for brown bags will be built within the boundaries of number 1,3 and 7 fairways in the woods, and excess leaves, lumber and timber will be removed from the Village as needed year by year. Motion carried unanimously 4-0.

TREE REPLACEMENT – GRAND BEACH ROAD

Leonard said that almost all of the blue spruce trees on Grand Beach Road were infected with a disease and the Village removed the most seriously damaged trees. The Village needs to replace with new trees that are not subject to that fungal infection. It was recommended that the Village use a combination of different types of trees. Dabbs received a bid from Lakeside Tree Farm to purchase Serbian Pine, Norway Spruce, White Pine and Red Pine at a cost of \$40 per tree with an additional cost for Dudeck Farms to dig them up.

Leonard moved, seconded by O'Halloran to purchase trees at a cost not to exceed \$2,500 from Lakeside Tree Farm to replace diseased trees removed from Grand Beach Road with equal amounts of the Serbian Pine, Norway Spruce, White Pine and Red Pine being purchased, and to plant some of them in other areas where they may be needed. Motion carried unanimously 4-0.

HALL RENTAL REQUEST FOR TWO HOURS – KATE BOYLE, APRIL 16, 2017

Leonard said Clerk-Treasurer Mary Robertson received a request from the Boyle family to use the council room for mass for 70-80 people, but she suggested they use the hall. Bracewell suggested that the Village allow them to use the council room for 70-80 people at no cost.

HALL RENTAL REQUESTS –

O'Halloran moved, seconded by Leonard to approve the hall rental request for Pat Maxwell on September 30, 2017 and Amy Bohling on October 7, 2017. Motion carried unanimously 4-0.

AT&T/COMCAST TELEPHONE SERVICE

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Clerk-Treasurer Robertson explained the difficulty she has had with changing the telephone service over to Comcast from AT&T. There were additional costs associated with changing to Comcast that were not explained by the sales representative.

Leonard moved, seconded by Bracewell that if we can get out of the contract without any further liability, we terminate the contract with Comcast and stay with AT&T and upgrade our system and phones with AT&T. Motion approved unanimously 4-0.

Bracewell stated that the council has received a copy of the Rules of Procedure for the Village of Grand Beach. He restated that he thinks the council should receive a stipend for participating in every meeting. He thinks if people assume you will give your time, effort and intelligence for free, that it is sometimes considered to be worthless. He said it is very obvious how much time Leonard has volunteered and with him being an attorney; we are getting free advice from him. He said that the stipend should be identical to what is being paid in the township and the southwest Michigan area.

Clerk-Treasurer Robertson told the council that the charter needs to be amended in order to compensate the Council. Leonard said there are documents that need to be reviewed and updated and brought into the 21st century, but because the Council only meets once a month, it makes it very difficult to work on those things like ordinances and the charter. Leonard will contact Attorney Sara Seneca about a charter revision to see if she has a template that the Village can start with.

AUDIENCE RECOGNITION

None

CORRESPONDENCE

None

ADJOURNMENT

Leonard moved, seconded by Bracewell to adjourn. Motion carried unanimously 4-0.

With no further business, the meeting was adjourned at 9:20 p.m. EST.

Respectfully Submitted,

Mary J. Robertson
Clerk-Treasurer